American trade to the West Indies prior to 1789 was as varied as it was persistent, and frequently as lucrative as it was restricted. During the seventeenth and half of the eighteenth centuries, this trade developed rapidly despite restrictions enacted by England, France, and Spain, and the dangers of uncharted coastlines and West Indian pirates. Smuggling and open violations of British trade regulations were widespread, resulting in economic prosperity for American colonists from 1650 to 1763, but after 1763 a tightening of British law enforcement severely injured American West Indian trade.

The American Revolution saw a continuance of the West Indian trade despite British watchfulness, but when peace was restored in 1783, Americans found themselves excluded from all except Dutch and Danish West Indian ports. Subsequent years brought slight modifications of these restrictions and the evasion of those that were most obnoxious, with the result that by 1789 American West Indian commerce had been largely restored to pre-Revolution levels.

When Stephen Girard’s critical eye surveyed the prospects for a profitable trade with the West Indies in January, 1789, he was no

* This article is based on a dissertation submitted to Temple University in partial fulfillment of the requirements for the degree of Doctor of Education.
newcomer in the field. Indeed, in 1764, French-born Stephen visited Port-au-Prince, Hispaniola, and later made additional voyages to the Caribbean. In January, 1774, after having shipped out of Bordeaux on *La Julie*\(^1\) for Port-au-Prince, where he sustained a loss on merchandise he had purchased on credit, Girard, fearing imprisonment for his debts, obtained a discharge from *La Julie’s* roll, and sailed for New York in July, 1774. From 1774 to 1776, Girard served as mate or captain on vessels sailing from New York for Cap François, Port-au-Prince, and New Orleans. While returning from Cap François in command of *La Jeune Babé* in May, 1776, Girard, fearing for the safety of his crew and vessel, sailed into Delaware Bay and subsequently arrived at Philadelphia early in June.

From July, 1776, to October, 1788, Girard entered successively into three partnerships for the development of the West Indian trade, but found his greatest satisfaction in trading independently. Chartered vessels were sent to Cap François with only mediocre success, but in April, 1784, Girard’s dislike for paying freight charges culminated in his launching of the brig *Les Deux Frères* which, as the *Kitty* in 1786, and *Les Deux Amis* in 1787, made numerous voyages to Le Cap, and fulfilled Girard’s long-cherished ambition of returning to Marseille in 1788.

In mid-April, 1789, Girard, interested in rice and flour speculations to Cap François, and having dispatched *Les Deux Amis* to Marseille, purchased the brigantine *Polly* for £700 Pennsylvania currency. During the balance of the year the *Polly* and the chartered vessels *Exuma*, *Kitty*, and *Oeconomy* voyaged to Cap François with flour, rice, lard, ham, butter and corn meal, valued together at £9,555, and returned with coffee, molasses, sugar, syrup and specie, valued at £8,482. Only the chartered brig *Barnada* failed to reach Le Cap, having been wrecked off the coast of Bermuda. Girard sustained a loss of £105-9s-3d on the venture, but, never one to lament misfortune, dismissed it by saying, “I shall have to forget it and try to make up for it by a renewed activity if possible.”\(^2\)

At the receiving end of Girard’s cargoes to Le Cap was John

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1 Girard obtained his captain’s license in October, 1773, but served as lieutenant on *La Julie*.
Girard, brother of Stephen, who frequently helped Stephen's vessels evade the customs there by filling in blank declarations, receiving prohibited articles omitted from the manifests, or receiving Girard's ships dispatched for Havana or St. Thomas but instructed to stop at Le Cap to "lighten their vessels"—an excellent excuse if the articles proved to be contraband. But this fraternal harmony was broken in April, 1790, when a quarrel over commissions, remittances of out-cargo values, lost merchandise and storage caused Stephen to transfer his business at Le Cap to Aubert, Rouch & Co.

When Stephen purchased the brig Kitty from Captain John Cochran for £600 in April, 1790, and dispatched her for Le Cap with a £2,077 cargo of flour, rice, and staves the following May, John Girard was quick to act. Filing a protest against the Kitty's return at Le Cap's Admiralty Office, brother John demanded that Stephen pay him £8,651 Hispaniola currency in settlement of Stephen's alleged debt. Threatened with a lawsuit and a long detention of the Kitty, Aubert, Rouch & Co. deducted debatable charges and paid John Girard £6,786 Hispaniola currency.

But the incident was not closed, for in March, 1791, when the Polly was about to be dispatched to Philadelphia with a cargo of coffee and sugar, John Girard, convinced that brother Stephen still owed him £1,725, demanded the immediate payment of that sum by Aubert, Rouch & Co., and threatened to denounce the Polly, expose her Le Cap consignees to a fine, and Stephen to a serious loss. With considerable significance John Girard wrote, "The official declaration calls for 180 quintals of sugar and 7500 pounds of coffee, which is quite different from the cargo, at least 380 quintals of sugar and 20 thousand of coffee."

Believing that John Girard was capable of carrying out his threat, and tacitly admitting that the Polly's invoice differed from the actual cargo by more than one half, Aubert, Rouch & Co. paid John the sum demanded. Stephen contented himself with refuting John's

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3 Girard to Captain William Edger, Philadelphia, April 21, 1789, Letters Received (1789), 45; Girard to John Girard, Cap Francois, July 29, 1789, Letter Book II, 132.
4 Additional voyages of the Kitty and of the chartered Polly and Sally (I) to Cap Francois in 1790, brought out-cargo valuations to £11,986, while return cargoes were valued at £10,766.
5 John Girard to Aubert, Rouch & Co., Cap Francois, March 24, 1791, Letters Received (1791), 66.
charges and stating, "It is to be hoped that in the future he will be ashamed of his past conduct. As for myself, I shall forget him as well as his charming family."  

On August 23, 1791, a Negro rebellion, caused by the postponing of the enforcement of a French National Assembly decree granting political equality to free people of color, burst into full flame in northern Hispaniola. The Negroes, numbering upwards of 100,000, burned more than 300 plantations and murdered numerous whites. Authorities in Hispaniola's French ports placed an embargo on American ships, and soon specie became scarce, debts remained unpaid, and trade virtually ended.

When the rebellion began, Aubert, Rouch & Co., with 200 barrels of the Kitty's flour in storage, were forced to offer them to the province, and when news of the uprising reached Girard, he was filled with anxiety, more because of his friends at Le Cap than by reason of his business interests there. Upon learning that Mr. Aubert planned to leave Le Cap and settle in Philadelphia or New York, Girard generously offered his services. "As the house I occupy is quite large," he wrote his consignees at Le Cap, "and I keep bachelor's hall, I shall invite him to stay with me and bring all his family with him."

Two weeks prior to the rebellion, the Polly had arrived at Le Cap and taken a cargo of freight to Port-au-Prince. After loading sugar and freight there, Captain William Edger, who found the times "sow defegult that I canot till what is to be done," found himself embargoed until October 7, 1791, and then departed only after paying heavy duties and undergoing a rigorous inspection which forced Étienne Patot & Co., the Polly's consignees, to make a full declaration of the vessel's cargo. When Étienne Patot & Co. expressed regret for this "injury" to his interests, Girard, unconvinced, wrote Aubert, Rouch & Co.:  

I observe that all those who do business with your island declare only one-half or one-quarter of their entrance cargoes as well as of their outgoing cargoes, and I will ask you to conform to this custom as much as you can.  

6 Girard to Aubert, Rouch & Co., Cap François, July [April?] 27, 1791, Letter Book III, 144.  
7 Girard to Aubert, Rouch & Co., Cap François, October 14, 1791, Letters Received (1791), 304.  
8 Captain William Edger, Port-au-Prince, to Girard, September 21, 1791, Ibid., 191.  
9 Girard to Aubert, Rouch & Co., Cap François, December 19, 1791, Letter Book III, 349.
When news of the repeal of the French decree granting political equality to free people of color was received at Port-au-Prince, the mulattoes arose in rebellion on November 21, 1791, and burned more than 300 homes in the town before they were dispersed. Letters from Cap François bore witness to the savagery of the Negroes. "Their savage barbarity," reported a correspondent, "have spared neither age or sex . . . at Léogane they have basely murdered sixty persons who were in the hospital. Other accounts of their treatments of matrons, virgins and infants, would make a Negro blush."10

The Negro uprising at Port-au-Prince caused Girard to avoid that port, but during 1791 and 1792, the Polly, Kitty, and Sally (I) together made fifteen voyages to Cap François, with out-cargoes valued at £29,692 and return cargoes at £27,298, despite unencouraging market prices and large uncollected accounts. Meanwhile, the Negro rebellion continued unabated, so that by the end of January, 1792, all but seven of the northern ports of Santo Domingo were destroyed. Troops landed to quell the uprising were hardly sufficient to replace those killed or lost through sickness, and jealousy and insubordination were everywhere rampant.11 It was not until November, 1792, that the western part of Hispaniola was restored to peace.

In September, 1792, Girard purchased a half-interest in Captain John Cochran's Sally (I) for £700. Not only did the need of an additional vessel prompt Girard's move, but he also wished to aid his brother John, now in New London, Connecticut, recoup the remnants of his fortune at Le Cap, although Stephen, like his father Pierre, believed John to be a "worthless fellow who is not to be trusted."12

On February 1, 1793, France declared war on Great Britain and nine days later opened her colonial ports to American vessels, placing them on an equality with French vessels. President George Washington issued his neutrality proclamation on April 22, and American trade seemed destined to experience a rapid growth. But a French decree of May 9, 1793, authorized French vessels to seize any neutral vessel laden with provisions belonging to neutrals if the

10 National Gazette, February 9, 1792.
11 American Daily Advertiser, May 9, 1792.
12 Girard to the Misses Anne Marie Lafargue and Anne Victoire Girard, Bordeaux, April 5, 1792, Letter Book III, 413. The numerals (I) and (II) are used to distinguish between the two Sallys which Girard used in his West Indian trade.
vessel were bound for an enemy port, since neutral flags were not being respected by the enemies of France. Not to be outdone, Great Britain, on June 8, 1793, authorized the detention of all neutral vessels carrying specified foodstuffs to French or French-controlled ports, and the "purchase" of their cargoes. Fortunately Girard's West Indian trade was not affected by the French decree, inasmuch as his vessels had previously made Cap François their almost exclusive port of call, while return cargoes were all destined for Philadelphia. But the British Order in Council held grave dangers for Girard's vessels, since all of his West Indian trade at this time was with French ports.

Despite reports from Le Cap that the Negroes were surrendering, public and national securities rising, and the prospect of favorable prices for American produce was promising, fate stepped in to impair American commerce on June 20, 1793, when the city of Cap François was sacked, two-thirds burned, and more than 600 whites killed during an uprising of mulattoes, free Negroes, and slaves. Fortunately Aubert, Chauveau & Bacon's place of business was not burned, but what was not stolen by looters was placed under requisition by the island authorities. To complicate matters, the counting-house records of Girard's consignees were scattered widespread, many of which were never recovered. Although himself a loser at Le Cap, Girard attempted to console his Baltimore friends for their losses:

I am truly sorry for the misfortunes that you have suffered at the Cape. I am myself one of those in our city to whom the sacking of the city will be most disastrous, but we must be philosophical and try to recoup ourselves elsewhere.

In spite of unsettled conditions in Santo Domingo, Girard not only continued to trade with Le Cap in 1793, but also sent a cargo to Aux Cayes and Jérémie. When the Polly reached Le Cap on July 3, 1793, conditions on that island had become so deplorable that Mr. Aubert, who had remained after his two partners had fled, accepted Girard's suggestion that he and his family take advantage of the Polly and embark for the United States so that they might, in Girard's own words, "enjoy the peace which our republican govern-

13 General Advertiser, February 20, 1793; American Daily Advertiser, February 20, 1793.
14 The firm of Aubert, Rouch & Co. became Aubert, Chauveau & Bacon when Mr. Rouch retired in May, 1792, and was succeeded by Mr. Chauveau.
ment, founded as it is on the rights of man, assures to all its inhabitants.”

The Polly left Cap Français for Philadelphia on August 20, 1793, but the next day, at Little Caicos Island, was stopped by two British privateers, who searched the thirty-six passengers and their belongings, confiscated the latter, and sailed the Polly into Nassau with a prize crew. Not until September 9, 1793, were the vessel and cargo adjudged the property of Girard and their release effected.

The capture and detention of the Polly gave rise to rumors that the wealth of Stephen Girard was founded on the confiscated belongings of refugees from the Santo Domingan disorders. That this was not true was attested by Mr. Aubert himself, who, like many other passengers, had put his possessions in coffee barrels aboard the Polly, only to find that when this fact was disclosed by a member of the Polly’s crew and several servants, the privateers placed these barrels on board their captain’s vessel.

A heavy blow was struck at American trade on November 6, 1793, when Great Britain, reverting to the Rule of 1756, ordered the detention of all ships carrying the produce of a French colony, or supplies for the use of such a colony. This order was relaxed on January 8, 1794, to permit American vessels to carry French colonial produce, exclusive of military or naval stores, to the United States.

Prior to this British edict, Girard had dispatched the Sally (I) for Martinique or the Windward Islands and Le Cap. After advising his consignee, L. Trinquart, St. Marc, that in the event the Sally (I) arrived there he was to accept no freight, except for his account, Girard added that should any Frenchman wish to ship goods to him, they were to be accepted and Captain John Cochran, co-owner of the Sally (I), was to remain in complete ignorance of their real ownership. In this manner, Girard reasoned, Captain Cochran would stanchly defend his cargo as being American, should privateers overhaul him. “All you need to do,” wrote Girard, “is to mark everything S. G. . . . and . . . reimburse yourself on me to the order of some fictitious name.”

16 Girard to Aubert, Chauveau & Bacon, Cap François, July 7, 1793, Ibid., 414.
17 M. Aubert, Providence, to Girard, August 29, 1793, and September 5, 1793, Letters Received (1793), 384, 405.
18 Girard to L. Trinquart, St. Marc, June 23, 1793, Letter Book IV, 399. Additional voyages of the Sally (I), Polly, Kitty and the chartered Betsey brought out-cargo valuations during 1793 to £19,799, and return-cargo valuations to £8,386.
The Sally (I) did not visit St. Marc, but late in November, 1793, Captain Cochran did sail for Aux Cayes, Hispaniola, where, after selling most of his cargo of flour, pork, and boards, and being dispatched for Philadelphia on February 25, 1794, he ran afoul of the British Order of November 6, 1793. Hardly had he lifted anchor, when he was captured by the British privateer Hauck and the frigate Success and taken to Kingston, Jamaica, where both vessel and cargo were libelled in the Court of Vice Admiralty as being French property, inasmuch as Stephen Girard had been born in France. It was not until May 20, 1794, that the Sally (I) was released by the court, and then only when news of the relaxation of the obnoxious British Order became known in Jamaica, and Girard had sent proof of his and Captain Cochran’s American citizenship. Then, condemning James Kingston, owner of the Hauck, who still insisted upon the trial of the Sally (I)’s cargo, Girard wrote Captain Cochran, “I hope that the papers which I have sent you . . . will fully prove to that gentleman that I am as good an American as he is a complete pirate.”

Since no reimbursement was awarded Girard for damages or expenses incurred while the Sally (I) was detained at Kingston, Girard laid claim to the British Government for $8,666.67.

When yellow fever broke out in Philadelphia in July, 1793, Girard neglected his trade to render outstanding public service at the Bush Hill Hospital, where he and Peter Helm heroically, and at the risk of their lives, attended to the needs of the sick. Despite his labors at Bush Hill, Girard managed to dispatch the Kitty, Captain William Waters, on August 8, 1793, for Jérémie, Hispaniola, with a £4,088 cargo of flour, butter, lard, wine, soap and sweet oil.

On September 19, 1793, while the Kitty lay at Jérémie, a British fleet anchored there and subsequently took possession of the port. The change in government paralyzed trade for a time, but when Captain Waters was finally permitted to leave for the Caymites, he did so, loading there a cargo of coffee, cocoa, and specie. After leaving the Caymites for Philadelphia on November 3, 1793, the Kitty ran

19 Girard to Captain John Cochran, Kingston, June 18, 1794, Letter Book V, 100. Girard became a “free citizen” of the Commonwealth of Pennsylvania by reason of oaths taken in 1778 and 1779.

20 Girard to Thellusson Bros. & Co., London, January 18, 1796, Ibid., 630. After two more voyages to the Caribbean, the indisposition of Captain Cochran to return to sea caused the sale of the Sally (I) on December 5, 1795 to Thomas Newmann at John Connelley’s auction.
into a gale which forced Captain Waters to cut away the mainmast and make for the Windward Islands for repairs and supplies. As the Kitty sighted Guadeloupe on January 9, 1794, it was captured by the French privateer L'Intrepide, and carried into Basse-Terre, Guadeloupe, for adjudication. When the District Court acquitted both vessel and cargo on January 18, the owners of the privateer appealed the case to Governor Collot and Intendant Voisin of Guadeloupe, who, accusing Captain Waters of supplying provisions to the English, arbitrarily reversed the findings of the court and condemned both vessel and cargo.

At first Girard declined to protest this unjust condemnation to the United States Government, his strong attachment to the cause of France causing him to keep secret the “infamous and piratical conduct” indulged in by the officers of France then in power at Guadeloupe, but as the illegality of the affair impressed itself upon him, he protested the Kitty’s condemnation to Secretary of State Edmund Randolph vigorously:

The unjust motive given by the said Governor and Intendant for their unlawful condemnation of said vessel and cargo, together with the inhuman treatment which Capt. Waters and his people have experienced by imprisonment and their being plundered in the same manner as if they had been taken by the Algerines, claim your particular attention. . . . As a citizen of the United States I claim the protection of government.

Copies of the papers relative to the Kitty’s condemnation were given to Secretary of the French Legation Le Blanc, who, with Citizen Fauchet, Minister of the French Republic, promised to forward them to France in support of Girard’s claim of $30,669.51.

Nor was the Polly more successful. Although dispatched on December 3, 1793, for Pointe-a-Pitre, Guadeloupe, with a £3,104 cargo of sweet oil, soap, olives, port and anchovies, the Polly put in at Basse-Terre during the latter part of December, preceding, therefore, the arrival of the English fleet in the Windward Islands, after which the British pretended that all French islands were in a state of blockade. When Captain John Congdon sailed from Basse-Terre for

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21 Girard to Citizen Le Blanc, Philadelphia, June 5, 1794, Ibid., 90.
22 Girard to Edmund Randolph, Philadelphia, June 6, 1794, Ibid., 88. Girard later repurchased the Kitty for $1,800, and then, to avoid compromising his claim against the French government, sold her in November, 1795, for $3,300. Girard's Journal (1795), 134.
23 Girard’s Journal (1795), 134.
Philadelphia in April, 1794, his vessel fell within the scope of instructions sent from England directing all British men-of-war and privateers to seize "all vessels passing or repassing to or from French islands" and to conduct them to such British possessions as St. Kitts, Nevis, Montserrat and Dominica. Captured by the English privateer Enterprise on April 19, the Polly was carried to St. George's, Bermuda, where both vessel and cargo were condemned on June 14, 1794. Although the vessel and cargo were acknowledged to be American property, they were condemned on the pretext that Captain Congdon sold his cargo at Basse-Terre, Guadeloupe, a French port blockaded by the British. Girard unsuccessfully appealed the decision, and later claimed a loss of $23,947.94, exclusive of damages and interest.

Although British armed forces captured Port-au-Prince on June 5, 1794, and were reported to have removed "every molestation" to American commerce with their own West Indian islands, Girard's three ventures in that year were sent to Aux Cayes and Guadeloupe, his out- and return cargoes being valued at $47,563 and £18,968, respectively.

Five months after the Polly's condemnation, John Jay signed a treaty with Great Britain on November 19, 1794, and a storm of disapproval swept the United States concerning his failure to wring important concessions from England. Girard, who believed it was "time for Americans to open their eyes, for they may readily fall back into slavery," vigorously opposed Jay's Treaty because it failed to remedy the deplorable situation in which American commerce found itself.

On August 20, 1795, a group of Philadelphia merchants and traders drew up a resolution addressed to President Washington approving the ratification of Jay's Treaty by the Senate. Girard's name was significantly absent from the list of signers, but eight months later he served as chairman of a meeting of citizens of Philadelphia and vicinity, who formulated an "Address to the House of Representatives" in which Jay's Treaty was declared to be "unequal.

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24 American Daily Advertiser, March 12, 1794.
26 United States Gazette, September 10, 1794.
27 Girard to Paul Bentalou, Baltimore, July 6, 1795, Letter Book V, 446.
in its stipulations, derogatory to our national character, injurious to our general interests,” and one offering insult instead of redress, all of which might eventually lead to war.28

In November, 1794, the French National Convention decreed that merchandise belonging to the enemy was liable to seizure in neutral vessels until the enemy should exempt from seize French property similarly situated, but the following January the French relaxed this decree sufficiently to exempt enemy goods from capture in neutral vessels. Since Girard’s West Indian trade was mainly with French ports, this decree had no effect on that trade.

Feeling the need of a companion vessel to the Sally (I) in the West Indian trade ever since the condemnation of the Kitty and the Polly, Girard purchased the schooner Nancy on November 25, 1794, for $3,400, and on December 17, dispatched her, with Captain Paul Post in command, for one or more unblockaded ports in the West Indies. While giving market-glutted Santo Domingo a wide margin on January 5, 1795, Captain Post was unfortunately captured at the entrance to the Bay of Pointe-à-Pitre, Guadeloupe, by the French privateer La Sans Pareille, and taken to Petit-Canal, where he was refused the neutral privilege of sailing to another port, and forced to sell his cargo to the French Government at prices lower than those paid by private merchants.29 Moreover, in payment for his cargo, Captain Post was obliged not only to accept sugar, coffee, and cotton at prices which were twenty-five per cent above the market price, and then wait eighty days instead of the promised fifteen for the goods to be delivered, but also had to accept drafts on the Citizen Consul General for the balance of the out-cargo’s value. Girard estimated that the Nancy’s capture occasioned a loss of $11,539.46, and this sum was later included in his claims against France.

In February, 1795, the British declared the French islands of Guadeloupe and Marie Galante in a state of blockade, and began seizing, for adjudication, neutral vessels which, having been warned away once, persisted in returning to the islands. In retaliation, the French at Guadeloupe declared the British islands in a similar state of blockade, and began seizing all neutral vessels trading with them. Soon French raiders were reported to have increased both in numbers

28 American Daily Advertiser, April 21, 1796.
and depredations despite the outfitting of British privateers at public expense to check them.\textsuperscript{30}

When the Nancy did not return to Philadelphia by April, 1795, Girard, fearing that the vessel had been molested by British privateers, wrote Paul Bentalou, "I do not know what to think of our government's attitude; it looks as if they took no interest whatever in the commerce of the United States."\textsuperscript{31} The Nancy arrived at Philadelphia in mid-May, 1795, only to put to sea again on June 24 under her new commander, Captain William Waters, who, with a $21,955 cargo of foodstuffs, tobacco, wine and dry goods, made a "ruinous" voyage to St. Thomas and Cap Francois. But Girard lost no time in lamenting the failure of his only venture in 1795, because he believed it to have been unavoidable. "It is true that it is one of my principles to be very well satisfied with myself," he wrote brother John, "when I feel sure that I have done the best I could."\textsuperscript{32} When brother John bemoaned his own ill fortune and hinted that Stephen was generally lucky in his operations, the latter wrote:

I assure you that . . . although my vessels have arrived here from Guadeloupe, I have nevertheless lost, since I work four times as hard as you. It is quite true that my perseverance, my close application to work and my love for it, which is the only pleasure I have on this globe, have always enabled me to recuperate my losses.\textsuperscript{33}

On March 21, 1796, Girard, who was now "up to his neck in work," and whose undertakings represented "so many pits in which I toil and sweat,"\textsuperscript{34} dispatched the Nancy, now commanded by luckless Captain John Peden, for Port-au-Prince, but directed that the Nancy first stop at St. Nicholas Môle for orders and then take advantage of any British convoy bound for Port-au-Prince. Prospects were bright for a successful voyage as the Nancy put to sea, although Captain Peden mildly criticized his vessel for her lack of a square sail, a steering sail, a marine topgallant sail, a hand pump, brooms and

\textsuperscript{30} \textit{Aurora General Advertiser}, March 25, 1795.
\textsuperscript{31} Girard to Paul Bentalou, Baltimore, April 8, 1795, Letter Book V, 371.
\textsuperscript{33} Girard to John Girard, New London, May 21, 1795, \textit{Ibid.}, 402. Return-cargo valuations during 1795 totaled $55,307. Total valuations for voyages to and from the West Indies frequently include ships not deemed important enough to discuss in the text.
\textsuperscript{34} Girard to Paul Bentalou, Baltimore, January 6, 1796, \textit{Ibid.}, 617. Out-cargo valuations during 1796 totaled $68,130, while return cargoes were valued at $9,683.
sufficient tar.\textsuperscript{35} But the Nancy never reached port, for a few days after leaving Delaware Bay she was wrecked on Mogane Island by a violent gale which caused her to break up upon the shore. All of the crew and part of the cargo were saved by vessels from Bermuda and New Providence. Since the Nancy and her cargo were insured, Girard abandoned them to the underwriters, and ultimately received $4,039.71 for the loss of the Nancy, and $19,693.40 for the loss of her cargo.\textsuperscript{36}

Despite the French decree of July, 1796, whereby neutral vessels were to be treated by France as they allowed themselves to be treated by England, the fitting out of English privateers to prey upon American vessels from Guadeloupe and Cap François, and the news from Bermuda reporting the unjust treatment of Americans whose vessels had fallen into British hands, wherein “Trick, artifice, injustice, bribery, anything provided it suits the purpose of plunder,” were used,\textsuperscript{37} Girard planned to initiate a new vessel, the Sally (II), in his West Indian trade. Launched late in August, 1796, and costing $4,303.45, including “launching entertainment,” the Sally (II) was loaded with flour, wine, cheeses, silk shoes, empty demijohns, knockdowns, staves, linens, nankeens and other assorted dry goods, valued together at $47,287, and dispatched under Captain William Colladay, Jr., for British-held Port-au-Prince on October 13, 1796. Part of the Sally (II)’s cargo, the dry goods, violated British proclamations which prohibited the importation of that article into British-held Santo Domingan ports by American citizens in their own vessels.\textsuperscript{38}

Hearing that French warships were seizing neutral vessels “that have not made their flag respected” while enroute to British ports, Girard furnished Captain Colladay with two sets of instructions. One, for French cruiser inspection, stated the vessel’s destination as one or more French ports of Hispaniola. The other directed Captain Colladay to proceed to Cap Nicholas Môle, await there a safe British convoy to Port-au-Prince, and, upon approaching that port, “hoist a red Jack at the fore gallant mast head” and then anchor in the

\textsuperscript{35} Captain John Peden, Cape Henlopen, to Girard, March [undated—26?], 1796, Letters Received (1796), \textsuperscript{111}.

\textsuperscript{36} Girard’s Journal (1796), 199, 264.

\textsuperscript{37} Aurora General Advertiser, April 23, 1796.

\textsuperscript{38} American Daily Advertiser, March 12, 1796, and December 9, 1796.
outharbor or warship anchorage. On the return trip, the Sally (II) was to seek a safe convoy out of the Bay of Léogane and then proceed to Philadelphia. Should the vessel meet any French cruisers while enroute home, Captain Colladay was directed to “tell them that the destination of your present voyage was for Léogane, but having met with a British cruiser who had obliged you to go to the Môle and from there to Port-au-Prince, you had been forced to sell your cargo in the last port.”

Girard preferred a British-held port of Hispaniola to a French port at this time because American commerce to the latter frequently suffered from unjust captures, poor prospects of payment for cargoes, heavy duties on imports and arbitrary conduct on the part of the French commissioners. Captain Stoy, whose vessel was condemned by the French at Santo Domingo, stated it well when he wrote, “When our vessels are tried, we might as well be a thousand miles off, for they will not hear a word we have to say.”

Captain Colladay was also given two sets of invoices and bills of lading. One set contained the provisions on board the Sally (II), while the other listed the forbidden dry goods. If the vessel was stopped by French cruisers, Captain Colladay was instructed to show them both invoices, but if a British cruiser or British port official demanded the vessel’s invoice, the captain was directed to exhibit only the invoice containing the provisions.

The Sally (II) left Cape Henlopen on October 17, 1796, with a fleet of thirty sail, and arrived at Cap Nicholas Môle twelve days later, where British men-of-war visited the vessel and impressed one of Captain Colladay’s men for service on H.M.S. Hannibal. On November 3, Captain Colladay sailed under British convoy for Port-au-Prince, but eight days later put in at Arcahaie, eighteen miles north of her destination, where the prohibited dry goods were unloaded with “much care and trouble” and “round about procedures.”

40 American Daily Advertiser, January 21, 1797.
42 Massac & Co., Port-au-Prince, to Girard, November 18, 1796, Letters Received (1796), 369.
After long delays at Port-au-Prince, where the balance of the cargo was sold, a return cargo of sugar and coffee, valued at $54,616, was finally placed aboard the *Sally (II)* and, when the cargo had been made to appear the venture of Captain Colladay, and a declaration sworn to the effect that the vessel had met a British frigate near Tortuga Island and had been compelled to put in at the Môle, where it had been ordered to Port-au-Prince, the brig sailed for St. Nicholas Môle under private armed convoy, and thence to Philadelphia. Despite the discouraging sales accounts of the *Sally (II)*'s cargoes, Girard decided to retain her in the West Indian trade during 1797. Indeed, he would have added another vessel, but the risks proved too great, and furthermore Philadelphia, since December, 1796, had been "in the greatest confusion so far as business was concerned."43

Meanwhile, the French continued their seizure of American vessels in the Caribbean. An *arrêt* by Victor Hugues, the "tyrant of Guadeloupe," on February 1, 1797, declared neutral vessels and cargoes "good prize" if destined for Windward and Leeward Island ports captured by the British.44 In March, 1797, it was further reported that Hugues had not only announced a French declaration of war on the United States, but that the 250 American prisoners allegedly held at Guadeloupe were treated "far worse" than British prisoners because "it was a favorite maxim with Hugues that the British were enemies, but the Americans were a pack of double-faced rascals."45

Undismayed by the gloomy prospect in the West Indies, Girard loaded a $41,916 assorted cargo on the *Sally (II)*, Captain John Dorson, and dispatched her for Port-au-Prince on March 11, 1797. To mislead French cruisers, Captain Dorson not only had dual instructions and invoices, but was directed to sail to Gonaïves, Hispaniola, dispose of his cargo, and deliver letters of introduction to General Toussaint L'Ouverture, Civil Commissioner Sonthonax, and other officials. Captain Dorson's bona fide instructions were to proceed to Cap Nicholas Môle, unload part of the brig's cargo, and then await a safe convoy to Port-au-Prince. As an inducement, Girard authorized the giving of a gift to the captain of the armed escort after

44 *United States Gazette*, February 28, 1797.
45 *American Daily Advertiser*, March 22, 1797.
the Sally (II) had safely reached her destination. The Sally (II) left Cape Henlopen on March 18, 1797, arrived unmolested at Port-au-Prince, secured there a cargo of coffee and sugar, valued at $51,112, and was dispatched on May 18 under the protection of the armed brig Jason, whose owners were paid 200 gourdes for this service, finally arriving at Philadelphia on June 9, 1797, after an uneventful passage.

During 1797 to 1798, relations between France and the United States were exceptionally inharmonious. French seizures of American vessels continued unchecked during 1797, with the result that in May, 1798, Congress empowered American cruisers to capture all French vessels that interfered with American commerce. Moreover, on June 13, 1798, the United States suspended commercial relations with France, and twelve days later Congress authorized American merchant vessels to defend themselves against search, restraint, or seizure by any armed vessel flying the French flag.46

On July 7, 1798, the United States abrogated the treaties of 1778 with France, because France had not only repeatedly violated them, but had refused American reparation claims, treated attempts to adjust complaints with indignity, and pursued “predatory violence” against the United States.47 In addition, American cruisers were directed to seize all French vessels wherever found. There began, therefore, an undeclared naval war between France and the United States which was to last for two and one half years and to cause the capture of several score of armed French vessels in West Indian waters.

When the Liberty returned from Bordeaux in March, 1797, Girard, regretting that “a kind of misunderstanding” existed between the French Republic and the United States, decided to open a new branch of commerce for his vessels by sending them to Havana, Cuba. Accordingly, the Liberty, Captain Thomas Lillibridge, was loaded with a cargo of foodstuffs and dry goods, valued at $55,210, and dispatched to Havana on May 9, 1798. To permit the Liberty's entrance at Havana, Girard secured a Spanish passport which, how-

47 Philadelphia Gazette, July 9, 1798.
ever, excluded the vessel's flour. To dispose of the flour, Girard wrote supercargo Alexander Dobignie significantly:

I flatter myself that by your perseverance and exertion the governor of the Havana will permit the landing there of said flour; in the contrary case I request that you will manage the landing, disposal, or destination of said flour as well as you can.48

In addition, Dobignie was directed to secure permission for Girard to introduce flour and other commodities at Havana, and, when the return cargo was loaded, to obtain two invoices and bills of lading, one set to contain the return cargo and specie to the amount “you will judge proper to clear out,” and the other to list the balance of the specie which was to be concealed on board the Liberty “for the purpose of preventing plunderage from cruisers belonging to some of the powers at war.”49

The Liberty cleared the Delaware Capes on May 13, 1797, and three days later, on pretext of being French or Spanish property, the vessel was captured by the British frigate La Raison and taken to Halifax, Nova Scotia. Distressed at the turn of events, Girard wrote Dobignie:

This is truly a terrible crisis. Our vessels are being seized on every hand. At the present moment there is at the entrance to our river a French privateer of 14 guns. . . .”50

Then, although Girard and Secretary of State Timothy Pickering were not “often of the same mind,” Girard solicited the latter’s “protection and interference,” and Pickering complied by securing a letter from Robert Liston, British Minister to the United States, soliciting the aid of Sir John Wentworth, Governor of Nova Scotia, in giving the Liberty and cargo a full hearing and an impartial trial. The Liberty was acquitted on July 1, 1797, and Captain Lillibridge sailed to Havana, where his cargo was replaced by sugar, logwood, and specie, valued together at $64,436, and then, turning homeward, the vessel arrived at Philadelphia on November 22, just before the ice suspended navigation on the Delaware, a fact that caused Girard

49 Ibid.
50 Girard to Alexander Dobignie, Halifax, May 30, 1797, Ibid., 258.
to observe that he had no communication except with the banks, "which is not always very pleasant." 51

In June, 1797, Girard decided to suspend his West Indian trade despite the fact that he had a new brig, the Modest, on the stocks and a considerable quantity of wine, dry goods, and provisions in his warehouse. "The risks in navigating in your waters," he wrote Massac & Co., "and the insults, etc., that we receive daily from the pirates (a more suitable term than that of armed vessels), have caused me to give up for a time my operations to the islands." Later he added another reason when he condemned the operations of "men of small capital," who were forced to sell their cargoes at Port-au-Prince at lower prices in order to continue their business, as being "ruinous for those who work with their capital." 52

Girard's picture of the perplexities of American trade in the West Indies was hardly exaggerated. A letter from Cap Frangois reported that it was scarcely possible for an American vessel to reach a French port, inasmuch as British ship commanders were endorsing the registers of neutral vessels bound to such ports, and French Commissioners were condemning every vessel whose register was thus endorsed. At Havana, American vessels brought in by French privateers were reported being summarily condemned without even the form of a legal proceeding. 53 The picture was further darkened on January 18, 1798, when the French Directory decreed that if a vessel were loaded with products of England or her possessions, it would be good prize, no matter who might be her owner, and that no foreign vessel which had entered an English port, except in case of necessity, would be able to enter a French port. This was tantamount to saying that the character of a vessel would be determined by that of her cargo.

When rumors reached the United States, early in 1798, that Talleyrand's puppets had been insolent toward President Adams' three envoys to France, they aroused a storm of public indignation, but Girard, believing that the news was spread by speculators who wished to profit by war, doubted that the nation would soon be

51 Girard to Paul Bentalou, Baltimore, December 29, 1797, *Ibid.*, 447. Valuations for outward and return cargoes during 1797 were $122,613 and $213,012, respectively.
53 *American Daily Advertiser*, August 5, 1797, and September 21, 1797.
involved in war. "I do not see any appearance of a rupture," he wrote
William Douglas, Petersburg, Virginia, "without hostilities should
be commenced by this country; this, I expect, will not be the case."54

In March, 1798, Girard, because of the large quantity of goods on
hand, and the advantage offered by the recent British easing of trade
restrictions to permit American vessels to transport colonial produce
from Spanish and Dutch, as well as French colonies and settlements
to the United States, decided to dispatch the Liberty, Captain
Thomas Lillibridge, to Havana. Loaded with flour, ham, wine, sweet
oil and dry goods, valued together at $72,049, the vessel was dis-
patched on April 2, 1798. Girard confided to consignee Sebastian
de Lasa that it was in his power to procure, at a small expense, per-
mission to introduce flour under contract into Havana, "but being
very much averse to everything which carries the coloring of cover-
ing foreign property, I preferred to run my chance of having my brig
Liberty admitted or not."55 Upon the vessel's arrival, de Lasa loaded
a $52,085 cargo of sugar, and Captain Lillibridge sailed for Phila-
delphia, arriving there late in May.

In August, 1798, Girard decided to dispatch his new brig Modest,
Captain Richard George, to Havana for the purpose of settling all
of his affairs there with Sebastian de Lasa. Loading the vessel with
dry goods, wine, sweet oil, branded fruits, cordials, prunes and
 candles, valued together at $94,693, the Modest was dispatched on
August 31, but two weeks later, while off the east coast of Florida, a
sudden squall upset the brig and, despite heroic work on the part of
the captain and crew, it could not be saved. While bearing away
toward Providence in the longboat, the Modest's crew was picked up
by the French privateer La Pourvoyeuse and later transferred to
other vessels. Although losing heavily, Girard counseled supercargo
Dobignie not to think too much about the past. "We must now
plan to repair our loss," he stated. "That is the best thing for us to
do."56

Although Cap François, under the control of General Toussaint,

55 Girard to Sebastian de Lasa, Havana, March 31, 1798, Ibid., 75.
56 Girard to Alexander Dobignie, Havana, November 1, 1798, Ibid., 205. Girard received
$9,800 from the Modest's insurers for the loss of the vessel, and $49,145 for the loss of her
presented a favorable commercial picture for Americans in January, 1799, Girard preferred Havana for his cargoes. On December 6, 1798, having detached the Good Friends, Captain Caleb Earl, from the European trade, Girard dispatched that vessel for Havana with a $75,698 cargo similar to that of the Modest. Supercargo Dobignie was asked to dispose of a half-barrel of beef, a few boxes of wine, some baskets of cordials and several boxes of apples "as a present in favor of such person as you may judge proper."\textsuperscript{57} The Good Friends left the Delaware Capes on December 15, 1798, under the protection of the armed ship Delaware, commanded by Captain Stephen Decatur, and arrived at Havana two weeks later only to find the market dull, sugar prices high, and the competition of American ships keen. After loading the vessel with sugar, cochineal, and indigo, valued together at $69,910, the Good Friends was dispatched for Philadelphia on February 23, 1799, under armed convoy, arriving there early in April.

The prospect for American trade to the West Indies during 1799 to 1800 was not bright. The undeclared war between France and the United States was still in full swing, and depredations upon American vessels were committed persistently by both France and England. Nevertheless, the United States and France signed a convention on September 30, 1800, whereby France absolved the United States from her promise to protect the French West Indies, and to permit France to bring her prizes of war to American ports exclusively, in return for which the United States assumed American spoliation claims against France.\textsuperscript{58}

During the spring and early summer of 1799, Girard's West Indian trade was virtually nonexistent, although in July Girard did dispatch the Mercury, Captain Benjamin Hamon, with a $3,454 cargo of Bearn handkerchiefs, to Cap François, and the Fair American, Captain Benjamin Labree, with a $12,972 cargo of lard, wine, staves, tobacco, ham and flour, for Martinique.

In November, 1799, despite better trade prospects at Cap François, Girard armed the Good Friends and the Liberty to protect his property from pirates or "enemies of our country," and had them convoy the Voltaire to Havana by way of the famous "Hole in the Wall"}\textsuperscript{57} Girard to Alexander Dobignie, Philadelphia, December 6, 1798, Letter Book VII, 231. Out-cargo valuations for 1798 totaled $242,441; return-cargo valuations totaled $52,085. \textsuperscript{58} King, 12.
passage. The *Good Friends*, with twenty carriage guns and small arms, was manned by upwards of fifty men and boys, while the *Liberty* carried twenty guns and had a crew of forty-five. Both vessels were "barricaded and equipped to make an honorable defense," wrote Girard to Paul Bentalou. "They have orders never to attack and never to depart from their route." 59 The *Voltaire* was unarmed, except for six or seven iron bars (swivels) and some boarding hooks hidden in the vessel's sheer for the purpose of dealing with frigates.

Cargoes, consigned to supercargo Alexander Dobignie, were composed of foodstuffs, liquors, horsehair, grindstones, dry goods, demijohns, corks and hams, with values as follows: *Good Friends*, $176,191; *Liberty*, $134,559; and the *Voltaire*, $20,510. Girard directed that signals be adopted so that no separation of the vessels could occur "under pretense, ignorance, neglect, or a bad lookout," and that care should be exercised not to overload the *Good Friends* and the *Liberty* on their return voyage, "so those vessels may be in good sailing trim, their crews not too much crowded, and that in case of necessity their guns may be used with ease." 60

The three vessels sailed for Havana on November 12, 1799, and arrived there eleven days later to find an unfavorable market. The *Good Friends* and *Liberty* were dispatched for Philadelphia in the following February, and after sending the *Good Friends* back to Havana early in April, Girard urged Dobignie to ship him specie, either by paying the duty or running the risk. When Dobignie wrote Girard on April 5, 1800, suggesting that he personally pay Pierre Thomas Denis, Havana merchant, the sum of $20,000 in connection with a letter of credit which Dobignie had given him, and stating that "You may pay him the said twenty thousand dollars without knowledge of how the money is used," Girard expounded a principle to which he strictly adhered:

*My principle against covering foreign property and my desire of having no funds in the Havana after the departure of my vessels from that port, being well known to you, gives me reason to suppose that your attachment for my interest has induced you to believe that a handsome commission would be agreeable to me. Though I am desirous to see my industry rewarded by the accumulation of wealth, I do not wish to deviate from the strictest principle of neutrality which has*

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guided my conduct ever since the commencement of the present French Revolution. Consequently I shall constantly refuse to cover foreign property, either directly or indirectly.  

Dobignie dispatched the *Voltaire* from Havana in company with the United States sloop of war *Warren* on May 5, 1800, and five days later the *Good Friends* was also cleared out for Philadelphia. When the *Good Friends* returned to Philadelphia with her “trifling remittance” of $24,750 in specie, business was “in absolute stagnation” except at the auction, where goods of all kinds were reported being daily sacrificed. The *Good Friends* made two more trips to Havana in 1800 to close Girard’s business in that “infernal country,” despite repeated reports of British captures of American vessels, carrying out-cargoes totaling $50,901, and return cargoes listed at $110,154.  

It should not be assumed that Girard’s spoliation claims against England and France remained dormant during the period of his Havana trade. On the contrary, beginning in 1795, and continuing until 1806, Girard made a determined effort to obtain satisfaction from the Admiralty Courts of both nations. With respect to his West Indian trade, Girard made the following claims against England:

| Amount |
|-----------------|-----------------|
| Capture and detention of the *Sally (I)*, Jamaica, 1794. $8,666.67 |
| Capture and condemnation of the *Polly*, Bermuda, 1794. 23,947.94 |
| **Total**. 32,614.61 |

Copies of Admiralty Court decisions and legal documents pertinent to Girard’s claims were put in the hands of Samuel Bayard, United States Agent for American claims in London, and although Girard knew that Bayard received a salary from the United States Government, he nevertheless felt that he or any other person acting as agent for the American claims should be compensated out of the money so recovered for the care and trouble which was taken for his interests.  

61 Alexander Dobignie, Havana, to Girard, April 5, 1800, Letters Received (1800), 98; Girard to Alexander Dobignie, Havana, April 23, 1800, Letter Book VII, 566. Valuations of out- and return cargoes during 1799 were $347,685 and $69,910, respectively.  
62 Out-cargo valuations totaled $88,868 in 1800, but return cargoes, increased by voyages of seven chartered vessels, totaled $385,261.  
In January, 1798, Girard solicited the aid of George Barclay & Co., London, in settling his claim for the Polly, pointing out that the island of Guadeloupe, where the Polly had traded, had not been blockaded while the vessel was at Basse-Terre nor at the time of the Polly's capture.

On May 12, 1798, the London Court of Appeals reversed the decision of the Bermuda Court in the case of the Polly and cargo, decreeing that the value of that vessel and cargo be restored to her owners without cost or damages, but when the Sally (I)'s claims had not been settled by January, 1801, Girard instructed Joseph Curwen to consult with George Barclay & Co. and United States Minister Rufus King regarding the best manner of recovering those claims. Should Curwen think it proper to allow a "commission or some emolument to those persons who may be favorable to my interests," Girard wrote his lawyer, "I leave with you to act in the most advantageous manner."64

By July, 1803, all of Girard's West Indian claims against England had been settled by the Court of Appeals in London, and these awards, converted into dollars, were:

<table>
<thead>
<tr>
<th>Award</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Polly</td>
<td>$33,132.87</td>
</tr>
<tr>
<td>Sally (I)</td>
<td>10,506.15</td>
</tr>
<tr>
<td>Total</td>
<td>$43,639.02</td>
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</tbody>
</table>

Girard's commercial activities in the West Indies during the period 1792 to 1798, produced seven claims against the French Republic. A brief summary of these claims may be found on the next page.

Early in 1795, Girard entrusted the settlement of his French spoliation claims to Captain Paul Post, who had commanded the Nancy when she was captured by a French privateer in January, 1795. Captain Post was instructed to deliver the dispatches of Secretary of State Edmund Randolph to James Monroe, United States Minister to France, and to solicit Monroe's "particular exertions" to recover Girard's claims.65 Unfortunately the efforts of Fulwar Skipwith, United States Consul at Paris, and Captain Post were unsuccessful.

Supplies sold Santo Domingan Govt. for which *nine bills of exchange* were issued, 1793, payable to Treasurer of Paris. \( \text{£}48,661-17s-8d \)

Supplies sold Santo Domingan Govt. for which *five bills of exchange* were issued, 1793, payable to Principal Paymaster of Marine, Paris. \( 7,753-13s-4d \)

Flour sold Santo Domingan Govt. for which a *Delegation of Civil Commissioner Sonthonax* was issued on Citizen Genêt, 1793. \( 13,809-10s \)

Total. \( \text{£}70,225-1s \)

Approximate total in dollars. \$14,045.00

Sale of 150 bbls. of flour to Cap Frangois Govt., 1792. \( 1,800.00 \)

Capture and condemnation of *Kitty*, Guadeloupe, 1794. \( 30,669.51 \)

Crew expenses incurred by capture and condemnation of *Kitty*, Guadeloupe, 1794. \( 2,000.00 \)

Capture, forced sale, and purchase of cargoes of *Nancy*, Guadeloupe, 1795. \( 11,539.46 \)

Total claims, including those in Livre Tournois. \( \$60,053.97 \)

When the American envoys signed the Convention of 1800 with France on September 30, thereby abrogating the Alliance of 1778, and transferring the spoliation claims of Americans to the United States, Girard pressed his claims, but to no avail. Despairing, Girard sent Joseph Curwen to Paris in April, 1802, to liquidate his claims, advising him to resort to *douceurs* if necessary.

On April 30, 1803, the United States, in purchasing the territory of Louisiana, assumed the claims of United States citizens against France to the extent of \( 20,000,000 \) francs, including claims which were embraced in the Convention of 1800.\(^66\) Since Fulwar Skipwith had so many claims to present, Girard sent his old friend Robert P. Branu to Paris in December, 1803, but Branu soon found that the American Claims Commission was only considering claims that had

been mentioned in a conjectural note appended to the Treaty of 1803, and that Girard's other claims must be presented to the French Council of Liquidation.

After heartbreaking delays and long, drawn-out procedures, the French Council of Liquidation and the American Claims Commission announced their individual and joint decisions with regard to Girard's claims as follows:

**Claims Settled by the French Council of Liquidation**

**Award**

Nine bills of exchange....................17,840 francs in 5% consolidated govt. bonds (income 892 francs annually)

Five bills of exchange.....................3,000-3,200 francs in 5% consolidated govt. bonds (income 150-160 francs annually)

Capture and condemnation of the *Kitty*....................Rejected

Crew expenses of the *Kitty*...........Rejected

**Claims Settled by the American Claims Commission**

**Award**

Sonthonax's Delegation on Genêt....13,900.40 francs

150 bbls. of flour.........................10,276.48 francs

**Claim Settled by Joint Action of Both Bodies**

**Decision**

Capture, forced sale, etc., of *Nancy*..Rejected

Girard was far from satisfied with the settlement of his claims, and kept Robert P. Branu in Europe almost continually up to 1806, vainly trying to reopen the cases of the *Kitty* and the *Nancy*. Moreover, the claims rejected by the French Council of Liquidation and the American Claims Commission were never paid. Efforts were made from time to time, both by Girard and, after his death in 1831, by the Philadelphia Board of Directors of City Trusts, executor of Girard's estate, to recover from the United States the amount of the claims to which Girard seemed so justly deserving. In 1887 this
Board made a determined effort to settle Girard’s claims by filing thirty-one petitions to Congress amounting to over $72,000, but their efforts, like those of Girard himself, were unsuccessful, so that to this day the rejected claims remain unpaid.67

Meanwhile, British Admiralty Court decisions in 1800 and 1801 had established the legality of the “broken voyage” respecting American trade with the Dutch and Spanish West Indies, and in June, 1803, Great Britain permitted direct trade between neutrals and the colonies of her enemies, unless such neutrals carried contraband supplies on their out-voyages.

When the Good Friends was detached permanently from the West Indian trade in December, 1800, Girard spread no sails to the West Indies until 1805, preferring to bend his best efforts toward the success of his commerce in the Eastern Hemisphere and South America,68 but beginning in 1805, and continuing until 1812, Girard gradually tapered off his West Indian trade by dispatching one vessel to the Caribbean Sea during alternate years.

When the Voltaire returned from Lisbon in May, 1805, Girard loaded her with flour, claret, saffron, staves, dry goods and flems, valued together at $69,611, and dispatched the vessel for Havana on June 4, 1805. The Voltaire found a glutted market at Havana, but loaded a $78,656 cargo of sugar, indigo, and Campeche logwood for Philadelphia, arriving there in September, 1805.

The British Court of Appeals delivered its famous decision in the Essex case on July 23, 1805, stating that the original intention of the American shipper violated the Rule of 1756, and therefore the vessel was subject to seizure. Girard believed that since no merchant in his right senses would prefer to reship his goods to a foreign country than to sell his goods at home, the principle of original intention must be applied solely to a neutral merchant who wishes to cover property belonging to a subject of a belligerent power.69

67 Report of the Board of Directors of City Trusts (Philadelphia, 1887), 6. By 1937, the United States Court of Claims had certified $7,150,879.95 in claims out of an estimated total of $20,000,000, but Congress had appropriated less than $4,000,000 to pay these awards. Senate Committee on Claims, French Spoliations, Senate Report No. 618, 75th Congress, First Session (Washington, 1937).

68 During each of the years 1801, 1802, and 1803, Girard was the recipient of cargoes from the West Indies (either wholly or partly on his account or for which he acted as agent), whose valuations were $2,427, $20,748, and $3,187, respectively.

On April 18, 1806, Congress passed the Non-Importation Act which excluded from importation into the United States certain English products which could be manufactured in this country or in countries other than England. Girard was little affected by this act, since his West Indian trade was not only approaching the vanishing point, but the bulk of such trade was not concerned with English colonial products.

On January 6, 1807, Girard dispatched the chartered brig *Drummond*, Captain Peter Bingham, with a $73,715 cargo of flour, butter, lard, flems, linens and handkerchiefs, for three Windward Islands and the Venezuelan port of La Guayra. The *Drummond* arrived at Barbadoes late in January, but, finding the market dull, sailed to St. Pierre, Martinique, and then to Guadeloupe, where supercargo William Lynch sold part of the cargo. By February 21, 1807, the *Drummond* was ready to sail with 1,395 Spanish doubloons for La Guayra, but the demand of the Collector of the Port for clearance duties totaling nearly $11,000, caused her detention. A petition to the Préfet and the payment of $160 secured an abatement of the duties to $111.50, despite the objections of local merchants who resented Lynch’s refusal to sacrifice Girard’s interests by purchasing their “infamous sugars.” Her clearance obtained, the *Drummond* sailed early in March for La Guayra, arriving there on March 6, where Lynch sold most of the vessel’s remaining cargo, and then loaded a $49,867 cargo of cocoa, indigo, and ox hides for Philadelphia.

Napoleon’s Berlin Decree of November 21, 1806, had little effect upon Girard’s West Indian trade, but when the American frigate *Chesapeake* was fired upon by the British man-of-war *Leopard* on June 22, 1807, and Poulson’s *American Daily Advertiser* remarked that, “The unexampled outrage just committed, which swells every vein and warms every heart, tells us that we have a second Independence to gain from Great Britain,” Girard became greatly concerned for his entire trade. When President Jefferson’s proclamation ordered all British ships of war to leave the coast, and demanded

70 William Lynch, Martinique, to Girard, March 1, 1807, Letters Received (1807), 150; Girard’s *Journal* (1807), 105a.
71 *American Daily Advertiser*, July 1, 1807.
reparation of Great Britain, Girard wrote William Thomas & Son, New York:

Although I rank among those American merchants who have since the commence-
ment of the French revolution acted in every instance as a strict neutral, having
uniformly rejected all proposals of covering property, even when the apparent
prospects were very brilliant, I am afraid that my ships will not pass unmolested.72

On November 11, 1807, a British Order in Council declared that
all ports in the power of France or her allies were in a state of block-
ade, and that no neutral vessel could trade with them unless it first
entered a British port, took out a British license to trade, and paid
re-export duties. Retaliating against this Order, Napoleon, on De-
cember 17, 1807, issued his Milan Decree, making every ship sailing
to or from Great Britain or her colonies “good prize,” and every ship
that submitted to the English Orders in Council “denationalized”
and liable to seizure—a decree that virtually closed the most lucra-
tive West Indian markets to American trade.

To cap the climax, the United States, on December 22, 1807, de-
clared an embargo on American vessels, prohibiting them from leav-
ing ports of the United States for those of foreign powers, but per-
mitting them to engage in the coasting trade if they gave bonds to
twice the value of the ship and cargo as a guarantee that the cargo
would be landed in the United States. Girard, having little faith in
the diplomatic skill of British Minister George Rose, who arrived in
Washington in January, 1808, to attempt a settlement of the mis-
understandings between the two nations, wrote:

I am now fully convinced that the present embargo will not be taken off before
the belligerent powers have repealed their blockading decrees and that our flag will
be respected by them. The plan of retaining our wealth and strength at home is
undoubtedly preferable than to be involved in a war created by intrigue, jealousy,
ambition and tyranny.73

By the beginning of March, 1808, Girard, who believed that peace
should be based upon the principle of “free bottom—free goods,” was
 convinced that there was no probability of a general peace taking
place during the year, and that the embargo would be continued
while the war in Europe lasted, “unless an accumulation of insults
and molestation should force our government to take a part in the

73 Girard to Edward George, Charleston, January 22, 1808, Letter Book XI, 96.
Moreover, he condemned “stock jobbing politicians” and Federalists for trying to make the embargo unpopular, believing that since “Americans are generally attached to their country,” the embargo would continue, and that the spectre of war with France, which had been raised, would prove to be a myth.  

On April 17, 1808, Napoleon issued his retroactive Bayonne Decree, sequestering all American vessels in ports controlled by France on the assumption that they must be English ships in disguise, since Congress had forbidden American vessels to depart for Europe or sail south of the equator. None of Girard’s ships were immediately affected by this decree, since all six of them were safely berthed at Philadelphia, but the future for his shipping was unusually dark.

In May, 1808, Girard instructed Yriarte & Lasa, Havana merchants, to begin purchasing sugar for his account, and the following January considered asking permission of his government to send a vessel there to secure that sugar, but additional legislation by Congress to enforce the Embargo Act, and the impossibility of getting gold at Philadelphia, caused him to abandon the plan.

The Embargo Act of December, 1807, proved unpopular from the start. Instead of starving Great Britain into submission, it greatly injured American shipping. Resolutions praying for its recall were adopted by the leading maritime states, and smuggling was rampant. On March 4, 1809, Congress repealed the Embargo Act, but substituted a Non-Intercourse Act which prohibited American trade with England and France or ports under their control. Anxious to take advantage of this opportunity, Girard, on March 18, 1809, dispatched the Rousseau, Captain Myles McLeven, to Havana with a $56,203 cargo of flour, flems, and nankeens. At Havana, Yriarte & Lasa were to load sugar, coffee, indigo, cochineal, tortoise shell and English cottons and chintz to the value of $10,000, “keeping out of view the name of the kingdom where they were manufactured.”

The Rousseau arrived at Havana on April 2, loaded a $65,871 cargo of green coffee and Campeche logwood, and returned to Philadelphia late in May.

74 Girard to Edward George, Charleston, March 2, 1808, and March 21, 1808, Ibid., 151, 168.
76 Girard to Yriarte & Lasa, Havana, March 27, 1809, Ibid., 311.
When British Minister David M. Erskine "modified" his instructions so that Foreign Secretary George Canning was represented as being willing to repeal the Orders in Council if the United States would exclude France from her trade, anxious President James Madison accepted Great Britain's "offer," but when Canning disavowed Erskine's agreement, President Madison regretfully restored non-intercourse with Great Britain on August 9, 1809. Commenting on this latest misunderstanding with the British, Girard, who had dispatched five vessels to Europe during March and May, 1809, wrote Alexander Baring, London:

I am one of those who did not approve of the Non-Intercourse Law. . . . It is to be regretted that the British Government has not sanctioned the arrangements made by Mr. Erskine. How far their non-adherence will prove fatal to the commerce of both countries, time alone will ascertain the results of that unpleasant misunderstanding.77

On March 23, 1810, Napoleon, retaliating against the Non-Intercourse Act, issued his Rambouillet Decree, by which he ordered all American ships that had entered ports under his control since May 20, 1809, be seized and sold. Congress, however, passed Macon's Bill No. 2 on May 1, 1810, opening commerce again with the world, but authorizing President Madison, in case France or Great Britain should officially cease to violate the neutral commerce of the United States before March 3, 1811, to revive non-intercourse against the recalcitrant nation. Girard, seeing no opportunity to improve his trade, wrote Martin Holterman & Son, Gottenburg, "Under the present gloomy prospect of political affairs, American property is much safer at home than abroad."78

Nevertheless, on October 19, 1811, Girard dispatched the Helvetius, Captain John Cochran, to Havana with a $39,047 cargo of flour, flens, listadoes, sailcloth, nankeens and beef, but when the vessel arrived to the glutted Havana market with a damaged cargo, Girard sustained a loss of $5,000. Yriarte & Lasa advanced sufficient money to load the Helvetius with a $50,913 cargo of sugar and Campeache logwood, and after obtaining "some favor" from the Custom House officers, the vessel sailed for New York late in November.

77 Girard to Alexander Baring, London, November 2, 1809, Ibid., 400.
78 Girard to Martin Holterman & Son, Gottenburg, May 14, 1810, Letter Book XII, 90.
At New York, Captain Cochran entered his vessel's cargo for exportation to Europe, but when William H. Thomas, Girard's New York consignee, made an error in the *Helvetius*’ manifest, and Captain Cochran signed the invoice without reading it, the Collector of that port refused to clear the vessel for a foreign destination without the unloading of her cargo, or the securing of permission from the Secretary of the Treasury to dispatch the vessel without landing the cargo. At first Girard denounced the Collector for his stand, believing he was at liberty to dispatch the vessel to any port he judged proper “without unloading one single package of cargo or paying one single farthing to your Custom House.”\(^7\) Eventually, Girard agreed with the Collector in principle, but was “so much mortified” at the turn of events that he ordered Captain Cochran to proceed to Philadelphia in December, 1811. The *Helvetius* arrived at New Castle on January 7, 1812, but was detained by the ice until the following February, when it returned home to Philadelphia, thus ending forever what was once Girard's most lucrative trade.

It is evident from the foregoing sketch of Girard's West Indian trade that from 1794 to 1812, the restrictions of the belligerents and those of the United States seriously affected his operations. Nevertheless, this trade reached its climax near the turn of the century and attained a total out-cargo valuation of $1,367,249, and a return-cargo valuation of $1,253,213 during the period 1789 to 1812.\(^8\) Fifty-eight per cent of Girard's West Indian cargoes found its way to Cap Franҫois, while Havana received twenty-one per cent, Port-au-Prince eleven per cent, and Guadeloupe, St. Thomas, Martinique and other West Indian islands ten per cent.

Girard's West Indian trade clearly reflects the trend of commercial opportunity during the period, for from 1789 to 1793 his ventures to the Caribbean were double those to Europe, but when the British navy swept the merchantmen of France and her allies off the sea, Girard's cargoes to Europe from 1794 to 1807 more than tripled his West Indian ventures. When Girard discontinued forever his West Indian trade in 1812, it was not because of a dislike for his old trading ground, but because advices from the Caribbean were discouraging.


\(^8\) It has been assumed that the equivalent of £1 Pennsylvania currency is $2\(\frac{2}{3}\), and that this equivalent is constant. Girard's *Journal*, "C" (1794), 1.
and because his trade with Europe, Asia, Africa and South America had become unusually profitable.

Girard was a conservative merchant who dealt in staple commodities of proved sale value, but although he was adept in judging markets, not all of his ventures were successful according to his exacting estimates. A firm believer in protection, Girard rarely failed to insure his vessels and cargoes, except when cargoes were relatively unimportant or underwriter's rates were prohibitive.

Luck or fate had little place in Girard's philosophy of trade. Losses were accepted as being for the best, and were to be followed by renewed activity in order to recoup them elsewhere. Perseverance, a systematic application to duty, a love of work and a knowledge of the task at hand were his secrets of success.

New York State Maritime Academy  Albert J. Gares