Wars not Fought: Neutrality and European Navies in American Waters during the US Civil War

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Declaration

I declare that this thesis, which I submit for the degree of Doctor of Philosophy, is my own work and has not been previously submitted for a degree in Durham University or any other institution.

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Abstract

This thesis demonstrates that British and French warships in American Waters during the Civil War played a central role in maintaining neutrality and the rights that came with the status. Nineteenth-century powers maintained neutral rights by sending warships to the coasts of belligerents to facilitate the work of their diplomats and consuls. The first aim of European warships during the American Civil War was to determine if the Union blockade was effective and thus legal under international law. The observations by these naval officers generally acknowledged the blockade as effective around major ports. This allowed Lord Palmerston's Ministry to formally recognise the US Navy's blockade as legal, overriding the claims of British consuls that the Union had only achieved an illegal paper blockade, establishing the relatively loose blockade of the Confederacy as precedent of a legal blockade in international law. The French Government, though not sharing London's assessment, was not able to contest this recognition, hamstrung by the sympathetic assessments of the Union blockade of its own naval officers and the needs of its own blockading force in Mexico. The British and French men-of-war, in a joint courier service, provided communications with consuls in blockaded ports, bringing the agents with instructions from the central government on how to make claims for the neutral rights of their nationals. Cooperation between the two navies also extended to the protection of each other's consuls and nationals in areas of active warfare. After the British recognition of the Union blockade in February 1862, missions of protection became the main focus of the two navies in American waters. Though actual instances of evacuations are rare, and consuls often complained of the lack of support, the visits of these warships to the coast nevertheless forced Union and, to a less extent, Confederate officers to modulate their approach to fighting the war. Finally, though the decisions of declaring formal war or peace were made in European cabinets, the presence of British and French warships among Union blockading fleets was a source of tension. British and, to a less extent, French warships were sometimes misidentified as blockade-runners or Confederate cruisers and had tense standoffs with Union warships; these had the potential to escalate into an open conflict between United States and the European powers. The lack of escalation is in large part attributable to the actions of Admiral Sir Alexander Milne, who wrote detailed instructions on how to avoid confrontations and, somewhat belatedly, rearranged his naval station to keep commanding officers with strong Confederate sympathies away from the American coast.

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Abbreviations

AMAE – Archives du ministère des Affaires étrangers

AN – Archives Nationales

CSS – Confederate States Ship, Confederate warship

HMS – Her Majesty's Ship, British warship

LOC – Library of Congress

OR - *Official Records of the Union and Confederate Armies in the War of the Rebellions*

ORN - *Official Records of the Union and Confederate Navies in the War of the Rebellions*

NARA – National Archives and Records Administration

NMM – National Maritime Museum, Greenwich

RMS – Royal Mail Ship

SHD - Service Historique de la Défense

TNA – The National Archives, Kew

USS – United States Ship, US warship

Note on Naval Ranks and Translation

Though the ranks of the British, French, American (Union and Confederate) Navies were not graded on the same grade scale as they are today under the NATO standard, I have chosen to translate mid-nineteenth century French ranks into English language equivalents for ease of reading:

Vice-amiral – Vice Admiral

Contre-amiral – Rear Admiral

Capitaine de vaisseau – Captain

Capitaine de frégate – Commander

Lieutenant – Lieutenant

While the term “captain” or “capitaine” could refer to any officer commanding a vessel, military or civilian, in both nineteenth century and contemporary speech, that does not necessarily coincide with the official rank of the commanding officer. In this work, I refer to civilian officers commanding vessels as “shipmaster” or simply “master” and naval officers as “commanding officer” or by their rank. Note that in the US Navy of this period, the rank of “Master” signified a the lowest rung of commissioned officers and could command a small warship, while in the Royal Navy a “Master” was petty officer responsible for navigation.

The rank of Commodore (between Captain and Rear Admiral) did not exist in French Navy. Before the Civil War, in the US Navy, “Commodore” was an honorific title given to Flag-Officers commanding squadrons of warships, whose official rank remained “Captain”. The Union and Confederate Navies added the ranks of Commodore and Rear Admiral during the war. The US Navy further added the rank of Lieutenant Commander (between Lieutenant and Commander) in 1862, which did yet exist in the Royal Navy and was not widely adopted in the French Imperial Navy (Capitaine de corvette).

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Introduction

On 27 February 1863, Commander Stephen Trenchard of USS *Rhode Island* thought that he was about to capture his greatest prize. He was in hot pursuit of the Confederate commerce cruiser *Florida*, also known as the *Oreto*.[1] Nearing its quarry, the *Rhode Island* raised US colours and first fired a blank cartridge.[2] Next, Trenchard, seeing that the ship in front of him was not slowing down, ordered a live cartridge to be fired in the direction of the chased vessel.[3] Much to his surprise, Trenchard found this not to be CSS *Florida* but a British man-of-war, HMS *Cygnet*, whose indignant commander was soon on board the *Rhode Island* to demand an apology for the discourtesy of having a live shell shot in his direction.[4] Trenchard quickly offered an official apology to Commander Walter de Kantzow of the *Cygnet*, though the US commander had in fact acted according to maritime custom.[5] However, misleading news of the encounter quickly spread to the Commander-in-Chief of the Royal Navy's North America Station, Vice-Admiral Sir Alexander Milne, with the first reports stating that the "Cygnet had been fired into by two Federal vessels of war, one on each side".[6] The admiral privately wrote to the First Naval Lord Sir Frederick Grey that "had it been as at first reported, I intended to have sailed tomorrow in [the flagship] Galatea for Havana to have investigated the matter and gone into the question with the Senior officer of the Federal Squadron" – thus taking diplomacy into his own hands without reference to the cabinets in London and Washington.[7] The British admiral soon received de Kantzow's official despatch, which, showing that there was in fact no armed skirmish, cooled his temper.[8] Nevertheless, this incident highlights how, in the charged atmosphere of potential European intervention in the American Civil War, encounters between US warships and those of neutral powers had the potential to escalate and give birth to rumours that armed clashes had already taken place.

This thesis examines the role of the British and French Navies in American waters in maintaining neutrality, and the neutral rights that came with the status, during the Civil War. Scholars have examined the reasons behind British and French non-intervention in the

[1] Trenchard to Welles, 2 March 1863, *ORN, Vol. 2*, 110-11.
[2] Ibid.
[3] Ibid.
[4] De Kantzow to Milne, 27 February 1863, ADM 128/59, TNA, fos. 983-89.
[5] For full discussion of custom firing a blank gun before escalating an encounter, see Chapter V.
[6] Milne to Grey, 6 April 1863, MLN/116/2/1, Milne MSS, NMM.
[7] Ibid.
[8] Ibid.

American conflict and the development of neutrality in nineteenth-century diplomacy largely through the lens of diplomats in European capitals. In contrast, this work explores the impact of decisions and actions made by the two European powers' naval officers, who were the proverbial "men on the spot", on shaping neutrality in practice. Specifically, it seeks to understand in what manner neutrality, both as a status of being at peace with either side in the American Civil War and as practice of protecting neutral rights, was maintained by British and French warships in American waters. Moreover, it explores the ways in which British and French naval officers, the representatives of their governments off the American coast, far removed from their superiors, influenced the framing of the conflict in their reports. How did their personal views of the conflict influence their despatches, and how did their actions shape the practice of neutrality on the spot? Finally, this study examines how Anglo-French naval cooperation on the American littoral was conceived and implemented by naval officers, in coordination with diplomats in Washington, and how this cooperation shaped the practice of neutrality.

British and French warships in American waters during the US Civil War primarily served to maintain the rights of their governments as neutrals in the conflict, tasked with examining the legality of the Union Navy's blockade of the Confederacy and protecting the lives and property of their nationals from the devastation of war. The state of neutrality was more than formal peace with the United States Government negotiated by diplomats and political leaders in Paris and London—it was also a position that needed to be maintained by naval officers and consuls in Confederate-held cities. Indeed, British and French officers did not simply follow instructions from their capitals, but reported on proceedings, often as the primary source of information for their governments, thus framing the intelligence received in London and Paris and to a certain degree shaping their governments' reactions. This was most consequential during debates about the effectiveness (and thus legality under international law) of the Union blockade, as naval officers consistently reported more positively on US Navy's actions than did British and French consuls in Confederate ports. The Palmerton Government used this discrepancy to recognise the blockade as legal, shutting down a potential vector of European intervention.

The maintenance of neutral rights placed large responsibilities on the shoulders of British and French admirals heading the squadrons off North America, as well as directly on officers commanding warships on delicate missions in American waters. Though formal

declarations of war and peace were drafted in European capitals, testy encounters at sea between US warships and the men-of-war of the two European powers had the potential to escalate into a greater conflict. Moreover, the actions of individual British and French commanding officers on the spot led to several minor diplomatic crises. Admiral Milne, head of the North America Station for most of the American conflict, wrote detailed instructions to his subordinates on how to avoid confrontation with the US Navy and tried to choose trusted officers for sensitive missions. Rear Admiral Aimé Reynaud, commanding the French North America and Antilles Division for most of the war was initially more belligerent towards the US than Milne and was more willing to engage in activities that Union authorities could find threatening, such as basing his operations in New York. Whatever their admirals' orders, British and French commanding officers off the American coast played a central role in maintaining neutral rights in practice, as these uniformed officers supported consuls protesting perceived infringements of neutral rights and served as couriers for their countries' foreign ministries. However, Naval officers were also often more reticent to offer protection to fellow subjects than were consuls, especially if doing so put their warships at risk. Nevertheless, protecting nationals abroad was a popular and prestigious responsibility for great powers, and the officers were sensitive to accusations in newspapers and legislatures of negligence towards fellow subjects, as well as the potential of approbation from their superiors for offering protection promptly.

The missions of British and French warships in the American water during the Civil War were closely intertwined and cannot be understood separately. Indeed, the men-of-war of the two powers ran a joint courier service to their consuls in Confederate-held territory and routinely offered protection to each other's nationals from the devastation of war. This cooperation mirrored early close cooperation between the diplomatic services of both countries on the American question. Although the British government disagreed with French proposals for forced mediation and intervention later in the conflict, naval cooperation persisted until the end of the war. During the first year of the American Civil War, British and French naval forces off the east coast of North America, including in Mexico during the joint military operation of Britain, France and Spain, the Tripartite Intervention (December 1861-April 1862), were substantial enough to act as a deterrent against what European diplomats perceived to be a Lincoln Administration interest in exploiting the unifying power of a foreign war. During the *Trent* Affair, which is commonly understood as an Anglo-American crisis, the presence of the naval forces of the two powers, and their potential to act jointly, served to successfully pressure

the US Government to acquiesce to British demands. Indeed, both the London and Paris governments understood the forcible arrest of Confederate commissioners on RMS *Trent* by USS *San Jacinto* to be a violation of core neutral rights by the US Navy. The relative strength of British and French forces, consisting of wooden warships, except for a brief tour made by the French ironclad frigate *Normandie*, in the Western Hemisphere *vis-à-vis* the Union Navy fell with the launching of US ironclads in March 1862. However, British and French naval deployment remained significantly larger than that of other neutral powers in American waters, which were largely confined to showing the flag in safe, deepwater harbours, away from naval action. The British and French naval forces sent to American waters worked to maintain neutral rights in close cooperation with each other, sharing the risks and burdens of keeping warships in the area.

The perspective of most of the literature of the international impact of the American Civil War is from the United States looking out, rather than from other countries looking in, apart from the large literature on Britain's domestic response to the Civil War and its effect on the global balance of naval power. Exploring the impact of the British and French navies in American waters during the war gives an important outside perspective into the conflict and its global implications. Indeed, the Civil War is one of the most studied conflicts in world history. The war was largely analysed as an internal American conflict for much of the twentieth century. Though the conflict's international dimensions have been characterised as "the hole in the donut,"[9] the global and transnational dimensions of conflict have been better explored over the last two decades. Historians have long examined the reasons behind the failure of the Confederacy to gain British or French recognition, and more recently they have investigated the impact of the Civil War on Atlantic slave regimes and anti-slave-trade naval patrols; the transatlantic salience of liberalism, nationalism, monarchism, conservativism, and other political philosophies; as well as the global production, distribution and manufacturing of Southern commodities, primarily cotton.

American waters provide a fertile ground (or abundant fishery) for a more comprehensive understanding of the actual practice of neutrality during the American Civil War, beyond political considerations in European capitals. Indeed, European officers had a

[9] Don Doyle, "The Global Civil War" in *A Companion to the U.S. Civil War*, in ed. Sheehan-Dean and Charles, (Chichester: Wiley, 2014), 1106.

history of engaging in conflicts without the sanction, and at times against the orders, of their superiors in London or Paris, presenting them with a *fait accompli*. British naval officers were perhaps the most willing to go beyond their orders, as seen in the celebrated and notorious cases of Admiral Sir Edward Codrington during the Battle of Navarino, Captain Joseph Denman in West Africa, and Admiral Sir Charles Napier in Syria.[10] Among French officers, General Charles Oudinot famously disregarded then-Prince-President's Louis Napoleon's admittedly feeble attempt to take a neutral stance in Rome, defeating republican resistance to Papal rule.[11] Off the American littoral, far removed from their capitals, commanding officers of British and French warships had wide scope of manoeuvre before they could receive countervailing orders from their superiors. Moreover, British and French admirals commanding the men-of-war in North America also had substantial latitude in their decision-making. Previous to the successful introduction of the transatlantic cable in 1866, the commander of the North America Station of the Royal Navy had to compose orders and instructions on the spot, before they could be checked in London.[12] The same can be said of his French counterpart. Thus, their positions need to be more carefully examined as executives-on-the-spot: the thesis explores the nature of their selection for their respective sensitive posts, their politics, and their ability to control their men.

Indeed, the "man on the spot" has been a central figure of the field of British imperial history. Scholars have argued that local administrators were often the main engines behind imperial expansion, as opposed to the central government or business interests.[13] John Darwin has modified the concept, arguing that the practice of imperialism was a function not only of specific functionaries, but of the quality of the "bridgehead" that the British Empire had established in the area.[14] That is, how a colony or protectorate functioned (its stability, profitability, connection to powerful lobbies) dictated its expansion. This concept can be adapted to the naval context, as commanding officers on the spot were part of larger naval

[10] Christopher Woodhouse, *The Battle of Navarino*, (Hoddler and Stoughton, 1965); Mary Wills, *Envoys of Abolition: British Naval Officers and the Campaign Against the Slave Trade in West Africa*, (Liverpool University Press, 2019), 23-24; C. J. Bartlett, *Great Britain and Sea Power* 1815-1853, (Oxford: Clarendon Press, 1963), 144-147.

[11] Éric Anceau, *Napoléon III. Un Saint-Simon à cheval*, (Tallandier, 2012), 156-162.

[12] Regis Courtemanche, *No Need of Glory: The British Navy in American Waters 1860-1864* (Annapolis, Maryland: Naval Institute Press, 1977), 18.

[13] Roger Long, ed., *The Man on the Spot: Essays on the British Empire* (Westport Connecticut: Greenwood Press, 1995); Lance Davies and Robert Huttenback, *Mammon and the Pursuit of Empire: The Political Economy of British Imperialism, 1860–1912* (Cambridge: Cambridge University Press, 1986); Ged Martin, 'Was there a British Empire?', *The Historical Journal* (1972): 562-569.

[14] John Darwin, "Imperialism and the Victorians: The Dynamics of Territorial Expansion." *The English Historical Review*, no. 447 (1997): 614-42.

stations, "bridgeheads", with admirals writing local instructions. In the case of the British and French Navies in the Civil War, commanding officers of warships, the "men on the spot", were under the Royal Navy's North America Station and the French Navy Antilles and Mexican Divisions. Lisa Ford and Lauren Benton have claimed that individual British captains could engage in "waging little wars in the name of keeping the oceanic peace" while fighting those they claimed were slave traders and pirates.[15] However, in the tense context of the American conflict, where, as seen in the aftermath of the encounter between USS *Rhode Island* and HMS *Cygnet*, a rumour of a skirmish could cause the British admiral to contemplate offensive actions against the US Navy, individual commanding officers did not have quite such agency. The US Navy was a formidable force, and the British and French admirals issued orders to avoid confrontations with it.

Perhaps because the traditional focus of naval historians is primarily on war and competition, tensions that did not escalate into armed conflict and cooperation between powers get less attention. Yet, this ignores the roles of navies both as deterrents to avoid war and as agents of their governments tasked with maintaining their countries' rights and privileges on distant shores. Histories of British and French Navies in the 1860s typically do not examine much more than the technological side of the naval part of the US Civil War Era. The destruction of two capital wooden warships of the Union Navy by the ironclad CSS *Virginia* and its subsequent duel with USS *Monitor* are classed as major influences on naval shipbuilding and weapons design in Europe, alongside the use of rams in the 1866 Battle of Lissa between Italy and Austria.[16] Few studies of the Federal Navy's campaigns during the war give much mention to non-American warships.[17] There is some mention of the visit of the Russian fleet in 1863 in William Fowler's *Under Two Flag*.[18] In *The Civil War at Sea*, Craig Symonds discusses the Confederate declaration of the "breaking" of the blockade of Charleston in early 1863, which was made more significant by its approval by British Consul Robert Bunch and Commander George Watson of HMS *Peterel*.[19] However, Symonds, focuses unduly

[15] Lauren Benton and Lisa Ford, *Rage for Order: The British Empire and the Origins of International Law, 1800-1850* (Cambridge, Massachusetts: Harvard University Press, 2016), 118.
[16] В. Золотарев и И. Козлов, *Три столетия Российского флота* (ООО «Издательство «Полигон», 2004); В. Катаев, *Крейсерские операции Российского флота* (Моркнига, 2009); Michèle Battesti, *La Marine de Napoléon III: Une Politique Navale* (Service historique de la marine, 1997); C. I. Hamilton, *Anglo-French Naval Rivalry 1840-70* (Clarendon Press: Oxford, 1993).
[17] Howard Fuller, *Clad in Iron: The American Civil War and the Challenge of British Naval Power* (Naval Institute Press, 2010), xxii.
[18] William Fowler, *Under Two Flags: The American Navy in the Civil War* (New York: Norton, 1990); James
[19] Craig L. Symonds, *The Civil War at Sea*, (Oxford: Oxford University Press), 157.

on the position of Foreign Secretary Earl Russell, which obscures the immediate actions of Captain John Ross of HMS *Cadmus*, Watson's direct superior with Unionist sympathies, and Lord Lyons, the British minister plenipotentiary in Washington, who were able to diffuse the situation in the Western Hemisphere.[20] James Daddysman and Rodman Underwood have examined the role of British and French warships off the Rio Grande and Confederate contacts with the French Navy.[21] Many works make only passing mention of British warships or do not write about them at all.[22] Thus, references to the presence of foreign men-of-war in American waters are scant.

The few works that explore the topic of European navies in American waters do so from the perspective of the United Kingdom. Regis Courtemanche's *No Need of Glory* argues that Admiral Milne admirably upheld neutrality in his naval station.[23] Barry Gough also honours Milne in *Pax Britannica* and *Britannia's Navy of the West Coast of North America*.[24] A few diplomatic Civil War histories make passing reference to Milne in the same style.[25] Though the focus on this elite officer sheds a light on the Royal Navy in American waters, it is hagiographic. These works rarely go beyond evaluating Milne's caution, missing the importance of the admiral's personal politics and ability to exert control over his captains, as well as his foibles later in the war. Howard Fuller's *Clad in Iron* is a rare naval history of the US Civil War written from a transnational perspective, looking at the competing ironclad shipbuilding programs of Britain and the United States.[26] It is an important intervention in the literature of the war, highlighting the US Navy's role as a deterrent power against a potential British enemy during the 1860s, at times to the detriment of its campaign against the Confederacy. Fuller argues that Milne was partially deterred by the defensive power of northern

[20] See Chapter V.
[21] James Daddysman, *The Matamoros Trade: Confederate Commerce, Diplomacy, and Intrigue* (Newark: University of Delaware Press, 1984), 179-83; Rodman Underwood, *Waters of Discord: The Union Blockade of Texas during the Civil War* (Jefferson, NC: McFarland & Co., 2003), 117-24.
[22] Robert Browning, *Success is All that was Expected: The South Atlantic Blockading Squadron During the Civil War* (University of Nebraska Press, 2005), 18, 142; Jay Simson, *Naval Strategies of the Civil War* (Cumberland House Publishing, 2001); Spencer Tucker, *Blue and Grey Navies: The Civil War Afloat* (Annapolis: Naval Institute Press, 2006); McPherson, *War on the Waters: The Union and Confederate Navies, 1861-1865*, (Chapel Hill: The University of North Carolina Press, 2012).
[23] Courtemanche, *No Need of Glory*.
[24] Barry Gough, *Pax Britannica: Ruling the Waves and Keeping the Peace before Armageddon* (Palgrave Macmillan, 2014), 88-89; Barry Gough, *Britannia's Navy of the West Coast of North America* (Barnsley, South Yorkshire: Seaforth Publishing, 2016), 246-50.
[25] Stuart Bernath, *Squall Across the Atlantic: American Civil War Prize Cases and Diplomacy* (Berkley: University of California Press, 1970), 162-33; Daddysman, *The Matamoros Trade*, 172-73.
[26] Fuller, *Clad in Iron.*

ironclads and the ineffectiveness of British new rifled Armstrong guns.[27] Though beyond Fuller's scope, British men-of-war were engaged in numerous activities in American waters beyond acting as strike forces in a potential war. How they managed to avoid a conflict with the US Navy by maintaining neutrality and restraint, whether out of fear, politics, or national interest, is the central subject of this thesis.

The focus of earlier scholars on the Royal Navy completely overshadows other major European powers operating within those same waters, particularly that of the French Empire. Many maritime powers, from the United Kingdom to the recently formed Kingdom of Italy, sent warships to American waters, in particular to assess the effectiveness (and thus legality) of the Union blockade of Confederate ports.[28] If Brazil, Italy, Spain and other smaller powers send one or two vessels to the coast, the entire French Antilles Division was moved first to Halifax, Nova Scotia and then to New York to supervise French interests in the war.[29] The *Marine* often worked in tandem with the Royal Navy, delivering despatches to British consuls through the Union blockade (a favour the British returned), adding weight with their presence to the demands of British consuls in New Orleans and in other ports, and even helping to provide refuge for black British sailors during the New York draft riots. This practice has received passing mention.[30]

Scholars have explored the naval arms race between France and Britain that accelerated a few years before the Civil War and continued into its early years.[31] But they have taken less notice of the common occurrences of cooperation between the navies of the two powers in the previous few years: during the Crimean War (1853-56), a show of force in Naples (1857), the Second Opium War (1857-60), and the Joint Anglo-Franco-Spanish Occupation of Veracruz (1861-2).[32] Edward Shawcross's *France, Mexico and Informal Empire in Latin America, 1820-*

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[27] Ibid.
[28] Bowen, *Spain and the American Civil War* (Columbia: University of Missouri Press, 2011), 75.
[29] See Chapter I.
[30] Courtemanche, *No Need of Glory*, 32*;* Farid Ameur, *Les Français dans la guerre de Sécession: 1861-1865* (Rennes: Presses universitaires de Rennes, 2017), 84-91; Amanda Foreman, *A World on Fire: Britain's Crucial Role in the American Civil War* (New York: Random House Trade Paperbacks, 2012), 502-7.
[31] Hamilton, *Anglo-French Naval Rivalry*; Andrew Lambert, *Battleships in Transition: The Creation of the Steam Battlefleet 1815-60*, (Naval Institute Press, 1984); Andrew Lambert, *HMS Warrior 1860: Victoria's Ironclad Deterrent* (Annapolis: Naval Institute Press, 2011); Stanley Sandler, *The Emergence of the Modern Capital Ship* (University of Delaware Press, 1979); Paul Kennedy, *The Rise and Fall of British Naval Mastery* (Amherst, NY: Humanity Books, 2004), 170-176.
[32] Naval part of the Crimean War has received less attention: the Baltic and Black Sea theatre is best discussed by the classic Andrew Lambert, *The Crimean War, 1853-56: British Grand Strategy 1853-56* (Manchester: Manchester University Press, 1990); For the Pacific theatre, see Gough, *Britannia's Navy of the West Coast of North America*. For the French side see Battesti, *La Marine de Napoléon III*, *tome 1*, 67-156.

1867 offers an important corrective to the excessive focus on rivalry in Anglo-French relations, particularly in the Western Hemisphere.[33] Indeed, Admirals Milne and Reynaud had previous experience of working with each other's navies.[34] Moreover, during the Second Empire, buoyed by the generous support of Napoleon III, the French Navy achieved its greatest height in the nineteenth century, after decades of neglect during the Restoration and July Monarchy.[35] The first ironclad warship in the world to go into service was the French *Gloire* in 1859, and the empire made important strides in dry dock facilities and gunnery, not to mention an efficient system of army transports.[36] Though France was forced to cut back on its naval building program in 1863, unable to supply enough manufacturing capability to compete with Britain, in the first years of the American Civil War, the French fleet would have been a menace to the US Navy in its own right.

French power is also ignored by military historians' calculations of foreign intervention during the American Civil War. British Scholars of Royal Navy sea power and nineteenth-century geopolitics tend to dismiss both French and Union Navy build up in the middle of the century, a position Howard Fuller argues against.[37] Some American historians of the Civil War have concluded that the steam-powered Royal Navy would be virtually useless far from its coal depots in a conflict with the US Navy.[38] Yet, any British intervention in the American Civil War was likely to have French involvement, as Napoleon III pressed Britain for a joint venture in

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Intervention in Naples is discussed in Brian Jenkins, *Lord Lyons: A Diplomat in an Age of Nationalism and War* (Montreal: McGill's University Press, 2014), 70-78. For naval cooperation during Second Opium War, see Battesti, *La Marine de Napoléon III, tome 2*, 813-856; John McLean, *A Mission of Honour: The Royal Navy in the Pacific, 1769-1997* (Derby: Winter Productions, 2011), 121-127. The British Navy's role in the occupation of Veracruz is underexplored. See for an overview: Alfred Hanna and Kathryn Hanna, *Napoleon III and Mexico: American Triumph Over Monarchy* (University of North Carolina Press, 1971); Carl Bock, *Prelude to Tragedy: The Negotiation and Breakdown of the Tripartite Convention of London, October 31, 1861* (University of Pennsylvania Press, Reprint 2016). For the French side see Battesti, *La Marine de Napoléon III, tome 2*, 900-949.

[33] Edward Shawcross, *France, Mexico and Informal Empire in Latin America, 1820-1867: Equilibrium in the New World* (New York: Palgrave Macmillan, 2018).

[34] For Milne, see Lambert, *The Crimean War*, 196, 214. For Reynaud see Battesti, *La Marine de Napoléon III, tome 2*, 826.

[35] Battesti, *La Marine de Napoléon III, tome 1*, 7-10, 16-45.

[36] Marie-Françoise Berneron-Couvenhes, "Les compagnies transocéaniques de navigation à vapeur sous le Second Empire" in Jacques-Olivier Boudon, ed. *La marine sous le Premier et le Second Empire*, (Paris: Éditions SPM, 2017).

[37] Lambert, *Battleships in Transition*; Kennedy, *The Rise and Fall of British Naval Mastery*; Fuller, *Clad in Iron*, xxii.

[38] Gordon H. Warren, *Fountain of Discontent: The Trent Affair and Freedom of the Seas*, (Boston: Northeastern University Press, 1981), 154; Russell F. Weigley, *A Great Civil War: A Military and Political History, 1861–1865*, (Bloomington: Indiana University Press, 2000), 80-81.

1862 and 1863.[39] It is worth noting that both Britain's and France's newly built ironclads were, unlike US monitors, seaworthy fully rigged sailing vessels as well as steamships. Moreover, France was what Paul Kennedy terms a "hybrid power," with both a powerful navy and a strong army, recently tested in conflicts with Austria and Russia, and present on the US border with Mexico.[40] Indeed, the Crimean War against Russia was won with a mix of Anglo-French sea power and largely French land power.[41] This thesis reveals the impact of the shifts in British *and* French naval and military power deployed off North America.

The few studies of the British warships in American waters do not consider the attitudes of captains and crews towards the American conflict. They therefore overlook the vast majority of people who served in American waters during the war. In *A Mission of Honour*, John McLean does claim that British naval officers were Pro-Confederate, relying on the assertion that elite Britons were in general sympathetic to the South.[42] However, using naval officers' upper-class backgrounds as a proxy for pro Confederate feeling is problematic, as Blackett's *Divided Hearts* shows.[43] Farid Ameur in *Les Français dans le guerre de sécession* demonstrates that French Navy commanding officers in American waters *were* strongly Pro-Southern, citing examples of non-neutral actions and fraternisation with Confederate officers and officials.[44] Ameur's comprehensive study, as the title suggests, focuses on the experience of French people during the American conflict, from immigrants to army volunteers to sailors. It therefore dedicates only a few pages to the navy.[45] Though Regis Courtemanche has scrutinised the "unneutral" measures of pro-Confederate Commander Watson in Charleston, he has not examined how pro-Northern Captain Ross counteracted the commander's actions.[46] As British and French commanding officers off the Southern coast were usually out of immediate contact with their superiors, this thesis examines their individual actions and motivations as much as can be gleaned from limited sources. Where possible, this thesis also considers the perspective of the junior officers and seamen serving on the men-of-war. Their actions, from desertion to

[39] Stève Sainlaude, *France and the American Civil War: A Diplomatic History* (Chapel Hill: University of North Carolina Press, 2019), 28-59.
[40] Paul Kennedy, *The Rise and Fall of Great Powers: Economic Change and Military Conflict*, (London: Unwin Hyman, 1994), 169.
[41] Ibid.
[42] McLean*, A Mission of Honour.*
[43] R. Blackett, *Divided hearts: Britain and the American Civil War*, (Baton Rouge: Louisiana State University Press, 2000).
[44] Ameur, *Les Français*, 74.
[45] ibid, 70-77.
[46] Courtemanche, *No Need of Glory*, 114-18; see Chapter V.

provocative singing of Confederate anthems had a material impact on relations between European warships and local American commanders.

The British and French governments worked closely on many issues surrounding the American Civil War. Relations between London and Paris were often suspicious and sour. Britain intervened in neither the US Civil War, the January Uprising in Poland (1863-64), nor war between Denmark and the Austro-Prussian alliance (1864-66), despite prodding from the French emperor.[47] Moreover, even friendly acts, such as the negotiation of the 1860 Tariff Reduction Treaty, paradoxically led to a competition between Britain, France, and Prussia to sign similar free trade treaties with other European countries to establish orbits of economic influence and maintain prestige.[48] Nevertheless, historians of Civil War diplomacy have shown that, despite their differences, Britain and France were initially keen on presenting a common official stance to Washington.[49] Moreover, there was both a close friendship and working relationship between British Minister Plenipotentiary Lord Lyons, and Henri Mercier, his French counterpart, who worked "in concert" to maintain a united Anglo-French stand on the American conflict.[50] The close ties between consuls have also been examined, though largely from the British side.[51] This is most striking in the case of the contentious Union occupation of New Orleans, where consuls made collective pleas.[52] To shore up their position, both governments sent warships to port. There is a large body of literature concerning Benjamin Butler's command of New Orleans and his frequent quarrels with foreign consuls and sometimes mentions the presence of French, British and Spanish warships in the port. It however covers neither European diplomatic nor naval records.[53] The close parallel cooperation of the navies has not been studied, nor has the reliance of British and French

[47] Roy Francis Leslie, *Reform and Insurrection in Russian Poland 1856-1865*, (London: University of London, The Athlone Press, 1963); Brian Jenkins, *Britain and the War for the Union, Volume 2,* (Montreal: McGill-Queen's University Press, 1974-1980) 235-40, 257, 282.

[48] Marsh, Peter Timothy. *Bargaining on Europe: Britain and the First Common Market, 1860-1892*. New Haven: Yale University Press, 1999.

[49] D. P. Crook, *The North, the South, and the Powers,* (New York: Wiley, 1974)*;* Jenkins, *Britain and the War for the Union*; David Carroll, *Henri Mercier and the American Civil War*, (Princeton University Press, 1970); Lynn Case and Warren Spencer, *The United States and France: Civil War Diplomacy*, (Philadelphia: University of Pennsylvania Press, 1970).

[50] Brian Jenkins, *Lord Lyons*, 159-60, 165-66

[51] Eugene Berwanger, *The British Foreign Service and the American Civil War* (Lexington: The University Press of Kentucky, 1994); Foreman, *A World on Fire*; Christopher Dickey, *Our Man in Charleston: Britain's Secret Agent in the Civil War South* (Broadway Books, 2016).

[52] See Chapter IV.

[53] Chester Hearn, *When the Devil Came Down to Dixie*, (Baton Rouge: Louisiana University Press, 1997); Christopher Peña, *General Butler, Beast or Patriot: New Orleans Occupation May-December 1862*, (Bloomington, Ind.: 1st Books, 2003); Dick Nolan, *Benjamin Franklin Butler: The Damndest Yankee* (Novato, CA: Presidio, 1991).

diplomats and consuls on a naval presence. This thesis offers the first sustained analysis of Anglo-French ties among officials in the war-torn United States through the naval personnel who made that relationship possible.

The potential British and French military intervention in the conflict has been a mainstay of scholars of Civil War diplomacy.[54] Yet, this voluminous and venerable literature largely ignores the naval dimension, even though sensitive communications with the Confederate government were maintained in part through European naval vessels. Moreover, the transatlantic war would have certainly been a naval one. A few scholars have incorporated the records of the Royal Navy and the Papers of Admiral Milne into their analysis – but in a limited, and at times, problematic fashion. Brian Jenkins's magisterial *Britain and the War for the Union* strives to place the American Civil War into a broader context of British geopolitical policy but does not explore the navies of European powers besides that of Britain.[55] Phillip Myers also used Royal Navy records in his analysis of Anglo-American relations in *Caution and Cooperation*. He argues that Britain cooperated with the Washington Administration during the war, and downplays the possibility of British intervention.[56] However, the same naval sources he cites, primarily Milne's apprehensions and suggestions to his superiors in the Admiralty, actually suggest a much more tense relationship.[57] Orders to respect neutrality and refraining to answer the provocations of US officers with force are not so much an example of "cooperation" with the Union as an attempt to avoid war and limit interactions with Northern warships.

Over the last few decades, many scholars have sought to de-provincialise the study of the American Civil War by exploring its impact beyond the diplomacy of Confederate recognition and the cottage industry of measuring English working class pro-Northern or pro-Southern sentiments.[58] Historians have studied the war's importance to political ideologies,

[54] Jay Sexton, "Civil War Diplomacy," in *A Companion to the U.S. Civil War*, Sheehan-Dean, ed. Aaron, (Chichester: Wiley, 2014).
[55] Brian Jenkins, *Britain and the War for the Union*.
[56] Phillip E. Myers, *Caution and Cooperation: The American Civil War in British-American Relations*, (Kent, OH: Kent State University Press, 2008).
[57] Ibid.
[58] Andre M. Fleche, *The Revolution of 1861: The American Civil War in the Age of Nationalist Conflict* (Chapel Hill: University of North Carolina Press, 2012); Don Doyle, *The Cause of All Nations: An International History of the American Civil War*, (New York: Basic Books, 2017); S. Förster, and J. Nagler, eds. *On the Road to Total War: The American Civil War and the German Wars of Unification, 1861–1871*, (Cambridge: Cambridge University Press, 1997); Brian Schoen, *The Fragile Fabric of Union: Cotton, Federal Politics, and the Global Origins of the Civil War*, (Baltimore, MD: Johns Hopkins University Press, 2011); Jay Sexton, *Debtor Diplomacy: Finance and American Foreign Relations in the Civil War era, 1837-1873*, (New York: Oxford University Press, 2014);

weapons and recruitment, global commodities and bond markets, and slavery. They have also expanded the diplomatic and geopolitical history of the war to include less powerful but nonetheless important actors in the Western Hemisphere: Spain (and its colonies Cuba and Puerto Rico), Mexico, Brazil, and the Dominican Republic.[59] Nevertheless, many studies of the global impact of the Civil War tend to focus on individual powers or come in the shape of collections of essays connected by a fairly loose analytic thread.[60] It is of course rather difficult to explore simultaneously the voluminous records of the various actors involved and develop a coherent narrative. Exploring the impact of European warships in American waters allows one to do this.

The transnational naval lens contributes to a novel understanding of the American Civil War, giving a new perspective to old issues and raising new questions. A contention of Civil War diplomatic history revolves around the recognition of the legitimacy of the Union blockade of Southern ports by Britain muting French disquiet. Historian Stève Sainlaude has rightly pointed out that English-speaking scholars have missed the importance of the Mexican Intervention to Napoleon III's global ambitions and to his policy towards the American Civil War.[61] However, he has not nuanced his discussion with an examination of the contemporaneous French imposition of blockade on Mexican ports, done over a larger coastline and with fewer warships to enforce – a move that also led to complaints from British merchants.[62] Moreover, French commanding officers generally acknowledged the legality of the Union blockade in their reports from the coast, complicating any formal French protest.[63]

Richard Huzzey, *Freedom Burning: Anti-Slavery and Empire in Victorian Britain*, (Ithaca: Cornell University Press, 2012); Matthew Karp, *This Vast Southern Empire: Slaveholders at the Helm of American Foreign Policy*. (Harvard University Press, 2016); Charles Priestly, *The Civil War Abroad: How the Great American Conflict Reached Overseas* (Jefferson, NC: McFarland & Company, 2022).

[59] Many works expand on the classic, Robert May, *The Southern Dream of a Caribbean Empire*, 1854-1861 (Louisiana State University Press, 1973).Bowen, *Spain and the American Civil War;* Rajmohan Gandhi*, A Tale of Two Revolts: India's Mutiny and the American Civil War*, (London: Haus, 2011); ed. Don Doyle, *American Civil Wars: The United States, Latin America, Europe, and the Crisis of the 1860s,* (University of North Carolina Press, 2017); Evan Rothera, *Civil Wars and Reconstructions in the Americas: The United States, Mexico, and Argentina* (Baton Rouge: Louisiana State University Press, 2022); Gregory Downs, *The Second American Revolution: The Civil War-era Struggle over Cuba and the Rebirth of the American Republic* (Chapel Hill: University of North Carolina Press, 2019).

[60] Doyle, ed. *American Civil Wars;* Robert May, ed. *The Union, the Confederacy, and the Atlantic Rim, (*Gainesville: Univ. Press of Florida, 2013); David T. Gleeson and Simon Lewis, ed. *The Civil War as Global Conflict: Transnational Meanings of the American Civil War*, (Columbia (S.C.): University of South Carolina Press, 2014); Brian Schoen, Jewel Spangler, Frank Towers, eds. *Continent in Crisis: The U.S. Civil War in North America* (Fordham University Press, 2023).

[61] Stève Sainlaude, *Le gouvernement impérial et la guerre de sécession (1861-1865): l'action diplomatique*, (Paris: L'Harmattan, 2011), 117-24.

[62] Michèle Battesti, *La Marine de Napoléon III, tome 2*, 920-21, 933-34.

[63] See Chapter III.

Looking from the point of view of European men-of-war in North America also expands the international horizons of the American conflict beyond the traditional transatlantic framework. Thomas Schoonover has argued that scholars of the Civil War should concentrate on the Caribbean Basin, a site of increased competition between regional and European powers during the temporary power vacuum created by the fighting in the north of the continent.[64] This was an area included in the remit of the Royal Navy's North America Stations and the Imperial Navy's Antilles Division. The study of European warships in American waters materially adds the understanding of neutrality as it was practiced, offers a new interpretation of old questions, such as the international significance of the Union naval blockade, and serves to reposition the significance of the American Civil War for European powers to a broader hemispheric perspective.

This study examines how the doctrine of protection of nationals abroad bound the missions of the British and French navies. Scholars have largely examined this protection from the British perspective, arguing that the Don Pacifico Affair (1850) was a culmination.[65] The affair involved Lord Palmerston, then foreign secretary, sending the Mediterranean fleet to force the Greek government to pay a highly inflated sum as compensation to Don Pacifico, a Jewish man of questionable British subjecthood, for a pogrom against his property.[66] The move was not met with immediate enthusiasm in Britain, and the Liberal Ministry had to endure a close vote of no-confidence in the House of Commons. Lord Palmerston's speech, famously defending the right of British subjects to claim protection from their government as had Roman citizens in the time of the Empire, contributed to the government's survival.[67] Lisa Ford and Lauren Benton offer an important corrective, showing that the concept of protection had a much broader provenance in British colonial and quasi-colonial administration, as well as the connection to the British protectorate over the Ionian Islands.[68] They have argued that the case fits within this broader imperial framework, which placed the British Government as the "arbiter" of what constituted an injury to a British subject in a smaller polity.[69] However, Ford

[64] Thomas Schoonover, "Napoleon Is Coming! Maximillian Is Coming? The International History of the Civil War in the Caribbean Basin" in Robert May, ed., *The Union, the Confederacy, and the Atlantic Rim.*
[65] Derek Taylor, *Don Pacifico: The Acceptable Face of Gunboat Diplomacy* (Vallentine Mitchell: London, 2008); Laurence Fenton, *Palmerston and the Times: Foreign Policy, the Press and Public Opinion in Mid-Victorian Britain*, (London: I.B. Tauris, 2012), 108-115; David Brown, *Palmerston and the Politics of Foreign Policy, 1846-55* (Manchester: Manchester University Press, 2002), 101-112.
[66] Fenton, *Palmerston and the Times*, 111-15.
[67] Ibid.
[68] Benton and Ford, *Rage for Order*, 112-116.
[69] Ibid., 115.

and Benton note that "published versions of the speech usually leave out the commentary on Ionians", which shows the popularity of Palmerston's slogan in Britain.[70] Indeed, for both British and French naval officers, the reaction of public opinion was an important consideration.[71] Moreover, even though the British and French warships provided protection for each other's nationals, officers and foreign service agents feared public reaction if protection was provided only by a man-of-war of the other power.

This thesis contributes to the study of neutrality in the nineteenth century by surveying the practice of maintaining the status and the rights that came with it in a major global conflict. Legal scholars designate international law that governed neutrality among Western countries before the League of Nations (and later United Nations) charter officially prohibited the declaration of war, as "traditional international law".[72] As there were few, if any, officially declared wars after 1945, due to war being officially outlawed in the founding charter of the United Nations, the corpus of treaties and precedents from the previous, "traditional", era does not apply today to the status of neutrality in a conflict between third parties. However, in the nineteenth century, the norms, customs, and a few treaties that formed the body of neutrality as understood in traditional international law theoretically governed the actions of Western polities much of the time, as they were not usually the belligerent party in any given conflict. Historians have explored neutrality during the Napoleonic Wars and WWI, but not so much during the long nineteenth century, and for this period largely focused on the United States and lesser powers.[73] Maartje Abbenhuis has demonstrated the importance of neutrality as a tool not only for small countries, but also for powerful states, including Great Britain and France, to maintain the balance of power and limit the impact of war.[74] The two naval powers' maritime stances on neutrality were particularly important in the mid-1800s, as they drafted the first international agreement governing neutral and belligerent rights, the 1856 Declaration of Paris, which was signed by all powerful maritime powers except the United States.[75] However, as America was a non-signatory, the declaration did not have a direct impact on the war.[76] Instead,

[70] Ibid.
[71] See Chapters 4 and 5.
[72] Kentaro Wani, *Neutrality in International Law: Form the Sixteenth Century to 1945* (Routledge, 2017), 1n5.
[73] Sandra Moats, Navigating Neutrality: Early American Governance in the Turbulent Atlantic (Charlottesville: University of Virginia Press, 2021); Éric Schnakenbourg, ed., Neutrals and Neutrality in the Atlantic World during the Long Eighteenth Century (1700-1820): A Global Approach (Bécherel, 2015).
[74] Maartje Abbenhuis, *An Age of Neutrals: Great Power Politics*, 1815-1914 (Cambridge: Cambridge University Press, 2014).
[75] Ibid.
[76] See Chapters I and III.

this study examines how naval officers, working with diplomats and consuls, enacted "traditional international law", governing neutrality, on the spot.

As a transnational history, this thesis relies on the repositories of multiple archives in three countries. A substantial portion of the research is based on official despatches of naval officers, as well as diplomats and consuls, found in the British Admiralty and Foreign Office records of the The National Archives (TNA) at Kew in London, the French Naval Ministry records at the Service Historique de la Défense (SHD) in Vincennes, and French diplomatic records at the Archives du ministère des Affaires étrangers (AMAE) in La Courneuve and Nantes. A large portion of despatches from British ministers plenipotentiary in Washington to Foreign Secretary Earl Russell have been published in *The American Civil War Through British Eyes*.[77] For the records of the Union and Confederate Navies and Armies, this thesis is largely based on the published volumes of the *Official Records of the Union and Confederate Navies in the War of the Rebellions* (ORN) and the *Official Records of the Union and Confederate Armies in the War of the Rebellions* (OR). This is supplemented by US Naval records at the National Archives and Records Administration (NARA) in Washington and the Great Britain Consulate (Savannah, Ga.) Papers at the Rose Library in Emory University. The Papers of Sir Alexander Milne, 1st Baronet, Admiral of the Fleet at the National Maritime Museum (NMM) in London also contain a substantial portion of the admiral's official letterbooks and correspondence during his time as the commander-in-chief of the North America Station. Two Russian squadrons visited Unionist San Francisco and Northeastern ports in 1863-64, during the height of the January Uprising in Poland, during which Anglo-French intervention on the Polish side was also mooted. This too tested the neutrality in practice of the British and French Navies in American waters. Unfortunately, developments beyond the author's control prevented him from visiting the relevant Russian archives to fully include the presence of the Russian Navy in this thesis.

As historian Raymond Jones has pointed out, in the nineteenth century, British diplomats systemically sent private letters in parallel with official ones, relaying information not meant for the public eye.[78] Private letters had the advantage of not being in the public

[77] *The American Civil War through British Eyes: Dispatches from British Diplomats*, *Vols. 1-3*, Eds. John Barnes and Patience Barnes (Kent, Ohio: Kent State University Press, 2003) [hereinafter: *Through British Eyes*].
[78] Raymond Jones, *The British Diplomatic Service, 1815-1914* (Wilfrid Laurier University Press: Waterloo, Ont., 1983), 120-22.

record, and thus not were not easily accessible by parliamentary committees or printed in official publications. This especially affected the way British and American official despatches were written, where the executive branch was answerable to parliamentary enquires and congressional hearings. Moreover, private letters to friends and family often reveal the writer's attitudes and contain candid descriptions of events that are not present in official reports. As the Civil War was a seminal conflict in American history, many private papers of American officials, officers, and even sailors have been preserved and are available for research. From American archives, this study relies on the papers of Admiral Francis Samuel DuPont (Hagley Museum, Delaware, partially published in the *Samuel France Du Pont Civil War Letters*), General Benjamin Butler (Library of Congress), Admiral John Dahlgren (Library of Congress), and the regrettably spare manuscripts left by Admiral David Farragut (Huntington Library).[79] This research in large personal collections is supplemented by various journals and letterbooks of Union and Confederate officers, seamen, and soldiers found in Emory University's Civil War Collection and at NARA, the Logs and Journals Kept by US Naval Officers. There is of course a cornucopia of personal papers of Union and Confederate personnel, and it would take a lifetime to research all of them.

The personal papers of fewer British officers and officials are extant and available for researchers from this period. However, the voluminous and very complete Milne Papers at the NMM, partially printed in *The Milne Papers, Volumes 2-3*, offer a very comprehensive view into to work of the admiral during his tenure in North America.[80] Moreover, the NMM also hosts the smaller collections of letters and journals of Hugh Dunlop, the commodore in charge of the Jamaica Division (1860-63) and of Thomas Hudson, who served as a second lieutenant on HMS *Immortalité*. Moreover, the Arundel Castle Archives host the Papers of Richard Lyons, the First Earl Lyons, British minister plenipotentiary to Washington during most of the American Civil War. His papers include private letters from Milne, which are also partially published in the *Milne Papers*.

Principal French naval officers and diplomats do not seem to have left manuscript collections that are available for research with the exception of Edouard Thouvenel (foreign minister, 1860-62) whose papers are found in the Archives Nationales in Pierrefitte, partially

[79] *Samuel Francis Du Pont: A Selection from His Civil War Letters*, *Volumes 1-3*, ed. John Hayes, (Ithaca, N.Y.: Eleutherian Mills Historical Library: Cornell University Press, 1969).
[80] *The Milne Papers: The Papers of Admiral of the Fleet Sir Alexander Milne, Bt., K.C.B. (1806-1896), Volumes 2-3,* edt. John Beeler (Aldershot, Hants, England; Burlington, VT: Published by Ashgate for the Navy Records Society, 2004, 2023).

published in *Le Secret de l'empereur*, as well as the Papers of Eugène Méjan, the French consul in New Orleans during the first part of the American conflict.[81] Characteristically, the latter papers are found in Library of Congress in Washington. For this reason, the exploration of the French side cannot be as comprehensive as the British and American side. However, the Second Empire in France was a dictatorial regime, and even in what has been labelled as the "liberal" period of the empire, between 1860-70, there were very few opposition members in the elected Chamber of Deputies and they could not press the Imperial Government to release correspondence.[82] Thus, diplomats and naval officers writing reports had an opportunity to write more frankly than their Anglophone colleagues, as they could be assured that this correspondence would not be shared with a wider public. Moreover, a surprising number of private letters sent by French commanding officers are found in the records of the French Consulate-General in New York, side by side with official despatches. Private and official letters are often found together in the same repositories and even folders. In this thesis, I am distinguishing the two types of communications by their form of address. For example, on 14 April 1862, Commander Georges Cloué of the *Milan* wrote an official letter to Consul Méjan in New Orleans that began with "Monsieur le Consul" on large sheet of paper, along with a smaller private note, addressed to "Cher Monsieur le Consul".[83]

This thesis is divided into five chapters. Chapter I describes the establishment of the presence of British and French warships in American waters as neutral observers of the Union blockade and despatch couriers to the consuls in Confederate-held ports. The latter service to Southern ports by alternating British and French warships established a precedent of both Anglo-French cooperation and communications through the Union blockade that were agreed upon with the Washington Government. Chapter II explores the role of the British and French naval stations off the American littoral on the resolution of the *Trent* Affair, including the sizable squadrons sent to Mexico during the Tripartite Intervention (1861-1862). It argues that the combined Anglo-French force served as a deterrent to pressure the Lincoln Administration into complying with the British demand to release the Confederate commissioners taken off

[81] *Le secret de l'Empereur: Correspondance confidentielle et inédite entre M. Thouvenel, le Duc de Gramont et le Général Comte de Flahault,* ed. M. Thouvenel (Paris: Calman Lévy, 1889).
[82] Theodore Zeldin, *Émile Ollivier and the Liberal Empire of Napoleon III* (Oxford: Clarendon Press, 1963).
[83] Letter beginning with "Monsieur le Consul" Cloué to Méjan, 14 April 1862, April 1862, Méjan Papers MSS32565, LOC; Letter beginning with "Cher Monsieur le Consul" Cloué to Méjan, 14 April 1862, April 1862, Méjan Papers MSS32565, LOC. See also Chapter IV.

RMS *Trent*, as both European powers interpreted the act as a gross breach of neutral rights. Chapter III analyses the impact of British and French blockade observation missions, showing how the despatches of naval officers largely agreed that the Union blockade was "effective" and thus legal under international law. This allowed the Palmerston Cabinet to publicly declare the US Navy blockade as legal, despite consular reports, articles in the press, and protests from pro-Confederate MPs. Chapter IV explores the role of British and French warships in offering protection to their nationals in war-torn America from the start of the war to the peak of naval protection missions around 1 January 1863, as consuls and officers feared a "servile insurrection" of black men could erupt as a result of the Emancipation Proclamation. The chapter shows that though the consuls and other nationals thought that the protection was often insufficient, the presence of the warships nevertheless had a tangible impact—Union Senior Officers made decisions about bombarding coastal cities and confiscating purportedly Confederate property with the presence of these warships in mind. Chapter V examines how despite continuing pressure on British and French subjects by both Union and Confederate authorities, the naval presence of both powers was diminished off the American coast by the US Navy after a series of dangerous encounters at sea between Union and British warships and a few episodes involving British commanding officers committing breaches of neutrality. In early 1864, the Lincoln Administration prohibited foreign warships from passing the blockade to communicate with consuls at almost all points, which removed most of the rationale for foreign warships to be in American waters.

Chapter I

The Establishment of British and French Naval Presence in American Waters

In the 30 September 1861, at sea off Charleston, USS *Vandalia* fired a live round, or "shotted gun", over the bow of HMS *Steady*, mistaking the British warship for a blockade runner. Commander Henry Grant of the *Steady* cleared for action, getting ready for a potential armed confrontation.[84] Commander Samuel Lee of the *Vandalia* quickly apologised, explaining his potentially dangerous action as a result of the angle with which the *Steady*, a steamship, approached the Charleston bar.[85] He mistook the *Steady* for a blockade-runner, which the *Vandalia*, a sailing vessel, would not have been able to stop with the wind conditions without firing at that distance from the entrance to the harbour. The US officer further pointed out not only that flying British colours was common practice for vessels running the blockade, but that this was also something "which your great Naval Authorities, Admirals Nelson and Collingwood admitted an enemy has the right to use".[86] Despite the clear attempt at flatter the sensibilities of the British officer, Commander Grant felt obliged to report this discourtesy to Admiral Milne.[87] In fact, Commander Grant reported being personally satisfied by the Union officer's explanations: "I feel very confident it was an act of indiscretion which I am sure they deeply regret and tried everything in their power to make amends by offering assistance etc."[88] Nevertheless, Grant reported politely refusing to give US officers any hint of his position on the matter, other than pointing out that it was naval custom to fire a blank gun to stop a ship at sea, before resorting to a projectile.[89] The *Vandalia*'s officers likely received this noncommittal position with a degree of nervousness, as Confederate agents had been trying to push the British government into recognising its independence and sending the Royal Navy to lift the Union blockade – an Anglo-American confrontation over shots fired over the bows of British warships would not help the Union cause.[90] Admiral Milne decided not to escalate this encounter at sea into a diplomatic incident, though he transmitted Grant's report to the Admiralty.[91] Nevertheless, this episode underscores the inherent risks revolving around the presence of ostensibly neutral British and French warships in American waters during the Civil War.

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[84] Grant to Milne, 7 October 1861, MLN115/2, Milne MSS, NMM.
[85] Lee to Grant, 28 September 1861, MLN115/2, Milne MSS, NMM.
[86] Ibid.
[87] Grant to Milne, 7 October 1861, MLN115/2, Milne MSS, NMM.
[88] Ibid.
[89] Ibid.
[90] Doyle, *Cause of All Nations*, 38-39.
[91] The transmission of the original report to the admiralty is indicated on the margins. Grant to Milne, 7 October 1861, MLN115/2, Milne MSS, NMM.

In the first months of the American conflict, Admiral Milne established the first local guidelines for British warships to mitigate such risks and maintain neutrality in and around American waters. Indeed, the *Steady* was carrying confidential orders and circulars from the admiral, requiring not only following the "strictest neutrality", an opaque phrase, but also detailing how commanding officers should comport themselves with belligerent officers, how to approach the blockaded coast, and when to salute the Confederate flag.[92] Though historians have explored the impact of the British and French neutrality proclamations in the first months of the war on diplomatic relations and public opinion in America, they have generally missed what this stance meant in practice, especially at sea.[93] Milne's instructions governed the day-to-day working of British neutrality.

For Milne's North America Station, as well as for the French North America and Antilles Division, maintaining neutrality and the rights and obligations that came with it involved more than abstention from choosing a side in the American conflict. Indeed, in the nineteenth century, neutrals had a myriad of rights under international law, which their navies were expected to uphold.[94] This included the protection of its nationals abroad and commerce at sea from the devastation of war. Formally declared naval blockades, such as that of the Confederacy, had to be "effective", that is, for a sufficient force of warships to prevent communication with the coast, though there was no settled definition of what the number of men-of-war were needed or what portion of blockade-running traffic they had to seize to label a port effectively blockaded.[95] Indeed, the *Vandalia* fired into the direction of the *Steady* as the neutral warship was coming to the Charleston bar to deliver despatches to the British and French consuls in the city, who were responsible for their respective nations' subjects in the state.[96] The *Steady* also reported officially on the state of the Union blockade.[97]

In establishing rules of neutrality on the spot, Milne worked closely with Lord Lyons, the British minister plenipotentiary to Washington, who feared that tensions with the US

[92] "Instructions for the guidance of cruisers employed on the Coasts of America for the Protection of British Commerce", Milne, 30 May 1861, MLN/120, Milne MSS, NMM; Milne, "Additional Instruction for the Guidance of Cruisers employed in the Protection of British Commerce on the West [sic] Coast of America", 20 June 1861, MLN/120, Milne MSS, NMM; Milne to Grant, 9 September 1861, MLN/120, Milne MSS, NMM.
[93] Only Regis Courtemanche has examined Milne's instructions in any detail. Courtemanche, *No Need of Glory*, 9-11, 26-32. Brian Jenkins mentions them in passing. Jenkins, *Britain and the War for the Union, Vol. 1*, 95.
[94] Abbenhuis, *An Age of Neutrals*, 96-142.
[95] Frank Merli, *The Alabama, British Neutrality and the American Civil War* (Indiana University Press, 2004), 44-45.
[96] Lord Lyons to Grant, 19 September 1861, MLN115/2, Milne MSS, NMM; de St. André to Thouvenel, N. 6, 30 September 1861, 16CPC/8, AMAE, La Courneuve, fos. 267-68.
[97] Grant to Milne, 7 October 1861, MLN115/2, Milne MSS, NMM.

Government might escalate into war. European legations believed that sections within the US government, including US Secretary of State William Seward, were plotting for a "foreign war panacea" to get the country to put behind its differences and rally behind the flag.[98] Seward had a history of using anti-British sentiment to his advantage. As the governor of New York State, he failed to stop raids into British Canada from militiamen fighting for Canadian independence (and integration into the United States) and did not pardon Alexander McLeod, a British Canadian accused of raiding American territory.[99] During the McLeod Affair, British Foreign Secretary Lord Palmerston, prime minister by the time of the US Civil War, threatened war if the man was not released.[100] Though McLeod was eventually acquitted by the jury, this exacerbated Governor Seward's reputation among foreign diplomats as loose cannon. Indeed, as secretary of state, Seward did send President Abraham Lincoln the so-called "April Fools Memorandum" on 1 April proposing war with Spain to unite the Union.[101] Thus, Milne, in communication with Lord Lyons, appreciated the dangers of provocative action by foreign warships. The British minister plenipotentiary had looked over the *Steady*'s orders before it was sent to Charleston.[102]

To a lesser extent, Milne was also able to frame the guidelines for the French Navy in American waters, whose warships began to arrive off the coast of Nova Scotia in July. French and British diplomats in Washington and Europe agreed on the need to work together, "in concert", to solve the myriad issues that affected them as neutrals.[103] Scholars have largely overlooked the closeness of the naval aspect of this relationship. This cooperation was part of a longer trend identified by Edward Shawcross, who has characterised the Americas and East Asia in the mid-nineteenth century as an Anglo-French "Imperial Condominium", where the interests and perceptions of the two European powers generally aligned and they acted together, conducting military interventions and promoting free trade treaties.[104] British and French representatives in America were able to maintain good professional and at times personal relations, which was not a given, as can be seen in the contemporary rivalry between diplomats

[98] Ferris, *Desperate Diplomacy*, 9-12.
[99] Craig Forcese, *Destroying the Caroline: The Frontier Raid that Reshaped the Right to War* (Toronto: Irwin Law, 2018), 87-110.
[100] Ibid.
[101] Jenkins, *Britain and the War for the Union, Vol. 1*, 35-36.
[102] Milne to Lord Lyons, 8-9 September 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 406-7.
[103] Cass and Spencer, The United States and France, 149-54; Jones, *Blue and Grey Diplomacy*, 54-60; Jenkins, *Britain and the War for the Union, Vol. 1*, 115-16
[104] Edward Shawcross, *France, Mexico, and Informal Empire in Latin America*, 65-80.

to Japan.[105] In Halifax, the summer quarters of the Royal Navy Station, where the French Antilles Division was also based in the first months of the war, Milne shared his confidential orders and circulars with French Admiral Reynaud, who partially incorporated them into his orders.[106] Indeed, the significantly smaller French force was initially reliant on the communications and port facilities provided by the British side. The *Steady*'s mission to Charleston in September 1861, carrying despatches for both the French and British consuls, was an example of Anglo-French cooperation. However, the representatives of the two powers showed different approaches, with the French more willing to disregard British fears of provoking the United States, in part because the ire of Northern public opinion seemed to be directed at them less. Moreover, Mercier and Reynaud displayed an openness to intervention which made good relations with US officers less of a priority for the French Navy. Despite the difference in approach the British and French Navies had similar interests in America and worked together to maintain neutral rights.

Section 1: Setting up Communications between the Washington Legations and the Squadrons

The start of the American conflict on 13 April 1861 brought the inadequacy of communications between the British legation in Washington, British consulates, and the Royal Navy into stark relief. With postal services partially disrupted and the Lincoln administration declaring a blockade of Confederate ports on the 19 April, it quickly became difficult for European consuls in southern states to communicate effectively and securely with the outside world.[107] As a result of the secession of Virginia on 17 April and the 19 April riots in Baltimore, which pitted Maryland secessionists against Northern troops passing through the state, foreign legations in Washington were temporarily out of communication.[108] Fearing for the diplomatic and consular staff in Washington, the British consul in New York, Edward Archibald, requested one or two men-of-war to sail up Chesapeake Bay from Admiral Milne.[109] Archibald sent the letter to Bermuda in a merchant schooner – a manoeuvrable but not very fast type of sailing vessel – because chartered steamers only went between New York and Bermuda once every

[105] Scott Gilfillan, "Enclave Empires: Britain, France and the Treaty-Port System in Japan, 1858-1868," PhD Thesis (London School of Economics, 2016).
[106] Reynaud to Chasseloup-Laubat, No. 4, 25 July 1861, BB4/798, SHD/Marine.
[107] Bunch to Russell, No. 52, 1 May 1861, FO5/780, TNA, fos. 209-13.
[108] Lord Lyons to Russell, No. 154, 22 April 1861, in *Through British Eyes, Vol. 1*, 60.
[109] Archibald to Milne, 25 April 1861, MLN/115/2, Milne MSS, NMM.

two weeks.[110] As soon as communication with Washington was restored, Lord Lyons sent information about the Union blockade and Confederate letters of marque to Halifax, where he expected Milne to be.[111] However, the admiral had not yet sailed for his summer quarters in Nova Scotia and waited a week for the postal steamer to arrive from Halifax to Bermuda to make sure he received Lord Lyons's message before leaving the island.[112] The trip took around 10 days at sea, during which the admiral's squadron would be incommunicado. Clearly, there was need to forge a better system of communication.

For Admiral Milne and Lord Lyons, the Baltimore episode demonstrated the dangerous possibility of accidentally provoking the United States with the presence of British naval power in its waters. From Bermuda, Milne chose not to send a warship, specifically referencing the 1857 standing orders of the North America Station that forbade entry into a US port, adding that he felt that there was not a strong enough case to override these orders, especially without directions from Lord Lyons.[113] Indeed, European warships were rarely seen off the antebellum American east coast, and British warships in the Chesapeake could be interpreted as a prelude to naval intervention in the Civil War, which had been long predicted by Southern separatists.[114] Though the British minister to the Washington did float the idea of sending a small British warship up the Potomac River to communicate with the US capital in a despatch to Lord Russell, he generally shared Milne's views on showing the British flag in Northern ports, though he felt "obliged" to Archibald for his care.[115] The presence of a warship would have been particularly embarrassing in April-May 1861. Maryland Governor Thomas Hicks publicly proposed that Lord Lyons mediate between Washington and secessionist forces in the state, which the British minister promptly, and likewise publicly, declined to do.[116] Amid Confederate hopes for intervention, charges of Albion's perfidy in Northern newspapers, and the governor's mediation bid, Lord Lyons feared the reaction of the Lincoln administration.[117] With the takeover of Maryland by Union troops, communication with New York and Boston was eventually restored and there was no need for evacuation. The minister and admiral distrusted

[110] Milne mentions the schooner in Milne to Dundas, 2-3 May 1861, MLN/116/3, Milne MSS, NMM.
[111] Lord Lyons to Russell, No. 157, 22 April 1861, in *Through British Eyes, Vol. 1*, 64.
[112] Milne to Dundas, 2-3 May 1861, MLN/116/3, Milne MSS, NMM.
[113] Milne to Archibald, 8 May 1861, MLN/105/1, Milne MSS, NMM.
[114] In New York, crowds came to gaze at the unusual sight of the Spanish warship *Berenguela* in November 1860. *Courrier des États-Unis*, 17 November 1860.
[115] Lord Lyons to Russell, No. 157, 22 April 1861, in *Through British Eyes, Vol. 1*, 64; Lord Lyons to Russell, No. 180, 4 May 1861, in ibid., 76; Lord Lyons to Milne, 12 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 282-83.
[116] Lord Lyons to Russell, No. 159, 23 April 1861, in *Through British Eyes, Vol. 1*, 65.
[117] Ibid.

the propensity of British consuls to assume the protection of the Royal Navy. Lord Lyons felt the need to evaluate claims and, if possible, to adjudicate them with the United States government before more drastic measures could be contemplated. He wrote to Milne on 12 May: "what I think most important is to have a means of communicating with you as fast as possible in case of need".[118] Without a reliable means of communication, there could be a dangerous escalation of Anglo-American tensions.

Indeed, in the pre-war years, communication between British diplomats in Washington and the North America Station was relatively rare and ineffective. Admiral Milne did formally inform Lord Lyons of his arrival to the station in March 1860, as he did to most colonial governors, diplomats and consuls in ports adjacent to his command.[119] However, the volume of the conversations between the two men was small, limited to official despatches related to American filibusters in Central America.[120] Communications between French diplomats and naval officers were rarer still, as the boundaries of the Antilles and Newfoundland divisions of the French Navy did not extend to the Atlantic coast of the United States.[121] This was difficult in a time when diplomatic, colonial, and naval despatches were typically transported over water by a series of steamship lines sponsored by the postal services of major maritime powers.[122] However, even the extensive British lines were intermittent, with only fortnightly service to Bermuda from New York and Halifax.[123] Therefore, reaching admirals and commodores, much less individual men-of-war, from the Northern states of America was a logistical nightmare.

With the arrival of Milne to Halifax on 21 May, communication between the admiral and Washington was made easier. It also became more vital as tensions between European powers and the Lincoln administration grew. Recent events had added to anti-European, and especially anti-British, sentiment. The decision to send British and French warships to the Southern coast to inspect the Union blockade was received conspiratorially by the Union

[118] Lord Lyons to Milne, 12 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 282-83.
[119] Milne to Crawford et al, 15 March 1860, MLN/105/1, Milne MSS, NMM, fos. 3-4; Milne to Usher et al, 15 March 1860, MLN/105/1, Milne MSS, NMM, fos. 4.
[120] Milne only sent two official letters to Lord Lyons between the first despatch at start of his tenure until the outbreak of the war. Milne to Lord Lyons, 26 August 1860; Milne to Lord Lyons, 29 October 1860, MLN/105/1, Milne MSS, NMM. Filibuster William Walker was taken by HMS *Icarus* of the North America Station and handed over to over to Nicaraguan authorities to be executed. May, *Southern Dream of a Caribbean Empire*, 131.
[121] *Projet d'Instructions pour le Contre-Amiral Reynaud*, undated, Chasseloup-Laubat to Reynaud, BB4/1345, SHD/Marine.
[122] Jones, *The British Diplomatic Service*, 116-137.
[123] "Post Communications", *Memorandum relative to the North American and West Indies Station drawn up by Sir Alex. Milne for the information of his successor Sir James Hope*, MLN/118/1, Milne MSS, NMM, fos. 113-115.

press.[124] Queen Victoria's official proclamation of neutrality on 13 May further angered Northern public opinion, as it recognized Confederate belligerency.[125] Lord Lyons and Mercier felt that Seward was quick to capitalise on this and send threatening messages to European capitals.[126] Generally, the British minister plenipotentiary felt that the secretary was ready to engage in a "violent proceeding" against Britain and France, which made it difficult to diplomatically settle disputes.[127] On 20 May, Lord Lyons wrote a distraught despatch to Russell, where he declared that "it may be impossible to deter this government from offering provocations to Great Britain, which neither honour nor our interest will allow us to brook".[128] There was no actual plan for a sudden war with the United Kingdom and its colonies hatched in Washington.[129] Yet, the minister was worried enough to entertain the possibility of a potential American attack and sent warnings to London. He emphasised the need to be in "concert with France", a sentiment shared by Mercier.[130] If it came to it, though it "is so little consonant with my feelings and sympathies that I mention it with reluctance", Lord Lyons advocated to work with the Confederates.[131] However, he argued that "the best safeguard against being driven to war…will no doubt be found in being manifestly prepared for it".[132] The diplomat felt it was important to strengthen the Royal Navy Stations on both coasts of the United States and work together with the French Navy.

Scholars have characterised the British minister's fear of the Lincoln administration going to war with the United Kingdom in the summer and autumn of 1861 as overblown and the result of Secretary Seward's bluster.[133] They contend that by his constant threats, Seward pushed Britain and France away from intervention early in the war. However, more than alarming Lord Lyons and the Palmerston Cabinet, this braggadocio had an impact on the Royal Navy in North America, which began preparing for a possible conflict in a manner that made neutrality more difficult to maintain. The Admiralty increased British naval presence in the Atlantic and the Pacific, and more warships were ready to be sent from European waters if the

[124] Doyle, *Cause of All Nations*, 106-7.
[125] Lord Lyons to Russell, No. 231, 31 May 1861, in *Through British Eyes, Vol. 1*, 102.
[126] Mercier to Thouvenel, No. 37 bis, 23 May 1861, 39CP/124, AMAE, La Courneuve, fos. 225-228.
[127] Lord Lyons to Russell, No. 183, 6 May 1861, in *Through British Eyes, Vol. 1*, 77; Lord Lyons to Russell, No. 251, 4 June 1861, in ibid., 108; Lord Lyons to Russell, No. 678, 19 November 1861, in ibid., 226-8.
[128] Lord Lyons to Russell, No. 206, 20 May 1861, in ibid., 83.
[129] Ferris, *Desperate Diplomacy*, 55-68.
[130] Ibid.; Mercier to Thouvenel, No. 37 bis, 23 May 1861, 39CP/124, AMAE, La Courneuve, fos. 225-228.
[131] Lord Lyons to Russell, No. 206, 20 May 1861, in *Through British Eyes, Vol. 1*, 83.
[132] Ibid.
[133] Ferris, *Desperate Diplomacy*; Fry, *Lincoln, Seward and US Foreign Relations*; Jones, *Blue and Gray Diplomacy*, 9-46.

situation became dire.[134] Lord Lyons also transmitted his alarm to Milne, who privately informed Commodore Hugh Dunlop, commanding the Jamaica Division and coordinating part of the British men-of-war observing the Union blockade, that the Northerners were aggrieved "and thus may be in consequence not so scrupulous in their acts".[135] In June and July of that year, Milne sent a number of private letters to his subordinate officers and First Naval Lord Admiral Sir Frederick Grey, to be on guard for a sudden US attack on British warships.[136] In August, when Lyons claimed that relations with the US had improved, Milne still warned Dunlop to be on his guard.[137] Thus, British warships and naval posts off the coast of America were in a state of high alert, apprehensive about the motives of the US Navy. As the confrontation between HMS *Steady* and USS *Vandalia* in September shows, where the British warship was quick to go to quarters, encounters at sea in such a context could be dangerous.

Because of the threat of transatlantic conflict, Lord Lyons and Milne worked together to secure their communications from possible US spying. If war was imminent or likely, it was vital to inform Halifax and Bermuda. Letters from Halifax would go to Boston via Cunard steamer and then would be transferred by the British consul to Washington by US Mail, the whole process taking around four days.[138] Mailed letters, which were not written in cipher and protected by a mere seal, presented a problem. Milne feared that one of his messages to Lord Lyons, containing information on the defence of the Bahamas, may have ended up in the Post Office Dead Letter Office.[139] The American Telegram Company was used for immediate messages to Consul Archibald in New York, and then transmitted by a separate line to Washington.[140] Lord Lyons, fearing that their messages could be read first suggested using a cypher in a letter to Milne on 12 May, and on 27 May he suggested Arthur Wilmot's *A Complete and Universal Dictionary of Signals for Boats of Her Majesty's Fleet*, used for flag signalling

[134] Courtemanche, *No Need of Glory*, 56-58; Somerset to Milne, 12 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 346-47.
[135] Lord Lyons to Milne, 27 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 283-84; Milne to Dunlop, 31 May 1861, MLN/116/3, Milne MSS, NMM.
[136] Ibid.; Milne to Dunlop, 25 July 1861; Milne to Hutton, 19 June 1861; Milne to Hutton, 18 July 1861; Milne to Grey, 27 June 1861, MLN/116/3, Milne MSS, NMM. Milne to Admiralty Secretary, No. 281, 27 June 1861, MLN/104/3, Milne MSS, NMM, fos. 12-16.
[137] Milne to Dunlop, 15 August 1861, MLN/116/3, Milne MSS, NMM.
[138] "Post Communications", *Memorandum relative to the North American and West Indies Station drawn up by Sir Alex. Milne for the information of his successor Sir James Hope*, MLN/118/1, Milne MSS, NMM, fos. 113-115.
[139] Milne to Admiralty Secretary, N. 286, 6 July 1861, MLN/104/3, Milne MSS, NMM, fos. 21-22; Milne to Lord Lyons, 6 July 1861, MLN/105/1, Milne MSS, NMM.
[140] Lord Lyons to Milne, 23 June 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 310.

by the Royal Navy, but feared that this volume was publicly published.[141] Milne answered that he had come up with the same idea and was about to send the minister a copy of the book.[142] He thought that the code worked well enough for telegraph messages because they were too quick to be deciphered in time and all British warships, including those along the US coast, had a copy of the book.[143] The admiral suggested that every word in the code should end with the letter "E" to make for quick deciphering.[144] Thus, a secure if expensive immediate link was established. The minister and admiral also created a back-up. In the scenario where ciphers were forbidden by the US government, and Lord Lyons believed that if a "sudden declaration of War… [were] imminent," the minister would send Milne the following line: "Could you forward a letter for me to Antigua?"[145] Thus, Lord Lyons and Milne developed secure communications that would lessen the chances of a successful US naval attack on the Royal Navy and would serve British diplomats and naval officers for the rest of the American war.

In keeping lines of contact open between each other, the British minister and admiral displayed a strong working relationship, not always a given in similar situations.[146] Their private letters in 1861 did not elicit a strong personal friendship: neither enquired very often about each other's health and families in the same way that Milne did in his private letters with certain officers.[147] Nevertheless, the two men came from similar backgrounds, which helped them understand and respect each other. Lord Lyons, like Milne, was the son of an admiral and sailed with his father during his service in the Crimean War.[148] Though Lord Lyons chose to advance through the Foreign Office, he seems to have kept abreast of maritime affairs, keeping a copy of Wilmot's book. Their correspondence, filled with phrases such as "It will be for Y. E. to decide as to what steps, if any, should be taken hereon" and "my opinion on such as subject is not worth having", demonstrates an interest in not stepping beyond ministerial boundaries.[149] Milne developed a high enough level of trust to use the line of communication to send the complaints of British merchant vessel owners and shipmasters against the US Navy

[141] Lord Lyons to Milne, 12 May 1861; Lord Lyons to Milne, 27 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 282-84.
[142] Milne to Lord Lyons, 31 May 1861, MLN/105/1, Milne MSS, NMM.
[143] Ibid.
[144] Ibid.
[145] Ibid.
[146] For example, Admiral Dundas and Ambassador Stratford had an acrimonious relationship during the Crimean War. Lambert, *Crimean War*, 51-52, 95-6.
[147] Milne to Aldham, 9 April 1861; Milne to Hutton, 18 July 1861; Milne to Dundas, 24 March 1861, MLN/116/3, Milne MSS, NMM.
[148] Jenkins, *Lord Lyons*, 16-38.
[149] Milne to Lord Lyons, 28 October 1861, MLN/105/2, Milne MSS, NMM; Lord Lyons to Milne, 8 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 332-33.

to Lord Lyons without forwarding the complaints to Admiralty.[150] The working relationship between the minister and the admiral was essential not only to prepare for possible war with the United States, but also to quietly resolve maritime disputes with the Washington Government.

The French and British navies and diplomatic corps in North America shared each other's communication resources. This allowed the two sides to augment their resources and cooperate on issues affecting them as neutrals throughout the American Civil War. Lord Lyons and Mercier worked well together and agreed that France and Britain should approach the American crisis "in concert", though the British diplomat was much less open to pressuring their governments in Europe to recognise Confederate independence than his French colleague.[151] Lord Lyons wrote to Milne that he hoped he liked the French admiral who arrived in Halifax on 7 July, establishing French naval presence on the shores of North America.[152] The French Navy Minister seems to have chosen Rear-Admiral Aimé Reynaud to head the Antilles Division in part because he could cooperate well with British officers. Reynaud had a proven record of working in joint operations with the Royal Navy in China and the Black Sea.[153] The French admiral's instructions told him to focus on the Union blockade and Confederate privateering from the colonial port and to work with the British: "in this regard, a perfect entente exists between the two Governments".[154] When the French squadron arrived in Halifax in July, Reynaud and Mercier were able to use the communications established by their British counterparts; no other European power had such access. Therefore, the new mission of the French naval division had the goal of operating within an Anglo-French framework from the start.

In Halifax, the French and British admirals developed a working and personal relationship that mirrored that of Mercier and Lord Lyons in Washington. Though Milne had worked productively with the French Navy as the Fourth Naval Lord during the Crimean War, he had also recently expressed alarm at possible French designs for Nova Scotian coal depots

[150] Milne to Lord Lyons, 7 December 1861, MLN/105/2, Milne MSS, NMM.
[151] Jones, *Blue and Grey Diplomacy*, 73-74.
[152] Lord Lyons to Milne, 5 August 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 366; Reynaud to Chasseloup-Laubat, No. 2, 11 July 1861, BB4/798, SHD/Marine.
[153] In his personal dossier Reynaud is commended for his English language skills and service during the Crimean War and Second Opium War. Notes Confidentielles/Dossier d'Aimé Reynaud, CC7/A/2126, SHD/Marine.
[154] « à cet égard, une entente parfaite existe entre les deux Gouvernements », undated, *Projet d'Instructions pour le Contre-Amiral Reynaud*, Chasseloup-Laubat to Reynaud, BB4/1345, SHD/Marine.

and had a distrust of the French that needed to be overcome.[155] However, Milne, a Scotsman, seems to have been won over by Reynaud, describing him in a private letter to Lord Lyons as "a very agreeable Man and he married a Scotch Lady a Mrs Kennedy a Widow he is free from the Extremes of French view &c".[156] This was a sentiment that Reynaud reciprocated, at least in his official despatches.[157] Admirals Reynaud and Milne organised feasts and balls on their respective flagships, the *Bellone* and *Nile*.[158] There was even a letter from the admiral's secretary to Lord Lyons apologising that a response to the minister's query would have to be delayed because Milne was attending to Reynaud.[159] In his correspondence with Lord Lyons, Milne mentions discussions between the two admirals regarding arranging correspondence to blockaded Southern ports and sending a warship to monitor Union naval expeditions.[160] Thus, the planning of naval missions to the American coast was also done "in concert".

Though the naval squadrons under Reynaud and Milne cooperated in the first months of the American Civil War, the admirals disagreed on which points they could press the Union. Milne's headquarters, Halifax, was a strategic location for the French squadron, with access to the continental telegraph network and efficient Cunard steamer lines to Europe and Northern US ports. Milne and Lord Lyons sent ciphered telegrams on behalf of their French counterparts.[161] Thus, French representatives were able to use quick communications and send telegrams that were protected from United States spies. However, the situation was not wholly satisfactory for the French side, as it meant that secret communications would be read by, and depend on, British officials. Reynaud wrote about his desire to go to Washington to speak to Mercier in person in his very first despatch to Navy Minister Prosper de Chasseloup-Laubat.[162] He further complained in his next report to Paris about it being difficult to get letters from Mercier.[163] Reynaud raised fears, similar to those of Milne, that American agents seized some French despatches.[164] He sometimes reported on events in the United States that Milne

[155] Milne to Admiralty Secretary, No. 169, 23 April 1861, MLN/104/2, Milne MSS, NMM.
[156] Milne to Lord Lyons, 26 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 360-61.
[157] Reynaud to Chasseloup-Laubat, No. 2, 11 July 1861; Reynaud to Chasseloup-Laubat, No. 4, 25 July 1861, BB4/798, SHD/Marine.
[158] Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4/798, SHD/Marine.
[159] Fegen to Lord Lyons, 16 October 1861, MLN/105/2, Milne MSS, NMM.
[160] Milne to Lord Lyons, 8 September 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 406-7; Milne to Lord Lyons, 30 October 1861, in ibid., 482-83.
[161] For example, Milne sent a ciphered telegram for Reynaud to Washington. Milne to Lord Lyons, 12 November 1861, MLN/112, Milne MSS, NMM.
[162] Reynaud to Chasseloup-Laubat, No. 2, 11 July 1861, BB4/798, SHD/Marine.
[163] Reynaud to Chasseloup-Laubat, No. 4, 25 July 1861, BB4/798, SHD/Marine.
[164] Ibid.

informed him of based on the British admiral's correspondence with Washington.[165] Moreover, though Halifax was full of Nova Scotian coal for the French division, it lacked what Reynaud considered satisfactory provisions, particularly wine, that could be found in New York.[166] Thus, the French admiral left for a short visit to New York and Washington in July. Milne disapproved of the trip and had no interest in emulating since "I consider I have no business there and that it is more prudent for me to remain here".[167] Nevertheless, these differences did not impede cooperation. Despite Milne's disapproval, he used the trip by the French admiral to deliver despatches directly to Lord Lyons.[168] Reynaud shared Milne's apprehension of what he termed the US government's "touchiness" – basing the Antilles Division in Halifax instead of New York was premised on not provoking the Union government by placing large force inside its main port.[169] He cautioned against having too many French warships in American ports at the same time.[170] However, as would become a pattern, the trip to Northern cities shows that the French admiral was much more willing to test this touchiness and take steps Milne found imprudent.

In the early stages of the American Civil War, Reynaud went as far as to contemplate armed intervention in his official reports to Paris. In his first despatch after returning to Halifax from New York, the French admiral claimed that his interviews and personal observations allowed him to form a more grounded opinion of the American conflict – strongly unsympathetic to the North and dismissive of its military prowess. During his trip, Reynaud was able to get a hold of Mercier and have a long interview.[171] He also met with New York Consul-General Charles de Montholon and American dignitaries. Reynaud reported that many people did not recognize in Lincoln "the qualities requisite of a President of the United States" and mused about his possible replacement.[172] The admiral felt the US Navy to be useless without Southern officers, surprised that even the famous Lieutenant Matthew Maury left the service. As for the army, which he witnessed recruiting in New York – "it resembles more a caravan than a regular army".[173] This was a level of disdain far greater than Milne expressed

[165] For example, in ibid.
[166] Reynaud to Chasseloup-Laubat, No. 2, 11 July 1861, BB4/798, SHD/Marine.
[167] Milne to Grey, 12 July 1861, MLN/116/3, Milne MSS, NMM.
[168] Milne to Lord Lyons, 26 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 360-61.
[169] « susceptibilité », Reynaud to Chasseloup-Laubat, No. 21, 17 October 1861, BB4/798, SHD/Marine.
[170] Ibid.
[171] Reynaud to Chasseloup-Laubat, No. 6, 6 August 1861, BB4/798, SHD/Marine.
[172] « les qualités requises dans un Président des États-Unis », ibid.
[173] « ressemble plutôt à une caravane qu'à une armée régulière », ibid.

even in his private letters.[174] Though both admirals shared contempt for American newspapers and democracy, North and South, Milne was not ready to dismiss the potential of US armed forces so blithely. In Reynaud's next despatch to Paris, the admiral made suggestions for the augmentation of his squadron in view of "the possibility that the Emperor's government may decide to recognise the Southern States at some time in the future".[175] Specifically, Reynaud asked for efficient, smaller propellor-powered steamships to help raise the Union blockade.[176] Writing that "it would be necessary to unblock the ports of these [Confederate] states to open them to the commerce of European powers", the French admiral implied a "European", or an Anglo-French, operation against the US Navy.[177] Indeed, though the force of the Antilles Division was not massive, on paper at least, it would have been a noticeable increase to British squadron at Halifax, with two frigates and several smaller vessels. US newspapers certainly feared the two navies working together.[178] Milne, in close contact the French admiral, was likely aware of his position on the American Civil War. Like Lord Lyons in Washington, he endeavoured to push his French colleague away from any action on the ground that could provoke war.

Section 2: Establishing Surveillance Cruises of the Union Blockade

Surveying the Union blockade in the Civil War presented unique challenges for the Royal Navy and French *Marine*. From the summer of 1861, the British and French Navies sent warships on regular cruises along the coast of the South to inspect the Union blockade, observe naval action, and provide protection for their commerce and nationals threatened by the war.[179] Sending cruisers along the 3,500-mile Southern coast required considerable investment and commitment and was accompanied by losses. Despite Reynaud's bellicose musings in reports to Paris, the French Antilles Division was stretched particularly thin during August and

[174] The furthest Milne would go was disparage the quality of American newspapers. Milne to Morrish, 19 September 1861, MLN/116/3, Milne MSS, NMM.
[175] « la possibilité que le gouvernement de l'Empereur se décide à reconnaitre dans un temps donné les États du Sud » Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4/798, SHD/Marine.
[176] Ibid.
[177] « il soit nécessaire de débloquer les ports de ces états [Confédérés] pour les ouvrir au commerce des puissances européennes », ibid.
[178] Doyle, *Cause of All Nations*, 117-18.
[179] In the period, "cruiser" referred to warships that sailed on independent missions, or cruises, not part of a larger force, traditionally to destroy the enemy's commerce or to protect one's own commerce from other raiders. CSS *Sumter*, *Alabama*, *Florida*, and *Shenandoah* were Confederate cruisers that were prominent later in the war. British and French warships that sailed to observe the American coast were thus also cruisers.

September 1861. Moreover, admirals Milne and Reynaud faced the problem of maintaining neutrality during the encounters of their cruisers with Union warships. Although both admirals feared interactions could escalate due to the "sensitivity" of US captains, the two commanding officers placed different emphasis on avoiding conflict in their instructions.[180] Despite the relative weakness of the French naval presence in the first few months of the American Civil War, French captains often acted more aggressively than did British ones in similar circumstances, possibly as a function of expecting Anglo-French naval intervention in the American conflict in the near future.

The diplomatic importance of the Union's blockade's effectiveness from 1861 to early 1862 – or rather the evaluation of its effectiveness by European naval powers – is difficult to overstate. European and American jurists agreed in principle that an "ineffective" blockade or "paper blockade" – that is, one that failed to obstruct maritime traffic to enemy ports – would be illegal under international law.[181] This prevented a power without maritime resources from simply declaring the ports of a belligerent party closed and periodically picking off neutral merchant vessels bound for the enemy. Observing blockades was also a practice the US Navy itself often engaged in, observing the 1836-39 Confederation War between Peru and Chile, the wars of Italian unification, and the Second Opium War.[182] Indeed, during the first two conflicts, the British and French navies were also present in the same capacity.[183] The exact level of port obstruction necessary was a matter of debate – different powers had different interpretations: how many blockading warships were needed and how difficult must it be made to breach the blockade unharmed.[184] The United States had failed to sign the 1856 Convention of Paris, the sole international treaty at the time that gave an official definition of an "effective" blockade.[185] Strangely, many naval Civil War histories cite the 1856 Paris Declaration to explain the

[180] « susceptibilité », Reynaud to Chasseloup-Laubat, No. 6, 6 August 1861, BB4/798, SHD/Marine.
[181] Phillip Drew, *The Law of Blockade: Past Present, and Future* (Oxford University Press: 2017), 42-44.
[182] For Confederation War see Robert Johnson, *Thence round Cape Horn: The story of United States Naval Forces on Pacific Station, 1818-1923* (United States Naval Institute: Annapolis, 1963), 49. In letters to his wife Admiral DuPont reminisces on the similarities between the actions of the Royal Navy in American waters and his own relations with British officers in China. See DuPont to Mrs DuPont, 20 November 1861, *Samuel Francis Du Pont, Vol. 1*, ed. Hayes, 252-254. In the very beginning of the American Civil War, the US Mediterranean Squadron under Commodore Bell was ordered to return to American waters, where it was observing the Italian operations off the coast of Sicily. Bell to Welles, 13 May 1861, *ORN, Vol. 1*, 20.
[183] Johnson, *Thence round Cape Horn*, 49; Bell to Secretary of the Navy, 2 March 1861, *ORN, Vol. 1*, 4-5.
[184] Merli, *Alabama, British Neutrality and the American Civil War*, 44-45.
[185] Drew, *The Law of Blockade*, 43-44.

effectiveness of a blockade, despite America being a non-signatory, and do not mention considerable history of the legal term in international relations.[186]

Nevertheless, however subjective the term "effective" remained in practice, failure to maintain an effective blockade violated the rights of neutrals; the United Kingdom and the French Empire declared their neutrality (and recognized Confederate belligerency) on 13 May and 10 June 1861 respectively.[187] Beyond its effectiveness, European representatives were interested to see if the blockade was announced properly on the coast and if foreign merchant vessels received enough warning of its declaration.[188] After the declaration, foreign merchantmen in blockaded ports had a 15-day leeway to depart without the risk of being taken as prizes by the US Navy.[189] However, this condition of a legitimate blockade under international law was relatively simple to enact, and did not cause too much controversy.[190] From Confederate ports, European consuls also penned reports on the declarations of blockade and its effectiveness. With naval and consular reports coming in, the governments of the two powers could potentially call the Union blockade illegal.

A very lax blockade could be used by the British and French governments, whose economies were already suffering from a paucity of Southern cotton, as an excuse to send a force to disperse Union warships from the Confederate coast. Indeed, the sheer scale of the US Navy's blockade strained plausibility of an entirely effective blockade across all the numerous ports and sounds of the Southern coast.[191] Encouraging bellicose action from European powers was the centrepiece of Confederate diplomacy; Confederate agents presented Europeans with evidence of vessels easily evading blockading warships.[192] In fact, an intervention was envisaged early in the war by the French Minister Plenipotentiary Mercier, who thought that this could be accomplished with a simple Anglo-French show of force at the right moment.[193] Admiral Reynaud requested reinforcements with a low draft to enact this vision.[194] The possibility of European intervention over the blockade caused immense trepidation within the

[186] McPherson, *War on the Waters*, 46-49; Tucker, *Blue and Grey Navies*, 79-80
[187] *Le Moniteur Universel*, 11 June 1861; Murray to Bunch et al, No. 6, 15 May 1861, FO 5/780, TNA, fo. 13.
[188] Ibid.
[189] Lord Lyons to Russell, N. 222, 25 May 1861, in *Through British Eyes, Vol. 1*, 96.
[190] Bernath, *Squall Across the Atlantic*, 7-9, 21-22.
[191] Samuel Negus, "Blockading Campaigns" in Aaron Sheehan-Dean, edt., *A Companion to the U.S. Civil War* (Wiley: Chichester, 2014).
[192] Frank Owsley, *King Cotton Diplomacy: Foreign Relations of the Confederate States of America* (Chicago: University of Chicago Press, 1959).
[193] Mercier to Thouvenel, 10 October 1861, No. 64, 39CP/125, AMAE, La Courneuve, fos. 137-43.
[194] Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4 798, SHD/Marine.

Union Navy, with Navy Secretary Gideon Welles regularly chastising Flag Officers for blockade-runners that made it through.[195] Lieutenant Hudson of HMS *Immortalité* recorded in his journal that when the powerful frigate anchored off Charleston, South Carolina on 17 November 1861, the Union force outside the port thought the British warship had come to break up the blockade.[196]

Despite ample precedent, Lord Lyons and Admiral Milne were leery of sending warships to observe the conflict in the South during the first few months of the war. The first request for Royal Navy presence came from the fear of Confederate privateers. The British consul in Charleston, Robert Bunch, reporting on Jefferson Davis's 17 April proclamation inviting letters of marque, warned "Privateers are not ordinarily very scrupulous in discriminating between hostile and friendly flags" and requested light-drafted British men-of-war be sent to police the shores.[197] On 27 April, Lord Lyons, who received a copy of Bunch's despatch from Charleston, promptly forwarded an extract to Milne.[198] In the same message to the admiral, Lyons also sent a copy of the State Department's letter from the same day informing foreign powers that the US Navy was going to blockade Southern ports.[199] He also noted that as the Lincoln administration claimed it would follow international law, "we have no other course in the absence of positive instructions from Her Majesty's Government than to recognize it".[200] The minister plenipotentiary was initially hesitant to fulfil the consul's request in the turbulent political circumstances, warning Milne that "any large or ostentatious display… might be inadvisable".[201] However, in his next despatch to the admiral, Lord Lyons wrote the he felt enough pressure from consuls and businessmen to ask for a small force to be sent to the Southern coast to discourage privateers and report on the state of the blockade, though in a private message to Milne, he noted that "it is of course abstractedly better that your Men of War… should not interfere with the Blockade or the Southern Privateers".[202] Milne was even more doubtful of the need to enter American waters, writing in a private letter to Admiral George Dundas, the First Naval Lord, "we should not shew any force… far better keep

[195] Welles to DuPont, 27 January 1862, *ORN, Vol. 12*, 522; Welles to Stringham, 4 July 1861*, ORN, Vol. 5*, 766; Fox to Goldsborough, 27 March 1862, *ORN, Vol. 7*, 139.
[196] Journal entry, 17 November 1861, HUD/1/7, Hudson MSS, NMM.
[197] Bunch to Russell, No. 49, 18 April 1861, FO 5/780, TNA, fos. 198-199.
[198] Lord Lyons to Milne, 27 April 1861, ADM 128/57, TNA, fos. 307-13.
[199] Ibid.
[200] Ibid.
[201] Ibid.
[202] Lord Lyons to Milne, 10 May 1861, ADM 128/57, TNA, fos. 333-37; Lord Lyons to Milne, 12 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 282-83.

aloof".[203] However, this letter was written in response to positive orders to send an observation force, which Milne complied with – the decision to inspect the blockade was made in London.[204] Nevertheless, the instructions and composition of the force were up to Milne and would reflect the admiral's caution. Though the choice to send warships on missions to inspect the Union blockade was made over the heads of Lord Lyons and Milne, the admiral on the spot shaped the practice of it, with input from the minister plenipotentiary in Washington.

Admiral Milne's instructions emphasised strict neutrality and avoidance of even the appearance of partisanship. The first iteration, issued on 30 May, prohibited entering Confederate ports "unless protection to British Life should absolutely demand it", as it "might probably be interpreted into a disposition on the part of H. M. Government to give countenance and support to the Secession movement".[205] Moreover, the admiral emphasised polite interaction with belligerents, particularly the Union Navy, "while preserving a firm but conciliating demeanour".[206] Milne also found it necessary to pre-empt aggressive, one-sided behaviour from commanding officers. If a captain found a section of the blockade ineffective, he was ordered to "content yourself with representing your views to the Commander of the Blockading Squadron, in courteous but precise terms and with full particulars in writing".[207] This would serve as proof that could be later used by diplomats and avoid provocation. Furthermore, in dealing with British merchants, commanders were to "[avoid] as much as possible all technical points of International Law, upon which you as an observer, are not called upon to act or decide".[208] Additional instructions written on 20 June further stressed that controversial seizures of merchant vessels by belligerent warships were to be noted, but would be decided in American Admiralty Court.[209] Therefore, while protecting British trade was "an imperative duty", it was not up to British commanders to decide to break blockades or insist on freeing merchantmen.[210] However, Confederate privateers who dared attack British vessels would be treated as "pirates". With his instructions, Milne endeavoured to avoid potentially combustible situations and curb instances of individual risk taking by his officers.

[203] Milne to Dundas, 30 May 1861, MLN/116/3, Milne MSS, NMM.
[204] Admiralty Secretary to Milne, 18 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 283.
[205] Milne Circular, 30 May 1861, MLN/120, Milne MSS, NMM.
[206] Ibid.
[207] Ibid.
[208] Milne Circular, 20 June 1861, MLN/120, Milne MSS, NMM.
[209] Ibid.
[210] Ibid.

The French side was less cautious about sending the navy to observe the American conflict. Indeed, Mercier had suggested the significantly more radical measure of recognizing the Confederacy weeks before the fighting began and Thouvenel floated the idea of Napoleon III's mediation to Henry Sanford, temporarily the US representative to France, in early May.[211] Therefore, it is not surprising that there was less apprehension about sending the navy to American waters. However, as France had no large naval bases around American waters, sending a small fleet required more time and coordination between ministries than was needed for the British side.[212] Admiral Reynaud only arrived in North America in July. Though his instructions to French men-of-war surveying American waters were attached to a despatch to Chasseloup-Laubat on 25 July, it would take another month for the first warship to be sent on an observation cruise.[213] In part, this document was based on that of Admiral Milne. Though Milne's instructions to his cruisers were confidential, he let Reynaud read them when the French admiral arrived at Halifax.[214] While this highlights the closeness of Anglo-French ties in the region, Milne was also likely trying to influence his colleague and getting Reynaud to copy his approach. Both instructions called for "strict neutrality," confirmed the conditional recognition of the Union blockade by their governments, and closely regulated saluting the Confederate flag, which could potentially be interpreted as a recognition of sovereignty. British and French commanding officers were instructed to only salute Confederate ports and vessels that had saluted them first because, as Reynaud noted, "a salute repaid is not a commitment".[215] However, Reynaud's instructions were much shorter than Milne's – the French admiral did not instruct his commanding officers to seek to communicate with Union warships, nor did he emphasise courtesy.[216] Reynaud discussed the obligations of belligerents to neutrals at length.[217] Thus, the instructions received by French warships were vaguer and more open to interpretation than those of British warships and stressed more protection for neutral rights than avoidance of conflict.

[211] Mercier to Thouvenel, No. 29, 29 March 1861, 39CP/124, fos. 121-29; Thouvenel to Mercier, No. 33, 25 April 1861, 39CP/124, AMAE, La Courneuve, fos. 164-75.
[212] For example, in a letter to Chasseloup-Laubat on formulating the French Neutrality Proclamation, Thouvenel mentions corresponding also with the Commerce and Justice Ministries. Thouvenel to Chasseloup-Laubat, 30 May 1861, BB4/1345, SHD/Marine.
[213] Reynaud to Chasseloup-Laubat, No. 4, 25 July 1861; Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4/798, SHD/Marine.
[214] Reynaud to Chasseloup-Laubat, No. 4, 25 July, BB4/798, SHD/Marine.
[215] « Un salut rendu n'est point un engagement. » undated circular, BB4/798, SHD/Marine.
[216] Ibid.
[217] Ibid.

The Royal Navy was the first force to establish observation of Confederate waters, marshalling the substantial force of the North America Station. After getting orders from the Admiralty, Milne formed a plan of action for warships under his command to survey the American coast. He shared the plan privately with Lord Lyons and asked for his opinion.[218] This would require three cruisers to simultaneously patrol a portion of the coast. On 30 May, HMS *Gladiator* set sail from Halifax to cruise between New York and Cape Fear, NC, with New York as the main port of calls for supply and postal/telegraphic communication.[219] The *Gladiator* left port with HMS *Jason*, which was sent to examine the Gulf coast with Havana as its base.[220] These men-of-war were soon joined by HMS *Racer*, ordered on 11 June to cruise between Cape Fear and Florida, with Havana and Nassau as the main resupply ports.[221] The warships on these three initial routes were relieved every couple of weeks, and therefore there was a need for more at least half a dozen cruisers.[222] Milne ordered Commodore Dunlop of the Jamaica Division to move his headquarters from Port Royal, outside Kingston, to Havana and supervise the cruises based from there.[223] Thus, the resources of the North America Station were sufficient to establish scheduled cruises to observe the conflict from the very beginning of the war. This also created a pattern for French warships to follow.

However, establishing a similar presence was more difficult for the French Navy. On 30 May 1861, the navy minister had informed Admiral André-Édouard Pénaud of the Antilles Division of his government's neutrality and asked the admiral to return to France with all the sailing ships that had formed the bulk of this division, which would now be led by Admiral Reynaud and expanded to include North America in its purview.[224] With the nearest French bases in Martinique and St. Pierre (off Newfoundland), the emperor's cabinet decided to send a small fleet of new steamers to Halifax. However, the force had some difficulty getting to Nova Scotia and organising observation cruises. The *Catinat* began to cruise between New York and Savannah in August; the French division did not have the numbers for two separate cruising patterns off the Atlantic coast like its British counterpart.[225] The *Lavoisier*, with orders

[218] Milne to Lord Lyons, 31 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 294.
[219] Milne to Hickley, 30 May 1861, in ibid., 290
[220] Milne to Von Donop, 30 May 1861, in ibid., 289.
[221] Milne to Algernon Lyons, 11 June 1861, in ibid., 300.
[222] For example, Milne ordered HMS *Challenger* to support the *Racer*. Milne to Kennedy, July 12 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 345.
[223] Milne to Admiralty Secretary, No. 220, 30 May 1861, MLN/104/2, Milne MSS, NMM.
[224] Chasseloup-Laubat to Pénaud, 30 May 1861, BB4/795, SHD/Marine.
[225] Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4/798, SHD/Marine.

to observe the blockade of the Gulf coast, was only able to reach its destination in September.[226] In order to fill in the gaps in his reports to Chasseloup-Laubat, Reynaud relied on the assessments of British men-of-war that observed the coast that Milne gave him access to.[227] On 18 September Reynaud informed the Navy Minister that he postponed the cruise of the *Catinat* because there was a British ship already observing the region, and he felt there was no need for the redundant waste of resources.[228] Much smaller than the Royal Navy's North America Station, the Antilles Division relied on the resources of the British force as well as its hospitality.

For any naval force, closely observing the effectiveness of the Union Navy and the actions of Confederate privateers off the coast of the South was a dangerous endeavour that involved the utilisation of significant resources. Minor powers such as the newly formed Kingdom of Italy and the Brazilian Empire would periodically send warships to the Chesapeake for the express purpose of judging the blockade.[229] Far removed from the treacherous and less closely guarded Carolina coast, as well as from the strategic deep-water ports of Charleston and New Orleans, these were hardly intelligence gathering operations. They served to show the flag and gain international prestige.[230] This participation established new and small powers as legitimate members of the international legal order. However, even this carried some risk. The 50-gun flagship of Netherlands West India Squadron ran aground on its way to Annapolis and had to be towed by the US Navy on 20 August 1861, not an auspicious means of signalling great power status.[231] The significantly larger British and French Navies tried to inspect the entirety of the coast officially closed by the Union, from Cape Henry to the Rio Grande. This allowed their governments to make official pronouncements on the legality of the blockade, even if it exposed them to more hazards.

Those hazards were numerous. Desertion plagued both forces, especially in Halifax and New York. Seamen in the Nova Scotian port were enticed by higher North American wages and gold recently discovered off Tangier, Nova Scotia.[232] When caught and court martialled, many also claimed to be mistreated by certain commanders, with Captain Egerton of the *St.*

[226] Ribourt to Chasseloup-Laubat, 17 September 1861, BB4/798, SHD/Marine.
[227] Reynaud to Chasseloup-Laubat, No. 18, 18 September 1861, BB4/798, SHD/Marine.
[228] Ibid.
[229] The Brazilian warship *Paraeuse* arrived at Fort Monroe in the summer of 1862, *Courrier des États-Unis*, 2 June 1862. Italian warships are mentioned in Bowen, *Spain and the American Civil War*, 75.
[230] Ibid.
[231] Stringham to Welles, 20 August 1861, *ORN, Vol. 6*, 94.
[232] Milne to Admiralty Secretary, No. 245, 13 June 1861, MLN/104/2, Milne MSS, NMM.

George losing dozens of men.[233] In June 1861, Admiral Milne thought the situation had become enough of an emergency to warrant searching every merchantman that left harbour for deserters, prompting protests of illegal use of force from the Nova Scotian Government and the US consul.[234] Though the admiral thought he was legally in the right and the American agent's tone was unwarranted, he eventually relented.[235] Milne wrote privately to Lyons that he endeavoured to treat the consul diplomatically by not "Entering into any Argument with the Consul or taking notice of his strong Expressions which were quite unnecessary", because he was afraid of escalation "in the present temper of the U.S. Govt".[236] Not for the first time, the admiral employed diplomatic caution when dealing with US representatives. Nevertheless, by October 1861, Milne's efforts and cooperation with the local police force had paid off. As he reported to Duke Somerset, the First Lord of the Admiralty, the warships were "very fair order… very few desertions taking place."[237]

New York presented a particular problem for foreign navies. It was the centre of the Union Navy's and Army's build-up and recruitment, achieved with the help of large, attractive bounties.[238] The imperial city was also the largest entrepôt of the United States, and thus its enormous traffic of merchant vessels also presented opportunities for desertion.[239] The records of the French consulate in New York include three full folders with descriptions of deserters and reports on efforts to locate them.[240] Milne regularly warned warships under his command to avoid spending too much time in the city.[241] Yet, the city was a vital port of call for warships observing the blockade of the Virginia and the Carolinas, with ample stores of coal and provisions, as well as access to postal, telegraph, and steam packet communications with locations on the American continent, Europe and the Caribbean.[242] In order to fulfil their orders to observe the coast, French and British warships were forced to take the losses that they incurred.

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[233] Milne to Dundas, 24 June 1861, MLN/116/3, Milne MSS, NMM.
[234] Milne to ADM, No. 255, 22 June 1861, MLN/104/2, Milne MSS, NMM.
[235] Fegen to Row, 21 June 1861, MLN/105/1, Milne MSS, NMM.
[236] Milne to Lord Lyons, 24 June 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 311-12.
[237] Milne to Somerset, 31 October 1861, in ibid., 485.
[238] Milne to Admiralty Secretary, No. 245, 13 June 1861, MLN/104/2, Milne MSS, NMM.
[239] Robert Albion and Jennie Pope, *The Rise of New York Port*, 1815-1860 (Boston: Northeastern University Press, 1984).
[240] Affaires Maritimes, Navires de l'État, 1854-1862, 474PO/1/266, AMAE, Nantes; 1863-1864, 474PO/1/267, 1865-1867, 474PO/1/268.
[241] For example, Milne to Hickley, 30 May 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 290.
[242] Reynaud to Chasseloup-Laubat, No. 26, 31 October 1861, BB4/798, SHD/Marine.

By surveying the Union blockade, European warships often suffered from the same diseases that affected US cruisers in the subtropical region, chief among them Yellow Fever.[243] Dozens of British seamen died in the late summer and early autumn of 1861 from an outbreak in Havana, where Commodore Dunlop's division was based.[244] The commodore wrote to his sister describing the danger of the disease: "You have no idea how completely a ship is disorganized by Yellow Fever when it is very virulent. On an average 1/3 of the Officers & men die & the rest remain weak & shattered."[245]A large proportion of the Jamaica Division had to be sent to Halifax to quarantine, based on nineteenth-century belief that Yellow Fever was spread by heat and bad ventilation.[246] Milne and Reynaud's sailing orders warned against entering Havana and Veracruz – instead to anchor outside the ports for as long as feasible.[247] The two French warships using the Cuban port as their base for observing the blockade in the Gulf of Mexico were spared from the ravages of disease, taking what one of their captains thought may have been excessive precautions.[248] However, the sailing brig *Mercure* suffered such a devastating bout of the malady that it was stuck in Cuba for months, unable to return to France with the rest of Admiral Pénaud's old force until October.[249] Thus, despite never participating directly in the American conflict, the British and French navies suffered losses in the first few months of the war.

Surveying the blockade was also damaging to the warships themselves. Stormy weather frequently battered vessels. Bad weather severely delayed the arrival of HMS *Emerald*, French corvette *Prony*, and the French transport *Orione* to Nova Scotia from across the Atlantic.[250] Technical issues crippled HMS *Gladiator*, HMS *Hydra*, and the French flagship *Bellone*.[251] Worse, ships often ran aground and sometimes wrecked. In private letters, Milne lamented that many of his captains were negligent as they approached coasts and harbours.[252] On 3 August

[243] Underwood, *Waters of Discord*, 83-83.
[244] Milne to Admiralty Secretary, No. 454, 19 September 1861, MLN/104/3, Milne MSS, NMM, fo. 156.
[245] Dunlop to Fanny Montieth, 29 September 1861, MSS/87/2/1, Dunlop MSS, NMM.
[246] Milne to Admiralty Secretary, No. 425, 5 September 1861, MLN/104/3, Milne MSS, NMM, fos. 139-41.
[247] For example, Milne to Vansittart, 18 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 465-66; Reynaud to "Captaine de l'Éclair", undated draft, in Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4/798, SHD/Marine.
[248] Ribourt to Chasseloupe-Laubat, 17 September 1861, BB4/798, SHD/Marine.
[249] Le Roy to Pénaud and Chasseloupe-Laubat, 3 November 1861, BB4/798, SHD/Marine.
[250] Milne to ADM, N. 606, 30 November 1861, MLN/104/3, Milne MSS, NMM, fos. 287-88; Reynaud to Chasseloup-Laubat, No. 8, 22 August 1861; Reynaud to Chasseloup-Laubat, No. 27, 5 November 1861, BB4/798, SHD/Marine.
[251] NMM, Milne to Grey, 19 September 1861, MLN/116/3, Milne MSS, NMM; Reynaud to Chasseloup-Laubat, No. 7, 7 August 1861, BB4/798, SHD/Marine.
[252] Milne to Grey, 22 August 1861, MLN/116/3, Milne MSS, NMM.

1861, HMS *Driver*, *en route* to Jamaica, was lost in the Bahamas. Though there were no casualties, salvaging the wreck required a difficult and time-consuming operation.[253] Commodore Dunlop was forced to leave Havana on his flagship, the *Challenger*, to help evacuate the crew from the wreck and arrange for salvage operations.[254] He returned to Havana along the American coast, supplementing scheduled cruises disrupted by his absence and the Yellow Fever outbreak.[255] Indeed, many from the crew of the late *Driver* volunteered to serve on HMS *Racer* and other warships that suffered losses from the disease.[256] Navigating was difficult off Confederate shores, where the lighthouses were extinguished.[257] French warships were particularly vulnerable as Reynaud ordered them to stick as close as possible to the coast to make the French presence felt.[258] On 5 November the *Prony* grounded off Ocracoke Inlet, North Carolina.[259] Unable to dislodge his vessel, Commander de Fontanges abandoned ship and blew up the *Prony*.

Disruptions caused by such losses and damages were a bigger problem for the smaller French force, which could not be reinforced quickly enough from Europe. At its height, the Antilles Division counted around a dozen ships, while Reynaud counted 25 ships in Milne's station on his arrival, already noting that that number would be increased soon.[260] Moreover, many French warships came unprepared. The *Catinat* came with an unpainted forecastle and the *Gassendi* lacked proper rigging.[261] The flagship *Bellone* came without warm clothes for the 72 of its men who were recruited in the Caribbean, a particular problem in Halifax.[262] On 22 August Reynaud reported that his division was nearly incapacitated because most of the small warships under his command, which would be suitable for observing the coast, were damaged.[263] To fill in the gap, he ordered the *Surcouf*, due to be paid off and stationed at Martinique, to make its return to France along a circuitous route via the North American coast.[264] Chasseloup-Laubat responded by placing the entire French Newfoundland Division,

[253] Nelson to Milne, 24 August 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 309-401.
[254] Milne to Lord Lyons, 8 September 1861, in ibid., 406-7.
[255] Dunlop to Milne, 26 September 1861, MLN/115/2, Milne MSS, NMM.
[256] Milne to Grey, 8 October 1861, MLN/116/3, Milne MSS, NMM.
[257] Fabre to Chasseloup-Laubat, 2 September 1861; Ribourt to Chasseloup-Laubat, 17 September 1861, BB4/798, SHD/Marine.
[258] undated circular in Reynaud to Chasseloup-Laubat, No. 4, 25 July, BB4/798, SHD/Marine.
[259] De Fontanges to Reynaud, 21 November 1861, BB4/798, SHD/Marine.
[260] Reynaud to Chasseloup-Laubat, No. 4, 25 July 1861, BB4/798, SHD/Marine.
[261] Reynaud to Chasseloup-Laubat, No. 2, 11 July 1861; Reynaud to Chasseloup-Laubat, No. 16, 3 October 1861, BB4/798, SHD/Marine.
[262] Reynaud to Chasseloup-Laubat, No. 25, 30 October 1861, BB4/798, SHD/Marine.
[263] Reynaud to Chasseloup-Laubat, No. 9, 22 August 1861, BB4/798, SHD/Marine.
[264] Ibid.

consisting of two relatively small steamers and a steam frigate, under Reynaud's command.[265] The Royal Navy did not need to engage in such scrambling due to the size of the station. Even the disruptions caused by the Yellow Fever outbreak and loss of the *Driver* did not fully end British observations from ships based in Havana, though the commodore was forced to cruise himself.

Notwithstanding the effort put into the planning of British and French survey cruises, the actual situation off the Confederate coast tested the neutrality of European navies. This was a particular issue for Royal Navy warships, tasked with the at times contradictory instructions "to afford the greatest possible protection to lawful British Commerce" and "to exercise the strictest neutrality".[266] Indeed, the Union blockade theoretically made all commerce with the South liable to capture by the US Navy from the point of view of Washington.[267] Given the enormous size of the British merchant marine and the economic ties of the United Kingdom and British American colonies with the South, a large proportion of trade crossing the blockade was done under the British flag.[268] Moreover, many Confederate-owned vessels flew British colours after nominal official transfers of ownership made by British consuls in the South and around the world, hoping for more protection.[269] On the other hand, with a relatively small merchant marine and without colonies in close vicinity to the South, France was less directly impacted by the blockade and privateers than were Britain or even Spain. Indeed, in the first few months of observing the American conflict, French officers commanding observation cruisers consistently reported that no French merchant houses or commercial vessels were known to engage in the blockade-running business.[270] A degree of controversy existed over British merchant vessels captured in May and June 1861, which contributed to Lord Lyons's call for British warships.[271] However, these disputes did not involve British men-of-war, as they occurred before most Royal Navy cruisers, first ordered to sail on May 30, arrived on the coast. In the Autumn of 1861, when the cotton season began, this great number of British-

[265] Chasseloup-Laubat to de Montaignac, 22 August 1861, BB4/795, SHD/Marine.
[266] Milne Circular, 30 May 1861, MLN/120, Milne MSS, NMM.
[267] Bernath, *Squall Across the Atlantic*, 167-68.
[268] Ibid, 4-5; George Dalzell, *Flight from the Flag: The Continuing Effect of the Civil War upon the American Carrying Trade* (Chapel Hill: University of North Carolina Press, 1940).
[269] Bernath, *Squall Across the Atlantic*, 5.
[270] Fabre to Chasseloup-Ribourt, 2 September 1861; Ribourt to Reynaud, 17 September 1861, BB4/798, SHD/Marine.
[271] Bernath, *Squall Across the Atlantic*, 19-23.

flagged merchantmen and men-of-war, along with US Navy cruisers in the waters of the South created a testy situation.

As demonstrated by the encounter of HMS *Steady* and USS *Vandalia* in late September, encounters at sea between US and foreign warships could be dangerous. Union warships aggressively stopped all vessels off the Southern coast, incentivised by the prize money that could be earned from a captured blockade-runner.[272] The contours of mid-nineteenth century warships were not easily distinguishable from those of large merchant vessels. Almost all warships in this period were at least partly sailing ships, though they also commonly had a steam engine for extra speed and manoeuvring.[273] Thus, the sail was the most visible part. The journals and reports of US naval officers and men describe inspecting every "sail" that could be seen from the deck.[274] As vessels neared each other, it was often difficult to discern the national flags and pendants that British and French warships were instructed to fly prominently in the low visibility. This made interactions between *all* warships off the blockaded coast potentially hazardous, as US warships would often take the risky step of firing over the bows of vessels they wanted to stop, including what turned out to be other Union warships.[275] Not surprisingly, such actions were not appreciated by British and French commanding officers. Commander Hewett of HMS *Rinaldo* and Commander Ross of HMS *Desperate* reported their ships and other British men-of-war regularly "chased" by US warships.[276] Though clearly annoyed at US warships' actions, the reports of British captains stressed their efforts to maintain neutrality.[277] Indeed, British commanding officers actively sought out blockading men-of-war for polite conversation, information, and until November, 1861 to formally inform of lax blockading, as instructed by their admiral.[278] The meetings served to inform Union commanders of the British men-of-war present in the waters that they were operating in, making it less likely for them to be confused with blockade-runners, and to develop working relationships between the commanding officers.[279] Though US warships sometimes would

[272] Ibid., 14.
[273] HMS *Devastation* was the first Royal Navy warship without sails, built in 1867. Fuller, *Clad in Iron*, xvii-xviii.
[274] For example, the journal of Commander Enoch Parrott describes chasing after 4 "sails" in one day, which turned out to all be US warships. Journal Entry, 17 December 1861, E-608 (99); Journal of Comdr. Enoch G. Parrott, Oct. 16, 1861-Sept. 4, 1862, RG 45, NARA, Washington.
[275] Ibid.
[276] Ross to Dunlop, 1 September 1861; Hewett to Milne, 1 October 1861, MLN/115/2, Milne MSS, NMM.
[277] Ibid.
[278] Milne Circular, 30 May 1861, MLN/120, Milne MSS, NMM.
[279] Commander Ross of HMS *Desperate* reported a US cruiser spurning conversation. Ross to Dunlop, 1 September 1861, MLN/115/2, Milne MSS, NMM.

spurn such interaction, often wining and dining with foreign officers was a welcome distraction from the drudgery of blockading.

The despatches of French commanding officers, however, stressed the need to react forcefully to what the officers regarded as provocation. Commander Charles Fabre of the *Catinat* reported that his ship was always at quarters when approaching a US warship "in a manner to be able to fire immediately, America being a country of more or less involuntary mishearing and misunderstanding."[280] Lieutenant Jamin of the *Surcouf* was annoyed by USS *Young Rover* firing a blank gun in his direction and responded in kind, an action which he described as supporting his flag.[281] Despite the firing of a blank gun being very much within maritime custom, the Union commanding officer apologised, claiming not to be well versed in "international usages" as a volunteer officer.[282] Indeed, after his testy encounter with HMS *Steady*, Commander Lee made sure to fire a blank warning gun when the *Catinat* appeared off Charleston a few days later.[283] Given the different tone and breadth of instructions received by British and French cruisers observing the Union blockade and Confederate privateers, it is not surprising that the commanding officers of both powers behaved differently during encounters with the US Navy. Commander Fabre interpreted his orders from Admiral Reynaud to limit his communications with Union warships by neither visiting their ships nor receiving US officers "to avoid the [Union] cruisers from being able to flatter themselves later of having conducted even a semblance of a visit to a French man-of-war."[284] Indeed, US warships reported being unable to communicate with a French warship that was likely the *Catinat*.[285] Fabre's Anti-Americanism was to a certain extent exceptional, as other French captains did not disdain talking to US officers. Indeed, despite his bluster, Fabre himself communicated with Commander Lee off Charleston to get more information on the *Steady*'s voyage.[286] Nevertheless, the theme of protecting French prestige is common in French official reports. Thus, despite its losses and operational disruptions, the French Navy initially operated more aggressively than the British Navy in American waters. With the French admiral contemplating

[280] « de manière à pouvoir tirer immédiatement, l'Amérique étant le pays du mal entendu et des méprises plus ou moins involontaires. » Fabre to Chasseloup-Laubat, 2 September 1861, BB4/798, SHD/Marine.
[281] Jamin to Chasseloup-Laubat, 16 October 1861, BB4/798, SHD/Marine.
[282] « usages internationaux », ibid. See Chapter V.
[283] Lee to Marston, 4 October 1861, ORN, Vol. 6, 295.
[284] « de manière à éviter que les croiseurs [de l'Union] puissent se flatter plus tard, d'avoir exercé même un semblant de visite sur les bâtiments de guerre Français. » Fabre to Chasseloup-Laubat, 8 October 1861, BB4/798, SHD/Marine.
[285] *List of vessels boarded by the U. S. ship Dale during her cruise from the 11th of August to the 14th of September, 1861*, 25 August 1861, *ORN, Vol. 6*, 218.
[286] Lee to Marston, 4 October 1861, ORN, Vol. 6, 295.

breaking the Union blockade, testy encounters with US warships were likely not seen as inherently risky by French officers.

Section 3: Creating the Anglo-French Naval Courier Service to Consuls in the South

On 14 August 1862, New York police intercepted a package that contained, along with private mail, Consul Bunch's despatches.[287] The sealed consular bag was found on the person of Robert Mure, a British Charleston merchant designated by the consul as a courier, on his way to RMS *Africa* in New York.[288] Although the US government diplomatically chose not to open the bag itself, the private letters on Mure's person were leaked to newspapers. They described French and British communications with the Confederacy and imminent recognition of the Confederacy.[289] The resulting "Bunch Affair" was a minor crisis in Anglo-American relations, with Seward publicly calling for Bunch's removal (later claiming to have revoked Bunch's exequatur) and Lord Russell refusing to get rid of his consul from Charleston saying he did nothing wrong.[290] Charles Francis Adams, US minister plenipotentiary to London, engaged in a heated correspondence with Lord Russell on the subject for weeks, until it was dropped in December.[291] With the unreliability of using private couriers crossing the front lines made manifest, the British and French foreign services began to rely on a joint Anglo-French naval courier service instead.

Spurred by the Bunch Affair and the untimely public airing in the Union of British and French contacts with Confederate authorities, the Foreign Office and French Foreign Ministry pushed for communications with Charleston to be conducted by neutral warships. Mercier and Lord Lyons, initially apprehensive about communicating by means of men-of-war, asked their respective admirals to write instructions for such communication together "in concert", marking a high point in Anglo-French cooperation during the war. As the confrontation between HMS *Steady* and USS *Vandalia* shows, their fears were not altogether out of place.

[287] McMillan to Russell, 24 August 1861, FO 881/1052, TNA.
[288] Ibid.; Bunch to Mure, 7 August 1861, FO 881/1052, TNA.
[289] Berwanger, *British Foreign Service*, 41-43.
[290] Ibid., 42-46; Ferris, *Desperate Diplomacy*, 97-105.
[291] Russell to Adams, 9 December 1861, FO 881/1052, TNA.

Nevertheless, Lord Lyons considered the voyage of the *Steady* a success, privately noting to Milne that its visit "to Charleston seems to have been very properly managed", and the system would hold for years.[292]

Previously, despite the inherent risks, Lord Lyons and Baron Mercier had relied largely on private messengers to communicate with their consuls in Confederate-controlled territory from June to September 1861. The Lincoln administration ended the last postal service to the South through Kentucky, a temporarily neutral state, in June, which foreign governments relied on during the first months of the war.[293] Official mail steamers would not go through the Union blockade. Instead, British and French consuls used private couriers that could find their way across the front lines, with the representatives of Britain and France sometimes sharing messengers.[294] Needless to say, this was ineffective, especially for consuls further south. The records of the British consulate of Savannah, the only Southern British consulate whose records are extant, shows that the Queen's Neutrality Proclamation, sent on 14 May 1861 was only received on 3 July and the acknowledgment was only sent on 3 December.[295] The French consul in New Orleans reported not having any contact outside the Confederacy for four months when Commander Amédée Ribourt of the *Lavoisier* arrived on 24 September.[296] On 16 August, Lincoln further limited communication in a proclamation prohibiting "commercial intercourse" with the South.[297] French Charleston Consul de St. André reported that in consequence "railroad trains would no longer cross the frontier," severely limiting communication with diplomats in Washington and the postal hubs of New York and Boston.[298] This caused the British, French, and Spanish consuls in the city to petition their ministers in Washington for communication by warship.[299] On 8 September, Bunch reported that his messengers were being stopped at the frontier and that he could only get small cyphered messages through.[300] Now, even this crucial port went without instructions for weeks, prompting the consuls to make use

[292] Lord Lyons to Milne, 12 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 449.
[293] Walter McCaleb, "The Organization of the Post-Office Department of the Confederacy," *The American Historical Review*, 12, no. 1 (Oct., 1906), 73.
[294] The practice was so widespread that the US State Department wished to regulate it, requiring messengers with British passports to have Seward's signature. Lord Lyons instructed his consuls to be "extremely cautious with regard to forwarding letters under present circumstances." He also expressly allowed using the networks of other foreign consuls. Circular, Lord Lyons to Consuls, 20 June 1861, FO 881/1052, TNA.
[295] Russell to Molyneux, No. 3, 14 May 1861, Folder 1: 1861/MSS/15, Rose Library, Emory University, Atlanta.
[296] Ribourt to Chasseloup-Laubat, 7 October 1861, BB4/798, SHD/Marine.
[297] *Proclamation 86—Prohibiting Commercial Trade with States in Rebellion,* Lincoln, 16 August.
[298] De St. André to Thouvenel, 20 August 1861, No. 2, 16CPC/08, AMAE, La Courneuve, fos. 262-63.
[299] De St. André to Thouvenel, No. 2, 20 August 1861, 16CPC/08, AMAE, La Courneuve, fos. 262-63; Lord Lyons to Russell, No. 467, 31 August 1861, in *Through British Eyes, Vol. 1,* 159.
[300] Bunch to Lord Lyons, 8 September 1861, in *Through British Eyes*, *Vol. 1*, 81.

of blockade-runners.[301] This carried the inherent risk of interception and had the appearance of sponsoring the Confederate war effort.

However, the alternative of involving British and French warships in delivering despatches also carried risks, as it required the men-of-war to communicate with Confederate ports through the Union blockade, which increased the risk of accidental confrontation with the US Navy. Lord Lyons and Admiral Milne initially considered using warships to deliver diplomatic mail too risky, even though communication with Confederate ports by foreign warships was explicitly allowed by US Navy blockade regulations.[302] In an early despatch to Milne, Lord Lyons noted that he shared the admiral's assessment "with regard to the inexpediency, as a general rule of Her Majesty's ships entering the ports of the Seceded States".[303] Mercier had a different perspective, suggesting "to send our Instructions conveniently to the Consuls by one of the British or French Men of War which are about to visit the Southern coasts".[304] This proposal would have the added benefit of furthering Anglo-French cooperation and was made before any French force had arrived in North America. Nevertheless, in a private letter to Milne, Lyons showed apprehension about using warships as late as 19 August: "I turn a deaf ear to representations of Consuls, who ask for ships without any clearly defined reason. I supposed it is very desirable at this season to keep our ships away from Southern Ports".[305] Though there had been some communication through British warships engaged in blockade observation before September 1861, it had not been systemic. HMS *Rinaldo* carried Consul Bunch's despatches in August because he managed to contact the warship during a dispute with the US Navy over the threatened seizure of the British-flagged merchant ships *Alliance* and *Gondar* in Beaufort, NC.[306] Lord Lyons also requested Admiral Milne to send a warship to New Orleans to receive black British seamen imprisoned when their Northern merchant vessel was captured by a Confederate privateer, a situation he regarded as

[301] One of Bunch's despatches was marked "by the Havana" with the next few despatches received on the same day, indicating that they were probably sent by a blockade-runner through the Cuban port, Bunch to Russell, No. 104-6, 4-5 September 1861, FO 5/781, TNA, fos. 265-72. His despatches later in September were meant to be sent on the *Nashville*, but the arrival of HMS *Steady* on 28 September made that moot. In these despatches, *Nashville* is crossed out. Bunch to Russell, No. 111, 28 September 1861, FO 5/781, TNA, fo. 334. However, his French counterpart did make use of the *Nashville* despite also sending despatches via the *Steady*, de St. André to Thouvenel, No. 6, 30 September 1861, 16CPC/08, AMAE, La Courneuve, fos. 267-68.
[302] Milne to Lord Lyons, 19 August 1861, in *Milne Papers, Vol. 2*, 383.
[303] Lord Lyons to Milne, 25 May 1861, in *Through British Eyes, Vol. 1*, 160.
[304] Lord Lyons to Russell, No. 284, 17 June 1861, in *Through British Eyes, Vol. 1*, 141-43.
[305] Lord Lyons to Milne, 19 August 1861, in *Milne Papers, Vol. 2,* ed. Beeler, 383.
[306] Hewett to Milne, 1 October,1861, MLN/115/2, Milne MSS, NMM. For more on *Alliance* and *Gondar*, see Chapter III.

exceptional, possibly requiring an indemnity.[307] However, these were isolated incidents that did not amount to regular naval courier service.

As constraints on communications with consuls were increasing, the British and French governments' fears of the American conflict spilling into attacks on neutral shipping pushed them to instruct their representatives in America to proceed with the tricky task of conducting talks with the unrecognised Confederacy. Shipping in British bottoms was a large proportion of global maritime traffic, having started to edge out American competitors in the late 1850s, making the power particularly vulnerable to naval attacks.[308] Napoleon III actively pursued creating a formidable merchant marine, though France was significantly behind Britain and the United States.[309] Thus, lawlessness on the seas would be a threat to the budding project. Britain and France feared that both Union men-of-war and Confederate privateers and cruisers would be attracted to lucrative European merchant vessels on legitimate trade voyages. Therefore, in mid-May, Thouvenel and Russell, after consulting each other, instructed their representatives to work together to get both sides to declare that they would respect Articles 2 and 3 of the 1856 Declaration of Paris, which declared that outside of undefined "contraband of war", "the neutral flag covers enemy's goods" and "neutral goods… are not liable to capture under enemy's flag".[310] Though the US did not sign the declaration in 1856 because Article 1 declared privateers illegal, the second and third articles were traditionally supported by American governments, as Thouvenel did not fail to remind Mercier.[311] Adhering to this rule would protect the powers' commerce. Though "it turned out the question… was only of nominal importance during the Civil War", in the first months of the conflict, the two powers were willing to press both sides to formally declare adherence to the rules.[312] In this question, British and French representatives would also act "in concert".

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[307] Lord Lyons to Milne, 3 August 1861, fos. 625-6; Lord Lyons to Mure, 3 August 1861, fos. 637-40, ADM 128/57, TNA, fos. 637-39; Lord Lyons to Russell, No. 395, 3 August 1861, in *Through British Eyes, Vol. 1*, 153. See also Chapter IV.

[308] Danzell, *Flight from the Flag.*

[309] Berneron-Couvenhes, "Les compagnies transocéaniques de navigation à vapeur sous le Second Empire," in *La marine sous le premier et le second empire*, ed. Boudon.

[310] "Declaration Respecting Maritime Law. Paris, 16 April 1856," Treaties, States Parties and Commentaries, International Committee of the Red Cross, accessed 24 July, 2022, https://ihl-databases.icrc.org/ihl/WebART/105-10001?OpenDocument; Thouvenel to Mercier, No. 8, 16 May 1861, 39CP/124, AMAE, La Courneuve, fos. 216-17; Russell to Lyons, No. 136, 18 May 1861, FO 5/755, TNA, fos. 58-69.

[311] Jan Lemnitzer, "'The Moral League of Nations against the United States:' The Origins of the 1856 Declaration of Paris," *The International History Review*, 35, no. 5 (October 2013), 1068-1088; Thouvenel to Mercier, No. 7, 11 May 1861, 39CP/124, AMAE, La Courneuve, fos. 194-201.

[312] Bernath, *Squall Across the Atlantic*, 6-7.

British and French officials were particularly distrustful of privateers. Indeed, Bunch's original plea for British warships on the Southern coast came from his fear of them.[313] The original instructions to Reynaud go on at length about the "anarchy" in the South and both admirals' instructions to cruisers focus on them.[314] This was like a reaction to the history of American filibusters in Latin America (and to a lesser extent Canada), who had led raids into neighbouring countries aiming to promote incorporation into the United States.[315] The Confederate naval strategy was that of a weak power, with privateers and warships (cruisers) aiming to damage the enemy's commerce.[316] Because privateers were led by merchants licensed to capture enemy vessels, as opposed to warships led by commissioned officers, British and French officials thought that they could be as unscrupulous in their prizes as filibusters. However, despite the fears, Confederate privateering lasted only for a few months, as it became difficult to bring prizes back through the Union blockade and neutral powers closed their ports to prizes.[317] Nevertheless, in the first few months of the war, the British and French Governments viewed Confederate privateers as potentially threatening.

If it was easy to start negotiations with the Washington government, given the established diplomatic relations of the United States, conferring with the Confederacy was another matter. Mercier and Lord Lyons initially feared that Seward could use communication with Confederate authorities as a pretext for a foreign war, with public opinion already agitated by the recognition of Confederate belligerency through neutrality declarations.[318] However, their instructions said to notify the US Secretary of State to avoid a misunderstanding.[319] Lord Lyons and Mercier discussed the situation, but decided to wait first before informing Seward and sending a message south. As Mercier noted to his superior, "I have abused a bit the latitude that you have given me."[320] The ministers informed Seward privately, Mercier leaving a copy of Thouvenel's instructions that mentioned communication with the South "confidentially for his

[313] Bunch to Russell, No. 49, 18 April 1861, FO 5/780, TNA, fos. 198-199.
[314] *Projet d'Instructions pour le Contre-Amiral Reynaud,* Chasseloup-Laubat to Reynaud, undated, BB4/1345, SHD/Marine; Reynaud Circular, undated, in Reynaud to Chasseloup-Laubat, No. 4, 25 July, 1861, BB4/798, SHD/Marine; Milne Circular, 30 May 1861, MLN/120, Milne MSS, NMM.
[315] For filibusters in Mexico and the Caribbean, see May, *Southern Dream of a Caribbean Empire*. For Canada, see Forcese, *Destroying the Caroline*.
[316] Simson, *Naval Strategies of the Civil War*, 35-43.
[317] Tucker, *Blue and Grey Navies*, 76
[318] Mercier to Thouvenel, No. 41, 10 June 1861, 39CP/124, AMAE, La Courneuve, fos. 301-10; Lord Lyons to Russell, No. 278, 13 June 1861, in *Through British Eyes, Vol. 1*, 118.
[319] Thouvenel to Mercier, 16 May 1861, 39CP/124, AMAE, La Courneuve; Russell to Lord Lyons, No. 136, 18 May 1861, FO 5/755, TNA, fos. 58-69.
[320] « j'ai un peu abusé de la latitude que vous m'aviez laissée. » Mercier to Thouvenel, No. 42, 14 June 1861, 39CP/124, AMAE, La Courneuve, fos. 311-18.

personal usage".[321] Though Norman Ferris has characterised later Union indignation as based on the fact that the British government had been "discovered" in negotiating with the Richmond, Lord Lyons reported making the case for communicating with the Confederacy directly in private conversation with the American secretary of state in June, as "the personal safety and interests of British and French subjects in a large and important territory are dependent upon that government".[322] Though Seward was visibly annoyed, he nevertheless refrained from publicly protesting against the actions of the European powers.[323] Meanwhile, Mercier and Lord Lyons, writing "identical" instructions, informed their Charleston consuls of the need to clandestinely negotiate with the Confederates to adopt Articles 2 and 3 of the Declaration of Paris.[324] Despite Mercier's musings on the use of warships, communication with these agents was done through the means of private couriers, with the ministers learning of the mission's success through a coded despatch from Bunch on 2 September.[325] However, the Bunch Affair had punctured the secrecy of Britain and France's direct dealing the Confederacy, forcing Seward to react publicly.

Yet the significance of Seward's actions was rather limited. Though the secretary of state protested loudly, ending formal negotiations over the official adoption by the United States of Articles 2 and 3 of the Paris Declaration, Seward had always maintained that the US did in fact honour the principles of the two articles, regardless of formally signing on to them.[326] Moreover, the Federal government had no control over Charleston, the seat of Bunch's consulate, and could not remove him.[327] In fact, Seward did not even go through the formal process of revoking Bunch's exequatur.[328] It is also notable that Seward also pointed his public indignation only against the British consul and not his French colleague, much to the disgust of British diplomats.[329] Seward played on public anti-British sentiment in the North to ride through the scandal with loud diplomatic demarches, while essentially acquiescing to British and French contacts with Richmond. Historian Eugene Berwanger has written about Bunch's

[321] « confidentiellement et pour son usage personnel », Mercier to Thouvenel, No. 43, 18 June 1861, 39CP/124, AMAE, La Courneuve, fos. 338-45.
[322] Ferris, *Desperate Diplomacy*, 115. Lord Lyons to Russell, No. 282, 17 June 1861, in *Through British Eyes, Vol. 1*, 121.
[323] Ibid.
[324] Mercier to Thouvenel, No. 43, 18 June 1861, 39CP/124, AMAE, La Courneuve, fos. 338-45.
[325] De Geofroy to Thouvenel, No. 53, 2 September 1861, 39CP/125, AMAE, La Courneuve, fos. 51-55.
[326] Mercier to Thouvenel, No. 41, 10 June 1861, 39CP/124, AMAE, La Courneuve, fos. 301-10.
[327] Bunch remained consul until early 1863, when Union assaults on the city began, though he did not sign most official documents. Berwanger, *British Foreign Service*, 45-47. See also Chapter V.
[328] Berwanger, *British Foreign Service*, 46.
[329] Ibid., 48-49.

problems: "one wonders what effect France's lack of support in 1861 may have had on Britain's refusal to join the French-proposed mediation effort in 1862."[330] However, it is unlikely that the Palmerston Cabinet's decision was seriously influenced by the French position during the Bunch Affair. In fact, collaboration in the Western Hemisphere grew only stronger as a joint naval courier service was developed to communicate with Southern consuls.

Though Bunch and departing French Charleston Consul Pierre de Belligny had successfully prosecuted negotiations with the Confederacy over neutral goods, this did not resolve the need for further communication with Southern consuls and through them Confederate authorities. However, with the interception of the diplomatic bag on Mure in August, private couriers were now out of the question. In the absence of an alternative, Lord Lyons at last availed himself to the use of Milne's squadron, though he reported to London that he would do so "sparingly".[331] On 31 August, Lord Lyons sent Bunch's proposal for warship communication to Admiral Milne, who grudgingly agreed to "meet your wishes in this respect whenever you consider the exigencies of the public Service may require it", though he thought that generally "HM Ships should abstain from communicating with Confederate Ports".[332] On September 9, Milne ordered HMS *Steady* to New York with instructions to follow the requests of Lord Lyons.[333]

On the French side the situation was more muddled. Using warships to transport mail was not new or controversial, but for months the French Navy simply lacked the ships. In fact, Admiral Reynaud himself was commended for similar service as captain of the *Ariel* transmitting letters between French agents in Rome and Naples in 1849.[334] The practice was specifically permitted by Thouvenel back in June, when the foreign minister feared that French despatches could end up in a Union dead letter office.[335] When the *Catinat* sailed from Halifax for New York on 16 August, the first French warship setting out to inspect the Southern coast, it already had instructions to communicate with consuls if the French minister in Washington so desired.[336] Throughout August and September, Mercier accompanied Prince Napoleon on a hunting expedition to the West, putting the legation in the hands of Chargé d'affaires de

[330] Ibid.
[331] Lord Lyons to Russell, No. 492, 14 September 1861, in *Through British Eyes, Vol. 1*, 163.
[332] Milne to Lord Lyons, 9 September 1861, MLN/105/2, Milne MSS, NMM.
[333] Milne to Grant, 9 September 1861, MLN/120, Milne MSS, NMM.
[334] De Rayneval to Romain-Desfossés, Dossier d'Aimé Reynaud, CC7/A/2126, SHD/Marine.
[335] Thouvenel to Mercer, No. 16, 20 June 1861, 39CP/124, AMAE, La Courneuve, fos. 346-49.
[336] Reynaud to Chasseloup-Laubat, No. 9, 22 August 1861, BB4/798, SHD/Marine.

Geofroy.[337] Despite Mercier's previous enthusiastic embrace of this means of communication, New York Consul Montholon reported to Thouvenel and Reynaud that de Geofroy "had not believed, in the absence of the Minister, to be able to give the authorization to the Commander".[338] The consul further complained: "I am forced to guard until a new order all the letters that the Department has addressed to me lately for our Consuls in the South".[339] Thouvenel saw this as enough of a missed opportunity to write to Mercier urging him to inform de Geofroy that communication with consuls in the South was of great importance and should be frequent.[340] However, Montholon would have to wait for the arrival of HMS *Steady* to transmit all the papers clogging his cabinet, using the opportunity to write to the Charleston consul that Mercier and Lord Lyons had agreed on a joint service.[341]

As with his instructions to French cruisers off the American coast, Reynaud's instructions relating to communicating with Confederate ports were, at least initially, less strict and comprehensive than Milne's. His orders to the Commander Fabre of the *Catinat* were simply to contact Mercier upon arrival to New York and take despatches to Charleston if requested.[342] The US Navy was not supposed to put any "obstacles" in his way because the Washington government allowed it.[343] The British admiral, on the other hand, wrote separate orders regarding communicating with Confederate ports for the *Steady* and *Rinaldo*, which were to be off the American coast. These orders became part of a confidential circular for ships engaged in such practice.[344] Milne's instructions were based on a proposal from Consul Bunch, which Lord Lyons forwarded to him.[345] Indeed, Milne directly stated in his instructions that though communication with the consuls in the port is the purpose of the mission, "You are however positively enjoined not to enter in your ship any harbour of the Confederate States for

[337] Mercier to Thouvenel, No. 63, 8 October 1861, 39CP/125, AMAE, La Courneuve, fos. 119-33. In August and September all despatches to Paris are from de Geofroy.
[338] « n'ayant pas cru, en l'absence du Ministre, pouvoir donner au Commandant l'autorisation. » Montholon to Thouvenel, No. 1, 27 August 1861, 16CPC/8, AMAE, La Courneuve, fos. 57-66.
Reynaud mentions the consul's despatch in his own report. Reynaud to Chasseloup-Laubat, No. 11, 2 September 1861, BB4/798, SHD/Marine.
[339] « Je me vois forcé de garder jusqu'à nouvel ordre tous les plis que le Département m'a adressé dernièrement pour nos Consuls dans le Sud. » ibid.
[340] Thouvenel to Mercier, No. 25, 12 September 1861, 39CP/125, AMAE, La Courneuve, fos. 78-80.
[341] De St. André to Thouvenel, No. 6, 30 September 1861, 16CPC/08, AMAE, La Courneuve, fos. 267-68.
[342] Reynaud to Fabre, undated, in Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4/798, SHD/Marine.
[343] Ibid.
[344] Milne to Grant, 9 September 1861, MLN/120, Milne MSS, NMM. The entirety of the record is labelled "Copy of Orders and Instructions to the Captains of HM Ships on the Coast of America and West Indies".
[345] Bunch to Lord Lyons, 8 August 1861, ADM 128/61, TNA, fos. 9-13.

this purpose".[346] Instead, a boat should be lowered from the warship and, "if practicable, to arrange as to deliver [the despatches] without landing or communicating with the shore".[347] That is, it was preferable to have a boat from the British man-of-war meet a boat from the shore in the middle of the harbour. Milne also put an emphasis on not saluting the Confederate flag, unless saluted first, "though you are to be most guarded not to encourage or invite in any manner such a proceeding".[348]

Indeed, Reynaud's approach was lax enough for a minor intervention by Mercier. He asked the admiral in a letter on 6 October, perhaps diplomatically, "how would you judge the possibility of establishing, in concert with the English, a service alternating and regular" to communicate with consuls by warship every two weeks.[349] Specifically, Mercier asked the admiral to work together with Milne on this topic and inform him of the progress.[350] The French minister plenipotentiary enclosed in his despatch a translation of the "immediate and very confidential" communication that Lord Lyons had sent to Bunch on HMS *Steady*, ordering the consul to "avoid complications" and strictly comply with rules set by Milne.[351] Indeed, despite the tactful tone of the letter, Thouvenel deemed Mercier's despatch to Reynaud "instructions", and asked to have a copy, which Mercier sent a few weeks later.[352] Mercier's despatch to Reynaud was also curious in its lateness. By 29 September, after the *Steady* had sailed, Lord Lyons advised Milne that a "French ship should take the next turn", showing that a system was already developing.[353] Presumably, by 6 October, the service that Mercier was asking Reynaud to create with Milne had already existed. It is likely that the diplomat was worried about the upcoming voyage south of the *Prony* that Lord Lyons was alluding to. In the climate of cooperation and acting "in concert," Mercier could have felt the need to ensure that this warship would follow agreed upon rules with the British side, and for this Reynaud would have enlarge his instructions.

In its first few months, despite the inherent risk of approaching Confederate ports, the Anglo-French naval courier system worked relatively well. Commander Grant of the *Steady*

[346] Milne to Grant, 9 September 1861, MLN/120, Milne MSS, NMM.
[347] Ibid.
[348] Ibid.
[349] « de quelle façon vous jugeriez possible d'établir, de concert avec les Anglais, un service alternatif et régulier. » Mercier to Reynaud, 6 October 1861, BB4/798, SHD/Marine.
[350] Ibid.
[351] Ibid.; Lord Lyons to Bunch, 19 September 1861, MLN/120, Milne MSS, NMM.
[352] Thouvenel to Mercier, No. 30, 6 November 1861, fos. 184-85; Mercier to Thouvenel, No. 71, 25 November 1861, fos. 229-32, 39CP/125, AMAE, La Courneuve.
[353] Lord Lyons to Milne, 29 September 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 426-27.

was apprehensive at the start of his mission in New York, asking Lord Lyons to confirm the legality of his trip and the need to take onboard Savannah Vice-Consul Fullarton.[354] Despite the touchy encounter with USS *Vandalia* when trying to reach the opening of Charleston harbour, the mission went relatively smoothly. The warship successfully communicated with Consul Bunch using its boats, and did not get embarrassingly close to the shore to have to answer Confederate salutes.[355] The ill-fated *Prony*, which reached Charleston around 1 November, was also able to transmit despatches, despite grounding and wrecking off Ocracoke Inlet on its return voyage.[356] Saved by the Confederate coastal flotilla, the crew and most of their belongings, including mail bags, were transferred back to the North via a truce boat in the Chesapeake.[357] Thus the French and British Navies established a joint naval courier system.

British and French officers also intermittently communicated with New Orleans. Captain Ribourt of the *Lavoisier* entered New Orleans discreetly in a local tug on 24 September, dressed "en bourgeois," after getting permission from the Senior Officer commanding the Union blockade.[358] His orders, which are not extant, were written by Reynaud on 12 July and waited for the *Lavoisier* in the French consulate in Havana until 12 September.[359] Though it is likely these orders were not as comprehensive as those Milne wrote for the *Steady* on 9 September, Ribourt wrote that he based his itinerary and precautions on those of Captain Von Donop of HMS *Jason*, who he reported visited the Crescent City previously.[360] However, there is no evidence that the British officer transmitted any correspondence.[361] Moreover, Commander Ribourt did not bring any despatches to Méjan or British Acting Consul Coppell during his September visit, and returned only with French despatches.[362] Nevertheless, Ribourt's cautious trip to New Orleans consciously followed a British precedent done under

[354] Grant to Milne, 7 October 1861, MLN/115/2, Milne MSS, NMM.
[355] Ibid.
[356] de Fontanges to Reynaud, 21 November 1861, BB4/798, SHD/Marine.
Consul Bunch's despatches to Russell, from 1 to 28 October indicate that they were sent by the *Prony* and were received on November 30. Bunch to Russell, No. 120-24, 1-28 October, FO 5/781, TNA, fo. 257-375.
[357] Reynaud to Chasseloup-Laubat, No. 34, 25 November 1861, BB4/798, SHD/Marine.
[358] Méjan to Chasseloup-Laubat, 25 September 1861, BB4/798, SHD/Marine.
[359] Ribourt to Chasseloup-Laubat, 7 October 1861, BB4/798, SHD/Marine.
[360] Ibid.
[361] Von Donop's reports do not mention communicating with the consul, though his orders are open to the possibility. Milne to Von Donop, 30 May 1861, 289; Von Donop to Dunlop, 1 July 1861, 369-70, in *Milne Papers, Vol. 2*, ed. Beeler.
However, Consul Mure mentions communicating with Captain Von Donop in his despatch to Lord Lyons, and Commander Ribourt specifically writes that he modelled his visit to New Orleans on that of the British captain of HMS *Jason* in the summer. Mure to Lord Lyons, 19 July 1861, ADM 128/57, TNA, 631-35; Ribourt to Chasseloup-Laubat, 7 October 1861, BB4/798, SHD/Marine.
[362] Ibid.

Milne's instructions, suggesting that the British admiral's efforts to influence the French Navy had an effect.

The development of the Anglo-French naval courier system was the high point of the two power's cooperation in American waters. Though dismissed by scholars as mere expediency in the face of the Union cutting off land communications or just mentioned in passing, the system persisted for years, continuing to transport British and French consular correspondence. It was not necessarily quicker than land-based correspondence, especially for Richmond, an inland city that could not directly be reached by warship. Nevertheless, using warships proved relatively safe and regular. Consulates were no longer many months without instructions. For the French side, the pooling of resources was particularly important, as the French Navy was not up to the task alone. Working together demonstrated a united front to the Washington government, which Mercier and Lyons seriously thought may be planning a war with a European power. Finally, for the British side, it served to contain and regulate the actions of the French Navy away from what Lord Lyons and Milne viewed as an aggressive or reckless posture, pushing Mercier into requesting Reynaud to adopt Milne's cautious instructions.

Chapter II

The Last Breath of Deterrence: British and French Squadrons in the Americas and the *Trent* Affair

On January 3, 1862, Commander Ribourt of the French corvette *Lavoisier* reported on "extraordinary ovations" for Spanish General Juan Prim in Havana. The commander recorded the cries of the crowd in imperfect Spanish, keeping French punctuation: "Long Live the Viceroy of Mexico! The New Hernan Cortez!"[363] Though the famous general was in the Cuban city to prepare for a joint expedition with French and British forces into Mexico, ostensibly to secure the payment of interest on Mexican debts, the crowd's cheers comparing Prim to Cortez, the original Spanish conqueror of Mexico, painted a grander ambition of reconquest. In fact, the liberal Prim would later spurn Spanish participation in the French invasion of Mexico and was feted for his position in New York on his return trip to Spain.[364] However, the forest of masts of warships and transports in Havana Harbour represented a force large enough to whet the appetite, certainly in excess of what was needed to overwhelm the Mexican Republic's miniscule navy and few fortified port cities.[365] France's contribution included a powerful new naval division to be based on the Mexican littoral of the Gulf of Mexico, carved out of Rear-Admiral Reynaud's territorially larger division.[366] It was led by Vice-Admiral Edmond Jurien de La Gravière, an experienced officer who had commanded French forces in the Adriatic during the Franco-Austrian War.[367] Navy Minister Chasseloup-Laubat explicitly instructed Admiral Jurien not to employ vessels assigned to Reynaud unless it was an emergency.[368] Nevertheless, two reports to the navy minister from the *Lavoisier*, nominally part of Reynaud's division and tasked with observing Union blockade in the Gulf of Mexico, were kept in the ministry's Mexican Division dossier.[369] Indeed, Reynaud had also tasked Ribourt with finding a coal depot for the Mexican Expedition in Havana.[370] Thus, the separation between Reynaud's

[363] « Viva el Vice-Roy de Mexico! El Nuevo Hernan-Cortez! » Ribourt to Chasseloup-Laubat, 16 January 1862, BB4/798, SHD/Marine.
[364] Mercier to Thouvenel, 3 June 1862, N. 102, 39CP/127, AMAE, La Courneuve, fos. 194-203.
[365] In 1860, the intervention of a single US Navy corvette turned the tide of the Mexican civil war known as the War of the Reform (1857-1861), destroying a small flotilla of the Conservative side formed largely of armed merchantmen from Havana. Juan de Dios Bonilla, *Historia marítima de México* (Litorales, México: 1962), 294.
[366] Chasseloup-Laubat to Reynaud, 14 November, 1861, BB4/795, SHD/Marine.
[367] Battesti, *La marine de Napoléon III, tome 2*, 804-806.
[368] Chasseloup-Laubat to Jurien, 9 November 1861, BB4/795, SHD/Marine.
[369] Ribourt to Chasseloup-Laubat, 28 December 1861; Ribourt to Chasseloup-Laubat, 18 February 1862, BB4/799, SHD/Marine.
[370] Ribourt to Chasseloup-Laubat, 6 November 1861, BB4/798, SHD/Marine.

somewhat underequipped force and Jurien's new, powerful squadron was in fact blurred, with the Antilles Division playing a supporting role.

From late 1861 into the next year, the Tripartite Intervention of the United Kingdom, France and Spain in Mexico significantly increased the naval (and army) presence of those powers near American waters. Though the guns of these newly arrived warships were not originally meant for hostilities with the Lincoln Administration, they could easily be turned towards the Union. Indeed, during the *Trent* Affair, British warships meant for Mexico were rerouted for a potential war with the United States. The major diplomatic crisis erupted on 8 November 1861 over the forced removal of Confederate envoys James Mason and John Slidell from RMS *Trent* by Captain Charles Wilkes of USS *San Jacinto*.[371] Writing to Commodore Dunlop that "hostilities with the United States are by no means unlikely to break out", Admiral Milne ordered the commodore, commanding British forces in Mexico, to prepare to use the warships under his command to fight the US Navy in the Gulf.[372] In proportion, the increase in the size of the French Imperial Navy in the neighbourhood was more significant than that of the Royal Navy. During the Anglo-American crisis of the *Trent* Affair, the presence of this French force gave additional credence to the emperor's vocal support for the British side.

As the Civil War in America distracted the Lincoln Administration from maintaining the Monroe Doctrine, Britain, France, Spain deployed considerable forces in Latin America. As is well known, the power vacuum left by the interruption in US power projection in the region encouraged European powers to pursue their own interests at the expense of the US.[373] However, historians have overlooked the effect of these European naval and military assets on the diplomacy of the American Civil War and on plans for potential European intervention in the American conflict.

Emboldened in part by internal US tensions, Spanish forces had re-established Santo Domingo as a colony in 1860.[374] Mexico was the staging ground for grander ambitions. On 30 October 1861, Britain, France, and Spain signed the London Convention, which launched the Tripartite Intervention into Mexico, officially to recover unpaid debts, as well as to extract reparations for damaged and stolen property and assaults on their nationals.[375] However, the

[371] Warren, *Fountain of Discontent*, 16-23.
[372] Milne to Dunlop, 20 December 1861, in *The Milne Papers, Vol. 2*, ed. Beeler, 571-573.
[373] Schoonover, "Napoleon is Coming! Maximillian is Coming?"; Sexton, *The Monroe Doctrine*, 123-158; Hanna and Hanna. *Napoleon III and Mexico*; Alain Frerejean, *Napoléon III* (Paris: Fayard, 2017), 264-65.
[374] Bowen, *Spain and the American Civil War*, 57.
[375] Bock, *Prelude to Tragedy*, 169-194.

French expedition left with secret orders to promote a monarchy in Mexico.[376] The vaguely worded convention left the exact makeup of allied forces to the discretion of each country, though the allies made a number of tenuous informal agreements for the size of their contingents.[377] The British Admiralty recommended a large force to take Fortress San Juan de Ulúa protecting Veracruz, the premier Mexico port and the initial target of the intervention. The North America station was reinforced accordingly.[378] The new French division and Spanish naval reinforcements were also substantial, if smaller, but unlike the British force were accompanied by several thousand soldiers.[379] Thus, the allied force sent in effect tripled the Admiralty's initial recommendation. In fact, Veracruz was evacuated by Mexican authorities in December, before allied forces arrived.[380] Thus, in late 1861, Britain, France, and Spain had a large force assembled or in transit to Veracruz, within striking distance of isolated Union positions off the coast of the Southern states.

Though the Triple Intervention undermined American prestige and in its very positioning of forces was a veiled threat to the US, the operation was also a choreographed promotional event for the armed forces of the powers. For the Spanish government, the expedition was part of a domestic strategy for maintaining popularity, which the elation of the Havana crowd for General Prim shows as at least partially successful.[381] For Napoleon III, intervention against the liberal Benito Juarez government in Mexico served in part to placate conservative Catholic critics unhappy with his hand in the creation of the Kingdom of Italy, which threatened the Papal States.[382] The decorated military men who were to lead the expedition had plenipotentiary powers.[383] Milne privately insisted to Sir Frederick Grey on leading the British contingent and, not to be outranked in the expedition, was locally promoted to Vice-Admiral.[384] The Duke of Somerset, the First Lord of the Admiralty, privately also sent Milne detailed instructions on how the ship of the line *St. George*, where Prince Alfred served as a midshipman, was to engage in combat.[385] The *St. George* was to take part in any assault

[376] ibid, 225-231.
[377] ibid, 217.
[378] ibid.
[379] Schoonover, "Napoleon is Coming! Maximillian is Coming?"
[380] De Challié to Chasseloupe-Laubat, 14 December 1861, BB4/799, SHD/Marine.
[381] Bock, *Prelude to Tragedy*, 216-217.
[382] Frerejean. *Napoléon III*, 264-65.
[383] Bock, *Prelude to Tragedy*, 226, 247, 257, 271.
[384] Milne to Grey, 17 October 1861, MLN/116/3, NMM; Somerset to Milne, 16 November 1861, in *Milne Papers*, *Vol. 2*, ed. Beeler, 502.
[385] Somerset to Milne, 5 October 1861, in *Milne Papers*, *Vol. 2*, ed. Beeler, 444-45.

on San Juan de Ulúa, but could not take part in the occupation.[386] Thus, the prince could share in the glory of battle as part of an overly powerful fleet, but not risk disease prevalent on the coast. Yet, however much the intervention was meant to promote European governments and armed forces to their publics, the guns on the warships were very real and could be turned on other targets.

Section 1: Negotiating Anglo-American Tensions at Sea During the *Trent* Affair

With the militarisation of the waters off Mexico, newly arrived Royal Navy assets meant for Mexico quickly turned against the United States during the *Trent* Affair, a crisis that nearly led to war between the United Kingdom and the Union. While Captain Wilkes was feted as a hero in the North and given a medal by the House of Representatives, the British public reacted angrily, and the British government demanded the release of the prisoners taken from a ship under its charter from the United States.[387] However, agreeing with the British ultimatum and giving up the envoys was contentious and did not have full cabinet support in Washington.[388] Moreover, it clashed with an anti-British public mood.[389] Charles Francis Adams Jr., an early historian of the war who witnessed the American popular euphoria first hand, argued in 1912 that the conflict only reached a peaceful conclusion because slow communications by steamships allowed cooler heads to prevail on both sides of the Atlantic after an initial bout of public excitement.[390] He argued that if there were a functioning transatlantic telegram cable in 1861, immediate rash communications would have left no place for resolution, a view shared retrospectively by Lord Lyons and more recently by historians David Paull Nickles and Phillip Myers.[391] Though Myers downplays the severity of *Trent* Affair, most scholars agree that the incident came close to leading to open conflict.[392] Certainly, Milne felt so in February, a month or so after the release of the Confederate commissioners, congratulating Lord Lyons in a private letter on the "great success" that earned the minister "the honor of the G. C. B. [Knight Grand Cross of the Bath]".[393] Lord Lyons responded in kind,

[386] ibid.
[387] Warren, *Fountain of Discontent*, 104-18.
[388] Ibid., 177-185; Jones, *Blue and Grey Diplomacy*, 105-6.
[389] Warren, *Fountain of Discontent*, 173-84, 207-10.
[390] Charles Adams Jr., "The Trent Affair," *The American Historical Review*, Vol. 17, No. 3 (Apr., 1912): 540-62.
[391] ibid; Myers, *Caution and Cooperation*, 68-69; David Nickles, *Under the Wire: How the Telegraph Changed Diplomacy*, (Cambridge, Harvard University Press, 2003) 65-78.
[392] Myers, *Caution and Cooperation*, 64-88; Jay Sexton, "Civil War Diplomacy", 745-48.
[393] Milne to Lord Lyons, 15 February 1862, Box 192, Lyons Papers, Arundel Castle.

thanking the admiral for his service: "My diplomacy would have done little toward settling the *Trent* question, had not the military preparations come in aid of it."[394]

Of course, it was the threat of the British armed forces, and the Royal Navy in particular, that prompted the Union to agree to British demands during the *Trent* Affair. Scholars have rightly examined the roles of politicians, diplomats, and even the Prince Consort in resolving the crisis spurred by the affair, but have largely missed Milne's contribution that Lord Lyons was grateful for.[395] Indeed, though the Lincoln government eventually did accede to British demands, the Palmerston cabinet had pre-emptively set in motion the gears of the war machine and the London Stock Exchange fell in preparation for conflict.[396] Troops and supplies were sent to reinforce Canada and other British colonies in the Western Hemisphere, while Royal Navy stations off Africa and South America were ordered to prepare to capture American merchantmen and cruisers.[397] Of course, Milne's North America Station, which would have borne the brunt of the fighting, was further reinforced.[398] The Lords of the Admiralty left the planning for potential Royal Navy operations during hostilities, while not prematurely engaging US forces, to the admiral on the spot.[399] Therefore, Admiral Milne was responsible simultaneously for planning for war with the United States and making sure that his subordinates did not precipitate conflict prematurely in a tense encounter with the US Navy.

Off the coast of Cuba, tensions between British and US warships reached dangerous levels. Though Milne learned of the *Trent* incident quickly after it occurred by a telegram from Lord Lyons on 16 November, his squadron left Halifax for Bermuda on November 19 in order to receive urgent orders about the Mexican expedition that were supposed to be sent to the island on HMS *Medea* directly from England.[400] This left the admiral unable to organise his station for a few days. The first Royal Navy officer to react to the affair was Commodore Hugh Dunlop, managing the inspection of the Union blockade of the Confederacy in the Gulf of Mexico and the Cape Fear to Florida cruise.[401] The commodore learned of Wilkes's action

[394] Lord Lyons to Milne, 27 February 1862, MLN/116/1a, Milne MSS, NMM.
[395] Ferris, *The Trent Affair*; Warren, *Fountain of Discontent*; Jones, *Blue and Grey Diplomacy*, 83-112; Nickles, *Under the Wire*, 65-78; Foreman, *A World on Fire*, 175-198.
[396] Jones, *Blue and Grey Diplomacy*, 98.
[397] Warren, *Fountain of Discontent*, 120-141; Romaine to Milne, 22 December 1861, ADM 128/57, TNA, fo. 247; LCA to Warren, 7 December 1861, in *Milne Papers*, *Vol. 2,* ed. Beeler, 524-25.
[398] The North American Station received portions of the Royal Navy's Steam Reserve Division. Admiralty Secretary to Milne, unsent draft, 6 December 1861, in *Milne Papers*, *Vol. 2,* ed. Beeler, 521.
[399] Romaine to Milne, 1 December 1861, N. 729 M, ADM 128/57, TNA, fos. 105-6.
[400] Milne to Lord Lyons, 19 November 1861, in *Milne Papers*, *Vol. 2,* ed. Beeler, 507.
[401] For Dunlop's role in blockade observation, see Chapter I.

while in Nassau, the Bahamas from Joseph Crawford, the British consul-general in Havana, who forwarded the reports of Shipmaster George Gibbon of the *Trent* and Royal Navy Agent Commander Richard Williams on board.[402] Though subsequently the legal issue of Captain Wilkes's right to search the mail steamer and remove the Confederate envoys became a bone of contention, the reports focused as much on the way the mail steamer was stopped and boarded.[403] They reported that USS *San Jacinto* ordered the *Trent* to heave to without showing her own colours and fired a shell directly over mail steamer, which exploded close by.[404] The commodore reacted strongly, readying the three men-of-war in Nassau to go to Havana, which Consul-General Crawford claimed to be virtually blockaded by USS *Santiago de Cuba*.[405] Dunlop wrote in haste to Lord Lyons to inform the diplomat and also ask him to send the large frigate *Immortalité* "immediately" to Havana, adding: "I deem it of great consequence that the force under my Command should be as formidable as circumstances permit, in order that risk of collision should be as far as possible avoided".[406] He further wrote that he would follow "instructions to avoid any act that may lead to hostilities by every possible means short of national dishonour".[407] To Milne, Dunlop also wrote that the warships under him were "ready to support the National honor should any rash or insolent act be threatened or committed… on British Vessels".[408] In Havana, the commodore wrote orders marked "Most Secret" to the commanding officers under him to be ready for battle when approaching US warships, if without provocative "unnecessary display".[409] Thus, British warships under Dunlop were ready to confront Union men-of-war in the case of another incident similar to the *Trent*, based on the commodore's idea of protecting national honour.

Indeed, Hugh Dunlop's combative response to the *Trent* Affair and resentment of the besmirching of British national honour was hardly unique among Royal Navy officers. British public opinion in general was scandalised by the incident.[410] The position of the British government was that the US captain's actions constituted an "act of wanton violence" that needed "reparation".[411] The naval officer attached to the government chartered mail steamer,

[402] Crawford to Dunlop, 22 November 1861, ADM 128/57, TNA, fos. 31-35.
[403] Gibbon to C-in-C or Senior Naval Officer, West Indies, 19 November 1861, fos. 37-40; Williams to Dunlop, 19 November 1861, ADM 128/57, TNA, fos. 41-42.
[404] Dunlop to Milne, 4 December 1861, ADM 128/57, TNA, fos. 3-22.
[405] Crawford to Dunlop, 22 November 1861, ADM 128/57, TNA, fos. 31-35.
[406] Dunlop to Lord Lyons, 25 November 1861 in *Milne Papers, Vol. 2,* ed. Beeler, 510.
[407] ibid.
[408] Dunlop to Milne, 4 December 1861, ADM 128/57, TNA, fos. 3-22.
[409] Dunlop to Kennedy, 28 November 1861, ADM 128/57, TNA, fos. 77-80.
[410] Warren, *Fountain of Discontent*, 104-18.
[411] Russell to Lords Commissioners of the Admiralty, 30 November 1861, ADM 128/57, TNA, fos. 85-87.

Commander Williams, derided Captain Wilkes's act as "piracy".[412] Confederate agent Louis Heyliger in Bermuda gleefully reported strong anger at the Union captain's actions, overhearing a British "officer say that if the Government did not resent [the *Trent* incident] becomingly he would forever renounce his title as Englishman".[413] Commander William LeRoy of USS *Keystone State*, which visited Bermuda around the same time, informed that Navy Department of the pro-Confederate feeling on the island, where Milne was concentrating his forces.[414] However, even among naval officers with pro-Confederate sentiments, the response could be more tempered. Lieutenant Thomas Hudson of HMS *Immortalité*, though he enjoyed the way Union seamen feared conflict with Britain over the affair during his warship's visit to recently captured Port Royal, South Carolina, thought that the demand ultimately sent from London was unduly strict, adding it "seems utterly impossible for the Americans to eat so much humble pie as is required of them".[415] At least at that moment, the lieutenant was not eager for war. The belligerent commodore's position of commanding a Royal Navy division close to the American coast made the situation fraught. Hugh Dunlop had previous diplomatic and military experience in Mexico (before the Tripartite Intervention), the Crimean War, and West Africa.[416] During his service in Africa, the naval officer had, along with developing a distaste for "rascally Yankees", distinguished himself as an ardent and pious supporter of the mission to suppress the slave trade.[417] As Mary Wills has demonstrated, supporting national honour was an important motivation for many officers on the assignment.[418] If imposing British "freedom" on the slave trade in Africa was consonant with upholding national honour for the officers, defending the British flag from "national dishonour" by an American warship was an imperative.

Though Milne also viewed the *Trent* Affair as an outrage, he was unwilling to take steps as decisive as those of Dunlop. After Milne arrived at Bermuda on November 23, he worked with Lord Lyons to prevent another incident at sea from sparking a war with the United States.

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[412] Gibbon to C-in-C or Senior Naval Officer, West Indies, 19 November 1861, fos. 37-40; Williams to Dunlop, 9 November 1861, ADM 128/57, TNA, fos. 47-53.
[413] Heyliger to Benjamin, 10 December 1861, *ORN, vol. 12*, 833.
[414] LeRoy to Welles, 26 December 1861, *ORN, vol. 1*, 261-62.
[415] Diary Entry, 24 December 1861, HUD/1/7, Hudson Papers, NMM.
[416] For West Africa, see Wills, *Envoys of Abolition*, 27, 33, 35, 56-57. For Mexico see Bock, *Prelude to Tragedy*, 53, 62. Dunlop's role in the Crimean War to be examined in depth. Nevertheless, he served under fire, commanding a mission of reconnaissance in Gamla Karleby, modern day Kokkola, Finland. Dunlop to Warden, 3 September 1855, in *Russian War: Official Correspondence. Vol. 2: 1855, Baltic* (London: Naval Records Society: 1946), ed. D. Bonner-Smith, 299-302.
[417] Wills, *Envoys of Abolition*, 33.
[418] Ibid, 35.

Maintaining communications was the first order of business, as Bermuda, an island unlike Halifax, did not have access to an undersea telegraph to connect it to the continental network until 1890.[419] The admiral had prepared several smaller vessels to act as couriers between Bermuda and New York and for a few warships to remain in Halifax to quickly deliver despatches from the Admiralty to Bermuda (without waiting for the fortnightly mail steamer).[420] HMS *Rinaldo*, one of the warships on the New York route, proved pivotal to resolving the crisis, quickly and quietly embarking the Confederate commissioners off Cape Cod, following a request from Lord Lyons.[421] The *Rinaldo* then attempted to get to Halifax in time for the Liverpool steamer, but was damaged by inclement weather and had to return to Bermuda.[422] There, the admiral met with envoys, but unofficially: "These Gentlemen accompanied Commander Hewett to dinner with me, as private Gentlemen, as guests of one the Commanders under my orders."[423] Thus, the admiral was able to keep officially neutral and in close touch with Lord Lyons.

Milne also used his fleet of smaller vessels to "check [the] proceedings" of Commodore Dunlop.[424] There was no mail route directly between Bermuda and Cuba, though Milne argued that the central position of Bermuda allowed him to communicate more easily with the rest of the Station.[425] On December 8, Milne sent the *Nimble* directly to Havana to communicate with Dunlop.[426] Though the commodore's actions were later formally approbated by Earl Russell and the Lord of the Admiralty, the officer's intense reaction worried Lord Lyons and Milne.[427] The minister in Washington privately suggested, "I think you ought to know as soon as possible Commodore Dunlop's movements".[428] Milne agreed, pointing out to Dunlop in his despatch that

> questions as to how far National Honour may be compromised by any undue exercise of Belligerent Rights by either party in respect to our Merchant Vessels…

[419] "Bermuda and Halifax Tied by Cable. Captain Arthur W. Stiffe Gives a Detailed Account." *New York Herald*, no. 209, July 28, 1890.
[420] Milne to Lord Lyons, 18 November 1861, MLN/105/2, Milne MSS, NMM;
Milne to D'Arcy, 18 November 1861, 505; Milne to Hewett, 18 November 1861, 504; Milne to Algernon Lyons, 8 December 1861, 528; Milne to Martin, 8 December 1861, 528-29; Milne to Preston, 4 January 1862, 586, in *Milne Papers, Vol. 2*, ed. Beeler.
[421] Lord Lyons to Hewett, 30 December 1861, 592-93; Hewett to Milne, 9 January 1862, 591-2, in *Milne Papers, Vol. 2*, ed. Beeler.
[422] Ibid.
[423] Milne to Admiralty Secretary, 10 January 1862, in ibid., 593.
[424] Milne to Lord Lyons, 8 December 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 530-31.
[425] Milne to Somerset, 20 December 1861, in ibid., 566-68.
[426] Milne to D'Arcy, 8 December 1861, in ibid., 529.
[427] Romaine to Milne, 1 December 1861, No. 729 M, ADM 128/57, TNA, fos. 105-6.
[428] Lord Lyons to Milne, 1 December 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 518.

> are rather of a class to be determined by H.M. Government than to be resented on the spot by H.M. Officers.[429]

Use of force was only allowed if a warship was fired upon.[430] The admiral was clearly alarmed that the commodore might decide that an action from a US warship was a *casus belli* from his quarterdeck. He did not favour the local initiative and endeavoured to end it.

Milne also had to balance preparation for war with the need to send a warship into an American port to receive Lord Lyons and members of the British legation in case the US Government did not meet British demands. On 20 December, the admiral received orders to do so.[431] The minister plenipotentiary had previously suggested Annapolis as the best location, privately fearing "any fierce excitement at New York".[432] The city had a reputation for frequent popular unrest and would live up to its fame during the Draft Riots in July 1863.[433] The admiral decided to send the *Immortalité* under Captain Hancock. This was a curious choice, as the frigate was a new and large warship, being sent deep into potentially hostile territory. To get to Maryland, the *Immortalité* had to sail up Chesapeake Bay, past headquarters of the US Navy's North Atlantic Blockade Squadron at Hampton Roads off Fortress Monroe.[434] Thus, if war were declared before the British ship arrived, the *Immortalité* would be at a distinct disadvantage. The courier ships that went back and forth between New York and Bermuda were much smaller, and to a certain extent expendable vessels, with the *Rinaldo*, the largest, sporting 17 guns to the *Immortalité*'s 51.[435] Orders from England said to keep lone powerful men-of-war away from a preponderant Union force.[436] Milne himself had a record of fearing a sneak attack on one of his vessels. Earlier he had written to Grey that he "abstained from sending any of the large frigates to cruise… I think they are better here ready for any Emergency".[437] Indeed, in a private letter to Lord Lyons that accompanied the *Immortalité*, Milne noted that "I should much

[429] Milne to Dunlop, 7 December 1861, in ibid., 527-28.
[430] ibid.
[431] Undated, Romaine to Milne, No. 730 M, ADM 128/57, TNA, fos. 81-84.
[432] Lord Lyons to Milne, 19 December 1861, *Milne Papers, Vol. 2*, 565-66.
[433] Iver Bernstein, *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of the Civil War* (New York: Oxford University Press, 1990). For the involvement of French and British warships, see Chapter V.
[434] Robert Browning, *From Cape Charles to Cape Fear: The North Atlantic Blockading Squadron during the Civil War* (University of Alabama Press: 2016 Reprint), 17.
[435] *Milne Papers, Vol. 2*, ed. Beeler, l-liii.
[436] Russell to the Board of the Admiralty, 30 November 1861, in ibid., 516.
[437] Milne to Grey, 17 October 1861, MLN/116/3, Milne MSS, NMM.

regret to be deprived of the services of so fine and powerful a Ship by your taking her to England" in case the minister did need to embark on the warship.[438]

Given the clear risks of sending the *Immortalité*, it is likely that Milne judged that Hancock's pro-Union sympathies would make the captain less likely to be trigger happy than other commanding officers when encountering the US Navy. In his private correspondence with US Commodore Samuel DuPont, Hancock made clear his support for the Northern cause to the American officer: "[I] feel a deep sympathy and high regard for those gallant men who are obeying their country's call, & doing honor to the Flag they serve."[439] In private and official reports to Milne from Port Royal, Hancock's sentiments are not deeply hidden, with DuPont and his men highly praised.[440] The captain had also refused to follow Dunlop's orders to join his flag in Havana, using a technicality to choose to sail to Bermuda and join the admiral instead, possibly to avoid joining the combative commodore.[441] This of course made the *Immortalité* available for the mission in the first place. Therefore, if Hancock did not openly tell Milne which side he supported, it would not have been difficult for the admiral to infer. Thus, Captain Hancock, with his sympathies as well as his personal friends in the US Navy, would be very careful to avoid a misunderstanding leading to hostilities with Northern warships.

Notwithstanding his attitude, Hancock was ready to engage the forces of the United States if ambushed. The captain of the *Immortalité* followed the admiral's orders to keep his men at quarters when encountering any vessel on his trip.[442] Lieutenant Hudson of the British frigate vividly described being "in a state of perpetual excitement with guns loaded and everything ready for battle in ten minutes, beating to quarters, the men standing to their guns for every vessel that we passed not knowing whether war had been declared or not."[443] Captain Hancock had also chosen to conserve coal on his way from Bermuda, in case it would be needed for manoeuvring in battle.[444] Lieutenant Hudson recorded in his diary that as the warship approached Union vessels in the bay on January 5, "Steam was got up in 4 boilers so that in

[438] Milne to Lord Lyons, 25 December, in *Milne Papers, Vol. 2*, ed. Beeler, 575.
[439] Hancock to DuPont, 22 November 1861, Dec 1-15, 1861, Box 29, DuPont Papers, Hagley Museum.
[440] Hancock to Milne, 24 November 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 509-510; Hancock to Milne, 17 December 1861, MLN/115/2, Milne MSS, NMM.
[441] Hancock to Milne, 17 December 1861, MLN/115/2, Milne MSS, NMM.
[442] Milne to Hancock, 25 December 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 574.
[443] Journal Entry, 4 January 1862, HUD/1/7, Hudson Papers, NMM.
[444] Hancock to Milne, 29 January 1862, in *Milne Papers, Vol. 2*, ed. Beeler, 640-42.

case of being chased by a superior force the 'Immortalité' might lead them on a dance."[445] Meanwhile, the Union warships in the bay had their gunports open.[446] However, much to Hancock's relief, they responded to the arrival of the British warship only by firing a blank shot to sea and received a boat from the *Immortalité*.[447] The *Trent* Affair was over, and the US government had agreed to release Mason and Slidell a few days earlier.[448] This armed, if pacific, encounter between British and US warships, does not feature in any American despatches published in the *Official Records of the Union and Confederate Navies*, possibly because the US commanding officers knew that the meeting with the British frigate had a foregone conclusion.[449] However, neither Captain Hancock, nor the rest of the crew, had any way of knowing that the *Trent* question had been settled. Pro-Confederate Lieutenant Hudson, describing at least a large portion of the crew, recorded being caught up in the excitement: "We were all ready to try the effect of our skill on them, and everybody anxious for a fight".[450] Therefore, Captain Hancock succeeded in containing the warlike aspirations of a portion of his men, "carefully refraining from any outward demonstration" that might provoke US forces.[451] Writing to DuPont from Washington, Hancock pointed out that "I need hardly tell you how much I felt the delicacy of my position".[452] The captain "rejoiced… to learn that these wretched Commissioners had been given up and that all misunderstanding between the two Nations was at an end!"[453] Though the resolution of the *Trent* Affair was managed at the top diplomatic level, Captain Hancock, chosen for this mission by Vice-Admiral Milne, played a role in not inflaming delicate relations with an indelicate act.

Despite endeavouring to avoid conflict by controlling the actions of his commanding officers during the *Trent* crisis, Milne actively prepared for war if one were declared. In fact, he planned to act aggressively against the Northern ports and the US Navy. The admiral wrote privately to the Duke of Somerset: "War has no doubt its horrors and its evils, but to make war felt it must be carried out against the Enemy with Energy, and Every place made to feel what war really is".[454] Commodore Dunlop was placed at the head of the British expedition to

[445] Journal Entry, 5 January 1862, HUD/2/14, Hudson Papers, NMM.
[446] Journal Entry, 4 January 1862, HUD/1/7, Hudson Papers, NMM.
[447] Hancock to Milne, 29 January 1862, in *Milne Papers, Vol. 2*, ed. Beeler, 640-42.
[448] Jones, *Blue and Grey Diplomacy*, 105-106.
[449] *Official Records of the Union and Confederate Navies, Volume 6: Atlantic Blockading Squadron (July 16, 1861 – October 29, 1861); North Atlantic Blockading Squadron (October 29, 1861 – March 8, 1862).*
[450] Journal Entry, 4 January 1862, HUD/1/7, Hudson MSS, NMM.
[451] Hancock to Milne, 29 January 1862, in *Milne Papers, Vol. 2*, ed. Beeler, 640-42.
[452] Hancock to DuPont, 9 January 1862, Jan 1-15, 1862/Box 30, DuPont Papers, Hagley Museum.
[453] ibid.
[454] Milne to Somerset, 24 January 1862, in *Milne Papers, Vol. 2*, ed. Beeler, 626-28.

Veracruz. Milne ordered him to be prepared to use his squadron to take out the Union Navy in the Gulf of Mexico, where his belligerent attitude would be an asset.[455] Though the size of the British squadron sent to Veracruz was somewhat reduced, this was months before the US Navy's presence in the Gulf was strengthened by a squadron under Commodore Farragut that sailed for Louisiana on 1 February from Hampton Roads.[456] The admiral readied his own squadron too, which he concentrated in Bermuda. He planned to reinforce his force with several warships originally meant for Mexico to take on Commodore DuPont in Port Royal, cut off Commodore Goldsborough's main forces in Chesapeake Bay, and blockade the Delaware River, New York, and Boston.[457] Though the admiral's plans were put into disarray by the grounding and loss of the 101-gun *Conqueror* (with marines for Mexico on board) in the Bahamas on 29 December 1861, they nonetheless represent an aggressive strategy beyond simply defending British colonies and commerce.[458] Scholars Regis Courtemanche and Barry Gough have used a quote from Plutarch to help illustrate Milne's character as one who had "no need of glory," content with his already powerful position and not seeking to further advance his career through warfare.[459] However, though the admiral did not foment hostilities and sought to avoid accidentally stumbling into them, the North America Station's Commander-in-Chief was very much prepared for the possibility of leading his forces into battle.

The increases to Milne's station, including the rerouted warships meant for Mexico, put the Royal Navy in a powerful position in North America. Most scholars and contemporary observers agree that war with the United Kingdom would have been crippling for the Union in December 1861.[460] Gordon Warren, in his book covering the *Trent* Affair, argues that Admiralty orders to Milne and other Royal Navy stations were too broad, and had they "attempted to carry out all their orders, they not only would have failed, but also would have exhausted themselves trying".[461] Similarly, military historian Russel Weigley has argued that the Royal Navy was incapable of blockading Union ports in the age of steam, so far away from its major coal depots.[462] Courtemanche's *No Need of Glory* takes a different view, pointing to the Royal

[455] Milne to Dunlop, 20 December 1861, in ibid., 571-573.
[456] Farragut to Welles, 31 January 1862, *ORN, Vol. 18*, 12.
[457] Milne to Somerset, 24 January 1862, in *Milne Papers, Vol. 2*, ed. Beeler, 626-28.
[458] Sotheby to Milne, 5 January 1862, in ibid., 630-31.
[459] Regis Courtemanche takes the name of his study of Milne's tenure in American waters from Plutarch. Courtemanche, *No Need of Glory*, vi; Barry Gough, *The Royal Navy and the Northwest Coast of North America, 1810–1914*, 88-89.
[460] Foreman, *A World on Fire*, 175-198; Ferris, *The Trent Affair*, 65-66; McPherson, *War on the Waters*, 45-46; Jenkins, *Britain and the War for the Union, Vol. 1*, 223-24.
[461] Warren, *Fountain of Discontent*, 139.
[462] Weigley, *A Great Civil War*, 107-112.

Navy's greater number of "heavy-duty seagoing ships" and plans for managing the coal supply.[463] Indeed, Milne, who as the Fourth Naval Lord had managed the tricky logistics, and in particular the coal supply, of the Crimean and Second Opium Wars, had the experience to plan such an attack without stranding his forces.[464] He worked with the army in Bermuda, where there was a large store of Royal Navy coal, to strengthen its defences against a potential US Navy landing.[465] He also planned to capture a Union port in Nantucket Island to act as a coal depot, much like Commodore DuPont did in Port Royal.[466] Despite the loss of the *Conqueror*, Milne commanded a powerful force that was substantially bolstered in January, as ships of the line and frigates from the Mediterranean Station and England arrived.[467] Though the British government did not send ironclads to the North America station, Admiralty plans for attacks on US coastal fortifications include estimates of the number of armoured frigates that would be needed for the task, in effect mooting the idea of sending them.[468] Union and Confederate ironclads would only be launched months later, immediately before the Battle of Hampton Roads.[469] Therefore, the forces under the British admiral were large and powerful enough to seriously threaten the Union, with the Admiralty discussing the need to send its newest technology.

Though the North America Station under Milne was actively preparing for war from November 1861 to part of January the next year, Lord Lyons thanked the admiral in February for the "military preparations" that preserved peace.[470] This was similar to the diplomat's earlier plea to Lord Russell on 20 May 1861 for a powerful naval presence that he felt was needed to discourage the Lincoln administration from trying to consolidate power by fighting a foreign war.[471] In fact, this amounted to a strategy of deterrence through the prominent display of naval power.[472] Rebecca Matzke has argued that this was the United Kingdom's principal policy in

[463] Courtemanche, *No Need of Glory*, 59.
[464] Lambert, *Crimean War*, 195-96; C. Hamilton, *The Making of the Modern Admiralty: British Naval Policy-Making, 1805-1927* (Cambridge: Cambridge University Press, 2011), 125-26.
[465] Milne to Secretary of the Admiralty, 11 January 1862, in *Milne Papers, Vol 2*, ed. Beeler, 594-96.
[466] Milne to Somerset, 24 January 1862, in ibid., 626-28.
[467] Ibid.
[468] *List of the Chief Ports on the Federal Coast of the United States, showing the Shipping, Population, Dockyards, and Defences as far as known; also how far accessible or vulnerable to an Attack as far as can be gathered from the Charts*, Washington to Milne, 15 December 1861, MLN/114/8, Milne MSS, NMM.
[469] McPherson, *War on the Waters*, 96-100.
[470] Lord Lyons to Milne, 27 February 1862, MLN/116/1a, Milne MSS, NMM.
[471] Lord Lyons to Russell, N. 206, 20 May 1861, in *Through British Eyes, Vol. 1*, 83.
[472] In his classic work defined the strategic posture: "The object of deterrence is to *prevent* an enemy power taking the *decision* to use armed force", André Beaufre, *Deterrence and Strategy*, (New York: Praeger, 1965), 24.

the Victorian era, in preference, when possible, to directly engaging in open warfare.[473] Though Phillip Myers dismisses the combustible nature of the *Trent* Affair, he is also right to point out that deterrence was the policy of the Palmerston cabinet.[474] The Lincoln cabinet was certainly not unaware of British preparations, especially Milne's concentration of forces in Bermuda, with several Union warships visiting the colony in December.[475] Therefore, Milne's preparation for war directly off the coast of the United States helped settle the conflict, regardless of his war plans' chance of success in battle.

Section 2: Settling the *Trent* Affair and Anglo-French Deterrence

Though the direct conflict that the *Trent* Affair threatened to arouse would have been between Great Britain and the United States, the French government and its navy also played a role in the decision of Lincoln administration to accede to British demands. Lord Lyons and Mercier had been working "in concert", if not as formal allies, from the beginning of the American Civil War, much to the dismay of Seward.[476] Lord Lyons had outlined working with France as "second only to such [military] preparations" in his 20 May despatch.[477] As Lynn Case and Warren Spencer have shown, Thouvenel's instructions to Mercier on the French position arrived in Washington at a pivotal moment when the cabinet was discussing how to react to the British ultimatum.[478] Mercier was ordered to make the contents of the despatch promptly known the US State Department, and a translation was delivered directly to the cabinet meeting on the *Trent* Affair.[479] Scholars have focused on how a vain hope of Anglo-French conflict, which existed in the Lincoln Cabinet, was erased by Thouvenel's despatch.[480] Indeed, US acquiescence to British demands came shortly after the cabinet received the official position of Paris.[481] However, historians have given this illusion too much weight, given that the cabinet, and Seward in particular, were very much aware of the close cooperation between

[473] Rebecca Matzke, *Deterrence through Strength: British Naval Power and Foreign Policy under Pax Britannica*, (University of Nebraska Press: 2013).
[474] Myers, *Caution and Cooperation*, 68.
[475] LeRoy to Welles, 26 December 1861, *ORN, vol. 1*, 261-62.
[476] Mercier to Thouvenel, No. 67, 28 October 1861, 39CP/125, AMAE, La Courneuve, fos. 167-80.
[477] Lord Lyons to Russell, N. 206, 20 May 1861, in *Through British Eyes, Vol. 1*, 83.
[478] See Chapter I.
[479] Thouvenel to Mercier, No. 32, 3 December 1861, 39CP/125, AMAE, La Courneuve, fos. 241-45.
[480] Case and Spencer, *The United States and France*, 227-30; Ferris, *The Trent Affair,* 181-182; Warren, *Fountain of Discontent*, 182.
[481] Case and Spencer, *The United States and France*, 227-30.

the French and British diplomats, as well as navies on the America question up to this point.[482] In fact, French support for the United Kingdom during the *Trent* Affair went beyond diplomatic pressure.

Thouvenel did not just support British demands but made a veiled threat that the arrival of the new French naval division to Mexico gave credence to. Though the foreign minister's despatch did not directly commit France to armed conflict, the document unequivocally supported the British position.[483] Along with a lengthy discussion of international law, the despatch also asserted that the French government could not be silent and must protect "the rights of its own flag".[484] By doing so, Thouvenel pointed out that there had not only been a violation of the law of nations, but a vital French interest was threatened. Historian Norman Ferris in his monograph on the *Trent* Affair, quotes a despatch from William Dayton, the US minister plenipotentiary to France, to show that the Lincoln cabinet was aware that Napoleon III was not at that point interested in joining the United Kingdom in a military conflict with the Union.[485] However, the very fact of Dayton's dismissal suggests that the question was worth entertaining. American newspapers reported on the proposed size of the French force sent to Mexico in early December 1861, and thus the administration could not have been unaware of it.[486] If British warships assigned to Veracruz could be repositioned to threaten the Union, a similar action to defend neutral rights, a vital French interest, would not have been difficult for French men-of-war serving in the same intervention in Mexico.

Indeed, the French force crossing the Atlantic was considerable and threatening, if combined with the Royal Navy's North America Station. From a force that included only three frigates and several smaller ships under Admiral Reynaud, the French combined presence under Reynaud and Jurien in January 1862 counted a ship of the line and seven frigates, besides numerous smaller vessels, along with several thousand troops and numerous transports.[487] If the US government could expect the French army and smaller vessels to be bogged down in

[482] For more on cooperation, see Chapters I, III.
[483] Thouvenel to Mercier, No. 32, 3 December 1861, 39CP/125, AMAE, La Courneuve, fos. 241-45.
[484] « les droits de son propre pavillon », ibid.
[485] Norman Ferris, *The Trent Affair,* 181-182.
[486] For example, the *National Intelligencer* in Washington reported the rough size of the French contingent being sent to Mexico. "Our Paris Correspondent," *Daily National Intelligencer*, 11 December 1861.
[487] Note that for Antilles Division (BB4/798) numbers are for October 1861, the *Foudre* would be transferred to the Mexican Division later in October and the Prony would be wrecked in November. *Mouvements des Bâtiments de la Station*, Cottin to Chasseloup-Laubat, 1 October 1861, BB4/798, SHD/Marine; *Expédition du Mexique. Bâtiments présents pendant Commandement en chef de Jurien comme Vice-Amiral*, BB4/799, SHD/Marine, fos, 2-3.

the Mexican conflict, the same could not be said for the powerful flagship and frigates. Anticipating the Mexican intervention, though perhaps not with a different admiral leading French forces, Reynaud had written a detailed despatch to Chasseloup-Laubat 21 August 1861 on the types of vessels needed for Mexico and the United States.[488] He argued that small gunboats were perfect for Mexico, and slightly larger vessels would be useful on the shallow American coast to pressure Union warships to end the blockade inside the bar.[489] Thus, after the fall of San Juan de Ulúa, which the British admiralty theorised would require a strong bombardment from heavy warships to take, the deep drafted warships would not be of much use blockading the Mexican coast. Similarly, part of the reason behind the US Africa Squadron's lack of success at catching slavers in the antebellum period rests with the inappropriately large warships sent there by the US government.[490] However, in the American portion of the Gulf of Mexico, the Imperial Navy would need to disperse Union blockading vessels outside the bar (in nearly open sea) at the mouth of the Mississippi, Mobile, and Galveston, as well as to attack Union fortifications at Key West and Pensacola. In both cases, large warships would be useful. Moreover, this task would be done in conjunction with Commodore Dunlop's squadron. Thus, the assessments of scholars who have concluded that the Royal Navy on its own would have failed its objectives in war with the Union, should be modified with potential French support.

Moreover, deterrence is a policy based on the potential threat of an armed response to change the decision of the opposing side, not necessarily the actual use of force.[491] Though neither the Mexico Division nor the Antilles and North America Division of the French Navy were given orders to prepare for conflict with the United States, the mere presence of such a large force created an immediate threat. The French Navy thus effectively added to the British deterrent force, prompting the US government to release the Confederate envoys taken from RMS *Trent*.

Despite the acrimonious break up of Tripartite Intervention into Mexico in April 1862, the size of the British and French navies took months to wound down. Admiral Jurien's division was reduced in size over the next few months.[492] The Royal Navy's North America Station

[488] Reynaud to Chasseloup-Laubat, No. 8, 21 August 1861, BB4/798, SHD/Marine.
[489] ibid.
[490] Donald Canney, *Africa Squadron: The U.S. Navy and the Slave Trade, 1842-1861*, (Potomac Books, Inc.: 2006).
[491] André Beaufre, *Deterrence and Strategy*, (New York: Praeger, 1965), 24.
[492] Jurien to Chasseloupe-Laubat, 26 April 1862, BB4/799, SHD/Marine.

remained reinforced for a few months. Despite pressure from the Admiralty, Milne was reluctant to send several warships under his command back to the United Kingdom or the Mediterranean until Lord Lyons thought it was wise to do so.[493] Thus, the reinforcements to the North America Station lasted for months and its commanding officer was equipped with plans and experience of cooperating with British military authorities for possible future hostilities. The Battle of Hampton Roads in early March 1862 showcased the nearly un-pierceable armour of Union and Confederate ironclads. Milne privately wrote to Lord Lyons after learning of the battle, "it is quite obvious our wooden ships must be cut down" in a fight.[494] The men-of-war of the North America Station were no longer a deterrent in their own right, as ocean-going ironclads based in England, such as HMS *Warrior*, filled that role.[495] By the time pressure from Confederate sympathisers for interference in the American Civil War reached its peak between late 1862 and mid-1863, Milne's naval station was reduced, leaving the admiral to scramble for warships to complete his missions.[496] Nevertheless, as seen in Chapter V, Confederate cruisers successfully pretended to be British men-of-war on several occasions, exploiting US Navy officers' wariness of engaging with Royal Navy warships and provoking a general war.

As the *Trent* Affair temporarily heightened Milne's strategic position, the French intervention in Mexico relegated Reynaud's division to a secondary, supporting function. Milne's role in the *Trent* Affair was twofold. He worked, as previously, to limit the possibility of accidental collision between the warships under his command and those of the United States Navy in the tense crisis period. Simultaneously, the admiral directed the naval build up that was part of a strategy of deterrence. This active naval posture deterred the Lincoln administration from rejecting British demands, which would have led to war. With the authority to restrain his officers and the naval power at his command to threaten the United States, the choices of the British admiral were decisive for maintaining neutrality. Though French naval power was decisive in persuading Washington to placate the Palmerston Cabinet, Admiral Reynaud was reduced in responsibilities, reporting on the *Trent* Affair from New York.[497] For the rest of his tenure, the French Division would be based in the Northern City, hardly a location

[493] Milne to Lord Lyons, 27 May 1862, Lyons Papers, Arundel Castle.
[494] Milne to Lord Lyons, 11 April 1862, Lyons Papers, Arundel Castle.
[495] Lambert, *HMS Warrior 1860.*
[496] See Chapter V.
[497] Reynaud to Chasseloup-Laubat, N. 46, 31 December 1861, BB4/798, SHD/Marine.

from which to launch an armed intervention. Indeed, the firepower of this smaller division was no threat to the Union. Thus, the Antilles and North America Division of the French Navy, which was initially expanded to take part in a potential Anglo-French mission against the Union blockade, was reduced to what Navy Minister Chasseloup-Laubat would later explicitly term, in contrast to the Mexican Division, a "completely peaceful station of observation".[498] Though Milne's naval station was not reduced to nearly the same extent, with the launching of ironclad Union warships in March 1862, his squadron too ceased to be a deterrent in its own right.

[498] « station toute pacifique et d'observation » Chasseloup-Laubat to Jurien, 16 July 1862, BB4/812, SHD/Marine.

Chapter III:

A "Paper Blockade"? British and French Blockade Observation Missions

On 7 February 1862, Captain Marquis de Montaignac penned a despatch to Navy Minister Chasseloup-Laubat after his visit to Confederate territory describing the effect of the Union blockade of Confederate ports: "The fabulous prices for imported goods prove superabundantly its effectiveness. Everything there is sad and bleak".[499] He reported feeling tremendous joy returning to Union lines where he could find real tea and edible food.[500] The naval officer's assertions of US Navy blockade's effectiveness did not stem from pro-Northern sympathies or respect for the Union's armed forces. In fact, de Montaignac, head of the Newfoundland Division of the French Navy, commended Southerners as good officers, if few in number, while he considered the North to have a large army of proletarians that would be hard to lead, and thus doubted the Union's abilities.[501] After his small force was added to Admiral Reynaud's Antilles and North America Division in August 1861, he retained his official status as head of the Newfoundland Division.[502] In the beginning of 1862, de Montaignac was left as Senior Officer, commanding French naval forces off the coast of North America, because Reynaud sailed to Martinique to repair his flagship.[503] On 19 January 1862, in this high capacity, the officer took a truce boat to Confederate-controlled Norfolk, Virginia from his ship *Pomone*, anchored off Federally held Fort Monroe across the James River.[504] He reported the situation on the ground, meeting in Norfolk with the French Richmond Consul Alfred Paul and then travelling all the way to Charleston.[505] The captain praised the energy of white Southerners in conducting the war, commended them for being led by gentlemen and discussed their desire for European intervention at length.[506] Nevertheless, the captain described the blockade as effective and thus legal under international law. Examining the despatch, Chasseloupe-Laubat underlined the word "effectiveness" in pencil. The navy ministry sent a copy of the marquis's despatch to the foreign ministry.[507] De Montaignac's

[499] « le prix fabuleux des données d'importation prouvent surabondamment son efficacité. Tout y est triste et morne », de Montaignac to Chasseloup-Laubat, 7 Feburary 1862, BB4 798, SHD/Marine.
[500] ibid.
[501] de Montaignac to Chasseloup-Laubat, 18 July 1861, BB4 797, SHD/Marine.
[502] Chasseloup-Laubat to Reynaud, 22 August 1861, BB4 795, SHD/Marine.
[503] Reynaud to Chasseloup-Laubat, N. 46, 31 December 1861, BB4 798, SHD/Marine.
[504] de Montaignac to Chasseloup-Laubat, 7 Feburary 1862, BB4 798, SHD/Marine.
[505] ibid.
[506] ibid.
[507] Chasseloup-Laubat to Thouvenel, 12 March 1862, 29ADP/7/46, AMAE, La Courneuve.

report, like the despatches of other naval officers, ended up on Thouvenel's desk. His British counterpart Earl Russell received similar reports from Royal Navy officers via the Admiralty.

The largely positive assessment of the Union blockade provided by the naval officers of both powers differed from that of consuls in Confederate ports and British newspapers, particularly the *Times*. It gave the Palmerston cabinet a counternarrative to recognise the relatively lax Union blockade as legal, a useful precedent for a naval power. Indeed, as the British Government claimed that this position was not at variance with the Paris Declaration of 1856 that mandated blockades to be "effective", the British affirmation of the US Navy's operations created a precedent for what amounted to an effective blockade. This was met with acquiescence, if not support, by the French navy ministry and officers because this loose interpretation was in their interests as a service. However, the French foreign ministry, the prime mover behind the 1856 treaty, took a different view. Thouvenel tried to go around the despatches of French naval officers and collect consular reports proving the illegality of the Union's blockade. Moreover, the foreign minister edited the terms of the coterminal French blockade of several Mexican ports during the Intervention to serve as a contrast to the actions of the US Navy. Yet, the limited terms of the blockade of a few Mexican ports proved too restrictive for the Imperial Government's war aims, and in the summer of 1863, it proclaimed most of the expansive Mexican littoral under blockade with a naval force smaller than that employed by US Navy in the South.

The question of whether the Union blockade was effective (and what measures to take if it were not) was hotly debated in Europe. Indeed, declaring the US Navy's effort "ineffective" would open the way for raising the blockade using the British and French navies.[508] On 6 May 1861, Earl Russell, responding to a query from pro-Confederate MP William Gregory, affirmed that "no blockade could be recognized or deemed valid unless it were an effective blockade".[509] Union and Confederate propagandists and sympathisers pushed opposing narratives in the media, the latter working to prompt the British (and to a lesser extent French) government to not recognize the blockade through the strength of public opinion.[510] Notably, the effectiveness of the blockade was disparaged in the *Times* of London, and the despatches of the newspaper's

[508] See Chapter I.
[509] Russell, 6 May 1861, *Hansard HC Deb*. Vol 161, col. 1565.
[510] Blackett, *Divided Hearts*; George Blackburn, *French Newspaper Opinion on the American Civil War* (Preager, 1997).

correspondents were cited with relish to pro-Confederate MPs in the houses of Parliament.[511] On 6 February 1862, Earl Derby, the leader of the Conservative opposition, called for the government to publish correspondence related to the Union blockade, which Earl Russell agreed to do.[512] For the next few weeks, the government was repeatedly pressed in Parliament to publish the reports.[513] When *Papers Relating to the Blockade of the Ports of the Confederate States* was finally published in late February, the correspondence entered the public sphere.[514] Therefore, the aggregation of reports from official observers on the spot that could directly assess the blockade were material factors in the political judgments of the British and French governments, and, particularly in the British case, public opinion.

Neutrality in the American conflict was not a passive state for the British or French government – it implied rights as neutrals that had to be maintained. With respect to the blockade, certain complaints based on evidence submitted to consuls in the North, directly to diplomats in Washington, or even found in newspapers could be escalated to negotiations with the US State Department. For example, early in the war, the United States agreed not to regard neutral nationals caught on blockade-running vessels as prisoners of war and to release them once the prize was in port, and Navy Secretary Welles sent out positive orders to the head of blockading squadrons to this effect.[515] However, reports on the relative effectiveness of the Union blockade of Confederate ports could not come solely from sources based in the North. The British and French cabinets also made note of the contentions of Confederate agents in Europe and newspaper articles.[516] However, British and French consuls and naval officers offered the unique perspective from the spot as official agents of their governments. The perspectives of these two services on the effectiveness of the blockade differed. British and French officers of inspecting warships were generally much more generous to the US Navy than the consuls in blockaded ports.

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[511] For example, 21 December 1861, *Times* (London); 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*, Vol 165, col. 1170.
[512] 'Address To Her Majesty On The Lords Commissioners' Speech', 6 February 1862, *Hansard HL Deb*. Vol 165, col. 32.
[513] 'United States—Blockade Of The Southern States', 7 February 1862, *Hansard HC Deb*. Vol 165, col. 93; 'Question', 10 February 1862, *Hansard HC Deb.* Vol 165, col. 121; 'United States—Blockade Of The Southern Ports—Question', 18 February 1862, *Hansard HC Deb*. Vol 165, col. 435; 'Returns Moved For', 20 February 1862, *Hansard HC Deb*. Vol 165, col. 527.
[514] Great Britain, Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*. (Harrison and Sons: London, 1862); 'United States—Blockade of The Southern Ports—The Correspondence — Question', 28 February 1862, *Hansard HL Deb*. Vol 165, col. 876.
[515] Welles to DuPont, 19 December 1861, ORN, vol 12, 407-10.
[516] For example, Mason to Russell, 17 February 1862, Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*, 122-26.

Naval officers' reports provided the British and French governments with the sources to show that the legal situation was not as unambiguously damning of the US Navy as was argued by most consuls in Confederate ports, to say nothing of the contentions of parts of the press and Confederate agents in Europe. As the Union blockade was by no means a watertight membrane, and its failures were often chided even in Northern papers, these reports were an influential corrective.[517] This information was enough for the Palmerston ministry to officially recognise the Union blockade in February to defend in Parliament the next month.[518] Historian Frank Merli has rightly labelled this decision to be "one of the most critical of the war", as it closed a possible path to foreign intervention in the American conflict. [519] Napoleon III, despite misgivings about the British position, never formally dismissed the effectiveness of the US Navy, though subsequent French mediation proposals included provisions to temporarily lift the blockade. Moreover, Foreign Minister Thouvenel endeavoured to collect enough information from French consuls in the Confederacy to undermine the British position. Nevertheless, though the emperor began his ultimately unsuccessful campaign in April 1862 to court pro-Confederate British MPs and informally pressure the Palmerston cabinet to move towards mediation in the conflict or Confederate recognition, his efforts did not extend to nonrecognition of the blockade of the Southern coast.

Scholars have attributed the British government's decision and the French government's relative acquiescence to several factors: the fear of conflict with the United States, the self-defeating nature of the Confederate cotton embargo (the lack of the precious commodity across the Atlantic made it hard to argue that blockade was ineffective), the British cabinet's desire keep the precedent of a loose interpretation of a blockade for future blockades enforced by the naval power, and Napoleon III's unwillingness to pursue a risky diplomatic manoeuvre without British support.[520] No doubt the British Government was interested in a loose interpretation of blockading, because as naval power, this war measure was especially useful. However, this does not explain how Palmerston cabinet was able to push this recognition despite pushback from pro-Confederate PMs and a large part of the press. As

[517] For example: "Reported Arrival of the Rebel Steamer Nashville at Charleston with a Valuable Cargo", 29 November 1861, *New York Herald*.
[518] Russell to Lyons, 15 February 1862, Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*, 119-20.
[519] Merli, *Alabama, British Neutrality and the American Civil War*, 18.
[520] Jay Sexton, "Civil War Diplomacy" in Sheehan-Dean, edt., *Companion to the U.S. Civil War*; Sainlaude, *France and the American Civil War;* Jones, *Blue and Gray Diplomacy*. Case and Spencer, *The United States and France*, Jenkins, *Britain and the War for the Union, Vol. 1*, 246.

historians of Civil War diplomacy and naval warfare have generally based their understanding of the perception of the blockade from diplomatic records and the extant papers of cabinet members (found in different record groups or even archives than naval records), they have either taken the presumed/proclaimed ineffectiveness of the Union naval effort at face value or pointed to cabinet ministers' ability to read between the lines of their consuls' reports and Confederate statistics, as these powerful officials noted how few large vessels got through the blockade.[521] Though Thouvenel, Earl Russell, and other decision-makers had doubts about the largely pro-Confederate pronouncements of their consuls about the blockade, these were not their only sources of information. Naval despatches, composed by ostensible specialists in blockades, were regularly delivered to the British Admiralty and French Navy Ministry, and then regularly copied to their respective foreign ministries.[522] Thus, they likely had more of an impact on the perception of the blockade by the British and French governments than any other contemporary authority reporting from the blockaded region. This is not to argue that the choices of the two cabinets were entirely or predominantly based off these reports, but that the officers' despatches provided enough of a counternarrative for the British Government to publicly recognize the blockade as effective and legal in 1862 and for the French Government not to openly disagree with the assessment.

If the Palmerston cabinet recognized the legality of the US Navy's blockade as a whole, it did not seek to do away with the concept of an effective blockade altogether and worked with Napoleon III's Government to press the United States. The British government drew the line on the attempt of Northern congressmen to officially institute a "municipal blockade".[523] In July 1861, the US Congress passed a bill that allowed the president to legally close a port at will. Ports could now be declared closed by a "municipal" law of the United States on territory that it claimed and not according to international law that governed blockades during war time.[524] Thus, it theoretically allowed the US Navy to blockade a port without needing to follow the dictates of the law of nations, including providing an effective force. Lord Lyons and Mercier protested, saying that their governments would not recognize such a declaration.[525] Indeed, the British government refused to recognize a similar port closure made by one side of

[521] Jenkins, *Britain and the War for the Union, Vol. 1*, 243; McPherson, *War on the Waters, 46-49*; Underwood, *Waters of Discord*, 39.
[522] As noted above, Captain De Montaignac's 7 February 1862 despatch was forwarded to the Foreign Ministry. For a British example, Dunlop to Secretary of the Admiralty, 1 August 1861, ADM 1/5763, TNA.
[523] Lord Lyons to Russell, No. 345, 15 July 1861, in *Through British Eyes, Vol. 1*, 142.
[524] Ibid.
[525] Ibid.; Mercier to Thouvenel, No. 47, 15 July 1861, 39CP/124, AMAE, La Courneuve, fos. 393-401.

the Colombian Civil War (1860-1862).[526] The Duke of Somerset sent Milne a private letter stating that a simple closing of Confederate ports by Congress was "almost identical" to the Colombian case, and that Britain and France would work together on the diplomatic front to press the US Government.[527] If the remonstrances did not work, "not only two frigates, but a large proportion of the Channel fleet must be sent across to be under your orders".[528] The Channel Squadron or Fleet, a command formally established on permanent basis in 1858 to counter a potential French invasion, was the most powerful grouping in the Royal Navy, containing newly-built ironclads, including HMS *Warrior*.[529] This Milne relayed privately to Lord Lyons, who likely hinted at the prospect to US Secretary of State William Seward.[530] Sending a portion of this force (before the first Union ironclads were built in early 1862) was not only threatening, but signified a tacit agreement with France, as the squadron could not be moved if there was a tangible threat to England from the continent. President Lincoln never made use of the law, no doubt in part due to such threats, and the Union blockade remained subject, in theory, to international law.

Section 1: The Reports of Naval Commanding Officers Regarding the Blockade

The British and French governments relied largely on two types of agents to survey the blockade on the spot – consuls and naval commanding officers, with different inherent limitations. Early in the war, British consuls were instructed to observe the blockade and send back reports.[531] Indeed, consuls from France and Britain composed copious dossiers of official port records, observations of US warship sightings off the coast, and affidavits of blockade-runners.[532] These reports had several limitations. Firstly, they were confined to what could be observed from shore – the official declaration of the blockade, the number of vessels seen entering the port regardless, and the number of blockading warships visible from the port. Their assessment of the effectiveness of the blockade rested on whether merchantmen could get through, and to a lesser extent if they could observe Union warships themselves. Consuls had

[526] 'Question', 27 June 1861, *Hansard HC Deb*. Vol 163, col. 1646.
[527] Somerset to Milne, 29 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 363-64.
[528] Somerset to Milne, 12 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 346-47.
[529] Lambert, *HMS Warrior 1860*.
[530] Milne to Lord Lyons, 26 July 1861, in *Milne Papers, Vol. 2*, Beeler, ed., 360-61.
[531] Murray to Her Majesty's Consuls in North America, 13 June 1861, Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*, 8.
[532] For example: Bunch to Russell, Aug 10 1861, No. 100, FO 5/781, TNA, fos. 219-20; de St. André to Thouvenel, No. 11, 16 January 1862, 77CCC/7, AMAE, La Courneuve.

neither the ability to see all the Union warships in the vicinity of their port, nor the military or legal training to make judgments on whether Union Navy action was legitimate. Thus, in their understanding of blockades, consuls were amateurs, limited spatially by what they could observe. This did not stop consuls from declaring the blockade improperly conducted in their official despatches. Robert Bunch, the British consul in Charleston, declared that his port's blockade was "raised" on 28 May 1861, as the Union warship that declared the blockade was no longer in view.[533] Count Eugène Méjan, the French consul in New Orleans, observed in his 15 June despatch that most ports in the Gulf of Mexico were not properly closed by the US Navy.[534] On 12 October Bunch remarked that the "apathy of the United States Navy during this entire contest has been remarkable".[535] There were similar reports from Mobile, Savannah, and Galveston.[536] In fact, several consuls went out of their way to directly inform their naval authorities of the lax blockade by the Union Navy.[537] Consular reports painted a bleak picture of the effectiveness of the US Navy's blockade.

Consular reports on the blockade fit a pattern of pro-Confederate sentiment among British and French representatives based in the Southern states. As Eugene Berwanger has noted, British consuls in the South, whose largely commercial duties in peacetime presupposed integration into the planter elite, often displayed pro-Confederate bias.[538] The British consular service did not come with an automatic expectation of promotion to other more remunerative consulates in larger ports and elevation to diplomatic positions in capitals was almost unheard of.[539] This meant that consuls could expect to live in one location with their families for decades, and their children to marry locally. Even Robert Bunch in Charleston – who did not have a particularly fond view of the Southern upper classes, was paid a relatively handsome salary by Foreign Office (and forbidden to engage in trade), and ran a small spy ring to track illegal slave trade voyages to Africa – did not think reunification was possible.[540] In fact, the consul felt revulsion at the Confederacy because it was founded on slavery, which he argued would "act forever as a bar to the sympathy which is felt by all generous Nations for a people

[533] Bunch to Russell, 28 May 1861, No. 66, FO 5/780, TNA, fo. 262.
[534] Méjan to Thouvenel, 15 June 1861, No. 33, 16CPC/09, AMAE, La Courneuve, fos. 77-80.
[535] Bunch to Russel, 12 October 1861, No. 122, FO 5/781, TNA, fos. 360-65.
[536] Lynn to Russell, 8 August 1861, No. 25, FO 5/788, TNA; 29 July 1861. Magee to Russell, 29 July 1861, fos. 91-94; Fullarton to Russell, No. 28, 22 August 1861, FO 5/786, TNA, fos. 474-6.
[537] Paul to Chasseloup-Laubat, 6 September 1861, BB4/798, SHD/Marine.
[538] Berwanger, *British Foreign Service*, 11-13, 80.
[539] D. C. M. Platt, *The Cinderella Service: British Consuls Since 1825* (Archon Books: 1971).
[540] Berwanger, *British Foreign Service*, 9-10, 17; Dickey, *Our Man in Charleston*,

bent upon asserting what it believes to be its rights".[541] Bunch nonetheless believed that it was right to "treat any possibility of a future re-constitution of the Union as perfectly chimerical. It has gone forever, and with it, I firmly believe, the power and greatness of the United States".[542] He thus viewed the war as an unnecessary catastrophe.

French consuls, who could look forward to promotions and even diplomatic service, were perhaps more estranged from the largely (with the partial exception of New Orleans) English-speaking country. However, this does not appear to have changed their sympathies. Baron de St. André, the new French Acting Consul in Charleston who arrived in August 1861 remarked in his first despatch: "Since entering the States of the New Confederation, I have been struck by the spirit which reigns and the unanimity with which the idea of returning the original Union is rejected".[543] Moreover, French consuls were likely aware of the pro-Confederate position of Minister Mercier, their immediate chief, as well as those of Napoleon III.[544] Even French consuls in Northern states displayed pro-Southern feelings.[545] Thus, confined spatially by the geography of their ports and influenced by anti-Union sentiments, consular despatches painted a picture of an ineffective – and therefore illegal – blockade.

The impact of consular reports was also limited by the irregularity of correspondence between Confederate-controlled territory and European capitals. This was most consequential in the first months of the war, before the Anglo-French system of delivering diplomatic mail alternatively by British and French warships was established.[546] At this point the US Navy blockade was the least strict due largely to lack of ships, as newly laid-down Union men-of-war did not yet leave the drydocks and the Federal government was still in the process of buying and arming a large portion of the merchant marine to add to the fleet.[547] Cognisant of the political implications of European diplomatic mail being found on a vessel breaching the blockade if captured by a Northern warship, especially after the scandal caused by Consul Bunch's despatch bag being discovered on the person of a Southern courier, consuls rarely used

[541] Bunch to Russell, 4 April 1861, No. 46, FO 5/780, TNA, fos. 174-79.
[542] Bunch to Russel, 22 July 1861, No. 85, FO 5/781, TNA, fos. 40-41.
[543] « Dès mon entré dans les États de la Nouvelle Confédération, j'ai été frappé de l'esprit qu'y régnait et de l'unanimité avec laquelle on rejetait toute idée de retourner l'Union primitive. » de St. André to Thouvenel, 18 August 1861, 16CPC/08, AMAE, La Courneuve, fos. 260-61.
[544] Carroll, *Henri Mercier*, 125-29; Sainlaude, *Le gouvernement impérial et la guerre de sécession*, 117-24.
[545] Ameur, *Les Français*, 82.
[546] See Chapter I.
[547] Symonds, *The Civil War at Sea*, 43-45.

blockade-runners.[548] As a result, consular reports were often months late.[549] After the implementation of the naval courier service, communications improved, but were not perfect.[550] Moreover, when a warship communicated with one port, such as Charleston or Mobile, it could only collect the despatches from that town, possibly along with those of some consular posts around, but not from consuls from far away states without significant delay.[551] Naval officers, on the contrary, reported on a large breath of coast that they were tasked with observing. They also had orders to write reports around every two weeks and send them directly back to Europe, along with copies for their respective admirals and ministers in Washington.[552] In fact, some consular despatches from Galveston written in December 1861 arrived in London on 21 February 1862.[553] This was too late to be published in *Papers Relating to the Blockade of the Ports of the Confederate States*. Therefore, there were fewer timely consular sources on which European cabinets might rely until late 1861.

Observing from the sea, commanding officers of British and French warships, unlike consuls, had no difficulty making note of the size and disposition of the Union squadrons. However, officers could not make detailed reports on the frequency of breaches, as they were typically not stationary off the port for more than a few days.[554] Thus, the two services reported directly on somewhat different statistics most of the time. Reports from the quarterdeck were often supplemented by conversations with consuls and blockade runners observed inside Confederate harbours.[555] Nevertheless, their primary focus was on the number and quality of the Union warships stationed outside the bar, as well as the distance of their deployment to the entrances. Historian Stève Sainlaude has argued, based largely on diplomatic records, that French naval officers thought that the blockade was wholly ineffective.[556] However, the reports of these officers show a more nuanced picture. For example, on 2 September 1861, Commander

[548] Consul de St. André wrote about sending a despatch by the blockade-runner *Nashville*. De St. André to Thouvenel, No. 6, 30 September 1861, 16CPC/08, AMAE, La Courneuve, fos. 267-68. See also Chapter I.
[549] See Chapters I and IV.
[550] The French and British consuls of Charleston and Richmond complained to Captain de Montaignac during his January 1862 visit about how slow despatches travelled even with the naval courier service via Charleston, de Montaignac to Chasseloup-Laubat, 7 Feburary 1862, BB4 798, SHD/Marine.
[551] For example, Captain de Montaignac described taking the Charleston and Richmond mails, but did not mention those of New Orleans from his January 1862 trip, ibid.
[552] Undated circular in Reynaud to Chasseloup-Laubat, No. 4, 25 July 1861, BB4/798, SHD/Marine. Example of British sailing orders: Milne to Hewett, 23 August 1861, in *Milne Papers*, ed. Beeler, 388.
[553] Lynn to Russell, 28 December 1861, No. 36, FO 5/788.
[554] For example, the first trip of the *Catinat* was 10 days, Fabre to Chasseloup-Laubat, 2 September 1861, BB4/798, SHD/Marine.
[555] Algernon Lyons to Milne, 19 December 1861, in *Milne Papers*, ed. Beeler, 565.
[556] Sainlaude, *France and the American Civil War*, 24.

Fabre of the French warship *Catinat* reported: "it seemed to me that the coast from Savannah to Charleston was very seriously blockaded."[557] Similarly, Captain Von Donop of HMS *Jason* felt similarly about the Gulf of Mexico, around the same time the French consul in New Orleans claimed the opposite: "As far as I have been able to judge, the blockade appears to be effectively established, the cruizers constantly on the alert boarding every vessel that appears".[558] Commanding officers did point out egregious laxity when they encountered no Union warships at all, which was especially the case off the North Carolina coast early in the war and off small shallow harbours that could only support small blockade runners.[559] Lord Lyons, based on the naval officers' reports, privately noted to Milne that "the Blockade is anything but regular."[560] However, this was not the situation outside the larger, deeper Confederate ports. Indeed, officers directly stated what British cabinet members noted and scholars of the Civil War blockade have gleaned from Confederate port records – coastal trading by small schooners was not stopped, but few large steamers could easily get in.[561]

The discrepancy between consular and naval reports was particularly telling in the case of Charleston. The city was large and well defended, important symbolically and economically, and a destination for many large blockade-runners. Reynaud ordered blockade surveyors to focus on the city specifically.[562] Though Consul de St. André first considered the port properly blockaded, his 4 September 1861 despatch was at odds with that of Commander Fabre, doubting that the fleet off Charleston was able to catch any blockade-running vessel recently.[563] In his 25 July despatch, Bunch went as far as to enclose a map of Charleston harbour with red marks for places where Federal warships should have been placed to make the blockade effective.[564] Commander Algernon Lyons of HMS *Racer* declared Charleston and Savannah the only ports well blockaded between South Carolina and Florida during the same time period, though he later claimed that the US Navy was not using its large force off Charleston properly, failing to catch blockade-runners.[565] Given the physical realities of observation, both from the

[557] « Il m'a paru que la côte de Savannah à Charleston était très sérieusement en état de blocus. » Fabre to Reynaud, 2 September 1861, BB4 798, SHD/Marine.
[558] Von Donop to Dunlop, 1 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 369-70.
[559] Hewett to Admiralty Secretary, 12 September 1861, ADM 1/5763, TNA; Ribourt to Chasseloup-Laubat, 7 October 1861, BB4 798, SHD/Marine.
[560] Lord Lyons to Milne, 15 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 349-50.
[561] For example, Reynaud to Chasseloup-Laubat, 16 October 1861, No. 42, BB4 798, SHD/Marine; Negus, "Blockading Campaigns" in *A Companion to the U.S. Civil War*, Sheehan-Dean, ed.
[562] Reynaud circular, n.d. in Reynaud to Chasseloup-Laubat, No. 4, 25 July 1861, BB4/798, SHD/Marine.
[563] De St. André to Thouvenel, 4 September 1861, 16CPC/8, AMAE, La Courneuve, fo. 264.
[564] Bunch to Russell, 25 July 1861, No. 88, FO 5/781, TNA, fos. 59-63.
[565] Algernon Lyons to Dunlop, 31 July 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 417-18.

quarterdeck and from the city, this is not entirely surprising. However, Commodore de Montaignac called the blockade effective even after visiting Charleston by land – clearly there was more to the discrepancy between the two services than the different perspectives from the sea and from the shore.

Unlike consuls, commanding officers of British and French warships were military professionals, and their evaluation of blockades carried legal weight. Many officers had experience as part of blockading fleets off Chinese, Russian, and Austrian territorial waters during recent wars, as well as deployment in the anti-slave trade squadrons off West Africa the duties of which mirrored those of blockaders.[566] Thus, the captains, commanders, and even lieutenants deployed observing the Union blockade could determine the proper placement of warships in the harbour to legally seal it. Admiral Milne's 20 June instructions to men-of-war on blockade surveying duty was to officially report any unblockaded coast to the US Navy's flag officer in writing, information that could be used in diplomatic tussles and in American prize courts.[567] These orders, which initially had no opposition from the Admiralty, effectively gave the officers the right to decide the legality of the Union Navy's actions on parts of the coast. Though French commanders were never given such powers, officers from both countries regularly reported what they found "effective" and "ineffective" without reproach from their admirals or their capitals.[568] Of course, the final determination of the legality of the blockade from the European point of view lay with legal counsellors attached to cabinets, and the ultimate decision of acting upon such determinations lay with the cabinets themselves. The sources for the determinations came in no small part from the reports of naval officers.

Though certainly more detached from Southern society than were consuls, naval officers did not necessarily harbour more pro-Union or even neutral sentiments. Captain Hancock of HMS *Immortalite* had strong pro-Northern positions, while his Second Lieutenant Hudson admired Confederate "pluck".[569] However, the fact that Admiral Milne chose Hancock for delicate missions to both to monitor Union Commodore DuPont's expedition and to go to

[566] For example, Commander Algernon Lyons had experience in the Black Sea blockade of Russian ports during the Crimean War. Rear-Admiral Reynaud had such experience on the Black Sea and on the Chinese coast. L. Laughton and Roger Morriss, "Lyons, Sir Algernon McLennan (1833-1908), naval officer." *Oxford Dictionary of National Biography*, 23 Sep. 2004. Battesti, *La Marine de Napoléon III, tome 2*, 826, 866.
[567] "Instructions for the guidance of cruisers employed on the Coasts of America for the Protection of British Commerce", 30 May 1861, MLN/120, Milne MSS, NMM.
[568] Navy Minister Chasseloup-Laubat made no corrections to Reynaud's instructions in 1861 or 1862, BB4/795, BB4/812, SHD/Marine.
[569] See Chapter II; Journal entry, 18 November 1861, HUD/1/7, Hudson MSS, NMM.

Annapolis to be ready to pick up Lord Lyons during the *Trent* Affair suggests that the admiral may not have had too many other commanding officers under his command that he could trust not to act on their anti-Northern feelings.[570] Milne specifically lamented the pro-Confederate lean of his officers in a private letter to Lord Lyons later in the war.[571] DuPont, promoted to Rear-Admiral in the US Navy in July 1862, considered certain British commanding officers as dangerously pro-Confederate, including Commander Algernon Lyons of HMS *Racer*.[572] Moreover, as Ameur Farid demonstrates, French officers in the Antilles Division had Southern sympathies.[573] Commander Fabre of the *Catinat* refused to even communicate with Union warships during his first mission.[574] He labelled the Union war effort "a war of aggression" and the US government as "very shady, very intrusive, and everyone, even foreigners, must conduct themselves with keen reservation.[575] Commander de Fontages of the *Prony* considered Southerners united behind their cause and reconciliation useless.[576] Therefore, a difference in sympathies is unlikely to be the main contributing factor behind naval officers' reports largely recognizing the blockade as effective.

A loose interpretation of an "effective" blockade that did not imply an impermeable boundary created by blockading warships, with the actions of the US Navy in the American Civil War serving as a precedent, benefited the British and French navies as services. Though neither British nor French officers' reports up to the publication of the Palmerston Government's recognition of the Union blockade openly dwell on the implications of recognising the Union blockade as legal, it is likely that they took this into consideration when composing despatches. The officers' probable views on blockades chime with historiographical opinion on the desire of the British Government, ruling a maritime power, for a precedent to have less strict rules for blockading, beginning with Frank Owsley's *King Cotton Diplomacy*.[577] It is not surprising that French officers may have worked to benefit their service in the same manner. Historian Farid Ameur had described French naval officers as "forced to recognise the

[570] Milne to Hancock, 31 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 483-84; Milne to Hancock, 25 December 1861, in ibid., 574.
See Chapter II.
[571] Milne to Lord Lyons, 20 March 1863, Box 192, Lyons MSS, Arundel Castle.
[572] DuPont to Mrs DuPont, 22 August 1862, Jul-Sep 1862/Box 7, DuPont Papers, Hagley Museum.
[573] Ameur, *Les Français*, 84.
[574] See Chapter I.
[575] « une guerre d'agression », Fabre to Chasseloup-Laubat, 16 September 1861, BB4 798, SHD/Marine; « le gouvernement est très ombragé, très collant, et chacun, même les étrangers, doit garder la plus sage réserve dans sa conduite. » Fabre to Chasseloup-Laubat, 2 September 1861, BB4 798, SHD/Marine.
[576] de Fontagnes to Reynaud, 23 November 1861, BB4 798, SHD/Marine.
[577] Owsley, *King Cotton Diplomacy.*

progress of the blockade" despite their Confederate sympathies.[578] However, as the contemporaneous reports of French consuls did not recognise this progress, the recognition on the part of French naval officers is best characterised as a choice and not a begrudging admission. Many scholars, perhaps influenced by the Napoleonic Wars or "Young School" of naval warfare developed in France in the nineteenth century, have trouble seeing France as a strong naval power, capable of blockading the coast of a weaker enemy, as opposed to a weak power that depended on privateers.[579] In the *Civil War at Sea*, Craig Symonds goes out of his way to point out the French origin of the word "corsair" to illustrate the "French" strategy adopted by the Confederate Navy.[580] Yet, the navy of Napoleon III could hardly be seen in those terms. The lavishly supported service made France, in the words of Paul Kennedy, a "hybrid power", strong on land and at sea, with global reach.[581] Though a war with Britain would imply France being the blockaded side, the French Navy itself had recently been involved in blockades of Russian, Austrian, and Chinese coasts, and, therefore, French officers had more experience of maintaining blockades than running them.[582] No doubt, a looser interpretation of a blockade would be advantageous to French warships in conflicts with all opponents other than the Royal Navy. Therefore, British *and* French officers had an incentive to look less strictly on the Union blockade.

Section 2: Curated Naval Reports and the Palmerston Government's Support of the Legality of the Blockade

A relatively minor controversy over the legitimacy of the blockade of Beaufort, NC in September 1861, illustrates both the limitations of consular despatches and how contentious interpretations of the blockade could be in American waters. This was especially true for Britain, as relatively few blockade-runners flew French flags or claimed French protection.[583] The lax blockade of this part of the North Carolina coast created a pretext for the shipmasters of two British-flagged merchant vessels to claim, with consular backing, safe passage from a British warship inspecting the blockade. The ships *Alliance* and *Gondar* were owned by Fraser, Trenholm & Co., based in Charleston and Liverpool, an organisation key to the Confederate

[578] « forcés de reconnaître les progrès du blocus », Ameur, *Les Français*, 74.
[579] Arne Roksund, *The Jeune École: The Strategy of the Weak* (Boston: Brill, 2007).
[580] Symonds, *The Civil War at Sea*, 75-78.
[581] Kennedy, *The Rise and Fall of the Great Powers*, 169.
[582] Battesti, *La Marine de Napoléon III, tome 1*, 91, 134; *tome 2*, 804-6, 832-3.
[583] See Chapter I.

blockade-running effort.[584] The master of the *Alliance* tried to get a written legal position from Admiral Milne that would allow him to enter Charleston under the pretext of storm damage, to which the admiral gave a guarded reply to make sure to inform Union cruisers before doing so.[585] By the time the *Alliance* reached Beaufort on 23 August, the master changed tack. When HMS *Rinaldo* passed the port on its inspection of the Union blockade on 5 September, a boat came from the port with the shipmaster and a Confederate army officer.[586] They asked if there was an effective blockade, to which Commander Hewett of the *Rinaldo* reported replying that he could only quote from the Queen's Neutrality Proclamation that a blockade had been declared, but not comment publicly on its effectiveness.[587] The master and Confederate officer claimed that *Alliance* had entered Beaufort without encountering any US cruiser and thus did so when there was no effective blockade.[588] Implied was the claim that any newly arriving US blockading warship would need to redeclare the blockade on this coast with the accompanying 15 days leeway for foreign ships in port to have the time to leave.[589] If upheld, the shipmaster's claim would create a precedent for poking holes in the blockade by forcing the US Navy to allow weeks of trade off other Confederate ports if Union warships were seen to disperse or were defeated in battle.

The claim that the blockade of Beaufort had been raised by the absence of Union warships for weeks and had to be redeclared was not inconsistent with US Navy practice. During the Mexican-American War, the Pacific blockade, led in part by then-Commander DuPont on USS *Cyrene* had to be lifted several times for lack of other supporting warships, and then had to be consistently redeclared.[590] The jagged North Carolina coast, particularly between Beaufort and Wilmington, proved difficult for the US Navy to blockade early in the Civil War, which only got around to formally declaring the port blockaded on 20 July 1861.[591] For comparison, in distant Galveston, Texas, the blockade was formally declared on 2 July.[592] In July 1862, the US Government released the British brig *Herald* that was captured by USS

[584] Gordon Watts, "Phantoms of Anglo-Confederate Commerce: An Historical and Archaeological Investigation of American Civil War Blockade Running" PhD Thesis (St Andrews University: 1997), 38.
[585] Forest to Milne, 6 August 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 374-75.
[586] Hewett to Milne, 12 September 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 459-60.
[587] ibid.
[588] Walker to Bunch, 20 September 1861, MLN/115/2, Milne MSS, NMM.
[589] See Chapter I.
[590] Johnson, *Thence round Cape Horn*, 86.
[591] Lockwood to Commanding Officer, Fort Caswell, River Fear, 20 July 1861, FO 5/781, TNA, fo. 82.
[592] Lynn to Russell, 3 July 1861, FO 5/788, TNA.

St. Lawrence on 10 June at sea after having left Beaufort, NC.[593] Lord Lyons was able to show that there was no formally declared blockade of that coast up to that point.[594] Now-Captain DuPont, on the US Navy's Blockade Strategy Board, worried that this could be used as a pretext by Great Britain to forcibly break the Union blockade.[595] US Navy Secretary Welles frequently complained to Commodore Silas Stringham, commanding the Atlantic Blockading Squadron, of the laxity of the US Navy at this point.[596] Indeed, British commanders who passed by Wilmington and Beaufort repeatedly deplored the laxity of the blockade on this coast formally in writing to Stringham, including Commander Hewett of HMS *Rinaldo*, two days after he first saw the master of the *Alliance*.[597] When USS *Susquehanna* finally approached Beaufort on 7 September, the *Alliance* and *Gondar* had been in Beaufort for weeks, ironically stranded not by the US Navy but by the unwillingness of Confederates to load cotton onto the ship because of an unofficial cotton embargo.[598] Their very presence for such a prolonged time presented a legal argument for forcing the Union man-of-war to formally redeclare the blockade and give them the 15-day leeway to leave the port unharmed.

British Charleston Consul Bunch and his subordinate, Vice-Consul H. Pinckney Walker, were actively involved on behalf of the *Alliance* and *Gondar*. On 20 September, a boat under the flag of truce, this time with Vice-Consul Walker on board, left the port to communicate with USS *Albatross*, which had joined the *Susquehanna*. Walker presented the same claims about the lack of an effective blockade, along with port documents showing that the two British-flagged merchant ships carried no weapons or other contraband of war to the Confederacy (carrying contraband would make them liable for seizure by the US Navy regardless of the effectiveness of the blockade).[599] Consul Bunch instructed Walker to "claim in my name that the vessels be allowed to depart".[600] Commander Prentiss of the *Albatross* found himself in a tricky legal situation, and forwarded the claims to Commodore Stringham, adding that "I thought it more prudent to decline giving a decided answer to this demand, but

[593] Seward to Lord Lyons, 30 July 1861, Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*, 37.
[594] Lord Lyons to Seward, 29 July 1861, ibid., 35.
[595] DuPont to Mrs DuPont, 17 September 1861, in Hayes, ed., *Samuel Francis Du Pont, Vol. 1*, 148-49.
[596] Welles to Stringham, 10 August 1861, *ORN, Vol. 6*, 71-72; Welles to Stringham, 19 August 1861, ibid., 93-94; Welles to Stringham, 23 August 1861, ibid., 110.
[597] Hickley to Stringham, 15 August 1861, *ORN, Vol. 6*, 85; Hewett to Stringham, 7 September 1861, ibid., 184-85.
[598] Bell to Walker, 25 September 1861, MLN/115/2, Milne MSS, NMM; Watts, "Phantoms of Anglo-Confederate Commerce", 93-94.
[599] Walker to Bunch, 21 September 1861, MLN/115/2, Milne MSS, NMM; Prentiss to Goldsborough, 30 September 1861, ORN, vol. 6, 269-70.
[600] Bunch to Walker, 19 September 1861, MLN/115/2, Milne MSS, NMM.

I shall capture them if they attempt to pass".[601] Meanwhile, the *Susquehanna* was relieved by USS *Cambridge* and HMS *Rinaldo* reappeared off Beaufort. The British warship was itself visited by Walker, who delivered despatches from Bunch.[602] In a private letter to Lord Lyons, Admiral Milne later quoted Commander Hewett's description of their contents, "[Bunch] is prepared to take the responsibility of advising the use of force".[603] Taking responsibility would take some of the blame of any escalation from the British commander if he chose to follow Bunch's lead. Hewett was, however, not willing to do anything so drastic as to extend protection to the *Alliance* and *Gondar* to leave Beaufort. He met with the US naval officers off Beaufort and was well aware that in doing so he could come to blows with the *Albatross* and *Cambridge*, very much out of step with Milne's instructions.[604] Hewett did agree to deliver Bunch's despatches to Lord Lyons and Earl Russell to New York to be forwarded, potentially bringing to the affair to level of high diplomacy.[605] Though this episode did not escalate, it represented a local consular initiative, outside the direct control of London, that potentially put British and Union warships on a collision course. Moreover, on the face of it, Bunch's position on the *Alliance* and *Gondar* case had a reasonable legal point, as the British-flagged merchant ships had entered Beaufort passing through a section of coast that did not meet even the loosest definition of being effectively blockaded.

Whatever the merits of Consul Bunch's views on the blockade, for both decision-makers in London and Admiral Milne and Lord Lyons in North America this localism was dangerous, adding another level of tension to already strained relations with the Washington government. It greatly annoyed Milne, who complained to Lord Lyons by private letter that it was not the business of consuls to "advise the use of Force", though he trusted the minister enough not to make an "official representation" to the Admiralty.[606] Milne added that he had just received confidential instructions from the Admiralty "on no account to allow any Act to be committed which might involve the two countries in war."[607] Lord Lyons did not defend the action, only stating the previously Bunch had been "discreet" in such matters.[608] The situation

[601] Prentiss to Goldsborough, 30 September 1861, ORN, vol. 6, 269-70.
[602] Hewett to Milne, 1 October 1861, MLN/115/2, Milne MSS, NMM.
[603] Milne to Lord Lyons, 14 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 457-58.
[604] Hewett to Milne, 1 October 1861, MLN/115/2, Milne MSS, NMM; "Instructions for the guidance of cruisers employed on the Coasts of America for the Protection of British Commerce", 30 May 1861, MLN/120, Milne MSS, NMM.
[605] Hewett to Milne, 1 October 1861, MLN/115/2, Milne MSS, NMM.
[606] Milne to Lord Lyons, 14 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 457-58.
[607] ibid.
[608] Lord Lyons to Milne, 28 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 481-2.

was potentially embarrassing, as American newspapers reported the British-flagged merchant vessels' Confederate ownership.[609] This would make the ships not neutral and liable to seizure regardless of the effectiveness of the blockade, thus nullifying the position that Bunch supported. On 12 November, after orders from the Admiralty, Milne amended his confidential instructions to cruisers on the American coast, forbidding them from informing US officers in writing about the state of the Union blockade, thus limiting access to the record of the officer's official evaluation of the US Navy's effectiveness.[610] Bunch's despatch detailing the *Alliance* and *Gondar* case reached Earl Russell on 21 October, asking further if he had the right to advise British merchantmen to enter ports not actually blockaded.[611] The Foreign Secretary felt the situation serious enough to appeal for the opinion of the Queen's Advocate.[612] The advocate found that Consul Bunch had seriously over-stepped his role, not only by appealing for the protection of the Royal Navy, but by declaring the blockade broken on his own accord. If Russell was unhappy with the opinion, he did not show it, though it in effect mooted the Foreign Office's earlier instructions to consuls in the American South to report on the blockade.[613] As Russell related in a subsequent despatch to Lord Lyons, it was not for Bunch to indulge in "speculations".[614] Moreover, the consul's land-based observations could not be relied upon as "a port may often be effectually blockaded, although the blockading force is altogether out of sight or is even supposed by those at the port to be absent", showing that the Foreign Minister was well aware of the inherent limitations of consular observation.[615] He instructed Lord Lyons to inform Bunch of his mistakes. Thus, the *Alliance* and *Gondar* affair resulted in new rules for British consuls and commanding naval officers meant to constrain local initiative from sparking conflict. As Russell's despatch shows, when it came to the blockade, the British cabinet did not put much weight on the views of their own consuls in November 1861, months before Parliament debated the legality of the Union blockade.

The *Alliance* and *Gondar* affair also demonstrates the willingness of Admiral Milne to limit and curate the information sent to the Admiralty and cabinet (and by extension the public) about inflammatory incidents on the spot, instead preferring to work things out with Lord Lyons

[609] Milne to Admiralty Secretary, No. 509, 11 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 448.
[610] "Supplemental Instructions for Cruisers employed on the Coast of America", 12 November 1861, MLN/120, Milne MSS, NMM.
[611] Bunch to Russell, 14 September, No. 108, FO 5/781, TNA, fos. 277-79.
[612] Margins, Ibid.
[613] Murray to Her Majesty's Consuls in North America, 13 June 1861, Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*, 8.
[614] Russell to Lord Lyons, 8 November 1861, No. 402, FO 5/757, TNA.
[615] ibid.

in the Western Hemisphere. Commander Hewett's report on the incident was not included the admiral's despatch to England and is thus extant in neither the Admiralty nor Foreign Office records at Kew.[616] However, the original was kept in Milne's personal papers now in the National Maritime Museum.[617] The admiral explained himself simply: "As the cases of the *Alliance* and *Gondar* are probably being dealt with by Her Majesty's Minister, I do not deem it necessary to trouble their Lordships with the voluminous correspondence which Commander Hewett forwarded to me."[618] Though British commanding officers employed in observing the blockade reported directly to the Admiralty on the nature of what they saw, they did not go into detail. Commander Hewett's despatch from 10 September 1861 makes no mention of the communications with the master of the *Alliance* – it simply transmits a copy of the British officer's letter to Commodore Stringham deploring the lack of US warships off North Carolina.[619] Though this was of course forwarded to the Foreign Office, there is no evidence that Earl Russell made the connection between Hewett's protest and the case of the *Alliance* and *Gondar* – he certainly did not mention it in his despatch to Lord Lyons denouncing Consul Bunch's actions.[620] From the agents of his own ministry, the Foreign Secretary only received Bunch's own report – Lord Lyons, whom Commander Hewett informed of his protest to the US Commodore directly in relation to the *Alliance* and *Gondar* affair, does not appear to have reported officially on the affair at all. The Foreign Office refrained from putting any of its already limited reports related to the two seized merchant ships into the edition of correspondence related to the Union blockade published in February 1862.[621] Largely kept out of the public record, the significance of this illustrative case was also mostly missed by historians. Eugene Berwanger has noted that this incident caused Lord Lyons to have a low opinion of Vice-Consul Walker but does not explore its potential to escalate into an armed conflict.[622] Thus, the omissions of Lord Lyons and Milne left the Foreign Secretary and, by extension, the opinion of the Queen's Advocate, somewhat uninformed, and the public completely in the dark.

It seems likely that Milne refrained from sending the full report on the case of the *Alliance* and *Gondar* because he was well aware that it could be made public and give support

[616] Milne to Admiralty Secretary, No. 516, 15 October 1861, MLN/104/3, Milne MSS, NMM, fos. 207-8.
[617] Hewett to Milne, 1 October 1861, MLN/115/2, Milne MSS, NMM.
[618] Milne to Admiralty Secretary, No. 516, 15 October 1861, MLN/104/3, Milne MSS, NMM, fos. 207-8.
[619] Hewett to Admiralty Secretary, 12 September 1861, ADM 1/5763.
[620] Russell to Lord Lyons, 8 November 1861, No. 402, FO 5/757, TNA.
[621] Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*.
[622] Berwanger, *British Foreign Service,* 82-83.

to more aggressive actions by his naval station against the Union blockade. Lord Lyons, on the other hand, seems to have refrained from informing Earl Russell primarily to shield Bunch from censure, whose consular abilities overall he admired.[623] Whatever the legality of the blockade, asking HMS *Rinaldo* to use force was a clear breach. Lord Lyons directly asked Milne, in a private and confidential letter, not to pursue this case on 24 November: "It might be almost ruin to Mr Bunch if it came before the Foreign Office at this moment".[624] This incident came at the same time as the Bunch Affair, which involved the interception of British consular despatches on a courier with Confederate sympathies described in Chapter I. The admiral had already refrained from sending Hewett's full report on 16 October, and therefore this could not be the reasoning behind Milne's actions.[625] The admiral did mention the *Alliance* and *Gondar* Affair and his fear of the actions of British consuls in passing in a private letter to Sir Frederick Grey on 17 October but did not go into detail.[626] Milne likely thought that the case should be solved on his side of the Atlantic, away from public controversy. Lord Lyons forwarded to Milne his private correspondence with Bunch, where he put the consul in his place.[627] Milne similarly had previously refrained from forwarding reports of British sailors from caught blockade-runners put in irons by Union prize crews.[628] Though the admiral thought that such mistreatment was a travesty, he feared overheated public reaction in England.[629] He instead transmitted the reports to Lord Lyons and directly informed the minister that he was not escalating the cases for now, as Milne believed that Lord Lyons would succeed in pushing the Washington government to end the practice.[630] Indeed, on 19 December Navy Secretary Gideon Welles sent out a memo to avoid the practice.[631] In the case of the *Alliance* and *Gondar*, the admiral similarly accomplished his goals, with Lord Lyons redressing Consul Bunch in North America and the incendiary information from the controversy not reaching England in full.

If the *Alliance* and *Gondar* did not reach the European public, the debate over the effectiveness and thus legality of the Union blockade continued, culminating in a rancorous Parliamentary debate in early March 1862. Earl Russell's 15 February despatch to Lord Lyons

[623] Ibid, 17, 39; Dickey, *Our Man in Charleston*,
[624] Lord Lyons to Milne, 24 November 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 508-9.
[625] Milne to Admiralty Secretary, N. 516, 15 October 1861, MLN/104/3, Milne MSS, NMM, fos. 207-8.
[626] Milne to Grey, 17 October 1861, MLN/116/2/1, Milne MSS, NMM.
[627] Lord Lyons to Milne, 24 November 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 508-9.
[628] Milne to Lord Lyons, 7 December 1861, MLN/105/2, Milne MSS, NMM.
[629] Ibid.
[630] Ibid.
[631] Welles to DuPont, 19 December 1861, *ORN, Vol. 12*, 407-9.

officially recognizing the Union blockade of Charleston and Wilmington as effective and therefore legal.[632] The focus on the two deepwater Confederate ports was likely a means of shifting the debate away from smaller, less well blockaded areas. However, the debate that ensued focused on the Union blockade as a whole. The *Times* found that the published correspondence was "to the general effect that the blockade maintained by the Federal fleet is not effective" and objected to Earl Russell's conclusions.[633] In the Commons on 7 March, William Gregory belittled the Foreign Secretary's message to the minister to Washington as "one of the most astounding letters [he] ever read" and disparaged the blockade as a "delusion", moving to request yet more information from the government.[634] The pro-Confederate MP hoped to embarrass the Palmerston Ministry for officially not recognizing the blockade. Similarly, in the House of Lords, Lord Campbell made a similar motion in a few days.[635] Pro-Confederate MPs and peers relied primarily on published consular despatches and, in particular, on Consul Bunch's reports from Charleston. As Sir James Ferguson declared: "Now, if the reports by the British Consuls were good for anything, they must be taken as conclusive on the question of the effectiveness or ineffectiveness of the blockade."[636] William Lindsay claimed consuls were "impartial witnesses", and Lord Campbell maintained that Bunch "had no motive for leaning one way or the other, although the Northern Government have now deprived him of his office by taking away his exequatur."[637] The most difficult argument for the Palmerston Government to refute was made by Gregory: "Here is our own Consul—the very official to whom, in full confidence in his integrity and veracity, Lord Russell applied for information" – and yet the Government had overridden consul's conclusions.[638] Thus, the Government had to, in effect, repudiate the reports that it had solicited.

If representatives of Palmerston's Cabinet could not directly disparage the reports of British consuls, they nevertheless pointed out the limited means of observation available to a consulate and promoted counter narratives of the success of the Union Navy's effort from the despatches of British naval officers. Earl Russell admitted that reports, particularly those of Bunch, "induced me to consider the whole of this question with a view to deciding what the

[632] 28 February 1862, *Times* (London).
[633] Ibid.
[634] 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*. Vol 165, col. 1159-1181.
[635] 'Motion For Correspondence', 10 March 1862, *Hansard HL Deb*. Vol 165, col. 1233-1243.
[636] 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*. Vol 165, col. 1198.
[637] 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*. Vol 165, col. 1206; 'Motion For Correspondence', 10 March 1862, *Hansard HL Deb*. Vol 165, col. 1235.
[638] 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*. Vol 165, col. 1174.

course of the Government should be".[639] However, he considered them exaggerated, describing mostly small vessels on coastal voyages.[640] Solicitor General Roundell Palmer was more circumspect, describing Bunch as "a very effective Consul". However, the solicitor general noted that the consul "reported what he had heard from a distance, and what had been reported to him through a medium that may have been interested in taking a particular view of the matter".[641] Though Palmer admitted that the Charleston consul had made an "extraordinary statement" that the US Navy was allowing Confederate steamers out of the port, "we have the testimony of the officers of our own cruisers as to the effectiveness of the blockade at Charleston during the long period to which their reports refer".[642] Thus, naval despatches made the veracity of Bunch's claims at least ambiguous. In both houses of Parliament, Confederate partisans lost the argument.[643] Howard Jones and Joseph Fry have focused on the ability of the pro-Union MP William Forster to demonstrate the misleading nature of Confederate port records and the growing effectiveness of the federal fleet.[644] Cabinet members, including Earl Russell, echoed these points, also adding that they had received no official French representation on the question.[645] However, scholars have missed the fact that the Palmerston Government also had to argue against its own consuls, a tricker endeavour than reframing the statistics provided by Confederate Envoy James Mason (also partially included in the published *Papers*).[646]

The representatives of the cabinet had carefully prepared to win this argument. In particular, the solicitor general's arguments against a consul's very ability to judge the effectiveness of a blockade were first formulated in the response to the case of the *Alliance* and *Gondar*. Ironically, as the debate revolved largely around the published correspondence, and as the Foreign Office refrained from publishing any documents regarding that case, it was entirely absent from the parliamentary debates.[647] This was a crucial moment in the American Civil War, as a major vector for foreign intervention ceased to be viable and the Union Navy

[639] 'Motion For Correspondence', 10 March 1862, *Hansard HL Deb*. Vol 165, col. 1239.
[640] ibid.
[641] 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*. Vol 165, col. 1220.
[642] ibid.
[643] ibid.
[644] Jones, *Blue and Gray Diplomacy*, 118-19; Fry, *Lincoln, Seward and US Foreign Relations*, 84-85.
[645] 'Motion For Correspondence', 10 March 1862, *Hansard HL Deb*. Vol 165, col. 1239.
[646] Mason to Russell, 17 February 1862, Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*, 118-126.
[647] Foreign Office. *Papers Relating to the Blockade of the Ports of the Confederate States*; 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*. Vol 165, col. 1159-1230; 'Motion For Correspondence', 10 March 1862, *Hansard HL Deb*. Vol 165, col. 1233-1243.

could freely engage in its blockading strategy. This recognition of a loose definition of an effective blockade also created a welcome precedent for British naval power. Yet, the decision of the British Government to recognize the blockade was not a diplomatic coup made by US diplomats in London. Published naval despatches, curated from North America by Admiral Milne and by the Foreign Office before being made available to the public, provided evidence that the blockade, particularly around Charleston, was not nearly as porous as British consuls, Confederate agents, and the *Times* claimed. The counternarrative supplied by the naval despatches allowed the British cabinet to defend its recognition of the Union blockade.

Section 3: The French Foreign Ministry's Push Against the Union Blockade

The British Government's unilateral recognition of the Union blockade seems to have caught the Government of Napoleon III off guard, taking joint Anglo-French action against the US Navy to open Confederate ports to commerce off the table. Stève Sainlaude has argued that the French government's interpretation of the definition of a blockade was stricter than that of the Palmerston Ministry, leading to a different outlook on intervention in the American conflict at this stage.[648] French diplomats had worked diligently to get the United Kingdom to accept the legal condition of effectiveness for blockades written into international law in the 1856 Paris Declaration (though this did not bind the United States, a non-signatory).[649] Indeed, the emperor himself made a show of disappointment with Britain during his interview with Confederate Commissioner to France John Slidell.[650] Many historians have characterised the French reaction to the position of the Palmerston Cabinet as disgruntled acceptance, the French Navy just not being powerful enough to break the Union blockade on its own.[651] Though this may have been true for Napoleon III's Government as a whole, Navy Minister Chasseloup-Laubat's actions suggest that he was not particularly irritated by the decision of the British Parliament. None of the navy minister's instructions to Reynaud from the first half of 1862 discuss the effectiveness of the Union naval effort.[652] Off the American coast, blockade observation missions for both the French and British navies ended with official British recognition of the blockade.[653] Thus, the French Navy had *de facto* accepted the position of the

[648] Sainlaude, *France and the American Civil War*, 13-27.
[649] Abbenhuis, Age of Neutrals, 87-95.
[650] Drew, *The Law of Maritime Blockade*, 43-44.
[651] Sainlaude, *France and the American Civil War*, 13-27; Jones, *Blue and Gray Diplomacy*, 118-19.
[652] BB4 812, SHD/Marine.
[653] Courtemanche, *No Need of Glory*, 17.

Palmerston Government, likely for reasons similar to those of naval officers: a looser interpretation of blockading was useful for the Imperial Navy as a service.

In the Foreign Ministry, Thouvenel did not meekly recognise British arguments for the legality of the Union blockade, as the British position served to undermine the relatively strict definition of an effective blockade from the 1856 Paris Declaration. During the Crimean War (1853-56), Great Britain had officially accepted the principle of an effective blockade as a "concession" to facilitate work with the French Navy, and the signing of the Paris Declaration by Britain at the end of the war was a major achievement of French foreign policy.[654] Theoretically, this treaty put legal bounds on the actions of a blockading navy, including the Royal Navy, to provide "a force sufficient really to prevent access to the coast of the enemy".[655] However, the British Solicitor General declared in Parliament that the Union blockade was not only effective but in line with the Paris Declaration.[656] This act set up the US Navy's endeavour in the American Civil War as a precedent in international law, to be referred to by jurists in disputes over future blockades. Indeed, the French Foreign Ministry had previously curtailed the *Marine* to conform to the 1856 regulations. During the 1859 Franco-Austrian War, the French naval force of the Austrian littoral was limited to blockading the port of Venice by the government in Paris.[657] However, Admiral Jurien, commanding the French fleet in the Adriatic, who would later command French forces in Mexico, felt that the geography of Venice made it impossible to achieve an effective blockade, which led him to clash with the foreign ministry when he tried to extend it.[658] Not surprisingly, the foreign ministry moved to undo the British precedent.

Thouvenel's immediate reaction to receiving the news of British recognition of the Union blockade was to quietly solicit information to undermine the British position. A copy of Earl Russell's 15 February despatch to Lord Lyons had been sent to Paris, and likely influenced the Foreign Minister's 27 February instructions to Mercier.[659] In this despatch, Thouvenel complained about the lack of solid evidence on the effectiveness of the blockade: "long lists of vessels entering and leaving blocked ports have been published, but these lists indicate neither

[654] Drew, *The Law of Maritime Blockade*, 43-44.
[655] Ibid.
[656] 'United States—Blockade Of The Southern Ports', 7 March 1862, *Hansard HC Deb*. Vol 165, col. 1213.
[657] Battesti, *Marine de Napoleon III*, *tome 2*, 805.
[658] Ibid.
[659] The margins of the draft of the despatch to Washington indicate that a copy was sent to Paris. Russell to Lord Lyons, No. 71, 15 February 1862, FO 5/817, TNA, fo. 190.
Thouvenel to Mercier, 27 February 1862, No. 6, 39CP/126, AMAE, La Courneuve, fos. 188-91.

the size of the ships nor their tonnage".[660] He asked the diplomat to gather further information on the blockade. Yet, French consuls and Mercier himself had been reporting on the state of the blockade from its proclamation by President Lincoln, without any direct prompting from the foreign minister, as had of course French naval commanders. Therefore, it is likely that Thouvenel was interested in not so much more data, as in intelligence that could be used to challenge the Palmerston Cabinet's official view of the blockade, as well as the reports coming from French naval officers. Mercier seems to have taken the hint. He noted in his response that though naval officers "agree to recognise that the blockade has been real", they were not the best placed to come to conclusions.[661] He further argued that the officers' reports "are rather incomplete and necessarily relate only to the periods of their travels, which were infrequent during the bad season."[662] Instead, the minister to Washington urged his superior to rely on consular reports on the effectiveness of the blockade, in effect putting the argument of Palmerston's Ministry in Parliament on its head. With Mercier's position undermining the reliability of naval officers' evaluations in the official record, Thouvenel could build a case to use to justify intervention if he chose to do so.

In April, the three French consuls in Confederate-controlled territory sent out reports undermining the position of naval officers as to the effectiveness of the blockade, ironically by way of British and French warships off Charleston and Norfolk. On 29 March, Mercier had written a circular to consuls to report on the blockade and send their reports directly to Paris.[663] In Charleston, Consul de St. André warned of a famine coming to the South, not because of the blockade, but because there some big shippers were profiting from the high prices: "The presence of American [Union] cruisers on the coast does not stop ships from entering or leaving, but one or two houses have monopolised this commerce".[664] From New Orleans, Consul Méjan sent a list of blockade-runners that made it into Louisiana.[665] Consul Alfred Paul in Richmond was the only French consul who had occasionally called the blockade effective in his previous despatches. On 6 September 1861, he sent a list of successful blockade runners

[660] « Il a été publié de longues listes de navires qui arrivaient à entrer dans les ports bloqués ou en sortir ; mais ces listes n'indiquent ni l'importance des navires, ni leur tonnage », ibid.
[661] « sont d'accord pour reconnaître que le blocus était réel. » Mercier to Thouvenel, 25 March 1862, No. 92, 39CP/126, AMAE, La Courneuve, fos. 265-80.
[662] « sont assez incomplets et ne se rapportent nécessairement qu'aux époques de leurs voyages qui ont été peu fréquents pendant la mauvaise saison », ibid.
[663] Mercier to Méjan, 29 March 1862, 340PO/A/155, AMAE, Nantes.
[664] « La présence des croiseurs américains sur la côte n'empêche pas les bâtiments d'entrer ou de sortir mais une ou deux maisons ont monopolisé ce commerce », de St André to Thouvenel, 6 April 1862, No. 20, 77CCC/7, AMAE, La Courneuve.
[665] Mejan to Thouvenel, 20 April 1862, No. 49, 16CPC/11, AMAE, La Courneuve.

to Navy Minister Chasseloup-Laubat, claiming that the documents showed that "the blockade is far from effective".[666] However, on 22 January 1862 he penned a report to Thouvenel after meeting Captain de Montaignac on his visit to the South, echoing the naval officer's points. There were not enough staple products, nor did the Confederacy have resources to build an effective navy: "the blockade is stifling".[667] However, in April, writing when Mercier himself was in Richmond, Paul changed tune, claiming that "the blockade seems to be not to be legally effective" because there was still commerce with the outside world.[668] The only reason for shortages in the South was the fact the mere declaration of a blockade increased insurance rates and scared away cautious shippers. Thus, Thouvenel now had a consistent body of evidence from consuls (that he himself had solicited) of the illegal ineffectiveness of the blockade. Though historians have argued that Foreign Minister Thouvenel's arguments for caution served to dissuade Napoleon III from intervention in the American Civil War during his tenure and even that he manipulated the emperor's communications with agents in London, he nevertheless collected documentation that would support such a move.[669] Indeed, in July 1862, Thouvenel wrote privately to Mercier that he thought it was not the right moment for the involvement of European powers in the American conflict because the Union was not weakened enough militarily and morally to easily be pressed to stop the war, but he nevertheless thought that the time for such a move would come.[670] Notably, the foreign minister does not seem to have officially communicated his findings with the navy ministry or solicited its advice.[671] Thus, the information that Thouvenel collected was aimed to circumvent the reports of French naval officers.

In the same month that the legality of the Union blockade was debated in Parliament, USS *Portsmouth* began to enforce a *de facto* blockade of the Mexican port of Matamoros, thus beginning the process of spreading the blockade beyond American waters.[672] In the antebellum period, merchant traffic was shared by the border towns of Matamoros and Brownsville, on opposite sides the of the Rio Grande River and a few miles from its mouth.[673] With the start of

[666] « le blocus est loin d'être effectif. » Paul to Chasseloup-Laubat, 6 September 1861, BB4/798, SHD/Marine.
[667] « Le blocus étouffe », Paul to Thouvenel, 22 January 1862, No. 287, 266CCC/5, AMAE, La Courneuve.
[668] « Le Blocus semble ne pas être effectif légalement. », Paul to Thouvenel, 15 April 1862, No. 56, 16CPC/12, AMAE, La Courneuve.
[669] Sainlaude, *France and the American Civil War*, 28-59.
[670] Thouvenel to Mercier, 24 July 1862, in *Secret de L'Empereur*, *tome 2*, ed. L. Thouvenel, 348-50.
[671] There are no letters from the Foreign Ministry to the Navy Ministry on this topic in the Navy's *Dossier neutralité, tome 1*, *Guerre de Sécession / Questions générales*, BB4/1345, SHD/Marine; Nor are there any such queries in the Foreign Ministry's *Droit Maritime, 1862-64*, 29ADP/6/45, AMAE, La Courneuve.
[672] Bernath, *Squall Across the Atlantic*, 34-61.
[673] Daddysman, *The Matamoros Trade*, 19-25.

the war, trade between Matamoros and other neutral ports became more difficult, as the deeper American side of the mouth was technically under blockade and thus risky to enter.[674] Nevertheless, with Texan cotton on sale, the once sleepy Mexican port began to attract merchant ships from many countries, unlike the risky and British dominated business of blockade running directly to Confederate-held ports.[675] These vessels were forced to anchor in the unstable waters near the mouth of the Rio Grande and rely on small steamboats to move goods in and out of Matamoros.[676] For example, a report from the Italian brig *Mexico*, sent to the French vice-consul for official verification, stated that the vessel had been in and out of the anchorage for months and described a collision in the tempestuous sea: "we saw a large Vessel that was coming askew towards our bow, we hastily moved to the cables and at the last moment, seeing the impossibility of evading a collision and suffering grave damages, possibly even the total loss of the Ship and cargo, and of our lives, in a unanimous decision we slipped our cables and made sail".[677] Commander Swartwout of USS *Portsmouth*, arriving in early February 1862 off the Rio Grande to enforce the blockade of Texas, found this situation unacceptable and began to board the anchored vessels, searching for cotton.[678] He seized the British steamer *Labuan*, impeded the path of the steamboats plying between Matamoros and the mouth of the river, and proclaimed that he would only let merchantmen leave if they had a consular certificate proving that they were only taking on Mexican goods.[679] In effect, the commander had taken over sovereign Mexican rights of controlling ingress and egress from the port, setting off a series of controversies over the practice of blockading neutral territory.

The actions of Commander Swartwout were brazen enough to cause a strong reaction from Britain and France. News of the Union naval officer's actions did not get out for many weeks because the *Portsmouth* refused to let out vessels without a certificate and the city of Matamoros was held by a rebel group at war with the rest of the State of Tamaulipas, closing

[674] ibid.
[675] For example, a letter from consignees for a Danish brig coming from Hamburg to Captain Tatham of HMS *Pheaton* notes the presence of vessels from Denmark, Mecklenburg, and other Mexican ports, Droaze & Actling to Tatham, 19 March 1862, ADM128/58, TNA, fos. 225-28.
[676] Daddysman, *The Matamoros Trade*, 29-34; de Jonquières to Jurien, 28 March 1862, 76CP/57, AMAE, La Courneuve.
[677] "vidimo [vedemmo] una grande Barca che ci veniva di traverso sulla propra, ci preparammo subito sulle catene ed in ultimo visto l'impossibilità d'evitare un'abbordaggio e fare gravissimi danni e forse una perdita totale del Bastimento e carico, e della nostra vita, d'unanime consenso mol[l]amo le catene e fecimo [facemmo] vela" Galliano et al. to de Bruzon, Affaires maritimes, 419PO/1/4, AMAE, Nantes.
[678] Swartwout to McKean, 3 February 1862, *ORN, Vol. 17*, 101-2.
[679] Ibid.

communications by land.[680] French merchants in Havana were worried enough to petition the consul-general for more information and protection.[681] Finally, a British merchantman left Matamoros for Havana in ballast, which allowed its shipmaster to obtain a certificate.[682] The British and French consul-generals complained loudly to their capitals, naval authorities, and diplomats in Washington.[683] French Consul-General des Essards was particularly worried about the French steamer *Tage*, which was due to sail to Matamoros to receive a large cargo of cotton.[684] Possibly unbeknownst to him, the merchantman was carrying cloth for the Confederate army, the payment for which would end up stored in the French consulate in New Orleans.[685] The British government had a clear grievance with the British vessel *Labuan* captured in Mexican waters, and Earl Russell sent Lord Lyons a scathing despatch to give to Seward.[686] Through the Admiralty, the foreign secretary instructed Milne to send "a respectable British Force in the neighbourhood".[687] Nevertheless, the foreign secretary, quoting directly from the opinion of the Queen's Counsel, noted "unless however in the clearest & most flagrant case of violation of the Neutral Waters of Mexico by U.S. cruizers, we cannot recommend the resort to force by HM Ships to prevent captures".[688] Instead, he urged naval commanding officers to try to come up with an "understanding" with US officers on the spot and only then to bring their grievances to Lord Lyons. The Admiralty stressed this point, instructing Milne "to order the Senior Officer of HM Ships off the Rio Grande to endeavour to come to an understanding with the Senior Officer of the United States Navy on the Station" – that is to come up with a local solution on the spot. Privately, the Duke of Somerset, First Naval Lord warned Milne: "You must be careful in selecting prudent officers to carry out these instructions".[689] This showed a trust in the admiral's ability to choose "prudent officers" to solve the question of captures in Mexican waters from the quarterdeck. Historians James Daddysman and Stuart Bernath have rightly pointed out that the British side sought to come up

[680] Blacker to Crawford, 9 February 1862, No. 2, ADM128/58, TNA, fos. 247-53; de Jonquières to Jurien, 28 March 1862, 76CP/57, AMAE, La Courneuve.
[681] Des Essards to Thouvenel, 27 February 1862, No. 6, 152CCC/18, AMAE, La Courneuve.
[682] Crawford to Dunlop, 1 March 1862, ADM128/58, TNA, fo. 159-161.
[683] Crawford to Lord Lyons, 28 February 1862, fos. 155-57; Crawford to Russell, 1 March 1862, fos. 159-61; Crawford to Milne, 12 March, 1862, fos. 163-64, ADM128/58, TNA; des Essards to Thouvenel, 5 March 1862, No. 7, 152CCC/18, AMAE, La Courneuve.
[684] des Essards to Thouvenel, 5 March 1862, No. 7, 152CCC/18, AMAE, La Courneuve.
[685] See Chapter IV.
[686] Russell to Lord Lyons, No. 143, 28 March 1862, ADM128/58, TNA, fos. 11-26.
[687] Russell to Admiralty Secretary, 4 April 1862, ADM128/58, TNA, fos. 121-25.
[688] ibid.
[689] Somerset to Milne, 29 March 1862, MLN/116/1C, Milne MSS, NMM.

with a diplomatic solution to the *Labuan* crisis off the Rio Grande.[690] However, the British position was more nuanced, as the orders precluded the creation of a formal diplomatic settlement. By instructing Milne to find an "understanding" between naval officers on the spot, the British government also likely sought to prevent the establishment of a precedent that set out *de facto* international rules for blockades made by diplomats that could potentially curtail the Royal Navy's own actions in the future.

On the contrary, though France was not the wounded party in the *Labuan* Affair, the French foreign minister used a minor pretext to attach a French protest to the British one, likely to establish just such a precedent in international law regarding the rules of blockade. Thouvenel instructed Mercier to protest USS *Portsmouth*'s use of the French flag as a ruse to capture the British merchantman, a small point mentioned by the consul-generals.[691] Though technically illegal, this measure was not entirely uncommon, with CSS *Sumter* employing various flags to capture and burn US merchantmen on multiple occasions.[692] Similarly, USS *Iroquois* first raised the Danish flag when it encountered the *Sumter* in the French colony of Martinique without a similar demarche.[693] Indeed, US Commander Lee of USS *Vandalia* positively referred to the established nature of the use of a *ruse de guerre* by British officers during the Napoleonic Wars during his encounter with HMS *Steady*.[694] Therefore, it is likely that Thouvenel sought to not so much to protect the prestige of the French flag as much as the grey trade route to Texas and, no less importantly, to add this incident to a potential dossier condemning Union blockade practices. However, the US secretary of state sidestepped the question, by pointing out that he was already working on satisfying the British demarche, adding that the issue would soon be redressed.[695] To Lord Lyons, Seward did not defend the *Portsmouth* strongly, only insisting on a court trial of the *Labuan* as prize; the British steamer was duly freed.[696] Seward also pressed the Navy Department to issue a circular against taking prizes in neutral territory, of which he informed the British diplomat unofficially.[697] Thus, in

[690] Daddysman, *The Matamoros Trade*, 161-63; Bernath, *Squall Across the Atlantic*, 39.
[691] Thouvenel to Mercier, 2 April 1862, No. 11, 39CP/127, AMAE, La Courneuve, fos. 4-8; des Essards to Thouvenel, 5 March 1862, No. 7, 152CCC/18, AMAE, La Courneuve; Crawford to Lord Lyons, 28 February 1862, ADM128/58, TNA, fos. 159-61.
[692] For example, in December 1861, CSS *Sumter* showed French colours to a US merchantman before boarding and burning it. Semmes Diary, 3 December 1861, *ORN, Vol. 1*, 727.
[693] *Abstract of log of U. S. steam sloop Iroquois, Commander J. S. Palmer, November 14-25, 1861*, 14 November 1861, *ORN, Vol. 1*, 214.
[694] See Chapter I.
[695] Mercier to Thouvenel, 6 May 1862, No. 98, 39CP/127, AMAE, La Courneuve, fos. 85-105.
[696] Seward to Lord Lyons, 3 March 1862, ADM128/58, TNA, fos. 49-50.
[697] Seward to Lord Lyons, 13 November[sic: March] 1862, ADM128/58, TNA, fos. 113-15.

Washington, the Union repudiated Swartwout's actions under strong British pressure with French support. However, as the note to Lord Lyons was delivered unofficially and thus did not enter the into the records of international law, no precedent was created.

The response of the British *and* French Navies in Mexican waters was more measured than that of the French foreign ministry. As Matamoros was in Mexico, it fell under the immediate jurisdiction of British and French naval authorities taking part in the Tripartite Intervention, under British Commodore Dunlop and French Vice-Admiral Jurien.[698] Both officers also held the diplomatic rank of plenipotentiary commissioners to Mexico and received the news from Matamoros via Havana in Orizaba, an inland town where negotiations with the government of Mexican President Benito Juarez were taking place.[699] Still military allies at this point, Dunlop and Jurien coordinated their approaches, each sending a warship to Matamoros with orders to work together long before the Admiralty's instructions could get to Mexico.[700] The French admiral sent Commander Ernest de Jonquières of the corvette *Berthollet*, an officer whom he had already highly recommended to Paris for organising the provisioning of French forces in Mexico in Havana and who had previously served under Jurien when the admiral headed the French blockade of the Adriatic coast during the Franco-Austrian War of 1859.[701] Dunlop send Captain Edward Tatham commanding the frigate *Phaeton*, with whom he had served in the Baltic Campaign of the Crimean War (1853-56), during which the Royal Navy's blockade the Russian coast up the Memel River, which served as the border with Prussia, raised similar issues.[702] Indeed, Tatham mentioned his experience off the Memel River in a later report.[703] To facilitate their mission, Captain Levin Powell, commanding USS *Potomac*, stationed off Veracruz on a mission to protect US citizens during the operations of the Triple Alliance, gave the two naval officers letters of introduction to Commander Swartwout.[704] Thus, the French admiral and British commodore sent experienced officers to solve the issue together, much as the British and French Charleston consuls had worked "in concert" to get Confederate agreement to protections for neutral commerce in 1861.[705]

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[698] See Chapter II.
[699] Dunlop to Admiralty Secretary, No. 24, 2 April 1862, ADM128/58, TNA, fos. 167-72; Jurien to Thouvenel, 11 April 1862, No. 31, 76CP/57, AMAE, La Courneuve.
[700] Ibid.
[701] Jurien to Chasseloup-Laubat, 1 January 1862, No. 27, BB4/799, SHD/Marine; Battesti, *La marine de Napoléon III, tome 2*, 804-806.
[702] Edgar Anderson, "The Crimean War in the Baltic Area," *Journal of Baltic Studies*, Vol 5, no. 4 (Winter 1974), 339-61.
[703] Tatham to Lord Lyons, 26 June 1862, MLN/105/3, Milne MSS, NMM.
[704] Powell to Welles, 30 March 1862, ORN, vol. 1, 268-69.
[705] See Chapter I.

However, this initiative was not taken at the direction of Paris and London. In joining an attempt to find an understanding on the spot, before any protest from Europe could have reached Washington, Admiral Jurien was thus likely also aiming to avoid any complications that an agreement among diplomats in the American capital could have on his division. In this question, he had the same interests as the Royal Navy.

Off Matamoros, the British captain and French commander worked together to protect neutral rights in Mexican waters. Though James Daddysman has written that de Jonquières only protested to Swartwout after he searched the *Tage*, the British and French officers met right after arriving off the Rio Grande before presenting their claims to the American warship.[706] Though the claims were presented separately, they were part of a united strategy. Tatham and de Jonquières focused on the same questions, politely trying to push the Union commander to accept the sovereignty of Mexican territorial waters and neutral commerce between neutral ports.[707] Commander Swartwout decided to dodge the questions, forwarding the French and British questions to his commanding officer, Commodore David Farragut of the US Navy's West Gulf Blockading Squadron.[708] Indeed, agreeing to these points would have implicated the commander in breaking international law. Commander de Jonquières reported that Swartwout was in an agitated state and that the US commander argued that he had a right to extreme measures "in war time".[709] Despite his rash statements, Commander Swartwout quickly ended his practice of interfering with riverine steamers on the Rio Grande and requiring merchantmen to have a certificate to leave the anchorage.[710] He also apologized for boarding the *Tage*.[711] Soon, the *Portsmouth* left the area.[712] Tatham and de Jonquières did not succeed in getting Swartwout to agree with their interpretation of international law, but, for the time being at least, the *Tage* and the rest of the merchantmen in the area could freely load Confederate cotton. Historian Rodman Underwood has written that, because of the visit of the two warships, "blockade rules had been clarified".[713] Yet, there was in fact no informal "understanding". Controversies over the seizures of British merchantmen off the Rio Grande would erupt for the

[706] Daddysman, *The Matamoros Trade*, 162-63; de Jonquières to Jurien, 28 March 1862, 76CP/57, AMAE, La Courneuve.
[707] Ibid.; Tatham to Dunlop, undated, ADM128/58, TNA, fos. 255-57; Tatham to Swartwout, 18 March 1862, *ORN, Vol. 18*, 81-82; de Jonquières to Swartwout, 18 March 1862, *ORN, Vol. 18*, 83-85.
[708] Swartwout to Tatham, 18 March 1862, *ORN, Vol. 18*, 82; Swartwout to de Jonquières, 18 March 1862, *ORN, Vol. 18*, 85.
[709] « en temps de guerre » de Jonquières to Jurien, 28 March 1862, 76CP/57, AMAE, La Courneuve.
[710] Ibid.
[711] Ibid.
[712] Ibid.
[713] Underwood, *Waters of Discord*, 70.

next few years of the American Civil War.[714] However, no future US officer blatantly closed off trade to the Mexican port in the manner of Commander Swartwout.

Along with sending the *Phaeton* to Matamoros, Commodore Dunlop also wrote an official letter to US Flag-Officer Farragut.[715] Dunlop noted that he knew Farragut personally and found him in high esteem.[716] Though the letter was composed of a long list of grievances, it ended on a sympathetic note: "I am fully alive to the difficulties officers have to encounter in carrying out the onerous duties of a blockade, having myself experienced them, I am therefore, you may be assured, inclined to take a moderate and liberal view when any such vexatious questions unfortunately do occur".[717] This admission of "a moderate and liberal view" in a public letter was exceptional, as it could be interpreted as partisan. This is particularly surprising because British officers could expect some of their correspondence to be published for parliamentary enquiries, bringing their turn of phrase under public scrutiny. It is nonetheless revealing, coming from an officer who, as discussed in Chapter II, did not have a good opinion of the United States, and was strongly angered by the *Trent* Affair a few months previous. With the return of the *Phaeton* to Veracruz, Dunlop penned another letter to the US flag-officer, a draft of which he had shown to US Captain Powell.[718] This letter was even more accommodating, claiming to be satisfied that Commander Swartwout's declaration in his official letters not to harm the "legal commerce at Matamoras" with the US commander's previous actions "the only regret".[719] Jurien does not seem to have sent an analogous letter the American Flag-Officer, possibly due to the difficulty he experienced moving over 2,000 poorly provisioned troops, as opposed to Dunlop's several hundred marines, from the pestilent lowlands around Veracruz to the highlands around Orizaba.[720] He likely did not have the time. Nevertheless, "a moderate and liberal view" of blockades was a benefit to both navies in Mexico.

Indeed, with a relatively small land force in Mexico, the Tripartite Intervention relied on the threat of a blockade of Mexican ports to push the Juarez government to negotiate. The

[714] Daddysman, *The Matamoros Trade*, 161-78; Bernath, *Squall Across the Atlantic*, 47-62.
[715] 19 March 1862, Dunlop to Farragut, *ORN, Vol. 17*, 111-13.
[716] Ibid.
[717] Ibid.
[718] Powell to Welles, 30 March 1862, *ORN, Vol. 1*, 268-69.
[719] 1 April 1862, Dunlop to Farragut, *ORN, Vol. 17*, 113-14.
[720] The French "petite armée" only arrived at Orizaba on in early March, Jurien to Chasseloup-Laubat, 7 March 1862, BB4/799, SHD/Marine.

total Allied force in February numbered less than 10 thousand men.[721] However, reporting on 30 March off Veracruz, Captain Powell commanding USS *Potomac* counted sizable British and French squadrons, both of which included "several smaller vessels" suitable for establishing blockades.[722] In March, the British and French fleets based in the Pacific Ocean were also instructed to coordinate a blockade of some Mexican ports.[723] Relations between the British and Spanish commissioners, on one side, and the French commissioners, on the other side, in Mexico broke apart in mid-April due to French efforts to turn Mexico into a monarchy, leading to the withdrawal of British and Spanish troops and warships. However, in the previous months Commodore Dunlop felt that hostilities with the Juarez government were imminent and prepared for war, including maintaining a blockade – therefore, a loose interpretation of an "effective" blockade was in his interests.[724] When fighting did break out between French and Mexican forces as the rest of the Allies left, Admiral Jurien promptly proclaimed the blockade of the ports of Tampico and Alvarado on 18 April to foreign consuls and Mexican authorities. The text was laconic and open to interpretation: "That from the first of May 1862, a French naval force, sufficient to ensure an effective blockade, will be maintained in front of this port, for the entire duration of hostilities".[725] Thus, Jurien too was in a position to benefit from "a moderate and liberal view" view of blockades.

However, this blockade of Mexican ports was conterminous with the Union blockade of the Confederacy that Thouvenel was collecting information to undermine, and a loose French blockade would challenge his plans. On 18 April 1862, the admiral sent the blockade declaration as an attachment to despatches to both Thouvenel and Chasseloup-Laubat. On the margins, the navy minister wrote: "make the official blockade notification?"[726] The navy ministry received the report on 26 May, likely the same day as the foreign ministry, though it was not stamped.[727] Regardless, the navy minister transmitted the report to Thouvenel on 31 May (received 2 June), writing that the blockade was legal and should be put in *Le Moniteur*, the official newspaper of the empire.[728] This would make the blockade formal under

[721] Jurien to Chasseloup-Laubat, 10 February 1862, BB4/799, SHD/Marine.
[722] Powell to Welles, 30 March 1862, *ORN, Vol. 1*, 268-69.
[723] Chasseloup-Laubat to Jurien, 15 March 1862, BB4/812, SHD/Marine.
[724] Dunlop to Milne, 27 February 1862, MNL/105/3, Milne MSS, NMM.
[725] « Qu'à partir du premier Mai 1862, une force navale Française, suffisante pour assurer un blocus effectif, sera maintenue devant ce port, pour toute la durée des hostilités. » Jurien to Chasseloupe-Laubat, 13 April 1862, BB4/799, SHD/Marine.
[726] « faire la notification officielle du blocus ? » Jurien to Chasseloupe-Laubat, 13 April 1862, No. 81, BB4/799, SHD/Marine.
[727] ibid; Jurien to Thouvenel, 18 April 1862, No. 36, 76CP/57, AMAE, La Courneuve.
[728] Chasseloup-Laubat to Thouvenel, 31 May 1862, 76CP/58, AMAE, La Courneuve.

international law. However, the foreign minister seemed to have other ideas, and the official notice was published on 7 June differed markedly from Jurien's original.[729] Thouvenel sent out a circular to Mercier and French agents with a copy to publicise the blockade.[730] Unlike the terms of Lincoln's proclamation which closed the entire coast from Virginia to Texas to trade, the French Navy blockaded individual ports and forbade only the trade in a limited number of goods that it considered "contraband of war."[731] Gone too was Jurien's specification "for the entire duration of hostilities." Though the French Government did claim to have the right to impose a stricter blockade if it so chose, the declaration shows marked restraint.[732] The admiral's original 18 April declaration did not give much time for foreign merchantmen to prepare before 1 May, which caused protests from the British government, which chartered a mail steamer to Tampico.[733] However, given London's tolerance of the US Navy's blockade, it is unlikely that Thouvenel crafted this proclamation responding solely to the British government. It is more probable that the minister sought to create a contrast between the French and US blockades to be able to protest the illegality of the latter when he thought the time had come for intervention.

Yet, neither the record of the ineffectiveness of the Union blockade nor the contrast between the blockades of Mexican ports and the Confederacy were ultimately used by the foreign ministry. The effectiveness of the Union blockade briefly became a topic of debate in early 1863, as Charleston agents in Europe, buoyed by the damage done to Union blockading squadrons off Galveston, Texas and Charleston in January, renewed their press on the British and French governments.[734] Though the Confederates did not have success pushing the Palmerston Cabinet on this issue, Édouard Drouyn de Lhuys, foreign minister since the end of 1862, was swayed enough to commission a legal report on the legality US Navy's blockade of Confederate ports, which was finished on 11 March 1863.[735] Much to the foreign minister's disgust, the author stressed that as the United States had not signed the 1856 Paris Declaration, it was not bound to the treaty's definition of an "effective" blockade, and had to be examined under an Anglo-American understanding of international law, by which interpretation the

[729] Thouvenel to Mercier et al., No. 18, 26 June 1862, 39CP/127, AMAE, La Courneuve, fo. 271-5.
[730] ibid.
[731] ibid.
[732] ibid.
[733] Battesti, *La Marine de Napoléon III*, *tome 2*, 921-22.
[734] Owsley, *King Cotton Diplomacy*; on Charleston see Chapter V.
[735] *Le Blocus de ports confédères d'Amérique,* Rillefort to Thouvenel, 11 March 1863, 29ADP/6/45, AMAE, La Courneuve.

illegality of the Union Naval action was not clear.[736] Moreover, the legal brief noted that cotton was not getting to France, signifying the effectiveness of the blockade – to which Drouyn de Lhuys retorted on the margins that smaller ships were getting through in large numbers.[737] Though the brief ended with "the blockade leaves to Europe an open door to justify its intervention if it so wished [underline by reader]", giving the French government potential leeway to use it as a *casus belli*, the contents of the document's did not in fact indicate strong legal support for intervention, and the minister seems to have chosen to quietly buried it in the papers of the Foreign Ministry. [738]

Moreover, the contingencies of the French war effort in Mexico thwarted the Foreign Ministry's efforts to craft official French blockade policy in Mexico to serve as a contrast to that of the US blockade of the Confederacy. Indeed, even with highly permissive blockade instructions issued on 7 June 1862, the French Navy failed to maintain an effective blockade of a small set of Mexican ports, which made any complaint against Washington difficult.[739] Finally, 17 July 1863, after repeated requests from the commanding admirals in Mexico, Chasseloup-Laubat sent Rear-Admiral Auguste Bosse, who replaced Jurien in April, a declaration of blockade of the entire Gulf Coast of Mexico not under the control of French forces or their Mexican allies.[740] An analogous blockade was declared on the Pacific Coast.[741] Though the newly declared blockade still only applied to merchantmen carrying contraband goods, this naval mission was roughly analogous to that of the US Navy in its breadth, spanning much of the Mexico coast.[742] By this point, Dryoun de Lhuys does not seem to have objected too strongly. With the limited mode of blockade in Mexico ended, the French Government, and particularly, its foreign ministry, no longer had a remotely credible case to make against the US Navy. It would also put into question the legality of the existing French blockade and its captures. Thus, in effect, the Imperial Navy followed the precedent established by the US Navy, establishing a relatively loose blockade of a wide littoral.

[736] Ibid.
[737] Ibid.
[738] « le blocus laisse à l'Europe une porte ouverte pour justifier son intervention quand elle le voudra. » ibid.
[739] Battesti, *La Marine de Napoléon III*, *tome 2*, 920-21.
[740] Ibid, 929, 932.
[741] Ibid, 933.
[742] Ibid, 932.

The recognition of the legality of the Union blockade by Great Britain was a seminal event in the Civil War and a precedent that modified the rules of blockading. British and French naval reports, largely sympathetic to the Union Navy, served as a corrective to consular reports. These despatches helped the Palmerston Cabinet to establish a precedent of a legally recognised loose blockade after the naval practice was technically modified by the 1856 Paris Declaration. The French Government was split on the issue. While the navy seems to have been largely content with the American precedent, the Foreign Ministry fought the British position by soliciting countervailing consular reports and attempting to limit the blockade in Mexico to a small coastline for an effective service. However, this ultimately failed. The contingency of the ongoing Mexican intervention forced the French Government to declare a blockade of almost the entire Mexican coast. This blockade was in fact looser and less effective than the Union blockade of the Confederacy.

Chapter IV:

Anglo-French Naval Presence and the Devastation of War: Protecting Nationals in the Conflict Zone (1861-62)

The 17 November 1862 issue of the *Courrier des États-Unis*, a New York francophone newspaper with close ties to Napoleon III's government, featured a reprint of a 28 October article from *L'Abeille de la Nouvelle-Orléans*, a counterpart in Louisiana.[743] The article boasted of the attention Admiral Reynaud was giving to the supposed plight of French subjects in the city.[744] It reported Reynaud waving to a large crowd from the balcony of the French consulate, receiving addresses from the former officers of the disbanded French militia, amid cries of "Long live the admiral, long live the emperor, long live France!"[745] In fact, the *Courrier* inflated the size of the gathering from an impressive 3 thousand people reported in *L'Abeille* to a remarkable 30 thousand.[746] This exaggeration was clearly aimed at strengthening the narrative that the French Imperial Government was willing to protect its subjects and that the subjects themselves were grateful. The *Courrier* had long documented a number of purported ills against foreigners in New Orleans arising from the Union occupation headed by General Benjamin Butler. These ranged from forced loyalty oaths, the dispossession of property, and victimhood from unpoliced crime.[747] The *Courrier* specifically feared that black freedmen of the city would rise and murder white people in an insurrection after the implementation of the Emancipation Proclamation on 1 January 1863.[748] This fear was shared by many foreign observers, including Reynaud, which prompted the admiral's arrival to the mouth of the Mississippi River with three warships on 26 October 1862.[749] Though the admiral did not mention the act of public diplomacy reported by *L'Abeille* in his despatches to the Navy Minister, he reported on 27 October that "My arrival has produced a very good effect on our nationals. They have judged with reason that the Government of the Emperor is concerned with

[743] *L'Abeille de la Nouvelle-Orléans*, 28 October 1862; *Courrier des États-Unis,* 17 November 1862.
[744] ibid.
[745] « Vive l'amiral, vive l'empereur, vive la France! », ibid.
[746] ibid.
[747] *Courrier des États-Unis,* 8 November 1862, 24 October 1862, 21 October 1862, 13 October 1862, 18 August 1862, 13 August 1862.
[748] *Courrier des États-Unis,* 4 December 1862, 25 September 1862; Reynaud to Chasseloup-Laubat, No. 107, 23 September 1862, BB4/798, SHD/Marine.
[749] Reynaud to Chasseloup-Laubat, No. 116, 27 October 1862, BB4/798, SHD/Marine.

the difficult future that could create events that are more and more complicated."[750] Meanwhile, the *Courrier*'s account assured its readers in New York and beyond that the presence of the admiral and his warships demonstrated the commitment of the French government towards its subjects abroad.

The protection of subjects in the war-torn country was a central mission of British and French warships in American waters. Though not directly linked to major economic or geopolitical interests in the way other naval activities, such as surveying the Union blockade, were, this mission was a central part of the practice of maintaining neutral rights. Indeed, offering protection to beleaguered nationals abroad through diplomats and naval officers was a major commitment of nineteenth-century great powers, a source of national honour and prestige. Though not able to use force against US or Confederate infractions in the same way the Royal Navy pressed Greece during the Don Pacifico Affair, the navies still sent warships to offer protection to subjects on the American coast.[751] As armed representatives of their governments, sometimes of high rank, commanding officers could negotiate on behalf of their subjects with more persuasiveness and leverage than consuls could alone. Foreign warships in Southern waters were also used to evacuate consuls and their families and had the potential to be evacuation points for many more nationals. This demonstrated the Royal Navy's commitment to the duty of protection to the public. As seen in the pageantry of Reynaud's visit to New Orleans (and its amplification in the *Courrier des États-Unis*), the French Government aimed to project a similar narrative.

The Palmerston Ministry declared the Union blockade of the Confederacy effective in an official publication in February 1862 and defeated parliamentary motions to reverse the position. Thereafter, the primary goal of British and French warships in American waters shifted from now-mooted blockade observation towards providing protection to their consular staff, as well as their subjects in American territory. From the end of 1861, the Union Navy had begun large scale invasions of Confederate harbours and ports, including New Orleans, Galveston, Mobile, as well as the coasts of South Carolina and Georgia – some of these places with consular representation and significant European populations.[752] These areas were thus

[750] « Mon arrivée a produit un très bon effet sur nos nationaux. Ils ont jugé avec raison que le Gouvernement de l'Empereur se préoccupait de l'avenir difficile que pourraient leur créer les événements qui se compliquaient de plus en plus. », ibid.

[751] Derek Taylor, *Don Pacifico*.

[752] McPherson, *War on the Waters*, 2-3.

liable to experience the devastation of war through shelling from the sea and storming by landing US forces. When Union invasions succeeded, military occupation followed. Though British and French warships in American waters continued to have other roles, such as observing new ironclad warships and weaponry in action, protection became their main goal.

Though consuls, diplomats and naval officers regularly referred to the broader group of nationals living in America as their "fellow countrymen" ("compatriotes" in French) there were dividing lines determining who in fact received protection and how much.[753] In fact, British and French warships rarely visited ports that had no full consulates.[754] Not surprisingly, the consuls themselves, as well as their families, received the fullest protection. Well-established, "honourable" and "prominent" businessmen also found it easier to reach their government's ear.[755] Individual commanding officers and consuls, who in fact made the decisions on the spot, often showed a predisposition to deny assistance based on race, class, or political persuasion. However, the system as a whole was aimed to offer protection as a matter of "national honour" or prestige. Britain and France, unlike smaller European countries, would protest their consulates being violated or their nationals conscripted.

The situation of black British subjects under American jurisdiction, especially that of seamen, was a long-standing sore in Anglo-American relations. The so-called "Negro Seamen Acts" enacted in the South and Pacific Coast proscribed free black sailors from leaving their vessels while in port resulted in many arrests of black British subjects, particularly from Caribbean colonies.[756] In 1832 the British government went as far as to sue the United States in federal court, arguing the acts violated Anglo-Americans treaties of amity.[757] However, London proved unwilling to press the issue further after losing the case in the Supreme Court.[758] Indeed, as shown in the case of HMS *Challenger* in the aftermath of the New York

[753] Milne to Archibald, 8 May 1861, MLN/105/1, Milne MSS, NMM; Lord Lyons to Russell, No. 622, 4 November 1861, in *Through British Eyes*, *Vol. 1,* 201; Jurien to Chasseloupe-Laubat, 17 November 1861, BB4/799, SHD/Marine; Hancock to Milne, 24 November 1861, in *Milne Papers*, *Vol. 2*, ed. Beeler, 509-10; Mercier to Thouvenel, No. 84, 11 February 1862, 39CP/126, AMAE, La Courneuve, fos. 128-41; Méjan to Mercier, 7 November 1862, 340PO/A/154, AMAE, Nantes.

[754] French and British officers visited their vice-consulates in Norfolk as means of communication with Richmond, the seat of a full consulate.

[755] Coppell to Lord Lyons, 19 May 1862, ADM 128/57, TNA, fos. 701-9; 16CPC/11; Méjan to Thouvenel, No. 54, 12 June 1862, 16CPC/11, AMAE, La Courneuve.

[756] Michael Schoeppner. "Status across Borders: Roger Taney, Black British Subjects, and a Diplomatic Antecedent to the Dred Scott Decision." *Journal of American History* (2013): 46-67; Tyler, Jacki Hedlund. "The Unwanted Sailor: Exclusions of Black Sailors in the Pacific Northwest and the Atlantic Southeast." *Oregon Historical Quarterly* (2016): 506-535.

[757] Michael Schoeppner, "Status across Borders".

[758] Ibid.

Draft Riots, the ability of black seamen to demand and receive protection from the machinery of the British state was circumscribed by their race.[759] Nevertheless, in the South, British consuls often helped these black men by bailing them out of jail and sending them away as hands on merchantmen.[760] In some states, on the eve of the Civil War, British consuls had success in lobbying for the repeal of these measures as alienating British public opinion and making intervention less likely.[761] As in the case of the New York Draft Riots, British consuls in the South sometimes felt the situation warranted a man-of-war.

Though British consuls displayed a paternalistic care for black subjects as vulnerable, representatives of the British and French governments often presented African Americans, especially those enslaved or recently enslaved, as uniquely dangerous. Southern consuls exhibited a pernicious fear of a "servile insurrection" early in the war, warning a rising of black people in the South would lead to a massacre of whites, including foreigners, which of course also included the consuls and their families.[762] With President Lincoln's Emancipation Proclamation and the arming of black soldiers by Union generals in occupied Southern territory, diplomats in Washington and naval officers began to take the threat more seriously. This fear was particularly felt by the French side, influenced by the successful and bloody slave revolt in St Domingue that led to the formation of Haiti several decades earlier, which Reynaud referenced in his despatches.[763] Thus, for diplomats in Washington and the French and British admirals, this fear of black men was a large motivating factor in sending warships to Southern ports.

The navies and consulates of the two powers also helped each other's subjects, an extension of the joint approach to American affairs pushed by Lord Lyons and Mercier. To a lesser extent, the representatives of Britain and France also helped nationals of smaller countries. Indeed, before going to New Orleans, Admiral Reynaud wrote to the navy minister that his presence would limit the damage done by the stance of General Benjamin Butler, head of the occupation forces in New Orleans, against foreigners, not singling out Frenchmen.[764]

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[759] See Chapter V.

[760] On New Orleans, see Section 2. See also: Hamer, Philip M. "British Consuls and the Negro Seamen Acts, 1850-1860." *The Journal of Southern History* 1, no. 2 (1935): 138-68.

[761] Michael Schoeppner, "Status Across Borders: Roger Taney, Black British Subjects, and a Diplomatic Antecedent to the Dred Scott Decision." *Journal of American History* (2013): 46-67.

[762] Fauconnet to Mercier, 1 September 1862, 227CCC/14, AMAE, La Courneuve; de St. André to Thouvenel, No. 52, 14 December 1862, 16CPC/11, AMAE, La Courneuve; Bunch to Lord Lyons, 9 December 1862, fos. 513-516; Coppell to Lord Lyons, 24 January 1863, fo. 813, ADM128/57, TNA.

[763] Reynaud to Chasseloup-Laubat, No. 109, 30 September 1862, BB4/798, SHD/Marine.

[764] ibid.

However, Anglo-French cooperation was exceptional, with British warships getting orders directly to protect French subjects.[765] This was also not entirely dissimilar from the other conflict areas in the Americas and beyond. For example, a British warship protected Spanish nationals in Mexico in 1863 and a French one did the same in Venezuela in 1861.[766] With the United States Government manifestly failing to control large swaths of its territory, the British and French navies fell back to a familiar duty.

British and French consuls in coastal posts were quick to see danger for their nationals and request protection from their countries' warships. After all, military action or insurrection would potentially put them and their families in danger. Several consuls pointed out the threat shelling posed to cities largely built of wood.[767] Indeed, the devastating effect of new exploding shells (as opposed to solid shot) was known from the 1853 Battle of Sinop, where the Russian Navy's newly-designed projectiles succeeded in quickly incinerated the (wooden) Turkish fleet.[768] However, sending a man-of-war into a warzone, no matter how strong its instructions to maintain neutrality, was a risky proposition. Both the ministers plenipotentiary in Washington and the commanding admirals were wary of sending warships unnecessarily and thought that consuls often exaggerated the threat. As Lord Lyons derisively wrote in a private letter to Earl Russell on 29 November 1861: "The Consuls in the South are crying out for ships again. This is the solution for every difficulty in the Consular minds, as my experience in the Mediterranean taught me long ago, – though what the ships were to do, except fire a salute in honour of the Consul, I could never discover."[769] The diplomat was clearly overstating his case – he himself had successfully pressed Milne to send a warship to follow a Union naval expedition earlier that month.[770] Lord Lyons wrote this note at the height of the *Trent* Affair, when he was unwilling to risk sending warships to the American coast unnecessarily. Nevertheless, there was clearly a wide gulf between views of the consuls and their superiors when it came to the utility and danger of sending a warship to offer protection to nationals in an American port.

[765] Milne to Hancock, 31 October 1861, *Milne Papers, Vol. 2*, ed. Beeler,
[766] MLN/115/5, Maguire to Cracroft, 1 January 1864; Le Cardinal to Reynaud, 10 November 1861, BB4/798, SHD/Marine.
[767] Méjan to Thouvenel, No. 44, 19 February 1862, 16CPC/11; de St. André to Thouvenel, No. 43, 7 June 1862, ibid.; Molyneux to Lord Lyons, 22 April 1862, in *Through British Eyes*, 48-49.
[768] Candan Badem, *The Ottoman Crimean War (1853-1856)* (Leiden: Brill, 2010), 120.
[769] Lord Lyons to Russell, 29 November 1861, edt. Barnes, *Private and Confidential*, 269-70.
[770] Lord Lyons to Milne, 9 November 1861, *Milne Papers, Vol. 2*, 483-84.

There was also a difference in perception between the commanding officers of warships sent on such assignments and the consuls resident in American ports. As the officers' homes and loved ones were not at risk, they were often hesitant to use their warships as a means of protection if it meant going in harm's way or helping people they felt were unworthy. Indeed, these missions often involved dangers, including accidental collisions with Union warships and grounding in unfamiliar waters. Therefore, there were sometimes disagreement between consuls and naval officers as to what actions a warship should take to protect fellow subjects.

Protecting nationals had been an explicit goal of British and French warships in American waters from the outbreak of the Civil War. As discussed in Chapter I, New York Consul Archibald requested British warships to be sent to the Chesapeake during the April 1861 Baltimore riots to protect British subjects and potentially evacuate the legation staff in Washington. Admiral Milne rejected this on the grounds that it was not an immediate risk to the "lives of our fellow countrymen".[771] The warships that Milne sent out to inspect the Union blockade a few months later had confidential orders to not enter Confederate ports "unless protection to British Life should absolutely demand it".[772] Similarly, Chasseloup-Laubat instructed Reynaud to protect French nationals from coercion in his original instructions.[773] However, these were still conditional instructions for extreme circumstances, not the routine duty of either navy.

The situation became more urgent in late 1861, when the Union began to mount joint army-navy operations against Confederate ports. These campaigns were larger operations than blockades or the seizure of relatively small islands previously attempted by United States forces from the sea. The shelling of Galveston, Texas by USS *South Carolina* in August 1861, which had resulted in the death of a Portuguese man, had led to heated letters exchanged between the captain and foreign consuls.[774] Though HMS *Desperate* eventually visited the waters off Galveston in September and again December in part to observe the situation, this small skirmish paled in comparison to later Union expeditions.[775] Flag-Officer DuPont's November 1861 expedition sailed from the North as an armada of 77 vessels and 12,000 soldiers under General Thomas Sherman.[776] Flag-Officer Farragut's fleet that took New Orleans in April 1862

[771] Milne to Archibald, 8 May 1861, MLN/105/1, Milne MSS, NMM.
[772] Circular, Milne, 30 May 1861, MLN/120, Milne MSS, NMM.
[773] *Projet d'Instructions pour le Contre-Amiral Reynaud,* undated, Chasseloup-Laubat to Reynaud, BB4/1345, SHD/Marine.
[774] Alden to Welles, 17 August 1861, *ORN, Vol. 16*, 605-7.
[775] Caldwell to Dunlop, 22 September 1861, MLN/115/2, Milne MSS, NMM.
[776] Browning, *Success is All that was Expected*, 23-28.

was composed of dozens of vessels and supported by General Butler's army of thousands of men.[777] The antebellum American coast was the sight of much commercial activity, and its main ports were seats of foreign consuls who registered their countries' shipping with the customs house.[778] Any battle for these towns necessarily put these functionaries and their families at risk. Not surprisingly, consular despatches in late 1861 reflected this fear and they asked for a warship for potential evacuation, leading to Lord Lyons's outburst to Lord Russell.[779] Moreover, these ports had prominent foreign merchant communities, as well as less well-to-do immigrants, who claimed British or French subjecthood and the protection it implied. Therefore, as the devastation of the war, or the threat of it, spread to the Confederate coast, British and French warships went on missions explicitly for providing protection.

Section 1: Courier and Protection Missions on the Atlantic Coast

The fear of a public perception of abandoning nationals in a conflict zone drove Lord Lyons and Mercier to press the British and French admirals to send a warship to follow Union forces in the South. The preparations for Flag-Officer DuPont's expedition, which began weeks in advance, made the diplomats uneasy in late October and early November 1861.[780] Though the two diplomats did not know the expedition's target, they suspected that it was New Orleans or Charleston, and were willing to ask for naval protection for their nationals at those ports. Lord Lyons felt the situation was urgent enough to press Milne to send a warship to tail the expedition by telegraph (a significantly faster form of communication than the mail): "I believe a French Man of War will watch grand Naval and Military expedition about to sail from Chesapeake against some southern Port… Please answer by telegraph."[781] When the admiral responded in the affirmative, Lord Lyons sent a follow-up in a private letter. Unlike official letters, which could be theoretically demanded by Parliament from the Government, this did not risk reaching public view.[782] Lord Lyons reiterated the need to protect British prestige: "For I think we might have had a great outcry in England, if we had shown less willingness to protect

[777] McPherson, *War on the Waters*, 50-58.
[778] Berwanger, *British Foreign Service*, 1-2.
[779] For example, Bunch to Russell, No. 114, 28 September 1861, FO5/781, TNA, fos. 341-42; Méjan to Mercier, 13 November 1861, 340PO/A/154, AMAE, La Courveuve.
[780] Reynaud to Chasseloup-Laubat, No. 27, 5 November 1861, BB4/798, SHD/Marine. Lord Lyons to Russell, No. 632, 8 November 1861, in *Through British Eyes*, *Vol. 1,* 204-205.
[781] Lord Lyons to Milne, 28 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 481-482.
[782] Jones, *The British Diplomatic Service*, 120-22.

our Subjects than the French did".[783] Not sending a warship in this circumstance would entail a loss of face and prestige for Great Britain and for Lord Lyons himself and could result in negative coverage from the British press. Indeed, the *Prony* sailed to Charleston on the courier route with additional instructions to observe the Union fleet.[784] However, the vessel ran out of coal and had to return to New York in what was an ill-fated journey, fatally grounding off Hatteras Island, NC.[785] This would be the Royal Navy's first mission during the war with the main goal to offer protection to British (and French) subjects, with other matters, such as transferring despatches, being secondary.

Characteristically, Milne sent an officer whom he thought he could rely on not to irritate Union Navy officers to the American coast. Despite affirming Lord Lyons's request, the admiral was not pleased with it, writing privately to Commodore Dunlop: "I am not quite comfortable having a Ship so employed, dogging the Expedition".[786] Milne seems to have decided to modify the minister plenipotentiary's plans. The admiral chose to send Captain Hancock of HMS *Immortalité* on the mission over Lord Lyons's suggestion of his cousin Commander Algernon Lyons of HMS *Racer*.[787] In fact, Hancock received only provisional orders to go to New York and wait for Milne to make the final decision to send the *Immortalité* south by telegraph.[788] John Beeler, editor of the *Milne Papers*, argues that he did this because he trusted the captain more than the commander.[789] Milne wrote to Lord Lyons that he preferred a larger warship for the assignment than the *Racer*, despite the fact that the heavy frigate *Immortalite* could not enter Southern harbours.[790] Milne also made sure to add that Hancock was "a Man of good judgement".[791] The admiral telegraphed the captain of his final decision on 6 November.[792] As noted in Chapter II, Hancock had pro-Northern sympathies, of which Milne was likely aware, and using a man with such views was less likely to lead to confrontation. Hancock's instructions said that if there was no French warship present to "afford any friendly aid to subjects of His Imperial Majesty that may be compatible with these Instructions, & you have my authority to take charge of, & transmit any French official

[783] Lord Lyons to Milne, 9 November 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 493-94.
[784] 21 November 1861, de Fontages to Reynaud, BB4/798, SHD/Marine.
[785] Reynaud to Chasseloup-Laubat, No. 32, 14 November 1861, BB4/798, SHD/Marine.
[786] Milne to Dunlop, 1 November 1861, MLN/116/3, Milne MSS, NMM.
[787] Lord Lyons to Milne, 28 October 1861, in *Milne Papers, Vol. 2*, ed. Beeler, 481-482; Milne to Hancock, 31 October 1861, in ibid., 483-84.
[788] Ibid.
[789] *Milne Papers, Vol. 2*, ed. Beeler, 482n1.
[790] Milne to Lord Lyons, 30 October 1861, in ibid., 482-83.
[791] ibid.
[792] Milne to Hancock, 6 November 1861, MLN/112, Milne MSS, NMM.

despatches."[793] Thus, the close ties of British and French representatives in North America were upheld.

Despite the apprehensions of foreign diplomats in Washington, Flag-Officer DuPont's initial expeditionary force was not aimed at a large coastal city. The *Immortalité* caught up with the US naval force on November 18 at Port Royal Sound, South Carolina.[794] Commodore DuPont's forces had just taken the Confederate forts guarding the waterway. This harbour was very large and accommodating for shipping, and it would serve as the headquarters of the Union's South Atlantic Blockading Squadron for the duration of the war.[795] However, the largest town on its shores, Beaufort, had neither a large population of foreigners nor consular representation. In his official note to Commodore DuPont, Hancock wrote that his ship was there to be an "asylum in the event of an attack" for British subjects, even though he was "very certain" the Union commodore would not harm them.[796] DuPont's official response was obliging, noting that "such necessity has occurred in my own experience of Foreign Service", and offered to help Hancock on his mission: "I am so far from opposing the offer of such protection, that I shall be most happy, as you do me the justice to believe, to concur in it, and to add in my own assistance to your efforts, whenever I can contribute to the security or convenience of your countrymen."[797] Nevertheless, the Flag-Officer still felt the need to add that he would not appreciate being tailed by the *Immortalité*'s "constant presence".[798] Writing the amiable exchange, the question of prestige pressed on the Union officer, who noted to his wife that he thought this correspondence would be "immediately published" for public consumption, and he thus balanced tolerating the "*general* presence" of the British warship with limiting its movements.[799] Without much in the way of controversy, the captain and the commodore got along splendidly, developing a close friendship and would maintain correspondence for the next few years.[800] Operations against commercial ports would present more complications between the Union and European powers.

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[793] Milne to Hancock, 31 October 1861, *Milne Papers, Vol. 2*, ed. Beeler, 483-84.
[794] Hancock to Milne, 17 December 1861, MLN/115/2, Milne MSS, NMM; DuPont to Mrs DuPont, No. 8, 18-23 November 1861, Hayes, edt., *Samuel Francis Du Pont, Vol. 1*, 247-257.
[795] Browning, *Success is All that was Expected*, 77-83, 110-11, 261-63, 297.
[796] Hancock to Milne, 17 December 1861, MLN/115/2, Milne MSS, NMM.
[797] DuPont to Hancock, 21 November 1861, MLN/115/2, Milne MSS, NMM.
[798] ibid.
[799] DuPont to Mrs DuPont, No. 8, 18-23 November 1861, Hayes, edt., *Samuel Francis Du Pont, Vol. 1*, 247-257.
[800] DuPont to Hancock, 26 February 1862, *Samuel Francis Du Pont, Vol. 1*, ed. Hayes, 341-43; Hancock to DuPont, 26 April 1862, Feb-Apr 1862, Box 31, DuPont Papers, Hagley Museum; Hancock to DuPont, - October 1863, 25 June - December 1863, Box 39, DuPont Papers, Hagley Museum.

The Union's blockading squadrons continued their offensive operations for the remainder of the war, which brought visits from the British and French warships responding to calls from consuls, whereas areas without consular representation were largely ignored. Fernandina, Florida was taken by DuPont in March 1862.[801] However, like Beaufort, South Carolina, despite having a fine harbour, this city had neither full consular presentation, nor many foreigners.[802] Captain Hancock, who learned of the planned attack during his visit to Port Royal, reported that there was no need to protect British subjects, as they could easily flee from the town on railroad when the port would be attacked.[803] In fact, Union forces shelled the last train coming out of the settlement with troops and civilians, but there were no consuls to make an official report and potentially protest.[804] Several North Carolina ports fell to the combined arms of General Burnside and Commodore Goldsborough in early to mid-1862.[805] Among the towns falling into Union hands was Beaufort, NC, where the US Navy put a prize crew on the ostensibly British ships *Alliance* and *Gondar* that British Charleston Consul Robert Bunch had tried to protect in September 1861 with the help of HMS *Rinaldo*, a warship then observing the blockade.[806] As systemic British and French naval surveillance of the Union blockade had by this point ceased, and this section of the coast lacked onsite consular representation, no European warships sailed to the shores of North Carolina to offer protection to foreign nationals.

This lack of interest on the part of British and French naval authorities was particularly conspicuous in the case of Wilmington, North Carolina. Burnside's expedition did not reach this city. The port, along with Mobile and Charleston, was one of the most important for blockade-runners throughout the war.[807] The city was only represented by a British vice-consul and French consular agent.[808] Despite being an obvious target for a Union attack from the sea, with Union ironclads concentrating off the port in 1863, the topic of protecting British and French subjects in the city seems to have never been broached.[809] North Carolina was

[801] Browning, *Success is All that was Expected*, 69-70.
[802] Nassau county, encompassing Fernandina, counted 178 foreign-born residents in 1860. US Census Office, *Population of the United States in 1860* (Washington, DC: GPO, 1864), 55 [hereinafter, *US 1860 Census*].
[803] Hancock to Milne, 17 December 1861, MLN/115/2, Milne MSS, NMM.
[804] Browning, *Success is All that was Expected*, 70.
[805] McPherson, *War on the Waters*, 50-54.
[806] See Chapter III.
[807] McPherson, *War on the Waters*, 181-82.
[808] *List of all Persons acting as British Vice-Consuls, &c*, Bunch to Russell, No. 4, 1 January 1862, FO 5/843, TNA; Correspondance active et passive avec l'agence consulaire à Wilmington (1864-1872), 148PO/1/30, AMAE, Nantes.
[809] For plans to attack Wilmington see Browning, *From Cape Charles to Cape Fear,* 100-118, 271-302.

technically under British Consul Bunch's jurisdiction and in November 1862 Confederate authorities sent black British seamen from a grounded Wilmington-bound blockade-runner to Bunch in order not to jail them under the state's Negro Seaman Act.[810] HMS *Ariadne* visiting Charleston then brought these men to Annapolis, from which they could leave for transportation nodes such as New York.[811] This was the limit of protection that Britain could and would offer on this coast.

On the Atlantic Coast, Charleston and, to a lesser extent, Savannah, received more attention from representatives of the French and British governments. The two cities are around 83 miles apart and were represented under the same heading in the Royal Navy's North America Station's internal records in a volume of "Correspondence arising out of the Civil War".[812] Though Charleston did not boast of the largest population of French or British subjects, it hosted considerable consular representation, given its significance as a hub in the global cotton trade.[813] According to Eugene Berwanger, the city was understood by the Foreign Office as the centre of Southern politics, and was important enough to host a relatively well-paid consul forbidden from personally engaging in trade.[814] Consul Bunch, though viewed with considerable suspicion in the North, enjoyed the confidence of Earl Russell and a good relationship with Lord Lyons.[815] Though the French government recalled Consul Belligny under suspicion of corruption in late 1861, it quickly replaced him with Baron de St. André, despite the uncertainty of getting an exequatur from either the Union or Confederate governments.[816] As discussed in Chapter I, Mercier and Lord Lyons had enough confidence in their Charleston consuls to engage in secret negotiations with the Confederate government, bypassing their Richmond agents. Not surprisingly, British and French warships regularly visited Charleston. After the ill-fated voyage of the *Prony*, the next European warships on the courier service were HMS *Immortalité* and *Racer*. The latter was on a special mission to order the powerful frigate *Immortalité* out of American waters in light of the *Trent* Affair.[817] De St. André used the occasion of the *Racer*'s visit to send despatches north warning of Union naval

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The city finally fell on 22 February 1865, not long after a successful combined army-navy assault on its main fornications. McPherson, *War on the Waters*, 219.

[810] Whiting to HDQRs. Department of South Carolina and Georgia, 19 November 1862, *ORN, Vol. 8*, 216.

[811] Watson to Milne, 11 December 1862, MLN/115/3, Milne MSS, NMM.

[812] ADM128/57, TNA.

[813] Berwanger, *British Foreign Service*, 8-9.

[814] Ibid., 10.

[815] See Chapter I.

[816] Thouvenel to Belligny, 14 February 1861, 16/CPC/8, AMAE, La Courneuve; de St. André to Thouvenel, 18 August 1861, 16/CPC/8, AMAE, La Courneuve.

[817] Hancock to Milne, 17 December 1861, MLN/115/2, Milne MSS, NMM.

attack and slaves seizing the moment to rebel.[818] In a recurring theme, he feared safety of (presumably white) French nationals and called for action from the French Navy.[819] Bunch had also sounded similar concerns before and interpreted the *Racer*'s visit as a result of his pleas.[820] However, by this point he concluded that the threat had subsided by the time the *Racer* arrived, as he thought that there was no chance of Charleston being attacked any time soon.[821] Nevertheless, the consuls' reaction to the arrival of the *Racer* demonstrates that they expected such protection.

As de St. André's pleas for a man-of-war show, the maintenance of these connections itself served as a form of protection for the subjects of the two countries. Indeed, the power of consuls to intercede on behalf of their "fellow countrymen" stemmed from the authority given to them from their governments. These agents could use these lines of communication to directly call for a warship. Moreover, British and French consuls were often unsure of the position of their governments on contentious topics concerning neutral rights, such as the forced militia service for foreign residents in some Confederate states and Confederate confiscation of property owned by foreigners domiciled in the North, and asked for instructions on how to proceed.[822] Thus, it was up to European diplomats in Washington and foreign ministries across the Atlantic to try to regulate the positions taken by their consuls, thus indirectly working with Confederate authorities. As Russell noted in a tongue and cheek reply to US Minister Plenipotentiary Adams, during their acrimonious exchanges over Consul Bunch's communications with the Confederate government, if a British subject were conscripted in the South, "could the President of the United States set him free? Might he not be killed in battle by a ball or a bullet from the United States army as the only release he could obtain from President Lincoln from his compulsory service?"[823] With the Bunch Affair swept under the rug, if not definitively settled, Russell instructed British consuls to formally protest the forced enlistment of their subjects to Confederate authorities in November 1861.[824] The Anglo-French naval courier system provided the links that made this and follow-up communications possible.

[818] Described in Reynaud to Chasseloup-Laubat, No. 45, 27 December 1861, BB4/798, SHD/Marine.
[819] ibid.
[820] Bunch to Lord Lyons, No. 100, 9 December 1861, ADM128/57, TNA, fos. 481-84.
[821] ibid.
[822] For example, Bunch to Russell, No. 114, 28 September 1861, FO 5/781, TNA, 341-42.
[823] Russell to Adams, 26 November 1861, FO 881/1052, TNA.
[824] Lord Lyons to British Consuls in the South, in *Through British Eyes, Vol. 1*, 212.

However, running this service proved difficult and dangerous, especially for the French side. The November 1861 grounding and loss of the *Prony*, carrying despatches from Charleston, underscored the risk incurred.[825] The men and effects of the lost warship, along with the consular mail from Charleston, were transported by Confederate authorities to Norfolk, Virginia.[826] They were then ferried to Union territory by "flag of truce" boats, which regularly went from Confederate-controlled Norfolk to Union-held Fort Monroe.[827] The fort was only a short distance by steamer to Maryland ports, which were well-connected by railroad to Washington and New York. These vessels, flying the white flag, had been in use since the very beginning of the war, primarily to transport POWs and largely white refugees to the opposing sides.[828] Reynaud, who visited Washington in December in part to investigate the loss of the *Prony*, further alarmed by the preparations he witnessed to obstruct Charleston harbour by sinking stone-laden hulks (potentially dangerous to foreign warships as well as blockade-runners), reported in his December 31 despatch that he suggested the use of this truce boat system of communications to Mercier.[829] A warship could be stationed at Hampton Roads, the body of water separating Norfolk from Fort Monroe and make direct use of flag of truce communications. Reynaud pointed out that the roadstead was a safe anchorage, where the Union's North Atlantic Blockading Squadron was based.[830] The admiral's division was already stretched by the transfer of three warships to the Mexican expedition and the damage sustained to the propellor by his flagship.[831] Thus, he proposed a safe alternative.

For Mercier, this presented an opportunity to enhance communications and protection. Consuls, particularly from the Gulf Coast, complained about having to send messengers to far-off Charleston through the Confederacy's overstretched rail system.[832] Moreover, consular despatches from Charleston itself would take days to get to New York before being sent off to superiors in Washington and European capitals.[833] Of course, British and French warships did not appear off the Carolina coast every day to communicate. Thus, it was impossible to send

[825] Reynaud to Chasseloup-Laubat, No. 32, 14 November 1861, BB4/798, SHD/Marine.
[826] De Fontages to Reynaud, 22 November 1861, BB4/798, SHD/Marine.
[827] « pavillon parlementaire » Paul to Chasseloup-Laubat, 22 November 1861, BB4/798, SHD/Marine.
[828] For example, dozens of refugees fled by flag of truce boats in May and June 1861. Stringham to Welles, 21 May 1861, *ORN, Vol. 5*, 660; Pendergrast to Butler, 6 June 1861, *ORN, Vol. 5*, 706.
[829] Reynaud to Chasseloup-Laubat, No. 46, 31 December 1861, BB4/798, SHD/Marine.
[830] ibid.
[831] ibid.
[832] Méjan to Mercier, 21 August 1861, 340PO/A/154 AMAE, Nantes.; Méjan to Mercier, 12 October 1861, ibid.; Méjan to Mercier, AMAE, Nantes; 26 March 1862, 340/PO/A/155, AMAE, Nantes.
[833] For example, HMS *Steady* left Charleston on 30 September 1861 and arrived in New York on 7 October. Grant to Milne, 7 October 1861, MLN/115/2, Milne MSS, NMM.

an immediate message. However, telegrams to the vice-consul in Norfolk could be received on the same day they were sent from any point in the Confederacy and quickly communicated to the French (or British) warship nearby. Mercier worked to bring the new line of communication into operation remarkably quickly. On 3 January, Mercier had already penned a letter to Consul Méjan in New Orleans to send despatches to Consul Paul at Richmond, the Norfolk vice-consulate being under his direction.[834] Reynaud's 7 January despatch stated that the French minister plenipotentiary had already received agreement not only from Seward, but also from Lord Lyons to use the truce boats, making the new system an Anglo-French one, with British and French warships alternating at Hampton Roads.[835] The *Catinat* arrived at Hampton Roads on 12 January and Commander Fabre visited Norfolk with the assistance of Union Commodore Goldsborough, despite not having yet received an official ok from Washington.[836] *De facto*, the new means of communication was in action.

Reynaud decided to use the new system to examine if de St. André's fears in Charleston were warranted. The admiral had previously arranged for the frigate *Pomone*, commanded by Captain de Montaignac, to communicate with the Confederate-held port, sailing from New York and the *Renaudin* to meet it there coming from Havana, at the time when Reynaud himself sailed for the Caribbean.[837] This would be the first French naval mission specifically aimed at protecting subjects: "M. de Montaignac's mission is to calm by his presence the apprehensions of our agent & our nationals whom he would embark if the case required it".[838] At the last minute, however, the admiral amended his orders, sending the *Pomone* to Hampton Roads and instructing de Montaignac to travel to Charleston by land from Norfolk.[839] This would leave embarkation possible only on the *Renaudin*, a very small vessel with a standard crew of just 65, but the admiral feared that obstructions sunk by Union in Charleston harbour would endanger the frigate.[840] Commodore DuPont described the visiting *Renaudin* to his wife as "what is called an 'aviso' not even a 'canonnière' Gunboat, but a nice vessel".[841] Moreover, Reynaud had talked about de St André's fears with HMS *Racer*'s Commander Algernon Lyons

[834] Mercier to Méjan, 3 January 1862, 340/PO/A/155, AMAE, Nantes.
[835] Reynaud to Chasseloup-Laubat, No. 47, 7 January 1862, BB4/798, SHD/Marine.
[836] Goldsborough to Welles, 9 January 1862, *ORN, vol 6*, 502; de Montaignac to Chasseloup-Laubat, 7 February 1862, BB4/798, SHD/Marine; Fabre to Montholon, 12 January 1862, 474PO/1/84, AMAE, Nantes.
[837] Reynaud to Chasseloup-Laubat, No. 47, 7 January 1862, BB4/798, SHD/Marine.
[838] « M. de Montaignac a pour mission de calmer par sa présence les appréhensions de notre agent & de nos nationaux qu'il embarquerait si le cas l'exigeait. » ibid.
[839] Reynaud to de Montaignac, 13 January 1862, BB4/798, SHD/Marine.
[840] ibid.
[841] DuPont to Mrs DuPont, No. 66, Jun 25, 1862, May-Jun 1862, Box 7, DuPont Papers, Hagley Museum.

in New York, who, the admiral related to Chasseloup-Laubat, claimed that "there is no basis" for the consul's assessment of the situation.[842] The admiral evidently trusted the opinion of the British naval officer more than that of the French consul. Thus, sending de Montaignac by land would be safer and more prudent from Reynaud's point of view. This fits the general trend of naval officers privileging the safety of their ships and crews over those of the nationals claiming to need protection.

De Montaignac's visit resulted in establishing a safe way for Charleston consuls, if not for other nationals, to flee to Norfolk, near Hampton Roads where Reynaud had suggested to anchor French warships. The Captain of the *Pomone* entered the Confederacy by truce boat to Norfolk before making his way to Charleston, as discussed in Chapter III. The naval officer did not see much need to protect French subjects in the city – "In this locality, our nationals are so few in number that we couldn't cite a single one of them who has registered".[843] Moreover, many of those who claimed protection were Swiss and Italian.[844] In fact, the French government did offer services to nationals of countries. French consuls were responsible for Spanish subjects in Venezuela, a country also going through a civil war during roughly the same years as the US.[845] In Matamoros, Mexico, Italian shipmasters recorded and notarized their ship reports with the French vice-consulate.[846] French Mobile, Alabama Vice-Consul Nicholas Portz represented the case of over 1,000 non-French foreigners to Confederate authorities, arguing that they were protected under the French flag from conscription.[847] Unlike the needs of lower class French subjects or those of nationals of minor powers, the wishes of the British and French consuls resonated with de Montaignac, who conversed extensively with both agents.[848] They were pleased with the ability to reach Washington through Norfolk, communications by sea being "rare, difficult and too unreliable".[849] No less importantly, de Montaignac described the new communication service as leaving the consuls with "an easy and convenient retreat to Norfolk".[850] He returned to Washington to help hammer out the details of

[842] « qu'il n'y aucun fondement » Reynaud to Chasseloup-Laubat, No. 46, 27 December 1861, BB4/798, SHD/Marine.
[843] « Nos nationaux sont, dans cette localité, en nombre tellement restreint qu'on n'en citerait pas une dont immatriculés » de Montaignac to Chasseloup-Laubat, 7 February 1862, BB4/798, SHD/Marine.
[844] ibid.
[845] Le Cardinal to Chasseloup-Laubat, 10 November 1861, BB4/798, SHD/Marine.
[846] Galliano to French Consul at Matamoros, 31 January 64, 419/PO/1/4, AMAE, Nantes; *Raporto di Mare, barca Amistad y Confianza*, Captain Bonsignore, unclear date, 419/PO/1/4, AMAE, Nantes.
[847] Portz to Thouvenel, 20 September 1862, 16CPC/11, AMAE, La Courneuve.
[848] de Montaignac to Chasseloup-Laubat, 7 February 1862, BB4/798, SHD/Marine.
[849] « rares, difficiles et trop aléatoires » , ibid.
[850] « une retraite facile et commode pour Norfolk. », ibid.

using the flag of truce boats through the Chesapeake, agreeing, in his role as Senior Officer in North America, to station a French warship at Hampton Roads and for an officer to visit the vice-consulate at Norfolk every 15 days, a serious improvement on the Charleston naval courier service.[851] Thus, the new mail service through Norfolk was regularised. British and French consuls in Confederate territory could now regularly bring attention to issues they faced to their legations and governments, as well as flee from potential military operations in Charleston and Richmond with relative ease.

In the first few months of 1862, the French naval division on the Atlantic Coast was stretched to the limit. During Reynaud's absence in the Caribbean from mid-January to mid-April, Senior Officer Captain de Montaignac, faced challenges organising the warships under him and lacked the respect of his junior commanding officers, until he himself sailed for Havana in late February. In early February the captain ordered the gunboat *Gassendi* to collect warm clothes and other provisions for the *Pomone* and then to come from New York to join the warships already in the Chesapeake.[852] Possibly fearing ice that was forming in New York harbour during an exceptionally cold winter, Commander Gautier took the *Gassendi* to Hampton Roads before waiting for the arrival of a portion of the items de Montaignac requested.[853] In a private letter to New York Consul Montholon the senior officer fumed, saying he would take the money spent on extra shipping from the paymaster of the *Gassendi*.[854] When the *Renaudin* returned from Charleston to New York and loaded a propeller from France to be transported to Admiral Reynaud in Martinique, de Montaignac also ordered it to proceed to the Chesapeake first to finally get his supplies.[855] However, with the four French men-of-war anchored too close together at Hampton Roads, a strong wind caused the ships to collide.[856] Nevertheless, despite these incidents, in the Chesapeake, the division was able to offer support to French consuls and subjects. In late February, de Montaignac received pleas from Consul Paul for a gunboat off Richmond, as the consul felt that the city would soon be attacked by Union troops.[857] He prepared the *Gassendi*, as this small vessel could potentially go up the James River to the Confederate capital, though an assault by the US armed forces did not

[851] ibid.
[852] De Montaignac to Montholon, 3 February [1862], 474PO/1/84, AMAE, Nantes
[853] Commander Fabre of the Catinat feared the ice in New York. Fabre to Montholon, 25 January 1862, 474PO/1/84, AMAE, Nantes.
[854] De Montaignac to Montholon, 9 February [1862], 474PO/1/84, AMAE, Nantes.
[855] De Montaignac to Reynaud, 21 February 1862, BB4/798, SHD/Marine.
[856] ibid.
[857] De Montaignac to Mercier, 19 February 1862, BB4/798, SHD/Marine.

materialize that winter.[858] With so many ships at Fortress Monroe, there was also no problem with the courier system to Norfolk.[859] Thus, the French Navy continued to provide the diplomatic courier service despite the absence of the admiral.

However, French commanding officers did not take a liking to the senior officer and even seem to have sabotaged his orders. They were particularly annoyed by the constantly changing instructions as de Montaignac tried to deal with damaged ships and changing circumstances. After the *Milan* was damaged off New Orleans, de Montaignac decided to send the *Catinat* south to replace it in early February.[860] This was much to Commander Fabre's chagrin who was first supposed to take the *Catinat* to New York.[861] He wrote privately to Montholon: "Man proposes, God disposes!... the Ct de Montaignac thought he had to upset everything the Admiral had decided".[862] However, the *Catinat* failed to leave Chesapeake Bay, returning on 10 February, claiming to have run out of coal due to contrary winds.[863] De Montaignac reported to Reynaud somewhat incredulously that Fabre claimed not to know that he could get coal along the way in Port Royal or Nassau.[864] After returning to Hampton Roads, Fabre penned another private note to Montholon, writing that he had left with being fully coaled through "carelessness", observing that the captain was not too happy to see him return.[865] The commander defended himself in the letter philosophically: "Do what you must, come what may! That's my motto in Service, and I'll stick to it as long as I live."[866] Given that Fabre had previously written privately to Montholon about sailing up the Chesapeake to avoid orders to go to New York and risk the ice, it is not entirely unlikely that the commander simply found an excuse not leave the Chesapeake. Similarly, the *Gassendi* does not seem to have sailed to Charleston a few days after the *Pomone* left as ordered by de Montaignac, following pleas from de St. André.[867] There are no reports of the warship in Charleston by either the British or French consuls and on 15 March Commander Gautier wrote a detailed eyewitness account of the Battle of Hampton Roads (8-9 March) directly to the navy minister.[868] On 4 March, Gautier composed

[858] De Montaignac to Reynaud, 21 February 1862, BB4/798, SHD/Marine.
[859] De Montaignac to Chasselouop-Laubat, 7 February 1862, BB4/798, SHD/Marine
[860] ibid.
[861] « L'homme propose et Dieu dispose ! (…) le Ct de Montaignac a cru devoir bouleverser tout ce qu'avait décidé l'Amiral. » Fabre to Montholon, 2 February 1862, 474PO/1/84, AMAE, Nantes.
[862] De Montaignac to, BB4/798, SHD/Marine.
[863] De Montaignac to Reynaud, 21 February 1862, BB4/798, SHD/Marine.
[864] ibid.
[865] « imprudence » Fabre to Montholon, 2 February 1862, 474PO/1/84, AMAE, Nantes.
[866] « Fait ce que dois, arrive que pourra ! telle est ma devise en Service, et je lui resterai fidèle, tout que je vivrai. » 14 February 1862, 474PO/1/84, AMAE, Nantes.
[867] De Montaignac to Reynaud, 21 February 1862, BB4/798, SHD/Marine.
[868] Gautier to Chasseloup-Laubat, 15 March 1862, BB4/798, SHD/Marine.

a private letter to the New York consul complaining about the ever changing orders of de Montaignac, derisively referring to him with the English naval term "Commodore" (even underlining the word) that British and American interlocutors used to refer to de Montaignac as an honorific.[869] In the same message, Gautier referred to Mercier as the "grand Master" of Washington and deplored having to visit him.[870] However, the commander seems to have dreaded going to Charleston the most: "As for me, I'm under the orders of M. de St André, who seems to be apprehensive about being put back on the cross, like his late boss, and as insecure as the apostle of Richmond [likely Consul Paul]."[871] It is probable that Commander Gautier stalled for time at Hampton Roads and then opted to stay in the area after the ironclad duel, especially as the route to Norfolk still existed.[872] Clearly, Gautier did not view the protection of nationals as central to his role as commanding officers as did de Montaignac, not to mention French consuls in Confederate cities. The seeming ability of the commanders of the *Catinat* and *Gassendi* to disregard orders to go on mission of protection limited French naval presence, especially off Charleston.

The service through Hampton Roads was operated almost entirely by the French Navy, despite carrying the despatches of agents from both powers and Mercier's initial plan to share the transportation costs.[873] This is likely due to a strategy of de-risking on Lord Lyons's part. Reynaud's original proposal and Mercier's embrace of it came at the tail end of the *Trent* Affair, during which period the British diplomat advised against sending a warship to protect British subjects in New Orleans: "grave political and naval reasons which render it undesirable that Her Majesty's ships should, at the present time, enter the ports of the Southern States or remain for any considerable time in the neighbourhood of them."[874] Having a warship stationed at Hampton Roads, the anchorage of the North Atlantic Blockading Squadron, was likely a bridge too far. Lord Lyons only broached the topic to the admiral in Bermuda on 21 January 1862 at the definitive end of the *Trent* Affair. He sent the private letter with Captain Hancock of the *Immortalité*, who was returning to Bermuda after at the end of his mission to evacuate the

[869] Gautier to Montholon, 4 March 1862, 474PO/1/84, AMAE, Nantes.
[870] « grand Maitre » , ibid.
[871] « Pour moi, je suis aux ordres de M. de St André qui me fait l'effet d'appréhender d'être remis en croix, comme feu son patron, et aussi peu rassuré que l'apôtre de Richmond. » ibid.
[872] See Chapter II.
[873] HMS *Rinaldo*, in the Chesapeake in spring of 1862, sent a least one messenger to Richmond on 4 April. Hewett to Milne, 26 April 1862, MLN/115/3, Milne MSS, NMM.
[874] Lord Lyons to Russell, No. 714, 29 November 1861, in *Through British Eyes, Vol. 1*, 232. The diplomat expressed similar sentiments in a private letter a few weeks later. Lord Lyons to Russell, 23 December 1861, in *Private and Confidential*, ed. Barnes and Barnes, 272-74.

British minister if the crisis spiralled into war.[875] This was coterminous with Captain de Montaignac's trip to Washington – it is likely that the two officers met in the capital. Lord Lyons suggested stationing British warships in Annapolis, Maryland (in the far north of Chesapeake Bay) instead of New York because despatches could more easily be sent to the South, including Norfolk. Without going into more details, the diplomat simply finished with "Captain Hancock has had a good opportunity of judging its advantages and disadvantages".[876] Thus, it is likely that Hancock appraised Milne of the proposal of communicating through Norfolk and Lord Lyons's views of it, even if he did not mention it in his official report.[877] In his next private letter on 30 January, sent before Milne was likely to have penned a response to the previous message, Lord Lyons changed his tone slightly.[878] Though the diplomat still "hope[d] to arrange a more convenient plan for communicating with the South," he pointed out that that was what "the French intend" to do and that "the French Minister has suggested this plan".[879] On 8 February, Lord Lyons sent a despatch to Russell, officially informing him of the scheme, but noting that no British warships were taking part because Milne had not answered yet.[880] Without Milne's approval, he did not intend to commit British warships to the project, especially when his French counterpart was so obliging.

Milne in Bermuda decided simply to defer to Lord Lyons in Washington. Though the admiral did not give his views on the subject in his next private letter to Lord Lyons on 15 February, his official despatch suggested to do "as you may consider most expedient".[881] He also sent the *Rinaldo* to Charleston and to get despatches to bring them to Lord Lyons via Annapolis.[882] The minister plenipotentiary decided that it was safer to keep things as they were in communications with Norfolk. He wrote to Milne in his next private letter: "I shall endeavour to let the French conduct the communication if possible, whether or not there is a one of our Ships also at Fortress Monroe".[883] Thus, relying on the French to quietly transport despatches did not harm British prestige as much as relying on the French side to protect British subjects with warships in Southern ports. Mercier, however, was more willing to risk angering

[875] Lord Lyons to Milne, 21 January 1862, in *Milne Papers, Vol. 2*, ed. Beeler, 618-19; see Chapter II.
[876] Ibid.
[877] Hancock to Milne, 29 January 1862, in ibid, 640-42.
[878] Lord Lyons to Milne, 30 January 1862, in ibid, 638-39.
[879] ibid.
[880] Lord Lyons to Russell, 8 February 1862, N. 98, in *Through British Eyes, Vol. 1*, 283.
[881] Milne to Lord Lyons, 15 February 1862, Box 192, Lyons Papers, Arundel Castle; Milne to Lord Lyons, 15 February 1862, MLN/105/2, Milne MSS, NMM.
[882] Milne to Hewett, 19 February 1862, MLN/110/1, Milne MSS, NMM.
[883] Lord Lyons to Milne, 27 February 1862, MLN/116/1A, Milne MSS, NMM.

Americans than Lord Lyons. He finally informed Thouvenel about communications through Norfolk on 17 February, presenting it as a *fait accompli*, cheaper and safer than the Charleston route.[884] In fact, the minister plenipotentiary himself used the new service to go to Richmond on a fact-finding mission in April 1862, which Lord Lyons pointedly refused to join him on.[885] The British diplomat feared Americans would think that Britain and France were no longer acting in concert.[886] Though de Montaignac reported after his visit to Charleston that the stone obstructions sunk by the US Navy in Charleston harbour failed to damage it, for Reynaud and his small force the treacherous American coastline was the greater risk.[887] Thus, British and French officials had different calculations of risk, with the British fearing irritating US sentiments more than the danger to their warships. Nevertheless, both powers cooperated closely, as their men-of-war continued to carry each other's consular despatches, whether to Norfolk or Charleston.

The French courier service via flag of truce boats between Norfolk and Fort Monroe, though efficient, did not prove lasting. Flag of truce operations were cut off sporadically, either by misunderstandings resulting from boats being accidently fired upon or by ongoing fighting in the area.[888] Nevertheless, communications improved markedly.[889] However, with the fall of Norfolk to Union troops in May 1862, communications through the Virginian city ended abruptly.[890] Direct communications between Washington legations and Richmond consulates were stalled for months during the Peninsular Campaign (May-July 1862) and only reopened in truce boats further up the James River, beyond the safe reach of French (or British) men-of-war.[891] Here, communications were subject to the whims of the Union and Confederate armies. For example, the US Army refused a French request to engage in flag of truce communications on 23 August 1862.[892] Though communications by flag of truce boats did not completely end,

[884] Mercier to Thouvenel, No. 85, 17 February 1862, 39 CP/126, AMAE, La Courneuve, fos. 154-66.
[885] Mercier to Thouvenel, No. 97, 28 Apr 1862, 39CP/127, AMAE, La Courneuve, 50-79.
[886] Lord Lyons to Russell, No. 250, 14 April 1862, in *Through British Eyes, Vol. 2*, 14-18.
[887] de Montaignac to Chasseloup-Laubat, 7 February 1862, BB4/798, SHD/Marine.
[888] For example, Confederate batteries fired on the flag of truce boat *Ariadne* in July 1861. Case to Stringham, 6 July 1861, *ORN, Vol. 5*, 771-72.
[889] For example, all the political and commercial despatches sent by French Consul Paul from Richmond to Paris from September to November 1861 arrived in Paris on 4 January 1862. The despatches sent between December 1861 and January 1862 arrived on 26 February 1862. However, Paul's despatches written in February 1862 arrived to Paris less than a month after being sent. 16 CPC/9; 16 CPC/12; 266/CCC/4; 266/CCC/5, AMAE, La Courneuve.
[890] Paul to Thouvenel, No. 60, 26 May 1862, 16 CPC/12, AMAE, La Courneuve.
[891] For account of attempted Union advance on James River, see McPherson, *War on the Waters*, 108-111.
[892] Watson to Seward, 23 August 1862, *OR, Series III, Vol. 2*, 440.

they became increasingly difficult to arrange.[893] More than just the transmission of despatches, the end of the Norfolk route also mooted the evacuation plans for French and British consuls and their families in Charleston that were envisioned by de Montaignac earlier in the year. Thus, the burden for the protection and potential evacuation of British and French nationals in the case of an attack on the Confederate-held ports fell back on men-of-war directly going into coastal waters.

Buoyed by the success of DuPont's squadron, the Union prepared more expeditions. Mercier and Lord Lyons were worried about Burnside's joint army-navy expedition before it became evident that it focused on North Carolina.[894] Union officials were less coy with European diplomats about Flag-Officer Farragut's larger expedition that left Fort Monroe shortly after Burnside's, privately informing the foreign representatives that they aimed to take New Orleans.[895] Seward confidently told Mercier and Lord Lyons that after taking the city, the Union would be able to provide Europe with cotton from the warehouses.[896] This information caused a spurt of activity among British and French diplomats and naval officers in the Western Hemisphere. Lord Lyons and Mercier had warned de Montaignac and Milne about a probable coming attack on the coastal city in March.[897] With the *Milan* already on a mission to evacuate French subjects from the Crescent City, French naval plans in the area did not change significantly.[898] However, there were no British warships present. Lord Lyons also evidently did not fully trust the information Seward had provided him, urging Milne to send warships to different Confederate ports.[899] Lord Lyons also feared for Consul Bunch in Charleston, after his exequatur was revoked by the United States Government.[900] If the commander of the *Gassendi* seems to have ignored orders to leave the Chesapeake for Charleston, Admiral Milne, then based in Bermuda, enjoyed more authority than Captain de Montaignac. The British

[893] For example, even at the height of the Peninsula Campaign in June 1862, a Spanish and a Dutch consul fleeing the South with their families were able to overhaul the ironclad USS *Monitor* from a boat flying a flag of truce. This was, however, exceptional, and the commanding officer of the *Monitor* reported that he only let them onboard due to the distress that the families were in. Jeffers to Gillis, 12 June 1862, *ORN, Vol. 7*, 459; Gillis to Goldsborough, 7 June 1862, ibid., 460.
[894] Lord Lyons to Russell, No. 12, 3 January 1862, in *Through British Eyes, Vol. 1*, 272; Mercier to Thouvenel, No. 80, 14 January 1862, 39PC/136, AMAE, La Courneuve.
[895] Mercier to Thouvenel, No. 83, 3 February 1862, 39PC/136, AMAE, La Courneuve; Lyons to Russell, No. 101, 11 February 1862, in *Through British Eyes, Vol. 1*, 283-85.
[896] ibid.
[897] De Montaignac to Reynaud, 21 February 1862, BB4/798, SHD/Marine; Lyons to Russell, No. 174, 10 March 1862, in *Through British Eyes, Vol. 1*, 308-10.
[898] See Section 2.
[899] Lord Lyons to Milne, 27 February 1862, MLN/116/1a, Milne MSS, NMM.
[900] ibid.

admiral sent HMS *Racer* under Commander Algernon Lyons to Charleston and Savannah; a few days later he ordered HMS *Liffey* and *Steady* to New Orleans and Mobile.[901] Moreover, he had earlier sent the sloop *Rinaldo* to Chesapeake Bay to fulfil any immediate request from Lord Lyons.[902] Thus, as Lord Lyons suggested earlier, the Chesapeake replaced New York as the preferred anchorage for Royal Navy vessels.

British warships in the Chesapeake were effectively under the orders of the minister plenipotentiary in Washington, in a sense giving Lord Lyons a naval command. Commanding officers were instructed to fulfil "requests" coming from Lord Lyons to sail to the South, showing that Milne was less concerned about the risks of grounding off Confederate ports than was Reynaud.[903] This also shows the degree of trust Milne had in the diplomat. Sailing orders treated the neighbourhood as a post of the British Navy under the command of a Senior Officer, who was regularly instructed to give any standing orders to his successor.[904] The sailing orders the British admiral sent out in March 1862 to visit the South Carolina coast were a virtual copy of those the admiral had sent earlier to Captain Hancock in November 1861 – including instructions not to interfere with Union naval operations and to offer protection to French subjects.[905] Indeed, Milne privately wrote so himself to Lord Lyons.[906] Thus, this was the second iteration of British naval missions specifically aimed at offering protection.

Though Milne did not write so directly in either his official or private letters, it is likely that he continued his policy of sending commanding officers that he could trust with delicate missions that might involve entering a Confederate port in the case of the Chesapeake and the Gulf Coast. It is probable that Milne thought that he could trust the experienced Captain George Preedy of HMS *Liffey* to command on the Gulf Coast, who helped lay down the first, if ill-fated, transatlantic cable on HMS *Agamemnon* in 1858 and thus had previous close contact with American officers.[907] Commander Hewett of the *Rinaldo* had made multiple cruises on the American coast in the previous few months, delivering despatches and observing the blockade, which included dealing with the case of the *Alliance* and *Gondar*.[908] Moreover, the

[901] Milne to Algernon Lyons, 12 March 1862; Milne to Preedy, 19 March 1862, MLN/110/1, Milne MSS, NMM.
[902] Milne to Lord Lyons, 15 February 1862, MLN/105/2, Milne MSS, NMM. Milne to Hewett, 19 February 1862, MLN/110/1, Milne MSS, NMM.
[903] ibid.
[904] Milne to Von Donop, 8 August 1862; Milne to Watson, 4 October 1862; Milne to Von Donop, 24 July 1863; Milne to Hickley, 31 October 1863, MLN/110/2, Milne MSS, NMM.
[905] Milne to Algernon Lyons, 12 March 1862, MLN/110/1, Milne MSS, NMM.
[906] Milne to Lord Lyons, 24 March 1862, Box 192, Lyons Papers, Arundel Castle.
[907] John Brett, *On the Origin and Progress of the Oceanic Electric Telegraph* (Nassau Stream Press, 1858), 83-90.
[908] See Chapters I, III.

Rinaldo had discreetly picked up the Confederate commissioners from US authorities in Massachusetts Bay at the end of the *Trent* Affair, proving Hewett to be a dependable officer.[909] In May, Milne privately wrote to Lord Lyons that he was not sure that he could relieve the *Rinaldo* as "there are some other Captains I could not trust to keep the peace".[910] In these two cases, the admiral continued his practice of sending trusted officers on delicate missions on the American coast.

Commander Algernon Lyons of HMS *Racer* was a more curious choice, as the admiral did not always trust the officer, sending HMS *Immortalité* to Port Royal instead of the *Racer* in November 1861. In May 1861, Milne had been angry with Algernon Lyons for inserting himself too strongly into the Colombian Civil War, freeing a few supposedly British merchantmen seized by one of the sides.[911] He had formally censured the commander. Privately Milne described him as "a forward chap and thinks he is a diplomatist. I wish he would attend more to his ship and dabble less in Consul affairs."[912] The admiral derisively added that when he found fault with his subordinate, "his answer was I did so not in my Naval but my Consular Capacity… I suppose as the Lyons he considers he may do as he likes."[913] Indeed, the commander was the nephew of Admiral Edmund Lyons, the 1st Baron Lyons, who was the only British admiral to win public acclaim during the Crimean War, and thus Milne claimed the younger officer thought he was above regulations.[914] This also made the commanding officer of the *Racer* the cousin of the British minister plenipotentiary in Washington, Richard Lyons, the 2nd Baron and son of the admiral. Indeed, it is this connection that may have been the deciding factor for Milne, as it would be a favour to Lord Lyons in Washington. In fact, ties between the admiral and diplomat, if not yet personally cordial, were developing into fruitful bilateral working relationship, both men developing their family networks. Admiral Milne had recently thanked Lord Lyons for hosting his nephew Daniel Milne-Home in Washington, a meeting which was likely made in part to give the younger man connections.[915] The instructions to the *Racer* included sailing to Chesapeake Bay with consular despatches after examining the situation outside Charleston and Savannah – this would let Lord Lyons and Algernon Lyons

[909] See Chapter II.
[910] Milne to Lord Lyons, 14 May 1862, Box 192, Lyons Papers, Arundel Castle.
[911] Milne to Dundas, Mar 24 1861, MLN/116/3, Milne MSS, NMM.
[912] ibid.
[913] ibid.
[914] Laughton and Morriss, "Lyons, Sir Algernon McLennan".
[915] Milne to Lord Lyons, 24 February 1862, Box 192, Lyons Papers, Arundel Castle.

meet in person when the commander went to Washington to deliver the diplomatic mail.[916] After the *Racer* returned to England in November 1862 to be paid off and Algernon Lyons received a speedy promotion, Lord Lyons thanked the admiral for pulling some strings for his cousin.[917] Indeed, Milne had by this time warmed to Algernon Lyons and praised him in his despatches to Admiralty.[918]

Nevertheless, the admiral had sent a man he had previously described as brash and impulsive on a delicate assignment. Moreover, though the selection of warship for the mission was on the surface logical because, as Milne explained in a private letter to Grey, "no larger ship can get in", the assignment could have been given to other small vessels such as HMS *Landrail* that instead went with despatches to New York.[919] While it is true that the *Racer* had been on several missions to the South Carolina coast before, the latest in late December 1861, the new mission of offering protection to British and French nationals on the eve of active fighting between belligerents was a more delicate mission than simply delivering despatches and observing the blockade.[920] Therefore, the commanding officer who Milne sent to Charleston in March 1862 seems to have been chosen not so much for qualities such as tact and forbearance that would make conflict with the US Navy less likely, as for his family ties.

Milne continued to rely on Algernon Lyons, as for the next few months, the *Racer* was the only British man-of-war sent to the Georgia and South Carolina coast, except for a short visit of the *Rinaldo en route* to New Orleans in June.[921] The *Racer* arrived off Charleston on 20 March.[922] After consulting with the British and French consuls in Charleston, Algernon Lyons decided to sail south to meet with Commodore DuPont at Port Royal and examine the situation outside Savannah, Georgia, before returning to Charleston to collect the consuls' replies to their despatches.[923] DuPont assured the Royal Navy officer that no attack on Charleston was imminent.[924] However, the situation in Georgia was more worrying, as Algernon Lyons reported that Fort Pulaski, commanding the entrance to the port of Savannah,

[916] Milne to Algernon Lyons, 12 March 1862; Milne to Algernon Lyons, 6 May 1862, MLN/110/1, Milne MSS, NMM.
[917] Lord Lyons to Milne, 27 December 1862, MLN/116/1a, Milne MSS, NMM.
[918] Milne to Admiralty Secretary, No. 668, 20 August 1862, MLN/104/5, Milne MSS, NMM.
[919] Milne to Grey, 10 March 1862, MLN/116/2/2, Milne MSS, NMM.
[920] 8 December 1861, Milne to Algernon Lyons, *Milne Papers, Vol. 2,* 528.
[921] Lord Lyons to Hewett, 2 June 1862, in *Through British Eyes, Vol. 2*, 78-83.
[922] Algernon Lyons to Lord Lyons, 4 April 1862, in ibid., 3-5.
[923] ibid.
[924] ibid.

was isolated from the shore by Union forces and about to fall.[925] This would potentially open the door for an attack on Savannah itself. Despite apprehensions about Savannah, this visit was relatively uneventful. It is likely that the *Racer* took on board deserters from HMS *Immortalité* captured by DuPont, which the *Immortalité*'s Captain Hancock thanked the Union commodore for delivering in a private letter.[926] Remarks about this visit are missing from DuPont's extant private correspondence and the US Navy reports from Volume 12 of ORN, though a private journal from USS *Augusta* makes a passing reference to the return of the *Racer* to Charleston on March 29.[927] Though this mission seems to have been routine, the *Racer*'s later visits proved more contentious.

Commander Algernon Lyons's next visit came during a period of increased Union assaults from the sea. With the fall of Fort Pulaski on 11 April, British Consul Molyneux in Savannah reported the dire straits the city and British subjects were in several times during the next few weeks. Not only was the wooden city unlikely to survive a bombardment, but Georgian authorities had begun to conscript foreigners into local militias, as international law allowed for the enlistment of domiciled foreigners during invasions (from the Confederate perspective, United States forces were outside invaders).[928] For the moment, however, the governor was willing to release British subjects on Molyneux's "personal application".[929] Consul Bunch also warned that Savannah was about to fall.[930] Not having the option of the evacuation route to Norfolk, Molyneux pleaded for a man-of-war.[931] The situation around Charleston also was getting tense in early May, as Union troops began to mass on Edisto Island, not far from the city.[932] On 5 May, Bunch reported that Charleston was also put under martial law and the Confederates claimed to be ready to burn the city.[933] With the fall of Norfolk on 10 May, the situation in Charleston turned dire for Bunch and de St. André. Fortunately for them, HMS *Racer* arrived on 22 May off Charleston on a mission from Milne to supplement the Norfolk courier service.[934] Commander Algernon Lyons again took the time to sail to DuPont's

[925] ibid.
[926] Hancock to DuPont, 26 April 1862, Feb-Apr 1862, Box 31, DuPont Papers, Hagley Museum.
[927] Box 7, DuPont Papers, Hagley Museum; *ORN, Vol. 12: South Atlantic Blockading Squadron (October 29, 1861 – May 13, 1862)*; Journal Entry, 27 March 1862, E-608 (99): Journal of Comdr. Enoch G. Parrott, Oct. 16, 1861-Sept. 4, 1862, RG: 45, NARA, ff. 34.
[928] Molyneux to Lord Lyons, 12 April 1862, in *Through British Eyes, Vol. 2*, 83-85.
[929] ibid.
[930] Bunch to Russell, No. 66, 15 April 1862, FO5/843, TNA.
[931] Molyneux to Lord Lyons, 22 April 1862, in *Through British Eyes, Vol. 2*, 48-49.
[932] E. Burton, *The Siege of Charleston, 1861-1865* (University of South Carolina Press, 1970), 98-110
[933] Bunch to Russell, No. 68, 5 May 1862, FO5/843, TNA.
[934] Bunch to Russell, No. 75, 29 May 1862, ibid; de St. André to Thouvenel, No. 40, 24 May 1862, 16CPC/11, AMAE, La Courneuve.

headquarters.[935] Bunch and de St. André meanwhile had the time to compose plaintive despatches pleading for a man-of-war and telegrammed their consuls in Richmond and Savannah to send despatches to Charleston.[936] De St. André wrote: "For the foreigners and for us agents, this situation is very serious, and I don't know what will become of us if we don't have a warship to take refuge in if the city is occupied by U.S. troops."[937] Algernon Lyons concurred in his report: "I think it probable that the presence of a vessel of war may shortly be required at that place".[938] Though DuPont informed Algernon Lyons that he would be disposed to take foreign consuls on board his warships in case of an attack on Charleston, this was not sufficient for neither the consuls nor the commander. Lord Lyons quickly requested his cousin to return to Charleston when ready and asked the *Rinaldo* to stop at the port along the way to New Orleans.[939] HMS *Racer* made a quick trip to South Carolina, confirming the need for a warship off Charleston. William Stuart, the British Chargé d'Affaires in charge during Lord Lyons's leave in mid-1862, reported to Russell on June 20: "Mr. Bunch will soon have the advantage of the presence of that ship for the protection of British interests, in case of need."[940] Admiral Reynaud, having by now returned to New York, sent the *Renaudin* to Charleston with similar orders.[941] Thus, there would be a French and British warship off Charleston present in the event of a Union attack.

Lieutenant Le Cardinal, commanding the *Renaudin*, and Commander Algernon Lyons took differing approaches to protecting their consuls and nationals in Charleston. In June and July, when the two warships were off the South Carolina coast, the Union Army conducted its only serious, if ultimately unsuccessful, operations aimed at storming the Charleston from the land.[942] De St. André reported that trains were ready to leave Charleston with civilians in case the fighting reached the city.[943] In terms of the relative safety of a naval evacuation, a Union attack from the land was less problematic than one from the sea, as the neutral warship would not be stuck in the middle of combat in the harbour. Bunch reported that Algernon Lyons

[935] Algernon Lyons to Lord Lyons, 1 June 1862, in *Through British Eyes, Vol. 2*, 83-85.
[936] Bunch to Russell, No. 75, 29 May 1862, ibid; de St. André to Thouvenel, No. 40, 24 May 1862, 16CPC/11, AMAE, La Courneuve.
[937] « Pour les étrangers et pour nous autres agents, cette situation est fort grave et je ne sais ce que nous deviendrons si nous n'avons pas un bâtiment de guerre pour nous refugier dans le cas de l'occupation de la ville par les troupes des Etats-Unis. » ibid.
[938] Algernon Lyons to Lord Lyons, 1 June 1862, in *Through British Eyes, Vol. 2*, 83-85.
[939] Lord Lyons to Hewett, 2 June 1862, in *Through British Eyes, Vol. 2*, 78-83.
[940] Stuart to Russell, 20 June 1862, in ibid., 108-109.
[941] Reynaud to Chasseloup-Laubet, No. 24, 10 June 1862, BB4/798, SHD/Marine.
[942] Burton, *Siege of Charleston*, 98-110.
[943] De St. André to Thouvenel, No. 46, 26 June 1862, 16CPC/11, AMAE, La Courneuve.

thought his man-of-war would be "practically useless" outside the bar of Charleston Harbour.[944] Accordingly, the *Racer*, after getting permission from the blockading squadron, entered the harbour, the first neutral warship to do so during the conflict.[945] Le Cardinal, however, refused to do so, claiming that his orders forbade such an action.[946] Instead, he chose to anchor at Port Royal, keeping company with Commodore DuPont and the Union general, ready to leave if informed of fighting.[947] The French consul was not convinced by this reasoning and compared the attitude of the British officer positively to Le Cardinal in his despatch to Thouvenel: "As to the *Racer*, its commanding officer has understood the gravity of the situation. He is disposed to enter and, although his vessel may be small, I have no doubt that, if there is a need, he will receive me and Madame de St André on board."[948] Though the French consul was primarily concerned for the safety of his family, which the absence of the *Renaudin* compromised, his comparative appraisal of the two officers' hints at the loss of face from relying on a British warship.

The French consul did not stay long in this compromised position. The failure of McClellan's Peninsular Campaign in July, combined with the Union loss in the Battle of Secessionville in South Carolina itself, made it clear that the United States was not able to send enough troops to successfully attack Charleston by land.[949] The *Racer* could now to return to the Chesapeake. In late July, de St. André left Charleston on the *Renaudin* with his family for New York, arguing that he could do so as no attack was now likely, but which Mercier reported as motivated by the poor health of his wife and the coming sickly season.[950] However, this left the entire Atlantic Coast of the American South without a French consular officer authorised to report to either the minister plenipotentiary in Washington or the Foreign Ministers in Paris.[951] No despatches were sent from the Charleston consulate to either functionary to the

[944] Bunch to Stuart, No. 47, 1 July 1862, FO5/843, TNA.
[945] ibid.
[946] De St. André to Thouvenel, N. 46, 26 June 1862, 16CPC/11, AMAE, La Courneuve.
[947] ibid.
[948] « Quant au Racer, son commandant a compris la gravité de la situation, il dispose à entrer et, quoique son navire soit petit, je ne mets pas en doute, qu'au besoin, il me reçoive ainsi que Madame de St André à son bord. », ibid.
[949] Burton, *Siege of Charleston*, 110.
[950] De St. Andre to Thouvenel, N. 51, 26 July 1862, 16CPC/11, AMAE, La Courneuve; Mercier to Thouvenel, No. 118, 7 Oct 1862, 39CP/128, AMAE, La Courneuve, fos. 116-24.
[951] Though there were despatches from French vice-consuls in Mobile, Alabama and Galveston, Texas sent to Paris in 1862, they were exceptional and invariable began with apology, as by regulation, vice-consuls could only correspond with full consuls, not the foreign minister in Paris or minister plenipotentiary in Washington. Théron to Thouvenel, N. 374, 2 August 1862, 16CPC/11, AMAE, La Courneuve; Théron to Mercier, 22 July 1862, ibid; Portz to Thouvenel, 20 September 1862, ibid; Portz to Thouvenel, 22 September 1862, ibid; Portz to Thouvenel, 18 October 1862, ibid.

New York Consul-General until de St. André returned in December.[952] Consul Bunch also chose to leave Charleston for a few months fearing Yellow Fever but not Union forces in the autumn, establishing himself in the Carolina hinterland and leaving Vice-Consul Walker in Charleston.[953] Nevertheless, he continued corresponding from there.[954] With the *Rinaldo* on a mission to the Gulf coast, Algernon Lyons inherited Commander Hewitt's station in the Chesapeake. As such it was his duty to accept requests from Lord Lyons or Stuart to go to the South Carolina coast and be ready to deliver despatches, as well as to evacuate British and French consuls and nationals if needed. As DuPont characterised the warship's actions in a letter to his wife, "The *Racer* carries between Charleston & Annapolis".[955] The *Racer* went on further assignments in late July, August, and October.[956] British naval presence on the Carolina coast continued to be headed by Commander Algernon Lyons.

In this period US Navy officers looked at the British commander with increasing irritation. In May, DuPont described his interactions with the commander of the *Racer* as "very civil" and even made use of British officer's offers to bring private correspondence North.[957] By July, the US officer complained that the vessel was rumoured to help blockade-runners evade the Union warships by flashing signals at night.[958] Union officers made such accusations in official despatches in June and October.[959] The Northern press also accused the British warship of spying for the Confederacy.[960] A Confederate deserter that DuPont considered well-informed reported that Algernon Lyons and his officers supported the Confederacy.[961] Indeed, Bunch reported that the commander got along splendidly with Confederate officers: "The usual complimentary visits to the de facto Authorities, Naval, Military and Civil, have been satisfactorily paid, and have been returned at my house, where Captain Lyons now is."[962] By August, DuPont, now Rear-Admiral, wrote to his wife about not wanting to see the commander:

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[952] 16CPC/11, AMAE, La Courneuve; 77CCC/7, AMAE, La Courneuve.
[953] Bunch to Russell, No. 112, 8 September 1862, FO5/844, TNA.
[954] Despatches No. 112-119 (from 8 September to 3 October 1862) are from Asheville, NC. Despatches No. 120-123 (between 21-23 October 1862) are from Columbia, SC. FO5/844, TNA.
[955] DuPont to Mrs DuPont, No. 59, 27 May 1862, May-Jun 1862/Box 7, Dupont Papers, Hagley Museum.
[956] Algernon Lyons to Milne, 26 July 1862, in *Through British Eyes*, 143-45; Bunch to Russell, No. 110, 25 August 1862, FO5/844, TNA; Samuel DuPont to Fox, 23 October 1862, *ORN, Vol. 13*, 408-9.
[957] DuPont to Mrs DuPont, No. 58, 19-25 May 1862, in *Samuel Francis Du Pont*, *Vol. 2*, ed. Hayes, 58-71.
[958] DuPont to Mrs DuPont, No. 75, 14-20 July 1862, Jul-Sep 1862, Box 7, DuPont Papers, Hagley Museum.
[959] Upshar to Marchand, 28 June 1862, *ORN, Vol. 13*, 150; Green to Godon, 19 October 1862, ibid., 394.
[960] The Union Senior Officer off Charleston even attached a clipping from the *New York Herald* accusing the Racer of helping blockade runners in his despatch to DuPont, thought he wrote that he found the accusations unfounded a few days later. Marchand to DuPont, 25 June 1862, ibid., 138-40; Marchand to DuPont, 28 June 1862, ibid., 149-50.
[961] DuPont to Mrs DuPont, No. 78, 27-28 July 1862, in *Samuel Francis Du Pont*, *Vol. 2*, ed. Hayes, 166-79.
[962] Bunch to Stuart, No. 47, 1 July 1862, FO5/844, TNA.

"Capt Lyons seems to consider himself obliged to come in here every time and salute my flag which annoys me much. Some officers think they act as Spies."[963] The Union admiral was particularly angered by "impertinent remark[s]", "such as – I presume when the South get their independence they will make Port Royal their great naval depot!"[964] This is in stark contrast with DuPont's relations with Le Cardinal.[965] Whether the accusations against Algernon Lyons have any merit is difficult to discern. Such stark actions would not be entirely without precedent. Commander Walker of HMS *Peterel* helped the undermanned CSS *Florida* in Nassau by providing it with a hawser in August 1862.[966] However, in June, Captain Marchand of USS *James Adger*, the Senior Officer off Charleston, felt obliged to refute the accusations against the *Racer* by one of the officers under his command.[967] Nevertheless, it is clear Algernon Lyons did not quite live up to succeeding in "a duty which called for the exercise of tact in the protection of British interests" as one biographical portrait suggests.[968] With his lack of delicacy, the commander was also not following Milne's guidelines to remain strictly neutral. However, in this case this seems not to have bothered the admiral. Nevertheless, despite Commander Algernon Lyons's probable Confederate sympathies, flaws as a diplomat, and even possible unneutral actions, the officer did not precipitate a serious incident in his interactions with Union authorities as Commander Walker and Lieutenant Croke would in early 1863.

Section 2: Missions on the Gulf Coast up to April 1862

On the Gulf Coast, New Orleans was the site of multiple naval missions to protect French and British subjects, as were, to a lesser extent, Galveston and Mobile. The latter two ports were important commercially and had thousands of foreign inhabitants.[969] They hosted full British consulates and French vice-consulates that reported to Consul Count Méjan in New Orleans.[970] New Orleans commanded far greater attention as the major transport link for cotton

[963] DuPont to Mrs DuPont, No. 83, 22 August 1862, Folder: Jul-Sep 1862, Box 7, DuPont Papers, Hagley Museum.
[964] ibid.
[965] DuPont to Mrs DuPont, No. 66, 25 June 1862, Folder: Jul-Sep 1862, Box 7, DuPont Papers, Hagley Museum.
[966] 7[2] August 1862, Maffitt's Journal, *ORN, Vol. 1*, 764.
[967] Marchand to DuPont, 28 June 1862, *ORN, Vol. 13*, 149-50.
[968] L. Laughton and Roger Morriss, "Lyons, Sir Algernon McLennan (1833-1908), naval officer." *Oxford Dictionary of National Biography*, 23 Sep. 2004.
[969] *US 1860 Census*, xxxii; 488.
[970] Berwanger, *British Foreign Service*, 2; Correspondance avec les consulats, vice-consulats et agences consulaires dépendant du consulat de la Nouvelle-Orléans, janvier 1860-décembre 1862, 340PO/A/205, AMAE, Nantes.

and sugar from the South and grain from the Midwest.[971] The city hosted tens of thousands of foreigners, including large communities of wealthy and influential foreign merchants.[972] This included over 20,000 Irishmen and a smaller, but significant, number of people born in other British domains.[973] The city had the second highest French-born population after New York – over 10,000, representing around 10% of those reporting in the 1860 Census to be born in France.[974] Moreover, the city had a large French Creole population, technically American citizens, which may have been difficult to distinguish from unnaturalised French subjects.[975] The 10,000 figure is likely an overestimate, as many French subjects took American citizenship, a fact that the French consul bemoaned; they represented a category of people he was loath to offer protection to.[976] However, as the 1860 Census was only published for public use partially in 1862 and fully in 1864, the exact figures would have been unknown at the time.[977] Therefore, the city was at the centre of European governments' attention before and after its occupation by Union forces in late April 1862.

The consular work of protection was particularly difficult in New Orleans before its fall to Union forces. Not only did the city host great numbers of foreigners, but it also remained out of official communications with the outside world for months at a time even after courier systems to Charleston and Norfolk were established. Both systems implied sending correspondence, by post or messenger, over the buckling, overstretched Confederate railway system.[978] Consul Méjan frequently complained he could not get messages out in time to reach either city.[979] British Consul William Mure's Autumn 1861 trek from New Orleans to Washington, DC, which included hiding in farmer's wagons on off road tracks to avoid pickets, took 26 days instead of the pre-war five.[980] Travel from Richmond to New Orleans, a route through uninterrupted Confederate-controlled territory, took a French messenger 13 days in March 1862.[981] This land service was somewhat supplemented by officers from British and

[971] Jason Berry, *City of a Million Dreams: New Orleans at Year 300* (Chapel Hill: North Carolina Scholarship Online, 2018), 147.
[972] Out of the total population of almost 170,000 in 1860, 65,000 were foreign born. *US 1860 Census*, xxxii.
[973] Ibid.
[974] Ibid, xxviii, xxxii.
[975] Moreover, people with French ancestors had a right to reclaim French nationality, which many began to do in 1862, Fauconnet to Mercier, 19 September 1862, 227CCC/14, AMAE, La Courneuve.
[976] Méjan to Mercier, 18 July 1861, 340PO/A/154, AMAE, Nantes.
[977] Margo Anderson, *The American Census: A Social History* (New Haven: Yale University Press, 2015), 47.
[978] H. Stone, *Vital Rails: The Charleston & Savannah Railroad and the Civil War in Coastal South Carolina*, 1-20.
[979] Méjan to Mercier, 21 August 1861; Méjan to Mercier, 12 October 1861, 340PO/A/154, AMAE, Nantes. Méjan to Mercier, 26 March 1862, 340/PO/A/155, AMAE, Nantes.
[980] Mure to Russell, separate No. 4, 26 October 1861, FO5/788, TNA.
[981] 26 March 1862, Méjan to Mercier, 340PO/A/154, AMAE, Nantes.

French warships which sometimes anchored off the mouths of the Mississippi River in the summer and early autumn of 1861.[982] However, no British or French officer visited the city again until January 1862, though the *Lavoisier* and HMS *Desperate* did inspect the blockade Mississippi Delta.[983] As late as February 1862, Commander Ribourt reported hesitation about taking consular despatches because he found the envelopes too thick and thus likely contained private letters that he was not supposed to transport.[984] Moreover, as seen in Chapter I, this was a difficult service since the officers had to take a day to reach New Orleans from the mouths of the Mississippi where their ships stopped at the Union blockade. This delay in communications meant that officers could not fully rely on instructions from their superiors and forced them to come up with policy positions on the spot.

Long before Commodore Farragut's squadron appeared before New Orleans in late April, the British consul clamoured for a man-of-war. As early as January 1861, Mure transmitted the desire of British merchants to have a warship off the coast, though he did not support the idea at the time.[985] With the start of the blockade in June the British, French, Spanish and Bremen consuls chartered a tugboat from New Orleans to negotiate difficulties regarding the departure of neutral vessels with the Union squadron, specifically because there was no European warship to negotiate on their behalf.[986] Mure also requested a warship in August 1861 to repatriate three black British subjects who were captured by a Confederate privateer from a Northern whaleship and imprisoned under the Negro Seaman Act.[987] Unlike in previous cases, Mure was not even allowed to take the seamen out of the city jail and house them on consular premises.[988] Lord Lyons thought that the Louisiana position was atrocious: "the outrage however committed against these men appears to me to be so gross, and the principle involved so serious".[989] He even suggested demanding an indemnity from either the state or the Confederate Government.[990] The diplomat forwarded the petition to Admiral Milne, whose notes indicate that he sent an order to Commodore Dunlop in Havana to help the men return from New Orleans.[991] However, their repatriation was stymied by the yellow fever epidemic

[982] See Chapter I.
[983] Ribourt to Chasseloup-Laubat, 6 November 1861, BB4/798, SHD/Marine; Ross to Dunlop, 28 December 1861, Foreign Office, *Papers relating to the blockade of the ports of the Confederate States*, 120.
[984] Ribourt to Chasseloup-Laubat, 19 February 1862, BB4/798, SHD/Marine.
[985] Mure to Russell, No. 3, 10 January 1861, FO5/788, TNA.
[986] Mure to Russell, No. 23, 6 June 1861, FO5/788, TNA.
[987] Mure to Lord Lyons, 19 July 1861, ADM128/57, TNA, fos. 631-36.
[988] Hunt to Mure, 17 July 1861, ADM128/57, TNA, fos. 627-30.
[989] Lord Lyons to Russell, No. 395, 3 August 1861. In *Through British Eyes, Vol. 1*, 153.
[990] ibid.
[991] Lord Lyons to Milne, 3 August 1861, ADM128/57, TNA, fos. 625-26.

among Dunlop's forces described in Chapter I. In the end, Vice-Consul Coppell, who replaced Mure as acting consul in September 1861, was able to secure the seamen's release in January 1862 – the men were put on a small boat and put to sea, to be picked up by a US warship.[992] However, this did not end confrontations between Confederate authorities and foreign consuls, which led to more requests for European warships to come to New Orleans.

The safety of foreigners, and to a certain extent, of the consuls, in Louisiana was most affected by forcible impressment into state militia units. Louisiana was exceptional in attempting to force all white male residents into the militia despite consular opposition. State law stipulated that white domiciled foreign men must serve in the state militia when called upon.[993] As state-raised units formed the bulk of American military forces during conflicts in the nineteenth century, joining seemed to imply participation in the war.[994] This ran afoul of British and French neutrality proclamations. Moreover, service was unpalatable to many foreigners, especially recent immigrants, who had no allegiance to Louisiana, the Confederacy, or the United States. The states of Virginia, South Carolina and Georgia, which had similar laws and many domiciled foreigners, eventually exempted foreigners under pressure from consuls.[995] In the summer of 1861 the situation for foreigners in Louisiana was becoming dire, Consul Mure reporting on 11 July that "during the last three weeks, [forced impressments] became more flagrant and numerous".[996] He reported inebriated press gangs taking men from the streets after roughing them up. London *Times* Journalist William Howard Russell reported that British subjects were thronging the consulate.[997] Thus, the alleged mistreatment of British subjects got press attention.

In fact, the evidence points to Consul Mure having been run out of New Orleans, leaving the consulate to Vice-Consul Coppell. The British consul's adamant position that British subjects should be discharged was temporarily adopted by Governor Thomas Moore, who made a declaration on 6 July not to recognise state militias that impressed foreigners.[998] However, the governor also published his correspondence with the British consul. This Mure

[992] Berwanger, *British Foreign Service*, 65
[993] Méjan to Mercier, 26 July 1861, 340PO/A/154, AMAE, Nantes.
[994] Adam Smith, *The American Civil War*, 130-31, 133-34.
[995] Lord Lyons to Russell, No. 213, 31 March 1862, in *Through British Eyes, Vol. 1*, 316-7; Paul to Thouvenel, No. 50, 23 March 1862, 16CPC/12, AMAE, La Courneuve; Bunch to Russell, No. 131, Nov 20, 1861, FO5/781, TNA, fos. 386-88.
[996] Mure to Russell, No. 31, 11 July 1861, FO5/788, TNA.
[997] Our Special Correspondent, "Civil War in America," *Times* (London), 14 October 1862.
[998] Governor Moore had no relation to the similarly-named British consuls in New Orleans or Richmond. For the governor's declaration: 6 July 1861, FO5/788, TNA.

claimed "has led to the exhibition of much ill feeling, by some of the Military Companies, whose illegal acts I have been obliged to protest against".[999] He reported fearing vigilance committees.[1000] Though the consul reported to Russell that he started his arduous journey from New Orleans for Washington in mid-September because he could not find a courier to deliver despatches "of some importance", the threat of personal violence from vigilance committees was likely the major concern.[1001] British agents in slave-owning territories had suffered from violence before, including Mixed Commission Judge George Backhouse who was murdered in Havana in 1855 under suspicious circumstances.[1002] Indeed, Joseph Crawford, British consul-general in Havana, asked the foreign secretary for emergency leave in the summer of 1861 in order to flee the island, fearing slaveholders' reactions to his published correspondence.[1003] Mure likely avoided reporting his concerns directly in official correspondence because doing so would have forced the British Government to demand an apology from the Confederacy, a government it did not recognise. Though Eugene Berwanger has described "ill health" as the reason for Mure's leaving New Orleans, it is unlikely that a sick man would have taken such an arduous journey through the front lines.[1004] Indeed, contemporary American historian George Bancroft, who met Mure in New York on his way back to England, wrote about the British consul in a private letter: "The treatment of himself he represented as violent. His life was repeatedly in danger from his interposing to rescue British subjects from the ranks of the Confederate Army."[1005] The consul arrived to the North angry about his treatment, even if he did not write so directly in official letters.

From New York, an embittered Mure counselled Lord Lyons to try to send a British warship to anchor in the Mississippi River, directly in front of the city (previous visiting European warships did not go past the mouths of the river) to deal with the impressment issue and other threats emanating from New Orleans.[1006] However, at the height of the *Trent* Affair, Lord Lyons felt that this would be impolitic, writing so officially to the foreign secretary on 29 November.[1007] Milne's notes on the margins of the despatch show he shared this reasoning.[1008]

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[999] Mure to Russell, No. 31, 11 July 1861, FO5/788, TNA.
[1000] ibid.
[1001] 21 October 1861, separate N. 3; Mure to Russell, ibid.
[1002] Luis Martinez-Fernandez, *Fighting Slavery in the Caribbean: The Life and Times of a British Family in Nineteenth-Century Havana* (Taylor & Francis Group, 1998), 143-45.
[1003] Crawford to Russell, No. 27, 6 July 1861, FO 75/1013, TNA, fos. 152-53.
[1004] Berwanger, *British Foreign Service*, 12.
[1005] Bancroft to "My Dear Sir", 21 November 1861, *OR, Series III, Vol. 1*, 667.
[1006] Mure to Lord Lyons, 18 November 1861, ADM128/57, TNA, fos. 657-59.
[1007] Lord Lyons to Russell, No. 714, 29 November 1861, in *Through British Eyes, Vol. 1*, 232.
[1008] ibid.

On the same day, Lord Lyons sent a private letter to Earl Russell, explaining his reasoning for not sending a man-of-war to New Orleans:

> It is quite true that a town may be bombarded someday by the United States Forces – that British subjects may have their throats cut by the Negroes in a servile insurrection; or be tarred and feathered by a vigilance Committee. But we cannot keep a squadron at every point to protect them – and I do not know what points are particularly threatened.[1009]

Along with noting the common European fears of an uprising of the enslaved or naval bombardment, this document uniquely adds the threat of a vigilance committee, suggesting that such a threat was on his mind after interacting with Mure. For the moment at least, protection from the Royal Navy was not forthcoming.

French Consul Méjan had a different response to militia impressment, trying to find an accommodation with the Louisiana governor to whose cause he was sympathetic. Governor Moore only officially reversed himself and ordered all domiciled foreigners into militia duty on 28 September, after Consul Mure had left, but Acting Consul Coppell and the French consul noted that vigilance committees were already recruiting men regardless.[1010] Though Méjan also agreed that militia service was a burden, he could see no way out of the militia law, which he described "puritanical".[1011] Under Méjan's understanding of international law, which he shared with the governor, foreigners could be made to serve in local militias, as long as they were not forced to take part in the war.[1012] Thus, in July, he worked with the authorities to forge a compromise, which led to the creation of militia companies composed only of non-naturalized French nationals.[1013] These units were explicitly prohibited from leaving the confines of their parishes and thus could not take part in the fighting that was raging in Virginia and the border states at the time.[1014] These companies had some precedents to legation and consular guards, including a neutral German militia that patrolled Veracruz between the Mexican evacuation and Spanish occupation December 1861.[1015] In his 1 October despatch, British Acting Consul Coppell felt that he had no choice but to counsel British subjects to join the militia, not to face

[1009] Lord Lyons to Russell, 29 November 1861, *Private and Confidential*, eds. Barnes and Barnes, 269-70.
[1010] Orders No. 1147, Thomas Moore, 28 September 1861 published in "Official", *New Orleans Daily Crescent*, 30 September 1861. Coppell to Lord Lyons, 1 October 1861, ADM128/57, fos. 651-56, TNA; Méjan to Mercier, 26 July 1861, 340PO/A/154, AMAE, Nantes.
[1011] « puritaine », ibid.
[1012] ibid.
[1013] ibid.
[1014] ibid
[1015] De Challié to Chasseloupe-Laubat, 20 December 1861, BB4/799, SHD/Marine.

worse repercussions.[1016] The subjects of other countries soon followed suit, and in New Orleans two rival militia forces were formed, the European Brigade and the French Brigade (this included two regiments called the French Legion, as well as thousands of other foreign nationals), both under the command of a French general.[1017] Thus large, armed, and officially neutral forces of foreigners were formed in the city.

The question of militia service for domiciled foreigners brought to the fore tensions between European proclamations of neutrality and the doctrine of protection. Indeed, the initial reaction of French officials in Paris and Washington to Méjan's actions was disapprobation. As early as 13 July, Thouvenel inquired about the creation of a French militia under consular supervision, and instructed Méjan to make sure that the need for the "personal security" of Frenchmen joining militia companies did not add up to an intervention.[1018] Similarly, French Chargé d'affaires de Geofroy did not approve of the proceedings, when he covered Mercier's duties in Washington while the French representative entertained visiting Prince Napoléon-Jérôme.[1019] In his 20 August despatch, de Geofroy described militia service as "a unfortunate and regrettable obligation against which the agents of H. M. must endeavour to protect his subjects."[1020] He presciently pointed out the obvious flaw in the consul's plan – "the theatre of operations is currently far from Louisiana, but who is to say it will not get any closer?"[1021] Thus, Méjan had failed in his duties to protect his fellow subjects and exposed the French government to a potentially embarrassing situation – would the French militiamen have to fight an invading Northern force? He instructed the consul instead to try to use his good offices to privately persuade the governor not to impress foreigners.[1022] The immediate reaction of Navy Minister Chasseloup-Laubat was unequivocal. On the margins of Commander Ribourt's report of visiting New Orleans in September 1861, next to the section describing the foreign militia, the minister wrote: "This is completely incorrect. The Consul of France, on the contrary, was

[1016] Coppell to Lord Lyons, 1 October 1861, ADM128/57, TNA, fos. 651-56.
[1017] Colonel de Ladébat of the French Brigade describes explaining the differences between foreign militias to Union General Butler in a letter to the French consul in May: de Ladébat to Méjan, 11 May 1862, May 1862, Méjan Papers MSS32565, LOC.
[1018] « sécurité personnelle », Thouvenel to Méjan, No. 4, 13 July 1861, 16CPC/9, AMAE, La Courneuve.
[1019] De Geofroy to Méjan, 20 August 1861, 340PO/A/154, AMAE, Nantes.
[1020] « une obligation fâcheuse et regrettable contre laquelle les agents de S. M. doivent tâcher de protéger ses sujets » 20 August 1862, ibid.
[1021] « Le théâtre des opérations est actuellement éloigné de la Louisiane, mais qui peut répondre qu'il ne s'en rapprochera pas ? », ibid.
[1022] ibid.

asked to do everything to discourage Frenchmen from taking up arms".[1023] He communicated this to the Foreign Ministry.[1024] However, Méjan only received and responded to the despatches of Thouvenel and de Geofroy in October, by which point the foreign militia companies had been in operation for months.[1025] Both Mercier and Thouvenel ultimately approved Méjan's activities, specifically noting his difficult situation.[1026] The official British reaction to militia impressment was somewhat muted. On 12 November 1861, Lord Lyons sent a circular to British consuls in the South stating the Queen's Counsel found that impressment in militias was lawful if it did not involve fighting in the war, echoing Méjan's position.[1027] Thus, the French consul's controversial approach to impressment, formed without instructions from Washington or Paris, became the accepted policy of the British and French governments.

Méjan defended the creation of foreign militias as the best balance of neutrality and protection he could achieve under the circumstances. These armed groups were nominally neutral and were themselves a form of protection. The French Legion, though officially created on 26 April 1861, only had its flag consecrated in a ceremony in July, at the same time Méjan was organizing French subjects into the state militia.[1028] The legion's official regulations limited its personnel to non-naturalised Frenchmen and explicitly stated that legion would only be active in the city.[1029] The regulations studiously avoided any direct mention of Confederate allegiance, though they did call secession a "fait accompli" and blamed the war on Lincoln and the North.[1030] The flag consecration ceremony also displayed obvious partisanship, done under the aegis of Governor Moore and Consul Méjan with the colours of France, Louisiana, and the Confederacy jointly displayed.[1031] Though newspaper reports of this display were enough to raise questions from de Geofroy in Washington, the consul responded implausibly that this pageantry was unplanned.[1032] Méjan also characterised the armed French citizenry as itself a form of protection against potential slave insurrections and keep in check (nominally pro-

[1023] « C'est parfaitement inexact. Le Consul de France au contraire a été invité à tout faire pour empêcher les Français de prendre les armes. » On the margins of Ribourt to Chasseloup-Laubat, 9 November 1861, BB4/798, SHD/Marine.
[1024] ibid.
[1025] Méjan to Thouvenel, No. 38, 11 October 1861, 16CPC/9, AMAE, La Courneuve.
[1026] Thouvenel to Méjan, No. 4, 28 November 1861, ibid.; Mercier to Méjan, 3 January 1862, 340PO/A/154, AMAE, Nantes.
[1027] Lord Lyons to Consuls, 12 November 1861, in *Through British Eyes, Vol. 1*, 212.
[1028] "Consecration of the Flag of the French Legion", *New Orleans Picayune*, 29 July 1861; *Règlements de la Légion Française formée à la Nouvelle-Orléans, le 26 d'avril, 1861*, *OR, Ser. I, Vol. 15*, 480-83.
[1029] ibid.
[1030] ibid.
[1031] "Consecration of the Flag of the French Legion", *New Orleans Picayune*, 29 July 1861.
[1032] Méjan to Mercier, 12 October 1861, 340PO/A/154, AMAE, Nantes.

Confederate) militia of *gens de couleur*, relatively well-to-do free Francophone black men.[1033] Indeed, fear of armed black men, and the need to protect presumably white French subjects from them, would continue to be a consistent theme of his despatches. Moreover, the consul, who had a Creole wife and was later discovered have had a personal stake in trade with the Confederate government, likely saw the benefit of freeing Confederate militia from the duty of patrolling the city to go to the front.[1034] Though he did not state it directly, the French consul also likely thought of the French-led foreign militia as a bulwark against white men as well. Political violence of the sort that made Consul Mure leave was not uncommon in the South. New Orleans was particularly unruly, and the consul's house had been broken into in 1860.[1035] Méjan also complained about the violence of armed vigilance committees against foreign nationals.[1036] Thus, thousands of armed foreigners also served a form of protection without the presence of a man-of-war.

Yet, Méjan's compromise with Governor Moore soon proved to be precarious. The Union push down the Mississippi River from Northern and Border States seemed successful enough to reach Louisiana and resulted in demands to send foreign militiamen to the front lines, leading to new legislation allowing the governor to do so in February 1862.[1037] Méjan organised consular opposition to such measures, which resulted in a formal protest signed by seven European consuls, while at the same time writing to French Consul Alfred Paul in Richmond to protest to the Confederate Government.[1038] Concurrently, Méjan personally met with Governor Moore, getting his "word of honour" not to send foreign militiamen to the front lines.[1039] Méjan highlighted the importance of protecting Frenchmen from actual military service on the front line for French prestige, contrasting his energetic efforts with those of his colleagues from German states that thought their nationals had suffered their just deserts for leaving the mother country.[1040] With the coast blockaded and land travel difficult and dangerous, foreigners were stuck in New Orleans and could not leave to avoid militia service, which was something that the consul did not fail to remind his superiors and Governor

[1033] Méjan to Mercier, 26 July 1861, 340PO/A/154, AMAE, Nantes.
[1034] Ameur, *Les Francais*, 90-91.
[1035] *Courier des États-Unis*, 15 November 1860.
[1036] Méjan to Mercier, 26 July 1861, 340PO/A/154, AMAE, Nantes.
[1037] Méjan to Mercier, 8 February 1862, 340PO/A/155, AMAE, Nantes.
[1038] Méjan, Coppell, Callejon, et al. to Moore, 14 February 1862, February 1862, Méjan Papers MSS32565, LOC; Méjan to Paul, 11 February 1862, ibid.
[1039] « parole d'honneur », Méjan to Thouvenel, No. 43, 19 February 1862, 16CPC/11, AMAE, La Courneuve.
[1040] ibid.

Moore.[1041] For the moment, Méjan succeeded in torpedoing the measure, proud to have accomplished this "without support, without force here".[1042] However, any agreement that relied on one man's sense of honour was necessarily shaky, and the consul feared that the imposition of martial law would end all concessions to foreign consuls.[1043] For all Méjan's efforts, the question of impressment was not settled.

More than potential military service for the emperor's subjects, the French consul feared the effect of Union shelling on the city. This would of course directly threaten the personal safety of Méjan, his family, and his friends. Though the count never directly put it in those terms in his despatches to Mercier or Thouvenel, it would be odd if it did not enter his calculations. Méjan certainly expressed anxiety over the potential shelling of the city.[1044] The consul first asked for a warship explicitly for protecting French subjects on 4 October 1861, when there was a rumour of an impending attack on the city from the sea.[1045] However, at this point Méjan was less worried about potential warfare in Louisiana, citing the example of Andrew Jackson's defeat of British forces five decades earlier as proof of the difficulty of attacking the area.[1046] Instead, he pointed out that "the presence of a ship of war would be of utility" in dissuading the state government from impressing Frenchmen into the army.[1047] By the end of the year, the consul's attitude had changed with the Union advance down the Mississippi River, fearing a Union flotilla could reach and bombard New Orleans from the north.[1048] He pointed out that the French quarter was located right on the waterfront.[1049] Inflating the number of his fellow subjects, the consul wrote a despatch directly to Admiral Reynaud, noting "there are more than 20,000 French people in the city, which is currently exposed to siege and possibly bombardment."[1050] Méjan, echoing his exiled British colleague's letter to Lord Lyons, specifically asked for the man-of-war to be sent up the river next to the

[1041] Méjan to Mercier, 12 October 1861, 340PO/A/154, AMAE, Nantes; Méjan, Coppell, Callejon, et al. to Moore, 14 February 1862, February 1862, Méjan Papers MSS32565, LOC; Méjan to Paul, 11 February 1862, ibid; Méjan to Mercier, 8 February 1862, 340PO/A/155, AMAE, Nantes.
[1042] « Sans appui, sans force ici », Méjan to Thouvenel, No. 43, 19 February 1862, 16CPC/11, AMAE, La Courneuve.
[1043] Méjan to Thouvenel, No. 43, 19 February 1862, 16CPC/11, AMAE, La Courneuve.
[1044] Méjan to Reynaud, 20 December 1861, 340PO/A/154, AMAE, Nantes; Méjan to Thouvenel, No. 42, 3 February 1861; Méjan to Mercier, 24 February 1862, 16CPC/11, AMAE, La Courneuve.
[1045] Méjan to Mercier, 4 October 1861, 16CPC/9, AMAE, La Courneuve.
[1046] ibid.
[1047] « La présence d'un navire de guerre serait d'une utilité », ibid.
[1048] Méjan to Thouvenel, No. 42, 3 February 1861, 16CPC/11, AMAE, La Courneuve.
[1049] 4 October 1861, 16CPC/9, AMAE, La Courneuve.
[1050] « Il y a plus 20,000 français dans cette ville exposés dans ce moment à un siège et peut-être un bombardement. », Méjan to Reynaud, 20 December 1861, 340PO/A/154, AMAE, Nantes.

city. This was materially different from the position of the warships that had come over before simply to communicate with the city. The city of New Orleans is close to 100 miles away from the river's mouth, which did not allow the warships to have much influence in the city. The consul continued his pleas in early 1862 to Mercier and Thouvenel.[1051] Méjan feared that with an armed flotilla outside the city, the Confederates, in an example of an "aberration of patriotism", would refuse to back down to a threat of shelling.[1052] The consul also prepared for a potential bombardment by securing the headquarters (located away from the river) and a vessel of the French Benevolent Society to house French families in the event of an engagement.[1053] However, these measures could not achieve as much as the continued presence of a man-of-war. Along with a warship being itself a place of refuge, the captain could negotiate with a Union fleet from a position of force.

For months before the fall of New Orleans in late April 1862, Count Méjan also worked to get a French warship to come to the city by trying to help organise the repatriation of a large group of poor French nationals from the city with the help of the Imperial Navy. On 10 October 1861, the New Orleans consul transmitted a copy of a petition to Mercier.[1054] The document stated that "a great number of French heads of families, workers and small traders" were completely out of "employment for their hands" in the blockaded city and asked for help to return to France with their families.[1055] The document described the needs of its signers and the obligation of His Imperial Majesty's Government: "There is therefore no serious objection in the eyes of an honest government like ours, and it is probably not unworthy children who are now asking to return to the motherland."[1056] This humble group of around 200 signatories aimed at achieving respectability and appealing the sensibility of French authorities by positioning themselves as "simple" men aiming to protect their families.[1057] However, though this document is literally patriarchal, most of the signers seem to have been single men – indeed, there are around 300 people that need transport for 200 signatures.[1058] In a later

[1051] Méjan to Mercier, 8 February 1862, 340PO/A/155, AMAE, Nantes; Méjan to Thouvenel, No. 42, 3 February 1862, 16CPC/11, AMAE, La Courneuve; Méjan to Thouvenel, No. 43, 19 February 1862, ibid.
[1052] « aberration du patriotisme », ibid.
[1053] Méjan to Reynaud, 20 December 1861, 340PO/A/154, AMAE, Nantes.
[1054] Méjan to Mercier, 10 October 1861, 340PO/A/154, AMAE, Nantes.
[1055] « Un grand nombre de chefs de familles françaises, ouvriers ou petits commerçants » « emploi pour leurs bras » Goubler et al. to Méjan, 10 October 1861, ibid.
[1056] « Ce n'est donc pas là une objection sérieuse aux yeux d'un gouvernement honnête comme le nôtre, et ce ne sont probablement pas d'indignes enfants qui demandent aujourd'hui à rentrer dans la mère-patrie. » ibid.
[1057] ibid.
[1058] ibid

despatch, Méjan referred to the men as "seamen" and not as working heads of households.[1059] This was something that the consul was willing to overlook. The consul considered the request "worthy of serious consideration; it emanates from the most honourable people who are only asking for support and no material help; numerous antecedents justify it".[1060] No doubt the consul appreciated deferential language used by the petitioners and thought that they were worthy of support.

Yet, however many embellishments to the character of the petitioners Méjan used in his despatch, offering succour to beleaguered countrymen was somewhat out of character for the count and should not be taken at face value. In his earlier despatches to Mercier in Washington, Méjan showed mixed feelings about helping certain nationals avoid fighting in the war; he wrote that "[t]he French population is very numerous here, for the most part very honourable, but also containing many bad elements, refugees, men of rotten opinions who have always insulted the consul and now want to shelter behind him".[1061] He was adamant about giving no succour to Frenchmen who were naturalised.[1062] In his 26 July despatch the consul reported to Mercier that a group of Frenchmen was about to send a petition to Washington to protest against him.[1063] After a long tirade against the what he considered to be an anti-Bonapartist "fraternal society" that was organising the petition and that "respectable" French people would support him, Méjan concluded with "it is all about the militia question".[1064] Evidently, this group of Frenchmen disapproved of the consul's handling of the impressment question and did not want to serve even locally. This, from Méjan's perspective, disrespectable, group of petitioners was also poor, as the consul doubted that these petitioners had the funds to send a representative on the difficult and expensive journey to Washington.[1065] Indeed, there is no evidence that a delegate bearing this document reached Washington.

By contrast, Méjan's exiled British colleague Consul William Mure expressed pride in his despatches for helping British subjects. He requested sizable reimbursements for

[1059] Méjan to Mercier, 14 January 1862, 340PO/A/155, AMAE, Nantes.
[1060] « digne d'être pris en sérieuse considération ; elle émane de personnes très honorables et qui ne sollicitent qu'un appui et aucun secours matériel ; de nombreux antécédents la justifient d'ailleurs. » Méjan to Mercier, No. 64, 10 October 1861, 39CP/125, AMAE, La Courneuve, fos. 137-43.
[1061] « La population française est extrêmement nombreuse ici, pour la plus grande partie très honorable, mais contenant aussi beaucoup d'éléments mauvais, des réfugiés, des hommes à opinions très avariées qui ont toujours insulté le consul et aujourd'hui veulent s'abriter derrière lui. » Méjan to Mercier, 18 July 1861, 340PO/A/154, AMAE, Nantes.
[1062] Méjan to Mercier, 26 July 1861, 340PO/A/154, AMAE, Nantes.
[1063] ibid.
[1064] « Société fraternelle » ; « Il s'agit toujours de la question de la milice », ibid.
[1065] ibid.

repatriations for destitute British subjects made in 1860 and continued the practice in 1861 until the blockade made it impossible.[1066] When Mure felt his efforts were undermined from England by a circular limiting protection offered to Canadian subjects and by a loss in admiralty court of a case brought by black British seamen against their shipmaster, who abandoned them in New Orleans to be jailed under the Negro Seamen acts, he wrote lengthy protests.[1067] Though not every British subject was satisfied with the level of support received from Mure, it is clear that at least the image that the British consul sought to create of his work in his despatches was one of benevolent charity.[1068] For Méjan, such paternalistic protection for nationals seems to have been less of a priority. Therefore, unlike Mure, the French consul likely did not put so much effort into the repatriation initiative solely out of zeal for less fortunate fellow nationals.

The 10 October petition to help with repatriation was not only deferential but offered the consul an opportunity to request the presence of a man-of-war. The petitioners themselves asked for an agreement with the Union blockading squadron to let them hire a merchant ship from those then in harbour and to then let the vessel out of the city.[1069] Thus, they made clear that those signing it were not lazy and destitute and would try to take up the expenses of their repatriation. In his despatch, Méjan dismissed this possibility as a fantasy. There were simply no neutral vessels in the port fit for such a mission.[1070] Instead, the consul suggested sending a warship to the city.[1071] Mercier, back in Washington, was amenable to the idea. On 21 November, Seward wrote a note to Mercier confirming that the US Government would accede to a French warship taking refugees out of the city.[1072] On 24 November, Mercier wrote to Reynaud asking if this was feasible and to work in concert with the New Orleans consul.[1073] On 28 November, Reynaud wrote a note to Méjan, saying he was ready to work with him.[1074] It was in answer to this letter that the New Orleans consul could write directly to Admiral Reynaud on 20 December, not only to help coordinate repatriation, but also asking for a man-of-war to anchor near the city.[1075] For the moment at least, it seemed that both the petitioners

[1066] Mure to Russell, No. 8, 31 January 1861, FO5/788, TNA; Mure to Russell, No. 11, 28 March 1861, ibid.; Mure to Russell, No. 30, 9 July 1861, ibid.
[1067] Mure to Russell, No. 40, 14 August 1861, FO5/788, TNA.
[1068] Irishman Arthur Robinson felt that he did not get enough support from the consul when he was imprisoned by a vigilance committee in early 1861. Robinson to Lord Lyons, 4 April 1861, FO5/788, TNA.
[1069] Goubler et al. to Méjan, 10 October 1861, 340PO/A/154, AMAE, Nantes.
[1070] ibid.
[1071] ibid.
[1072] Seward to Mercier, 21 November 1861, 39CP/125, AMAE, La Courneuve, fos. 239-40.
[1073] Mercier to Reynaud, 24 November 1861, 39CP/125, AMAE, La Courneuve, fo. 238.
[1074] Reynaud to Méjan, 28 November 1861, 340PO/A/154, AMAE, Nantes.
[1075] Méjan to Reynaud, 20 December 1861, 340PO/A/154, AMAE, Nantes.

and Méjan had achieved their goals. The consul had another reason to request a warship, adding to his 4 October despatch to Thouvenel where he first broached the subject. The petitioners gained the consul's endorsement, pushing the machinery of the French State to help them leave blockaded New Orleans.

Yet, repatriation of so many people was difficult and tested the abilities of the Second Empire. Reynaud had immediate reservations about the project – he did not have a warship under his command that could take on 300 passengers.[1076] Méjan's response due to issues with communication was only sent on 20 December. In a 16 December despatch to Paris, Reynaud suggested hiring a merchant ship from Havana to go to New Orleans.[1077] As the petitioners were originally willing to pay for a ship out of the city, the admiral thought that they could raise the funds for this plan.[1078] With Mercier's approval of his proposal, Reynaud sent orders on 16 December for one of the two ships based in Havana (*Milan* or *Lavoisier*) to go to New Orleans to get a delegate from among the petitioners to bring him to Cuba to hire a merchant vessel there.[1079] After receiving the admiral's despatch, the *Milan* left for Havana on 24 December.[1080] Due to a collision with USS *DeSoto* outside the mouths of the Mississippi River, Commander Cloué was only able to reach the city on 10 January 1862 by truce boat.[1081] Despite the quick response from Mercier, who managed to get the US Government and Reynaud to approve facilitating repatriation for the petitioners in a couple of days, three months elapsed before the Cloué's arrival and Méjan's despatch to Mercier. This shows the limits of the French Empire's ability to offer protection to its subjects in the blockaded port even with energetic action. Moreover, with the warship damaged off the mouths of the Mississippi River, it could not achieve any of the New Orleans consul's aims – pressuring Confederate authorities, taking on passengers to repatriate, or protecting French nationals, including the consul and his family, by serving as a place of refuge.

As in Charleston, the position of French naval officers on the spot was less favourable to offering protection to nationals than that of the diplomats and consuls. Whereas for Consuls Méjan and de St. André, despite their own class biases, the plight of other French nationals was a means of getting personal protection from men-of-war, for commanding officers, repatriation

[1076] Reynaud to Méjan, 28 November 1861, 340PO/A/154, AMAE, Nantes.
[1077] Reynaud to Chasseloup-Laubat, 10 December 1861, BB4/798, SHD/Marine.
[1078] ibid.
[1079] Reynaud to Ribourt or Cloué, undated, in Reynaud to Chasseloup-Laubat, No. 43, 10 December 1861, BB4/798, SHD/Marine.
[1080] Cloué to Reynaud, 30 December 1862, BB4/798, SHD/Marine; Cloué to Reynaud, 19 January 1862, ibid.
[1081] ibid.

missions potentially meant taking on board passengers they found distasteful. Commander Cloué of the *Milan* reported that the situation of Frenchmen in New Orleans was not as terrible as it appeared in the petition, which he attributed to a fear of an imminent attack on the city in October and militia service.[1082] However, as a Union attack, for the moment, did not look forthcoming, and militia duty was limited to the city, the local Frenchmen were no longer as eager to leave.[1083] The consul organised public meetings and solicited funds for the merchant vessel that Reynaud proposed.[1084] However, Cloué doubted that enough money could be gathered, in part because there was not enough hard currency in the city that could be accepted abroad. He dismissed the legal tender in the city as composed of "paper and pieces of cardboard".[1085] The officer agreed to leave Méjan some time to collect money before the next French warship returned to the coast. When the Commander Ribourt of the *Lavoisier* arrived in early February, there was still not enough money.[1086] Only 78 people contributed a total of 27 "piastres" – even with 400 "piastres" in special consular funds that Méjan was ready to make available, this was still a far cry from the 3,000 that Ribourt thought necessary.[1087] It is not entirely clear which currency "piastres" refers to, but Méjan reported 20 to 30 thousand dollars were needed to hire a ship, and Mercier from Washington referred to a similar figure.[1088] Nevertheless, both the consul and commander agreed that the price of getting a vessel to go to New Orleans from Cuba had risen dramatically, as ships that could make the journey preferred to engage in lucrative blockade-running to ferrying passengers.[1089]

French officers also did not think highly of the Frenchmen asking for repatriation. Ribourt did not believe that the signers were very poor: "I am convinced that the 300 petitioners, with a few exceptions, could still raise (as they had first proposed) the sums necessary for repatriation."[1090] He was disgusted by a resident Frenchman who refused his offer of serving on the *Lavoisier* as means of leaving the wartime city because the pay was too low. Cloué expressed similar sentiments in a letter to New York Consul Montholon: "I do not believe

[1082] ibid.
[1083] ibid.
[1084] Méjan to Mercier, 14 January 1862, 340PO/A/155, AMAE, Nantes.
[1085] « papier et des morceaux de carton », Cloué to Reynaud, 19 January 1862, BB4/798, SHD/Marine
[1086] Ribourt to Chasseloup-Laubat, 19 February 1862, BB4/798, SHD/Marine.
[1087] ibid.
[1088] Méjan to Mercier, 14 January 1862, 340PO/A/155, AMAE, Nantes; Mercier to Thouvenel, No. 84, 11 February 1862, 39CP/126, AMAE, La Courneuve, fos. 128-41.
[1089] ibid.; Ribourt to Chasseloup-Laubat, 19 February 1862, BB4/798, SHD/Marine.
[1090] « J'ai la conviction que les pétitionnaires au nombre de 300, sauf quelques exceptions pourraient encore réunir (comme ils l'avaient proposé tout d'abord) les sommes nécessaires au rapatriement. »

that the people there ever had any serious intention of leaving New Orleans".[1091] Following Mercier's instructions, Méjan returned the funds that he had collected.[1092] Neither commander seems to have taken even a small number of French nationals for repatriation on their return journey to Havana. Thus, the naval officers did not use their warships for repatriation even in a limited capacity.

However, Méjan felt that the situation was dire enough to find an alternative route for a repatriation mission, which by extension would put a French naval presence in the Mississippi River. He suggested that the French government should cover the cost of repatriation.[1093] Cloué thought that this would be a waste of French money "for a mob of people who for most part deserve little interest".[1094] Méjan, however, suggested repatriation even for those who did not sign the original petition.[1095] This position was supported by Mercier.[1096] In Paris, this suggestion was taken seriously enough by Thouvenel to formally broach the topic with the Navy and Interior Ministries.[1097] On the margins of Méjan's despatch, the foreign minister noted that he met with Interior Minister Jean Gilbert Persigny, a close confidant of the emperor, in person.[1098] However, Persigny thought that France could not spare the expense.[1099] Méjan had also broached the idea of using French military transports on their return voyage after landing troops in Mexico.[1100] This proposal was also picked up by Mercier, who asked Thouvenel in Paris to supply the vessels.[1101] Thouvenel secured agreement, and on 15 March Navy Minister Chasseloup-Laubat informed Reynaud that the admiral could order transports stopping in Havana belonging to Mexican Division, formally under the command of Admiral Jurien, to go to New Orleans to pick up refugees.[1102] These vessels were on their return leg to France, leaving Veracruz largely empty after carrying troops for the Triple Intervention. Chasseloup-Laubat also wrote instructions for the Havana consul-general.[1103] However, New

[1091] « Je ne crois pas que ces gens-là aient eu jamais l'intention sérieuse de quitter la N^{elle} Orléans », Cloué to Montholon, 12 February 1862, 474PO/1/84, AMAE, Nantes.
[1092] Méjan to Mercier, 24 February 1862, 12CPC/11, AMAE, La Courneuve.
[1093] Méjan to Mercier, 14 January 1862, 340PO/A/155, AMAE, Nantes.
[1094] « pour une foule de gens dont la plupart méritent peu d'intérêt. » Cloué to Montholon, 12 February 1862, 474PO/1/84, AMAE, Nantes.
[1095] Méjan to Mercier, 14 January 1862, 340PO/A/155, AMAE, Nantes.
[1096] Mercier to Thouvenel, No. 84, 11 February 1862, 39CP/126, AMAE, La Courneuve, fos. 128-41
[1097] Thouvenel to Persigny, 1 March 1862, 29ADP/7/46, AMAE, La Courneuve; Thouvenel to Chasseloup-Laubat, 1 March 1862, ibid.
[1098] Mercier to Thouvenel, No. 84, 11 February 1862, 39CP/126, AMAE, La Courneuve, fos. 128-41
[1099] ibid.
[1100] Méjan to Mercier, 14 January 1862, 340PO/A/155, AMAE, Nantes.
[1101] Mercier to Thouvenel, No. 84, 11 February 1862, 39CP/126, AMAE, La Courneuve, fos. 128-41
[1102] Chasseloup-Laubat to Reynaud, March 15 1862, BB4/812, SHD/Marine.
[1103] ibid.

Orleans had already fallen to Union forces by the time this plan could be put into action.[1104] Nevertheless, high officials within the French state showed a willingness to try to protect and repatriate hundreds of lower-class subjects. Though Consul Méjan was motivated in no small measure by his desire to get a French warship off New Orleans for his own self-preservation, he was able to get the French state to act, if not succeed, by positioning repatriation as an act befitting the glory of the empire.

Yet, however urgent the presence of a warship directly off New Orleans may have seemed from the consulate's perspective, the situation looked differently from quarterdecks of French (and British) men-of-war off the Louisiana shore. During the *Milan*'s first trip to Louisiana, USS *DeSoto* collided with the French warship at night causing extensive damage and leaving sailing to New Orleans out of the question.[1105] Commander Cloué bitterly complained to his superiors that it was an intentional act.[1106] Captain de Montaignac successfully lobbied the US Navy Department to formally reprimand the commander of the *DeSoto* during his February 1862 visit to Washington.[1107] Though Cloué also received the support of Reynaud, Chasseloup-Laubat had an altogether different position, noting on the margins of the commander's despatch that "the Commander of the Milan was wrong to enter during the night".[1108] The French government quietly dropped any demands for reparations for the incident later that year.[1109] During the *Lavoisier*'s visit later that February, Commander Ribourt complained about contrary winds, lack of pilots, and running out of coal to steam upriver.[1110] Sailing towards a blockading fleet, suspicious of any vessel coming near it, remained as risky on missions of protecting nationals as it did on blockade observation operations.[1111]

Finally, the *Milan* returned in early April, just before the US Navy's attempt to storm past the section of the river blocked by Confederate-held forts near the mouths of the Mississippi. It had orders to provide protection for "as much as possible our nationals, and to

[1104] Tucker, *Blue and Grey Navies*, 206-8.
[1105] Cloué to Reynaud, 30 December 1862, BB4/798, SHD/Marine.
[1106] ibid.
[1107] De Montaignac to Chasseloup-Laubat, 7 February 1862, BB4/798, SHD/Marine.
[1108] « M. Comd. du Milan a tort d'aller pendant la nuit », Ribourt to Chasseloup-Laubat, 16 January 1862, BB4/798, SHD/Marine.
[1109] Thouvenel to Mercier, No. 23, 11 September 1862, 39CP/128, AMAE, La Courneuve, fo. 83.
[1110] Ribourt to Chasseloup-Laubat, 11 February 1862, BB4/798, SHD/Marine.
[1111] See Chapters 1, 5.

receive on board, if needed, the Consul of France and his personnel".[1112] Commander Cloué initially thought of bringing the *Milan* to New Orleans. He asked Méjan, by a letter delivered through a flag of truce, to warn the Confederate side ahead of time and to inform them of the shape and contours of the French warship.[1113] However, when the commander went upriver in a boat the next day to meet the consul in person and finalise the protocol, he was temporarily imprisoned by the Confederates because a Union warship followed him too closely under a white flag, using Cloué's boat as a screen for reconnaissance.[1114] This incident was egregious enough for the US Navy to act, leading to the Union commander's suspension from the service, which was rescinded later for his gallantry in battle.[1115] More than the collision with USS *DeSoto* a few weeks previous, the misuse of the flag of truce and the discourtesy of his short imprisonment, which he compared unfavourably to his experience delivering messages to Russian side during the Crimean war in a private letter to Méjan, seems to have dissuaded Cloué from taking any more risks.[1116] After his release, Commander Cloué disingenuously claimed in an official despatch to the consul that he did not want to be in a position where he would have to salute the Confederate flag as the *Milan* would have to pass the forts to get upriver to New Orleans.[1117] In fact, Reynaud had previously explicitly informed his commanding officers that this scenario was not a problem if the French warship was saluted first – a returned salute was a sign of courtesy, not recognition.[1118] The commander knew that this would not be appreciated by the consul, and privately wrote him a message: "But, if we differ in opinion, I hope we will still remain good friends? The Consul, and the Man-of-war Capt may not agree on certain points of service, without that preventing M. le Comte Méjan and M. Cloué from getting along very well".[1119] Thus, from the start of the year 1862 to the end of April, French warships visited this section of the shore three times, and their commanders failed to sail their ships upriver each time. The commanding officer's duty was to his ship and neutrality, and such a voyage, especially on the eve of a battle, would risk both.

[1112] « autant que possible nos nationaux, et de recevoir au besoin, à bord, le Consul de France et son personnel », Cloué to Méjan, 7 April 1862, April 1862, Méjan Papers MSS32565, LOC.
[1113] Cloué to Méjan, 8 April 1862, April 1862, Méjan Papers MSS32565, LOC.
[1114] Cloué to Reynaud, 10 April 1862, BB4/798, SHD/Marine.
[1115] Farragut to De Camp, 12 April 1862, *ORN, Vol. 18*, 113-14; Welles to Farragut, 21 May 1862, ibid., 505.
[1116] Cloué to Méjan, 12 April 1862, April 1862, Méjan Papers MSS32565, LOC.
[1117] Letter beginning with "Monsieur le Consul", Cloué to Méjan, 14 April 1862, April 1862, Méjan Papers MSS32565, LOC.
[1118] See Chapter I.
[1119] « Mais, si nous différons d'opinion, j'espère que nous n'en resterons pas moins bons amis ? Le consul, et le Capt de bâtiment peuvent ne pas s'entendre sur certains points du service, sans que cela empêche M. le Comte Méjan et M. Cloué de s'entendre fort bien. » Letter beginning with "Cher Monsieur le Consul", Cloué to Méjan, 14 April 1862, April 1862, Méjan Papers MSS32565, LOC.

Though the relationship of Consul Méjan and Commander Cloué was significantly more amicable than that of Charleston Consul de St. André and Commander Gautier of the *Gassendi*, it nevertheless displays similar characteristics of consular desire for protection and naval officers' reluctance to fulfil this request.

A few days after Commander Cloué's decision not to sail the *Milan* up the Mississippi River, the Union Navy began its bombardment of Confederate-held Forts Jackson and Phillip that blocked the entrance to the river, followed a few days later by Commodore Farragut's squadron successfully running of the forts and anchoring off New Orleans on April 25.[1120] Confederate forces evacuated the Crescent City, realising they could not defend the low-lying, largely wooden city from the Union fleet's guns.[1121] After the fall of the Confederate forts holding the entrance to the river on 28 April, the *Milan* quickly sailed up the now conquered section of the river to New Orleans.[1122] Meanwhile, there was only one British warship at the mouths of the Mississippi River, the recently arrived HMS *Liffey*, sent by Milne on a mission to protect British subjects.[1123] However, this heavy frigate could not pass the bar, and stayed behind.[1124] Thus, the *Milan* was the only foreign man-of-war in New Orleans in the first few months after its capture by Union forces.

In New Orleans, the worst fears of the European residents seemed to be coming to fruition, as the Union fleet menaced the city whose authorities found it difficult to take on the responsibility of formally surrendering. When Confederate forces evacuated the exposed settlement, the their general left civilian Mayor John Monroe in control.[1125] Union forces could not yet occupy the city, as only Commodore Farragut's naval squadron passed Forts Jackson and Phillip, while the army transports remained below the forts.[1126] Unable to police the city, the mayor called upon the militia companies composed of foreigners, which did not leave the city, to patrol the streets.[1127] This was a move that Commodore Farragut could support, and he issued a proclamation on 26 April praising the foreign militia for keeping order in New Orleans.[1128] However, the civil authorities of the city did not immediately give in to his

[1120] McPherson, *War on the Waters*, 65-66.
[1121] Chester Hearn, *The Capture of New Orleans, 1862* (Louisiana State University Press), 209-42.
[1122] Cloué to Reynaud, undated [likely 29 April 1862], BB4/798, SHD/Marine.
[1123] ibid.; Milne to Preedy, 19 March 1862, MLN/110/1, Milne MSS, NMM.
[1124] Coppell to Lord Lyons, 9 May 1862, ADM128/57, TNA, fos. 681-700.
[1125] Hearn, *Capture of New Orleans*, 237-241.
[1126] Ibid., 242-5.
[1127] Monroe to Méjan, Callejon, Coppell, No. 2, 25 April 1862, April 1862, Méjan Papers MSS32565, LOC; Monroe to Juge, 25 April 1862, ibid.
[1128] Unnumbered Order, Farragut, 26 April 1862, *ORN, Vol. 18*, 238.

demands for the formal surrender and raising the United States flag over City Hall and Federal buildings.[1129] The mayor tarried in composing his answer, even inviting all the foreign consuls to a city council meeting in what Consul Méjan characterised as an effort to shift the onus of surrendering onto foreigners.[1130] When the consuls refused to intervene, the council composed a response inviting the commodore to lower the flags himself, claiming that the city itself could not formally surrender, being under civilian authority.[1131] This created an intense standoff, as Farragut sent detachments of marines into the city to raise United States flags that were then torn down by angry mobs that the foreign militias were not willing to stop.[1132] On 28 April, the commodore went as far as to threaten the city with bombardment, warning foreign consuls in a separate circular to evacuate their nationals in 48 hours.[1133] The consuls, whom this action would personally endanger, quickly met, and agreed to try to send a joint letter as well as to arrange a face-to-face meeting with the commodore.[1134] Meanwhile, news that Forts Jackson and Phillip fell to Union forces spread to the city, and Méjan quickly prepared a messenger on horseback to head down the river to find the *Milan*, but the consul received a report that a warship with French colours was coming up to the city.[1135] This time Comte Méjan's "good friend" Commander Cloué did not disappoint, having anchored as near as possible to forts on the night of April 27.[1136] Méjan reported to Thouvenel: "This news was an enormous relief for me. I knew that Commander Cloué knew Commodore Farragut, and all the officers under his command."[1137] Finally, French subjects, as well as other foreigners, had the protection of a man-of-war after many months of consular pleas.

The *Milan* provided refuge for foreign consuls and served to bolster the consuls' position *vis-à-vis* the Union commodore. Characteristically, Commander Cloué's first move was to provide quarters on his warship for the French consul and his family, as well as those of the British and Spanish consuls, "Allies" in the now-faltering coalition behind the Mexican

[1129] Hearn, *Capture of New Orleans*, 242-5.
[1130] Méjan to Thouvenel N. 50, 2 May 1862, 16CPC/11, AMAE, La Courneuve.
[1131] ibid.
[1132] Hearn, *Capture of New Orleans*, 242-55.
[1133] Farragut to Coppell, 28 April 1862, *ORN, Vol. 18*, 238. Analogous letters were sent to the consuls of other countries in New Orleans.
[1134] Méjan, Callejon, et. at to Farragut, 28 April 1862, *ORN, Vol. 18*, 238-39; Méjan to Thouvenel N. 50, 2 May 1862, 16CPC/11, AMAE, La Courneuve.
[1135] ibid.
[1136] Cloué to Reynaud, 29 April 1862, BB4/798, SHD/Marine.
[1137] « Cette nouvelle fut un énorme soulagement pour moi. Je savais que le commandant Cloué connaissait le commodore Farragut, et tous les officiers sous ses ordres » Méjan to Thouvenel N. 50, 2 May 1862, 16CPC/11, AMAE, La Courneuve.

Intervention, in his official communication to Méjan.[1138] Privately, the naval officer also asked the count to let other members of the consular corps know that his ship would be a place of refuge.[1139] British Acting Consul Coppell reported taking Cloué up on his offer, but it is unclear how many other agents did so as well.[1140] There is no mention of any other French or foreign civilian refugees on the *Milan*. The French commander met with Farragut, expressing the fears of the consuls, and helping them to arrange a meeting with him on 30 April.[1141] Cloué reported to Reynaud that he did not think Farragut would carry out his threat: "it could not occur to me that in the year 1862 a naval force of a civilised nation should be induced on any pretext whatsoever to bombard an open city without any kind of defence; a city of 180,000 souls, inhabited by about 40,000 foreigners who have nothing to do with the present conflict".[1142] However, especially after his adventures in mouth of the Mississippi River, the commander of the *Milan* was not entirely sure that America was "civilised" on the European level - "there already have been provocations and insults, and as anything is to be expected on this side of the Atlantic where the courteous habits of European warfare are completely unknown".[1143] The Union commodore denied any intent of bombing the city, saying that he was only interested in frightening it into compliance.[1144] Notwithstanding the US naval officer's denials, the consuls were less sure of his intentions. As the British legation memorandum summarised Consul Méjan's despatch to Mercier, "The consuls believe… that their letter to [Commodore Farragut] and Captain Cloué's visit, exercised no little influence upon his final change of policy."[1145] The Union officer's limited extant private papers and official despatches do not offer direct clues as to his willingness to actually bombard New Orleans into submission, with all the ensuing civilian casualties.[1146] Farragut did not complain about the *Milan*'s presence in his reports to Washington.[1147] Most examinations of the fall of New Orleans do not mention the French

[1138] Cloué to Méjan, 28 April 1862, April 1862, Méjan Papers MSS32565, LOC.
[1139] Cloué to Méjan, 28 April 1862, April 1862, Méjan Papers MSS32565, LOC.
[1140] Coppell to Russell, No. 21, 9 May 1862, ADM128/57, TNA, fos. 681-700.
[1141] Cloué to Reynaud, 3 May 1862, BB4/798, SHD/Marine.
[1142] « il ne pouvait pas me tomber sous le sens qu'en l'an 1862 une force navale d'une nation civilisée soit amenée sous quelque prétexte que ce soit à bombarder une ville ouverte et sans aucune espèce de défense ; une ville de 180.000 âmes, habitée par environ 40.000 étrangers qui n'ont rien à voir dans le conflit actuel. » ibid.
[1143] « il y avait en déjà des provocations et des insultes, et comme il faut s'attendre à tout, de ce côté de l'Atlantique où les habitudes courtoises des guerres Européennes sont complètement inconnues » ibid.
[1144] Méjan to Thouvenel N. 50, 2 May 1862, 16CPC/11, AMAE, La Courneuve.
[1145] *Memorandum from the French Legation in Washington to Lyons*, 30 May 1862, in *Through British Eyes, Vol. 2*, 70-75.
[1146] Box 1: 1826-1862, Farragut Papers, mssHM 26687-26867, Huntington Library.
[1147] Cloué to Farragut in 12 May 1862 issue of Richmond *Dispatch*, *ORN, Vol. 18*, 239.

warship.[1148] On 1 May, Union troops under Major-General Benjamin Butler finally occupied the city, mooting all questions of bombardment.[1149] Nevertheless, it is clear that however Farragut came to his decision, he had to look over his shoulder at the French warship anchored in the river.

Commander Cloué reported doing his best to stay neutral and avoid giving offence. The commander wrote to Reynaud that he did not anchor near the centre of the city, because he noticed that his ship was met with cheers from crowds in the city, which was in contrast with the jeers and insults that Union sailors received "even with a parliamentary flag".[1150] However, a curious document was printed in the *Volume 18: West Gulf Blockading Squadron (February 21, 1862 – July 14, 1862)* of the *ORN*, published in 1904, from the Richmond *Dispatch* of 12 May 1862, claiming to be a translation of a letter from Cloué to Farragut published in the New Orleans *Delta*. It shows a different atmosphere with a categorical statement by the French officer:

> I venture to observe to you that this short delay is ridiculous, and, in the name of my Government, I oppose it. If it is your resolution to bombard the city, do it; but I wish to state that you will have to account for this barbarous act to the Power which I represent. In any event, I demand sixty days for the evacuation.[1151]

Commander Cloué denied that these were his words in a despatch to Reynaud that the admiral referenced to the navy minister.[1152] This article spread far and wide, forcing Reynaud to deny it publicly in a newspaper article.[1153] In fact, Charles Dufour, one of the only scholars who has examined the French officer's influence in affecting Commodore Farragut's decision to not bombard the settlement, treated the *Dispatch* article as a genuine document.[1154] Cloué claimed that if he felt the need to write such a demarche, it would have been phrased differently. Indeed, the full excerpt begins with "Sent by my Government to protect the persons and property of its citizens," which is unusual because the writer does not highlight that it is an imperial government and the word "citizens" or "citoyens," which implies republican rule, was not commonly used in French official documents, as opposed to the neutral "nationaux" or

[1148] Hearn, *Capture of New Orleans*; McPherson, *War on the Waters*; Tucker, *Blue and Grey Navies: The Civil War Afloat*; Simson, *Naval Strategies of the Civil War*.
[1149] Hearn, *Capture of New Orleans*, 255.
[1150] « même avec un pavillon parlementaire », Cloué to Reynaud, 3 May 1862, BB4/798, SHD/Marine.
[1151] Cloué to Farragut in 12 May 1862 issue of Richmond *Dispatch*, *ORN, Vol. 18*, 239.
[1152] Reynaud to Chasseloup-Laubat, No. 79, 23 May 1862, BB4/798, SHD/Marine.
[1153] Ibid.
[1154] Charles Dufour, *The Night the War was Lost* (Nebraska University Press, 1960), 312-14.

"nationals," if not the fully monarchical "sujets" – "subjects."[1155] If Cloué did report to Reynaud that he found the 48 hours given by Farragut for evacuation to be "illusory and unworkable", the 60 days reported in the *Delta* would be clearly excessive.[1156] However, this clearly fabricated protest was widespread enough for Reynaud to ask for explanations and to be published in the official records of the US Government.

Over the next few weeks, Union warships sailed up the Mississippi River, taking settlements in a similar manner to the way New Orleans was until they were stopped by the guns of Vicksburg, Mississippi.[1157] The Confederates in the city refused an order to evacuate in 24 hours.[1158] The US flag was raised in Baton Rouge, Louisiana, and Natchez, Mississippi surrendered to the Union naval squadron.[1159] The former town was bombarded by the US Navy following a skirmish and Confederates lowering the recently raised US colours.[1160] The resident French vice-consul protested that not enough time was given for women and children to evacuate before the bombardment.[1161] Confederate army officers and Union Navy commanders also exchanged angry letters sent by flags of truce over the supposed illegality and barbarity of the bombardment of Rodney, Mississippi.[1162] Méjan applied for French warships to also sail up the river, and Cloué reported loading his ship with more coal than needed to potentially oblige.[1163] For this he made use of quartermaster of one of the European militias.[1164] Reynaud, however, refused to sanction this, arguing that the river beyond the great seaport of New Orleans was beyond his remit.[1165] As no British warship visited New Orleans itself until late June, with HMS *Liffey* stuck outside the mouths of the Mississippi, this question was moot for the British side. Thus, the French and British Navies limited the protection they

[1155] For example, Cloué wrote to Méjan that he arrived to the Mississippi Delta about his orders to protect our "nationaux", Cloué to Méjan, 7 April 1862, April 1862, Méjan Papers MSS32565, LOC. Similarly, Reynaud referred to protecting "nationaux" in New Orleans in a report on 10 March and protecting "sujets" on 15 November. Reynaud to Chasseloup-Laubat, No. 63, 10 March 1862, BB4/798, SHD/Marine; Reynaud to Chasseloup-Laubat, No. 120, 15 November 1862, ibid.
[1156] « illusoire et inexécutable », Cloué to Reynaud, 3 May 1862, BB4/798, SHD/Marine.
[1157] Tucker, *Blue and Grey Navies*, 208-14.
[1158] Lee to Lindsay, 21 May 1862, *ORN, Vol. 18*, 493.
[1159] Palmer to Bryan, 9 May 1862, *ORN, Vol. 18*, 474-75; Palmer to Farragut, 9 May 1862, *ORN, Vol. 18*, 473.
[1160] Farragut to Mayor of Baton Rouge, 28 May 1862, *ORN, Vol. 18*, 514-515.
[1161] Bonnecuze to Farragut, 28 May 1862, *ORN, Vol. 18*, 515.
[1162] Nichols to "Authorities of the Town of Rodney", 5 June 1862, *ORN, Vol. 18*, 563-64; Griffing to Nichols, 6 June 1862, *ORN, Vol. 18*, 551-52; Lovell to Commanding Officer, U.S. Navy, 12 June 1862, *ORN, Vol. 18*, 562-63.
[1163] Cloué to Reynaud, 3 May 1862, BB4/798, SHD/Marine.
[1164] Cloué to Méjan, 30 April 1862, April 1862, Méjan Papers MSS32565, LOC.
[1165] Reynaud to Chasseloup-Laubat, No. 79, 23 May 1862, BB4/798, SHD/Marine.

provided to seaports, neglecting population centres on navigable rivers. Nevertheless, in New Orleans, the presence of a French warship was affecting the orders of US officers.

Section 3: Dealing with General Butler in Occupied New Orleans

Though the fall of New Orleans was a major blow to the Confederacy, its occupation proved to be a major headache for the US Government in Washington and Union officers on the spot. With New Orleans in Northern hands, the logistics of communication changed dramatically, as the city was no longer isolated from the outside world. Postal service between New Orleans and New York (via Havana) was quickly established, which the State Department was quick to inform foreign powers of.[1166] Nevertheless, as the interior was in Confederate hands, communication with Washington could not be immediate through the telegraph. US postal steamers also carried diplomatic mail, though it was potentially subject to search by Union authorities.[1167] Indeed, service was spotty and foreign consuls and naval officers accused General Butler of confiscating their mails on several occasions.[1168] For months before its capture, Seward boasted to Mercier and Lord Lyons that with the city in Union hands and open to commerce, cotton would flow freely, and the cotton famine would end.[1169] Indeed, New Orleans was also one of the first localities taken by US forces where the blockade was lifted – merchant vessels could legally enter the city from 1 June.[1170] Seward triumphantly informed foreign diplomats of this opening.[1171] Yet, trade proved disappointing as planters and Confederate authorities burned cotton stocks before the city fell.[1172] Moreover, consuls accused Butler of favouritism towards Northern merchantmen.[1173] Worse than squabbles over mail packages and trade, European powers considered that General Butler routinely infringed on the

[1166] Seward to Mercier, 2 May 1862, 39CP/127, AMAE, La Courneuve, fo. 107.
[1167] ibid.
[1168] Méjan complained about not receiving despatches in the summer of 1862. In the first month of the Union occupation, British reports from New Orleans did not reach Washington, causing Lord Lyons to rely on the despatches of the French consul. Méjan to Mercier, 11 July 1862, 340PO/A/155, AMAE, Nantes; Méjan to Thouvenel, No. 53, 6 June 1862, 16CPC/11; *Memorandum from the French Legation in Washington to Lyons*, 30 May 1862, in *Through British Eyes, Vol. 2*, 70-75.
[1169] Lord Lyons to Russell, No. 101, 11 February 1862, in *Through British Eyes, Vol. 1*, 283-5; Mercier to Thouvenel, 31 Mar 1862, No. 93, 39CP/126, AMAE, La Courneuve, fos. 297-316.
[1170] Abraham Lincoln, Proclamation 89—Termination of Blockade of Beaufort, North Carolina, Port Royal, South Carolina, and New Orleans, Louisiana Online by Gerhard Peters and John T. Woolley, The American Presidency Project https://www.presidency.ucsb.edu/node/202374.
[1171] Seward to Mercier, 5 May 1862, 39CP/127, AMAE, La Courneuve, fo. 108.
[1172] Méjan to Thouvenel, 30 May 1862, No. 148, 227CCC/13, AMAE, La Courneuve.
[1173] Tassara to Seward, 28 June 1862, *OR, Ser. 3, Vol. 2*, 551-554; Mejan to Thouvenel, 7 July 1862, N. 151, 227CCC/14, AMAE, La Courneuve.

neutral rights of their nationals in New Orleans in a provocative manner that was widely reported in newspapers. Several countries sent complaints to Washington and French, British, and Spanish warships entered the city.

A series of crises with foreign powers consumed General Butler's nearly nine-month tenure as the Union military governor, during which French and British warships supported their consulates. The general, who for most of the prewar years was a lawyer and politician, employed a uniquely acerbic tone and made frequent use of witty remarks in official correspondence, amplifying disputes and giving them greater publicity. In fact, a former member of his staff, George Strong, after being appointed to another post, wrote to Butler privately on 24 June, attaching a letter he wrote to the *New York Tribune* slightly disassociating himself from Butler, pointing out that all the letters written from Union headquarters in New Orleans were all composed by the general himself, if sometimes signed by staff. [1174] The former aide-de-camp suggested that Butler tone down his remarks because "all these documents are & will be published & become history & it doesn't do you any good to have papers say as one of them (I think the *Tribune*) did that your (Haggerty's) reply to [British Acting Consul] Coppell was 'slightly Hibernian'"[1175]. General diplomatic histories of the Civil War have explored the effects of General Order No. 28, issued on 15 May, which declared that a woman disrespecting Union soldiers was to be "treated as a woman of the town plying her avocation" and received wide condemnation and notoriety in Europe.[1176] The news of this order was originally met with incredulity. Indeed, as the case of Commander Cloué's alleged threat to Commodore Farragut in the Richmond *Dispatch* shows, not all information coming originally from Southern sources was genuine. Notably, the veracity of the order was confirmed by the *Milan*, which left New Orleans on 15 May, relieved by the *Catinat*.[1177] Rear-Admiral Reynaud reported to Paris after meeting Cloué in New York on 2 June that "Milan has dispelled all doubts".[1178] Meanwhile, other sources from New Orleans, including British consular despatches were delayed.[1179]

[1174] Strong to editor of *NY Tribune*, 24 June 1862, June 21-25, 1862, Box 13: Jun-Jul, Butler Papers MSS14514, LOC.
[1175] By referring to the document as "Hibernian" or Irish, the writer was playing on Irish stereotypes of excessive pugnaciousness and lack of polite culture. Strong to Butler, 24 June 1862, ibid.
[1176] General Order No. 28, Butler, 15 May 1862, *OR, Ser. I, Vol. 15*, 426; Jones, *Blue and Grey Diplomacy*, 148; Jenkins, *Britain and the War for the Union, Vol. 2*, 53-54.
[1177] Reynaud to Chasseloup-Laubat, No. 82, 2 June 1862, BB4/798, SHD/Marine.
[1178] « Milan a dissipé tous ses doutes » Reynaud to Chasseloup-Laubat, ibid.
[1179] Lyons to Russell, No. 374, 29 May 1862, in *Through British Eyes, Vol. 2*, 70-75.

However, anchoring in the river or sometimes directly docking in the city, British and French warships visiting New Orleans were more than couriers.

The Union general's brusque, disrespectful manner and uncompromising stance also contributed to souring relations with the many foreign consuls, in particular with Consul Méjan. Indeed, after attending the first meeting Butler organised with foreign consuls, Méjan reported to Paris that the consuls' impression of the general was "far from being favourable to him; neither his tone, nor his manner of expressing himself as deep or as flowing, nor his exterior were made to seduce."[1180] The consul further described Butler as a "true Yankee", underlining the derogatory Southern term.[1181] Count Méjan, at home in upper class Louisiana society, would not be able to cut deals with Union General Butler as he had done previously with Confederate Governor Moore. However, this time there was a French warship moored in the port.

If the General Butler could easily organise a surprise raid on the Netherlands consulate, attempting to do the same with the French consulate proved more difficult. Just before New Orleans fell under Union occupation, nominally French and Dutch merchant firms stored large sums of money in specie in the consulates of France and the Netherlands.[1182] Butler claimed, based on confidential tip offs, that hundreds of thousands of dollars in silver stored at the consulates belonged to the Confederacy and were thus liable to seizure.[1183] This the consulates strenuously protested. General Butler decided to take direct action in the case of the Dutch consulate. Union troops surrounded the building and physically forced Consul Amédée Couturié to hand over the keys to the consular safe.[1184] The Dutch consul reported that during the proceedings he was refused contact not only with the Union general, but also with French Consul Méjan.[1185] It is likely that Couturié, a French national, thought he might be able to rely on either the not yet disbanded French militias or the *Milan* anchored in the river.[1186] Butler replied to the Netherlands consul's official protest by saying that Couturié "prostituted [his]

[1180] « bien loin de lui être favorable ; ni son ton, ni sa manière de s'exprimer comme fond et comme débit, ni son extérieur ne sont faits pour séduire. » Méjan to Thouvenel, No. 51, 5 May 1862, 16CPC/11, AMAE, La Courneuve.
[1181] « vrai Yankee », ibid.
[1182] *Statement of Facts*, Couturié, 13 May 1862, *OR, Ser. 3, Vol. 2*, 123-24; Méjan to Thouvenel, No. 45, 25 February 1862, AMAE, La Courneuve.
[1183] Butler to Stanton, 16 May 1862, *OR, Ser. 3, Vol. 2*, 116-17; Butler to Méjan, 10 May 1862, 16CPC/11, AMAE, La Courneuve.
[1184] Butler to Stanton, 16 May 1862, *OR, Ser. 3, Vol. 2*, 116-17; *Statement of Facts*, Couturié, 10 May 1862, ibid., 119-21.
[1185] ibid.
[1186] Méjan to Mercier, 11 May 1862, 16CPC/11, AMAE, La Courneuve.

flag to a base purpose" and therefore he could not be respected, an insult the Dutch minister plenipotentiary later copied directly to Seward in his official demarche.[1187] Couturié responded by taking down the Netherlands flag and putting Dutch subjects under the protection of the French consulate.[1188] Butler's raid on the Netherlands consulate and his public statements to the Dutch consul sparked the first of many international crises under his rule.

With the *Milan* in New Orleans, Count Méjan had the veiled threat of force and a uniformed officer to defend the consulate. The French consul reported that sentries were noticed outside the French and Spanish consulate on 10 May, which shared a building, at the same time Méjan was having dinner on the *Milan*.[1189] The count considered it an insult and sent English-speaking Lieutenant Colonel de Ladébat of the French Legion with a letter of protest, while the commander and consul went to the consulate.[1190] The French consul also asked Commander Cloué for protection.[1191] Outside the consulate, an angry mob of French nationals gathered, which Méjan reported to have pacified by yelling from the balcony. Faced with the risk of provoking conflict with France, Butler ordered his troops to retreat, arguing it was a misunderstanding.[1192] That night Cloué sent a junior officer to the consulate to prevent a sneak raid – any attempt by Union forces to force their way into the consulate would have to go through the armed French officer, potentially an act of war.[1193] Méjan further wrote that Cloué went personally with de Ladébat to protest strongly to Butler. In line with the officer's earlier despatches to Reynaud that doubted the civilized nature of Americans and their knowledge of international law, the consul reported that Cloué told Butler that his actions were "unjustifiable, and contrary to all the laws and customs of nations, as well as to the inviolability assured to Consular Buildings. It's only in Turkey that I've seen a Consulate surrounded the way you had the French Consulate surrounded yesterday".[1194] Butler again denied any intent to offend France or its flag.[1195] Thus, the French consulate, along with the consul himself and money deposited in it, was directly protected by the *Milan*, thwarting Butler's ambitions. Méjan

[1187] Butler to Couturié, 14 May 1862, *OR, Ser. III, Vol. 2*, 124.
[1188] Van Limburg to Seward, 30 August 1862, *OR, Ser. III, Vol. 2*, 488-90.
[1189] Méjan to Mercier, 11 May 1862, 16CPC/11, AMAE, La Courneuve.
[1190] de Ladébat to Méjan, 11 May 1862, May 1862, Méjan Papers MSS32565, LOC; Méjan to Mercier, 11 May 1862, 16CPC/11, AMAE, La Courneuve.
[1191] ibid.
[1192] de Ladébat to Méjan, 11 May 1862, May 1862, Méjan Papers MSS32565, LOC.
[1193] Méjan to Mercier, 11 May 1862, 16CPC/11, AMAE, La Courneuve.
[1194] « injustifiables, et contraires à toutes les lois, à tous les usages des nations, ainsi qu'à l'inviolabilité assurée aux Edifices Consulaires. Ce n'est qu'en Turquie que j'ai vu un Consulat cerné comme vous avez fait cerner hier le Consulat de France. » Méjan to Mercier, 11 May 1862, 16CPC/11, AMAE, La Courneuve.
[1195] ibid.

and Cloué also claimed that Butler forbade other foreign warships from entering city, which Mercier complained about to Seward, though this does not seem to have an actual official order.[1196] No doubt, the Union general was not pleased about dealing with another French warship.

Though able to deter Butler from storming the French consulate, French naval presence in New Orleans could not provide British subjects with the same protection, and relying on the French warship caused British Acting Consul Coppell a degree of discomfiture. Using the *Milan*'s departure to Havana (a stop on its route to New York), Coppell sent an urgent message to the British Consul-General Joseph Crawford in the Spanish colony: "We, the British, are subjected to all sorts of indignities at the hands of the Federals".[1197] Indeed, in the previous few days General Butler had imprisoned two former members of a disbanded British militia that he accused of sending their rifles to Confederate forces without a trial.[1198] The letter bag also likely contained the acting consul's despatches to Lord Lyons and Earl Russell. Coppell noted to Lord Lyons that the disbanded "British Guard was composed almost entirely of prominent British merchants".[1199] Moreover, in his correspondence with Coppell, Butler expressed doubts as to his right to represent the British Government, as the consular exequatur for New Orleans was originally given to the departed Consul Mure.[1200] Therefore, without a warship present, British subjects would lack even consular representation. Coppell noted to Crawford that British subjects were composing a petition to Queen Victoria, which would attract negative attention from the press, and that a British warship would "have a very beneficial effect" calming down British nationals in the city.[1201] The Havana consul-general dutifully relayed the request for a warship to Lord Lyons.[1202] In his despatch to Earl Russell, Coppell asked for two British men-of-war, which "could lend Material aid in the prosecution of my duties".[1203] The letter to Crawford was composed quickly, dated the same day as the *Milan* left, betraying an exasperated tone and a hint of embarrassment: "We ought to have something".[1204] Méjan's 14 May despatch to Mercier, which was also transported by the *Milan*, contrasts the sorry situation of British

[1196] Reynaud to Chasseloup-Laubat, No. 82, 2 June 1862, BB4/798, SHD/Marine; Méjan to Mercier, 14 May 1862, 16CPC/11, AMAE, La Courneuve. There are however no such formal orders in *OR, Ser. 1, Vol. 15* or *OR, Ser. III, Vol. 2*.
[1197] Coppell to Crawford, 15 May 1862, ADM128/57, TNA.
[1198] Ibid.
[1199] Coppell to Lord Lyons, 19 May 1862, ADM128/57, TNA fos. 701-9.
[1200] Butler to Coppell, 11 May 1862, *OR, Ser. III, Vol. 2*, 126-27.
[1201] Coppell to Crawford, 15 May 1862, ADM128/57, TNA.
[1202] Crawford to Lord Lyons, 22 May 1862, ADM128/57, TNA.
[1203] Coppell to Russell, No. 21, 9 May 1862, ADM128/57, TNA, fos. 681-700.
[1204] Coppell to Crawford, 15 May 1862, ADM128/57, TNA.

subjects compared to French nationals because there was no British warship present.[1205] Méjan made sure to thank Mercier for asking the admiral to send a man-of-war to the city.[1206] Indeed, the support French nationals received from their navy made the situation for British subjects look worse.

Consul-general Crawford did his best to amplify his New Orleans colleagues' pleas. Coppell's despatch arrived in Havana on 20 May, just in time to catch HMS *Liffey* on its return journey from New Orleans and Mobile.[1207] However, much to Consul Crawford's chagrin, Captain Preedy refused to return to New Orleans despite Acting Consul Coppell's pleas.[1208] With the frigate *Liffey* unable to cross the bar to enter New Orleans or Mobile, the captain argued his warship was useless.[1209] The *Liffey* was supposed to be supported by HMS *Steady*, a vessel that could go up the Mississippi River, but the *Steady* had suffered a serious issue with its machinery and had to be repaired.[1210] On the *Liffey*'s course to the Gulf of Mexico, Captain Preedy encountered HMS *Barracouta*, another smaller vessel with a lower ranking commanding officer, but it had sailing orders for Veracruz, and did not go from there to New Orleans as Preedy had requested from Commodore Dunlop.[1211] Captain Preedy did find the means of communicating with New Orleans, even if he did not find the means of reaching the city himself, and agreed with Coppell on 5 May that the situation had calmed, and he could leave Louisiana.[1212] Besides, Acting Consul James Magee in Mobile had requested a warship fearing his city was about to be attacked, though this proved to be premature.[1213] Therefore, the *Liffey* sailed to Mobile and Havana on its way back to Bermuda.[1214]

Though many British and French naval officers had more limited conceptions of protection that did consuls throughout the American Civil War, Captain Preedy's explanation stands out. If the situation in New Orleans did not appear threatening when the *Liffey* left in early May, it had clearly changed for the worse. Thus, Acting Consul Coppell's 5 May letter supporting the warship's departure does make for a good excuse not to return. Moreover,

[1205] Méjan to Mercier, 14 May 1862, 16CPC/11, AMAE, La Courneuve
[1206] ibid.
[1207] Crawford to Russell, No. 24, 25 May 1862, FO72/1041, TNA.
[1208] ibid.
[1209] Preedy to Crawford, 20 May 1862, FO72/1041, TNA.
[1210] Milne to Preedy, 19 March 1862, MLN/110/1, Milne MSS, NMM; Milne to Admiralty Secretary, 29 May, 1862, No. 428, Milne MSS, NMM.
[1211] Preedy to Crawford, 20 May 1862, FO72/1041, TNA.
[1212] Coppell to Preedy, 5 May 1862, FO72/1041, TNA.
[1213] Magee to Lord Lyons, 7 May 1862, ADM128/57, TNA.
[1214] Preedy to Magee, 12 May 1862, ADM128/57, TNA.

though the *Liffey* could not sail up to New Orleans, Preedy had previously found a method of communicating with port, and likely could have found a way to get to the city by pilot boat or small steamer. Méjan noted that Butler respected French naval officers more than consuls, and thus the presence of the captain or a junior officer in uniform may have been more effective in pressing the general.[1215] It is possible that Preedy, whose ship was about to be paid off in England, was simply looking for an excuse to end his mission.[1216] Whatever the captain's actual reasoning may have been, Consul-General Crawford was quick to complain to Earl Russell "that, if the necessity for protection of asylum occurred, Her Majesty's subjects would have to apply to the French and Spanish Commanders of their Ships of War".[1217] Crawford also transmitted Coppell's request to Milne and Dunlop.[1218] This situation did not reflect well on the prestige of a maritime power.

In New Orleans, Butler continued to impose policies that the European governments viewed as grossly violating the rights of their subjects. On 10 June, the general issued an order compelling foreign nationals in the Crescent City to take an oath not to aid the enemies of the Union to maintain the "protection or favor from the Government of the United States (except for personal violence)".[1219] Responding to foreign consuls' protests against the order, Butler amended General Order No. 41 with a more offensive General Order No. 42, forcing foreigners to pledge to "support, protect, and defend the Constitution of the United States", claiming as justification the fact that a foreign militia took a similar oath under Confederate rule in April 1861.[1220] Foreign consuls, following the precedent established under Confederate rule, issued joint protests under the leadership of Méjan, who complained to Thouvenel that Butler's encroachments against foreigners "wound all their sentiments of honour".[1221] Moreover, the French consul was outraged that the general order affected Frenchmen "of the most honourable position, the most peaceful, and the most hardworking of the population".[1222] Indeed, Méjan worried that without taking the oath, foreign nationals would have their property confiscated as supporters of the enemy.[1223] Moreover, consuls feared that foreigners would not be able to

[1215] Méjan to Mercier, 11 May 1862, 16CPC/11, AMAE, La Courneuve.
[1216] Milne to Admiral Secretary, No. 406, 26 May 1862, MLN/104/4, Milne MSS, NMM.
[1217] Crawford to Russell, No. 24, 25 May 1862, FO72/1041, TNA.
[1218] ibid.
[1219] General Order No. 41, Butler, 10 June 1862, *OR, Ser. 1, Vol. 15*, 483-84.
[1220] General Order No. 42, Butler, 19 June 1862, *OR, Ser. 1, Vol. 15*, 491-92.
[1221] « blesse tous leurs sentiments d'honneur. », Méjan to Thouvenel, No. 54, 12 June 1862, AMAE, La Courneuve.
[1222] « à la position la plus honorable, la plus tranquille et la plus laborieuse de la population », ibid.
[1223] ibid.

leave New Orleans without taking an oath.[1224] Despite Méjan's activism, Butler chose to single out Coppell.[1225] Butler's staff sent the acting consul a curt reply that "no answer is to be given" because of his unrecognised status.[1226] Coppell threatened to lower the British flag from the consulate and, like Couturié before him, designate the protection of British subjects and property to Méjan.[1227] Without a British man-of-war present, Butler was willing to close down the British consulate.

The troubles of British subjects in New Orleans reverberated in British newspapers and Parliament. In London, the editor of the *Times* complained of Butler's "ill-bred insolence" and argued that Russian officers in Poland and Austrian officers in Venice were less oppressive because they, as "gentlemen", they were afraid "to lose caste" by brutal acts.[1228] In Parliament, the lack of British warships provided an opportunity for an opposition MP to grandstand in Parliament at the Palmerston Government's expense. On 21 July 1862, Conservative MP Seymour Fitzgerald, under-secretary of state for foreign affairs under the previous government, protested in Parliament against what he considered to wholly inadequate level of protection for British subjects in New Orleans by the Liberal Government:

> While the Spaniards, the French, and almost every other maritime nation, had a frigate or vessel of War at New Orleans, no British frigate was to be found there, and the Government of this country was the only Government that was unable to give protection to the life and property of its subject at New Orleans at the present moment.[1229]

It is unclear which "other maritime nation" sent a man-of-war to New Orleans. Nevertheless, the Conservative MP used the situation to argue that the Liberal Government had not only failed to protect British subjects, but by its inaction had also damaged the prestige of the world's preeminent naval power. Austen Layard, the current Under-Secretary of State for Foreign Affairs, deflected the question by pointing out that Fitzgerald had made his speech during what was supposed to be a committee meeting.[1230] However, he did point out that a warship was ordered to New Orleans "but from causes which it is not necessary to mention, that order had not been carried out".[1231] This vague statement shielded Milne and Preedy from responsibility.

[1224] Méjan et al. to Butler, - June 1862, *OR, Ser. III, Vol. 2*, 154-156; Coppell to Butler, 14 June 1862, *OR, Ser. III, Vol. 2*, 154.
[1225] ibid.
[1226] Haggerty to Coppell, 14 June 1862, ibid.
[1227] Berwanger, *British Foreign Service*, 59.
[1228] *Times* (London), 14 October 1862.
[1229] United Kingdom. *Hansard Parliamentary Debates*, Commons, 21 July 1862, Vol. 168, cc589-90.
[1230] United Kingdom. *Hansard Parliamentary Debates*, Commons, 21 July 1862, Vol. 168, cc591.
[1231] ibid.

Meanwhile, a French warship had "rendered every assistance to British subjects".[1232] Yet, this was hardly an answer to Fitzgerald's core contention that the Liberal Ministry failed to uphold British prestige. Indeed, the Admiralty had just sent orders to Vice-Admiral Milne to send a "vessel of proper size" to New Orleans on 17 July, accompanied by a petition of British subjects from the city to Queen Victoria asking for Her Majesty's Government "to enforce the Concession of such rights as your Majesty's subjects may be lawfully entitled to claim".[1233] Thus, the publicity had pressed the Admiralty into action.

The admiral in North America had, however, already sent a warship to New Orleans. Milne received the orders from Admiralty on 5 August.[1234] His response to them showed a degree of annoyance: "I have not been unmindful of British Interests in that quarter".[1235] The attached petition was not dated, and Milne claimed not be able to verify if there was a warship "at New Orleans, or in the immediate neighbourhood when it was drawn up".[1236] Nevertheless, the admiral committed himself to sending warships to New Orleans and nearby Mobile regularly.[1237] In fact, two British men-of-war were sent to the Gulf of Mexico, and the admiral pointed out that he had informed the Admiralty of this in previous despatches.[1238] In early June, Lord Lyons, after receiving Consul-General Crawford's letters, had requested HMS *Rinaldo* to leave the Chesapeake for New Orleans, and Milne relayed his agreement by telegraph from Halifax.[1239] Milne also instructed Commander Hewett of the *Rinaldo* to find the smaller HMS *Landrail* to add to his force.[1240] The *Rinaldo* left with a copy of instructions from the US Government to General Butler to recognise Coppell.[1241] The two British warships were delayed in Havana and Key West and only reached New Orleans in late June.[1242] Nevertheless, by the time the lack of British warships and consular representation in the Crescent City was debated in Parliament, General Butler had already officially recognised the British acting consul on 7 July.[1243] Subsequent instructions from Washington annulled Butler's orders for foreigners to take oaths.[1244] On receiving Hewett's reports from New Orleans, Milne transmitted them to

[1232] ibid.
[1233] Paget to Milne, No. 549 M, 17 July 1862, ADM128/57, TNA.
[1234] Undated Petition to Queen Victoria, ADM128/57, TNA.
[1235] Milne to Admiralty Secretary, No. 626, 7 August 1862, MLN/104/5, Milne MSS, NMM.
[1236] ibid.
[1237] ibid.
[1238] Milne to Admiralty Secretary, No. 459, 12 June 1862, MLN/104/5, Milne MSS, NMM.
[1239] Lord Lyons to Hewett, 2 June, 1862, ADM128/57, TNA.
[1240] ibid.
[1241] Lord Lyons to Russell, No. 392, 3 June 1862, in *Through British Eyes, Vol. 2*, 78-83.
[1242] Martin to Dunlop, 25 July 1862, MLN/115/3, Milne MSS, NMM.
[1243] Butler to Coppell, 7 July 1862, *OR, Ser. III, Vol. 2*, 209-10.
[1244] Seward to Stanton, 24 June 1862, *OR, Ser. III, Vol. 2*, 172.

London, noting that he approved of the commander "having so successfully established the relations between HM's Acting Consuls and the Commanders of the U.S. Naval and Military Forces, which had previously been in an unsatisfactory state".[1245] For the British side, the Union occupation of New Orleans was tolerable.

Despite the glowing success that Milne depicted Seward's visit to New Orleans to be, the *Rinaldo*'s presence in New Orleans caused a minor incident. Hewett arranged for an exchange of salutes, possibly to relieve any lingering tensions, on 5 July.[1246] However, this clearly did not have a lasting effect, as a police report alleged that inebriated officers and seamen from the British warship docked in the port sang the pro-Confederate "Bonnie Blue Flag" to a crowd of cheering onlookers and raised a Confederate flag on a mast (a sign of entering a Confederate port) two days later.[1247] The Unionist police force tried to disperse the crowd and made several arrests for cheering, but could not arrest the singing British sailors.[1248] The position of the *Rinaldo*, docked for a relatively long period in an American port, was somewhat novel. Foreign warships in New York anchored at the Battery, not directly near the waterfront. British men-of-war were instructed to stay further away from the actual city at Staten Island for fear of desertion.[1249] Trips to Annapolis, another city regularly visited by British and French warships, were typically quick, focused on communication with Washington. There was thus less time for a crowd to form or a brawl to break out. In Union-occupied New Orleans, where work was scarce and therefore desertion relatively rare, there was no need to keep the warship distant from the shore. This was a particularly sensitive time for such a display given fears of British intervention and losses suffered by Union troops around New Orleans.[1250] Butler sent a letter of protest to Hewett, who answered that he would look into the incident but denied the raising of Confederate colours.[1251] Hewett seems to have omitted this incident from his report to Milne, and Butler did not write of it officially to

[1245] Milne to Admiralty Secretary, No. 628, 7 August 1862, MLN/104/5, Milne MSS, NMM.
[1246] In a note to the British commander, General Butler referred to a salute exchange as being suggested earlier by Hewett, Butler to Hewett, 5 July 1862, July 1-5, 1862, Box 13: Jun-Jul, Butler Papers MSS14514, LOC.
[1247] Statement of James Duane, Lt. of Police, 7 July 1862, July 6-10, 1862, Box 13: Jun-Jul, Butler Papers MSS14514, LOC.
[1248] Ibid.
[1249] See Chapter I
[1250] Howard Westwood, "Benjamin Butler's Enlistment of Black Troops in New Orleans in 1862," *Louisiana History* (Winter, 1985), 5-22.
[1251] Hewett to Butler, 7 July 1862, July 6-10, 1862, Box 13: Jun-Jul, Butler Papers MSS14514, LOC.

Washington. However, the disruptions caused by the presence of the Royal Navy ships did result in some publicity in the Northern and Southern press.[1252]

Representatives of the French government in New Orleans received a degree of acclaim for their actions. General Juge commanding the foreigner militia known as the European Brigade noted to Méjan that all his men appreciated "the services that you had rendered as the head of the Consular Corps" and recognised "the dignity with which you have maintained France in the first rank among nations".[1253] Thouvenel responded to the consul's despatch detailing the struggle for the consulate with "plain and entire approbation".[1254] The Foreign Minister's despatch contained a Legion of Honour for Méjan, "the most precious testimony of the satisfaction of the Emperor's Government".[1255] The foreign minister also sent an official letter of thanks to Commander Cloué through the navy minister for protecting both the French and British consuls.[1256] Indeed, Méjan also strongly commended Cloué's perseverance not only to Mercier and Thouvenel, his superiors in the foreign service, but also directly to Navy Minister Chasseloup-Laubat, writing that the commander's actions "merited more than simple approbation".[1257] *L'Abeille* thanked *Milan* for saving from bombardment.[1258] Cloué was promoted not long after, potentially with his service in New Orleans a factor.[1259] The careers of the two functionaries looked rosy.

Yet, despite the approbation and support from the foreign ministry for Méjan, French naval officers began to doubt the propriety of keeping such an enormous sum in the consulate, especially given its dubious ownership. Butler began sending threatening letters about the money in the consulate in late June, and in early July, Butler and Méjan informally made an arrangement that the general would not send sentries to patrol the gates of the consulate if the consul agreed not to transport the specie out of the consulate.[1260] This arrangement on the

[1252] "British Insult to Yankeedom", 14 July 1862, *Carolina Observer*, Fayetteville, SC; "Impudent British Officers Taken Care Of", 24 July 1862, *New London Chronicle*.
[1253] « les services que vous avez rendus à la tête du Corps Consulaire », « le dignité avec laquelle vous avez su maintenir la France au premier rang des nations. » Juge to Méjan, 10 May 1862, May 1862, Méjan Papers MSS32565, LOC.
[1254] « l'approbation pleine et entière » Thouvenel to Méjan, No. 4, 26 June 1862, 16CPC/11, AMAE, La Courneuve.
[1255] « le témoignage le plus précieux de la satisfaction du Gouv. de l'Empereur », ibid.
[1256] Chasseloup-Laubat to Reynaud, 26 Jun 1862, BB4/812, SHD/Marine.
[1257] Méjan to Chasseloup-Laubat, 20 May 1862, Folder: May 1862, Méjan Papers MSS32565, LOC.; « méritent plus qu'une simple approbation. », Méjan to Mercier, 11 May 1862, 16CPC/11, AMAE, La Courneuve.
[1258] *Courrier des Etats-Unis,* 30 May 1862.
[1259] Chasseloup-Laubat to Reynaud, 19 September 1862, BB4/812, SHD/Marine.
[1260] Butler to Méjan, 30 June 1862, *OR, Ser. III, Vol. 2*, 183; Méjan to Mercier, 11 July 1862, 340PO/A/155, AMAE, Nantes.

consul's "word of honour" greatly annoyed Commander Fabre who reported to Reynaud that he found Méjan at fault: "For my part, I have blamed M. Méjan for this concession & I would have preferred to see sentries posted, only to protest & to lower the consular flag, if necessary, but the word has been given".[1261] In the despatch written shortly after Méjan refused Butler's demands for a full listing of the money and its ownership in the consulate, Fabre wrote that he and the consul were waiting for "some brutal resolution" from Butler.[1262] That would be something to which Fabre would also have to respond. Beyond finding fault with the consul for bending to Butler's demands, Fabre reported: "I cannot conceal from you, Admiral, that the Consulate's vaults contain more than Three Million Piastres" with the large sum underlined by the Navy Minister (Reynaud transmitted a copy of the letter to Paris).[1263] Fabre did not believe in the authenticity of the claimed French owners of the specie.[1264] In his 29 July despatch to Chasseloup-Laubat that contained Fabre's report, Reynaud wrote that part of the money Méjan kept in the consulate was in fact payment for cargo delivered to Confederate forces by the ship *Tage* via Matamoros, Mexico.[1265] In fact, the *Tage* was on a list of vessels that US warships were instructed to look out for and was about to be searched by USS *Portsmouth* off Matamoros, Mexico before the arrival of the French warship *Berthollet* from the Mexican division.[1266] Reynaud also added that Méjan stayed at home, which doubled as the consulate, to protect the money in case of a raid.[1267] Not in Fabre's official despatch, the information probably got to Reynaud by a private letter. The admiral claimed that this was a "false position" on the French consul's part.[1268] However, despite the Méjan's antics, Fabre reported that he was going to stay longer in New Orleans to protect the consul, even going against instructions to go to Veracruz to support French troops after their defeat at Battle of Puebla (5 May 1862), which Reynaud supported.[1269] Though there were reasons to stay other than Butler's threat to the consul, including a potential Confederate attack on the city and the mistreatment of other French nationals, these were not the most important, tucked at the end of Fabre's despatch. The

[1261] « parole d'honneur », « Pour mon compte j'ai blâmé M. Méjan de cette concession & j'aurais préféré voir placer des factionnaires, sauf à protester & à abaisser au besoin le pavillon consulaire, mais la parole est donnée », Fabre to Reynaud, 8 July 1862, BB4/798, SHD/Marine.
[1262] « quelque brutale résolution », ibid.
[1263] « Je ne puis vous dissimuler, Amiral, que les caveaux du Consulat contiennent plus de Trois millions de piastres. », ibid.
[1264] ibid.
[1265] Reynaud to Chasseloup-Laubat, No. 97, 29 July 1862, BB4/798, SHD/Marine.
[1266] Welles to Goldsborough, McKean, DuPont, Farragut, 24 January 1862, *ORN, Vol. 6*, 530; Farragut to Welles, 27 March 1862, *ORN, Vol. 18*, 77. See also Chapter III.
[1267] Reynaud to Chasseloup-Laubat, No. 97, 29 July 1862, BB4/798, SHD/Marine.
[1268] « fausse position », ibid.
[1269] Fabre to Reynaud, 8 July 1862, BB4/798, SHD/Marine.

commander of the *Catinat* wrote that General Butler did not storm the French consulate "because he understands that France & Holland are two very different nations", referring to the earlier raid conducted by Union troops on the Netherlands consulate.[1270] The *Catinat* stayed in New Orleans to maintain French prestige by protecting the consulate.

The full information about Méjan's predicament reached the consul's superiors rather more slowly than it did Admiral Reynaud. In part, this is likely the consul feared that General Butler read consular mail. In the summer of 1862, no surviving official letters from the count address the enormous sum deposited in the consulate.[1271] Possibly, the consul felt that Butler would cease his efforts. Initially, Washington seemingly affirmed Méjan's position. Seward sent Commissioner Reverdy Johnson to examine the general's position in various disputes with foreign consulates, likely well aware of the bad blood between Johnson and Butler.[1272] Not surprisingly, Reverdy Johnson ruled in favour of the consulates in all disputes.[1273] Seward was likely annoyed by Butler's usurpation of authority by raiding the Dutch consulate without State Department consent and the general's controversies adding fuel to calls for European intervention to the American conflict. However, by mid-July, it was evident that the Union general was not going to stop pressuring the French consul. At this time, Countess Méjan left New Orleans for New York on a French merchant vessel that arrived on 2 August.[1274] On the same day, Mercier, in New York for part of his leave, wrote officially to Méjan that he had received his letters from the countess.[1275] The letters do not seem to be extant. Based on their contents, Mercier further wrote to Méjan to go to Washington to clear up certain questions in person.[1276] Fauconnet, the consulate's chancellor, was to stay on as the acting consul.[1277] Reynaud, who was in New York at the time and later holidayed with the minister plenipotentiary in Hartford, Connecticut, characterised Mercier's decision to the navy minister as having been made "less to come and explain certain unknown facts than to put an end to this official's relationship with General Butler".[1278] A week later, Mercier sent Méjan a duplicate of

[1270] « car il comprend que la France & la Hollande sont deux nations bien différentes. », ibid.
[1271] 16CPC/11, AMAE, La Courneuve; 340PO/A/155, AMAE, Nantes; 227CCC/14, AMAE, La Courneuve.
[1272] Hearn, *When the Devil Came Down to Dixie*, 142-60.
[1273] Ibid.
[1274] Martin to Méjan, 6 August 1862, 340PO/A/155, AMAE, Nantes; Lanen to Méjan, 7 August, 1862 ibid.
[1275] Mercier to Méjan, 2 August 1862, ibid.
[1276] ibid.
[1277] ibid.
[1278] « moins pour venir donner des explications sur certains fait ignorés que pour faire cesser les rapports de ce fonctionnaire avec Général Butler » Reynaud to Chasseloup-Laubat, No. 100, 5 August 1862, BB4/798, SHD/Marine.

his first letter by the *Renaudin*, not trusting the American postal service.[1279] He added to the original that the only reason not to come would be if there were threats that were "serious for French interests".[1280] Accordingly, Méjan sailed for New York on 17 August.

Though Méjan's departure may have protected the count personally from confrontations with General Butler, the aggressive practices of Federal occupation authorities, aggravated by Union losses in Louisiana, continued to put pressure on Acting Consul Fauconnet. As the confiscation of property owned by allegedly pro-Confederate owners ramped up, the consulate worked day and night to issue certificates of nationality for Frenchmen, which exempted them from seizures.[1281] Moreover, many Americans with French heritage sought to make use of provisions in the Napoleonic Code to obtain French nationality.[1282] However, the acting consul's biggest fear revolved around Butler's orders to disarm white men while raising black militias.[1283] The companies of black men frequently clashed with the hostile white populace, that included French nationals. One of them was severely wounded by one of these newly founded companies, and Fauconnet repeatedly demanded "severe punishment" from for the black men from General Butler, without success.[1284] The general had raised the black militia as a response to the worsening Union military situation outside New Orleans.[1285] Any Southern attempt to retake the city would also involve shelling of Confederate positions by the US warships stationed in the river, which would also devastate New Orleans. Fauconnet worked with Commander Fabre of the *Catinat*, still stationed in the Crescent City, to prepare an evacuation plan for the consulate.[1286] Moreover, Fabre "also agreed to keep his ship as long as possible at enough of a distance from the centre of the city to permit him to protect on the riverbank the French families that would be forced to find refuge there".[1287] Thus, the consul and the commander planned a full scale operation. Meanwhile, HMS *Rinaldo* and a Spanish warship were sent to the city to offer

[1279] Mercier to Méjan, 9 August 1862, 340PO/A/155, AMAE, Nantes.
[1280] « sérieux pour les intérêts de France », ibid.
[1281] Fauconnet to Mercier, 19 September 1862, 227CCC/14, AMAE, La Courneuve.
[1282] Fauconnet to Mercier, 4 September 1862, 227CCC/14, AMAE, La Courneuve.
[1283] Fauconnet to Mercier, 19 September 1862, 227CCC/14, AMAE, La Courneuve.
[1284] « châtiment sévère » Fauconnet to Butler, 15 September 1862, 227CCC/14, AMAE, La Courneuve; « punition » Fauconnet to Butler, 3 October 1862, 227CCC/14, AMAE, La Courneuve; "Exemplary Punishment [in English]", Fauconnet to Butler, 6 October 1862, 227CCC/14, AMAE, La Courneuve.
[1285] Westwood, "Benjamin Butler's Enlistment of Black Troops".
[1286] Fauconnet to Mercier, 1 September 1862, 227CCC/14, AMAE, La Courneuve.
[1287] « est en outre convenu de tenir autant que possible son navire assez éloigné du centre de la ville pour lui permettre de protéger sur la rive du Fleuve les familles françaises qui se verraient contraintes d'y chercher refuge. », ibid.

protection for their subjects.[1288] However, Commander Hewett of the Rinaldo proved less worried about violence in the city than Acting Consul Coppell or French officers. He noted that while there were two black regiments in the city, their "behaviour has all along been most orderly".[1289] He wrote that he would only prolong his stay in the port to be close to Mobile, a city he feared would soon be attacked by the Union Navy.[1290]

With President Lincoln's Emancipation Proclamation, European, and particularly French, diplomats and naval officers feared an insurrection of free and enslaved black men in the South. The presidential decree, issued on 22 September 1862, declared that in states in rebellion against the United States, slaves would be declared free by the US Government on 1 January 1863. Reynaud in New York, writing to Paris on 23 September, declared that the Union was thus trying to launch "the servile war [underline by reader]".[1291] On 30 September, he elaborated that this decision was not a humanitarian one that Europeans could support, but instead would bring "conflagration and assassinations".[1292] In New Orleans, Reynaud feared "the horrors of St. Domingue" referring the Haitian Revolution, adding that in the circumstances his "presence in New Orleans could be up to certain limits a dam opposed to the resolutions that M. Butler would attempt to take against foreigners".[1293] Reynaud took Consul Méjan, who was in New York at the time, to New Orleans with him, after conferring with Mercier.[1294] He hoped to use the count's local knowledge.[1295] In mid-October Reynaud sailed in the flagship *Guerrière*, towing the gunboat *Renaudin*, to New Orleans.[1296] The situation was worrying enough for Admiral Reynaud to come to New Orleans himself.

Admiral Reynaud found that the sorry state of foreigners in New Orleans warranted the enthusiasm displayed for the presence of his squadron by thousands of Frenchmen in front of the French consulate. Like to the French consul and acting consul, he was disturbed that a city

[1288] Fauconnet to Mercier, 10 October 1862, 227CCC/14, AMAE, La Courneuve. Milne to Stuart, 8 September 1862, MLN/112, Milne MSS, NMM.
[1289] Hewett to Stuart, 15 October 1862, in *Through British Eyes*, 220-23.
[1290] Ibid.
[1291] « la guerre servile », 23 September 1862, No. 107, Reynaud to Chasseloup-Laubat, BB4/798, SHD/Marine.
[1292] « l'incendie & l'assassinassions », 30 September 1862, No. 109, Reynaud to Chasseloup-Laubat, BB4/798, SHD/Marine.
[1293] « les horreurs de St. Domingue », « présence à la Nouvelle-Orléans peut être dans certains limites une digue opposée à bien des déterminations que M. Butler serait tenté de prendre vis-à-vis des étrangers. », ibid.
[1294] 1 October 1862, Mejan to Thouvenel, 227CCC/14, AMAE, La Courneuve; 4 October 1862, No. 110, Reynaud to Chasseloup-Laubat, BB4/798, SHD/Marine.
[1295] Ibid.
[1296] Reynaud to Chasseloup-Laubat, 27 October 1862, No. 116, BB4/798, SHD/Marine.

"once so rich, so lively & so mercantile & today reduced to an extreme poverty".[1297] The admiral quickly went to work assisting the protests of the consulate, beginning the grievance of a merchant who claimed to have been robbed by US soldiers.[1298] He also shared the assessment of General Butler as a canny opportunist, unworthy of wearing a uniform like a gentleman. Reynaud was especially angered by Butler pointing out to him that under French law, nationals who owned slaves lost citizenship rights.[1299] The admiral described Butler to Paris as "this general, who was a lawyer before this civil war, brings to all affairs a spirit of chicanery & quibbles which are deplorable from all points of view".[1300] Unlike Hewett, he saw the black troops mustered by General Butler as a menace.[1301] His fleet surgeon assisted a Frenchman injured in a tussle with a company of these soldiers.[1302] However, despite agreeing with Consul Méjan's overall assessment of the situation in New Orleans, Reynaud was not prepared to defend him against new evidence presented by General Butler that the consul had harboured Confederate money in the consulate.[1303] Knowing that his despatch would be forwarded to the Foreign Ministry, Reynaud wrote to Chasseloup-Laubat: "I believe that <u>it would be good for the good of the service that M. Méjan were to be replaced by a man prudent</u> [mark by reader] & energetic at the same time".[1304] Nevertheless, with what the admiral felt was a threatening situation, he decided to stay in New Orleans until 1 January 1863, when many feared a "slave insurrection" would erupt, taking a short trip to Cuba from late November to early December to replenish supplies and get the latest mail.[1305] From Havana, Reynaud wrote to Milne asking for support, but the British admiral felt he could only spare one ship, the *Vesuvius,* to assist HMS *Rinaldo* and the French and Spanish warships in New Orleans.[1306] Though the British admiral clearly expressed some concern in his private correspondence, he felt no need to go to Louisiana himself or send a high ranking officer.

[1297] « autrefois si riche, si animée & si commerçante & aujourd'hui réduite à une pauvreté extrême » Reynaud to Chasseloup-Laubat, No. 118, 2 November 1862, BB4/798, SHD/Marine.
[1298] Ibid.
[1299] Reynaud to Chasseloup-Laubat, No. 120, 15 November 1862, BB4/798, SHD/Marine.
[1300] « Ce général, qui était avocat avant cette guerre civile, apporte dans toutes les affaires un esprit de chicane & d'argutie qui sont déplorables à tous les points de vue. », ibid.
[1301] Ibid.
[1302] Mejan to Thouvenel, No. 58, 7 November 1862, 16CPC/11, AMAE, La Courneuve.
[1303] Reynaud to Chasseloup-Laubat, No. 121, 20 November 1862, BB4/798, SHD/Marine.
[1304] « Je crois qu'il <u>serait bon pour le bien du service que M. Méjan fut remplacé par un homme prudent</u> & énergique en même temps. », ibid.
[1305] Reynaud to Chasseloup-Laubat, No. 122, 26 November 1862, BB4/798, SHD/Marine.
[1306] Reynaud's letter is referenced in Milne to Somerset, 1 January 1863, in *Milne Papers, Vol. 3*, ed. Beeler, 198. HMS *Rinaldo* and the Spanish warship *Blasco de Garay* were in since November. Méjan to Thouvenel, No. 161, 2 November 1862, 227CC/14, AMAE, La Courneuve.

Despite the racialised fears of a violent uprising by the black population of New Orleans at the end of 1862, the denouement proved anticlimactic, as the outwardly accommodating General Nathaniel Banks took over from Butler and no mass violence against whites materialised. The new general imposed a milder regime and sent the two black regiments on garrison duty to the forts protecting New Orleans, thus limiting their contact with riotous whites in the city.[1307] No less importantly, he did not go out of his way to shock foreign dignitaries. Reynaud lauded the new general in his report, writing that he "has antecedents that speak in his favour – a man of intelligence, education & high probity, once can count on his word."[1308] With the situation seemingly stabilised and pressing commitments elsewhere, Reynaud left New Orleans on 27 December, even before the Emancipation Proclamation could be enacted.[1309]

After the British and French Navies stopped observing of Union blockade in early 1862, the focus of their warships in American waters became protecting their nationals in the war zone. These missions served to uphold the prestige and popularity of the British Government and Napoleon III's regime, as seen by officials' anxiety over how their actions would be perceived by the public in Europe. These operations also involved considerable naval resources, with no less than three French warships stationed in Louisiana in December 1862. Consuls in Southern ports often clamoured for the protection of a warship. However, there were limits to the support the navies could and would provide. Commanding officers on the spot were sometimes reluctant to offer protection, especially if it involved risking their ships or helping nationals they felt were undeserving. The French Government was also unwilling to spend a considerable sum of money to charter vessels to evacuate French subjects from New Orleans. Nevertheless, French and British naval officers influenced the actions of Union, and to a lesser extent Confederate, forces. Moreover, through their conveyance of consular despatches through the Union blockade, the two navies maintained the ability of the consuls to pressure Confederate authorities with the official sanction of their governments.

[1307] Reynaud to Chasseloup-Laubat, No. 125, 21 December 1862, BB4/798, SHD/Marine.
[1308] « M. Banks, son successeur, a des antécédents qui parlent en sa faveur – homme d'intelligence, d'éducation & d'une haute probité, l'on peut compter sur sa parole. », ibid.
[1309] Lapérouse to Chasseloup-Laubat, 25 January 1863, BB4/828, SHD/Marine.

Chapter V:

A String of Controversies: The End of British and French Naval Presence

On 29 September 1863, HMS *Immortalité* and *Nile*, carrying the flag of Admiral Milne, along with the French frigate *Guerrière*, carrying the flag Admiral Reynaud, crossed the bar into New York Harbour together and anchored at the Battery.[1310] The two admirals made a show of Anglo-French naval comradery, coordinating their joint entrance into the American city, after departing together from Halifax, Nova Scotia.[1311] Much to their surprise, Milne and Reynaud found a few Russian men-of-war in the port. This small fleet was fêted by the Northern press for supposedly coming to New York to support the Union cause in case of foreign intervention by Britain and France.[1312] In fact, the Russian squadron was on an unannounced mission to prepare to attack British and French shipping off North America in case the two powers intervened in the January Uprising in Poland (1863-1864).[1313] As they had done from the beginning of the American conflict, Reynaud and Milne coordinated their response, agreeing not to attend public balls and ceremonies where the organisers officially honoured only the Russian fleet.[1314] Yet, however much Northerners appreciated the arrival of a supposedly allied squadron, the threat of intervention in the American Civil War had lessened since the failure of the Roebuck Resolution, calling for Confederate recognition, in the British Parliament in June.[1315] Indeed, since the commissioning of Union ironclads in March 1862, the wooden British and French warships deployed in American waters no longer presented viable threats of an armed intervention. The British admiral, who previously stayed away from American territory for fear of arousing an Anglophobic Northern public, went to New York and Washington during the last months of tenure on a mission of naval diplomacy.[1316] Reynaud spent much of the next few months helping negotiate the transhipment of French government-owned tobacco through the blockade in Virginia. In fact, the naval practice of maintaining neutrality during the Civil War extended beyond the avoidance of hostilities to more mundane if not less consequential goals, such as the protection of nationals and property from the devastation of war.

[1310] Reynaud to Chasseloup-Laubat, No. 185, 1 October 1863, BB4/828, SHD/Marine.
[1311] Ibid.
[1312] Kushner, Howard I. "The Russian Fleet and the American Civil War: Another View." *Historian* 34, no. 4 (August 1972).
[1313] Ibid.
[1314] Reynaud to Chasseloup-Laubat, No. 187, 6 October 1863, BB4/828, SHD/Marine.
[1315] Jones, *Blue and Gray Diplomacy*, 295-302.
[1316] Courtemanche, *No Need of Glory*, 119-24. For fears of Northern public opinion, see Chapter 1.

However calmed tensions between the Lincoln Administration and Paris and London may have seemed in October 1863, in a few months the US Navy would ban most communications with Confederate territory by warship. This was in part a function of increasingly dangerous encounters between foreign, especially British, and US warships earlier in the year. With Confederate cruisers actively pretending to be British men-of-war, the chance for accidental collisions between the British and French Navies and the Union Navy increased significantly. The similarity between British warships and British-built Confederate raiders was one of drivers for US naval officers' increasing annoyance with the presence of foreign warships off the Southern coast. Several British commanding officers also committed blatantly pro-Confederate acts, transporting specie through the blockade and declaring parts of it broken by the Confederate Navy. Though Admiral Milne gave these officers formal reprimands and tried to reorder his naval station to keep them away from the American coast, these acts had created a deep distrust in the US Navy. Union Admiral John Dahlgren, commanding the South Atlantic Blockading Squadron from July 1863, limited communications by sea with consuls in Charleston and Savannah, particularly for British warships. At the end of that year, the Navy Department sent out a memo ending the use of foreign warships as couriers for consular despatches. In the same period, the Confederate government grew increasingly frustrated with the lack of progress at achieving European recognition, especially from Great Britain. This disillusionment led to the closure of foreign consular correspondence via flag of truce boats between Union and Confederate lines in Virginia and the revoking of British consuls' exequaturs. Thus, blocked off by the US Navy and Confederate State Department, the British and French consuls that remained in Confederate-held territory were increasingly powerless and isolated.

However, the circumstances which made the presence of British and French warships in blockaded waters necessary in the previous two years of the war – the transmission of despatches, strengthening the bargaining power of consuls, and providing a potential place of refuge for distressed nationals – did not diminish in the later stages of the American conflict. Confederate authorities became more uncompromising, refusing British, French, and other consuls' claims to the exemption of their nationals to conscription. For example, Count Méjan, the French Consul in New Orleans, who had successfully rallied the consular corps to protest against the enlistment of foreigners into the Louisiana militia in early 1862, reported in August 1862 that Confederate Governor Moore ignored his demarches and forcibly conscripted

foreigners in the part of the state that he controlled.[1317] In Savannah, as late as 30 October 1862, Colonel John Weems, Head of the Georgia Confederate Conscription Bureau, wrote to British Acting Consul Fullarton that he was "highly sensible of the kind and generous sentiments expressed by you, and as you assure me are felt by the Citizens of England in behalf of the Southern Cause" and would discharge British subjects from army service if there was proof of subjecthood.[1318] In 1863, raising hopes of British recognition as a carrot for Confederate authorities no longer worked, and the acting consul received more acerbic responses to his requests. On 8 August, Georgia Governor John Brown wrote to Fullarton that "While her Majesty's Government has constantly refused to recognize the existence of the Government of the Confederate States, her subjects have enjoyed its protection".[1319] He was unwilling to discharge foreigners called up to fight advancing Union troops. In 1863, the armed forces of the United States also directly shelled Charleston and Galveston, Texas, cities with foreign consuls and civilian nationals.[1320] This information was communicated in part through the naval courier service to consuls in Confederate ports.

The London and Paris cabinets increasingly felt the need to communicate directly with the Confederate government. The British Government, annoyed not only by the forced enrolment of British subjects, but also by the blatant way Confederate agents endeavoured by purchase warships in Great Britain, sent instructions to the Havana consul-general to go to Richmond negotiate these positions with threats of British action against Confederate commerce raiders. These raiders significantly harmed relations with Lincoln Administration.[1321] However, with the British warship carrying the initial message to the Confederate secretary of state blocked by the US Navy, this mission failed to reach Richmond. The government of Napoleon III, on the other hand, was able to maintain intermittent contact over land with the Confederate government through Richmond Consul Alfred Paul, who negotiated the transhipment of French government-owned tobacco from Virginia warehouses to chartered vessels under the supervision of the Imperial Navy, which however was not fully enacted.[1322] Thus, despite not always being successful, the British and French Navies continued

[1317] Méjan to Mercier, 3 August 1862, 16CPC/11, AMAE, La Courneuve; for previous protest see Chap IV.
[1318] Weems to Fullarton, 30 October 1862, Folder 3: 1862/MSS/15, Rose Library, Emory University, Atlanta.
[1319] Brown to Fullarton, 8 August 1863, Folder 4: 1863 2/2, /MSS/15, Rose Library, Emory University, Atlanta.
[1320] Bostick, *Charleston Under Siege*, 86-92; Bell to Welles, 11 January 1863, *ORN, Vol. 19*, 504.
[1321] Merli, *Alabama, British Neutrality and the American Civil War*, 22-30.
[1322] Warren Spencer, "French Tobacco in Richmond during the Civil War." *The Virginia Magazine of History and Biography*, vol. 71, no. 2, (1963), 185-202.

to be an instrument in the limited permit of their governments to try to influence the Confederate government and offer protection to European subjects.

Section 1: Dangerous Encounters at Sea Between British and US Warships

Tensions between US and Royal Navy officers off the American coast rose as British-built Confederate cruisers imitated British warships. The first successful use of this deception occurred when the *Oreto* or CSS *Florida* slipped past the Union blockade into Mobile Bay on 4 September 1862.[1323] The Confederate warship flew the British red ensign, confusing the Union blockading squadron into thinking the *Florida* was a British man-of-war.[1324] Commander George Preble, the US Senior Officer, reported that after trying to hail the vessel and firing a shot over its bow, the strange ship "ranged ahead without stopping, but still thinking him an English man-of-war I fired two more shots across his bow, and then directed a shot *at* him, which unfortunately went over".[1325] Union warships continued firing causing heavy damage.[1326] Nevertheless, because US warships had at first hesitated to fire on what they perceived to be a British warship, the *Florida* was able to reach the Confederate port. The reaction of the Lincoln Administration was swift – Commander Preble was summarily dismissed from the Navy.[1327] Commander Hewett of HMS *Rinaldo*, which frequently sailed to Mobile to communicate with the British consul, felt compelled to personally write to Captain James Palmer of Admiral Farragut's flagship, USS *Hartford*, to "alleviate the censure cast upon Comd Preble".[1328] The *Rinaldo* had taken part in the detainment of the *Oreto* in Nassau, the Bahamas for being a British-built warship for Confederate use, a breach of neutrality laws, but was later released by the admiralty court, only for the *Oreto* to leave the port and be commissioned as CSS *Florida* at sea.[1329] Hewett wrote to Palmer that when he first saw the *Oreto* in Nassau: "she was reported as an English Desp. Vessel by my signal man as well as others. She was painted like a British Vessel of War & on going on board I found her fittings the same as on our vessel of the same class".[1330] He further claimed that "Had I met the 'Oreto'

[1323] Preble to Farragut, 4 September 1862, *ORN, Vol. 1*, 432.
[1324] Preble to Farragut, 10 October 1862, *ORN, Vol. 1*, 436-40.
[1325] Preble to Farragut, 4 September 1862, *ORN, Vol. 1*, 432.
[1326] 4 September 1862, Maffitt's Journal, *ORN, Vol. 1*, 766-67.
[1327] McPherson, *War on the Waters*, 114.
[1328] Hewett to Palmer, 27 November 1862, ADM128/59, TNA, fos. 940-42.
[1329] Douglas Maynard, "Escape of the 'Florida.'" *The Pennsylvania Magazine of History and Biography*, v. 77, no. 2 (1953).
[1330] Hewett to Palmer, 27 November 1862, ADM128/59, TNA.

at sea armed and having a pendant, I should have taken her for one of our Ships."[1331] This note reached US Navy Secretary Gideon Welles but did not result in immediate clemency for Preble.[1332] From this point on, Union Navy officers would treat vessels approaching the blockade that resembled British warships as potential threats.

Preble's removal marked the beginning of qualitative change in relations between US warships on blockade duty and the foreign men-of-war they encountered. Of course, approaching the blockaded coast had always been a somewhat dangerous and delicate endeavour for a neutral warship, and Admirals Milne and Reynaud had instructed their vessels to be careful when approaching the American coast in 1861.[1333] Union officers' distrust of British and, to a lesser extent, French designs was also not novel. Indeed, many US Navy officers had expressed anger at the actions of the British and French governments and the preponderance of British vessels among blockade runners from the first months of the American Civil War. In his private letters, Union Admiral DuPont frequently claimed that the British press and politicians, as well as the "British Pirate Alabama", made his "blood boil" in anger.[1334] Similarly, the admiral expressed anger at the formal French proposal for European mediation in the American Civil War in November 1862 and Napoleon III's published letter to Marshal Élie Forey in Mexico, which represented the French intervention as a bulwark against American expansion: "I never knew anything more infamous than this letter".[1335] The release of the *Oreto* from the custody of the British crown was particularly painful. The US Navy sent Charles Wilkes, promoted provisionally to rear-admiral, to look for CSS *Florida* and *Alabama* in the Caribbean, beginning with the British colonies of Bermuda and the Bahamas.[1336] Wilkes, whose arrest of Confederate commissioners on RMS *Trent* had provoked an Anglo-American crisis in 1861, was sent in part as a political message to Britain.[1337] This angered the normally tolerant Admiral Milne, who wrote privately to Lord Lyons: "it was bad taste in the U. S. Govt. sending [Wilkes] to any British Port".[1338] Moreover, unlike the previous incidents, Preble's dismissal potentially directly affected the careers of US Navy officers. George Preble was a

[1331] ibid.
[1332] Hewett's letter is reproduced fully in a communication from Navy Secretary Welles to the secretary of state, Welles to Seward, 7 April 1863, ADM128/59, TNA, 933-46.
[1333] See Chapter I.
[1334] DuPont to Mrs DuPont, No. 51, 29 April 1862, in *Samuel Francis Du Pont*, *Vol. 2*, ed. Hayes, 20-22; DuPont to Mrs DuPont, No. 2, 28 October, 1862; DuPont to Mrs DuPont, No. 8, 10 November 1862, Oct-Dec 1862/Box 7, DuPont Papers, Hagley Museum.
[1335] DuPont to Mrs DuPont, No. 33, 7-9 February 1863, in *Samuel Francis Du Pont*, *Vol. 2*, ed. Hayes, 414-21.
[1336] Fry, *Lincoln, Seward and US Foreign Relations*, 90-91
[1337] See Chapter II.
[1338] Milne to Lord Lyons, 15 November 1863, Box 192, Lyons Papers, Arundel Castle.

popular and well-connected officer, who was able to pressure the Navy Department to get reinstated in a few months.[1339] If he could be so summarily dismissed, other officers were even more vulnerable.

In early 1863, the threat posed by vessels resembling British warships was reinforced by the loss of a US warship to a Confederate raider. On 11 January 1863, USS *Hatteras*, a small, former merchant vessel assigned to the blockade of Galveston, Texas, chased what appeared to be a blockade runner, leaving the rest of the small squadron off the port.[1340] When the *Hatteras* finally reached and hailed the strange vessel, it claimed to be a British man-of-war – depending on the report, either HMS *Vixen* or *Spitfire*.[1341] Though there was no ship with either name in the Royal Navy's North America Station, that was not necessarily known to the crew of the *Hatteras*. Though Lieutenant-Commander Blake, commanding the US warship, claimed in his official report that he had suspected "deception" from the very beginning of the chase and had prepared for combat, he ordered a boat to be sent to communicate.[1342] As the boat was lowered, the strange vessel raised Confederate colours and proclaimed itself to be CSS *Alabama*.[1343] In the battle that ensued, the outgunned *Hatteras* proved no match for the newly built cruiser and was sunk; most of the survivors were picked up by the *Alabama*, though a few escaped on the lowered boat to Galveston.[1344] Again, the reactions of US naval officers had been dulled by the Confederates' appearance as a British warship, leading to fatal results.

As a result of the *Alabama* and *Florida* successfully using the British flag as a ruse, encounters between British and US warships became more dangerous. The customary rule for stopping an unknown vessel by a warship was to fire a blank cartridge; firing a "shotted" gun or live round in the direction of a foreign warship was a dangerous sign of disrespect that required explanation.[1345] In general, recognizing a vessel as a friend, foe, or neutral was difficult at sea, with Union blockading warships frequently confused each other for blockade runners, and in a single incident USS *Vandalia* fired a shotted gun towards HMS *Steady* in September 1861.[1346] With Union warships on the lookout for vessels resembling British

[1339] McPherson, *War on the Waters*, 114.
[1340] Partridge to Farragut, 12 January 1863, *ORN, Vol. 2*, 21-22.
[1341] Ibid.; Blake to Welles, 21 January 1863, *ORN, Vol. 2*, 18-20.
[1342] Ibid.
[1343] Ibid.
[1344] Partridge to Farragut, 12 January 1863, *ORN, Vol. 2*, 21-22; Blake to Welles, 21 January 1863, *ORN, Vol. 2*, 18-20.
[1345] Welles to Seward, 7 April 1863, ADM128/59, TNA, 933-46; Milne Circular, 25 March 1863, ibid.
[1346] See Chapter I.

warships, there were three incidents involving British men-of-war in early 1863 that were recorded in official papers, including the 27 February encounter between HMS *Cygnet* and USS *Rhode Island*.[1347] Captain Trenchard of the *Rhode Island* directly referenced the *Oreto* case to Commander de Kantzow, pointing out that the Confederate commander "deceiv[ed] a brother Officer of his who fired a blank gun first… for which he was dismissed their Service".[1348] In January 1863, a warship from the US squadron outside Mobile fired a shotted gun in the direction of HMS *Vesuvius*, a ship recently assigned to duty off the American coast, and whose shape was likely unfamiliar to the blockaders.[1349] Similarly, USS *Memphis* fired a shotted gun over the bow of HMS *Desperate* off Charleston in late February, the Union Senior Officer Commodore Thomas Turner explaining that "unless they know an English Man-of-War by her having been with them before, they were forced to adopt the rough uncourteous measure of firing across their bows".[1350] Commander Thrupp of the *Desperate* added that this was done because "they had lost so many Ships by being courteous to apparent Foreign Men-of-War", and that the US officer specifically referenced CSS *Alabama* sinking USS *Hatteras*.[1351] The *Vesuvius* and *Desperate* responded to the shotted gun by going to quarters – that is getting ready for battle, as well as demanding an apology.[1352] In the case of the *Cygnet*, de Kantzow's superior, Commodore Dunlop, chided the commander in a memo for having gone to the *Rhode Island* in person, presumably expecting him to be ready for action.[1353] Indeed, even meetings at sea between US warships became more unsafe. On 19 March 1863, Admiral DuPont wrote to his wife that USS *Canandaigua*, returning to the Charleston blockade from the North with the wrong signals had a shot fired over its quarterdeck; the admiral noted that "since the escape of the *Oreto* and the punishment of Preble (since reinstated) the skittish men are nervous".[1354] With careers on the line in the US Navy, the chance of an encounter at sea escalating into a skirmish significantly increased.

Moreover, Union officers were increasingly unwelcoming to foreign warships off the American coast because of these commanding officers' pro-Confederate actions in defiance of neutrality. In early January 1863 HMS *Vesuvius* transferred of specie from Mobile, Alabama to

[1347] See Introduction.
[1348] De Kantzow to Milne, 27 February 1863, MLN/115/4, Milne MSS, NMM.
[1349] Croke to Milne, 24 January 1863, ADM 128/60, TNA, fos. 45-51.
[1350] Thrupp to Milne, 2 March 1863, ADM 128/59, TNA, fos. 883-89.
[1351] ibid.
[1352] Ibid.; Croke to Milne, 24 January 1863, ADM 128/60, TNA, fos. 45-51.
[1353] Dunlop to de Kantzow, 23 April 1863, ADM 128/59, TNA, fos. 991-97.
[1354] DuPont to Mrs DuPont, No. 44, 19 March 1863, in *Samuel Francis Du Pont*, *Vol. 2*, ed. Hayes , 493-502.

Havana through the Union blockade. US blockading warships fired a shotted gun in the British warship's direction during the same visit.[1355] British Acting Consul Magee in Mobile had asked about transporting specie on a British warship in November 1862 to Acting Consul Coppell in New Orleans and, not receiving an answer, asked the same of Lord Lyons in December.[1356] He claimed that the money belonged to British creditors.[1357] This was something Lord Lyons was not sure of, especially after Confederate messages, intercepted and published by the Union, suggested the use of British warships to help purchase supplies abroad.[1358] Transporting gold and silver by a man-of-war was not in and of itself novel – for example, Captain Hancock of HMS *Immortalité* reported carrying specie from the Mexican port of Matamoros in March 1863.[1359] However, Lord Lyons thought that moving money across the blockade was a clear violation, and asked Captain Ross, HMS *Cadmus*, then in the Chesapeake, to help transmit a telegram for Magee through a flag of truce boat from Union-held Fort Monroe to the British consul Richmond.[1360]

The breach of the Union blockade occurred at a delicate time in Anglo-American relations, and Lord Lyons feared it would lead to foreign warships losing access to Confederate-held ports. Privately he warned Earl Russell that with Union tempers enflamed by the successes of the commerce raider *Alabama*, relations would seriously deteriorate if "our Man of War had carried Confederate gold through the Blockade".[1361] In his despatch to the Mobile consul, Lord Lyons pointed to such an act jeopardising the naval courier system for transmitting correspondence to consuls in Confederate territory, as "Foreign Ships of War are permitted by the courtesy of the Government of the United States to enter and depart from Blockaded Ports".[1362] Using consular authority to "make use of one of Her Majesty's own Ships of War to break the lawfully established Blockade of Mobile" would thus give the US Government reason to end the "special understanding" allowing British and French warships to communicate with their consuls.[1363] Lord Lyons reiterated the concern in a 30 January circular to consuls in the

[1355] Croke to Milne, 24 January 1863, ADM 128/60, TNA, fos. 45-51.
[1356] Magee to Coppell, 12 November 1862, ADM 128/60, TNA; Magee to Lord Lyons, 15 December 1862, ibid.
[1357] Ibid.
[1358] Lord Lyons to Russell, 5 January 1863, in ed. Barnes, *Private and Confidential*, 314-15.
[1359] Hancock to Dunlop, 2 March 1863, MLN/114/4, Milne MSS, NMM.
[1360] Lord Lyons wrote a full copy of his telegram to Captain Ross in Lord Lyons to Magee, 3 January 1863, ADM 128/60, TNA, fos. 11-23.
[1361] Lord Lyons to Russell, 5 January 1863, edt. Barnes, *Private and Confidential*, 314-15.
[1362] Lord Lyons to Magee, 3 January 1863, ADM128/60, TNA, fos. 11-23.
[1363] ibid.

South.[1364] Despite these precautions, Magee placed £30,000 worth of Mexican silver dollars onboard HMS *Vesuvius* on 5 January 1863, later claiming to have missed the telegram from Lord Lyons by a couple of hours.[1365] Lieutenant Lewis Croke, commanding the *Vesuvius* in Captain Richard Hamilton's absence, received a hefty shipping fee of 1% (£300) of the value of the silver.[1366] Though a portion of the sum was likely distributed among the crew, this was still a large bonus to his annual salary of £200.[1367] Thus, the transport of the treasure out of Mobile represented the risk of enticing other commanding officers to profit from smuggling specie through the blockade. When he received the information that specie had in fact been moved through the blockade, Lord Lyons privately asked Earl Russell to terminate the Magee's employment, which the foreign secretary did on 14 February.[1368] Admiral Milne gave a strong rebuke to Lieutenant Croke, noting privately to the first naval lord "I am much vexed about it and I know Lord Lyons will be very Angry".[1369] On 1 March, Lord Lyons presented Her Majesty's Government's official note of regret for the actions of its subordinates to Seward.[1370] Though the US Secretary of State responded graciously, thanking the British Government for quickly getting rid of Magee, the incident did not enhance the reputations of either the British consuls or the Royal Navy to US officers.[1371]

In the Gulf of Mexico, the French Navy avoided similar incidents because European warships rarely visited ports that did not house a full consulate, a pattern described in Chapter IV. New Orleans was the only city in the Gulf with a French consul, but after its occupation, disputes with Union authorities did not involve the blockade or incidents at sea. This limited the protection that the French Navy could offer to nationals in Galveston and Mobile, ports with British consuls that the Royal Navy visited. In Galveston, French Vice-Consul Benjamin Théron actively protested the bombardment of the city on 11 January 1863, as it was done without warning for civilians and neutrals to leave.[1372] Though US Commodore Henry Bell was dismissive of the agent's claims, he notified foreign consuls ahead of time when he shelled

[1364] Benjamin to Molyneux, 31 January 1863, Folder 4: 1863 1/2, /MSS/15, Rose Library, Emory University, Atlanta.
[1365] Magee to Lord Lyons, 27 January 1863, ADM128/60, TNA, fos. 75-79.
[1366] Bill of Landing, 4 January 1863, ADM128/60, TNA.
[1367] Royal Navy pay and conditions - rates of pay from the Navy list for 1860, accessed June 24, 2024, https://sites.rootsweb.com/~pbtyc/RN/Pay_and_Condns/Pay_1860_Officers.htm.
[1368] Lord Lyons to Russell, 2 February 1863, in *Private and Confidential*, ed. Barnes and Barnes, 316; Russell to Lord Lyons, No. 84, ADM128/60, TNA, fos. 59-60.
[1369] Milne to Grey, 24 January 1863, MLN/116/2/1, Milne MSS, NMM.
[1370] Lord Lyons to Seward, 1 March 1863, ADM128/60, TNA, fos. 123-25.
[1371] Seward to Lord Lyons, 2 March 1863, ADM128/60, TNA, fos. 127-29.
[1372] Bell to Théron, 20 January 1863, *ORN, Vol. 19*, 545-46.

Galveston again later that month.[1373] Notably, this message was sent after Bell received advance warning of a coming visit by HMS *Rinaldo*.[1374] While he was still in New Orleans, Admiral Reynaud also received a request to transfer specie allegedly belonging to French nationals from Mobile.[1375] Though the French admiral agreed in principle, he set up onerous conditions that included the Union assent, which seems to have derailed the proposal.[1376] Given the scandal involving storing money that proved to be affiliated with the Confederated Government in the New Orleans consulate, the admiral had reason to be wary of such schemes.[1377] Indeed, Consul Méjan was quietly removed from his post at the Crescent City by the French Government under pressure from Seward in January 1863.[1378] Moreover, Mobile Vice-Consul Portz's requests in early 1863 to help transfer French nationals out of Mobile were also largely ignored, unlike Méjan's pleas a year earlier.[1379] With no French warships plying the contested waters in the region, there were simply fewer chances for misapprehension and enticements for violating neutrality that could lead to Franco-American tensions.

Off Charleston in December 1862, the US Senior Officer looked for ways to encourage foreign warships to leave the coast. Union officers had already complained about the alleged aid Commander Algernon Lyons of HMS *Racer* was giving help to blockade runners.[1380] The South Carolina coast was visited by three British warships (*Peterel* and *Cadmus* from the Chesapeake, *Melpomene* to supply them from Bermuda) in anticipation of a rumoured Union attack on Charleston and fears of a slave insurrection as a result of President Lincoln's Emancipation Proclamation.[1381] Captain Sylvanus Godon, the Union Senior Officer off Charleston in December, privately wrote to Admiral DuPont about getting along well with Captain Ross of HMS *Cadmus*, whom he described as "very pleasant & communicative", staying for dinner with the US captain.[1382] Godon described Ross as an improvement on commander of the *Racer*: "I know [Algernon Lyons] would have had no dinner with me" – he was also "anxious to do nothing that could annoy" the US squadron, making sure his lights

[1373] Ibid.; Bell to Magruder, 21 January 1863, ibid, 550.
[1374] Farragut to Bell, 20 January 1863, ibid, 544-45.
[1375] Reynaud to Chasseloup-Laubat, No. 130, 28 January 1863, BB4/828, SHD/Marine.
[1376] Reynaud to Fabre, 27 December 1862, ibid.
[1377] See Chapter IV.
[1378] Ameur, *Les Français*, 92.
[1379] Fauconnet to Portz, 2 March 1863, ORN, Vol. 19, 653-54. For proposed evacuation from New Orleans, See Chapter IV.
[1380] See Chapter IV.
[1381] Milne to Admiralty Secretary, No. 2, 1 January 1863, MLN/104/6, Milne MSS, NMM.
[1382] Godon to DuPont, 7 December 1862, December 1862-January 1863/Box 35, DuPont Papers, Hagley Museum.

were off at night.[1383] In fact, thinking at first that the *Cadmus* was the *Racer*, Godon wrote that he went out of his way to irritate the British captain, firing a shot across the British warship's bow, and making what he described as "a very close shave to get a good look at her decks", which forced the *Cadmus* to quickly go to quarters.[1384] However, Ross, unlike other British commanding officers, seems to have refrained from mentioning this unfriendly act to Milne. Indeed, Admiral Milne later privately described Ross as having "been very much in the Society of the U. States Authorities and very intimate with their officers" – if not an out and out Unionist, the officer developed strong friendships with US officers.[1385] Similarly, Captain Godon enjoyed the company of Captain Ewart of the *Melpomene*, who was generous with his storeroom of wine.[1386] However, Godon boasted of his success in dissuading Ewart from keeping his large frigate off this portion of the American coast in the dangerous winter season: "I rather encouraged his leave of course and did not make the weather out to him particularly agreeable off here".[1387] For the US officer, good companionship did not outweigh the risks associated with having foreign warships off Charleston: "I liked him very much, and but that I do not think foreign vessels should be here mixed up with the Blockading vessels would have liked him to have remained".[1388] When the British warships left the area in mid-December for a short period, Godon remarked that "The Exodus of the 'Bulls' is very agreeable to me.".[1389] Nevertheless, despite his preferences, the Union Senior Officer off Charleston refrained from openly asking any foreign warship from leaving this section of coast.

Despite Godon's efforts, a French and a British warship entered Charleston in December, driven by French fears of a slave insurrection and British anxiety over appearing less interested in the protection of nationals than the French. On 4 December, Godon had allowed the French corvette *Milan* to enter Charleston, with the returning French Consul de St. André on board, despite doubting the legal right of the consul to reside in the city.[1390] He expressed his anger in a letter to Admiral DuPont on the 27th: "That Frenchman is still in Charleston – to say the least of it a very indelicate thing – and should be noticed by our

[1383] ibid.
[1384] ibid.
[1385] Milne to Grey, 17 February 1863, MLN/116/2/1, Milne MSS, NMM.
[1386] Godon to DuPont, 27 December 1862, December 1862-January 1863/Box 35, DuPont Papers, Hagley Museum.
[1387] ibid.
[1388] ibid.
[1389] Godon to DuPont, undated [likely mid-December 1862], December 1862-January 1863/Box 35, DuPont Papers, Hagley Museum.
[1390] Godon to DuPont, 5 December 1862, December 1862-January 1863/Box 35, DuPont Papers, Hagley Museum.

Government".[1391] The presence of the *Milan* had a larger impact than Godon realized. Lord Lyons privately informed Admiral Milne that he did not believe in the prospect of slave insurrection in Charleston.[1392] However, the diplomat felt the need to resend the *Peterel*, the only ship in the Chesapeake small enough to enter Charleston, to the Confederate-held city in late December, because a French warship had already entered the harbour and "complaints might be made if we left the place long without one".[1393] Thus, echoing the earlier mission of the Captain Hancock of HMS *Immortalité* to the Carolina coast in November 1861, HMS *Peterel* arrived off Charleston with a request from Lord Lyons to commit the "indelicate" act of entering a blockaded harbour because the minister plenipotentiary was anxious to avoid accusations of taking less interest in British nationals' welfare than the French side. If Captain Godon enjoyed his time with Captains Ross and Ewart, the same could not be said for Commander Watson of HMS *Peterel*, whom he described as a "Nassau cruiser".[1394] On 30 December, the *Peterel* prepared to enter Charleston, after a formal request to do so from Consul Bunch, which, with the *Milan* in Charleston, the US Senior Officer could not object to – the warship entered the next day.[1395] The US Navy had been planning an assault with ironclads, which was, however, complicated by the difficulty of moving these new types of warship through the open ocean – USS *Monitor* was lost at sea on 31 December 1862.[1396] Thus, two foreign warships with commanding officers whose neutrality the US Senior Officer found suspect were stationed inside blockaded Charleston Harbour, complicating any attack on the city.

In Charleston, Commander Watson created a serious diplomatic incident by amplifying claims that the US blockade of the port lifted after a Confederate sally-out against the blockading force. The *Milan* left for Chesapeake Bay in mid-January 1863, when it became clear that there would be no slave insurrection.[1397] However, on 27 January, Bunch requested the *Peterel* to stay in the harbour because he feared the Union was ready to assault the city.[1398] Yet, in just a few days, it was the Confederate side that launched an attack. On the night of 30

[1391] Godon to DuPont, 27 December 1862, December 1862-January 1863/Box 35, DuPont Papers, Hagley Museum.
[1392] Lord Lyons to Milne, 22 December 1862, MLN/116/1a, Milne MSS, NMM.
[1393] Ibid.
[1394] Godon to DuPont, undated [likely mid-December 1862], December 1862-January 1863, Box 35, DuPont Papers, Hagley Museum.
[1395] Watson to Bunch, 30 December 1862, MLN/115/4, Milne MSS, NMM.
[1396] Browning, *Success is All that was Expected*, 159.
[1397] De St. André to Thouvenel, No. 57, 19 January 1863, 16CPC/14, AMAE, La Courneuve.
[1398] Bunch to Watson, 27 January 1863, MLN/115/4, Milne MSS, NMM.

January 1863, ironclad rams left Charleston Harbour and inflicted serious damage against the wooden Union blockading fleet.[1399] Commander Watson reported watching battle together with Bunch from Fort Sumter with Confederate General Roswell Ripley.[1400] Watson further wrote that, in the morning, he boarded a boat with the general to inspect the scene of the battle and declared that the Union blockading fleet had gone.[1401] When Confederate General Pierre Beauregard and Commodore Duncan Ingraham declared the blockade of Charleston raised on 31 January, Watson supported the claim in his reports.[1402] He also sent a lieutenant to Richmond by land to then take a flag of truce boat to Washington with despatches from himself and the British, French, and Spanish consuls reporting the blockade broken.[1403] The officer also took Confederate newspapers with him through the front lines.[1404] Given Watson's fraternising with Confederate officers, it is likely that the lieutenant's mission was part of a coordinated effort. A formally recognized break in the blockade would be a boost to the Confederacy, as Union warships would be forced to re-proclaim the blockade and give merchant vessels in the port a 15-day leeway to leave the re-blockaded port.[1405] Indeed, the Confederates claimed this right.[1406] In this manner, Watson, the commanding officer of a British warship on the spot, tried to shape public debate, along with British government policy, regarding the alleged break in the blockade.

Not surprisingly, the position of Captain Ross, off Charleston a few days later, was diametrically opposed to that of his subordinate. The Union squadron had been strengthened with ironclads to prevent another sally-out and prepare for a naval attack on the port, while the *Peterel* stayed in the harbour.[1407] The French consul requested the *Peterel* to continue its stay "in the name of the relations that tie our two governments" in the absence of the *Milan*.[1408] As the assault on the city looked increasingly imminent from Washington, Lord Lyons requested the *Cadmus* to return to Charleston and evacuate Consul Bunch and his family.[1409] He feared that if the city fell, Union authorities could potentially harm the consul whose exequatur was

[1399] Browning, *Success is All that was Expected*, 135-42.
[1400] Watson to Ross, 31 January 1863, MLN/115/4, Milne MSS, NMM.
[1401] Ibid.
[1402] Ibid.
[1403] Watson to Pulley, 2 February 1863, ibid.
[1404] Courtemanche, *No Need of Glory*, 115.
[1405] See Chapter III.
[1406] Benjamin to Molyneux, 31 January 1863, Folder 4: 1863 1/2, /MSS/15, Rose Library, Emory University, Atlanta.
[1407] DuPont to Welles, No. 53, 3 February 1863, *ORN, Vol. 13*, 577-78.
[1408] « au nom des rapports qui unissent nos deux gouvernements », de St. André to Watson, 3 February 1863, MLN/115/4, Milne MSS, NMM.
[1409] Lord Lyons to Russell, No. 65, 23 January 1863, in *Through British Eyes, Vol. 2*, 304-305.

already revoked by the Lincoln administration.[1410] Captain Ross took the opportunity to confer with Captain Godon and Commodore Turner, the new senior officer, about the Confederate sally-out. Ross's official report to Lord Lyons took the Unionist view, pointing out that only three US warships were damaged, and that now the blockade was "in full force and vigour".[1411] Moreover, as Admiral DuPont related in a letter to his wife, the British captain indicated that Watson was finding reasons to stay in Charleston.[1412] Despite Ross's desire for Watson to leave the harbour, the subordinate officer claimed that it would be difficult for him to pass obstructions and sea mines.[1413] Captain Ross's official order to Watson acknowledged the commander's claims of the risks of leaving the harbour, but ordered him to leave when a French warship arrived and take on the burden of protecting European interests.[1414] Notwithstanding Ross's position on the breaking of the Charleston blockade, by virtue of sending his despatches by land a few days earlier, Watson and the foreign consuls in the city could reasonably hope their version would be influential. Moreover, with the *Peterel* in Charleston, in the event of any future fighting, Watson's interpretation would also be influential as an official account.

However, Captain Ross went one step further and covertly informed Union officers off Charleston about his subordinate's plan to stay in Charleston, scuttling it in the process. Commander Watson had sought to diminish his public role, issuing no proclamation of his own, officially ordering his lieutenant only to deliver despatches to Washington after a request from Consul Bunch.[1415] Thus, his part in supporting the Confederate position was not immediately known. In fact, the commander later claimed that he only conveyed his views of the blockade to Admiral Milne and Captain Ross.[1416] This position of plausible deniability must have seemed too convenient for Ross. In a "semiofficial" letter, Captain Godon informed Admiral DuPont that Captain Ross made "a very proper and simply suggestive remark… by carelessly alluding to the fact of a courier having been sent to Lord Lyons".[1417] Similarly, Commodore Turner wrote a confidential despatch to the admiral, also informing him that Ross told him that Commander Watson sent information by land to Washington, "doubtless to give the rebel version of those engagements".[1418] By clandestinely informing Union officers and

[1410] See Chapter I.
[1411] Ross to Lord Lyons, 7 February 1863, ADM128/57, TNA.
[1412] DuPont to Mrs DuPont, No. 33, 7-9 February 1863, in *Samuel Francis Du Pont*, *Vol. 2*, ed. Hayes, 414-21.
[1413] Ibid.
[1414] Ross to Watson, 6 February 1863, ADM128/57, TNA.
[1415] Watson to Pulley, 2 February 1863, MLN/115/4, Milne MSS, NMM.
[1416] Watson to Milne, 12 March 1863, MLN/115/4, Milne MSS, NMM.
[1417] Godon to DuPont, 8 Feb 1863, in *ORN, Vol. 13*, 600-1.
[1418] Turner to DuPont, 8 Feb 1863, in *ORN, Vol. 13*, 602-3.

exposing his subordinate, Captain Ross was taking a risk, as he was technically revealing confidential information. Indeed, Turner asked DuPont to make his report confidential, as it would otherwise "compromise" Ross and "would be a breach of confidence and a most unfriendly act on my part".[1419] Admiral DuPont acted quickly, taking the unprecedented step of asking Welles in a confidential despatch that the *Peterel* "should be ordered out of Charleston by the British admiral or Lord Lyons".[1420] Welles in turn informed Seward of the request, making sure to shield Captain Ross. The British diplomat complied, writing a short note requesting the *Peterel* to leave Charleston, and sent it to South Carolina via a US warship.[1421] Submitting to the minister plenipotentiary's firm entreaty, Commander Watson steamed out of Charleston Harbour in a manner DuPont described to his wife as "rather like a whipped hound".[1422] Thus, HMS *Peterel*, under Commander Watson, was the first foreign warship directed out of American waters during the Civil War.

By manoeuvring to remove the *Peterel* from Charleston, Captain Ross precluded Watson from taking part in more diplomatic episodes, which would have likely erupted if the officer was still in the harbour during a Union assault. Several scholars of the defence of Charleston and Civil War naval history have mentioned Commander Watson's role in supporting Confederate claims that the blockade had been broken by the sally-out. Historian Douglas Bostick has gone as far as to claim that the Union's resumption of the blockade was "contrary to international law."[1423] However, the US Navy claimed that Confederate rams returned to Charleston under fire from US warships, based on the logs of the men-of-war that fought in the action, thus claiming that there was no break.[1424] Indeed, the logbook of the *Peterel*, despite Watson's own contentions, recorded the sight of 5 mastheads out at sea belonging to Union blockading warships at sunset January 31.[1425] Thus, if the blockade had in fact been broken, this was true for only a few hours, hardly enough for formal a declaration of its end. Surprisingly, Robert Browning's history of the Union South Atlantic Squadron claims that the foreign consuls in Charleston reacted with "extreme caution".[1426] Yet, Consul Bunch reported "partial destruction and total dispersion" of the US blockading squadron.[1427] Beyond

[1419] ibid.
[1420] DuPont to Welles, No. 70, 9 February 1863, *ORN, Vol. 13*, 601-2.
[1421] Lord Lyons to Watson, 13 February 1863, MLN/115/4, Milne MSS, NMM.
[1422] DuPont to Mrs DuPont, No. 37, 26 February 1863, Jan-Apr 1863/Box 8, DuPont Papers, Hagley Museum.
[1423] Douglas Bostick, *Charleston Under Siege: The Impregnable City*, (Charleston: The History Press, 2010), 55.
[1424] Browning, *Success is All that was Expected*, 143.
[1425] Courtemanche, *No Need of Glory*, 115.
[1426] Browning, *Success is All that was Expected*, 141.
[1427] Bunch to Russell, No. 14, 31 January 1863, FO 5/906, TNA, fo. 51.

Regis Courtemanche's *No Need of Glory*, the actions of Captain Ross are largely absent from the historiography.[1428] However, Courtemanche does not go much beyond quoting the praise that Ross received for his "neutrality" from US officers. Of course, Watson also claimed to "have observed a strictly neutral line of conduct".[1429] With what constitutes neutrality along contested ports in the South so much in the eye of the beholding commanding officer on the spot, out of contact with superiors, these officers' sympathies and temperaments dictated how neutrality would be enacted in practice.

The series of incidents and minor diplomatic crises angered Admiral Milne, but received only a muted response from French authorities, as French warships were largely uninvolved. The news of the *Vesuvius* and *Peterel* crises reached Milne in Bermuda in short succession. For the moment, the admiral chose not to pursue the shotted gun directed at the *Vesuvius* by a US warship, citing the understandable fear of CSS *Florida*.[1430] He refused to recognize Watson's view of the Charleston blockade and gave the officer a formal reprimand for openly fraternising with Confederate officers.[1431] Lord Lyons and Milne agreed that the decision of recognising or not recognising the alleged break in the blockade of Charleston was best left to the central government in London.[1432] In his private correspondence Milne wrote that he was "Exceedingly Angry" with Watson and that the officer lacked "discretion and indeed common sense".[1433] The reaction of French officials in America to the Confederate sally-out was muted – Mercier reported to Foreign Minister Drouyn de Lhuys that effect of the battle on the blockade was not important, expecting Charleston to soon be attacked by Union ironclads, with the fighting closing off all commercial shipping regardless of the legal status of the blockade.[1434] With no French warship around at the time, Admiral Reynaud did not have much to report to Paris. Arriving to Havana in April, on the final leg of a tour of the Caribbean, the admiral noted that Commander Joseph-Marie Duburquois of the *Milan*, who had replaced

[1428] Courtemanche, *No Need of Glory*, 116-17.
[1429] Watson to Milne, 12 March 1863, MLN/115/4, Milne Papers, NMM.
[1430] Milne to Admiralty Secretary, No. 126, 5 February 1863, MLN/104/6, Milne MSS, NMM.
[1431] Commander Watson asked for the reprimand to be withdrawn in a formal letter defending his actions. Watson to Milne, 12 March 1862, MLN/115/4, Milne MSS, NMM.
[1432] Lord Lyons to Milne, 5 March 1863, MLN/116/1a, Milne MSS, NMM; Milne to Lord Lyons, 16 February, 1863, ADM128/57, TNA.
[1433] Milne to Grey, 20 March 1863, MLN/116/2/1, Milne MSS, NMM; Milne to Lord Lyons, 20 March 1863, Box 192, Lyons MSS, Arundel Castle.
[1434] Mercier to Drouyn de Lhuys, No. 136, 6 February 1863, 39CP/129, AMAE, La Courneuve.

Cloué a few months earlier, thought city defences were impenetrable.[1435] He also attached a photo of the Confederate ironclads from the January 30 sally-out.[1436] Whatever anger Captain Godon might have felt towards the commander of the *Milan*, the actions of Commander Watson eclipsed those of his French colleague. Thus, there was no Franco-American controversy.

Section 2: Admiral Milne's Naval Diplomacy

Increased tensions between British and US warships in and around American waters were partially the result of Milne's failure to regulate the warships in the South under his command from his summer quarters in Halifax, Nova Scotia. Though many historians, most notably Regis Courtemanche, have often depicted Milne's tenure as praiseworthy and emblematic of neutrality and naval diplomacy, the admiral seems to have taken somewhat less care of his choice of commanding officers off the American coast in late 1862. Of course, in the context of British-built Confederate raiders attacking US shipping and even warships, along with Parliamentary debates around Confederate recognition and intervention in the American conflict, encounters between British and US naval officers were bound to be tense.[1437] The Admiralty had also shrunk the size of the North American Station, leaving it with few ships of low draft suitable for the American coast, which Milne frequently complained about.[1438] Nevertheless, the admiral, who took so much care choosing the right officers to observe DuPont's first expedition and to go to American waters during the *Trent* Affair, had begun to select the not entirely discreet Commander Algernon Lyons for delicate missions, as discussed in Chapter IV. The admiral returned to his winter quarters in Bermuda on 20 Nov 1862.[1439]

The effect of distance on Milne's perceptions can be clearly seen in his reactions to US Admiral Wilkes's visits to Bermuda and Nassau in the Autumn of 1862, before and after the British admiral reached his winter quarters. Wilkes had clashed verbally with British colonial authorities and naval officers, even leading to an armed standoff between the flagship USS *Wachusett* and HMS *Barracouta* off Nassau.[1440] Milne, in Halifax, relying on reports from his officers and complaints from governors, responded angrily, writing privately to Lord Lyons

[1435] Reynaud to Chasseloup-Laubat, No. 141, 6 April 1863, BB4/828, SHD/Marine.
[1436] Ibid.
[1437] Jones, *Blue and Gray Diplomacy*, 253-84.
[1438] Milne to Grey, 25 December 1861, MLN/116/2/2, Milne MSS, NMM; Milne to Grey, 10 March 1862, MLN/116/3, Milne MSS, NMM; Milne to Lord Lyons, 20 March 1863, Box 192, Lyons MSS, Arundel Castle.
[1439] Milne to Admiralty Secretary, No. 962, 29 November 1862, MLN/104/6, Milne MSS, NMM.
[1440] Wilkes to Welles, 4-5 December 1862, *ORN, Vol. 1,* 571-72; Courtemanche, *No Need of Glory*, 109-10.

that he would protect British territory in the Bahamas "by force" and "may probably have to give U. S. Officers notice" in Bermuda. [1441] In an unsent draft, the admiral went further, claiming he "would have been perfectly justified after warning in using force" against Wilkes.[1442] A few months after the US squadron left, Milne arrived at Bermuda and then inspected the situation in Nassau in December.[1443] To the chagrin of colonial governors, he concluded that Wilkes was not the only one at fault in the confrontations, and that the American admiral was treated discourteously.[1444] He described his "friend" Governor Bayley of the Bahamas as "very angry with me, because I did not adopt his belligerent views".[1445] Moreover, he wrote that Commander Malcolm of HMS *Barracouta* had been "bit with the Nassau views and feelings" towards the United States.[1446] Yet, Milne himself had placed Malcolm in his position from distant Halifax, appointing him as the Bahamas Senior Officer in September 1862.[1447] The admiral had previously transferred the Bahamas out of the jurisdiction of Commodore Dunlop's Jamaica Division into his direct control, distrusting the commodore.[1448] However, Milne's choice of Senior Officer in the island colony was clearly lacking, based on the admiral's own description of him.

The admiral's choice of Commander Watson of the *Peterel* to relieve Commander Algernon Lyons in the Chesapeake in October 1862 was similarly questionable. Milne had chosen Watson despite the former's known strong secessionist sympathies.[1449] Milne likely did not know that Commander Watson, called "my friend" in Confederate Lieutenant John Maffitt's journal, had secretly provided a hawser to the *Florida*/*Oreto* in Nassau in August 1862, as the Confederate vessel at the time lacked a crew large enough to raise an anchor and feared drifting in the currents of the harbour.[1450] However, the admiral had already written formally and privately to Commander Watson to stop using threatening language in official correspondence with Union authorities at Key West, whom Watson had accused of condemning innocent British merchant vessels captured with unnecessary force in Bahaman waters.[1451]

[1441] Lord Lyons to Milne, 13 November 1862, Box 192, Lyons Papers, Arundel Castle; Lord Lyons to Milne, 15 November 1862, ibid.
[1442] Unsent draft, Lord Lyons to Milne, 11 November 1862, MLN/116/1a, Milne Papers, NMM.
[1443] Milne to Admiralty Secretary, No. 987, 22 December 1862, MLN/104/6, Milne MSS, NMM.
[1444] Courtemanche, *No Need of Glory*, 110-12.
[1445] Lord Lyons to Milne, 2 February 1863, Box 192, Lyons MSS, Arundel Castle.
[1446] ibid.
[1447] Milne to Malcolm, 9 September 1862, MLN/110/2, Milne MSS, NMM.
[1448] See Chapter II.
[1449] Milne to Watson, 4 October 1862, MLN/110/2, Milne MSS, NMM.
[1450] 7[2] August 1862, Maffitt's Journal, *ORN, Vol. 1*, 764.
[1451] Milne to Watson, 8 August 1862, ADM 128/58, TNA, fos. 633-35; Milne to Watson, 8 August 1862, in, *Milne Papers, Vol. 3*, ed. Beeler, 96-7.

Ironically, the commander was himself reprimanded for firing into a US merchant vessel that he claimed did not stop for a search at sea.[1452] Moreover, in the Chesapeake, Watson sent an unsolicited confidential proposal to Lord Lyons to go to Charleston and New Orleans on 13 November.[1453] This was an impertinent enough gesture that Milne requested an explanation from Watson when he learned about it from Lord Lyons on 4 December.[1454] On the same day, the admiral wrote privately to Lord Lyons "to prevent any future irregularity I have placed [Commander Watson] under the orders of Captain Ross."[1455] Though Ross was ultimately successful at checking Watson's pro-Confederate activities, the commander of the *Peterel* had succeeded in spreading the Confederate declaration of the breaking of the Union blockade of Charleston.

The admiral's selection of the *Vesuvius* under a mere lieutenant to the Gulf Coast was also at variance with the great care Milne placed on finding the right commanding officers previously for sensitive missions. Possibly pressed by earlier accusations of not protecting British subjects in New Orleans in the first weeks of Union occupation, Milne sent the *Vesuvius* to support HMS *Rinaldo* already in the Crescent City on the eve of the Emancipation Proclamation coming into force.[1456] Though under the orders of Commander Hewett of the *Rinaldo*, Lieutenant Croke's orders instructed him to sail the *Vesuvius* to Mobile to evacuate the consul and British and French subjects in case of need.[1457] Milne thought well of Croke's superior, Captain Richard Hamilton, commending his stewardship of British interests in the fishing grounds off Newfoundland.[1458] Milne successfully lobbied not only for Hamilton's promotion to full captain, but also for his transfer to another warship in his naval station.[1459] Of course the admiral was well aware that due to Captain Hamilton's leave, the *Vesuvius* was commanded by a significantly less experienced man.[1460] Indeed, Milne himself wrote privately to Lord Lyons after the transfer of specie bad occurred: "I blame the Consul more than Lt.

[1452] Dunlop to Watson, 28 August 1862, MLN/115/3, Milne MSS, NMM.
[1453] Watson to Lord Lyons, 13 November 1862, ADM 128/57, TNA, fos. 491.
[1454] The 4 December memo to Watson is indicated on the margins, ibid.
[1455] Milne to Lord Lyons, 4 December 1862, Box 192, Lyons MSS, Arundel Castle.
[1456] Milne to Admiralty Secretary, No. 966, 3 December 1862, MLN/104/6, Milne MSS, NMM; For earlier New Orleans controversy, see Chapter IV.
[1457] Milne to Croke, 3 December 1862, MLN/110/2, Milne MSS, NMM.
[1458] Milne to Grey, 17 January 1862, MLN/116/3, Milne MSS, NMM.
[1459] Milne to Drummond, 24 February 1862, MLN/116/3, Milne MSS, NMM; Milne to Grey, 10 March 1862, ibid.; Milne to Grey, 9 April 1862, ibid.
[1460] *Milne Papers, Vol. 3*, ed. Beeler, 178n4.

Croke for he had more experience and knowledge of such matters".[1461] Thus, Milne tacitly admitted that his choice for the mission to Mobile was less than qualified.

To alleviate some of the friction building up between British and US warships, Milne decided to change the allocation of ships in his station, removing commanding officers who demonstrated clear pro-Confederate sympathies from sensitive areas. A short time after his return to Bermuda in January 1863 after inspecting confrontation between Admiral Wilkes and British authorities in the Bahamas, the admiral ordered Captain Maguire of the frigate *Galatea* to assume the post of Senior Officer in the Bahamas, taking Commander Malcolm of the *Barracouta* under his wing.[1462] The admiral directly spelled out the need for respectful behaviour towards the US Navy.[1463] As regards to US naval officers in the Bahamas, "you will be careful that the customary marks of respect are shown to them, as it is desirable that, as far as may be practicable, friendly relations should be Cultivated, so long as it involves no sacrifice on our part."[1464] Moreover, Milne added that while it was important in theory to follow Earl Russell's direction from 31 January 1862 to protect all Bahaman islands, "it is not my wish that you should carry out these Instructions so rigidly as to Entirely check United States Cruizers from making the out of the way cays places of resort at which they may obtain supplies".[1465] Milne gave similar orders to Commander Thrupp of HMS *Desperate*, sent to order the *Peterel* out of Charleston before the admiral knew that the US Government had already requested the warship to leave. Thrupp had orders not only to maintain "strict neutrality" but specifically, upon witnessing a potential second Confederate sally-out, to "abstain from any direct action in the matter" and "limit your observation to what can be seen from <u>your own ship</u>".[1466] Meanwhile, Milne wrote that he was sending the *Peterel* to a far corner of the naval station: "Comdr Watson is not a wise man and I am now sending him to Barbados to cruize, as I cannot trust him either at Nassau or on the American coast."[1467] To the Chesapeake, with the *Peterel* removed and the *Cadmus* sailing to England to be paid off, Milne sent the *Rinaldo*, one of the few ships small enough to enter Charleston and take on passengers.[1468] Not trusting Commander Hewett as much as previously after his failure to regulate the behaviour of

[1461] Milne to Lord Lyons, 25 January 1863, Box 192, Lyons MSS, Arundel Castle.
[1462] Milne to Maguire, 5 January 1863, MLN/110/2, Milne MSS, NMM.
[1463] Ibid.
[1464] ibid.
[1465] ibid.
[1466] Milne to Thrupp, February 16 1863, MLN/110/2, Milne MSS, NMM.
[1467] Milne to Grey, 20 March 1863, MLN/116/2/1, Milne MSS, NMM.
[1468] Milne to Lord Lyons, 20 March 1863, Box 192, Lyons Papers, Arundel Castle.

Lieutenant Croke, Milne also ordered Captain Kennedy of HMS *Challenger* to the Chasapeake, "as I wish to have a Captain as Senior Officer" there.[1469] Indeed, despite Hewett's previous support for US Commander Preble and successful handling of delicate missions on the US coast, he chose to become a blockade runner after his commission ended later in 1863, much to Milne's annoyance.[1470] To the Gulf of Mexico, the admiral sent Commander Ward of HMS *Styx*, warning him directly to "be cautious not to comply with any requests from any of H.M. Consuls as to act Contrary to the rules of Blockade", in light of the *Vesuvius* incident.[1471] Thus, Milne worked to replace the naval officers who had committed gratuitously unneutral acts, or at least subordinate them to senior officers that he thought he could trust.

This reorganisation was painful, as the admiral lacked sufficient warships, particularly of low draft, for all the needs of his naval station. Though Milne worked against an escalation between the United States and Great Britain at sea, an armed conflict, potentially because of a decision to intervene made in London, was never off the cards. Milne complained privately to Grey that "if any show of force was necessary I could not collect the W. India Ships in less than 6 weeks".[1472] The admiral removed the frigates that the Admiralty had ordered him to keep off Matamoros, Mexico to protect British commerce from US warships in the vicinity of the neutral port, because he needed them close in case a war broke out.[1473] With the signing of a Anglo-American Anti-Slave Trade Treaty in 1862, Milne had assigned cruisers to patrol around the island of Cuba.[1474] These ships were smaller than frigates and some of them had previously been sent to American waters.[1475] When the Yellow Fever season started early in 1863, the admiral ordered these ships to abandon their missions, writing privately to Grey "It would I consider be injudicious to keep our Ships on a Sickly coast to get the Yellow Fever on board and lose valuable lives, merely for the purpose of looking after Slaver Vessels".[1476] However, Milne did not curtail his missions to the American coast. To a certain extent, this change of commanding officers worked, as the officers Milne chose in 1863 did not evoke too much

[1469] ibid.
[1470] *The Milne Papers, Vol. 3*, ed. Beeler, 178n3; Milne to Grey, 20 January 1864, in ibid., 474-75.
[1471] Milne to Ward, 23 January 1863, MLN/110/2, Milne MSS, NMM.
[1472] Milne to Grey, 19 April 1863, MLN/116/2/1, Milne MSS, NMM.
[1473] ibid.
[1474] In late 1862, Milne sent out the *Landrail, Plover, Cygnet*, and *Steady* on slave trade suppression duty. Milne to Martin, 18 October 1862, MLN/110/2, Milne MSS, NMM; Milne to Corry, 18 October 1862, ibid,; Milne to de Kantzow, 1 November 1862, ibid.; Milne to Grant, 24 November 1862, ibid.
[1475] For example, the *Steady* had been in American waters since the start of the Civil War. See Chapter I.
[1476] Milne to Grey, 6 April 1863, MLN/116/2/1, Milne MSS, NMM.

controversy. Yet, this also shows that the admiral, despite his reduced station, in fact had the resources to send different commanding officers from the ones he had sent in earlier months.

Admiral Milne also worked to mitigate the effects of tense encounters between British and US warships by establishing common rules with the US Navy. On 16 February, the admiral composed a circular, which he had publicly printed, noting that the *Vesuvius* had recently taken treasure out of Mobile as a result of "an erroneous impression as the legal effect of a properly constituted Blockade".[1477] He noted that communicating with blockaded ports was "*permissive* only" and not a right for neutral warships, thus directly highlighting how Lieutenant Croke's action risked established means of communications with consuls; only the despatches of British and French consuls could be carried by commanding officers.[1478] Without a request from Lord Lyons, the British officers were not even allowed to ask the senior officer of blockading Union ships to transfer anything else.[1479] He transmitted the circular to Lord Lyons in Washington, who acknowledged unofficially bringing it to the attention of the US Government on 27 March.[1480] On 8 April, the Navy Department sent out a circular to blockading squadrons enclosing the British admiral's circular.[1481] This act of naval diplomacy served to bring the Royal Navy's public disavowal of the *Vesuvius*'s actions directly to US commanding officers.

Milne made a similar diplomatic manoeuvre on the cases of shotted guns being fired towards British warships in early 1863. On 16 March, Milne officially wrote to Lord Lyons in Washington to ask the US Navy to confirm the blank shot first principle and send the memo to blockading squadrons.[1482] A few days later the admiral also sent Lord Lyons a copy of a circular memo to British warships that he had also printed for public view.[1483] It said to uphold the blank shot first principle and record any incidents of being stopped with a shotted gun, while making all efforts not to appear like a Confederate cruiser or blockade-runner.[1484] Milne hoped that it would show his good intentions. Though he did not say so directly, Milne likely also thought this was a way to inform some of the commanding officers of the Union's greatly expanded navy. Due to a shortage of officers, many warships were commanded by acting

[1477] Circular, Milne, 16 February 1863, MLN/120, Milne MSS, NMM.
[1478] ibid.
[1479] ibid.
[1480] Milne to Lord Lyons, 2 March 1863, fo. 95; Lord Lyons to Milne, 27 March 1863, fo., 97-98, ADM 128/60, TNA.
[1481] Welles to DuPont, 8 April 1863, *ORN, Vol.* 14, 113.
[1482] Milne to Lord Lyons, 16 March 1863, ADM 128/59, TNA, fos. 883-89.
[1483] Milne to Lord Lyons, 25 March 1863, ADM 128/59, TNA, fos. 957-58.
[1484] Circular, Milne, 25 March 1863, ibid.

masters and volunteer lieutenants that did not have much experience.[1485] For example, when USS *Memphis* fired a shot over the bow of HMS *Desperate*, it was commanded by a recently promoted lieutenant-commander.[1486] It is notable that US Navy Senior Officers invariably apologised for the discourtesy of breaking the blank shot first custom. Commodore Turner, heading the Union blockade of Charleston, went out of his way to wine and dine the offended British commander of the *Desperate*.[1487] "He went off last night evidently very favorably impressed with us all" Turner boasted in a private letter.[1488] Indeed, the British officer made a point of noting the "courteous" treatment he and his officers received.[1489] Commodore Turner also issued a local general order for warships under his command to keep one small gun armed with a blank shot during daytime to prevent future incidents.[1490] As early as 20 January, Union Admiral Farragut took the precaution, at the request of Commander Hewett, of informing Commodore Bell off Galveston, Texas, that HMS *Rinaldo* would be arriving to make sure it would not be mistaken for a Confederate warship.[1491] However, these local initiatives were not systemic for the entire US Navy, and thus still left space for encounters between British and US warships to escalate.

Though Milne's proposal had the endorsement of the US secretary of state, it got a much cooler response from Navy Secretary Gideon Welles. On 7 April, Welles responded with a litany of charges against Great Britain and its navy for breaking neutrality and supporting the Confederacy.[1492] Though the US Navy Secretary agreed to the blank shot first rule in principle, he argued that in practice it was very difficult to maintain.[1493] Nevertheless, he did send out a memo to US admirals commanding blockading squadrons to always keep a small gun armed with a blank a few days later.[1494] Welles does not seem to have communicated this to the State Department, however, and the British side only received Welles's acerbic response. On 9 May, Admiral Milne wrote to Lord Lyons that he had "carefully considered" the letter and decided to lightly press the minister plenipotentiary on the topic.[1495] Lord Lyons had been treading

[1485] McPherson, *War on the Waters*, 26-27.
[1486] Pendleton Watmough. US Navy and Marine Corps Officers: 1775-1900 [W], Accessed June 24, 2024. https://www.ibiblio.org/hyperwar/NHC/Callahan/reg-usn-w.htm.
[1487] Turner to DuPont, 1 March 1863, Box 36: February-March, 1863, DuPont Papers, Hagley Museum.
[1488] ibid.
[1489] Thrupp to Milne, 2 March 1863, ADM128/59, TNA, fos. 883-89.
[1490] General Order, Turner, 27 February 1863, *ORN, Vol. 13*, 691.
[1491] Farragut to Bell, 20 January 1863, *ORN, Vol. 19*, 544-45.
[1492] Welles to Seward, 7 April 1863, ADM 128/59, TNA, fos. 933-46.
[1493] Ibid.
[1494] Welles to DuPont, 10 April 1863, *ORN, Vol. 14*, 122-23.
[1495] Milne to Lord Lyons, 9 May 1863, ADM 128/59, fos. 947-52.

carefully and trying not to offend the Navy Department, declining to present even Milne's accommodating position on the *Rhode Island* and *Cygnet* incident.[1496] However, by late May when he received the admiral's despatch from Bermuda, he decided that the time had come to press again, the result of which was a second Navy Department memo incorporating Milne's circular, sent out on 4 June.[1497] Thus, a *de facto* official protocol was established between the US and Royal Navy. It was done locally, and, with no legislative backing, and was not a formal treaty. Nevertheless, the protocol shows that neutrality was more than a decision not to go to war in European capitals, but a contested state of affairs in and around American waters. Yet, Welles's angry diatribe also shows that the US Navy Department was getting increasingly unwilling to cooperate with Milne's initiatives.

As tensions between the US and other navies grew, British and French consular representation diminished in Confederate territory. When Acting Consul Magee in Mobile was dismissed from British service, the consulate was turned over to French Vice-Consul Portz.[1498] However, unwilling to fully rely on Portz, Vice-Consul Frederick Cridland of the British Richmond Consulate was sent to Mobile as acting consul.[1499] Lord Lyons's orders to Consul Bunch on leaving Charleston also included leaving the British consulate in the hands of the French Consul de St. André. With Consul Molyneux in Savannah incapacitated by illness, leaving the consulate to Acting Consul Fullarton, Richmond remained the only city represented by a full British consul.[1500] Admiral Reynaud wrote to Paris that this made a tricky situation, presciently pointing out that as many British agents in the South were "American subjects, & gravely compromised *vis-à-vis* the Union government, they would find themselves in the necessity of leaving their posts & conferring the care for British subjects to us if Federal troops become the masters of the localities where they live".[1501] The admiral did not relish the responsibility.

However, in the next few months, French representation in the Confederacy also proved fleeting. Consul de St. André himself had no intention of staying in Charleston during a likely

[1496] Milne had chastised Commander de Kantzow of HMS *Cygnet* for not flying the correct colour ensign, of which he informed Lord Lyons. Milne to Lord Lyons, 6 May 1863, ADM 128/59, TNA, fos. 975-78.
[1497] Lord Lyons to Milne, 22 June 1863, ibid.
[1498] Lord Lyons to Portz, 4 March 1863, ADM 128/60, TNA, fos. 121-22.
[1499] Berwanger, *British Foreign Service*, 90.
[1500] Molyneux to Russell, separate, 8 December 1862, FO 5/849, TNA.
[1501] « sujets américains, & gravement compromis vis-à-vis du gouvernement de l'Union, se trouveraient dans la nécessité de quitter leurs postes & de nous confier le soin des sujets Britanniques, si les troupes fédérales se rendaient maitresses des localités qu'ils habitent. » Reynaud to Chasseloup-Laubat, N. 155, 17 June 1863, BB4/828, SHD/Marine.

attack. The *Milan* returned to Charleston harbour in February, to the consul's relief.[1502] Later that month, the *Renaudin*, a small vessel, grounded trying to enter the port, and was only able to get dislodged with the active help of the *Milan* and *Peterel*.[1503] Damaged, the Renaudin was forced to make repairs and leave. In April, the *Catinat* that arrived with orders for the *Milan* to join the Mexican Division of the French Navy from, but with the draft of the *Catinat* too deep to enter Charleston, there would no longer be a vessel available to protect the consul in the city.[1504] With Admiral DuPont's assault on Charleston about to begin, de St. André chose to leave Charleston with his family, together with Chancellor de Sibourg and his family, leaving French consular affairs to the British acting consul.[1505] Indeed, the consul seems to have greatly disliked his stay in Charleston and used every excuse to leave. During the previous invasion scare in June 1862, he deprecated Lieutenant Le Cardinal for not sending the *Renaudin* into Charleston.[1506] From August to December 1862, he left the city during Yellow Fever season, earning a rebuke from the foreign minister.[1507] A few days before Admiral DuPont set off to command the assault on Charleston, he met with de St. André and the commanding officers of the *Catinat* and *Milan* in his base at Port Royal, South Carolina, writing to his wife, "I think they were especially happy to get away from Charleston".[1508] Thus, it was in fact the French consulate in Charleston that was left under the protection of British Acting Consul Walker. Though Lord Lyons distrusted Walker, blaming him of the *Alliance* and *Gondar* affair in Beaufort in 1861, and tried to avoid giving him control of the consulate, the agent was the only one left in Charleston to protect British subjects and interests.[1509] With de St. André away, Walker was also responsible for French subjects.

De St. André's abandonment of Charleston left France without any full consuls in the Confederacy other than Alfred Paul in Richmond. Admiral Reynaud was incensed by the move, not only because it left Charleston without any representatives, but also because it contradicted a pact made by Mercier with Lord Lyons for French protection of British interests in the city.[1510]

[1502] De St. André to Drouyn de Lhuys, No. 63, 1 March 1863, 16CPC/14, AMAE, La Courneuve, fos. 24-25.
[1503] Le Cardinal to Reynaud, 25 February 1863, BB4/828, SHD/Marine.
[1504] Reynaud to Chasseloup-Laubat, N. 144, 28 April 1863, BB4/828, SHD/Marine.
[1505] Ibid.; de St. André to Drouyn de Lhuys, 20 April 1862, 16CPC/14, AMAE, La Courneuve.
[1506] See Chapter IV.
[1507] The last despatch announcing the consul's leaving was sent on 30 July. De St. André to Thouvenel, No. 51, 30 July 1862, 16CPC/11, AMAE, La Courneuve. His first despatch on returning was sent in early December, de St André to Drouyn de Lhuys, 3 December 1862, No. 29, 77CCC/7, AMAE, La Courneuve. Rebuke from the foreign minister: Drouyn de Lhuys to de St André, No. 92, 29 November 1862, 77CCC/7, AMAE, La Courneuve.
[1508] DuPont to Mrs DuPont, No. 48, 1-2 April 1863, in ed. Hayes, *Samuel Francis Du Pont, Vol. 2*, 535-37.
[1509] Berwanger, *British Foreign Service*, 83-85.
[1510] Reynaud to Chasseloup-Laubat, No. 144, 28 April 1863, BB4/828, SHD/Marine.

Moreover, running away from danger in that manner was embarrassing. In a later despatch to Chasseloup-Laubat, Reynaud wrote "The Charleston authorities have not hidden the bad effect produced by the departure of M. de St André, just at the moment [underline by reader] of the attack."[1511] Specifically, the admiral added, the Confederates would have liked to have had a French representative to officially report on their successful defence.[1512] Indeed, because of the absence of the *Catinat* and *Milan* from Charleston, Reynaud received no report of DuPont's 7 April repulse, though General Beauregard later confidentially sent the French admiral the Confederate engineers' report of the aftermath of the battle.[1513] Mercier adopted a similar position and decided to send Arthur Lanen, the consul-élève of the New York consulate to Charleston.[1514] He quickly obtained an exequatur from the Lincoln Administration for Lanen to go to Charleston.[1515] To placate the Confederacy, Lanen would officially be there only to protect French subjects and the consular archives, and, thus, have less than consular responsibilities. In what Reynaud interpreted as a move motivated by disdain for de St. André's cowardice, authorities in Charleston refused to recognize Lanen as the representative of the French Empire.[1516] Despite Consul Paul's initial optimism, the Richmond government likewise refused to grant Lanen recognition, though allowed him to remain as a private citizen.[1517] Thus, French representation in the South was limited.

Confederate authorities, deeply disillusioned with the lack of European, and particularly British, support for their recognition, grew weary of the very presence of European consuls on their territory. In June 1863 the Confederate Government revoked British Richmond Consul George Moore's exequatur and forced him to leave the Confederacy.[1518] It also officially blocked further communications between the foreign consulates and the territory of the United States.[1519] This closed down correspondence via the flag of truce that had previously been common and relatively quick, if intermittent, between the Richmond consulates and legation in Washington.[1520] This severely constrained consular correspondence, which now relied almost exclusively on British and French warships. Despite Reynaud's ruminations on

[1511] « Les autorités de Charleston n'ont pas caché le mauvais effet qu'avait produit le départ de M de St André, juste au moment de l'attaque. » Reynaud to Chasseloup-Laubat, No. 150, 26 May 1863, BB4/828, SHD/Marine.
[1512] Ibid.
[1513] Ibid.
[1514] Reynaud to Chasseloup-Laubat, No. 146, 5 May 1863, BB4/828, SHD/Marine.
[1515] Ibid.
[1516] Reynaud to Chasseloup-Laubat, No. 150, 26 May 1863, BB4/828, SHD/Marine.
[1517] Lanen to Drouyn de Lhuys, No. 5, 23 August 1863, 16CPC/15, AMAE, La Courneuve, fos. 59-65.
[1518] Berwanger, *British Foreign Service*, 114.
[1519] Ibid.
[1520] See Chapter IV.

the Confederate response to de St. André's lack of spine, Lanen's experience fits this broader pattern of the Richmond Government's conduct. After Moore's expulsion, Lord Lyons sent Milne all the unsent despatches to consuls in Confederate territory in his legation but asked him to wait for an occasion "in pursuance of instructions from Her Majesty's Government or for other reasons to send to a Confederate Port… they are not of sufficient importance to render it, in my opinion, advisable" to use a British warship to convey them on their own.[1521] Similarly, Earl Russell, sent him despatches to be transmitted by Milne's naval station, requested that they be sent "as opportunities may offer".[1522] With correspondence sent directly to Milne from London for transmission to consuls in Confederate ports, it was no longer possible to fully maintain an Anglo-French naval courier service. French warships did not often go to Bermuda and Halifax where they could collect British despatches from Milne, while British warships heading for Confederate ports did not leave from Union-controlled ports in which locations French consuls could transmit correspondence. Thus, the Confederate policy diminished contact between foreign consuls and the outside world.

It was a trying task to keep communications open with consulates in Confederate-held ports. With the only full French consulates in remaining Confederate-held territory in Richmond (a landlocked city) and Charleston, French warships only communicated with the latter. In Confederate territory on the western side of the Mississippi, there were British consulates in two additional cities, Mobile and Savannah. The port of Savannah, relatively close to Charleston, with the Union-held forts controlling maritime traffic, was at this point rarely visited by foreign warships. British men-of-war did go to Mobile to inform Acting Consul Magee of his termination early in the year, but in July 1863, HMS *Styx* was refused communication with Acting Consul Cridland, whom the Confederacy did not recognise.[1523] Communications between the consulates within the South continued to be difficult. As early as May 1862, French Consul Paul in Richmond complained about transmitting despatches by warships via Charleston, as it took too long to reach the city and the men-of-war taking the correspondence had indeterminate routes.[1524] In early 1863, this situation further deteriorated. For example, Lord Lyons's 30 January circular forbidding the transport of specie out of the

[1521] Lord Lyons to Milne, 22 June 1863, ADM 128/61, TNA, fos. 155-66.
[1522] Hammond to Admiralty Secretary, 12 September 1863, ADM 128/61, TNA, fos. 187-89.
[1523] Cridland to Lord Lyons, 29 July 1863, ADM 128/61, TNA, 177-80.
[1524] Paul to Thouvenel, N. 60, 26 May 1862, 16CPC/12, AMAE, La Courneuve.

Confederacy only reached the Savannah consulate on 13 July.[1525] Nevertheless, British and French consulates were not entirely out of contact with London and Paris.

Section 3: The Shutdown of British and French Naval Communications through the Blockade

Communicating with consuls by means of neutral men-of-war became even more strained with the change in the commanding officer of the Union's South Atlantic Blockading Squadron. With DuPont unwilling to launch another naval assault on Charleston, Welles replaced him with Dahlgren in 1863.[1526] This naval officer was known more for his inventions of artillery pieces, particularly the Dahlgren Gun, than service at on the battlefront. In fact, a few months previous, when Dahlgren was nominated as rear admiral, DuPont had expressed regret that a man who only served at sea for 7 years could reach such a rank.[1527] Dahlgren did not have the experience or naval connections of DuPont, who personally knew Admiral Reynaud and Commander Fabre of the *Catinat* from before the Civil War and had common friends with Captain Hancock of HMS *Immortalité* in the Royal Navy.[1528] Though the relieved admiral did not like certain British officers, and had asked for the removal of the *Peterel*, he never asked the Navy Department for permission to get rid of all foreign warships in the waters of his squadron. As DuPont noted in a letter to his wife during Hancock's mission to the Carolina coast in November 1861, by giving British officers access to the shore, he "would be returning the compliment to British officers" who had previously given him admission to Chinese waters during the Second Opium War.[1529] Dahlgren had been a generous host during the visit of foreign officers to the naval armouries, including Hancock and Reynaud.[1530] In fact, in a despatch to Paris, Reynaud wrote: "The good relations which I have always maintained with this distinguished officer have permitted me, in a private visit that I made to him, during the few hours that he was passing through New York, to ask him about his notions on the subject of Charleston".[1531] Reynaud informed the US admiral that the *Grenade* was at Port Royal

[1525] Lord Lyons to Fullarton, 30 January 1862, Folder: 1863 1/2, MSS/15, Rose Library, Emory University, Atlanta.
[1526] Welles to DuPont, 3 June 1863, *ORN, Vol. 14*, 230; Dahlgren to Welles, No. 1, 6 July 1863, ibid., 311.
[1527] DuPont to Mrs DuPont, No. 39, 4-7 March 1863, in *Samuel Francis Du Pont, Vol. 2*, ed. Hayes, 465-75.
[1528] For Reynaud and Hancock see Chap I, IV; DuPont to Mrs DuPont, No. 8, 18-21 November 1863, in ed. Hayes, *Samuel Francis Du Pont, Vol. 1*, 247-257.
[1529] Ibid.
[1530] Hancock to DuPont, 9 January 1862, Jan 1-15, 1862/Box 30, DuPont Papers, Hagley Museum; Reynaud to Chasseloup-Laubat, No. 71, 27 April 1862, BB4/798, SHD/Marine.
[1531] « Les bonnes relations que j'ai toujours entretenues avec cet officier distingué m'ont permis, dans une visite particulière que je lui ai faite, pendant quelques heures qu'il a passées à New-York, de l'interroger sur

waiting to follow Union warships right after the city fell. [1532] Nevertheless, Admiral Dahlgren did not quite share the same maritime culture and customs as DuPont.

Dahlgren was willing to press the Navy Department to grant him the right to stop communications between foreign consuls and warships through the blockade. Despite assurances to Admiral Reynaud in NY, the US admiral seems to have taken steps to restrict access of foreign warships to Charleston from his very first days in command. On 8 July, US Senior Officer Captain Rowan wrote to his subordinate: "I hope the French consul will not trouble us until the admiral comes up here. If he does come out, you must turn him back with your well-known diplomatic tact", because Dahlgren had ordered for no flags of truce from the shore to be received for the moment.[1533] Indeed, on 18 July, the US Navy and Army launched a joint assault on Morris Island, just outside Charleston harbour, which would prove long and inconclusive.[1534] Nevertheless, British and French warships communicated with Charleston in the next few months. On 5 August, Dahlgren first officially complained to Welles about communications between foreign warships and Charleston, arguing that because of active military operations, this was no longer an "ordinary blockade", adding that "much may be disclosed that will be of material service to the enemy" by these communications because "there may be individuals on any vessel who might not be sufficiently careful or scrupulous".[1535] Though the admiral phrased this anxiety diplomatically, it is likely that he was referring to earlier incidents of pro-Confederate behaviour. Indeed, Dahlgren used the occasion of visit of HMS *Plover* to write the despatch, to which ship's actions he could "offer no objection".[1536] Dahlgren finished the despatch with "It would on all accounts be advisable that under existing circumstances no vessels of war should be allowed to pass our lines at this place".[1537] Welles responded 10 days later, writing that he agreed that it was better to close communications with Charleston "during active operations".[1538] However, mindful of appearing to act unilaterally, Dahlgren answered on 21 August "advisability does not, in my opinion, confer authority, and I therefore ask for further instructions from the Department".[1539]

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ses notions au sujet de Charleston. » Reynaud to Chasseloup-Laubat, No. 158, 29 June 1863, BB4/828, SHD/Marine.

[1532] ibid.

[1533] Rowan to Shufeldt, 8 July 1863, *ORN, Vol. 14*, 315-16.

[1534] Browning, *Success is All that was Expected*, 220-50.

[1535] Dahlgren to Welles, No. 61, 5 August 1863, *ORN, Vol. 14*, 421.

[1536] ibid.

[1537] ibid.

[1538] Welles to Dahlgren, 15 August 1863, *ORN, Vol. 14*, 444.

[1539] Dahlgren to Welles, No. 94, 21 August 1863, *ORN, Vol. 14*, 495.

On 28 August, Welles responded giving Dahlgren full authority: "You are directed not to permit any armed or unarmed vessel, foreign or American, to pass into or communicate with Charleston while active hostilities are in progress against that port, except by your special order".[1540] Thus, from early September when he received the Navy Secretary's despatch, Dahlgren had the authority to completely close communications between consuls in Charleston and visiting foreign warships.

However, the Union admiral did not use the authority uniformly. Possibly moved by a degree of Anglophobia and previous incidents involving British naval officers, he allowed French warships to communicate with Charleston but forbade direct communications with the port by HMS *Plover*. In fact, the French Navy maintained a larger presence on the Carolina coast. Between mid-May and November, there was always a French warship anchored off Charleston, observing the siege of the city.[1541] In September, Dahlgren used his newfound authority to refuse HMS *Plover* communication with the blockaded port.[1542] Reynaud, however, noted in a report to Paris that Lanen was able to communicate with the *Grenade*, stationed off Charleston, on 8 October.[1543] When the French admiral sent the *Tisiphone* later that month to relieve the *Grenade*, he prepared for Dahlgren's objections in light of *Plover*'s case, noting in a report to Chasseloup-Laubat that he agreed that it was the admiral's prerogative to close communications during a siege.[1544] However, Dahlgren, possibly out of friendship with the French admiral, made an exception for Reynaud's squadron, officially not upholding the ban on communications with Charleston "as there is a lady of a French diplomatic officer in the case".[1545] In fact, Reynaud reported to Chasseloup-Laubat that the US admiral went further than that, allowing the Commander de Marivault of the *Tisiphone* to visit Charleston in person "with some repugnance however, this time".[1546] Moreover, Dahlgren gave the commander a detailed account of an attack on the ironclad USS *Ironsides* by a Confederate torpedo boat.[1547] When HMS *Plover* returned to the coast with despatches in November,

[1540] Welles to Dahlgren, 28 August 1863, *ORN, Vol. 14*, 522.
[1541] *Renaudin* left for Charleston in early May. *Tisiphone* left Charleston in November. Reynaud to Chasseloup-Laubat, No. 146, 5 May 1863, BB4/828, SHD/Marine; Reynaud to Chasseloup-Laubat, No. 196, 13 November 1863, ibid.
[1542] Corry to Milne, 5 October 1863, ADM 128/61, TNA, 215-19.
[1543] Reynaud to Chasseloup-Laubat, No. 195, 21 October 1863, BB4/828, SHD/Marine.
[1544] Reynaud to Chasseloup-Laubat, No. 189, 12 October 1863, ibid.
[1545] Dahlgren to de Marivault, 15 October 1863, *ORN, vol 15*, 45-46.
[1546] « avec quelque répugnance pourtant, cette fois» Reynaud to Chasseloup-Laubat, No. 194, 3 November 1863, BB4/828, SHD/Marine.
[1547] Ibid.

Dahlgren again would not allow the British ship to communicate with Charleston.[1548] However, after the *Plover* left, the admiral seems to have had a slight change of heart. He wrote to Welles, "it occurred to me that some exception might be made to my own rule, which would permit the passage of official communications only" – they could be occasionally sent by flags of truce.[1549] Yet, angry exchanges between the Union and Confederate sides made such communications unreliable. On 17 November 1863, the Confederate side initially refused to take Dahlgren's letters to the French and British consuls informing them of the practice, though they were successfully delivered the next day.[1550] However, the Navy Department did not approve of Dahlgren's move, adopting a draconian policy – "the Department instructs you not to allow, hereafter, any communication whatever, by neutrals or others, with Charleston, or any portion of the insurrectionary region through that port, whilst military operations against it are pending."[1551] This closed communications with the vital port.

With the end of communications through Charleston, French and British consulates remained without a viable means of communication. Indeed, Dahlgren's reasoning for sending consular correspondence via flags of truce in November 1863 was tied to the Confederate closure of communications through Virginia.[1552] Admiral Milne wrote to the Admiralty that, as "actual hostilities were going on without intermission" around Charleston, "I cannot question either the right or discretion of the Federal Authorities", an analysis which was shared by Earl Russell.[1553] Therefore, Milne sent the *Plover* to Savannah on 30 November 1863, reasoning that the port was not under active attack.[1554] However, Dahlgren refused to allow communications with that port as well. US Senior Officer Captain William Reynolds at first thought that there would be no issue in obtaining permission from the admiral to communicate with the Georgia port, but Dahlgren answered in the negative.[1555] Reynolds stated that "he knew of no reason why we should not communicate at Savannah", but as it was not allowed, this was likely true for all other ports.[1556] Indeed, Dahlgren wrote a rather cryptic message to Reynolds, saying that he had refused entry "for good reasons, which I presume it is unnecessary

[1548] November 19, 1863, N. 256, Dahlgren to Welles, *ORN, vol 15*, 130.
[1549] Ibid.
[1550] Ibid.
[1551] November 30, 1863, Welles to Dahlgren, *ORN, vol 15*, 143.
[1552] November 19, 1863, N. 256, Dahlgren to Welles, ibid., 130.
[1553] Milne to Admiralty Secretary, No. 725, 26 November 1863, fos. 209-214; Romaine to Milne, N. 777 M, 29 December 1863, fos. 223-24, ADM128/61, TNA.
[1554] Milne to Corry, 30 November 1863, MLN/110/2, Milne MSS, NMM.
[1555] 25 December 1863, Corry to Glasse, ADM128/61, TNA, fos. 231-37.
[1556] ibid.

to mention".[1557] This Milne felt was excessive, writing to Lord Lyons that the Georgian city was not in fact "invested" and no "valid reason existed in the case of Savannah".[1558] Meanwhile, Commander Corry of the *Plover* returned the package of despatches that he had been assigned to take to Savannah.[1559] Thus, Milne's efforts to reopen communications with consuls on the Atlantic coast failed.

Milne also sent the *Virago* under Commander William Johnstone to Mobile on 5 December, despite the Confederate refusal to allow communications months earlier.[1560] He also thought there would be less of a chance of success as he thought the city was about to be attacked.[1561] However, Commander Johnstone was able to communicate with Cridland as a private citizen of Mobile and send over despatches.[1562] Though the officers of the US blockading squadron initially had some doubts about permitting Johnstone to communicate with Mobile, the British officer seems to have developed friendly enough relations with them to be allowed to do so. He ended his despatch to Commodore Peter Cracroft, who replaced Commodore Dunlop as head of Jamaica Division in late 1863, with praise for the US Navy officers: "I cannot close this letter without bringing before your Notice the Kindness and Courtesy I received from Commodore Thatcher and Captain Jenkins", noting that he thanked them in an official letter.[1563] Cridland was not expecting the arrival of a warship and did not even have prepared letters to send, though he took despatches addressed to the South.[1564] Moreover, as communications went via Jamaica, they took a long time to reach their destination. This was a very roundabout way to communicate, as Mobile was far from all other Confederate-held cities.

If Lord Lyons had assured Milne that his despatches to British consuls were not urgent, communication with British consulates and Confederate authorities became more pressing as the year progressed. In October 1863, the Confederate Government revoked the exequaturs of Britain's remaining consuls east of the Mississippi River, ending their official functions.[1565] Possibly because the fall of Vicksburg and Fort Hudson in July ended direct communications

[1557] Dahlgren to Reynolds, 17 December 1863, *ORN, vol 15*, 180.
[1558] Milne to Lord Lyons, 10 February 1864, ADM128/61, TNA,.
[1559] Corry to Glasse, 25 December 1863, ADM128/61, TNA, fos. 231-37.
[1560] Milne to Johnstone, 5 December 1863, MLN/110/2.
[1561] Milne to Admiralty Secretary, No. 725, 26 November 1863, ADM128/61, TNA, 209-14.
[1562] Johnstone to Cracroft, 19 January 1864, MLN/114/5, Milne MSS, NMM.
[1563] Ibid.
[1564] Ibid.
[1565] Berwanger, *British Foreign Service*, 117.

between Richmond and Texas, Confederate Secretary of State Judah Benjamin did not ask British Consul Lynn in Galveston to leave.[1566] The two French consulates in Confederate-held territory, with the imperial government seemingly in favour of recognition or even intervention, remained – though Richmond continued to refuse to recognise Lanen in Charleston. The situation where British consuls could offer no support to fellow subjects exposed a weakness of the Palmerston government. Union bombardment of the city of Charleston, a nightmare for European officials that was somewhat mitigated by Confederate measures to move civilians out of the city, began on 22 August.[1567] Commander Marivault of the *Tisiphone* witnessed this shelling and reported on it, while the British and Spanish consuls in Charleston (Lanen, unrecognised by the Confederacy, opted to abstain), through the French commander's communications, were able to protest the act.[1568] With most consuls kicked out and communications closed, by the end of the year there was no one to protest the actions of the Union or Confederate Governments. Eugene Berwanger has argued that the Confederates did not expel the British consuls for the officially circulated reason, that is pushing too hard against the forced impressment of men with dubious British subjecthood in areas beyond their consular remit.[1569] Instead, it was an effort to appease public sentiment, increasingly angry at Great Britain. In revoking the consuls' exequaturs, the Confederate Government also removed their ability to act on behalf of British subjects, prompting a response from London.

In a move that has received little scrutiny from historians, the British government decided to press its grievances against the Confederate government directly. In late 1863, Earl Russell penned several despatches marked "separate" to Joseph Crawford, the consul-general in Havana.[1570] These letters instructed the consul to go to Richmond and present British protests to Secretary Benjamin against compulsory conscription into the Confederate army of British subjects, arguing that with British consuls now gone, British nationals in the Confederacy now only had the "illusory remedy" of the court system.[1571] Moreover, Russell instructed Crawford to protest against the arming of warships in British ports, especially CSS *Rappahannock*, a former British man-of-war, noting "the very serious light in which Her Majesty's Government

[1566] Ibid., 118.
[1567] Lanen to Drouyn de Lhuys, No. 5, 23 August 1863, 16CPC/15, AMAE, La Courneuve, fos. 59-65.
[1568] De Marivault to Reynaud, 29 August 1863, BB4/828, SHD/Marine.
[1569] Berwanger, *British Foreign Service*, 120.
[1570] Russell to Crawford, separate N. 1, 16 December 1863, FO72/1071, TNA; Russell to Crawford, separate N. 2, 16 December 1863, ibid.; Russell to Crawford, separate No. 3, 16 December 1863, ibid.; Russell to Crawford, separate N. 1a, 16 December 1863, ibid.; Hammond to Crawford, separate N. 5, 16 December 1863, ibid.; Russell to Crawford, separate N. 6, 28 December 1863, ibid.
[1571] Russell to Crawford, separate N. 1a, 16 December 1863, ibid.

views this transaction".[1572] As some of the drafts were marked as seen by Lord Palmerston, it is likely that this mission was approved at the cabinet level.[1573] A crossed-out section of one of the drafts, evidently viewed by Palmerston's Ministry as too aggressive to send to Richmond, even included a threat to use the Royal Navy to capture Confederate warships illegally purchased in British ports.[1574] Eugene Berwanger has mentioned this mission in passing as one of three attempts by the British Government to reach Richmond on the subject of the mistreatment of British subjects, but the instructions sent to Havana were in fact more threatening and broad.[1575] The other attempt was through Cridland, who received his despatches via HMS *Virago* and through a Confederate agent in London.[1576] Only one of the despatch drafts, with the instructions for Crawford to press the Confederates on the issue of forced enrolment in the army, is marked as having a copy sent to Lord Lyons in Washington.[1577] This was therefore the only despatch to Crawford that was deposited in correspondence of the British legation, the one which Berwanger has referred to.[1578] The Palmerston Cabinet aimed to inform the US administration of the mission to communicate with Richmond, while maintaining the right it claimed during the Bunch Affair to have contact with the Confederacy as a belligerent power.[1579] Indeed, despite the threatening nature of the instructions to Crawford, the very fact of a *de facto* diplomatic mission to Richmond, ordered directly from London, could be seen as a form of semi-recognition. Nevertheless, the British Government had in fact drafted an ultimatum to Richmond.

However, getting Consul-General Crawford to Richmond was not a simple enterprise. With communications via flag of truce in Virginia closed by the Confederacy in the summer, delivering Crawford to a Confederate port was up to the Royal Navy. The Foreign Office confidentially requested the Admiralty to instruct Milne to first facilitate communication between Consul-General Crawford and Confederate authorities, and if the Richmond Government responded in the affirmative, to bring him to a Confederate port.[1580] The admiral was in Havana when he received the message and likely conferred with the consul-general in

[1572] Russell to Crawford, separate N. 2, 16 December 1863, FO72/1071, TNA.
[1573] Russell to Crawford, separate N. 3, 16 December 1863, FO72/1071, TNA; Russell to Crawford, separate N. 1a, 16 December 1863, ibid.
[1574] Russell to Crawford, separate N. 2, 16 December 1863, ibid.
[1575] Berwanger, *British Foreign Service*, 123.
[1576] Ibid.
[1577] Russell to Crawford, separate N. 2, 16 December 1863, FO72/1071, TNA
[1578] Berwanger, *British Foreign Service*, 123.
[1579] See Chapter I.
[1580] Hammond to Admiralty Secretary, 14 December 1863, ADM 128/61, TNA, 263-64.

person.[1581] Milne asked Crawford to write his official letter to Secretary Benjamin and sent HMS *Peterel* to deliver it to Savannah, before he knew that Admiral Dahlgren had banned communications with that port as well.[1582] The ship was still commanded by Commander Watson, loathed by the Union Navy, but out of other ships to send for the mission, Milne likely also thought that this would make a favourable impression on the Confederates.[1583] However, the Union admiral remained adamant, writing to his subordinate: "Please inform [Watson] that it is impossible; nothing of the kind can pass the lines of this squadron".[1584] Commander Watson reported that the US officers suggested for him to go to Union-held Norfolk, Virginia, and send a message through General Butler, now commanding there.[1585] This Watson refused to, arguing that it was beyond the scope of his orders.[1586] Moreover, this would mean communicating through the auspices of a US government service, something the Confederacy had previously refused to do. The admiral could only reiterate his frustration to Admiralty and Lord Lyons at his inability to communicate through the Union blockade to Savannah, at town that was not the scene of a military operation.[1587] Given that Commodore Cracroft in Jamaica only received Commander Johnstone's report of his visit to Mobile on 26 January 1864, it is likely that this report, and thus the idea of communicating through the Alabama port, did reach Milne until a few weeks later.[1588] Thus, the message from Consul-General Crawford to Secretary Benjamin did not get through.

In Washington, Lord Lyons could not convince State Secretary Seward to allow communications to reopen through the blockade. In December, Lord Lyons learned from a despatch sent by a French courier that the Confederate Government had not only revoked Acting Consul Fullarton's exequatur but refused him the right to stay in Savannah.[1589] The minister plenipotentiary requested Milne to help Fullarton and Watson (who asked to be repatriated through Wilmington) leave Confederate-held territory.[1590] Lord Lyons met with Seward to discuss the issue, referring to a publicly transmitted response to the Spanish minister plenipotentiary from 1861, expressly allowing warships to communicate with consuls in

[1581] Milne to Crawford, 27 January 1864, ADM 128/61, TNA, fos. 265-66.
[1582] Ibid.
[1583] Milne to Watson, 28 January 1863 [sic: 1864], MLN/110/2, Milne MSS, NMM.
[1584] Dahlgren to Reynolds, 7 February 1864, *ORN, vol 15*, 317.
[1585] Watson to Milne, 12 February 1864, ADM 128/61, TNA, fos. 279-89.
[1586] Ibid.
[1587] Milne to Lord Lyons, 10 February 1864, fos. 249-55; Milne to Admiralty Secretary, No. 106, 13 February 1864, fo. 290, ADM 128/61, TNA.
[1588] Johnstone to Cracroft, 19 January 1864, MLN/114/5, Milne MSS, NMM.
[1589] Lord Lyons to Milne, 21 December 1863, ADM 128/61, TNA, fos. 199-200.
[1590] Ibid.

blockaded ports.[1591] He also pointed out Savannah was not in fact under attack. However, the secretary of state was not willing to relent, using as an excuse the Confederates having refused to honour flags of truce in Charleston.[1592] In these circumstances, Milne was unwilling to take the risk of sending another warship to the coast east of the Mississippi.[1593] He noted that the only option he had left for facilitating communication between Crawford and the Confederacy was via a blockade-runner, something he was not willing to do.[1594] On 27 February Crawford wrote a letter to Milne from Havana complaining about being "totally uninformed" as to his mission to Richmond.[1595] As Milne's tenure as commander-in-chief of the North America Station ended in March 1864, he was likely too busy with the transfer to Vice Admiral Sir Alexander Hope and failed to inform Crawford. Admiral Hope answered the Havana consul-general on 22 March.[1596] As late as 29 March, Russell sent more instructions to Crawford.[1597] Though Milne seems to have not notified Joseph Crawford of the return of the *Peterel* without succeeding in communicating with Confederate ports, he did address more queries to London in the time period.[1598] Lord Lyons was instructed to press Seward officially.[1599] Seward, however, remained adamant, formally refusing foreign warships communications with Confederate ports, especially if they involved the Confederate government.[1600] The very idea of communications between London and Richmond via Crawford offended the US government.[1601] On 27 July, Joseph Crawford passed away in Havana, and the mission, already moribund by the refusals of the US government, died with him.[1602]

With the failure of the Crawford Mission, communications between consulates in Confederate territory and the outside world largely ended. From Galveston to Mobile to Charleston, British and French men-of-war stopped appearing. The one exception was City Point, a small port outside Richmond on the James River, where French warships and chartered merchant vessels arrived in the spring of 1864 to load French government-owned tobacco that had been stored in the Confederate capital.[1603] This mission required months of planning and

[1591] Lord Lyons to Milne, 23 February 1864, ADM 128/61, TNA, fos. 295-97.
[1592] Ibid.
[1593] Ibid.
[1594] Milne to Admiralty Secretary, No. 121, 17 February 1864, ADM 128/61, TNA, fos. 33-35.
[1595] Crawford to Milne, 27 February 1864, ADM 128/61, TNA, fos. 299-302.
[1596] Hope to Crawford, 22 March 1864, ADM 128/61, TNA, fo. 303.
[1597] Russell to Crawford, N. 1 separate, 29 March 1864, FO 72/1088, TNA.
[1598] Watson Milne, 12 February 1864, ADM 128/61, TNA.
[1599] Layard to Admiralty Secretary, 6 April 1864, ADM 128/61, TNA.
[1600] Lord Lyons to Russell, No. 222, 28 March 1864, in *Through British Eyes, Vol. 3*, 153-54.
[1601] Ibid.
[1602] John Crawford to Russell, No. 16, 28 July 1864, FO 72/1088, TNA.
[1603] Spencer, "French Tobacco in Richmond during the Civil War".

negotiating by French diplomats in Washington and Admiral Reynaud with the Lincoln Administration and Consul Paul with the Richmond Government.[1604] Paul was able to get special permission to leave Confederate territory from Secretary Benjamin to go to New York to charter the merchant vessels and hoped to use the French warships temporarily in the James River as a means of communications.[1605] However, this delicate task failed to achieve its objectives, as only a small fraction of the tobacco could be loaded before active warfare resumed on the river.[1606] Consul Paul was able to use his good relations with Confederate officials to resume sending correspondence via messengers on flag of truce boats, but the French Navy no longer played a part in this.[1607] Unwilling to counter the Union blocking off the Confederate coast to foreign warships, the British and French Governments acquiesced to the Lincoln Administration's decision. No longer a means of transporting correspondence through the blockade, the men-of-war in American waters lost much of their *raison d'être*.

Section 4: British and French Warships in Union-controlled Ports

Though the greatest need for British and French warships remained near Confederate-held ports, their presence spanned the American coast, in Northern ports, as well as in Union-held ports in the South. New Orleans continued to host many foreign warships, in part because it was the port of call for federal mail steamers to New York and Havana, making it a central point for ships visiting Galveston or Mobile to resupply and convey messages.[1608] Minor diplomatic squabbles continued to flare up after the removal of General Butler in December 1862, though his successor, General Banks, was significantly more guarded in his comments and actions. Commander de Marivault of the *Tisiphone*, stationed in New Orleans in early to mid-1863, recognized that "The change of general had the effect of putting an end to the personal violence with which Butler had imposed a kind of terror".[1609] Nevertheless, the officer claimed "the reflective part of the population soon recognized that these two very different men were the continuation of each other" – New England rule and "annihilation" of old Southern

[1604] Ibid.; Reynaud to Chasseloup-Laubat, No. 189, 12 October 1863, BB4/828, SHD/Marine; Reynaud to Chasseloup-Laubat, No. 198, 23 November 1863, ibid.; Reynaud to Chasseloup-Laubat, No. 201, 8 December 1863, ibid.
[1605] Paul to Drouyn de Lhuys, No. 348, 24 August 1863, 226CCC/6, AMAE, La Courneuve.
[1606] Spencer, "French Tobacco in Richmond during the Civil War", 196.
[1607] Ibid.
[1608] *Milne Papers, Vol. 3*, ed. Beeler, xxxix.
[1609] « Le changement de général a eu pour effet de faire cesser les violences personnelles par lesquelles Butler avait fait régner une sorte de terreur » de Marivault to Chasseloup-Laubat, 12 February 1863, BB4/828, SHD/Marine.

rule.[1610] Banks, a politician with limited military experience, launched a series of disastrous assaults on Confederate-held Port Hudson, Louisiana from May to July 1863.[1611]

While New Orleans filled with sick and wounded, some of whom received treatment from the surgeons of the *Tisiphone* stationed in the city, the general's effective force fell, making the Crescent City vulnerable to a Confederate attack.[1612] Though the city was not assaulted, the spectre of the damage of fighting in the city streets and the shelling of advancing Confederates by Union warships again made consuls again call for foreign warships.[1613] There were also fears raised, similar to those voiced during General Butler's tenure, of an uprising by black men in the city, especially those organised into Unionist-companies, responding to a successful Confederate invasion.[1614] Admiral Reynaud again raised the spectre of Saint-Domingue and the massacre of whites in his report to the Navy Minister.[1615] Moreover, General Banks, fearing a revolt of pro-Confederate whites in New Orleans, issued what French officers considered to be inhumane commands, ordering all non-foreign families that had not declared oaths of allegiance to the United States out of the city and then selling their property at auction.[1616] British, French, and Spanish warships stayed in the city.[1617] Yet, unlike General Butler before him, Banks managed to push this harsh measure without igniting foreign controversy. As Reynaud noted, "No French interest has yet been compromised in the midst of these barbaric oppressions".[1618] With the fall of Vicksburg and Port Hudson to troops advancing from the north, the armed threat to the city lessened, as did one of any internal insurrection. Despite the parallels to the situation under General Butler's rule in 1862, Milne and Reynaud sent fewer warships to the city in 1863, suggesting they felt there was less of a threat to their nationals.

Though throughout the American conflict, British and French naval officers frequently prepared to evacuate white fellow subjects for a slave insurrection that never occurred, providing refuge for black nationals during the July 1863 New York Draft Riots was the only

[1610] « la partie réfléchissante de la population n'a pas tardé à reconnaitre que ces deux hommes très différents étaient la continuation l'un de l'autre », ibid.
[1611] Weigley, *A Great Civil War.*
[1612] Civil War; Reynaud to Chasseloup-Laubat, N. 155, 17 June 1863, BB4/828, SHD/Marine.
[1613] Ibid.; Coppell to Ward, 29 April 1863, ADM 128/57, TNA, fos. 859-64.
[1614] Ibid.
[1615] Reynaud to Chasseloup-Laubat, No. 160, 13 July 1863, BB4/828, SHD/Marine.
[1616] Reynaud to Chasseloup-Laubat, No. 148, 12 May, 1863, BB4/828, SHD/Marine.
[1617] Ward to Dunlop, 30 April 1863, MLN/115/4, Milne MSS, NMM.
[1618] « Aucun intérêt français ne s'est encore trouvé compromis au milieu de ces oppressions barbares. », Reynaud to Chasseloup-Laubat, No. 153, 9 June 1863, BB4/828, SHD/Marine.

time a mission of the sort was carried out. The insurrection against the imposition of conscription developed into a race riot; victims of lynch mobs included black seamen on the many merchant vessels moored in the docks.[1619] On 15 July, British Consul Edward Archibald asked Admiral Reynaud, based in New York, to grant asylum to black British sailors on his flagship, the *Guerrière*, which the admiral readily assented to.[1620] Along with 71 British seamen, the French admiral also took on several black men from the Danish brig *Lola*, from St. Thomas in the Danish West Indies, and an aide to Haitian president.[1621] Besides, some British merchant vessels, and possibly those of other flags, anchored near the *Guerrière*'s position for protection.[1622] On 19 July, by which point the riots had been largely put down, HMS *Challenger* arrived, taking the British seamen off the French flagship.[1623] However, Captain Kennedy wrote to Archibald about being uncomfortable with having so many black men on board his ship, and quickly discharged most of them.[1624] Afraid that the riots might reignite, putting these men at risk again, the consul protested to Lord Lyons.[1625] Though riots did not in fact erupt again, this episode underscores how the doctrine of protection was circumscribed by race and the whims of naval officers. Nevertheless, dozens of vulnerable foreigners, mostly black seamen, found refuge on the *Guerrière*.

With the Draft Riots put down in New York, Admiral Milne could plan his visit to the city, as a capstone to his tenure in the North America Station. Indeed, Milne had mulled about visiting the city for many months, but was deterred either by disorder or fear of offending Northern public opinion with his presence.[1626] The visit in October 1863 has been depicted by scholars as a diplomatic success.[1627] Indeed, save for the wrinkle of the arrival of the Russian Navy, the British admiral's trip went off without a hitch.[1628] He displayed Anglo-French comradery and was well received by the cabinet in Washington when he visited the capital by rail.[1629] However, the trip did not advance any diplomatic initiatives or serve to noticeably shift Anglo-American relations. Indeed, Secretary Welles sent out orders forbidding foreign

[1619] Archibald to Lord Lyons, 14 July 1863, FO 5/891, fos. 82-85.
[1620] Archibald to Lord Lyons, 15 July 1863, FO 5/891, fos. 90-91; Reynaud to Chasseloup-Laubat, No. 161, 18 July 1863, BB4/828, SHD/Marine.
[1621] Ibid.
[1622] Ibid.
[1623] Bernstein, *The New York City Draft Riots;* Kennedy to Archibald, 19 July 1863, FO 281/19.
[1624] Ibid.
[1625] Archibald to Lord Lyons, No. 238, 20 July 1863, FO 282/10, fo.s 126-27.
[1626] For example, Milne to Grey, 13 November 1862, in *Milne Papers, Vol. 3*, ed. Beeler, 162.
[1627] Jenkins, Lord Lyons, 232-34; Courtemanche, *No Need of Glory*, 123-24.
[1628] Ibid, 121-122.
[1629] Reynaud to Chasseloup-Laubat, No. 185, 1 October 1863, BB4/828, SHD/Marine; Courtemanche, *No Need of Glory*, 123-24.

warships to communicate through the blockade a few months after this visit. Thus, the British admiral's visit to the United States is best understood not as a diplomatic coup, but as a sign of an overall easing of tensions between Washington and London.

A series of dangerous encounters between British and US warships, along with breaches of neutrality by British officers, led to the Navy Department to forbid the use of foreign warships as courier services to consuls in Confederate territory. The French Navy received some exceptions, but, by mid-1864, French warships no longer communicated with consul in Confederate ports by flag of truce boats. Though the ban on communications through the Union blockade made impossible one of the main duties of British and French warships, the two navies maintained a limited presence in American waters for the rest of the war. A British warship continued to be stationed in the Chesapeake, at the minister plenipotentiary's disposal, and in December 1864 British and Union seamen brawled Norfolk, Virginia.[1630] Though this incident was covered by a lengthy investigation, it did not lead to serious Anglo-American tensions.[1631] The French Antilles Division continued to serve as a support for the French Navy in Mexico, Admiral Reynaud providing assistance to French warships affected with Yellow Fever touching at New York.[1632] In November 1864, with Reynaud's tenure ending, the division was merged with Admiral Bosse's Mexican Division.[1633]

[1630] Hope to Admiralty Secretary, No. 12, 12 January 1865, ADM 128/61, TNA, fos. 741-43.
[1631] Ibid.
[1632] For example, Reynaud to Chasseloup-Laubat, No. 187, 6 October 1863, BB4/828, SHD/Marine.
[1633] Bosse to Chasseloup-Laubat, No. 548, 1 November 1864, BB4/837, SHD/Marine, fo. 2.

Conclusion

This thesis advances the scholarship on European neutrality in the American Civil War beyond the question of possible British and French intervention and the responsibility of neutrals to prevent the construction of warships for belligerents. It shifts the focus to British and French warships in American waters, which, confused with blockade-runners or Confederate cruisers, had several close encounters at sea with the US men-of-war that had the potential to escalate into unplanned wars. Scholars have extensively studied the reasons behind the failure of the Confederate push for European intervention in the American conflict by looking at diplomatic machinations and decisions made on a cabinet level, far removed from the American coast.[1634] The *Trent* Affair is the one incident at sea that has received close attention of historians as a diplomatic crisis rising to the highest-level government circles.[1635] However, the testy encounters between warships were otherwise settled locally, leading to a *de facto* protocol for encounters at sea proposed by British Admiral Milne commanding the North America Station.[1636] Moreover, though the *Trent* Affair ended with the Lincoln Administration's acquiesce to a British ultimatum, it also raised tensions between British and US warships at sea. In large part this Anglo-American friction did not escalate because Milne was able to choose commanding officers to send to American waters that were less likely to provoke a conflict.[1637] Thus, this thesis demonstrates the importance of the decisions made by British and French commanding officers off the American coast, as well as those of the admirals commanding them, on maintaining neutrality.

Placing the British and French naval presence in American waters during the Civil War into a broader context also illuminates the practice of neutrality in the long nineteenth century. Maartje Abbenhuis has argued that neutrality in the period was not a passive position of non-involvement used by weak states, but pursued by great powers as "an oft-used, pragmatic and generally reliable foreign-policy tool used for the promotion of national interests".[1638] More than a condition of not being engaged on either side of a conflict, the state of neutrality implied rights that belligerents were supposed to honour, but which also needed to be upheld. Maritime powers regularly sent warships to conflict zones to maintain what they saw as their neutral rights, protecting their commerce, property, and nationals. British and French warships went

[1634] Owsley, *King Cotton Diplomacy*; Jenkins, *Britain and the War for the Union*; Sainlaude, *France and the American Civil War*; Jones, *Blue and Gray Diplomacy*.
[1635] Ferris, *The Trent Affair*; Warren, *Fountain of Discontent.*
[1636] See Chapter V.
[1637] See Chapter II.
[1638] Abbenhuis, *An Age of Neutrals*, 20.

on missions of surveying the Union blockade, communicating with consuls in Confederate ports, and observing military operations in a manner that was not cardinally different from assignments during previous conflicts. Indeed, Commodore Dunlop, writing to his sister in September 1861, described the legal and practical questions raised by the American blockade as partially settled by the precedent of an "Exactly similar case of Blockade [that] occurred in New Granada".[1639] The commodore was proud that the instructions that he had issued previously to British warships in the Jamaica Division during the 1860-62 Civil War in the Latin American country were used as a template by the Crown's law officers for the American Civil War.[1640] Dunlop boasted that his contribution was so useful that it led to Earl Russell recommending him for the Order of the Companion of the Bath.[1641] This example shows how, in other conflicts, this pervasive use of British, French, and American men-of-war by neutrals helped shape and frame central government policy, as well as the exercise of neutrality on the spot. Indeed, the practice of neutrality by naval powers *vis-à-vis* weaker belligerents deserves further research in other case studies.

The size and scope of the American Civil War, which included a blockade of 3,500 miles of coast and armies of hundreds of thousands, was materially different from other conflicts during the long nineteenth century, setting longstanding precedents in international law. In fact, Commodore Dunlop was too sanguine in his estimation of the transferability of the New Granada experience onto the war-torn America. As was the case in New Granada, the British Government, followed by that of France and the rest of Europe, was quick to recognise Confederate belligerency, and thus the applicability of the norms of international law to Union blockade – that is, the US Government did not have the right to simply declare Southern ports closed through its own, "municipal", legislation.[1642] However, in the case of New Granada, European governments did not recognize the blockade imposed and HMS *Racer* directly interfered on behalf of merchantmen Commander Algernon Lyons declared were British.[1643] Unlike New Granada, the United States was a formidable naval power, and thus British and French officers commanding men-of-war in American waters could not afford to be so callous. Moreover, with dozens of warships on blockade duty, the US Navy's effort could not be

[1639] Dunlop to Fanny Montieth, 29 September 1861, MSS/87/2/1, Dunlop MSS, NMM.
[1640] Ibid.
New Granada changed its name to Colombia after the civil war. Hence the conflict is typically referred to as the Colombian Civil War.
[1641] Ibid.
[1642] See Chapter II.
[1643] Ibid.

dismissed as a "paper blockade" out of hand. Indeed, the relatively loose blockade served as useful precedent for both the British and French Navies, shaping international law for the next few decades.

This thesis demonstrates that British and French naval officers' generally positive assessments of the Union Navy's blockade's effectiveness, and thus legality, helped the British Government shape the legal interpretation of an effective blockade under international law. Indeed, the American Civil War and the court and arbitration cases that followed, particularly through the *Alabama* Claims, increased the obligations of neutrals and enshrined the legality of the doctrine of continuous voyage as justification for belligerent warships to capture merchantmen with cargo meant for the enemy.[1644] The precedent set by defining the Union blockade as effective was set by the fiat of the Palmerston Cabinet. In Parliament, the Government successfully used naval officers' despatches to refute the accusations of Confederate sympathisers that the blockade was not effective. By doing so, the British Government used the relatively loosely enforced Union blockade as a precedent for what amounted to an "effective" blockade, clarifying the text of the 1856 Paris Declaration, which required its signatories to maintain effective blockades. Though the French Foreign Ministry tried to undermine this legal interpretation from taking hold, it was ultimately unsuccessful, as the needs of the French naval forces in Mexico led to the adoption of a blockade of Mexican ports that was not more effective than that of the Confederate coast.

Offering protection to fellow subjects on the American coast from the devastation of war was a central mission of British and French warships in American waters. Indeed, after Parliament upheld the formal recognition of the Union blockade, supporting nationals became the main task of the two powers' men-of-war, though they enjoyed mixed success. Plans for the evacuation of French nationals from New Orleans, though discussed among French cabinet members, did not come to fruition.[1645] Nevertheless, this thesis shows that Union senior officers made decisions whether and how to bombard ports with foreign consuls or confiscate ostensibly foreign property with the presence of foreign warships in mind. Foreign consuls in New Orleans were convinced that the presence of the *Milan* in the Mississippi River precluded Flag-Officer Farragut from shelling the city into submission. Historians have examined

[1644] Bernath, *Squall Across the Atlantic*, 159-162; Merli, *Alabama, British Neutrality and the American Civil War*; Adrian Cook, *The Alabama Claims: American Politics and Anglo-American Relations, 1865-1872* (Ithaca, Cornell University Press, 1975).
[1645] See Chapter IV.

European, particularly British, efforts to support their subjects in the American Civil War in a piecemeal fashion, examining foreign service and court records, but rarely bringing in the naval perspective.[1646] Indeed, Commander Algernon's forced release of British-flagged merchantmen during the Colombian Civil War highlights a larger practice of protecting property and subjects abroad in the nineteenth century.

Moreover, in addition to instances of confrontation with Union, or more rarely, Confederate authorities, British and French warships augmented the foreign services of their countries by serving as couriers for diplomatic bags to consuls in Confederate ports. In early 1864, the Lincoln Administration rescinded the right of foreign warships to communicate with the blockaded coasts. Though most British consuls had by this point been expelled from the Confederacy, this move blocked the British government's attempt at pressing claims against Richmond directly to the Confederate Government. The change in blockade rules made it impossible for Havana Consul-General Crawford's mission to Richmond to take place. It also temporarily constrained French consuls in the Confederacy, as the Richmond Government forbade communications by couriers through the front lines until later in 1864. Therefore, British and French diplomatic initiatives in the South depended on their navy's operations off the American littoral.[1647]

This study also demonstrates that closeness of Anglo-French naval cooperation in American waters. British and French warships amounted to a joint deterrent against what European diplomats feared was a real possibility of the Lincoln Administration seeking to unite the war-torn country by a foreign war against a European Power. The weight of French naval presence helped push the United States into accepting British terms during the *Trent* Affair.[1648] Though with the launching of Union ironclads, the almost entirely wooden British and French naval forces in North American became insufficient to as a deterrent force, Anglo-French cooperation did not abate. British and French warships carried each other's despatches to consul through the blockade, shared observations, and offered protection to each other's nationals. In his official memorandum to Admiral Hope, his successor at the North America Station, Milne included an "French Cooperation" section, where he declared "entire harmony of action between the French and ourselves".[1649] Thus, by examining the British and French

[1646] Berwanger, *British Foreign Service*; Ameur, *Les Français*; Bernath, *Squall Across the Atlantic*.
[1647] See Chapter V.
[1648] See Chapter II.
[1649] *Memorandum relative to the North American and West Indies Station drawn up by Sir Alex. Milne for the information of his successor Sir James Hope*, MLN/118/1, Milne MSS, NMM, fo. 111.

navies together, this thesis shows that maintaining neutrality in American waters was a cooperative act between the powers.

Anglo-French naval cooperation in American waters fits into a larger pattern of collaboration between the two forces. Relations between the two powers were turbulent, and many historians have focused on areas of tension, including the naval arms race and the fallout of from an assassination attempt on Napoleon III hatched by Italian nationalists in England. However, as Edward Shawcross has shown, Anglo-French cooperation among officials and officers in Latin America and East Asia was longstanding.[1650] Moreover, in the two decades previous to American Civil War, the French and British Navies had fought side by side in the Rio Plata, Russia, and China. Tensions between the governments in Paris and London did not necessarily reflect directly upon cooperation between their naval forces and diplomats in distant seas.

This thesis integrates naval and diplomatic history, two fields with different traditions and historiographies. In so doing, it provides a new perspective on international implications of the American Civil War. This study demonstrates the importance of British and French naval officers' evaluation of the Union blockade to the acceptance of its legality in European capitals. It also shows how these officers engaged with their duties on the spot, not necessarily to the satisfaction of consuls, nationals abroad, or newspaper opinion at home. Naval officers and foreign service agents were the sole representatives of their governments. At least before the successful laying of transatlantic cables and radio communication, these men made autonomous judgements. Indeed, in the nineteenth century, the practice of neutrality was dictated as much by treaties signed by diplomats as by the whims and circumstances of neutral naval officers and foreign service agon the spot.

[1650] Shawcross, *France, Mexico and Informal Empire in Latin America, 1820-67*.

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HUD/1/5: Log of HMS IMMORTALITE 2nd February 1861 to 31st May 1863 by Lieutenant Thomas Keith Hudson

HUD/1/6: Log of HMS IMMORTALITE 1st June 1863 to 2nd July 1864 by Lieutenant Thomas Keith Hudson

HUD/1/7: Cruise of HMS IMMORTALITE September 1861 to June 1864

HUD/2/14: Journal whist on HMS IMMORTALITE 1862 Lieutenant Thomas Keith Hudson

Uncatalogued Maniscripts (MSS)

MSS/87/002/1: Letters of Hugh Dunlop, 1842-61 [Dunlop MSS]

The National Archives, Kew

ADM: Records of the Admiralty, Naval Forces, Royal Marines, Coastguard, and related bodies

ADM 1/5763: From Captains, Lieutenants, Admirals unemployed, 1861

ADM 1/5787: From Admirals: P Jamaica 1-592, 1862

ADM 128/47: San Domingo, 1863 Sept. 16 - 1865 Dec. 9

ADM 128/57: Correspondence arising out of the Civil War, 1861 Apr. 27 - 1863 Aug. 30

ADM 128/58: Correspondence arising out of the Civil War, 1862 Mar. 29 - 1863 Feb. 5

ADM 128/59: Correspondence arising out of the Civil War, 1861 June 29 - 1863 Nov. 13

ADM 128/60: Correspondence arising out of the Civil War, 1863 Jan. 3 - 1864 Feb. 3

ADM 128/61: Correspondence arising out of the Civil War, 1861 Aug. 31 - 1865 Nov. 29

FO: Records created or inherited by the Foreign Office

FO 5/780: Consul at Charleston Bunch, 1861 Jan-1861 June

FO 5/781: Consul at Charleston Bunch, 1861 July-1861 Dec

FO 5/786: Consuls at Mobile, Richmond, Savannah Laburzan, Magee, Tulin, Moore, Cridland, Molyneux, Fullerton, 1861

FO 5/788: Consuls at New Orleans, Galveston Mure, Coppell, Lynn, 1861

FO 5/817: To Lord Lyons, 1862 Jan-1862 Feb

FO 5/843: Consul at Charleston Bunch, 1862 Jan-1862 June

FO 5/844: Consul at Charleston Bunch, 1862 July-1862 Dec

FO 5/849: Consuls at San Francisco, Savannah Booker, Molyneux, Fullarton, 1862

FO 5/891: From Lord Lyons, 1863 July 14-1863 July 28

FO 5/906: Consuls at Charleston Walker, Bunch, 1863 Jan-1863 June

FO 5/909: Consuls at Richmond, Savannah, Galveston Moore, Molyneux, Fullarton, Lynn, 1863

FO 72/1013: Consuls at Havana, Trinidad de Cuba; Crawford, Smith, 1861

FO 72/1041: Consuls at Havana, Santiago de Cuba, Trinidad de Cuba; Crawford, Beattie, Forbes, Smith,1862

FO 72/1071: Consuls General at Havana; Crawford, J. V. Crawford, Vice-Consuls at Trinidad de Cuba, Santiago de Cuba; Smith, Ramsden, Beattie, 1863

FO 72/1088: Consuls at Havana, Santiago de Cuba, Trinidad de Cuba; Crawford, Bunch, Ramsden, Sidney Smith, 1864

FO 72/1108: Consuls General at Havana; Bunch, Synge, Vice-Consuls at Havana, Trinidad de Cuba, Santiago de Cuba; Crawford, Bidwell, Ramsden, Brooks, 1865

FO 282/10: Consulate, New York, United States of America: Letter Books, 1863-1864

FO 881/1052: UNITED STATES: Corres. Withdrawal of Consul R. Bunch's Exequatur. Part 2. Bound: America 54, 1861-1862

Arundel Castle Archives

Richard Bickerton Pemell Lyons, 1st Earl Lyons Papers [Lyons MSS]

Box 192: Milne, Monck, Malmesbury [in letters]

Service Historique de la Défense (SHD), Vincennes

Sous-série BB4, Campagnes

BB4/795 (Microfilm: DE 2016 SA 16) 1er Direction – Mouvements de la flotte – 2nd bureau mouvements – Minutes – Stations – 1861 [letterbook of drafts sent by the navy minister]

BB4/798 (Microfilm: DE 2016 SA 81) 1er Direction - Bureau des mouvements – Division Navale Antilles et l'Amérique du Nord – Lettres reçues, C-A Reynaud, 1861-1862

BB4/799 (Microfilm: DE 2016 SA 82) 1er Direction-Mouvements-Expédition du Mexique, Lettres reçues-V-Amiral Jurien, Octobre 1861-juin 1862

BB4/812 (Microfilm: DE 2016 SA 93) 1er Direction – Mouvements de la flotte – 2nd bureau mouvements – Minutes – Stations – 1862 (2 volume) [letterbook of drafts sent by the navy minister]

BB4/825 (Microfilm: DE 2016 SA 100) 1er Direction – Mouvements – Minutes – Stations, 1863 [letterbook of drafts sent by the navy minister]

BB4/828 (Microfilm: DE 2016 SA 102) 1er Direction - Bureau des mouvements – Division Navale Antilles et l'Amérique du Nord – Lettres reçues, C-A Reynaud, 1863-1864

BB4/836 (Microfilm: DE 2016 SA 108) 1er Direction – Mouvements – Minutes – Stations, 1864 [letterbook of drafts sent by the navy minister]

BB4/837 (Microfilm: DE 2016 SA 108) 1er Direction - Mouvements – Division navale des Antilles, du Golfe du Mexique et de l'Amérique du Nord, Lettres reçues, C-A Bosse, 1864

BB4/1345 Mouvements de la Flotte – Minutes et lettres reçues – 1861-1864, 1er Volume, Dossier Neutralité

Sous-série BB4, Personnel

CC7/A/2126 Direction du Personnel – Bureau de l'État-major de la flotte – M. Reynaud, Aimé Felix Saint-Anne

Archives du ministère des Affaires étrangers (AMAE), La Courneuve

29ADP (Affaires diverses politiques, États-Unis)

29ADP/6/43: Droit Maritime, Communications Anglaises; Question of US adhésion to Paris '56, 1854-1861, juin

29ADP/6/44: États-Unis – Guerre de Sécession – Droit Maritime, 1861, juillet-décembre

29ADP/6/45: 1862-1864 et 1872, Droit Maritime, Communications Anglaises

29ADP/7/46: Marine et Colonies (Division navale des Antilles et de l'Amérique du Nord)

16CPC Correspondance politique des consuls / États-Unis

16CPC/8: Baltimore, Charleston, New-York, Philadelphie, 1861

16CPC/9: Boston, La Nouvelle-Orléans, Los Angeles, Richmond, Saint-Louis, San-Francisco, 1861

16CPC/11: Charleston, Galveston, La Nouvelle-Orléans, Mobile, Saint-Louis, 1862

16CPC/12: Boston, Los Angeles, Richmond, San-Francisco, 1862

16CPC/13: Baltimore, New-York, Philadelphie, 1863

16CPC/14: Charleston, La Nouvelle-Orléans, Saint-Louis, 1863

16CPC/18: Baltimore, Charleston, New-York (oct.-déc.), Philadelphie.

CCC Correspondance consulaire et commerciale

77CCC/7: Charleston, 1854-65

227CCC/13: La Nouvelle-Orléans, 1856-mai 1862

227CCC/14: La Nouvelle-Orléans, juin 1862-1864

266CCC/4: Richmond, 1851-septembre 1861

266CCC/5: Richmond, novembre 1861-juin 1864

152CCC/18: LA HAVANE, 1858-juin 1863

39CP Correspondance politique / États-Unis

39CP/124: MERCIER, 01/1861-07/1861 (Microfilm: P 358)

39CP/125: MERCIER; DE GEOFROY, chargé d'affaires, 08/1861-12/1861 (Microfilm: P 358)

39CP/126: MERCIER, 01/1862-03/1862 (Microfilm: P 359)

39CP/127: MERCIER, 04/1862-06/1862 (Microfilm: P 359)

39CP/128: MERCIER, 07/1862-12/1862 (Microfilm: P 359)

39CP/129: MERCIER, 01/1863-03/1863 (Microfilm: P 10439)

39CP/130: MERCIER, 04/1863-12/1863 (Microfilm: P 360)

39CP/131: TREILHARD, DE GEOFROY, chargé d'affaires, 01/1864-07/1864 (Microfilm: P 10440)

76CP Correspondance politique / Mexique

76CP/56: Dubois de Saligny, oct. 1861 - déc. 1861

76CP/57: L'amiral Jurien de la Gravière, commissaire en chef, 1861-1862de l'expédition,

76CP/58: Dubois de Saligny, janv. 1862 - mai 1862

76CP/59: Dubois de Saligny ; le général Forey, commandant en chef, janv. 1862 - déc. 1862

76CP/60: Dubois de Saligny, puis le marquis de Montholon, ministre plénipotentiaire ; Le général Forey, puis le général Bazaine, commandant en chef, 1863

15CPC Correspondance politique des consuls / Espagne

15CPC/63 : La Havane, 1860-1865

Archives du ministère des Affaires étrangers (AMAE), Nantes

340PO La Nouvelle-Orléans

340PO/A/154: Correspondance avec la légation puis l'ambassade de France à Washington, février 1860-decembre 1861 (microfilm: 2mi 2326)

340PO/A/155: Correspondance avec la légation puis l'ambassade de France à Washington, janvier-octobre 1862 (microfilm: 2mi 2326)

340PO/A/156: Correspondance avec la légation puis l'ambassade de France à Washington, novembre 1862-mai 1863 (microfilm: 2mi 2326)

474PO New-York

474PO/1/84: Ministère de la Marine, Divisions Navales 1838-1864

474PO/1/266: Navires de l'État, 1854-1862

474PO/1/267: Navires de l'État, 1863-1864

474PO/1/268: Navires de l'État, 1855-1867

419PO/1 Matamoros, Mexique

419PO/1/4: Divers

National Archives and Records Administration, Washington, DC

RG: 45 Records Collection of the Office of Naval Records and Library; Logs and Journals Kept by US Naval Officers, March 1776-June 1908

E-608 (99); Journal of Comdr. Enoch G. Parrott, Oct. 16, 1861-Sept. 4, 1862 [USS *Augusta*]

Library of Congress

Eugène Méjan papers, 1862

Benjamin F Butler papers, 1778-1929

BOX 12: General Correspondence, 16 May-15 June, 1862

BOX 13: General Correspondence, 21 June-15 July, 1862

BOX 14: General Correspondence, 16 July-31 Aug., 1862

BOX 15: General Correspondence, Sept., 1862

BOX 16: General Correspondence, Oct., 1862

BOX 17: General Correspondence, Nov., 1862

Stuart A. Rose Manuscript, Archives, and Rare Book Library, Emory University

Great Britain Consulate (Savannah, Ga.) papers, MSS/15

Hagley Museum and Library, Delaware

Samuel Francis du Pont Papers, Accession: WMSS-IX

Box 6: Outgoing correspondence, 1859-1861

Box 7: Outgoing correspondence, 1862

Box 8: Outgoing correspondence, 1863- June 1864

Box 29: Incoming correspondence, October-November 1861

Box 30: Incoming correspondence, December 1861-January 1862

Box 31: Incoming correspondence, February-April 1862

Box 32: Incoming correspondence, May-June 1862

Box 33: Incoming correspondence, July-August 1862

Box 34: Incoming correspondence, September-November 1862

Box 35: Incoming correspondence, December 1862-January 1863

Box 36: Incoming correspondence, February-March 1863

Box 37: Incoming correspondence, April-15 May 1863

Newspapers

The New York Times

The New York Herald

Le Courrier des États-Unis

The Albion (NY)

New Orleans Picayune

L'Abeille de la Nouvelle-Orléans

Times (London)

National Intelligencer (Washington, DC)

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