

## Becoming American (and) Consuls

Why and how would anyone become an American consul in the Mediterranean or elsewhere after the Revolution? Those are the crucial questions to understand the early days of the American consular system, but in order to answer them it is important to comprehend the purpose and evolution of the consular system itself. Trade never just happens on its own, certainly not in the eighteenth and early nineteenth centuries, when relatively slow transit and communications made long-distance commerce more complicated and risky than it is today, with instantaneous communications and fast shipping. Merchants provided transit when they built or purchased ships and financial support when they issued and redeemed bills of exchange to move money around the world. They also provided crucial information through the letters and price currents (literally lists of current prices for goods bought and sold in their ports) that they disseminated to their correspondents. But they were largely incapable of protecting commerce from interference. This could come in many forms, from unforeseen quarantines to hostile local officials, to capture by privateers or Barbary corsairs. To deal with these contingencies and a host of others, ship captains and merchants needed somebody on hand with power who could represent their interests. That is where consuls stepped in. Because they were state officials, local authorities had to take them seriously or risk the possibility of an international incident.

The institution of consulship predated the modern state. In the early days, consuls benefitted from what scholars call full extraterritoriality. Merchants who lived abroad formed small communities that were exempted from local laws (extraterritoriality) and granted various economic, judicial, and

political privileges. These included the ability to elect their own representatives, known as consuls, who served not only as political representatives to the surrounding polity but also as quasi-judicial officials empowered to settle disputes within the merchant community. By the time of the American Revolution and French Revolution, which ushered in the modern nation-state, the institution of consulship was in transition in the United States and other Western powers. Merchant communities residing within nation-states were becoming less autonomous at the same time that the nation-states which they represented began to take over some of the functions that merchant communities once controlled, most notably the appointment of the consuls themselves.<sup>1</sup>

Consuls, then, became an important device for the early nation-state in promoting merchant capitalism. The relatively large number of consuls appointed by the United States early on, particularly in the Mediterranean, can provide a sense that supporting overseas trade was an urgent priority of the new government. Yet, from the perspective of Mediterranean traders and, especially, the consuls themselves, the new US government seemingly evinced as little interest in consuls as subsequent scholars have shown. The causes were both institutional and structural. At the institutional level, the early State Department, and indeed the entire US government, was disorganized and underfunded. As late as 1800 the State Department employed only eight clerks to handle correspondence relating to consuls, ministers, envoys, private citizens, and others throughout the globe, including as many as seventy-nine consuls.<sup>2</sup> The utter lack

<sup>1</sup> Nicholas Barreyre and Claire Lemerrier, "The Unexceptional State: Rethinking the State in the Nineteenth Century (France, United States)," *The American Historical Review* 126 (June 2021) 481–503; Ferry de Goey, *Consuls and the Institutions of Global Capitalism, 1783–1914* (London: Taylor and Francis, 2014) 1–13; Nicole M. Phelps, *US–Habsburg Relations from 1815 to the Paris Peace Conference* (Cambridge University Press, 2013) 13–38; Charles Stuart Kennedy, *The American Consul: A History of the United States Consular Service, 1776–1914* (New York: Greenwood Press, 1990) 1–4.

<sup>2</sup> I found 113 appointments by 1800 based on my examination of the List of US Diplomatic Officers, 1789–1839, M587 RG 59, NARA, which show official appointments for consuls and a few vice-consuls. From that list I find as many as seventy-nine consuls serving in 1800 (by eliminating those who had left before 1800 and those whom I know never served). I counted a few vice-consuls with official appointments. There were undoubtedly other vice-consuls who did not receive official appointments, but there were probably also a good number of appointees whom I counted who never showed up to their posts. William Barnes, *The Foreign Service of the United States: Origins, Developments, and Functions* (Washington DC: US Department of State, 1961) 63, found only fifty-two sitting consuls in 1800. He notes that his source was "a compilation prepared from original records by the Historical Office of the [State] Department" (350).

of responsiveness of those clerks to consuls' frequent requests for information was a direct result of the clerk–official ratio. Crucially, the federal government approved salaries for only four of those consuls, which meant that all the rest, by necessity, had to spend most of their time on private rather than public duties if they hoped to sustain themselves.

This apparent neglect was not accidental or transient. It was baked into the very structure of the early consular service which reflected early Americans' distrust of government and the Federalists' efforts to align the moneyed interests with the new nation. Rather than rely on government to build capitalist infrastructure, early Americans generally used state power to encourage private industry. Domestically, this meant that they granted monopolies and other forms of encouragement to corporations willing to construct bridges, waterworks, and other infrastructure, or they issued bonds that would provide investment vehicles for capitalists while tying them closer to the state. Alexander Hamilton exemplified these tendencies when he created a funding system that relied not on mass taxation but on investment in a national “sinking fund” by moneyed merchants who would thereby find support of the new government to be in their interest so long as they could profit from treasury bonds. By essentially forcing consuls to fund their own activities by depriving them of salaries, the new government followed much the same policy as on domestic infrastructure; that is, providing overseas infrastructure for the activities of merchants at minimal cost to them and to taxpayers. Thus, while the state supported commercial endeavors of all stripes, it was designed most often to do so indirectly and with few actual expenditures, and in this regard the consular system fit logically with contemporary conceptions of the role of the state within the development of American capitalism.<sup>3</sup>

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So, once again, given the lack of salaries in all but the four “Barbary” posts and lack of interest on the part of the State Department, why would anyone want to be a consul? The short answer is prestige and connections. Successful merchants needed to be easily recognized by potential clients and to be perceived as trustworthy and respectable. Newcomers to a port

<sup>3</sup> Brian Murphy, *Building the Empire State: Political Economy in the Early Republic* (Philadelphia: University of Pennsylvania Press, 2015); Andrew Schocket, *Founding Corporate Power in Early National Philadelphia* (Northern Illinois University Press, 2007).

might spend years attempting to build that sort of reputation. A consular appointment allowed merchant-consuls to bypass much of the hard work necessary in reputation-building as their position immediately provided them with name recognition and respectability. At a minimum they would certainly seem more trustworthy than someone whose name was completely unknown to Americans. As representatives of a nation-state, even a second-tier power, consuls were also usually treated respectfully by foreign governments. The remnants of extraterritoriality still protected their persons, their houses, and their employees from interference from the state in which they were posted except in extreme circumstances.

Their appointments also provided consuls with superior access to information and connections compared to most other merchants. In theory, at least, all American ships reported to them upon arriving in port to provide information about their cargoes, points of origins, and destinations. Advice from the State Department (though rare) and other American and non-American consuls also gave them information on changing market conditions that was not accessible or at least not as readily or quickly accessible to most other merchants. As the American community grew, consuls also were able to draw on each other and on other Americans in their circles for capital and valuable advice and support not readily available to less-connected merchants. Finally, though consular positions were unsalaried, merchant-consuls were able to augment their income with fees paid to them by Americans for services such as notarizing documents, issuing passports, handling the property of deceased citizens, and so forth.<sup>4</sup> In short, while a consular appointment certainly did not guarantee success (plenty of consuls failed and returned home), it gave consuls a significant advantage over other merchants in the region. Not surprisingly, then, many of the men who applied to be consuls were individuals who calculated that a consular position would make the difference between success and failure in establishing a merchant house in a new port.

Some of these advantages might appear to be uncomfortably close to corruption or insider trading by modern standards. Contemporaries did occasionally raise concerns, and no doubt some consuls used their offices for personal profit in unsavory ways. Yet consuls themselves mostly believed that their personal interests were generally aligned with national interests. By protecting American ships and allowing American trade to

<sup>4</sup> For a full description of consular duties see J. Sidney Henshaw, *A Manual for United States Consuls* (New York: J. C. Riker, 1849).

expand, they believed they served their country and themselves. This formulation worked better in the early days of Mediterranean trade when the commercial tide was rapidly rising. The relationship between personal profit and national service was, suffice it to say, a complicated one which will receive more discussion in [Chapter 6](#).

The question of *how* one became a consul is actually more complicated than the “why” as is clear from the stories of the three consuls at the center of this book. In the beginning, the State Department had a hard time finding qualified applicants. It had essentially three options. First, it could choose from the vast number of young American men who, in the midst of postwar depression, would be happy to be sent abroad to earn a fortune or at least a competency. There were two problems with this approach. On the one hand, being an effective consul required specialized linguistic, business, and administrative skills that most young men did not possess. On the other hand, even those who possessed the requisite qualifications would have difficulty supporting themselves in most posts due to the inability or unwillingness of the new government to provide them with salaries and resources. A second approach was to appoint foreigners, which was relatively common, particularly for the smaller, less powerful countries. The problem with this option was obvious: non-Americans might have little knowledge of the country they represented and less incentive to represent it well. Third, the government might try to appoint Americans already living abroad. This approach had merits, but it was impossible at the many ports where American ships landed (or merchants hoped to land) but no Americans had settled permanently. Ultimately the first national governments made use of all of these options, each of which is represented by one of our three consuls.

At first, the vast majority of consuls were either non-Americans or Americans who were already living abroad. Only half of the consuls appointed during the Washington administration were listed as American citizens by the State Department.<sup>5</sup> In the Mediterranean region, only three of the eighteen Washington administration appointees were recorded as citizens. This low number reflects the perceived potential utility of Mediterranean ports to the numerous American traders who were already sending goods there or who aspired to do so. Since few Americans were

<sup>5</sup> Names of consular appointees are from List of Diplomatic Officers, 1789–1939, M596 RG59, NARA, which notes birthplaces and citizenships of appointees. As will be discussed below, State Department records are not entirely to be relied on here, due to clerical vagaries and to the difficulty in defining citizenship at this early stage.

living in these strategically important commercial locations, appointing foreigners seemed the only way to begin creating a commercial infrastructure there. Over the entire 1788–1830 period, the Mediterranean would continue to have a high number of noncitizen consuls compared to other areas. Of the citizen-consuls appointed worldwide by the Washington administration for whom we have relevant information, roughly equal numbers were appointed in the United States and sent out to their posts or already resident where they were appointed. To put it differently, only 20 percent of all Washington's consular appointments were Americans who were sent out to their posts from the United States.<sup>6</sup> In the Mediterranean, however, State Department records show only noncitizens and citizens who were sent out from the United States, and not a single resident American appointee until the Adams administration. There was, however, at least one error in these records since Robert Montgomery, one of our three consuls, was in fact a citizen residing in Alicante though not listed as such.

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James Simpson of Gibraltar and Tangier, the first of the three consuls, was an example of a foreigner appointed to represent the United States. Overall, the best estimate is that 23 percent of all American consuls appointed by President Washington were non-Americans like Simpson.<sup>7</sup> Simpson was a Scotsman who appears never to have visited America or to have had any connections there, although his wife's family had been there during the Revolution. An ambitious, but not particularly successful merchant residing in Gibraltar, Simpson clearly was considering ways of making contacts outside of Britain's trading empire in the 1790s. He turned first to Russia, which had a burgeoning trade with the Mediterranean region in this

<sup>6</sup> Or at least only 20% were definitely indicated to be such by the consular recommendations. I doubt, however, whether there were many more since this is the group that is best documented by the recommendation letters as they were most in need of formal appointments, unlike citizens and non-citizens already living abroad who often just volunteered to be consuls at first without any formal appointment or letters of recommendation. These documents are found in Letters of Application and Recommendation during the Administrations of John Adams, Thomas Jefferson, James Madison, James Monroe, John Quincy Adams, and Andrew Jackson, M406, M418, M438, M439, M531, M639 RG59, NARA. They are organized alphabetically within administrations.

<sup>7</sup> Based on List of US Consular officers, 1789–1839, M587 RG 59, NARA. The appointments only list whether appointees' "allegiance" is US or not. Where I have more information on citizenship and appointments I have used it. For the Washington administration I could only label thirty-one of the total of sixty-four appointments with certainty. They broke down into thirteen (42%) Americans appointed in the US; eleven (35%) Americans appointed abroad; and seven (23%) foreigners.

period and was expected to negotiate favorable treaties with the Barbary powers, becoming their consul in Gibraltar by the early 1790s.<sup>8</sup> It is not surprising that he also sought connections with the United States, another rising power with its eyes on the Mediterranean trade.

Because of his location in Gibraltar, Simpson was well connected to British military and other imperial officials who shared a cosmopolitan outlook. He was also part of the broad British Mediterranean network that was heavily populated with Irish, Scots, and Scots-Irish due in large part to the importance of the fish trade. With a North Atlantic location and, frequently, Catholic connections, Irish and Scots-Irish merchants were well positioned to act as brokers between fishermen in Canada, New England, and the Catholic Mediterranean, which had long consumed Atlantic cod due to religious dictates and the convenience of heavily salted cod, known as *bacalao* in the Portuguese and Spanish Mediterranean. This trade connected the Atlantic world to the Mediterranean for centuries.<sup>9</sup> As a Gibraltar merchant, partnered with a Scotsman and with connections in Britain and Lisbon, it would have been Simpson's specialty. A number of other early foreign-born American consuls circulated within the same Anglo-Spanish trading networks as Simpson, including Michael Morphy at Cartagena, William Kirkpatrick at Málaga, and Joseph Ysnardi at Cádiz, a Spaniard who had served for some time in a British mercantile firm.<sup>10</sup> Robert Montgomery of Alicante, although born in the United States, also traded in these circles and in many ways, as we shall see below, was quite similar to Simpson despite being an American citizen.

While Simpson had no apparent connection to the United States, his wife, Harriet Mawby was born there while her father served with the 18th Royal Irish Regiment.<sup>11</sup> The regiment traveled extensively, from

<sup>8</sup> Thomas Barclay to Thomas Jefferson, Dec. 31, 1791; May 10, 1792, both in Gibraltar Despatches; F. L. Humphreys, *Life and Times of David Humphreys* (New York: Putnam, 1917) II: 205.

<sup>9</sup> On the cod trade, see James G. Lydon, *Fish and Flour for Gold, 1600–1800: Southern Europe in the Colonial Balance of Payments* (Philadelphia: Library Company of Philadelphia e-Publication, 2008); Christopher P. Magra, *The Fisherman's Cause: Atlantic Commerce and Maritime Dimensions of the American Revolution* (New York: Cambridge University Press, 2009); Mark Kurlansky, *Cod* (New York: Penguin Books, 1997).

<sup>10</sup> Although not appointed to the Málaga consulship until 1801, Kirkpatrick had been recommended for the position as early as 1791.

<sup>11</sup> There is some confusion about Harriet's father's date of birth because his father, perhaps facetiously, enlisted him as a "volunteer" as a very young child. As a result, Steven M. Baule, *Protecting the Empire's Frontier* (Athens: Ohio University Press, 2014) 74, suggests he may have been born as early as 1760, but his obituary unequivocally states that he was 80 when he died in 1851.

Philadelphia to Illinois, and through the Mississippi valley back to Florida during the Revolution. Though the Mawbys would not have taken part in all these peregrinations, Harriet's father and probably she and her siblings as well, would have seen a good deal of the continent before she returned to England in 1775 at roughly 5 years of age.<sup>12</sup> There is no evidence that she ever sought to return to America or maintained any connections there. It is possible, though, that her recollections piqued her husband's interest in the new republic. This theory is bolstered by the fact that Simpson once specifically requested that David Humphreys, the American minister to Madrid and Lisbon, send him a copy of *Travels through the Interior Parts of America 1776–1781*, written by Thomas Anburey, an officer in the 47th Regiment of Foot during the American Revolution, who could very well have been an acquaintance of the Mawbys.

Simpson's first personal interaction with the United States appears to have been in the early 1790s when he acted as an intermediary between the Washington administration and Francis Chiappi, the Italian who served as the American agent in Barbary. Simpson shipped packets from Chiappi to President Washington. He also sent Washington information on American prisoners held captive in Algiers and would later correspond with their de facto leader, Captain Richard O'Brien.<sup>13</sup> It was no surprise, therefore, that Simpson made a point of meeting the Irish-American consul and diplomat Thomas Barclay when he arrived in Gibraltar in December 1791, en route to Morocco to negotiate a peace treaty. Much to Barclay's dismay, he was forced to spend more than a year in that claustrophobic setting waiting for permission to enter Morocco.<sup>14</sup> During this uncertain and frustrating interlude, the Scottish Russian consul to Gibraltar and the Irish-American consul to France struck up a close and occasionally ribald friendship. When Barclay finally departed Gibraltar for Lisbon in January 1793, he left his personal goods and a great deal of American property intended as presents for the Moroccan emperor at Simpson's country house. Simpson insisted that on his return Barclay should stay in one of his extra bedrooms rather than an inn.<sup>15</sup> In the

<sup>12</sup> *Ibid.*, 1–26, 210–13, 189–91.

<sup>13</sup> James Simpson to George Washington, Apr. 13, 1791; n.d.; Aug. 25, 1791; to Sec. State, Jan. 3, 1794, all in Gibraltar Despatches.

<sup>14</sup> Priscilla H. Roberts and Richard S. Roberts, *Thomas Barclay (1728–1793): Consul in France, Diplomat in Barbary* (Bethlehem, PA: Lehigh University Press, 2008) 260–65.

<sup>15</sup> Barclay to Jefferson, Dec. 31, 1791; Simpson to Barclay, Oct. 18, 1792; Nov. 12, 1792, all in Gibraltar Despatches.



meantime, Simpson essentially served as Barclay's vice-consul, keeping him apprised of events in Gibraltar and handling American business.

Unfortunately, Barclay never returned. He died on January 19, 1793, just two days after arriving in Lisbon. Simpson was shocked to learn the news from David Humphreys. Simpson and Humphreys were now faced with the unpleasant task of opening Barclay's boxes, cataloguing the contents, and going over his accounts. Simpson took charge of these goods, eventually auctioning off some and saving others for use in future negotiations. Disposing of the property of nationals who died in foreign ports was traditionally the job of a consul. As consuls typically did, Simpson also pocketed a fee for his services, \$86.50 in this case, and he received nearly \$1,700 as a reimbursement for purchasing goods and providing services to Barclay.<sup>16</sup>

Simpson was not a US official of any sort at this time, but like other consuls-to-be, including Robert Montgomery, he essentially took on consular duties without invitation or appointment. He wrote Secretary of State Thomas Jefferson, "I am highly disposed to do whatever may be in my power to promote the interests of the United States and . . . I will be extremely careful to give you regular advice of whatever may happen in this part of the world [or] can in any way affect it, until a successor to Mr. Barclay shall answer here." Simpson made good on this promise, sending back frequent reports and handling a number of delicate tasks, including ship captures and a possible plot against American shipping. He also sent a list of American ships landing in Gibraltar and their cargo to the State Department. All of these activities were traditionally performed by consuls. As Russian consul to Gibraltar, Simpson would have been aware of consular duties, and it seems likely he performed them in part to prove his suitability for the position. He increasingly became more explicit about his aspirations, opening a full-scale campaign for nomination in December when he expressed his interest in the position to both Jefferson and David Humphreys.<sup>17</sup> Simpson finally learned he had been appointed US consul in September 1794. Not satisfied with achieving this goal, he immediately pressed Jefferson to appoint him to succeed Barclay in the

<sup>16</sup> "Acct. Sales and Net Proceeds of Sundry Articles Sold at Public Auction by order of Mr. James Simpson, Gibraltar 2nd Oct. 1793"; Simpson to Jefferson, Aug. 23, 1793; Feb. 15, 1793, all in Gibraltar Despatches; Roberts and Roberts, *Thomas Barclay (1728–1793)*, 264.

<sup>17</sup> Simpson to Jefferson, Dec. 18, 1793, "A Return of American Vessels in Gibraltar Bay the 21st Oct. 1793," in Gibraltar Despatches; Simpson to David Humphreys, Dec. 23, 1793; Jan. 16, 1793, both in Simpson Letterbook.

Barbary negotiations. Receiving no word from Jefferson, he soon took it on himself to initiate negotiations on behalf of the United States with Muley Solimon the Moroccan emperor, eventually receiving approval from David Humphreys. He wasted little time in informing Jefferson of his availability for the salaried consulate in Morocco.<sup>18</sup>

Clearly Simpson sought the US consulate both for its ability to provide more contacts and also for the potential of the salaried Morocco position. But what of Simpson's utility to the United States? What he offered was primarily his extensive network of correspondents. Long before arriving in Tangier, he knew most of the Moroccan consuls. "They are all my old acquaintances," he wrote, adding, "I have the satisfaction of being in habits of strict friendship with most of these gentlemen and intimately acquainted with the whole." In recommending Simpson, David Humphreys also commented on his connections, observing that "He has also, a considerable correspondence in Barbary and knowledge of the affairs in that country."<sup>19</sup> Simpson's consular correspondence in Gibraltar alone included ten other consuls. His most frequent and closest correspondent was Peter Wyk, the Swedish consul in Morocco, with whom he was in contact at least eight times between 1792 and 1796, and probably much more frequently. Wyk served as a conduit between Simpson and the Moroccan sultan, even helping Simpson translate his outgoing letters into Arabic.<sup>20</sup> Simpson's other consular correspondents, discussed in more detail in [Chapter 2](#), included Englishmen, a Frenchman, Danes, a Portuguese, and a Spaniard. His ties with these individuals were often quite strong and personal.<sup>21</sup>

The story was quite similar in Livorno, which, like Alicante, was an important node in the transatlantic fish trade and had attracted a good deal of American shipping in the 1770s. The first American consul to Livorno and predecessor to Thomas Appleton, Philip Felicchi, was, like

<sup>18</sup> Simpson to Sec. State, Oct. 20, 1794; Sept. 27, 1794; Sept. 24, 1794; Nov. 1, 1794; Nov. 12, 1794; Feb. 12, 1795; June 22, 1795; July 15, 1795; Aug. 18, 1795; Oct. 29, 1796, all in Gibraltar Despatches; Roberts and Roberts, *Thomas Barclay (1728–1793)*, 266–67. The modern transliteration of the emperor's name is Mawlay Sulaymon. Muley Solimon was typically used by Simpson and his correspondents at the time and I have kept it to avoid anachronism.

<sup>19</sup> Humphreys, *Life and Times of David Humphreys*, II: 205; James Simpson to Sec. State, Dec. 16, 1797, Tangier Despatches.

<sup>20</sup> "Extracts of Letters from Barbary," Nov. 15, 1792; Simpson to Barclay, Nov. 15, 1792; Dec. 13, 1792; Dec. 17, 1792; to Sec. State, Oct. 20, 1794; Nov. 1, 1794; Feb. 10, 1795; Feb. 17, 1795, all in Gibraltar Despatches.

<sup>21</sup> Simpson to Sec. State, Dec. 10, 1797, Tangier Despatches.

Simpson, a resident non-American merchant although, unlike Simpson he had visited the United States twice and had extensive interests there. Although they were not citizens by a long stretch, Felicchi's family was well connected to the American trading network. His father Nicola, who had been a pioneer in the American trade, sent young Philippi to Livorno from his native Umbria in the early 1780s as a representative of the family firm. From there, Phillip embarked on two voyages to America, the first from 1785 to 1788 and the second in 1789 during which he met important merchants from New York, Baltimore, Philadelphia, and Boston as well as his future wife, whom he married in New York, probably in 1789.<sup>22</sup>

Felicchi was first recommended for a consular post in 1791, but, as with most of the early recommendations, nothing came of it due to the general neglect of the consular service. In the meantime – like Simpson, Montgomery, and others – Felicchi took it on himself to act as the de facto American consul. In the fall of 1793 the British Navy, which held a very powerful position in Livorno, threatened to impress American sailors aboard the New York ship *Minerva* under Captain Joseph Ingraham. The British commander argued that the oaths of allegiance taken by the Minervans were not sufficient to prove that they were American rather than English. This was a typical problem for American sailors at the time (some of whom actually did seem to change their national allegiance when it benefitted them) and identifying who was or was not American was a typical consular function.<sup>23</sup>

Felicchi took the matter to both the Italian and British officials, ultimately succeeding in convincing the British to keep their hands off the Americans and allowing the ship to sail on. Felicchi kept the state department informed of the situation and of his successes, sometimes by writing directly to George Washington and sometimes through his American patron, William Seton, who shared his letters with the State Department. Like Simpson and others, he also lobbied for an official appointment. Felicchi made a not-so-subtle hint of his suitability for

<sup>22</sup> Luca Codignola, "Relations between North America and the Italian Peninsula, 1763–1799: Tuscany, Genoa and Naples," in S. Marzagalli, J. R. Sofka, and J. J. McCusker, eds., *Rough Waters: American Involvement with the Mediterranean in the Eighteenth and Nineteenth Centuries* (Newfoundland: International Maritime Economic History Association, 2010) 26–33; Maria Argiero and Algerina Neri, *Bostoniani a Livorno: il Console Thomas Appleton e i suoi conterranei* (Pisa University Press, 2012) 21–22; J. Vinesy to [George Washington], Mar. 1, 1791, Washington Papers.

<sup>23</sup> Matthew Taylor Raffety, *The Republic Afloat: Law Honor and Citizenship in Maritime America* (University of Chicago Press, 2013) 147–96.

a consular position when he wrote Seton, "I think the President of the United States will be pleased to find that the Court of Tuscany has been so solicitous to afford every protection to the American vessel, *tho the United States have nobody here authorized to support the interest of the people of America.*" Unfortunately, after Felicchi succeeded at freeing the Americans, Algerian cruisers promptly captured the *Minerva* and imprisoned Captain Ingraham and his crew along with ten other American ships and their crews, keeping some of them in captivity for more than two years, a fate they would have avoided if they had been sailing under the British flag.<sup>24</sup>

The role of American merchants in Felicchi's appointment and that of many others reflects the transitional nature of the consular position in the first days of the nation-state. During the earlier period, when extraterritoriality was complete, merchants had traditionally appointed consuls to represent themselves. In the modern nation-state that role has been taken up by the state. But in the early national period, while consuls were government-appointed, merchants still played an important part in nominating and lobbying for consuls who would represent them abroad. In America, William Seton spearheaded the campaign to get Felicchi appointed. As a frequent trader to Livorno, owner of the *Minerva*, and intimate with Felicchi, Seton saw the need for an American consul there and stood to benefit from Felicchi's appointment. Because Felicchi was not an American, Seton took pains to emphasize his connections to the trading nation. He described his "constant" trade with the United States, the value of his cargoes, and the duties that he paid on them. He also stressed Felicchi's service to the United States during the *Minerva* incident, and his American connections, including his wife. Finally, he emphasized the ideological dimension, noting that Felicchi was "from principle every way attached to America." Apparently, these arguments were convincing. Congress approved the appointment in late 1794 and Felicchi acknowledged receiving it in April 1795, when he pledged to "pay the strictest attention to fulfill the duties incumbent on me and to promote the American interest on all occasions."<sup>25</sup>

<sup>24</sup> Vinesy to [Washington], Mar. 1, 1791, Washington Papers; Philip Felicchi to George Washington, Oct. 29, 1793; to William Seton, both in Leghorn Despatches. Quote from Oct. 29, 1793, emphasis added. On the *Minerva*, see Richard O'Brien to David Humphreys, Dec. 6, 1793, Despatches of US Ministers to Portugal.

<sup>25</sup> William Seton to Edmund Randolph, Mar. 29, 1794, Washington Papers; Felicchi to Sec. State, Apr. 21, 1795, Leghorn Despatches.

Seton's campaign for Felicchi's appointment was not unusual. While some foreigners, like Simpson, merely stepped in out of necessity and were later confirmed without recommendations, others were supported by Americans in the region they represented or by Americans at home who were involved in trade at the consul's location. Some, like Joseph Ysnardi of Cádiz, also visited America to solicit appointments. Still others, like Simpson and Michael Morphy of Málaga, had already served the United States as "voluntary agents," to quote one of Morphy's recommendations.<sup>26</sup> But, at this early juncture, when the American trading nation was still inchoate, many potential consuls could only claim mercantile competence and a desire to serve the new nation. John Church of Cork submitted a petition signed by representatives of fourteen local merchant houses and certified by the mayor testifying to his fitness to "represent any kingdom or state whatever as consul." James Holmes of Belfast submitted a similar petition as well as a recommendation from an American mercantile acquaintance. Occasionally, foreign-born applicants also asserted their support of American ideals, as did Hans Rudolph Saabye of Copenhagen who wished that the United States would enjoy the reward of "that dear brought liberty, which with the protection of so wise a government, must become an inexhaustible source of universal bliss throughout all our territories."<sup>27</sup> Frances Coffyn, who sought to replace his foreign-born father as a foreign-born consul to Dunkirk, went so far as to argue that he should actually be considered an American citizen because of his family's service to the United States. He wrote, "We have ever since that country thought of recovering her independence, been attached to her cause, acting in her service, sacrificed all considerations of personal interest; and finally fell victim of our courage in defending the interest of American citizens, when at the tyrannical time of Robespierre, all principles of justice and virtue seem'd to be banished and persecuted."<sup>28</sup> What united nearly all of these foreign applicants was their effort to show that, while not native born, they were tied to the American nations by cords of commerce and affection.

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<sup>26</sup> Joseph Ignat to Thomas Jefferson, Feb. 25, 1793, Morphy File, Washington Recs; Nathaniel Cutting to Jefferson Jan. 30, 1792, Yznardi File, Washington Recs.

<sup>27</sup> Hans R. Saabye to George Washington and the Deputies of the United States of N. America, Aug. 5, 1789, Washington Recs.

<sup>28</sup> Frances Coffyn to James Monroe, June 2, 1795, Nantes Despatches.

Robert Montgomery, the second of the three consuls, was one of many Americans who were already living abroad at the time of their appointment. Perhaps 35 percent of the consuls appointed by Washington were Americans living abroad. The fact that Montgomery had been in Spain since the middle years of the American Revolution meant that his experiences had been quite different from Americans at home. He had not suffered the ravages of the Revolution. In fact, he benefitted from them. His allegiance also could easily be called into question, and certainly some American consuls in the same position, like Thomas Bulkeley of Lisbon, had in fact become expatriates because they did not support independence. Even though Montgomery was undoubtedly an American citizen, the State Department described him as “of Spain” rather than as an American on his initial appointment, a designation that would come to haunt Montgomery in later years. Such confusion over citizenship status appears to have been very common in the first years of the republic. A good number of consuls who, like Montgomery, were identified as noncitizens in their appointments apparently were actually citizens, or at least were described as such in letters recommending them.<sup>29</sup> While poor record-keeping seems to have been part of the problem, especially for Montgomery, his situation also reflects the larger confusion over the nature of citizenship and the status of cosmopolitan merchants at a time when the idea of the territorial nation-state was still very new.

Born in the northern Ireland town of Newry, probably in 1754, Montgomery spent fewer than ten years of his long life in North America.<sup>30</sup> Like Simpson, his Protestant Scots-Irish family was imbedded in the trading network that connected Ireland to the Mediterranean and North America through cargoes of fish, grain, wine, and other products.<sup>31</sup> His Philadelphia relatives had connections to the Mediterranean. One was born near Lisbon. Another traveled to the Mediterranean for his health and died in Gibraltar. By the late 1740s, a John Montgomery had established himself in Lisbon, where he formed a partnership with John Parminter, a flour merchant. It is unclear how or if this Montgomery was connected to Robert Montgomery, but their Lisbon firm was one of

<sup>29</sup> These include Joseph Donaldson, Philip Marck (Merck), William McCarty, John Culnan, and John Street.

<sup>30</sup> Thomas Harrison Montgomery, *A Genealogical History of the Family of Montgomery* (Philadelphia: Printed for Private Circulation, 1863) 149.

<sup>31</sup> On the fish trade, see Christopher P. Magra, *The Fisherman's Cause: Atlantic Commerce and Maritime Dimensions of the American Revolution* (New York: Cambridge University Press, 2009) in addition to Lydon, *Fish and Flour for Gold, 1600–1800*.

the important consignees of American fish in Lisbon during the 1760s, making the connection more likely. This possible connection would also help to explain why Robert's brother John would have settled in Boston, which was a major entrepôt of the Mediterranean fish trade.<sup>32</sup>

Robert and his brother James left Ireland as young teens and both arrived in Philadelphia about 1766, when Robert was 12 years of age. They joined the family of their merchant uncle Thomas Montgomery, who had resided in the Delaware Bay region for at least three decades. Robert "received the early parts of his education and a knowledge of commerce in Philadelphia" under Uncle Thomas, before the uncle's untimely death.<sup>33</sup> Young Robert did not stay in Philadelphia long. While still in his teens he joined the crew of the *Elizabeth*, which was owned by Thomas Montgomery. Robert later remembered taking this step "in imitation of his brother James," who at that time (the late 1760s or early 1770s) was master of another of Thomas's vessels. Robert made several voyages on the *Elizabeth* to Cádiz and other Mediterranean ports. By the time he was 19 he was master of the 250-ton brig *Charlotte*, another of the Montgomery family's vessels.<sup>34</sup> Having gained some experience and, presumably, capital, he then purchased the *Charlotte* with James. In addition to a 1773 voyage to Ireland, he captained the *Charlotte* to Cádiz, Málaga, and Alicante, where, he later recalled, he "encreased his capital and formed good connexions." During the Revolution he traded aggressively, forming a partnership with William Bingham to purchase the brig *Betsy*, which he sailed to Málaga and Alicante.<sup>35</sup> Bingham was one of Philadelphia's leading and best-connected merchants, part of a very influential group including Robert Morris and Thomas Willing. Bingham's impressive fortune would be built on the profits made during the Revolution.<sup>36</sup> Montgomery soon sold the *Betsy* and returned to Philadelphia, where he established himself as a merchant and

<sup>32</sup> John Montgomery to Sec. State, July 20, 1807, Alicante Despatches; Lydon, *Fish and Flour for Gold, 1600–1800*, 152–54; Harrison, *A Genealogical History of the Family of Montgomery*, 151–52.

<sup>33</sup> It is possible that some of this education occurred before Robert emigrated or at sea, as one source has Thomas dying the same year Robert arrived in Philadelphia. Harrison, *A Genealogical History of the Family of Montgomery*, 149–51; "Memorial of Robert Montgomery" [1793] in Alicante Despatches.

<sup>34</sup> *Belfast Newsletter*, Feb. 19, 1773, Irish Emigration Database, <http://ied.dippam.ac.uk/records/38858>.

<sup>35</sup> "Memorial of Robert Montgomery" [1819], Alicante Despatches.

<sup>36</sup> Thomas M. Doerflinger, *A Vigorous Spirit of Enterprise: Merchants and Economic Development in Revolutionary Philadelphia* (Chapel Hill: University of North Carolina Press, 1980) 237.



contracted with two other Philadelphians to have the *Juliana* built in New York. He made several more voyages to Europe during the Revolution in this 500-ton ship. Eventually, due to ill health, he decided to settle in Alicante in 1777.<sup>37</sup>

Montgomery supported the United States from the start. He and his brother James converted the brig *Charlotte* into an American privateer in the early days of the war. With James as captain, the *Charlotte* captured a number of valuable British prizes and brought them into Philadelphia. From his first arrival in Alicante, Robert registered as an American in the annual survey of foreign merchants. Concerned that he might, nevertheless, be classified as an English national, he wrote to Benjamin Franklin in April 1778 requesting a certificate proving his American nationality. In July he traveled to Paris to see Franklin and the other American commissioners in person. On September 16 they administered an oath of allegiance to the United States to Montgomery and issued him a document certifying his allegiance. Montgomery was among the first three Americans to get one of these certificates. The commissioners wrote of a “multitude” of Americans scattered about the various parts of Europe, who needed certificates in order to ensure that American or French ships would not capture them on suspicion of being British. The idea of issuing certificates originated with the commissioners, rather than Congress, and as the commissioners noted, they were not really legally valid, although Montgomery’s certainly proved useful to him. Recognizing the need to support as well as to define Americans abroad, the commissioners also requested that Congress consider appointing American consuls to overseas ports.<sup>38</sup>

Nevertheless, Montgomery ran into trouble back in Alicante. There, authorities were preparing to ban British traders from Spain’s ports as a result of the Spanish alliance with France against Britain. This is certainly the reason why Montgomery was anxious to receive his certificate, since once the British and Irish Catholics were expelled, he would be one of the

<sup>37</sup> Memorial of Robert Montgomery [1819], Alicante Despatches. This memorial suggests he was already established in Alicante in 1778, while an 1816 memorial suggests he first settled there in 1778. However, Montgomery claims to have been there “nearly seventeen years” in a 1793 petition, suggesting a 1777 arrival. The best evidence for this date is his 1778 letter to Franklin, in which he claims to have been in Alicante about twelve months.

<sup>38</sup> Memorial of Robert Montgomery [1819], Alicante Despatches; Robert Montgomery to Benjamin Franklin, Apr. 5, 1778; July 6, 1779, both in Papers of Benjamin Franklin, <http://franklinpapers.org>; Commissioners to the President of the Congress, Sept. 17, 1778, Papers of John Adams, vol. 7, in C. James Taylor, ed., *Founding Families: Digital Editions of the Papers of the Winthrops and the Adamses* (Boston: Massachusetts Historical Society, 2007).



few remaining merchants in the region with access to the Anglo-Irish Mediterranean trading network. When the Spaniards arrested the British traders in June 1779, they included Montgomery in their sweep. Although it is likely that Alicante's governor was well aware that Montgomery was American, and his identity will get more scrutiny in [Chapter 3](#), this episode suggests that the difference between American citizen Montgomery and Scottish Gibraltarian Simpson should not be exaggerated. Neither seemed entirely American in Europe or America. At a time when both the United States and the notion of citizenship in a nation-state were entirely new, to insist on stark differences between citizen consuls and noncitizens may be a bit anachronistic. There was as yet no real American network in Spain and little conception of the United States or Americanness. The development of both would depend on consuls like Montgomery.

Like Simpson and others, Montgomery more or less appointed himself as *de facto* consul long before receiving an official appointment. In January 1783, even before the Treaty of Paris officially ended the Revolution, and apparently without contacting any American officials, he tried to initiate negotiations for a peace treaty between the United States and the emperor of Morocco, who threatened to capture American ships if the United States did not treat with him. Montgomery promised the Moroccan emperor that the United States would soon appoint a negotiator in Paris, prompting the emperor to send his agent, Giacomo Francisco Crocco, to Europe. Benjamin Franklin was blindsided and dumbfounded when he learned of these developments from Crocco.<sup>39</sup> Demonstrating a striking lack of self-awareness, Montgomery then tried to leverage his rogue operation into a consular appointment. In April 1783, he wrote to Robert Livingston, the first secretary of foreign affairs under the Continental Congress, requesting the Alicante consulate. Despite receiving no encouragement, he continued to pursue the position, writing to Livingston's successor and his old acquaintance, John Jay, in August 1786. Montgomery obliquely referred to his earlier efforts to gain peace with Morocco and promised his "continued zeal and best exertions for the advancement of our commerce and promoting the interests of our country." Jay promised to discuss Montgomery's appointment with Congress, but nothing came of it. Montgomery's failure may not have reflected on him personally so much as

<sup>39</sup> Giacomo Francisco Crocco to Franklin, July 15, 1783; Nov. 25, 1783; Franklin to Crocco, Dec. 15, 1783; Crocco to the Committee for Foreign Affairs, Nov. 16, 1794, all in Papers of Benjamin Franklin, <http://franklinpapers.org>; Roberts and Roberts, *Thomas Barclay (1728–1793)*, 128, 200.

on the Continental Congress's hesitation to appoint any consuls, since they only named two during their entire existence.<sup>40</sup>

Montgomery continued to assist the United States with some success and to request the consulship with no success over the next six years. After Algerians captured two American ships and their crews in 1785, he offered his services as an intermediary between the United States and his influential contacts there. He promised John Jay that his services would "be of the greatest utility to our trade in the Mediterranean evident from our present inability to supply this coast with [goods] from America in our own vessels in this season of scarcity exclusive of the constant supply of dry fish that might be sent hither from the northern states." Of course, such an improvement would also greatly benefit Montgomery, who, along with his brother, was deeply involved in the fish trade. When Thomas Jefferson was appointed secretary of state under the new constitution, Montgomery renewed his proposal to mediate with Algiers and repeated his request to be appointed consul. Increasingly, like Simpson, he acted as a *de facto* consul, providing information to the State Department and, in 1793 taking charge of the United States' efforts to provide the captives in Algiers (now increased by nearly a hundred souls due to further ship captures) with clothing and a small allowance. Finally, just before receiving his formal commission as consul to Alicante later in 1793, he petitioned Jefferson to be appointed consul to Algiers while continuing to reside in Alicante. Algiers was one of the four salaried posts, so holding it at the same time as the Alicante consulate would have given Montgomery the best of both worlds – lucrative trading profits in Spain and a secure salary in North Africa. In making this request he followed the same strategy taken by Simpson, who at one time hoped to hold both the busy Gibraltar consulate and the salaried Morocco post simultaneously. While the Algiers position never came through, Montgomery would continue to serve the United States in Alicante for the next three decades.<sup>41</sup>

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<sup>40</sup> Robert Montgomery to Robert Livingston, Apr. 2, 1783; to John Jay, Aug. 8, 1786, both in Papers of John Jay, [www.app.cc.columbia.edu](http://www.app.cc.columbia.edu); Kennedy, *The American Consul*, 16, counted two consuls, one vice-consul and "some foreign consuls operating on an interim arrangement with the United States."

<sup>41</sup> Montgomery to John Jay, Aug. 5, 1788; to Thomas Jefferson, Aug. 21, 1790; July 24, 1791; July 26, 1791; Dec. 17, 1793; Receipt for money and goods from David Humphreys, Dec. 9, 1793; Invoice of merchandise notarized by David Humphreys and Nathaniel Cutting, Dec. 17, 1793; Memorial of Robert Montgomery [1793], all in Alicante Despatches.

Thomas Appleton, our third consul, exemplifies the third mode of appointment: sending consuls out from the United States. The smallest proportion, approximately 11 percent, of Washington's appointments fit into this category. It is no coincidence that Appleton was the latest appointment of the three consuls – 1798 – since initially it was very hard to find any qualified American citizens ready to head out to a European post. The small number was not due to lack of interest. In the lean years following the hardships of the Revolution, plenty of American men were desperate for government office. Beyond pecuniary considerations, the fires of patriotism kindled by the war persisted for many applicants who expressed the desire to continue serving their country. The problem was that consulships required a fair outlay of money while (other than the four salaried posts) bringing in only a small income from fees collected for routine tasks, making it impossible for nonmerchants to take on the job. As a result, nearly all the applicants appointed from the United States either had spent a great deal of time abroad and were temporarily back home (making them not that different from those appointed while already abroad) or they planned to establish themselves as overseas merchants and hoped a consulship would help them to succeed.

Sylvanus Bourn, son of an important Massachusetts mercantile family is a good earlier example even if he was not in the Mediterranean. Bourn began his campaign for a job with the new government just before President Washington's first inauguration. He was a 28-year-old Harvard graduate who had planned to study law, but he was forced to go into business in a merchant house when his father died. Bourn hoped to set up shop in Europe or the West Indies, to recoup some of the family's considerable wartime losses.<sup>42</sup> He was one of a number of applicants with similar hopes and concerns at this time, all of whom calculated that a consular position would make their mercantile efforts more successful.<sup>43</sup> Like others, Bourn stressed his allegiance to Revolutionary

<sup>42</sup> Sheayashat Bourne to [Washington], Jan. 20, 1792; Sylvanus Bourn to Washington, May 22, 1789; B. Lincoln to Washington, Apr. 15, 1789; Sylvanus Bourn to Washington, Dec. 10, 1791, all in Washington Papers.

<sup>43</sup> William Vans to Washington, Dec. 24, 1790; Edward Church to Washington, May 11, 1789; Sept. 30, 1789, all in Washington Papers. Edward Church wrote to the president that he was "one of the unfortunate number whom the late revolution has precipitated from a state of decent competence, and reduced to the necessity of joining the class of your most humble and needy petitioners." As a wholesale merchant, he made efforts before and

ideals, writing that “being born in a land where ideas of liberty and the rights of mankind have ever been early indoctrinated [he] soon felt that laudable zeal which animated my country” and was determined to “devote my future life to my country’s call.”<sup>44</sup> While Jefferson and other cosmopolitan Republicans may have hoped that the American Revolution and its Atlantic counterparts would create a brotherhood that transcended national boundaries, in practice putative and actual consuls, as American representatives, had to reinforce the notion of citizenship and allegiance for themselves and others participating in the trading nation by repeating nationalistic tropes<sup>45</sup>

Bourn’s patriotic motives did not go so far as to prompt him to ask for a consulship that might be unprofitable. Cádiz, Lisbon, Hispaniola, Martinique, and Guadelope, all rich ports and major destinations for American trade, topped his list. All were places where a well-connected American merchant could hope to make a substantial income.<sup>46</sup> This consideration was important even when applicants may have expected that positions would be salaried, but it became particularly crucial after 1790, when it began to become clear that Congress would not grant salaries for consular posts. That June, Bourn learned of his appointment to Cape François, St. Domingue, the crown jewel of the French Empire and a wealthy West Indian port teeming with American traffic.

after the war to recover his fortune abroad. He requested a consulship in Holland or the post of Collector of Imports for the Port of Savannah before receiving consular appointments to Bilboa and Lisbon. William Vans, consul to Morlaix, France claimed to need a position after suffering severe setbacks due to investments in American funds during the Revolution.

<sup>44</sup> Sylvanus Bourn to Washington, May 22, 1789; July 13, 1789, Washington Papers. To further demonstrate his attachment to and concern for the United States, Bourn had been working on a statistical table of America’s overseas trade which he hoped to share with some future department of the new government that might be charged with regulating trade. Frederick Folger to Thomas Jefferson, May 8, 1792; Thomas and Zubdiel Rogers and Samuel Woodbridge to Hon. Benjamin Huntington Esq., May 13, 1790, both in Washington Papers. Bourn was not the only candidate to pepper his solicitation for office with patriotic appeals. Frederick Folger wrote of himself that “few citizens were actuated by a more enthusiastic zeal for the prosperity of the United States during their late struggle for independence,” and Samuel Snow was described as having “spent the prime of life in the service of our common country in the military line with much reputation and little pay.” Folger to Jefferson, May 8, 1792; Rogers, Rogers, and Woodbridge to Huntington, May 13, 1790, both in Washington Papers.

<sup>45</sup> Armin Mattes, *Citizens of a Common Intellectual Homeland: The Transatlantic Origins of American Democracy and Nationhood* (Charlottesville: University of Virginia Press, 2015) 141–83.

<sup>46</sup> He also flirted with the idea of a salaried domestic office.

Unfortunately for Bourn, all his careful strategizing came to nothing. Less than a year after his arrival in Cape François the Haitian Revolution broke out, described by Bourn as “[a] new and alarming catastrophe.” For Bourn the revolution brought “accumulated expences, disappointment and chagrin.” Without prospects, having “expended considerable money and received no income under these disagreeable circumstances,” he was forced to return home.<sup>47</sup> Finally, after many applications, including one to return to Cape François, Bourn got himself appointed to the lucrative and relatively safe consulate at Amsterdam in 1794, where he would serve until his death in 1817.<sup>48</sup>

Bourn’s personal situation may have improved with his Amsterdam appointment, but the lack of consular salaries continued to hinder recruitment for consular posts and frustrate existing consuls. In 1794 when Thomas Jefferson sent around a circular requesting input from consuls on plans to improve the consular system, recipients bemoaned their lack of salary and the general weakness of their office. Bourn complained that many posts continued to be occupied by foreigners because “the poverty of the existing consular establishment . . . in regard to compensation or emoluments forbids that any one could accept of a consular appointment . . . .” Bourn added that the previous year he had to spend over \$1,500 of his own money on consular expenses (not including housing or transportation) and had taken in only \$183 in fees. In Bristol, Elias Vanderhorst agreed that “the want of salaries adequate to the dignity of the office” was the chief impediment to a successful consular system.<sup>49</sup>

Like Bourn, Thomas Appleton sought a consulship in a lucrative port as a means of advancing his mercantile career. He was born into a well-connected Boston family in 1763. His grandfather was the chaplain at Harvard College. His father, Nathaniel Appleton, was a Harvard graduate, and a member of the Sons of Liberty during the Revolution. After the war Nathaniel held a number of political offices, including a seat in the General Court and a long term as state commissioner of loans. As a prosperous officeholder and candle manufacturer he was not quite

<sup>47</sup> Sylvanus Bourn to [Jefferson] Sept. 8, 1791; to [Washington] [Dec. 10, 1791], both in Washington Papers. Fulwar Skipwith faced a similar setback after arriving as consul to Martinique.

<sup>48</sup> Sylvanus Bourn to [Washington], Jan. 20, 1792; Jeremiah Smith to Washington, Mar. 29, 1792; Bourn to Jefferson, Jan. 9, 1793; to [Jefferson], June 17, 1793, all in Washington Papers.

<sup>49</sup> Elias Vanderhorst to Sec. State, July 31, 1795, Bristol Despatches. Sylvanus Bourn to Sec. State, Aug. 6, 1795, Amsterdam Despatches.

among the commercial elite, but his daughters (Thomas's sisters) both married elite merchants: Thomas Perkins and Samuel Emery. Perkins, in particular, was at the top of the heap of Boston traders. Unlike his father and grandfather, young Appleton did not attend Harvard but was instead "educated in the mercantile line," meaning that he served as a clerk in a merchant house in Boston. At about 24 years of age, he sailed to France, where he worked as a merchant for more than a decade during which he became familiar with all things French, including the language.<sup>50</sup>

On returning to the United States in 1797, Appleton opened up a campaign to land a consular position in Paris, a post he learned Fulwar Skipwith had recently quit. This position would have been very desirable despite the lack of salary as, in addition to getting him back to France, the heavy mercantile traffic would have produced a good income in consular fees and a multitude of commercial connections among the many American traders and officials who would have felt obliged to visit the American consul in Paris. Like most successful consular applicants in the Adams administration, Appleton had the support of powerful patrons. His politically connected father led the charge and probably enlisted the support of Benjamin Lincoln, an influential Boston political operative; John Lowell, progenitor of the famous Boston family; and longtime Rhode Island governor, Arthur Fenner. Appleton's lengthy absence from the United States caused a bit of concern that he might have lost his sense of American identity. Lincoln stressed that despite his experience in France, Appleton was "an American and not a Frenchman," while Fenner stressed the applicant's "attachment to the Constitution" and pointedly added how fortunate it was that "the United States has rais'd up from her own bosom such characters as are able to fill and discharge the several duties connected to their public stations . . . ."<sup>51</sup>

Like many successful applicants, Appleton also submitted petitions supporting his application signed by merchants and officials familiar with his commercial reputation. Often these were submitted by merchants specifically connected to the post where the applicant hoped to be assigned, although in Appleton's case there is no evidence that his supporters were chosen due to their connections to France. The fifty-three

<sup>50</sup> Argiero and Neri, *Bostoniani a Livorno*, 29–34; Benjamin Lincoln to the President, Oct. 12, 1797; N. Appleton to the President, Oct. 16, 1797, both in Adams Recs.

<sup>51</sup> Appleton to the President, Oct. 16, 1797; to Timothy Pickering, Oct. 16, 1797; John Lowell to Pickering, Oct. 18, 1797; A. Fenner to the President, Oct. 19, 1797, all in Adams Recs.

signers consisted of the topmost merchants in both Boston and Providence, including members of the Lowell, Sargent, and Amory families of Boston; the Browns of Providence; and Appleton's in-laws, the Perkins.<sup>52</sup> Support from merchants was particularly important because consuls were still seen as merchants' representatives in foreign ports, a relic from the days of full extraterritoriality, when consuls were appointed directly by the merchants they served. Therefore, it was crucial that consuls understood their patrons' interests and that merchants be comfortable with the men appointed to these positions.<sup>53</sup>

All of this support failed to land Appleton a position in France, but it did lead to an interview with President Adams who suggested he might qualify for a position in Dunkirk or Ostend. Appleton rejected these posts as lacking the requisite volume of American commerce. He countered with an offer to go to Livorno. For Appleton, Livorno would have seemed a suitable position due to the relatively heavy and persistent volume of American trade. Appleton also had information that some Americans had lodged complaints against Felicchi, who was still the consul there. If Appleton's information was true, it may have reflected American merchants' uneasiness with a non-American consul during the French occupation, when American ships and goods were subject to confiscation on the suspicion that they were English. It was not uncommon for American citizens to angle to replace foreign appointees in lucrative ports.<sup>54</sup> In light of these concerns, Appleton would have doubtless seemed an excellent choice as an American citizen, knowledgeable merchant, and fluent franco-phone who appeared ideally suited to deal with French authorities.<sup>55</sup>

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By 1800 thirty-five American consuls had been appointed to the Mediterranean, including Appleton, Montgomery, and Simpson. These new consular appointees and their colleagues formed the nucleus of the American community in the region. When one considers that most of these

<sup>52</sup> Petitions in support of Thomas Appleton dated Boston, Apr. 4, 1797 and Providence, Oct. 19, 1797, Adams Recs.

<sup>53</sup> For other successful applicants who conducted similar petition drives, see the files of Thomas Bulkeley and George Knox in Adams Recs. Bulkeley in particular, who was under suspicion as a Loyalist, submitted identical petitions from multiple cities.

<sup>54</sup> See, for example, Daniel Sargent and others to Pickering, Feb. 23, 1797, in support of Thomas Bulkeley, Adams Recs.

<sup>55</sup> Appleton to the President, Dec. 7, 1797; to [the President?], Jan. 22, 1798, both in Adams Recs.

appointees also employed a number of clerks and others in their merchant houses and had family members, too, the number of people in their collective households would have been well over a hundred. The growing American community would have also included other nonconsular merchants and their families as well as seamen and others passing through the region regularly.

Yet to consider this group of perhaps several hundred people an American community from the start would be a stretch. Since the majority of consuls were either noncitizens or men who had not lived in the United States for some time, their American-ness was certainly open to question. And, considering their disparate origins and lack of connection in many cases to America, the idea of a community may also seem questionable. What really forged these individuals into an American community was their mercantile and consular function. The period between 1785 and 1808 was one of great promise in the Mediterranean, and increasingly these merchant-consuls worked together to promote and benefit from American trade in the region. But these years were also a time of continual threat to the Mediterranean trade. The danger came from two directions. First, beginning in 1785 “Barbary pirates,” more accurately state-supported North African cruisers, posed a danger to American vessels in the region. Next, French and English ships also threatened American commerce during the course of the warfare beginning in the mid-1790s. Consuls were on the first line of defense. They were in a good position to learn of early indications of possible captures, and they were expected to spread this news throughout the American community. As a result, American consuls were in frequent contact with each other as part of this warning system, and they were also in frequent contact with American captains and State Department officials. These official contacts often led to mercantile contacts as well, since merchant-consuls needed reliable trading partners in nearby ports. As a result of all these developments, this group of individuals became much more American and much more of a community over the coming decades.