

Activity 1: European Turmoil

Student Name _____ Date _____

Directions (Group #1): Read the document below and answer the questions that follow. As you are reading, highlight or underline words that are unfamiliar to you and then look up their meaning in a dictionary.

British Orders in Council, November 1807: <http://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=003/llsp003.db&recNum=276>

Whereas certain orders, establishing an unprecedented system of warfare against this kingdom, and aimed especially at the destruction of its commerce and resources, were, some time since, issued by the Government of France, by which “the British islands were declared to be in a state of blockade,” thereby subjecting to capture and condemnation all vessels, with their cargoes, which should continue to trade with His Majesty’s dominions:

And whereas, by the same order, “all trading in English merchandise is prohibited, and every article of merchandise belonging to England, or coming from her colonies, or of her manufacture, is declared lawful prize:”

And whereas the nations in alliance with France, and under her control, were required to give, and have given, and do give, effect to such orders:

. . . His Majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that all the ports and places of France and her allies, or of any other country at war with His Majesty, and all other ports or places in Europe, from which, although not at war with His Majesty, the British flag is excluded, and all ports or places in the colonies belonging to His Majesty’s enemies, shall, from henceforth, be subject to the same restrictions in point of trade and navigation, with the exceptions hereinafter mentioned, as if the same were actually blockaded by His Majesty’s naval forces, in the most strict and rigorous manner: And it is hereby further ordered and declared, that all trade in articles which are of the produce or manufacture of the said countries or colonies, shall be deemed and considered to be unlawful; and that every vessel trading from or to the said countries or colonies, together with all goods and merchandise on board, and all articles of the produce or manufacture of the said countries or colonies, shall be captured and condemned as prize to the captors.

. . . His Majesty is, therefore, pleased further to order, and it is hereby ordered, that nothing herein contained shall extend to subject to capture or condemnation any vessel, or the cargo of any vessel, belonging to any country not declared by this order to be subjected to the restrictions incident to a state of blockade, which shall have cleared out with such cargo from some port or place of the country to which she belongs, either in Europe or America, or from some free port in His Majesty’s colonies, under circumstances in which such trade, from such free ports, is permitted, direct to some port or place in the colonies of His Majesty’s enemies, or from those colonies direct to the country to which such vessel belongs, or to some free port in His Majesty’s colonies, in such cases, and with such articles, as it may be lawful to import into such free port; nor to any vessel, or the cargo of any vessel, belonging to any country not at war with His Majesty, which shall have cleared out under such regulations as His Majesty may think fit to prescribe, and shall be proceeding direct from some port or place in this kingdom, or

The U.S. and the Problem of Neutrality, 1803-1808

from Gibraltar, or Malta, or from any port belonging to His Majesty's allies, to the port specified in her clearance; nor to any vessel, or the cargo of any vessel, belonging to any country not at war with His Majesty, which shall be coming from any port or place in Europe which is declared by this order to be subject to the restrictions incident to a state of blockade, destined to some port or place in Europe belonging to His Majesty, and which shall be on her voyage direct thereto; but these exceptions are not to be understood as exempting from capture or confiscation any vessel or goods which shall be liable thereto in respect of having entered or departed from any port or place actually blockaded by His Majesty's squadrons or ships of war, or for being enemy's property, or for any other cause than the contravention of this present order.

And the commanders of His Majesty's ships of war and privateers, and other vessels acting under His Majesty's commission, shall be, and are hereby, instructed to warn every vessel which shall have commenced her voyage prior to any notice of this order, and shall be destined to any port of France, or of her allies, or of any other country at war with His Majesty, or to any port or place from which the British flag, as aforesaid, is excluded, or to any colony belonging to His Majesty's enemies, and which shall not have cleared out as is hereinbefore allowed, to discontinue her voyage, and to proceed to some port or place in this kingdom, or to Gibraltar or Malta; and any vessel which, after having been so warned, or after a reasonable time shall have been afforded for the arrival of information of this His Majesty's order at any port or place from which she sailed, or which, after having notice of this order, shall be found in the prosecution of any voyage contrary to the restrictions contained in this order, shall be captured, and, together with her cargo, condemned as lawful prize to the captors.

And whereas countries not engaged in the war have acquiesced in these orders of France, prohibiting all trade in any articles the produce or manufacture of His Majesty's dominions; and the merchants of those countries have given countenance and effect to those prohibitions by accepting from persons, styling themselves commercial agents of the enemy, resident at neutral ports, certain documents, termed "certificates of origin," being certificates obtained at the ports of shipment, declaring that the articles of the cargo are not of the produce or manufacture of His Majesty's dominions, or to that effect:

And whereas this expedient has been directed by France, and submitted to by such merchants, as part of the new system of warfare directed against the trade of this kingdom, and as the most effectual instrument of accomplishing the same, and it is therefore essentially necessary to resist it:

His Majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that if any vessel, after reasonable time shall have been afforded for receiving notice of this His Majesty's order, at the port or place from which such vessel shall have cleared out, shall be found carrying any such certificate or document as aforesaid, or any document referring to or authenticating the same, such vessel shall be adjudged lawful prize to the captor, together with the goods laden therein, belonging to the person or persons by whom, or on whose behalf, any such document was put on board.

Question	Answer
To what French action(s) is the British Council reacting?	

The U.S. and the Problem of Neutrality, 1803-1808

List some of the steps the British will take in retaliation for French actions.	
What fraudulent activity is described?	
How do these orders impact the United States as it tries to trade freely and with neutrality wherever customers can be found?	

Directions (Group #2): Read the documents below and answer the questions that follow. As you are reading, highlight or underline words that are unfamiliar to you and then look up their meaning in a dictionary.

The Berlin Decree November 21, 1806:

<http://teachingamericanhistory.org/library/index.asp?document=1901>

From our Imperial Camp at Berlin, November 21, 1806.

Napoleon, Emperor of the French and King of Italy, considering:

1. That England does not admit the right of nations as universally acknowledged by all civilized people;
2. That she declares as an enemy every individual belonging to an enemy State, and, in consequence, makes prisoners of war, not only of the crews of armed vessels, but also of merchant vessels, and even of the supercargoes of the same;
3. That she extends or applies to merchant vessels, to articles of commerce, and to the property of individuals, the right of conquest, which can only be applied or extended to what belongs to an enemy State;
4. That she extends to ports not fortified, to harbours and mouths of rivers, the right of blockade, which according to reason and the usage of civilized nations, is applicable only to strong or fortified ports;
5. That she declares blockaded, places before which she has not a single vessel of war, although a place ought not be considered blockaded but when it is so invested as that no approach to it can

The U.S. and the Problem of Neutrality, 1803-1808

be made without imminent hazard; that she declares even places blockaded which her united forces would be incapable of doing, such as entire coasts, and a whole empire;

6. That this unequalled abuse of the right of blockade has no other object than to interrupt the communications of different nations, and to extend the commerce and industry of England upon the ruin of those of the continent;
7. That this being the evident design of England, whoever deals on the continent in English merchandise favors that design and becomes an accomplice;
8. That this conduct in England (worthy of the first ages of barbarism,) has benefitted her, to the detriment of other nations;
9. That it being right to oppose to an enemy the same arms she makes use of, to combat as she does, when all ideas of justice and every liberal sentiment (the result of civilization among men) are discarded;

We have resolved to enforce against England the usages which she has consecrated in her maritime code.

The present decree shall be considered as the fundamental law of the empire, until England has acknowledged that the rights of war are the same on land as at sea; that it cannot be extended to any private property whatever, nor to persons who are not military, and until the right of blockade be restrained to fortified places, actually invested by competent forces.

ARTICLE I. The British islands are declared in a state of blockade.

ARTICLE II. All commerce and correspondence with the British islands are prohibited. In consequence, letters or packets, addressed either to England, to an Englishman, or in the English language, shall not pass through the post-office and shall be seized.

ARTICLE III. Every subject of England, of whatever rank and condition soever, who shall be found in the countries occupied by our troops, or by those of our allies, shall be made a prisoner of war.

ARTICLE IV. All magazines, merchandise, or property whatsoever, belonging to a subject of England, shall be declared lawful prize.

ARTICLE V. The trade in English merchandise is forbidden; all merchandise belonging to England, or coming from its manufactories and colonies, is declared lawful prize.

ARTICLE VI. One half of the proceeds of the confiscation of the merchandise and property; declared good prize by the preceding articles, shall be applied to indemnify the merchants for the losses which they have suffered by the capture of merchant vessels by English cruisers.

ARTICLE VII. No vessel coming directly from England, or from the English colonies, or having been there since the publication of the present decree, shall be received into any port.

ARTICLE VIII. Every vessel contravening the above clause, by means of a false declaration, shall be seized, and the vessel and cargo confiscated, as if they were English property.

ARTICLE IX. Our tribunal of prizes at Paris is charged the definitive adjudication of all the controversies, which by the French army, relative to the execution of the present decree. Our tribunal of

The U.S. and the Problem of Neutrality, 1803-1808

prizes at Milan shall be charged with the definitive adjudication of the said controversies, which may arise within the extent of our kingdom of Italy.

ARTICLE X. The present decree shall be communicated by our minister of exterior relations, to the kings of Spain, of Naples, of Holland, and of Etruria, and to our allies, whose subjects, like ours, are the victims of the injustice and the barbarism of the English maritime laws.

ARTICLE XI. Our ministers of foreign affairs, of war, of the navy, of finance, of the police, and our post masters general, are charged each, in what concerns him, with the execution of the present decree.

Question	Answer
List some of the ways that Napoleon suggests that the British have kept neutral nations from trading with the continent.	
List several orders that describe how France and its allies will deal with British encroachment.	

The Milan Decree, December 17, 1807:

<http://teachingamericanhistory.org/library/index.asp?document=1902>

Every vessel which has been visited by an English ship, or which has submitted to make a voyage to England, or has paid any duty to the English government, is by this alone declared to become DENATIONALISED, to have forfeited the rights of her flag, and shall be considered as English property.

All vessels which thus through the arbitrary measures of the English government have forfeited the rights of their flag, and might come into our harbors or in those of our allies, or might fall into the hands of our ships of war or privateers are declared good and lawful prize.

Every vessel of whatever nation she may be, or of whatever description her cargo may be, which is cleared out in the harbors of England, or in English colonies, or in places in possession of English troops or steering her course to England, English colonies, or to places in possession of English troops, shall be considered good and lawful prize.

The British islands are declared in a state of Blockade both by Sea and Land!!!

The above decree is dated at Milan, the 17th Dec. 1807.

The U.S. and the Problem of Neutrality, 1803-1808

Question	Answer
According to this document, how will the French deal with all ships stopped by the British?	

Directions (Group #3): Read the document below and answer the questions that follow. As you are reading, highlight or underline words that are unfamiliar to you and then look up their meaning in a dictionary.

Jefferson's Third Annual Message to Congress, October 7, 1803:
http://avalon.law.yale.edu/19th_century/jeffmes3.asp

We have seen with sincere concern the flames of war lighted up again in Europe, and nations with which we have the most friendly and useful relations engaged in mutual destruction. While we regret the miseries in which we see others involved let us bow with gratitude to that kind Providence which, inspiring with wisdom and moderation our late legislative councils while placed under the urgency of the greatest wrongs, guarded us from hastily entering into the sanguinary contest, and left us only to look on and to pity its ravages. These will be heaviest on those immediately engaged. Yet the nations pursuing peace will not be exempt from all evil. In the course of this conflict, let it be our endeavor, as it is our interest and desire, to cultivate the friendship of the belligerent nations by every act of justice and of incessant kindness; to receive their armed vessels with hospitality from the distresses of the sea, but to administer the means of annoyance to none; to establish in our harbors such a police as may maintain law and order; to restrain our citizens from embarking individually in a war in which their country takes no part; to punish severely those persons, citizen or alien, who shall usurp the cover of our flag for vessels not entitled to it, infecting thereby with suspicion those of real Americans, and committing us into controversies for the redress of wrongs not our own; to exact from every nation the observance, toward our vessels and citizens, of those principles and practices which all civilized people acknowledge; to merit the character of a just nation, and maintain that of an independent one, preferring every consequence to insult and habitual wrong. Congress will consider whether the existing laws enable us efficaciously to maintain this course with our citizens in all places, and with others while within the limits of our jurisdiction, and will give them the new modifications necessary for these objects. Some contraventions of right have already taken place, both within our jurisdictional limits and on the high seas. The friendly disposition of the governments from whose agents they have proceeded, as well as their wisdom and regard for justice, leave us in reasonable expectation that they will be rectified and prevented in future; and that no act will be countenanced by them which threatens to disturb our friendly intercourse. Separated by a wide ocean from the nations of Europe, and from the political interests which entangle them together, with productions and wants which render our commerce and friendship useful to them and theirs to us, it cannot be the interest of any to assail us, nor ours to disturb them. We should be most unwise, indeed, were we to cast away the singular blessings of the position in which nature has placed us, the opportunity she has endowed us with of pursuing, at a distance from foreign contentions, the paths of industry, peace, and happiness; of cultivating general friendship, and of bringing collisions of interest to the umpirage of reason rather than of force. How desirable then must it be, in a government like ours, to see its citizens adopt individually the views, the interests, and the conduct which their country should pursue, divesting themselves of those passions and

The U.S. and the Problem of Neutrality, 1803-1808

partialities which tend to lessen useful friendships, and to embarrass and embroil us in the calamitous scenes of Europe. Confident, fellow citizens, that you will duly estimate the importance of neutral dispositions toward the observance of neutral conduct, that you will be sensible how much it is our duty to look on the bloody arena spread before us with commiseration indeed, but with no other wish than to see it closed, I am persuaded you will cordially cherish these dispositions in all discussions among yourselves, and in all communications with your constituents; and I anticipate with satisfaction the measures of wisdom which the great interests now committed to you will give you an opportunity of providing, and myself that of approving and carrying into execution with the fidelity I owe to my country.

Question	Answer
What steps does the document state will be taken to insure the neutrality of the United States?	
What steps will be taken if the neutrality of the United States is abused?	
By what authority does Jefferson make these claims on behalf of the United States?	

Directions: As you discuss these documents in class compile a list of issues that divided the United States and the European belligerents.

Issues

The U.S. and the Problem of Neutrality, 1803-1808

