The Neutrality of the American Lakes AND Anglo-American Relations

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History is past Politics and Politics are present History.—*Freeman.*

The Neutrality of the American Lakes AND Anglo-American Relations

BY

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To

PROFESSOR HERBERT B. ADAMS

Who encouraged this study

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PREFACE.

In May, 1895, I was led to begin this study of the "Neutrality of the American Lakes" by a letter of Honorable Edward Atkinson to President Daniel C. Gilman, of Johns Hopkins University, in which the subject was proposed for investigation, and by a subsequent letter from Mr. Atkinson, in which he referred to it as "one of the most suggestive events in our history." In order to obtain whatever has any bearing upon the subject and its connection with Anglo-American relations, I have carefully examined a large amount of material. Most of my work has been done at the Department of State and in the libraries of Washington, D. C., Buffalo, N. Y., Detroit, Mich., and Toronto, Canada.

The principal sources of the material upon which the study is based are: (1) The correspondence in the Bureau of Archives and Indexes at the Department of State; this includes "Notes" to and from the British Legation at Washington, "Instructions" to the American Legation at London, "Despatches" from the American Legation at London, "Domestic" and "Miscellaneous" letters, and Consular Reports; (2) The manuscript letters of Jefferson, Madison and Monroe in the Bureau of Rolls and Library; (3) Correspondence in the Record Office at London; (4) J. Q. Adams' "Memoirs" and "Castlereagh's Correspondence;" (5) Reports of Canadian Archives; (6) American State Papers; (7) Government Documents; (8) Reports of debates in Congress; (9) Parliamentary debates; (10) American and Canadian newspapers and pamphlets, and the London Times. Information has also been gathered from correspondence and talks with people along the lakes and from interviews with officials in the War, Navy, and Treasury Departments.

For valuable suggestions or information my thanks are due to Professor H. B. Adams, of Johns Hopkins Univer-

sity; Hon. J. W. Foster, ex-Secretary of State; Mr. Alvey A. Adee, Assistant Secretary of State; Mr. Hubert Hall, of the Record Office, London; Hon. F. W. Seward, formerly Assistant Secretary of State; Mr. B. F. Stevens, of London; Professor H. P. Judson, of the University of Chicago; Mr. James Bain, Jr., Chief Librarian of the Toronto Public Library; Professor Goldwin Smith, of Toronto; ex-Congressman Geo. E. Adams, of Chicago; Governor H. S. Pingree, of Michigan; Mr. J. N. Larned, of the Buffalo Public Library; Miss Mary Hawley, of the Buffalo Historical Library; Mr. Silas Farmer, of Detroit, Mich.; Mr. W. L. McCormick, of the Marine Record, Cleveland, Ohio; the mayors of various lake cities, and others. I especially desire to acknowledge the courtesies extended by Mr. Andrew H. Allen, Chief of the Bureau of Rolls and Library, Mr. S. M. Hamilton, Custodian of Archives, and Mr. Pendleton King, Chief of the Bureau of Archives and Indexes, in rendering materials accessible and in furnishing facilities for furthering my researches at the Department of State. The officials of the Foreign Office and Record Office at London have also assisted me in securing extracts from correspondence which could not be obtained at Washington.

J. M. CALLAHAN.

Johns Hopkins University,
Baltimore, December, 1897.

The Neutrality of the American Lakes and Anglo-American Relations.

I.

INTRODUCTION.

The American Peace Policy.

The majestic St. Lawrence—bearing its waters over rapids, by the sides of a thousand islands, and finally into the Atlantic—drains a system of lakes which has been a great determining factor in American history. Originally a barrier between Indian tribes, it later became a door to the interior of a vast continent, a highway for trade, and a boundary between two civilized nations. Along the shores of these lakes, the savagery of a new world met the civilization of an old one, struggled for a time to maintain itself, then retreated before the ever-advancing frontier of the Anglo-Saxon. Here, two powerful European peoples, hostile by long tradition, struggled for supremacy. The final conflict, which began near the present site of Pittsburg, decided that the English should occupy the land and that the French could not hold it vacant. Scarcely had the echoes of the victory of Wolfe over Montcalm at Quebec died away when the first sounds of the American Revolution came to be heard. The Anglo-Saxon had not won for England alone. A new star was about to appear in the galaxy of nations. The liberty-loving colonists who were battling with the forests and making a new life south of the lakes claimed the right to govern themselves in their new home. After eight years of opposition, England consented in 1783, and the United States began its career, with the lakes as its northern boundary. The young nation stood upon its feet,

growing strong in power and resources, putting down insurrections and receiving respect abroad; but England continued to hold the lake posts till 1796, and the British traders proposed to push the United States boundary to the south of the lakes. American rights in the Northwest and on the Great Lakes were not entirely assured until they were emphasized by fleets and diplomacy in the War of 1812.

With the close of that war came the almost universal desire for peace. In England, a few wanted to send Wellington to America to direct a continuation of the war. In America, a few favored the conquest of Canada. But the thinking people received the news of peace with gladness. Jefferson wrote that Quebec and Halifax would have been taken, but that peace and reconciliation were better than conquest by war. It was a time for repression of passion rather than for the perpetuation of hatred. Jefferson's advice concerning the "inscription for the Capitol which the British burnt" was that it "should be brief and so no passion can be imputed to it." The same spirit is seen in measures advocated by Madison and Monroe.

The leaders of the hour were men who had no interest to gain at the expense of public peace. They endeavored to cultivate an intelligent public sentiment. The elements which entered into their public actions will bear the close scrutiny of their critics. They consulted only the interests of the country and of humanity, and gave intelligent guidance to the fundamental good sense of the people.

By the Treaty of Ghent, concluded amidst the festivities of Christmas Eve in 1814, the lake boundary and the Northwest were secured to the United States, and the gates of the temple of Janus were closed, leaving two kindred peoples to live under separate governments on opposite sides of the lakes. But continued peace could not be *guaranteed* by proclamation. There was no great danger of a collision directly with the powers across the Atlantic; for after the downfall of Napoleon, when Europe was mourning for her children, and when nature and art had been blighted and defaced by war,

there was a reaction against the idea of future hostilities. But with rival navies, recently built upon the lakes, there was danger of future collisions in that quarter which might also endanger our peace with England.

While Jefferson was trying to "eradicate the war feeling which the newspapers had nourished," the authorities at Washington applied their minds to secure effective arrangements which would lessen the possible sources of future misunderstanding and accelerate the return of fraternal feeling and action. They saw that if the peace was merely to lead to a perpetual race in naval construction such a peace would only be temporary and expensive. This led to earnest solicitation, by the United States, to secure disarmament.

During the war each party had struggled to secure the control of the lakes. In the negotiations for peace the British proposed that they should have military control of these waters, and thus prevent the expense of rival armaments. This proposition of a "one-sided" disarmament probably suggested to the United States commissioners the idea of making it mutual; but their instructions at that time did not permit them to make such an offer, as past conditions had made it appear necessary for the United States to keep a superiority of naval forces on the lakes. After the peace, however, it was clear that mutual disarmament was the only assurance against collision and continued sources of misunderstanding.

A study of the diplomacy by which this was secured, its immediate wholesome effect, together with the later international relations and diplomatic questions that have influenced the pulse of public sentiment and are in any way connected with the subsequent history of that subject, cannot be otherwise than useful to a nation that seeks to know itself in order to govern itself through reliable leaders.

In accordance with instructions from the United States Government, John Quincy Adams proposed to Lord Castlereagh, at London, in January, 1816, that some measure of this kind should be accepted by both governments, in order

to avert the threatened evil of rival naval forces upon the lakes. Castlereagh received the proposition in a friendly spirit, but was inclined to be cautious. After fiery speeches in Parliament, the British ministry at last decided to meet the proposition "so far as to avoid anything like a contention between the two parties." Since Mr. Adams had been given no instructions as to the precise nature of the proposed arrangement, Lord Castlereagh, on April 23, 1816, instructed Mr. Bagot at Washington "to take *ad referendum* any such proposal as the American Secretary of State might make."

During the spring and summer of 1816 Mr. Monroe was anxious that the question of naval forces should be settled before all others. The action of British officers in boarding American vessels made it the foremost question, and President Madison favored a "clean sweep" of *all* warlike vessels, even down to revenue cutters. But Mr. Bagot could not be rushed. He finally decided to open negotiations, and on August 2 Mr. Monroe submitted to him the "precise project." This provided for limiting the force on the lakes to one vessel on Lake Champlain, one on Lake Ontario, and two on the upper lakes, each of 100 tons burden, and with one eighteen-pound cannon. This force was to be restricted in its duty to the protection of the revenue laws, the transportation of troops and goods, and such other services as would not interfere with the armed vessels of the other party. Mr. Bagot avoided discussions upon the terms proposed, but he suspected that the United States had some secret object in making the restrictions upon the vessels to be retained. He could not conclude a definite arrangement until he had submitted the matter to his government, but was willing to give effect to a mutual suspension of construction (except where it was necessary to complete vessels already begun).

When Mr. Bagot's letter reached England the cabinet was scattered, and it was not until January, 1817, that Castlereagh replied that they were ready to accede to the propositions of Monroe. The delays, surprises and uncertainties in

the negotiations led Mr. Adams to fear (in November) that the Americans were simply being amused, and he did not like to be made a fool. But the growing promptness of the British Government had already become apparent in the orders which were sent out to repress the conduct of British officers on the lakes.

The reciprocal and definite reduction of these forces did not occur until next year, and after Monroe had become President. It was then completed by the exchange of notes between Mr. Bagot and Mr. Rush, who was acting as Secretary of State until Mr. Adams should arrive from London. This agreement became effective at once, though there is no evidence that Great Britain gave to it the formalities of a treaty.[1] It was not till a year later, April, 1818, that Monroe formally notified the Senate of the arrangement, and obtained its approval and consent, after which it was declared by the President's proclamation to be in full force.

It provided that all naval vessels, except the four allowed by the agreement (with restricted duties), should be forthwith dismantled, and that no other vessels of war should be built or armed upon the lakes; but it was also provided that either party could abrogate the agreement by giving six months' notice.

The arrangement made no provision in regard to revenue vessels, but both parties now seem to consider that these are not a part of the navy and are not included under the limitations of the agreement. The original intention of President Madison was to reduce cutters to the "minimum of size and force, if allowed at all." In 1857 and 1858 the British Government evidently considered that revenue cutters came within the limitations of the agreement. In 1864 Mr. Seward was "not prepared to acknowledge that it was the purpose of the agreement to restrict the armament or tonnage of vessels designed exclusively for the revenue service." In 1865,

[1] In 1864–5 both Seward and Palmerston spoke of the arrangement as an "informal" one.

however, Mr. Seward, in reply to a note from the British minister concerning such vessels, stated that "their armament, if any, will not be allowed to exceed the limit stipulated in the conventional arrangements."

Questions have arisen at different times as to whether the agreement applies to all of the Great Lakes. In 1864 the Assistant Secretary of the Treasury was not sure that it included Lake Erie as one of the "upper lakes." When the military canal from the Mississippi to Lake Michigan was proposed to Congress during the Civil War there was some doubt whether this lake came under the provisions of the agreement of 1817. The agreement has not only been treated as applying to all these lakes, but it would probably also be interpreted as applicable to all the streams which flow into the various lakes included in its provisions.

By the construction which has been placed upon the clause "no other vessels of war shall there be *built or armed*," the Navy Department has refused to accept the bids of lake builders for naval vessels which were to be built for use on the ocean. These bids could have been accepted under the liberal interpretation that a hull would not be a war vessel until after she had received her armor and guns, but it has not been thought best to give this interpretation. It appears probable that the Navy Department may have been guided in its action chiefly by the fact that the vessels after being built would have to pass through a long stretch of exclusively Canadian waters in order to get them to the sea. Permission has been readily obtained at various times to take vessels through these waters, but it has probably been considered a bad policy to ask such a favor of a neighboring nation.

It was the impossibility of getting the vessels from the lakes to the sea that made it necessary to dismantle them there. The United States had begun to reduce the expense of her fleet soon after the peace, either by dismantling or sinking her vessels. Thus had perished the fleet of the gallant Perry. It had been built for a purpose. It had served that purpose. Why should society be burdened with the

expense of keeping it longer? It had been the servant of the people. Why should the people now become servants of the fleet? On Lake Champlain all vessels had already been laid up at White Hall. On Lake Ontario there was a large number of vessels, but most of them had been laid up or dismantled. Work had been suspended upon the large ship *New Orleans* of seventy-four guns. The work of dismantling or sinking was now continued. Soon, only the pieces of hulks were left as a reminder of the former warring fleets. The forces on each side declined to "almost complete disappearance." By 1825 public vessels had practically disappeared, both parties even disregarding the maintenance of the force which had been allowed by the agreement. Peace existed in fact as well as in theory.

In 1837, during the internal troubles in upper Canada, there were American sympathizers for the insurgent cause, whose indiscreet action threatened for awhile to endanger the international peace. At Buffalo, mendacious speeches were made, and a few persons joined the rebels at Navy Island. The *Caroline*, owned by American citizens, and engaged to carry supplies to the insurgents on the island, was captured by a party of Canadians and burned. Sentiment and excitement were aroused. The United States Government took steps to preserve the neutrality, but for awhile there was an increase of sympathy for the insurgents, some of whom found refuge south of the lakes. Border feeling was aggravated by other controversies, and each side began to inquire into the expediency of preparing an armed force for the lakes. The British at first hired some steamers on the lakes, but later they informed the United States Government that on account of threatened invasion they found it necessary to equip temporarily a larger force than was authorized by the Agreement of 1817. No objection was made, but the continued reports of British defenses on the lakes attracted the attention of Congress, and in 1841 resulted in an appropriation for armed vessels on the lakes. Our relations with Canada, a subject of intense solicitude

at this time, in a few months became much more satisfactory. The British force was soon reduced to the limit. Nevertheless, the United States vessel, the *Michigan*, which had been provided for by the appropriation of 1841, was placed on Lake Erie in 1843. Her size and armament were in excess of the stipulations of 1817, and this fact drew a remonstrance from the British minister, but it was urged that changes from sail to steam vessels since 1817 justified a revision of the agreement in regard to the size of vessels.

After the brief bluster over the Oregon question there was no further occasion for strained relations, and the growth of cordial feeling, though not entirely uninterrupted, continued until the period of the Civil War. For many years the *Michigan* was the only public vessel in use upon the lakes.

Anglo-American relations, which before 1861 had grown to be so friendly, were severely strained by several events growing out of the Civil War. England feared that her American possessions were in danger from the growing power of the United States. The United States felt that England favored the Southern Confederacy. Each began to consider the defense of the lake frontier. England sent troops to Canada in June, 1861, as "a mere precaution." She also objected to the United States steamer *Michigan* as being larger than the limit of 1817 for lake vessels. The *Trent* affair brought a decrease of Union sentiment in Canada. England discovered that this province was indefensible against the United States, but committees in Congress recommended shore defenses and naval depots for the lakes. The deflection of Western commerce from the Mississippi to the East, together with the tangled relations with England, led to petitions for canals to connect the lakes with the Mississippi and the Hudson, so that there could be a procession of ironclads to the lakes if occasion demanded.

From the latter part of 1863 till the close of the war the Confederate agents in Canada threatened to break the peace on the northern frontier. The Canadian authorities did not neglect their duty, but it was felt that they should have a

more effective system of repression. There were no British naval vessels on the lakes. The United States felt the need of a larger naval force for protection in that quarter. Matters were complicated by the Canadian canal policy, which was not considered liberal enough to justify the United States in continuing the Reciprocity Treaty. In May, 1864, a member in Congress said he favored making a clean sweep of all treaties.

The crisis came in September, 1864, when Confederate passengers captured a steamer and unfurled the Confederate flag upon the lakes. Their plot to strike a blow at Northern cities failed, but this attempt, together with the attack upon St. Albans, Vt., in October, and the various rumors which followed, kept the people in a state of unhealthy excitement and gave the Fenians a hope for an invasion of Canada.

When Congress met, five new revenue cutters were ordered for the lakes. The Reciprocity Treaty and the Agreement of 1817 were soon abrogated. Passports were required for travelers from Canada. Chandler wanted to send troops to the frontier.

But war was averted. England began to act more promptly, and Canada passed a more effective law for stopping Confederate raids. The utterances of Fenians and demagogues gave England some fear that Canada would be in danger at the close of the American war, and led to debates on the defenses for the lakes. Each government, however, used its influence to counteract the effect of the erroneous ideas which had found permanent record on the printed page in both countries.

It was several years after the close of the Civil War before the questions which it engendered were adjusted. Various new questions also have arisen from time to time and have been the source of more or less irritation. Fenians have threatened to carry the green flag into Canada; tariffs have ruffled the feelings of people on the border; the fisheries question has been a source of friction, and canal tolls have led to controversy and retaliatory laws. The clash of inter-

ests and the parade of words have at times produced various psychological changes in the popular sentiment, but there has been no desire by either party to create a system of rival defenses on the lakes. For some time after the Fenian invasion of 1866 it appears that some steamers were chartered by the Canadian Government and fitted up as temporary gunboats for service on the St. Lawrence and the lakes, to prevent further attempts at invasion. The *Michigan* and a revenue cutter were sent by the American Government to patrol the Niagara river for awhile in 1866. Care was taken by the United States authorities to prevent further invasions, but it was not apprehended that any other vessels would be necessary. It seems that all the lake revenue cutters belonging to the United States were laid up in 1867. They were still laid up in 1870 when it was reported that there were plans for an invasion of Canada. The *Michigan* was kept ready for service on Lake Erie, but no invasion occurred in that quarter. There was an attempted invasion from Vermont during the summer of 1870, but it was frustrated.

The *Michigan* has continued to cruise the upper lakes since that time. In 1878, Secretary Thompson, of the Navy, suggested the advisability of selling her and applying the proceeds on a new vessel for special purposes, but Congress did not act on the recommendation. In 1890, various memorials and petitions, especially from Chicago, asked that this antiquated vessel should be replaced by a modern one that would not excite the ridicule of foreign visitors to the World's Fair; but these memorials were left to sleep in the basement of the Capitol, and there was placed on exhibition at Jackson Park only a brick model of a ship of war.[1]

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[1]After the World's Fair this brick model was turned over to the State of Illinois, and was occupied by the Naval Militia of the State. It was their headquarters during the strike of 1894, when they patrolled the harbor in boats, in order to protect the water cribs, which it was feared the strikers might attempt to destroy in order to cut off the water supply of the city.

There has been some doubt as to whether the arrangement has been in existence since 1865, from the fact that in February of that year Congress ratified a notice for its termination, which had been given some time before by the Secretary of State. This notice was afterward withdrawn through the Department of State, but without any action on the part of Congress. Secretary Thompson, of the Navy, in 1878 said that "whether the arrangement remains in force since 1865 must rest upon the decision of Congress." The State Department has considered it as still in force. Congress would probably do the same. In 1892 there were very few members in Congress who would have voted for its abrogation.

The fact that the Navy Department will not permit ocean vessels to be built by lake builders has been the source of some complaint in recent years. In 1895, when the Detroit Dry Dock Company failed to get the contract to build gunboats, for which it had made the lowest bid, there was a general howl from the newspapers for the abrogation of the agreement. An appeal was made to President Cleveland, but he decided that no naval vessels could be built on the lakes. An attempt was made in 1895, before Congress met in December, to get an expression of public sentiment in favor of the abrogation of the Agreement of 1817, but it was unsuccessful. It was considered better to encourage peace than to encourage the war-ship industry on the lakes.

This friendly convention of 1817, which had the effect practically of abolishing rival navies upon the great highway to the Northwest, is a departure from many of the old and musty maxims of diplomacy. But it is in harmony with the new spirit of the new times. There are many precedents for the neutralization of a zone along a land boundary, and several instances of guaranteed neutrality of small States or territories,[1] but there is no precise precedent for the Agreement

[1] Examples are: Switzerland, Belgium, Luxemburg, Cracow, and the Ionian Islands.

of 1817.[1] In fact, the same geographical and political conditions that obtain in regard to the Great Lakes do not exist elsewhere. No other great lakes have formed a boundary between great States. The nearest approach is Lake Geneva and the Caspian sea. The Crimean war resulted in the neutralization of the Black sea.[2] Similar conditions may at some future time exist on Lake Victoria Nyanza, in Africa.

Edward Atkinson, of Boston, says of this arrangement that it is "the greatest step in progress toward the maintenance of peace, and without precedent in history." Although it was secured by the earnest solicitation of the United States Government, it has proven to be equally satisfactory to the British. Mr. Cobden, who once sat on the Naval Committee in Parliament, said in 1850, that "from the moment of the existence of that treaty both parties have totally disregarded the maintenance of the force altogether, and there is not at the present time more than one crazy English hulk on all these lakes." Mr. Walsh, in a speech in the House of Commons, February 10, spoke of the arrangement as a "treaty which had been in force for half a century," and stated that "to it must be attributed the peace and tranquillity which during that period has existed between the two countries." The London Times, of the same year, spoke of the Agreement of 1817 between the two great kindred communities as far in advance of the spirit of that age, and added that "no wiser act was ever agreed upon between two nations than the limitation of the naval force on the lakes." The sentiment seems almost unanimous that from the standpoint of international relations the effect of the agreement has been

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[1] A convention between England and France, in January, 1787, provided that the augmentation of naval armaments should be mutually discontinued.

[2] In several cases it has been proposed to extend the principle of neutralization to rivers and canals bordering on the territory of several states. The Rhine was neutralized in 1815. The Clayton-Bulwer Convention, in 1850, guaranteed the neutrality of the proposed Central American Canal.

entirely wholesome. In February, 1865, Mr. C. F. Adams, the United States Minister at London, in a conversation with Lord Russell, said that armaments are expensive and useless, serving in troubled times to breed mutual suspicion. He saw no reason why we should not continue the "full reliance" of half a century under the Agreement of 1817, which had been so "highly useful." The Canadians are also satisfied with the treaty. James Bain, Jr., Chief Librarian at Toronto, states that "the agreement has worked so admirably that it seems folly to dream of reviving the rivalry of the olden times."

The fathers "builded even better than they knew." The growth of the Northwest and the friendly intermingling of the two peoples has exceeded their greatest hopes. The cities gathered around this Western Mediterranean in size and industry far excel all expectations. Consider the magnitude of the commerce of the Great Lakes. In 1894 the freight borne upon their waters during 234 days exceeded 30,000,000 tons. This is one-fourth as much as the total freight carried by all the railroads of the United States during the whole year. On June 30, 1894, there were upon the lakes 1731 steam vessels, 1139 sailing vessels, 386 canal boats and 85 barges—a total of 3341 craft, with a gross tonnage of 1,227,400 tons. Half of the best steamship tonnage in the United States is owned on the lakes. The freight which passed through the St. Mary's Falls Canal in 1893 exceeded by 3,137,504 tons the entire tonnage of all the world that passed through the Suez Canal in that year. The tonnage which passed through the Detroit river during 234 days in 1889 was nearly two and one-half million tons more than the entire tonnage which entered and cleared at London and Liverpool for that whole year in the foreign and coastwise trade. All this vast commerce, under the Monroe policy of disarmament, is said to be as well protected by "mutual reliance" as it would be if millions of the people's earnings were expended upon naval armaments and forts. Such Monroe doctrine needs no better test to recommend it. During periods of great bitterness,

when the lakes might have swarmed with gunboats, it has warded off the storms which were liable to follow rapid changes of the national temperature. This true Americanism of Monroe is in strict conformity with the foreign policy of all our earlier Presidents. It is the spirit which animated Washington to write in his Farewell Address, "Observe good faith and justice toward all nations; cultivate peace and harmony with all." It seeks peace with honor, and does not advocate the Donnybrook Fair principle in diplomacy, that if a foreign nation's head is visible we should hit it.

It is generally conceded that the experience of the past justifies the continuance of the agreement, though, of course, subject to such modifications as might be necessary to meet modern conditions. There is no desire to depart from the spirit and principle for which the agreement stands. As our modern civilization gets farther away from malignant prejudice and bluster we are less inclined to waste strength in threatening and offensive "defenses." Time has shown that there is little danger from Canada. England has long since conceded the point held by Mr. Madison, that Canada would be of no advantage to her in case of war, and has admitted that she cannot compete with the United States in constructing gunboats on the lakes, even though the Welland canal should give her a temporary advantage in case of possible future hostilities. The Chicago canal, made navigable for gunboats from the Mississippi, would be analagous to the St. Lawrence and Welland canals, but England would still have the advantage in shortness of water route in case she kept gunboats in the vicinity of the St. Lawrence. In other respects the United States would have the advantage.

Nearly eighty years have passed away since the agreement was signed. The Northwest has changed from a wilderness to great and prosperous States. Great cities along the lakes have sprung up and become the rivals of the capitals of Europe. Empires have risen and fallen, great battles have been fought, and boundary lines of nations swept from the world. But during this time, notwithstanding occasional waves of

jingoism on both sides of the fresh-water sea, the people have been attracted more and more to each other, and the sharpness of border lines has been softened by the courtesy and good-will which govern the social and business relations of the two countries. The old border feeling has lost its intensity in old Canada, and in Manitoba it does not exist. Whether Canada shall continue the connection with England, or shall desire to work out her destiny as an independent nation, the United States has no designs against her peace and prosperity. Our sympathies will continue to have more in common than in opposition. The people from different sides of the lakes have no quarrel over the past when they meet at summer resorts. Uncontrollable and unreasonable sentiment has sometimes asserted itself in a hostile manner, but friendly feelings have continued to subsist in spite of commercial and national differences. The jingoism of those who are always making mental preparations for war has forced itself into notoriety at times, but it is on the wane. Artificial attempts to resurrect the prejudices of earlier days only serve as an object-lesson of the earlier stages of civilization, which modern society has not yet entirely laid aside.

The mental coolness which once existed between the peoples separated by the lakes has abated. The ancient passion has died away, and the only coolness that now normally exists is the coolness of the fresh waters themselves which separate the territories, but are, at the same time, serving as a highway of trade and social commingling to *unite* the nations in a brotherhood of common feeling.

The policy of the two great English-speaking peoples in regard to the American lake boundary, to which has been attributed the peace that has continued to exist in spite of disputes, is a precedent worthy of the study of other nations. Overgrown standing armies and floating navies are often a source as well as a product of war. Mr. Freeman called them "the modern abomination." An armed peace not only frowns defiance, but its expense inflicts upon nations the curse of poverty. Some preparation for war, with the least

possible sacrifice of the advantages of peace, seems necessary, but it is plainly an unnecessary waste of force and a hard burden for society when one-fifth of the flower of Christian Europe is set aside to make ready for war. It would be far better to depend more upon the militia. In 1850, Sir Robert Peel said: "We should best consult the true interests of the country by husbanding our resources in a time of peace, and, instead of lavish expenditure on all the means of defense, by placing some trust in the latent and dormant energies of the nation." In the same year Cobden said: "Four million of men, the flower of Europe, . . . are under arms, living in idleness. . . . The women are doing farm work in order that the muscle and strength of the country should be clothed in military coats and should carry muskets on their shoulders." Here is a double loss to society. These several million men have to be supported by those who are in the industrial pursuits. If the army were swept away by a plague it would only be a single loss. If both army and those who work to support it were swept away society would be none the worse, from a material point of view.

Besides the cost, the whole moral tendency of vast "peace establishments" is bad. If a man walks abroad armed to the teeth he is very liable to get into a quarrel; so with a nation. Social manners have been benefited by a general disarmament of individuals. So the public tone might be benefited by the disbanding of overgrown armies and the employment of navies in peaceful commerce. The maxim, "In time of peace prepare for war," is transmitted from distant ages, when brute force was the general law. It is a dogma of barbarism, which the searchlight of modern civilization has not yet entirely illumined. But we are learning by experience that peace begets peace, while growls beget growls, and menace begets menace. We can say as Mr. Disraeli did in 1859: "Let us terminate this disastrous system of rival expenditure, and mutually agree, with no hypocrisy, but in a manner and under circumstances which can admit of no doubt—by a reduction of armaments—that peace is really our policy."

Before our country had evolved to a "more perfect union," the Articles of Confederation provided that disputes between States should be determined by commissioners selected by the disputants, or by Congress. This was better than for each State to have kept a large army and navy. If nations do not find it expedient to bind themselves to a policy like this, reduction of armaments must nevertheless become more and more the world's policy. Through the ages we have learned to lessen both the occasions and the severities of war. It has been a gradual movement; but the current of history cannot be reversed. The shadow cannot be made to go back on the dial. A sentiment in favor of *reduction* of armaments has been gradually developing. If England and the United States could disarm upon the lakes after the War of 1812, and if four European nations could make similar provisions, after the Crimean war, respecting armaments upon the Black sea, is it not possible in time of peace to apply the principles of these treaties on a larger scale and provide for a general disarmament in Europe? The political and economic effect could not ultimately be otherwise than good. Professor Von Holst says that the European nations will be *forced* to abandon their expensive armaments in order to keep up with the progress which the United States is making without them.

The intellects and hearts of the nations are outgrowing the theory that national disputes can only be settled by the sword. The result of the Geneva arbitration has shown that they *can* be settled otherwise. The law of hate is yielding to the law of love. Every year makes it more apparent among nations that the best interests of all will be served, not by mutual antagonism, but by co-operation and mutual service. The discoveries of the past have gradually revealed the limitlessness of the world's resources, and demonstrated that all the nations are parts of "one body," and that the foot cannot say to the hand, "I have no need of thee." This is the lesson of modern commerce. Civilization is the accumulated labor of all the world through mutual service and concord, as well

as the result of struggling interests and passions. The animosities between the various early races in England and between the various provinces in France have died out. The new wine of national life long since broke the old bottles of the feudal system and it passed away. So the broad spirit of the new age is leading men to let their love for mankind extend farther than the few hills or the little water that happens to lie between the tribes of one great family of people. We can love humanity more without loving home and country less. No set of men should get the idea that the world was made for their special benefit.

The new epoch is here. Each generation profits by the reservoired results of past centuries. Unconquerable time works on unceasingly. There is no rest. What has been, does not always have to be. Past experience is adjusted to the needs of the present and future. Slowly but surely the nations are being brought nearer to one another. The progress of one reacts for good upon the other. A solidarity of commercial interests has been created. Thought has been made virtually omnipresent. Submarine telegraphs obviate much bitterness by the prompt contradiction of false reports. Travel has made men more tolerant. The hindrances and barriers that lay between nations are disappearing. Industrial and intellectual and social threads, stronger than the mere paragraphs of treaties, connect all men. No changed condition upon any part of the periphery, but it affects all ganglia which regulate national life. No nation lives to itself. More and more the members of the European family of nations are coming to a clear understanding among themselves and about themselves. As they become more and more conscious of their world relations, we can look to the changed spirit of the age rather than to any mechanical device for the maintenance of peace. There will be a victory of the peace-makers over the war-makers. Progress will be more and more accompanied by the absence of duplicity and Machiavellianism in diplomacy, by the "mutual reliance" of neighboring nations, and by the principles of justice and right.

II.

THE NORTHERN LAKE BOUNDARY OF A NEW AMERICAN NATION.

Conditions Which Led to the Treaty of 1783.

Some part of the inland waterways which stretch along our northern border was the scene of warlike movement from a time previous to the first discovery of Lake Champlain till the close of the War of 1812.

Champlain found the Hurons fighting the Iroquois. His injudicious interference in their quarrels served afterwards as a factor in extending English influence toward the Great Lakes, and induced the French to push their discoveries along the western part of these waters and into the country drained by the Mississippi and its branches. The French thus obtained control of the fur trade of the upper lake region. But the Iroquois found it profitable to carry beavers of the Northwest to the English at Albany. So they determined to wage war against the Indian tribes of the upper lakes, to seize Mackinaw, and to drive away the French, in order to get this trade into their hands.[1] But their attempt was unsuccessful. The English, too, had begun to establish posts in the Northwest in the region of Mackinaw, and it became evident to the French that the Iroquois were the mere agents of the English. English traders were passing back and forth between Albany and Lake Ontario, and their trade with the Iroquois was increasing. The French in Canada saw that in order to retain a monopoly of the fur trade they must destroy the source of supply to the Iroquois. Thus grew up the question of whether France or England should

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[1] Winsor: Narrative and Critical History, Vol. 4.

control the lakes and the Northwest, and the conflict between the Indian tribes was transferred to two great nations.[1]

Soon after the colonization movement west of the mountains began, the English were thrown into contact with the French in the region between the Ohio river, the Mississippi river and the Great Lakes. The contemplation of future possibilities was awakening the consciousness of the English people as to the importance of this region and of the Great Lakes. The French had the advantage of first settlement, but Anglo-Saxon determination was invincible in the establishment of new homes beyond the mountain barriers. The last great conflict between France and England in America was at hand. It was a final struggle for supremacy on the new continent. Many of the scenes of that war were upon the lakes. They were found important in war as well as in peace. It was by descending the St. Lawrence from Lake Ontario in 1760 that Amherst rendered it impossible for the French to retire westward from Montreal, and to prolong the war on the shores of the lakes.[2] Securing control of the lakes was a vast step toward the realization of the victory by which England was given control of all the territory west of the Mississippi and north of the Great Lakes.

But England achieved the conquest of the Ohio valley not for herself. She was simply the trustee through whom it was transferred "from the France of the Middle Ages" to the free people who were making for humanity a new life in America. It was for the liberty-loving colonist that it had been won. He had battled with the forest, and won it for the masses of

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[1] In the debates of the Congress, at Albany, in 1754, it was held that the country of the five cantons of the Iroquois was acknowledged by the treaty of Utrecht to be under the dominion of Great Britain, that Lake Champlain, . . . Lake Ontario, Lake Erie, and all the countries adjacent had been admitted by all to belong to the Five Nations, and that the whole of those countries long before the treaty of Utrecht had been put under the protection of the crown of Great Britain, for the sake of commerce.

[2] Warburton: Conquest of Canada, Vol. 2, p. 375.

population which were to follow. He had pushed the border westward, so that the possibilities of the future might be seen. He was working out the problem that others had talked about.

Intercourse with the West and Northwest was now more important than before. The project of an improved water communication between the Hudson and Lake Ontario, by way of natural streams and the carrying places, for the advancement of Indian trade, was discussed. Washington had made observations which caused his mind to appear "absorbed and devoted to the mighty object of forming a navigable intercourse with the Western country and the lakes." He thought the fur trade could be drawn toward the Potomac.[1]

But it was not till after the Revolution that these ideas of closer connection with the West were to be realized.

When the idea of independence from the rule of England had become a part of the consciousness of the people of the United States in 1776 there was no accurately defined limit to the territories of the new nation. The Quebec Act of 1774 had declared the country between the Ohio and the Great Lakes to be a part of Canada. The new States had a good reason to claim Western lands; but the land north of the Ohio was *de facto* a part of Canada. The marching of an army into it was really an invasion of Canada, and this was not favored by the Continental Congress at the beginning of the Revolution.[2] After Ethan Allen took the fortified places on the borders of Lake Champlain, and the armed sloops and boats upon its waters, he suggested to the New York Congress that this key should be held, and that "if the colonists would push two or three thousand men into Canada they might make a conquest" of it. He spoke of the value of establishments upon the frontier farther north. But the New York Congress had disavowed hostile intentions against

[1] R. Mills: Inland Navigation, p. 7.
[2] Sparks: Life of G. Morris, Vol. 1, p. 54.

Canada, and it now assured her so by letter. The Continental Congress gave the same assurance. But in less than three months, after the battle of Bunker Hill had helped to ripen the aggressive spirit of the nation, an expedition was ordered against Canada. It might have been a success when Allen wrote, but it proved a failure at the time it was planned. Canada was at first disposed to be neutral, but finally took up the British cause. The clergy were against the American cause.

But the Americans were more successful in their attempt to conquer the territory between the Ohio and the lakes. Clarke succeeded in the Northwest, whereas Arnold and Montgomery failed in the North. The British were fully awake to the importance of holding the region between the Ohio river and the lakes. After Spain declared war against Great Britain (May 8, 1779), Lord George Germain, Secretary for the Colonies, wrote General Haldimand of it, and ordered him to reduce the Spanish posts on the Mississippi.[1] This was the last concerted action of the British to regain possession of the West, and it failed on account of the activity of the Spaniards under Governor Galvez, and through the energy of Colonel Clarke. If this Western scheme of the British had been successful the country north of the Ohio might have remained a part of Quebec. If this had been the condition in 1782 it is quite probable that the United States would have been shut out from the lakes and the Mississippi. Thomas Jefferson saw the importance of Clarke's expedition to the Wabash before it was made, and wrote that if it proved successful it would "have an important bearing ultimately in establishing our Northwestern boundary." America had begun to look forward to her "manifest destiny" in the North and West. France feared this.

The French always had fears of the American love of conquest. In 1778, in discussing an attack on Canada. the French ministers discouraged it. Turgot had, as early as

[1] Winsor: Narrative and Critical History, Vol. 6.

1776, looked for the repossession of Canada by France in case the colonies succeeded. It seems to have been the settled policy of the French court from the beginning to prevent the United States from getting Canada. Mr. Morris saw that France favored Spain by wanting Canada to be held by the British, so the United States would be diverted from Spanish territory, and he said it was useless, for both England and the United States would be hostile to Spain. He thought England would be master of the lakes and a natural friend of the Americans.

Though Spain rendered valuable service, by helping Clarke to hold the land he had conquered until the treaty was drawn up, she did this through no unselfish motive. In 1779 Spain had wished that the Northwest should be guaranteed to England.[1] In her engagement with France to assist in the war against England she had demanded a stipulation that left her free to exact from the United States, as the price of her friendship, a renunciation of every part of the basin of the St. Lawrence and the lakes, of the navigation of the Mississippi, and of all the land between that river and the Alleghanies. Spain thought of laying claim to all the territory west of the mountains and south of the lakes. It was her ambition that induced her to say that the royal proclamation of October 8, 1763, kept the United States from having any territorial rights west of the Alleghanies.

Thus, at the close of the Revolution, the basin of the lakes remained British, and Spain had her eye upon the entire region west of the Alleghanies. It took diplomatic skill to extend our limits to the lakes.

The question of what should be our boundaries had been discussed in Congress at various times before the close of the war. In a report of a committee of Congress, February 23, 1779, it was stated that certain articles necessary for safety and independence should be insisted upon. Concerning the northern boundary, it proposed "the ancient limits

[1] Bancroft, Vol. 5, p. 325.

of Canada, as contended for by Great Britain, running from Nova Scotia southwesterly, west, and northwesterly, to Lake Nipissing, thence a west line to the Mississippi." On March 19, 1779, Congress agreed to an *ultimatum* similar to this line. The line from Lake Nipissing was to run from the south point of the lake to the source of the Mississippi. If the source of the Mississippi had been as far north as the Lake of the Woods, as it was supposed to be, Great Britain would, by this line, have been excluded from all the lakes except Superior.

In the instructions of Congress, August 14, 1779, to the minister, it was stated that "if the line from Nipissing to the Mississippi cannot be secured without war, you may agree to some other line not south of 45°." John Adams received the appointment as minister September 27, 1779, and went to France, but official influence there was thrown against the initiation of a treaty at that time. His commission was annulled by Congress June 15, 1781, and he was appointed one of five commissioners to negotiate a treaty. This commission was not tied up by absolute directions, and did not always follow such general directions as had been given it, but by wise diplomacy it secured better terms in the treaty than Americans had dared to expect in 1781 at the time of Cornwallis' invasion of Virginia.

It is not within the scope of this chapter to enter into the interesting details of the many discussions and arguments at Madrid and at Paris, or even to mention all the proposed boundaries. It can only notice the main features. The attitude of England was largely influenced by questions relating to Spain and France, and was not clearly defined from the beginning.

At one time in 1782 there was a strong probability of the cession of all Canada to the United States. In a conversation in April of that year, Franklin and Oswald agreed that occasions for future wars should be removed.[1] They saw that

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[1] Wharton: Diplomatic Correspondence of the Revolution, Vol. 5, pp. 540 and 541.

settlers along the long frontier were constantly furnishing matter for fresh differences. Franklin proposed that it would have a good effect if England would voluntarily offer to give up Canadian provinces on condition of being allowed free trade with them. He thought that if England kept Canada, the United States would have to strengthen her union with France. But popular opinion in England was probably against giving up Canada, and the influence of other events made the ministry more determined to hold this territory. The effort to secure the Ohio as the southern boundary was resisted by both Adams and Jay. At the same time, our ministers could expect better terms from England than they could hope to get from France and Spain, who, it appears, would have "cooped up" the United States between the Alleghanies and the sea if they could have done so. This led to secret communication with the English ministers, contrary to the expectation of Vergennes, the French minister. Vergennes had hopes of getting Canada for the French. Lafayette wanted it for the United States.

Although Oswald favored articles which gave the United States control of the lakes, the British ministry would not assent; and when the American ministers proposed either the line of 45° or the line through the lakes,[1] the British ministers chose the latter. Fortunately for us, their preference for a water boundary caused them to recognize the Great Lakes as our northern frontier. Doubtless, the British ministry saw that there was danger of Spain's getting the territory south of the lakes, and preferred to let the United States have it. Perhaps neither England nor Spain regarded the Treaty of Paris as final. It is not improbable that the war of 1812 revived English hopes of recovering the control of the lakes and the region south of them. The refusal of England to surrender the posts which she held south of the lakes at the close of the war shows the reluctance with which she agreed to the boundaries.

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[1] 6 Sparks' Diplomatic Correspondence of the Revolution, Nov. 6, 1782.

There were English who believed that the "Northwest Territory should never have been ceded to the United States." One writer said the cession was due to Oswald's ignorance of geography. In fact, for several years before Jay's treaty, merchants of Montreal tried to get a new line of boundary. Various changes in the boundary were proposed, and it was not until the Treaty of Ghent that the boundary through the lakes and the destiny of the Northwest were assured.

From pre-historic times water boundaries have been favorite division lines between tribes and nations. While high mountains have been a natural boundary, mere heights of land have not, as a rule, been considered better than rivers. Even such an unstable boundary as the Rio Grande, which is constantly annexing Mexican territory to Texas, or Texan territory to Mexico, seems preferable to one of a purely imaginary character.

The St. Lawrence and the lakes formed a *natural* boundary so far as they extended. The difference in sentiment that prevailed along the northeastern frontier south of the St. Lawrence prevented the fixing of that river as the boundary for its entire length, though there are commercial and other reasons which might have favored it.

It would have been to the immediate financial advantage of the British to hold the posts at Michilimackinac, Niagara and Oswego; a neutral zone of Indian lands south of the lakes would also have benefited the British as well as the Indians, but such a zone could not have been held forever from the advancing hosts of civilization. It is useless to ignore facts. The strong hand of the free white settler would ultimately have obtained the Indian's land for cultivation. And as the Indian was pushed westward, the original purpose of the British posts would have ended, and the increasing population south of the lakes would have made it necessary for the British to withdraw their pretensions to control the use of the lakes.

In 1783 Canada was not considered to be very desirable territory. Settlements in Upper Canada were very sparse. It is perhaps not profitable to conjecture to what extent the subsequent events of American history would have been changed if a part of Canada had been ceded to the United States. It is hard to prove *what might have been* the course of historical events.

There was some objection to the boundary through the middle of the lakes on the ground that it could not be well defined, but conditions which have since arisen have tended to confirm the belief of the fathers that it was better than a line through a semi-wilderness. From a commercial and international standpoint the lakes have proven more and more to be the most logical solution of the boundary that could have been made.

III.

THE STRUGGLE FOR THE CONTROL OF THE LAKES—1783-1815.

"The Great Lakes which stretch along your borders have been the scenes of desperate conflicts; and even now, as the traveler proceeds up Lake Erie, he points to its western islands as the Greek patriot points to Salamis; to the place where the lamented Perry gained his victory with Spartan courage, and made his report with Spartan brevity. There no monument can be erected. . . . The waves roll, and will roll over it; but whoever passes by with no kindling emotion . . . let him distrust his own heart, and let his country distrust him."—*General Cass, in an address before the alumni of Hamilton College, 1830.*

Gouverneur Morris, in 1778, when he said that England would have control of the lakes, did not read the future as well as he had read it upon the question of internal navigation. But even after the Treaty of 1783 had settled their destiny on paper the course of events made it appear necessary that these lakes become the scenes of desperate conflicts before England would loosen her grasp upon their southern shores and become content to rest in peace on the opposite side. No American flag was yet floating upon this vast expanse of waters when national feeling had set the government to work under a written constitution. But in 1796, on board a small schooner of seventy tons, on Lake Erie, it was first raised. On June 12, 1798, Congress passed an act "For the construction and repair of certain vessels on the lakes, in the service of the government,"[1] and in 1802 the first government vessel was launched there.

The importance of the lakes had been seen from the first, and there was no intention of allowing our interest in them

[1] Statutes, Vol. 1, p. 564.

to lapse. As early as 1784 Washington had urged that Congress should have the Western waters explored and their capacities for navigation ascertained as far as the communications between Lake Erie and the Wabash, and also between Lake Michigan and the Mississippi. He saw that the spirit of emigration was abroad in the land, and that the lakes would bear a close relation to the development of the Northwest. The excellence of the interior country in the region of the lakes was becoming better known, and people were beginning to write of the possibilities of the lakes and of inland navigation. Jefferson urged the necessity of connecting the Potomac with the lakes.

The increasing importance of the Northwest did not diminish the tendency to friction in that region. The British did not give up the posts south of the lakes. The Treaty of Paris had scarcely been made when the British began to accuse the Americans of breaking it. On the other hand, many Americans believed that it had never been the intention of Great Britain to surrender the posts and give up the trade of the lakes. It was desired to retain this commerce. John Tyler, of Richmond, wrote to Monroe in 1784 that "their policy is now to negotiate for this object by ceding the point of compensation and sterling debts."[1]

In July, 1783, Haldiman had refused to surrender the posts to Baron Steuben, and for thirteen years the British flag floated on American soil. The retention of the frontier posts had more than a sentimental effect. It was important from an economic standpoint. British officers levied duties on American vessels passing the posts. Traders and boatmen were kept in a constant state of irritation. To the American fur-trader it meant a loss of much trade. To the Western Indians it gave hope that they would be allowed to hold the land north of the Ohio river.

Traders and refugees in Canada complained that there was danger of the Americans getting control of the fur trade. At

[1] Monroe Papers, Vol. 7, p. 463.

this time it seems that the English Government did not allow private vessels to navigate the lakes, and there were many complaints that there were not enough of the King's vessels to meet the needs of trade. There were petitions for private vessels, but the government would not allow them.[1] An attempt was made to "persuade the King and ministry to build a fleet of armed ships upon the lakes, and to negotiate with all the Indian nations, in order to attach them to their side."[2]

Some people favored an alliance with England, in order to get better trade advantages. Kentucky had separated from Virginia in order to form a new State, and its citizens even thought of separation from the rest of the nation and alliance with England.

Affairs had not improved in 1791, when Jefferson drew the attention of the American representative at London to the fact that the British still held many posts along the lakes, that British officers had tried to exercise jurisdiction in the vicinity of the forts, and that they had excluded American citizens from the navigation of the American side of the lakes and rivers forming the boundary, and had thus seriously interrupted their fur trade. England had sent no minister to the United States till 1791. Hammond, who was sent in that year, claimed that the Americans had never fulfilled their part of the treaty in regard to debts. He and Jefferson carried on a long correspondence in regard to the subjects of misunderstanding, but no settlement of difficulties was reached.

New dangers arose. In 1793 there was talk of Western New York joining Canada if the people there could not get the right to form a new State. War between France and England threatened to be a source of much trouble to the American nation. The treaty of 1778 had placed the United

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[1] Canadian Archives, Series 2, Vol. 25, pp. 111, 118, 128, 298. Report of 1891.

[2] 4 Sparks' Dip. Cor., p. 467. (Adams to Jay, Dec. 1785.)

States under obligations to France. The subsequent convention of 1788 gave a jurisdiction to French consuls which was embarrassing to the United States as a neutral. The government was firm in declaring a neutral policy, but public sympathy, especially in the South, was with France. Both England and France issued decrees for the seizure of vessels carrying provisions to an enemy's port (1793).

On April 24, 1794, the Republicans in Congress moved to discontinue commercial relations with England until the lake posts were given up. This led Washington to send Jay to London to negotiate a treaty, with instructions not to surrender upon any consideration any of the posts on any part of American territory.

A few days after Jay's departure for England considerable alarm was aroused by the report "that Governor Simcoe had marched to the rapids of the Miami lake with three companies of Colonel England's regiment to build a fort there."[1] The American Government was in doubt as to whether Simcoe's movement was a part of a systematic attempt to regain territory, but it was certain as to its own policy. It would not surrender its territory to the British, although the danger of war was clearly seen.[2] Washington was convinced that as long as the British retained Detroit and other posts within the limits of the United States, a condition of perfect tranquillity with the Indians could not be secured.

In October, 1794, Simcoe told the Indians at Fort Miami that he was going to Quebec and that the English would be prepared to attack the Americans and drive them back across the Ohio the following spring. But in the absence of the British, the Indians met Wayne at Greenville, Ohio, on August 3, 1795, and made large grants of territory to the United States.

The authorities in Canada at this time were considering the importance of the naval force for the defense of Canada.

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[1] 2 Instructions, May 27, 1794. (Randolph to Jay.)
[2] 2 Instructions, May 27, 1794.

It was recommended that in case of hostilities the militia should be liable to serve on the lakes as well as on the shore.[1]

By Jay's treaty, signed November 19, 1794, it was agreed that the English troops were to withdraw from all the territories in the United States on June 1, 1796. There were other advantageous provisions, but the treaty met with much opposition in the United States. Some of the people were so impracticable as to advocate a prevention of trade with the Northern neighbors.[2] They would have nourished violent enmity rather than have friendly intercourse, and would have kept the vessels of each party from crossing the middle line of the lakes.[3]

There was a strong feeling that there was a want of reciprocity in the provisions regarding the navigation of the lakes. "Columbus," of Virginia, said the United States should have had egress and ingress from the lakes to the Atlantic, else her goods must go in British ships and give Great Britain a monopoly on the lakes. He also said that the importation of arms and warlike stores should have been prohibited by way of the lakes. The people of Richmond county, Virginia, objected to the clause which allowed British subjects to remain at the Western trading posts, and said it was an "actual cession of the key of the lakes to the Crown of England," and the "establishment of the British Empire in the bosom of the Union."

In 1795 an effort was made to prevent appropriations for the carrying out of the treaty. Only the popularity of Washington saved the country from repudiation and war with England.

War was averted, and our commerce grew. Relations grew better with England as they grew worse with France.

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[1] Report of Canadian Archives, 1891. State Papers, Upper Canada, p. 30.

[2] American Remembrancer, Vols. 1, 2 and 3. Also, Madison Papers, Vol. 5.

[3] Freedom of commerce and navigation in the waters of both countries was granted to the inhabitants of each, subject to local laws and regulations.

For awhile Pitt hoped to get the United States as an ally against France. This, of course, was not the American policy. Washington desired to avoid "entangling alliances" as well as antipathies. But even Jefferson, the leader of the Republicans, spoke in favor of alliance against France in April, 1802, when he was considering the recent cession of Louisiana by Spain to France. He wrote: "The day France takes possession of New Orleans fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment we must marry the British fleet and nation." There was no desire to see Napoleon set a foothold in America.

But with the news of fresh convulsions in Europe, and with the purchase of Louisiana by the United States, the attitude toward England became less cordial. The new British minister, Anthony Merry, and his wife, who came to Washington the latter part of 1803, adopted a grumbling tone, which increased the coolness. They were dissatisfied with the inconveniences of travel and life in the new country, and found fault with Jefferson's table etiquette and ideas of equality. Mrs. Merry felt that Jefferson did not pay her enough attention. She thought that Jerome Bonaparte and wife were treated better than herself. Social complaints were complicated by other matters. Madison insisted upon neutral rights. Rufus King's boundary convention between the Lake of the Woods and the Mississippi was not ratified. The Federalists encouraged the trouble with Merry. In February, 1804, he was taken into a plot for a New England confederacy. He was also drawn into Burr's schemes for the separation of the Western territory. Merry's letter sent to the Foreign Office caused his recall after Pitt's death, and England was not drawn into the Burr conspiracy, but matters had been drifting to a position which looked like war with England.

England and France, in adopting a campaign of starvation in their war against each other, greatly embarrassed

American commerce. The Order in Council of May, 1806, declared a blockade of the coast of Europe from Brest to the Elbe. Napoleon's Berlin Decree of November, 1806, declared a blockade of the British Isles, and prohibited commercial relations with them. Great Britain wanted the United States to resist the Berlin Decree, but the United States Government complained that the new treaty which was proposed to take the place of Jay's treaty was unfavorable to the United States. In January and November, 1807, Great Britain issued new Orders in Council to prevent neutrals from trading with France. Napoleon, in December, issued his Milan Decree, making it legal to seize any ship in ports under his control if it had attempted to obey the English orders. These acts were a severe blow to American commerce. In addition to the above orders, the British had claimed the right to search American ships for deserters and to impress all whom they should decide to owe allegiance to Great Britain. Jefferson was finally led to a policy of commercial restriction in order to prevent war.

In 1808 relations were much strained. General Hull suggested to the administration the expediency of placing armed vessels on Lake Erie in order to protect the communication with the Northwest Territory. The Jay treaty had not prevented subsequent sources of irritation upon the lake frontier. It seems that the revenue officers of the United States had from time to time "attempted to exact duties upon goods crossing the portages." The Canadian traders resisted such duties on the ground that the Jay treaty gave them freedom of commerce and intercourse. It was also claimed that the situation of American ports of entry on the boundary lakes and rivers, and the nature of the navigation, made it difficult to observe rigidly the regulations which were applicable to Atlantic ports, and that all impediments to trade should be avoided. It seems that in some cases Canadian vessels had been seized because of their too great proximity to particular ports or shores, though the claim was set up that there had been no intention of infringing the revenue

laws of the United States. The necessity of securing the "neutrality of the lakes and waters" in order to prevent this restriction on trade was urged several years later.[1] The British traders were using every effort to retain the control of the lake trade, but the events of the next four years were to lessen their influence and give Americans an opportunity to obtain supremacy upon the inland waters. In 1808, Mr. Canning complained to the United States minister that an attack had been made upon some British boats on the lakes, in violation of the treaty of 1794, and was causing great alarm and anxiety among the British traders.[2] The vexatious English Orders in Council were not repealed, and the seizure of American vessels upon the seas was not discontinued. England's policy in her war with France was leading her into a second war with the United States. Affairs were complicated by the attitude taken by Mr. Jackson, the British Minister at Washington, in regard to social and diplomatic relations. Unhappily, also, the elections for Congress took place during a whirlwind of passion. Finally, the Indian troubles in 1811 aroused the hardy men of the frontier, who believed that the attitude of the savage was due to the influence of the British.

The fiery speeches of fascinating leaders, and the slowness of the British Government in repealing the Orders in Council, forced the administration at Washington into what has since been called an "unnecessary and unwise war." Though this war was begun in order to secure American rights upon the ocean, the lake frontier was the principal theatre of military operations, and one of the most important struggles in the negotiations for peace was to secure American rights upon the lakes and the adjacent southern shores.

At the beginning of the war the importance of securing command of the lakes became at once evident. The first

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[1] Pamphleteer, Vol. 6, pp. 35, 43, etc. (Nathaniel Atcheson on "American Encroachments.")

[2] Am. State Papers, Vol. 3, p. 226. (Pinckney to Madison.)

plan of the Americans was to cut the British off from the West by an invasion of Canada from Detroit. The idea was to get control of the lakes. Hull had opposed the invasion of Canada just then, as it was too strong to be overcome by American forces and was likely to be aggressive in return. During the winter of 1811-12 Hull had been at Washington, and believed that the war could be avoided. When the invasion of Canada was being discussed he had favored placing a force at Detroit for protection, but he did not favor making this a part of the plan for getting control of the lakes. He believed that with Detroit protected the Indians could be kept from Malden, and that the British, unable to hold Canada without them, would leave it, and that the command of the lakes would be obtained without a fleet. But the surrender of Mackinaw in July, and of Hull at Detroit in August, left the British in command of the lakes and the Northwest, together with a greater influence among the Indians.

When the war began the United States had no naval force on the lakes. The British had the advantage in this respect. As early as October 8, 1812, however, the British armed vessels, the *Detroit*[1] and the *Caledonia*, were captured by Lieut. Jesse D. Elliot.[2] Even as early as July 1st Captain Woolsey had requested twenty six-pounders with which to arm such vessels of commerce as could be found upon Lake Ontario. This request had been referred to the navy by Captain Chauncey. On October 12th General Armstrong wrote to Secretary Gallatin that it was not yet too late to accomplish Woolsey's object, which would not only be important in giving "exclusive and uninterrupted use of the lakes for public purposes," but would also "effectually separate Upper Canada from Lower Canada."[3]

[1] The baggage of Gen. Hull and family was on the *Detroit*. It had taken Hull's family part of the way. Hull himself had been furnished with passage across the lake by a British armed vessel detailed on purpose—a courtesy creditable to both parties.

[2] It appears that British commercial vessels were captured on Lake Ontario even before the war commenced. (16 Domestic Letters, p. 278.)

[3] Armstrong : Notices of the War of 1812, Vol. 1, p. 177.

The expectation of getting command of the lakes by the invasion of Canada having been disappointed by the surrender of General Hull at Detroit, measures were now taken by the United States Government to get control of these inland seas by providing upon them a naval force superior to that of the enemy.[1] There was no doubt about the quantity of water being sufficient to float the largest ships. The storm waves upon these watery depths might challenge those of the great ocean. The difficulty came in getting vessels ready to float. It was no easy matter to create a navy upon these inland waters. They were inaccessible to vessels from the sea, and there were no large shipbuilding plants upon their borders as there are now. Settlements were sparse upon the south shores of the lakes, and most supplies had to be brought from the seaboard at great expense.

The difficulties were probably greater for the British than for the Americans.[2] President Madison was confident of ultimate success in driving the British traders out and getting control of the lakes. In his message to Congress on November 4th he said: "Should the present season not admit of complete success, the progress made will ensure for the next a naval ascendency, where it is essential to our permanent peace with, and control over, the savages."

It is hard to say who first proposed a naval armament upon the lakes. It has been attributed to General Harrison by Mr. Profit, of Indiana. The posts which General Harrison had to recover in 1812-13 were separated from the frontier settlements by a swampy forest for 200 miles. The British, just after the fall of Detroit, commanded Lake Erie with their fleet. It occurred to Harrison that the best plan was to build a fleet on the lake to co-operate with the forces on the land.[3] The same idea may have occurred to others also.

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[1] Am. State Papers, Foreign Relations, Vol. 1, p. 80. Madison's Message of November 4, 1812.

[2] James: Naval Occurrences, p. 285.

[3] Hildreth: Life of Harrison, p. 130. Also, Harrison's Correspondence with the War Department.

General Armstrong called attention to the fact that the whole extent of Canada's defense rested upon navigable lakes and rivers, and wrote that no time should be lost in getting naval ascendency on both, "for the belligerent who is first to obtain this advantage will, (miracles excepted), win the game." But Armstrong at first, probably, did not have in view the creation of a navy outside of the "commercial craft." General Harrison's plan was quite in harmony with the view of Armstrong.[1] On April 4, 1813, the latter wrote Harrison: "Our first object is to get command of the lakes. It can be done by June 1st. This is your easy, safe and economical route to Malden." These were also the views of the Government at Washington. In addition to the vessels that had already been equipped, Congress, by Act of March 3, 1813,[2] authorized the President "to have built or procured such a number of sloops of war, or other armed vessels, to be manned, equipped and commissioned, as the public service may require, on the lakes."

In his message of May 25, 1813, Mr. Madison was able to say, "On the lakes our superiority is near at hand where it has not already been established."[3]

By August, 1813, when Perry's fleet won the brilliant victory on Lake Erie, the Americans had gained such a start of England upon the lakes as England was never able to overcome. Mr. James, in his "Naval Occurrences," attributes this American success to the greater difficulties of equipping British vessels "3500 miles from home, penned up in a lake on the enemies' border, inaccessible to water."

The continued success of the Americans upon these boundary waters enabled them to ask conditions which would be more favorable to peace in that region at the close of the war.

Jay's Treaty of 1794 allowed British subjects "to navigate all the lakes, rivers and waters of the United States up to the

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[1] Armstrong: War of 1812, Vol. 1, p. 245.
[2] U. S. Stats. at Large, Vol. 2, p. 821.
[3] Am. State Papers, For. Rel., Vol. 1, p. 83.

highest ports of entry," and permitted the British traders from Canada and the Northwest Company to carry on trade with the Indian tribes within the limits of the United States. It had become evident that the influence of these traders upon the Indians was against the interests of the inhabitants of the Northwest. From the beginning of the war it was the object to stop this trade. This was the purpose of the invasion of Canada to the east of Detroit.[1] The idea of conquest was not planned except to the extent necessary for protection.[2] It was considered that the possession of West Canada was necessary to our peace.[3] Another idea of the United States Government in conquest was to get territory which could be returned to England in return for the privilege of excluding British traders from American territory, and of keeping superior naval forces on the lakes by which they could prevent British traders from navigating the lakes and rivers exclusively within American jurisdiction.

It was not conquest simply for the sake of conquest. It looked forward to security. Jefferson wrote to Monroe, June 19, 1813: "What we do in Canada must be done quickly, because our enemy, with a little time, can empty pickpockets upon us faster than we can enlist honest men to oppose them if we fail in this acquisition. . . . Could we acquire that country [Canada] we might, perhaps, insist successfully at St. Petersburg on retaining all westward of the meridian of Lake Huron, or Lake Ontario, or of Montreal, according to the . . . of the place, as an indemnification of the past and security for the future. To cut them off from the Indians, even west of the Huron, would be a great security."[4] On June 23, 1813, when the land and naval forces

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[1] Monroe Papers, Vol. 13. (No. 1696, Jefferson to Monroe, June 19, 1813.)

[2] Clay's idea of conquest in 1812, however, was not thus limited. He was not for stopping at Quebec or anywhere else, and did not want to see peace till the whole continent was taken.

[3] 7 Instructions, April 15 and June 23, 1813.

[4] Monroe Papers, Vol. 13.

of the United States had taken York and Forts George and Erie, and there was a good prospect of getting all Upper Canada, Monroe wrote Gallatin, Adams and Bayard that while such success would have a salutary influence on negotiations for peace, it was not intended to continue the war rather than restore Canada, even though England should have no equivalent restitution to make to the United States.[1] It was expected, however, that England would be more just upon other points to be adjusted.

We may say that there was a strong feeling that peace could not be preserved while the British retained their influence in the Northwest.[2] Monroe, on January 1, 1814, wrote the ambassadors that the capture of the documents with Procter's baggage showed the Indian trouble to be due to British influence, and that this fact would give great support, in case of negotiation, to the considerations in favor of the cession of Canada to the United States, or, at least, that portion lying between the western end of Lake Ontario and the eastern end of Lake Huron. By January 28, 1814, Monroe had given the question further study, and wrote that "experience has shown that Great Britain cannot participate in the dominion and navigation of the lakes without incurring the danger of an early renewal of the war."[3] He saw that it was by means of the lakes that the British had gained an ascendency over the Indians, even within the limits of the United States. Monroe not only feared the continuation of massacres along the frontier, as likely to be a fruitful source of controversy, but he saw that the rapid settling of the country would increase the tendency to collision between the two sides. He did not doubt that western emigrants would soon push the western limit of settlement from the southwestern limit of Lake Erie until they reached "the banks of the Michigan and even of the other lakes," and he feared the "cupidity of the British traders" could not be controlled. He

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[1] 7 Instructions, p. 299. [2] 7 Instructions, p. 308.
[3] 7 Instructions, p. 315.

urged in favor of cession that the inevitable consequence of another war, and even of the present if persevered in by the British Government, would be to sever the western provinces by force from Great Britain, and that the inhabitants of the provinces would soon feel their strength and assert their independence anyhow. In case no cession could be obtained, the exclusion of British traders from our side of the lakes, and the increase of our naval force on the lakes, was the remaining remedy.

Writers in England, on the contrary, were proposing a boundary farther south than the lakes. Nathaniel Atcheson, in an article of March 2, 1814, on "Points to be discussed in treating with the United States,"[1] said that the great feature of the new line should be "exclusion of the Americans from navigation of the St. Lawrence, and all the congregation of tributary seas and waters. They are the natural patrimony of the Canadas. Water communications do not offer either a natural or secure boundary. Mountains separate, but rivers approximate mankind." "Hence," said he, "the prominent boundary should be the heights of land separating the respective territories."[2] This would have given to England Lake Champlain, all of the Great Lakes and a considerable amount of territory south of the lakes. In case this line could not be obtained, but a line through Lake Ontario and Lake Huron should be agreed upon instead, Mr. Atcheson held that "at all events the line should pass from Lake Erie up the Sandusky river to the nearest waters of the Ohio, and then down the Mississippi." In the latter case he would have had it stipulated that "no vessel belonging to the Americans exceeding a certain burden, twenty or thirty tons, which is a size adequate to the trade of those regions, should be suffered to navigate any of the lakes," and that no fortifications should

[1] Pamphleteer, Vol. 5, No. 9, Feb., 1815.

[2] Marquis Wellesley, in a speech before the House of Lords, on April 13, 1815, said the war with America was a calamitous one, and should have been stopped as soon as possible, without any demands for territory south of the lakes. (*American Register*, Vol. 1.)

be erected upon any of the waters connected with the lakes, "whilst the right of the British in these respects should be reserved to be exercised without restriction."

In the meantime, the English were losing more and more their control of the lakes. Since Lake Erie had been won, the shores of the more western lakes were being scoured to prevent the British from opening intercourse with the Indians. Vessels were being built[1] upon Lakes Ontario and Champlain in the spring of 1814, and it appeared evident that the British would soon be shut out from the Western lakes and posts, thus putting an end to further naval expenditure on Lake Ontario, and practically giving the United States possession of a great part of Upper Canada. General Armstrong felt that it would be easy then to gain Montreal and bring the war to a speedy and favorable termination.

On June 23, 1814, Monroe was still urging the advantages to both countries of a transfer of the upper parts of Canada to the United States.[2]

Castlereagh having offered to open negotiations direct with the representatives of the United States Government, commissioners had been appointed by President Madison at once. These commissioners were ready to negotiate in June, but Castlereagh, it was said, wished delay so that British troops could occupy territory along the lakes which they intended to hold.

When the British commissioners met the United States commissioners at Ghent, in August, they soon dispelled any hopes which may have been held regarding cession of Canadian territory to the United States.[3] They made the "moderate" proposal that Great Britain, being the weaker power on the North American continent, should have military occupation of the lakes, in order to prevent the conquest of her dominions by the Americans.[4]

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[1] Stats. 3, p. 139. Act of April 18, 1814.

[2] 7 Instructions, pp. 297 and 361.

[3] Am. State Papers, For. Rel., Vol. 3, p. 709.

[4] "America," Vol. 129. Also, see Letters and Despatches of Castlereagh, Vol. 2, 3rd Series. Marquis Wellesley said that the ground of weakness should not have been urged.

At first, they were also determined to secure for the Indians a strip of territory south of the lakes. This was not so much in recognition of the rights of their copper-colored brethren, as human beings, to be included in the provisions of public law; it was rather an attempt to secure a "barrier against American aggression" upon Canada. This barrier would have been formed by cutting off from Ohio and the territories of the Northwest a country more extensive than Great Britain and containing thousands of freemen.

But the American commissioners could not accede to either of these propositions. They denied the right of England to interfere in the concerns of the Indians residing in the United States, and did not propose to give up their equal right to the lakes. They wished for peace upon those terms of reciprocity honorable to both countries. They sent this reply on August 24, 1814. At that time it seemed that negotiations would come to an end. Clay wrote that "reliance will be much better on the firmness and energy of the American people to conquer again their independence."[1] Adams wrote in his diary that they had decided it would not be necessary to rent their house for another month. The British commissioners, after writing a reply, sent it to Lord Castlereagh at Paris, and he promptly took the pains to submit it to the government at London.[2]

Adams, on September 1, called to see Mrs. Goulburn, the wife of one of the British commissioners, but saw only her husband, whose conversation was not such as could have

[1] Monroe Papers, Vol. 14, August 19.

[2] Castlereagh was more favorably disposed toward the United States than were any of the other members of the ministry. Coming from France, and having had intercourse with Emperor Alexander, it is not improbable that these dispositions may have been increased by the personal expression of the Emperor's wishes in favor of peace with America. On his route to Paris, the latter part of August, he had stopped at Ghent. He did not see the American ministers, but on August 28 he wrote from Paris to Lord Liverpool that it would be well to "state the proposition as to Indian limits less peremptorily."

made Adams hope for further negotiations.[1] He stated that both the proposed Indian territory and the English control of the lakes had for their main purpose the security of Canada. Concerning the proposed Indian barrier, upon which neither party should encroach, Adams said that the United States could not be kept from settling and cultivating[2] lands which the Indians did not improve. It was clear that the United States was standing upon good grounds, and she did not propose to retire into the background. She could not with honor have given the Indians the frontier, any more than she could have given England control of the lakes. The onward march of settlement could not have been stayed by a bond of paper. Though the stroke of a pen had once given England half a continent, it could not insure the wilderness of the Northwest to the Indian and to the British trader.

During these negotiations the American forces were not idle on the northern frontier. On September 20, President Madison was able to say: "On the lakes, so much contested throughout the war, the great exertions made for the command, on our part, have been well repaid."[3] A part of the Lake Erie squadron had been extended into Lake Huron, though Mackinaw was still in the hands of the English. On Lake Ontario the American squadron was able to keep that of the British in their own port, and to favor the operation of land forces. The American superiority was fully established on Lake Champlain by the victory of McDonough and the destruction of the hostile fleet. On September 24, Jefferson wrote to Madison: "Their navy is no longer invincible as the world thought. We have dissipated that error. They must now feel a conviction that we can beat them gun to gun, ship to ship, and fleet to fleet."[4]

[1] Adams' Memoirs, Vol. 3, pp. 24–29.

[2] Sir James Macintosh, on April 11, 1815, said that the British had tried to guard by deserts (Indian lands) what they could not guard by strength. Marquis Wellesley, in the British House of Lords, on April 13, 1815, spoke of the unreasonable demands of the British in regard to the boundary which they proposed.

[3] Am. State Papers, Foreign Relations, Vol. 1, p. 87.

[4] Jefferson Papers, Series 1, Vol. 13.

In the face of these circumstances, the news of the British proposals which reached Washington on October 9 created considerable surprise.[1] Madison wrote Jefferson, October 10, and intimated that the American commissioners would arrive in a few days unless a sudden change should be brought about in the British cabinet by the rupture of the negotiation, or by the intelligence from America and the fermentation taking place in Europe. Many people probably felt that England was changing the contest to one of conquest.[2] Jefferson believed that "we should put our house in order for interminable war;" and he said that in order to counterbalance the intention of England to conquer the lakes, the Northwest, etc., the United States "ought to propose . . . the establishment of the meridian of the mouth of the Sorel northwardly as the western boundary of all her possessions." Jefferson, who was promptly informed of all affairs at Washington, as late as the early part of December wrote that the documents distributed by Congress, and the map of Mr. Mellish illustrating the first British proposals, would prove to all that "reconquest [of the United States] is the ultimate object of Britain." He says that the "first step toward this is to set a limit to their expansion by taking from them [the United States] that noble country which the foresight of their fathers provided for their multiplying and needy offspring." "As to repressing our growth," he added, "they might as well attempt to repress the waves of the ocean." Jefferson believed that the British commissioners had been holding off to see the issue, not of Vienna, but of the Hartford Convention.

It must be admitted that the policy of the English appeared neither liberal nor amicable. But it must also be borne in mind that this was partly due, no doubt, to the fear of American conquest. In the reply of the British commissioners on September 4, they state that the "policy of the

[1] Madison Papers, Vol. 7. Jefferson Papers, 2nd Series, Vol. 58, No. 59.

[2] Jefferson Papers, 1st Series, Vol. 13. (To Monroe, Oct. 13; to Madison, Oct. 15; to Mellish, Dec. 10.)

United States has become one of conquest and aggrandizement," and that England should have military possession of the lakes to prevent the Americans from commencing a war in the heart of Canada, and because their possession was not necessary to the safety of the United States.[1] The reply proposed that the south shore of the lakes might be left in possession of the United States in case they should not build fortifications near them, and declared that there was no desire to interfere with the commerce of the United States upon the lakes in time of peace.

It was at this point in the negotiation, Adams says, that "Bayard manifested symptoms of concession on the points proposed by the British commissioners,"[2] but all stood together in the reply of September 9, in which the ground was taken that Great Britain had a sufficient pledge for the security of Canada from sudden invasion in the mass of American commerce upon the ocean—a commerce more valuable than Canada, and which was exposed to the great superiority of British forces. It was promptly denied that conquest was the policy of the United States.

Thus the American commissioners remained firm, but, at the same time, they kept a peaceful attitude. It was well that they did so. It drew forth a better spirit in the reply of the British commissioners on September 19. They stated that as soon as the Indian question was adjusted they felt confident the question of boundary could be settled to the mutual satisfaction of the parties.[3] Negotiations took a more hopeful shape at once. But peace was not yet a certainty. The loss of a battle to the Americans might have encouraged the British to hold out for a boundary to the south of the lakes. The London Courier of September 29 probably indicates the feeling of the government when it says: "Peace . . . must be on condition that America has not a foot of land on the waters of the St. Lawrence, . . . no settlement on the lakes."

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[1] Am. State Papers, Foreign Relations, p. 713.

[2] Adams' Memoirs, Vol. 3, Sept. 6.

[3] Am. State Papers, For. Rel., Vol. 1, p. 718. Also in "America," Vol. 129, at Record Office.

The United States desired only to preserve her independence entire, and to govern her own territories without foreign interference, and when, a few days later, the British commissioners offered their *ultimatum* upon the subject of the Indian pacification, it was accepted as conformable to the views of the United States Government, though Adams wanted to represent it rather as a great concession, and also urged that it would be a convenient policy to avow that the cession of Canada would be for the interest of both countries.

From this time negotiations were continued in a better spirit of reciprocity. On October 17 the news of the failure of the British invasion of New York reached London. The news from Baltimore and Fort Erie soon followed. Clay thought that the attitude which France was taking at Vienna would help the United States in securing an honorable peace,[1] but, in his opinion, the events at Baltimore and on Lake Champlain would have much greater influence, "for it is in our own country that at last we must conquer the peace." With no American disaster in the North, peace could soon be made.

Most difficulties had been removed by October 31, when the commissioners wrote that the Indian boundary, together with the claim to exclusive control of the lakes, had both been given up by the British.[2] The British now clearly saw that they could not secure by treaty what they had failed to secure by force of arms. Wellington said they had no right to demand territory.[3] By winning the naval supremacy upon the lakes the Americans were able to secure the continuation of the boundary of 1783 through the middle of the lakes, and to secure provisions by which the dangers from the British traders of the Northwest were overcome.

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[1] Monroe Papers, Vol. 4, Oct. 26.

[2] Jefferson Papers, 2nd Series, Vol. 58. (Monroe to Jefferson, Nov. 30.)

[3] Castlereagh Correspondence, Vol. 10, p. 168. On October 18, Bathurst thought the British would be allowed to keep Michilimackinac and Niagara. On Oct. 20, he hoped to get a cession of five miles around Niagara.

The news of the Treaty of Ghent, signed December 24, did not reach America until the Americans, at the battle of New Orleans, had shown their ability to protect the South as well as the North. The thinking people everywhere received the news with gladness, with the exception of some farmers on the northern frontier and a class of people in England who wanted to send Wellington to America.[1] The expense of the navy upon the lakes could now be reduced,[2] soldiers could return to their peaceful citizen life, and the development of the country under new opportunities would go forward with greater rapidity.

It was considered a fortunate thing for both countries that their minds could now be turned from the temptations of external extension to the duties of internal growth. Jefferson wrote that Quebec and Halifax would have been taken, but that peace and reconciliation were better than conquest by war. He thought, however, that England had been "riding upon a bag of wind, which must blow out before they settle to the true bottom."[3]

[1] It was "mortifying" to the British officers to have to give up Michilimackinac and the territory west of Lake Michigan. The treaty was not what they had expected in regard to the Indians. But they decided to "try to gild the bitter pill which the Indians must swallow" in seeing Mackinac Island given up. They expected, however, to get a *new* fortress with a new harbor for future naval forces. McDouall, commander at Michilimackinac, wrote to Bulger, who was commanding on the upper Mississippi, that he was penetrated with grief at the loss of his fine island, but he stated that it would give an opportunity of equipping such a fleet on Lake Erie and Lake Huron as would secure the command of those lakes and keep open the communication with the Indians. He said that since peace had been concluded, a war on their part should be most sedulously avoided until the fleet on Lake Erie was restored, and the supremacy of Lake Huron was obtained. (See letters of April 25, May 1, and May 2, 1815, Wis. Hist. Coll., Vol. 13, p. 133, etc.)

[2] In England there was a feeling of uneasiness as to the policy of the United States in regard to Canada. Marquis Wellesley, in a speech before the Lords, April 13, 1815, said that war had turned America from the pursuits of peace and had formed a great military and naval power to act on the lake frontier.

[3] Jefferson Papers, 1st Series, Vol. 14. (To Francis C. Gray, March, 1815.)

He was not vindictive in what he said, but he had not despaired of the republic, nor lost confidence in its resources. "If they go on," he said, "they may force upon us the motto '*Carthago delenda est*,' and some Scipio Americanus will leave to posterity the problem of conjecturing where stood once the ancient and splendid city of London." He hoped that the good sense of both parties would concur in traveling the paths of peace, of affection and of reciprocal interest, and that the officials would do their best to cool the temper of both nations and to eradicate the war feeling which the newspapers had nourished.[1]

It was natural that the difficulties arising from the recent irritation on the border—greater in the United States, because it reached the bosom of every citizen—should not disappear at once,[2] and passion was assumed, artificially, by some for political effect; but, by the prudence of the two governments, it was hoped that the *invective* might, in time, be reduced to the minimum. Jefferson and Madison had been wrongfully abused as the enemies of England. Like Monroe and Adams, and other leaders, they rose above the passions of the hour. The influence of such men, at such a time, is invaluable. They set a good example to citizens of less experience. They can see the dangers of demagogues upon the overcredulous or upon the ready admirers of attitudes *bellicose*, and they can do much to stimulate a rational feeling. It was so with these men. They have added honor to the country which they served. And the generations of men that look back upon these fathers of the formative period of the American republic will honor them more that they did not nourish a feeling of hatred, but that they favored the burial of the "red rag." Jefferson wrote to Monroe, October 16, 1816, concerning the "inscription for the Capitol which the British burnt," that it "should be brief and so no passion can be imputed to it." He said that instead of

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[1] Jefferson Papers, 1st Series, Vol. 14. (To Mr. Maury, June 16.)
[2] Jefferson Papers, 1st Series, Vol. 14. (To Sinclair.)

perpetuating hatred "should we not rather begin to open ourselves to other and more rational dispositions?"[1] In a letter to his friend, Sir John Sinclair, with whom he had renewed correspondence after the war, the sage of Monticello wrote: "The past should be left to *history*, and be smothered in the living mind. Time is drawing the curtain on me. I could make my bow better if I had hope of seeing our countries shake hands together."

The lake boundary and the Northwest had been secured by the United States, the gates of the temple of Janus had been closed, and two kindred peoples were encouraged to occupy the same continent in peace.

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[1] Jefferson Papers, 1st Series, Vol. 14, Oct. 16, 1816.

IV.

AGREEMENT OF 1817.

Reduction of Naval Forces Upon the Lakes.

Peace had been concluded at Ghent amidst the festivities of Christmas Eve in 1814, and as soon as the slow-sailing craft of that day could traverse the waters of the Atlantic the news was proclaimed in America on each side of the lakes. But entire peace could not be guaranteed by proclamation. How was the temple of Janus to be kept closed? Manifestly, the most apparent danger of future collisions lay in the relations of the two peoples along the northern limits of the United States. While Jefferson was trying to "eradicate the war feeling which the newspapers had nourished," and wishing for the two "countries to shake hands together," what measures should be adopted to lessen the possible sources of future misunderstandings, as well as to accelerate the return of fraternal feelings, desires and actions? The development of the Northwest was affected by the presence of British troops in Canada and of British vessels on the lakes. How should this danger be avoided? These were questions which the wise, well-trained leaders of 1815 had before their minds.

Perhaps no better leaders could have been selected for the hour. They consulted only the interests of the country; they had no axe to grind at the expense of public peace. Their statesmanship did not sink into morbid abuse of some fancied enemy. They and the people for whom they stood, when they looked back and saw that the world had moved, began to look forward for the things that should grow in the new era of quickening activity, when great cities would be erected along the south shores of the limitary lakes.

"The statesmen of that period, sincerely desirous of establishing a lasting peace, applied their minds on both sides to effective arrangements which would render these waters neutral." They saw at once that if peace were merely to lead to a perpetual race in naval construction such a peace would be only temporary and expensive. Building of naval vessels would have gone on *ad libitum*, possibly *ad infinitum*, greatly to the emolument of shipbuilders perhaps, but at the risk of strained relations between the United States and Canada.

The first suggestion of the idea of making the lake region neutral appears to have originated during the administration of President Washington, and with the President himself, as a means of preserving peace at home.[1] On May 6, 1794, Mr. Randolph, Secretary of State, wrote to Mr. Jay, who had been sent to negotiate a treaty with England, that in case the "subject of a commercial treaty be listened to" it would be well to consider as *one* object the following: "In peace no troops to be kept within a limited distance of the lakes." There is no record of the consideration of this subject in the negotiations. Jay's treaty clearly gave Great Britain the advantage on the lakes, much to the disappointment of Mr. Madison and others,[2] but probably no better terms could have been secured at that time. It permitted British subjects "to navigate all the lakes, rivers and waters of the United States up to the highest ports of entry," but it was expressly stated that "vessels of the United States were not to be admitted into the seaports, harbors, bays or creeks of his Majesty's American dominions." By it the lake trade fell into the hands of the British, and by means of the lake trade they secured an influence over the Indians of the Northwest which they were able to retain till the War of 1812.

During that war the Americans were at first determined to shut the British out from the lakes. In this they were largely successful by force of arms, but in diplomacy it was

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[1] American State Papers, Foreign Relations, Vol. 1, p. 433.

[2] Madison Papers, Vol. 5.

considered inexpedient to insist upon securing control of the lakes. Such a policy would probably have broken off negotiations at the time, for Great Britain would hardly have given up such a great advantage to commerce, especially when she feared the dangers of conquest of her upper provinces by the Americans. By these considerations the American commissioners at Ghent were led to stand for "terms of reciprocity honorable to both countries." When the British commissioners were proposing that Great Britain should have military occupation of the lakes, the Americans asked only a renewal of the former boundary through the middle of the lakes.

Lord Castlereagh from the first desired to prevent a contest for naval ascendency upon the lakes. In his general instructions to the British commissioners at Ghent there is no mention of the subject of naval vessels on the lakes, but in a draft of "instructions relative to the boundaries of Canada," which is marked *Not used*, there is at the close:[1] "N. B. In order to put an end to the jealousies which may arise by the construction of ships of war on the lakes, it should be proposed that the two contracting parties should reciprocally bind themselves not to construct any ships of war on any of the lakes; and should entirely dismantle those which are now in commission, or are preparing for service."

This unused draft is not dated, but it was probably written in July, 1814. For some reason it was considered expedient to make a less liberal proposition upon this subject. By August it appeared to Lord Castlereagh that a boundary line through the middle of the lakes, with the right of each country to arm both on water and shore, would tend to create a "perpetual contest for naval ascendency in peace as well as in war." He therefore thought it necessary, for the sake of peace and economy, "to decide to which power these waters should, in a military sense, exclusively belong." In his instructions to the British commissioners on August 14 he said:

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[1] "America," Vol. 128, Public Record Office, London.

"Upon the point of frontier you may state that the views of the British Government are strictly defensive. They consider the course of the lakes from Lake Ontario to Lake Superior both inclusive to be the natural military frontier of the British possessions in North America.[1] As the weaker power on the North American continent, the least capable of acting offensively and the most exposed to sudden invasion, Great Britain considers itself entitled to claim the use of those lakes as a military barrier."

Lord Castlereagh stated that Great Britain should also have military command of the American shores of the lakes, though he was "disposed to leave the sovereignty of the soil undisturbed and, incident to it, the free commercial navigation of the lakes," provided the American Government would stipulate "not to preserve or construct any fortifications upon or within a limited distance of the shores, or maintain or construct any armed vessel upon the lakes in question or upon the rivers which empty themselves into the same."

Lord Castlereagh's proposal to disarm was not based upon the principle of reciprocity. It may, however, have suggested to the minds of American commissioners the idea of mutual disarmament. There is an intimation of the idea, at least, in their reply to the British commissioners (dated August 24, 1814) in which they are "at a loss to discover by what rule of perfect reciprocity the United States can be required to renounce their equal right of maintaining a naval force upon those lakes, and of fortifying their own shores, while Great Britain reserves *exclusively the corresponding rights to herself*." Though the United States had no guns upon the lakes before the war, she did not propose to give up her guns now and go back to her former condition in this respect. She desired to see England propose a more liberal and amicable policy toward America.

[1] Marquis Wellesley, in a speech before the Lords, on April 13, 1815, said he could not see where the doctrine of the "natural limit of Canada" south of the lakes had originated.

The Government at Washington early in the war apprehended what would be the probable policy of the British. Monroe instructed the commissioners, April 15, 1813, under the proffered Russian mediation: "You will avoid also any stipulation which might restrain the United States from increasing their naval force to any extent they may think proper on the lakes held in common, or excluding the British traders from navigation of the lakes and rivers exclusively within our own jurisdiction." At this time, it should be noted, past experience and conditions made it appear necessary for the United States to keep a superiority of naval force on the lakes. Neutralization of these waters was probably not thought of at that time. Even as late as January 28, 1814, Monroe thought that participation in the dominion and navigation of the lakes by Great Britain would be a source of danger of the renewal of the war.

It appears that the first definite proposition of disarmament on the lakes was made by Mr. Gallatin. It was on September 6, 1814, when it seemed that negotiations could not proceed. Bayard manifested some symptoms of concession to the British proposals, and Mr. Gallatin proposed to offer at least to refer to the United States Government a "stipulation for disarming on both sides of the lakes."[1] Adams objected to this as not being in accordance with positive instructions. Here the matter dropped. But it was probably further discussed by the American commissioners, as a subsequent note seems to indicate. Their firm but friendly reply of September 9 was a factor in drawing from the British commissioners a more favorable reply, in which they asserted that they had "never stated that the exclusive military possession of the lakes . . . was a *sine qua non* in the negotiation," and that after the Indian question should be adjusted they could make a final proposition on the subject of Canadian boundaries, "so entirely founded on principles of moderation and justice" that they felt confident it could

[1] Adams: Writings of Albert Gallatin, Vol. 1, p. 640. Also see J. Q. Adams' Memoirs, Sept. 19, 1814.

not be rejected.[1] The nature of this proposition is not stated. It was never brought forward, nor was any explanation given of what was intended by the offer. But the American commissioners supposed they intended to propose the mutual reduction of armaments, and on September 26 pledged themselves to meet such a proposition with perfect reciprocity."[2]

This supposition is not stated in any of the official notes to the Department of State. Gallatin, however, wrote to Mr. Monroe on October 26: "The right of preserving our naval forces on the lakes to any extent we please is a *sine qua non* by our instructions. Supposing the British to propose a mutual restriction in that respect, either partial or total, should we still adhere to the *sine qua non?*" Clay wrote a private note to Monroe on the same day, in which he says that recent events at Vienna and in America had encouraged a hope for an early peace, but he does not allude to Gallatin's note. It is probable that Gallatin wrote without consulting the other members of the commission. No reply to his note is found. In fact, if one was ever sent it could not have reached him until after Christmas Eve, when the terms of peace had been agreed upon.

Gouveneur Morris, who had been desirous for peace, and not desirous for Canada, during the negotiations also suggested the idea of disarmament. But his idea differed from that of Gallatin in being proposed as a matter of economy. On October 17, 1814, he wrote to Hon. William Welles: "It would be wise to stipulate that neither party should have ships of war on the lakes nor forts on their shores. Both are an idle and useless expense." He added: "If they had there forty ships of the line and a dozen Gibraltars, we could with great ease take Canada."

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[1] "America," Vol. 129.

[2] Mr. Clay, on Oct. 9, however, was for rejecting any proposition to disarm upon the lakes if a proposed article by the British (ultimatum on Indian pacification) was admitted; because he considered that the two articles together would deliver the whole western country up to the mercy of the Indians. (Adams' Memoirs.)

The work of reducing the expense of naval forces on the lakes began very soon after the peace. Mr. Jackson, of Virginia, on February 17, 1815, offered a resolution that the naval committee be instructed to inquire and report to what extent the United States navy on the lakes could be reduced consistent with public interest.[1] It was felt that while the United States forces ought, to some extent, to be regulated by those of Great Britain, all useless expenditures should be retrenched.[2] It was not the policy of the United States Government to fight to prevent a *possible* injury at a distant day. The government expected peace, and began to prepare for it. By Act of February 27, 1815, the President was authorized "to cause all armed vessels of the United States on the lakes to be sold or laid up, except such as he may deem necessary to enforce proper execution of revenue laws; such vessels being first divested of their armament, tackle, and furniture, which are to be carefully preserved."[3]

When Napoleon, dissatisfied with the small portion of the map of Europe that had been allotted him, issued forth from Elba to disturb the congress of map revisers at Vienna, the danger of a renewal of the war was apprehended in America. Madison wrote Monroe on May 5: "If Napoleon is restored, England and France will again pillage America." But he believed that, while the United States must maintain her ground and fight for her rights, she must avoid being a party to the European war. The nation was unwilling to relinquish the rights for which it had contended, but, at the same time, it was ready to support the government in such measures as were "best adapted to prevent a renewal of the war." The continuation of the war between France and England was fortunately averted, and thus one source of possible contention between England and the United States was removed.

There were several sources of dissension existing in 1815, the early adjustment of which was considered advisable.

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[1] House Journal, Vol. 9. [2] Monroe Papers, Vol. 5. No. 629.

 [3] Statutes, III, 217.

Those which endangered the peace between the United States and Canada were:

(1) Restlessness and hostility of the Indians on the frontier.

(2) Conduct of the British local authorities in Canada.

(3) Desertion of British soldiers to the American side.

(4) British armaments on the lakes.

Mutual surrender of the frontier forts was not made at once after the war. There were suspicions of insincerity on both sides.[1] Dallas wrote Monroe on May 28 that "we must be on our guard." Hostility of the Indians had not ceased. Some of the British officers had persisted in influencing them. It was found, however, that they showed a disposition for peace as fast as the British gave up the posts. By the commercial convention of 1815, the United States, in the interests of peace, refused to allow the British to trade with the Indians in United States territory, though it cost her the use of the St. Lawrence river.

Troubles were also arising concerning jurisdiction. The Americans complained of the conduct of the British officers in pursuing deserters into American territory, and in otherwise violating international usage. On the other hand. the British complained of the attempts of a United States officer on the frontier to seduce soldiers from the British service.

The authorities at Washington saw a greater probable source of future trouble in the evident intention of the British to increase their naval force upon the lakes. They had built several new vessels just before the peace, and the London newspapers in August, 1815, had announced that the British cabinet had determined not only to maintain, but also to augment the armed naval force on the lakes. The fact that an American merchant vessel upon Lake Erie, where the Americans had been dismantling their vessels, had been fired upon by a British armed vessel will show that there was reason for fearing the results of further augmentation.[2]

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[1] Monroe Papers, Vol. 15.

[2] Campbell: Political History of Michigan.

On July 22, when taking measures to prevent a United States officer from influencing soldiers to desert from the British service, Mr. Monroe, in a letter to Mr. Baker (who was temporarily representing the British Government at Washington), seems to intimate the necessity of a reciprocal stipulation in regard to naval forces.[1] At a later date, probably in November, Mr. Monroe had a conversation with Mr. Baker concerning the subject. On December 6, after reporting to Mr. Baker an inquiry into the case of Lieutenant Vidal, who had been fined for riot while pursuing offenders into American territory, Mr. Monroe wrote:[2] "This Government is sincerely desirous, as I had the honor to intimate to you in a late interview, to make such arrangements relating to the force to be kept on the lakes, and to the intercourse between the United States and the British provinces in that quarter, as will effectually prevent these evils."

John Quincy Adams was at this time minister of the United States to London. The information which he had sent on August 29 as to the intentions of the British Government to increase its force on the lakes was confirmed by later news from that quarter, which showed that preliminary measures had been taken. This arming appeared foolish, for it is hardly likely that England could have competed with the United States on the lakes if a policy was adopted of having rival fleets to parade those waters in time of peace. But the United States, anxious for the preservation of peace, was disposed to disarm there. Secretary Monroe wrote to Mr. Adams, November 16:

"It is evident, if each party augments its force there, with a view to obtain the ascendancy over the other, that vast expense will be incurred and the danger of collision augmented in like degree. The President is sincerely desirous to prevent an evil which it is presumed is equally to be deprecated

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[1] No. 2 Notes from State Department, p. 110. (To British Legation at Washington.)

[2] No. 2 Notes from State Department.

by both governments. He therefore authorizes you to propose to the British Government such an arrangement respecting the naval force to be kept on the lakes by both governments as will demonstrate their pacific policy and secure their peace. He is willing to confine it, on each side, to a certain moderate number of armed vessels, and the smaller the number the more agreeable to him; or to abstain altogether from an armed force beyond that used for revenue. You will bring this subject under the consideration of the British Government immediately after the receipt of this letter."[1]

In accordance with these instructions, Mr. Adams brought the matter to the attention of Lord Castlereagh on January 25, 1816.[2] He called his attention to the fact that Canada had been the source of disagreement in the past, and that it might be a source of "great and frequent animosities hereafter, unless guarded against by the vigilance, firmness, and decidedly pacific dispositions of the two governments." The proposal of Adams to disarm on the lakes was well received by Lord Castlereagh. He said that everything beyond what was necessary to prevent smuggling was "calculated only to produce mischief;" but he was cautious, and was inclined to look farther than to the pacific disposition which was manifested. As at Ghent, he still thought that the "lakes should belong to our party, thereby rendering armaments unnecessary." Looking with suspicion to the advantage of the Americans in being nearer the lakes, he still thought that England as the *weaker* party should have controlled them, and that in order to preserve peace they should have been made a "large and wide natural separation between the two territories." He feared that an engagement for mutual disarmament would give the United States too much advantage in case of war. To this Adams replied that the engagement would be in favor of Great Britain; that the

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[1] Instructions to U. S. Ministers, No. 8.

[2] Adams' Memoirs, Vol. 3. Also in Adams' despatches to Monroe.

United States would have her hands tied until the moment of actual war, and that it was impossible for war to arise suddenly without a condition of things which would give Great Britain sufficient time to get ready to build armaments on the lakes at the same time as the United States.

Lord Castlereagh proposed to submit the proposals to his government for its consideration, but after the conference had ended, Mr. Adams had little hope for even an arrangement to limit the force to be kept in actual service.[1] While Bathurst was the only real warlike man in the ministry, the apparent disinclination of Lord Castlereagh, who was probably better disposed than the rest of the ministry, did not seem a favorable indication. Adams felt that the British ministry suspected some strategic point to be at the bottom of the proposition. The "frank and unsuspecting confidence" in which the idea originated had not been appreciated. He desired that peace should be cemented by "that mutual reliance on good faith, far better adapted to the maintenance of national harmony than the jealous and exasperating defiance of complete armor." On March 21, he renewed the proposal to "mutually and equally disarm upon the American lakes," and, with the hope that it might be entertained in the same sincerely amicable spirit in which it was made, he emphasized the fact that there were abundant securities against the possibility of any sudden attack upon the colonies which the "guarded and cautious policy" of Great Britain might fear.[2]

But the debates in Parliament gave little evidence that the proposal would be considered. They were upon the principle of preserving peace by being prepared for war. An element in both countries was urging this policy, not because there was any danger of war, perhaps, but rather to keep up with other lines of development. Mr. Goulburn, who had been one of the British commissioners at Ghent,

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[1] Adams' Despatches, Jan. 31, 1816.
[2] No. 20 Despatches, Mar. 22.

wrote to Mr. Clay (March 8, 1816) as follows: "You are fighting the same battle in America that we are here, i. e., putting peace establishments on a footing not unbecoming the growth of population and empire in which they are to be maintained. It is impossible that either country should feel jealous of the other so long as the augmentation does not exceed the necessity of the case, and I have not heard an argument anywhere to prove that it does so exceed in either case. I can relieve your apprehensions as to the hostile movement of England in any part of the globe." [1] This was certainly a friendly statement of the case. Mr. Adams, however, did not take the same view of the matter. He was watching the speeches of the "Jingoes," and they were more than a nightmare upon his mind.[2] In a letter to Mr. Monroe on March 30 he said:

"In all the late debates in Parliament upon what they call their Military and Naval *Peace* Establishment the prospect of a new war with the United States has been distinctly held up by the ministers and admitted by the opposition as a solid reason for enormous and unparalleled expenditure and preparation in Canada and Nova Scotia. We hear nothing now about the five fir frigates and the bits of striped bunting. The strain is in a higher mood. Lord Castlereagh talks of the great and growing military power of the United States. The Marquis of Lansdowne, an opposition leader and one of the loudest trumpeters for retrenchment and economy, still commends the ministers for having been *beaten* into the policy of having a naval superiority upon the lakes. And one of the lords of the admiralty[3] told the House of Commons last Monday that bumboat expeditions and pinchbeck administrations would do no longer for Canada; that Eng-

[1] Cotton: Corres. of Clay, p. 52.

[2] See Parlia. Debates, Vol. 33, p. 375.

[3] Mr. R. Gordon. In his speech of Mar. 25, he spoke of the growing American navy and the danger of hostility. He said: "Her 3-deckers now sail upon fresh water," and it was pinchback economy to keep down the British navy.

lishmen must lay their account for fighting battles in fleets of three-deckers on the North American lakes. All this is upon the principle of preserving peace by being prepared for war. But it shows to demonstration what will be the fate of the proposal for disarming."

Adams, in his letter to Lord Castlereagh on March 21, had shown the evil effects of an armed peace on the lakes.[1] Besides the expense, it would "operate as a continual stimulus of suspicion and of ill will" between the people on the frontier. He believed that the "moral and political tendency of such a system must be to war and not to peace." The condition of affairs was certainly not such as to encourage him to expect much consideration of his proposal.

The crisis in Parliament appears to have been passed soon after April 5. On that date Adams wrote that even the murmurs against large establishments had nearly ceased.[2] He was therefore much surprised, a few days later, when Lord Castlereagh requested an interview to inform him that the British Government was ready to meet the proposal of the United States "so far as to avoid everything like a contention between the two parties which should have the strongest force" on the lakes, and that they had no desire to have any ships in commission or active service except what might be needed "to convey troops occasionally." It appears that Lord Castlereagh was prepared to enter into an agreement upon the subject, but Adams did not feel like concluding the arrangement without further instructions. For this reason it was agreed that the negotiations be transferred to Washington, and that power and instructions should be sent to Mr. Bagot, the British minister to the United States. Adams wanted all the effects of a positive arrangement to begin at once, however. In fact, his letter to Monroe on April 15th shows that he understood that it was "agreed that no new or additional force should be commenced upon the lakes on either side for the present."[3] But no notes were exchanged

[1] No. 20 Despatches.

[2] No. 20 Diplomatic Correspondence. (Despatches.)

[3] No. 20 Dip. Cor.

to this effect. The United States Government would probably, at this time, have been willing to let the force remain unchanged in order to stop the danger of further increase.[1] This evil was the first one to be avoided. Monroe referred to its "dangerous tendency" in a conversation with Mr. Bagot on May 2 and in a letter to Adams on May 3; and on May 21, before he had heard of the decision of the British Government to meet the proposal to disarm, in another letter to Mr. Adams he said that while that proposal expressed the views of the President, he would, nevertheless, be "satisfied to prevent the augmentation of the force, leaving it on both sides in the present state, and when it is considered that Great Britain has the ascendancy on Lake Ontario, which appears more immediately on Canada, and that the United States have it on Erie and Huron, which is important only in relation to the savages within our limits, it is not perceived on what ground it can be refused."

Late events on the lakes, however, soon made it apparent that more efficient measures should be adopted. On June 8, General Cass sent the news that British naval officers at Malden had been boarding American vessels, which passed there, in seach of deserters. None had actually been taken, and the conduct was "presumed not to have the sanction of the British Government,"[2] but it was none the less a violation of the rights of the United States, and Adams was asked to call the matter to the early attention of the British Government.

After his interview with Mr. Adams on April 15, Lord Castlereagh was prompt in notifying Mr. Bagot of his power

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[1] 8 Instructions, pp. 46 and 63. Also see "America," Vol. 141. (Bagot to Castlereagh, May 3.)

[2] J. Graham (acting under Secretary Monroe), in a letter to President Madison, on June 25, threw the mantle of charity over the affair by saying that "possibly the measure was adopted more with a view of preventing their men from going on board United States vessels than with any serious intention of violating rights of the United States." (Madison Papers, Vol. 58.)

to act in the matter of arranging naval forces, as well as the matter of fisheries.[1] When the news reached America of the apparently sudden change in the attitude of the British Government there was some speculation as to the probable cause. Was the prosperity of England on the decline? Or was England acting from purely humanitarian motives? Or did she fear some new trouble? Dallas wrote President Madison, on June 26, that "Lord Castlereagh's overtures to arrange the question of armament on the lakes are probably suggested by the apprehension of a new commotion in Europe."[2]

By the early part of July Mr. Bagot had given Secretary Monroe information of the new powers which had been given him, but he did not enter into a full discussion. Monroe wrote Adams on July 8 that he had not yet learned the "nature and extent" of his power.[3] He had written to President Madison the day before stating that Bagot had informed him that he would enter upon the subject of naval forces after the question of fisheries had been arranged. In his own mind the adjustment of the lake armaments was first. Thinking some new ideas on the subject might have been suggested to the President's mind since he had approved the instructions sent to Adams, Monroe asked him for his sentiments, as well as directions in the matter.[4] Mr. Madison responded promptly on July 11. He did not see why Mr. Bagot should desire to suspend an arrangement of naval forces until the subject of fisheries had been disposed of.[5] He saw no connection between the two, and he said that "an immediate attention to the former is the more necessary, as it is said an enlargement of the British forces, particularly on Erie, is actually going on." He said it would be far better to suspend this enlargement till negotiations concerning it were concluded. To him it now seemed expedient to stipulate:

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[1] "America," Vol. 140. (Castlereagh to Bagot, April 23.)

[2] Madison Papers, Vol. 58, No. 74.

[3] 8 Instructions, p. 85.

[4] Monroe Papers, Vol. 5, July 7, No. 643.

[5] Monroe Papers, Vol. 15, No. 1969.

"(1) That no increase of existing armaments should take place.

"(2) That existing armaments be laid up.

"(3) That revenue cutters, if allowed at all, be reduced to the minimum of size and force."

On the latter point he thought there might be advantage in communicating with Governor Cass, or with others who were acquainted with it. He asked, "What is the practice with respect to jurisdiction on the lakes? Is it common to both parties over the whole, or exclusive to each on its own side of the dividing line?" He suggested that the regulation of revenue cutters might be influenced by the question of jurisdiction.

Monroe, probably feeling that there was no chance of making any immediate arrangement with Mr. Bagot, had gone down to Loudoun county, Va., for a few days, to rest from the cares of public toil. It does not appear that he ever communicated with General Cass in regard to the question of revenue cutters. During the absence of Mr. Monroe in the country it seems that Mr. Bagot had given the matter of naval forces some consideration, and was more ready to discuss the subject. He wrote a letter to Mr. Monroe, and Mr. Graham sent it to the President on July 13 to get his opinion before Mr. Monroe should give his reply upon his return.[1] The substance of this letter is not found at the Department of State, but the following letter from Madison to Monroe, on July 21, will indicate that there had been further discussion of the subject:

"I have received yours of the 21 [mistaken date]. I hope Mr. Bagot, if willing to arrange in any mode a reciprocity on the lakes, will immediately issue instructions to discontinue augmentations, or preparations of force on the British side. The state of the size on our side will correspond without instructions, but a communication to the proper officers of what may be the British intentions will be

[1] Madison Papers, Vol. 58, No. 91.

proper. There can be no inconvenience to Mr. Bagot in taking such a course. The measure suggested may be provisional till a more formal arrangement be made; or converted into a permanent arrangement as may be found best."[1]

After Monroe's return from Loudoun county, he had several conversations with Mr. Bagot upon the subject of the naval armaments upon the lakes, and he "thought at one time that they would agree;" but when Monroe put his ideas in writing, and sent the papers to Mr. Bagot informally, the latter would not subscribe his name to them.[2] As a reason, he intimated that there was some difficulty as to his powers. Monroe, seeing that there was "little probability of his being able to do anything immediately with Mr. Bagot" in relation to the fisheries, and to the reduction of naval forces, decided to leave again the hot miasmic atmosphere of the capital and to return into the country. Under the circumstances, it seemed unnecessary for him to remain in Washington to wait for Bagot's reply. The reply came soon after the departure of Mr. Monroe. Mr. Graham sent a copy of it to the President on July 29, and said: "This was forwarded to Mr. Monroe, and by his directions I now send it to you. His answer will be sent here by the next mail and is to be forwarded to you before it is sent to Mr. Bagot." This reply was, doubtless, Mr. Bagot's letter of July 26, which formally opened the negotiations at Washington by stating that in relation to the naval armaments on the lakes the Prince Regent, "in the spirit of the most entire confidence," was ready to adopt "any reasonable system" which would contribute to economy, to peacefulness, and to the removal of jealousy. The "answer" which Monroe was to send "by the next mail" was, therefore, his letter of August 2, in which he submitted the "precise project" which was desired. The details of the proposal were given as follows:

"I have the honor now to state that the President is willing, in the spirit of the peace which so happily exists be-

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[1] Monroe Papers, Vol. 15, No. 1973.

[2] Madison Papers, Vol. 58, No. 107, July 29. (Graham to Madison.)

tween the two nations and until the proposed arrangement shall be cancelled in the manner hereinafter suggested, to confine the naval force to be maintained on the lakes on each sides to the following vessels, that is: On Lake Ontario to one vessel not exceeding 100 tons burthen and one 18 pound cannon, and on the upper lakes to two vessels of like burthen and force, and on the waters of Lake Champlain to one vessel not exceeding the like burthen and force; and that all other armed vessels on those lakes shall be forthwith dismantled, and likewise that neither party shall build or arm any other vessel on the shores of those lakes.

"That the naval force thus retained by each party on the lakes shall be restricted in its duty to the protection of its revenue laws, the transportation of troops and goods, and to such other services as will in no respect interfere with the armed vessels of the other party.

"That should either of the parties be of opinion hereafter that this arrangement did not accomplish the object intended by it, and be desirous of annulling it, and give notice thereof, it shall be void and of no effect after the expiration of —— months from the date of such notice."[1]

Monroe stated that immediate effect might be given to this project by convention or by interchange of notes, or that if Bagot had to wait for the sanction of his government, a provisional reciprocal arrangement might be made. He also stated that, in case Mr. Bagot's powers were not adequate to do more, he would be willing to concur in the suspension of further augmentation or equipment of vessels for the lakes named.

Mr. Bagot offered no objection to any of the details of the proposition, but he announced his lack of authority to conclude definitely an agreement as to details without first submitting it to his government for its consideration of "points connected with the internal administration" of the provinces,

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[1] Annals of Congress, 15–1, Vol. 2, p. 1943, Appendix. See also American State Papers, Foreign Relations, Vol. 4, p. 202.

and as to the naval assistance necessary for the ordinary business of a peace establishment. In the meantime, he was willing to give effect to any arrangement, to which they might agree, for the mutual suspension of construction, equipment, and exertion on the lakes.

Monroe returned from the country on August 10, and he now proposed (August 12), in order that the arrangement should be equal, to adopt the detailed project of August 2, as a "provisional arrangement." But Bagot did not feel "authorized to make, even provisionally, any precise agreement as to the exact manner" of limiting the forces on the lakes. His power appeared to be limited, as Monroe wrote to Adams (August 13), "to a right to agree to suspend the further augmentation of the naval force on those waters, without fixing its maximum by any rational standard to the number of vessels which might be necessary."

Mr. Monroe stated to him, in his note of August 12, that if his power did not extend farther than this, the United States Government would, upon receiving a statement of the British force on the lakes, and an assurance that it would not be further augmented, confine the United States force to the same limits. Mr. Bagot agreed the next day to furnish the statement of the force as soon as he could get information upon the subject, and closed his note by saying: "I can in the meantime give you the assurance that all further augmentation of it will be immediately suspended."

Mr. Bagot stated in his note of August 6, that "the general coincidence of sentiment" between the two governments in regard to coming to some agreement upon the subject gave reason to hope that the several parts of the arrangement would be easily adjusted. But he was not satisfied at that time to make such a large reduction as was proposed by the note of Mr. Monroe containing the views of the President. Concerning this note, Mr. Bagot, on August 12, wrote to Lord Castlereagh as follows:

"On examining the draft which I received from him, I found, that besides a proposal for a much larger reduction

of the Naval Force than seemed compatible with the ordinary business of a Peace Establishment, it contained certain restrictions as to the employment of the Vessels to be retained, which appeared to me to have some object in view beyond the principal . . . one professed by the American Government. I, therefore, in returning the draft to Mr. Monroe, carefully avoided entering into any discussion whatever of the terms. . . . It is distinctly understood between Mr. Monroe and myself, that if, upon the receipt of my Letter by the Commander of His Majesty's Naval Forces, any of the armed vessels now building, shall be in that state of progress in which they cannot be laid up or dismantled without injury to the materials it shall be permitted to complete them so far as is necessary for their preservation."[1]

When Lord Castlereagh received the above letter the members of the cabinet were scattered, and the consideration of the matter was laid over till they could meet.[2]

Since the specific proposition had to be referred to Lord Castlereagh, Mr. Monroe thought it probable that the conclusion of the negotiations would revert to Mr. Adams. In his letter of August 13 to Adams[3] he spoke of the obvious advantage of this, as he (Adams) was "already authorized to treat on other important subjects." Adams was not inclined to see any advantage in it. It came in the nature of another surprise to him. When he received Mr. Monroe's letter, he appears to have been inclined to question the sincerity of the existing cabinet, whose policy appeared to him to be one of subterfuges, of refusals to negotiate, "or of expedients having all the features of refusal except its candor."[4] He was tired of delays and surprises and uncertainties upon this subject. It was a jugglery of "now you see it, and now you don't," and he feared that the Americans were the credulous

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[1] "America," Vol. 142, Letter No. 24.
[2] "America," Vol. 140. [3] 8 Instructions, p. 94.
[4] 21 Dip. Cor., No. 56.

auditors who had been made fools in the game. When on January 25 he made his proposal "for disarming, or at least for limiting armaments upon the lakes," he was convinced from the manner in which it was received that it would not be accepted. But in April "he was assured by Lord Castlereagh that the government was disposed fully to meet the proposition, and that Mr. Bagot should immediately be authorized to enter into formal stipulation for the purpose. And as it now appeared probable that Bagot's power would terminate in a reference back to his own government, Adams was led to suspicion that England was simply amusing the United States, while preparing her defenses. He wrote Monroe, September 27, that "while Mr. Bagot was negotiating and receiving your specific proposition to be transmitted here, 52,000 tons of ordnance stores have been dispatched to Canada with the avowed purpose of arming their new constructed forts, and new built ships upon the lakes." Monroe agreed with Adams (November 14) that it appeared that the British policy was to amuse,[1] and was aware of the supply of cannon and munition of war to Canada, but his recent communication with Mr. Bagot gave him more confidence in the sincerity of the British Government. By the close of the year there was more evidence to give assurance of good intentions and growing promptness. The effect of this new disposition in preventing actual conflict on the border may here be noticed.

On August 29, Mr. Adams had called Castlereagh's attention to the improper conduct of the commander of the British armed vessel *Tecumseh*, in permitting men from his vessel to board several United States vessels upon Lake Erie in an improper manner.[2] Castlereagh, fully "persuaded that measures no less reciprocal" would be taken by the United States, at once issued positive instructions to the civil, military and naval authorities in North America to discourage by every means such proceedings in the future, and to pur-

[1] No. 8 Instructions. [2] No. 21 Dip. Cor., Sept. 18.

sue a conduct showing an amicable disposition. Even before Adams had presented this complaint to Lord Castlereagh, other similar acts had been committed, and it was inferred that they were "in compliance with a system" which the British commanders in Canada thought it their duty to pursue.

On July 26, General Cass wrote to Monroe (General McComb also wrote to the Secretary of War) complaining of the improper conduct of a British officer of the British armed vessel *Huron* in boarding an American vessel, the brig *Union*, and searching her on the strait near Malden. It had also been represented to Cass that the act was supported by officers at Malden, who placed cannon in position to bear on the American vessel.[1] Secretary Monroe thought (as Adams was also convinced in the case of the *Tecumseh*) that the British officers had mistaken the policy of their government. This was doubtless true. On August 14 he called the attention of Mr. Bagot to this act of irritation and injustice, with full confidence that he would take measures to prevent a similar occurrence.[2] The latter was justly aware of the dangerous tendency of these acts, and proceeded at once to have the Governor General of Canada and the chief of the naval forces on the lakes direct inquiry into the matter.[3]

On November 18 he informed Secretary Monroe that no cannon had been placed in position at Fort Malden, as was

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[1] No. 8 Instructions, p. 99.

[2] 2 Notes from State Dept., p. 164.

[3] Monroe, now apparently for the first time, informed Cass of the President's discussions with Bagot, resulting in a "provisional arrangement, for the present to suspend the further augmentation of the naval force of Great Britain in those waters, and to confine our force within the same limit." He also told Cass that Bagot expected an enlargement of his power. He sent him in confidence a copy of the correspondence which had passed. He did this because it would be satisfactory and useful for him to know it. Under a similar injunction of "confidence," he was authorized to communicate correspondence to Major General McComb. He was also advised to consult with the Governor of Canada himself after this. (Aug. 15.) (16 Domestic Letters, p. 322.)

represented, but that it appeared from the reports sent him that the officer commanding on Lake Erie had "misconceived the nature of his instructions" and considered that all vessels passing under Fort Malden should be visited.[1] The commander-in-chief on the lakes revoked such orders at once, and every means was taken to prevent a similar occurrence. The orders sent by the influence of Lord Castlereagh had also reached Canada by this time, and the consequent restraint on the conduct of the officers on the lakes would tend to secure peace and tranquillity in that quarter. All these measures doubtless produced the salutary effect intended by them.[2]

Mr. Madison was highly pleased with the promptness shown by Mr. Bagot, and at the prompt measures taken at his instance by the commanders in Canada and on the lakes. Mr. Bagot was assured November 29 that corresponding orders had been given and would be repeated and enforced by the United States Government.

In the meantime (November 4) Mr. Bagot had furnished the Secretary of State with "an account of the actual state of His Majesty's naval force upon the lakes,"[3] and stated that

[1] No. 9 Notes to State Dept.

[2] No. 2 Notes from State Dept.

[3] The British report had been prepared September 1, 1816. It gave the following statement of the British force on the lakes:

"On Lake Ontario:

St. Lawrence, can carry 110 guns, laid up in ordinary.

Psyche, can carry 50 guns, laid up in ordinary.

Princess Charlotte, can carry 40 guns, laid up in ordinary.

Niagara, can carry 20 guns, condemned as unfit for service.

Charwell, can carry 14 guns, hauled up in the mud, condemned likewise.

Prince Regent, can carry 60 guns, in commission, but unequipped. . . .

Montreal, in commission, carrying 6 guns; used merely as a transport.

Star, carrying 4 guns, . . . unfit for actual service.

Netley, schooner, no guns; attached for most part to the surveyors. . . .

Some row boats, capable of carrying long guns; two 74-gun ships on the stocks, and one transport of 400 tons.

further augmentation was suspended until the British Government reported upon the proposal of August 2. Mr. Monroe at once (November 7) furnished the former with the statement of the United States naval force in the same region,[1] and had orders given "to prevent any augmentation of it be-

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On Lake Erie:

Tecumseh and *Newark*, carrying 4 guns each.

Huron and *Sauk*, carrying 1 gun each.

Principally for carrying stores from place to place.

On Lake Huron:

Confidence and *Surprise*, schooners, which may carry one gun, and are used for purposes of transport only.

On Lake Champlain:

12 gun-boats, ten of which are laid up in ordinary, and the other two (one of which mounts 4 guns, and the other 3 guns) used as guard boats. Besides the above, there are some small row boats, which are laid up as unfit for service.

Keel, stem, and stern-post of a frigate laid down at the Isle aux Noix."

[1] The report which Mr. Monroe furnished Mr. Bagot gave the following vessels: ("America," Vol. 142, Nov. 9.)

On Lake Ontario:

Brig *Jones* (18 guns). Retained for occasional service.

Schooner *Lady of the Lake* (1 gun). Employed in aid of the revenue laws.

Ship *New Orleans* (74 guns). On the stocks, building suspended.

Ship *Chippewa* (74 guns). On the stocks, building suspended.

Ships *Superior* (44 guns), *Mohawk* (32 guns), *General Pike* (24 guns), *Madison* (18 guns); and the brigs *Jefferson* (18 guns), *Sylph* (16 guns), and *Oneida* (18 guns). Dismantled.

Schooner *Raven*. Receiving vessel.

15 barges (each, 1 gun). Laid up for preservation.

On Lake Erie:

Schooners *Porcupine* and *Ghent* (each, 1 gun). Employed in transporting stores.

Ship *Detroit* (18 guns), and brigs *Lawrence* (20 guns), and *Queen Charlotte* (14 guns). Sunk at Erie.

Brig *Niagara* (18 guns). Dismantled at Erie.

On Lake Champlain:

Ships *Confiance* (32 guns), and *Saratoga* (22 guns); brigs *Eagle* (12 guns), and *Sinnet* (16 guns); the schooner *Ticonderoga* (14 guns); and 6 galleys (each, 1 gun). All laid up at White Hall.

yond the limit of the British naval force on those waters." Mr. Bagot noticed that no force for the upper lakes was given in the statement sent him, but was informed that it had been included in the force mentioned for Lake Erie. It appears that there was no further correspondence between Bagot and Monroe concerning the matter.

The reciprocal and definite *reduction* of the naval force on the lakes did not occur until after Monroe had become President the next year. The Prince Regent having, in the meantime, agreed to the proposition of August 2, 1816, Castlereagh so informed Mr. Bagot on January 31, 1817. Mr. Bagot notified Mr. Rush (who was acting as Secretary of State until Mr. Adams could arrive from London), and on the 28th and 29th of April, 1817, a formal agreement was entered into by exchange of notes. It was practically the same as the proposed project of August 2, and could be annulled by either party's giving six months' notice. The British Government had already issued orders to the officers on the lakes, directing that the limited naval force should be restricted to such services as would "in no respect interfere with the proper duties of the armed vessels of the other party." By the request of Mr. Rush (April 30), orders to the same effect were issued on May 2 by Mr. Crowninshield, Secretary of the Navy, to the American commanding naval officers at Erie, Pa., Sackett's Harbor, N. Y., and Whitehall, N. Y. By these orders the schooner *Lady of the Lake* was assigned to Lake Ontario, the schooners *Porcupine* and *Ghent* to the upper lakes, and the galley *Allen* to Lake Champlain.

The agreement between Rush and Bagot became effective at once upon the exchange of notes. There is no evidence that Great Britain gave to it the formalities of a treaty, and it was not till April 6, 1818, that President Monroe formally notified the Senate of the United States of the arrangement, and submitted to its consideration whether this was "such an arrangement as the Executive is competent to enter into by the powers vested in it by the Constitution, or is such a one as requires the advice and consent of the Senate, and, in the

latter case, for their advice and consent, should it be approved." The approval and consent of the Senate was given on April 16, with no dissenting vote, and it was recommended that the arrangement be carried into effect by the President. The Agreement was proclaimed by President Monroe on April 28, and appears in the National Intelligencer of April 30, as follows:

By the President of the United States of America.
A Proclamation.

Whereas, an arrangement was entered into at the city of Washington, in the month of April, in the year of our Lord one thousand eight hundred and seventeen, between Richard Rush, Esq., at that time acting as Secretary for the Department of State of the United States, for and in behalf of the Government of the United States, and the Right Honorable Charles Bagot, His Britannic Majesty's envoy extraordinary and minister plenipotentiary, for and in behalf of His Britannic Majesty, which arrangement is in the words following, to wit:

"The naval force to be maintained upon the American lakes by His Majesty and the Government of the United States shall henceforth be confined to the following vessels on each side, that is—

"On Lake Ontario, to one vessel, not exceeding one hundred tons burden, and armed with one eighteen-pound cannon.

"On the upper lakes, to two vessels, not exceeding like burden each, and armed with like force.

"On the waters of Lake Champlain, to one vessel not exceeding like burden, and armed with like force.

"All other armed vessels on those lakes shall be forthwith dismantled and no other vessel of war shall be there built or armed.

"If either party should be hereafter desirous of annulling this stipulation, and should give notice to that effect to the

other party, it shall cease to be binding after the expiration of six months from the date of such notice.

"The naval force so to be limited shall be restricted to such service as will in no respect interfere with the proper duties of the armed vessels of the other party."

And whereas the Senate of the United States have approved of the said arrangement and recommended that it should be carried into effect, the same having also received the sanction of His Royal Highness, the Prince Regent, acting in the name and on the behalf of His Britannic Majesty:

Now, therefore, I, James Monroe, President of the United States, do, by this my proclamation, make known and declare that the arrangement aforesaid, and every stipulation thereof, has been duly entered into, concluded and confirmed, and is of full force and effect.

Given under my hand, at the city of Washington, this twenty-eighth day of April, in the year of our Lord, one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

By the President: JAMES MONROE.

JOHN QUINCY ADAMS, Secretary of State.

It was the impossibility of getting the vessels from the lakes to the sea which made it necessary to dismantle them on the lakes. This work appears to have been done promptly.[1] Soon only dismantled or uncompleted hulks were left as a reminder of the former warring fleets. In fact, the forces on each side declined to "almost complete disappearance." By 1820, feelings of danger had decreased so far that the House of Representatives refused to consider a resolution which proposed a western depot for arms "convenient to those points which are most vulnerable to the enemy."[2] In 1822, Mr. Cooke, in the House, understanding that most of the vessels on the lakes were sunk and "none fit for service,

[1] Niles' Register, July 12, 1817, p. 320.

[2] Annals of Congress, Jan. 4, 1820.

though it seemed that the salaries of officers and men did not have a corresponding decline," desired an inquiry into the subject.[1] By 1825 public vessels had practically disappeared.

The "era of good feeling" had now taken the place of quarrels, oppression and misunderstanding, and peace began to exist in fact as well as in theory. The prompt orders sent out by Castlereagh to the naval officers on the lakes, suspension of the construction of vessels in that quarter, and, finally, the agreement to limit the force of each side on the lakes, increased the confidence of the Americans in the intentions of their British kin. It was a fortunate circumstance that the heads of affairs in both countries were not men with stronger prejudices than they had reason. Castlereagh was probably in advance of public opinion in England in making favorable concessions to the United States and in trying to soften old animosities, and Bagot, though very cautious, was inclined to any reasonable measure for securing friendly relations. Both were held in high esteem by the American people. Mr. Bagot was highly honored at Washington. He was much liked by both Madison and Monroe. He and his wife took pleasure in spending several days of the autumn at Montpelier, the home of Mr. and Mrs. Madison.[2] The scene around the dining table in that old Virginia home may be typical of the new feeling which was beginning to grow up. After Mr. Bagot's return to England, Lord Castlereagh showed great satisfaction at the friendly feeling toward him in America, and said it was desired to send him back if his health would allow.[3] It was felt to be a time for the adjustment of questions that contained the seed of future misunderstanding or controversy, and for awhile the Americans hoped to see England yield on the question of impressment, as well as on others of great moment in their bearings upon harmony between the two nations.

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[1] Benton's Abridgement of Debates, Vol. 7.
[2] Madison Papers, Vol. 60, No. 65, Oct. 17.
[3] 23 Despatches. (Dip. Cor., Rush to Adams.)

Old causes of animosity were being removed at home. Monroe made a visit to the North and West, which helped to remove party and national prejudices. When he completed his journey from Ogdensburg to Detroit and returned to Washington in September he had broad views of the future of his country. In his message of December, 1817, he said that "our own people are the barrier on the lakes," and great fortifications are unnecessary. He hoped that a just, candid and friendly policy would enable us to preserve amicable foreign relations. Society appeared to be weary of strife. The dangers of future quarrels were even less than was thought by some who were seeking to guard the republic against future occasions of strife. Mr. Madison thought that if the question of impressment was settled, a remaining danger to a permanent harmony would lie in the possession of Canada.[1] On November 28, 1818, he wrote Monroe that "the only reason we can have to desire Canada ought to weigh as much with Great Britain as with us. In her hands it must ever be a source of collision which she ought to be equally anxious to remove." He thought that even if Canada should not become independent in time, she could be of no value to England when at war with the United States, and would be of equal value when at peace. But time has proven that with the safeguards which the spirit of the fathers provided there has been little danger from that source.

Anglo-American relations for twenty years after the Agreement of 1817 were far more cordial than they had ever been before. The commercial convention of 1815 was favorable to the United States, but it had been made for only four years. In 1818 it was extended for ten years more.

It was feared for awhile that Astoria, in the Oregon country, would be a source of trouble. The British had taken possession of this post during the war of 1812, and Mr. Monroe announced in July, 1815, that the United States intended to reoccupy it. When the *Ontario* sailed from New York

[1] Madison's Works, Vol. 3, p. 42.

in October, 1817, on a voyage to the Pacific coast with this end in view, Mr. Bagot remonstrated, but the British Government did not stand with him, and on October 6, 1818, Astoria was surrendered. Mr. Bagot's successor found no diplomatic difficulties in his way, and Mr. Rush, who had replaced Mr. Adams at London, was treated with great respect there.

Of course, the old feeling of enmity did not die at once. The loyalists who went from the United States to Canada during the revolution, and received lands there, had an aversion to Americans which was not diminished by the invasion of Canada at the beginning of the War of 1812. It was natural for the Americans to return this hostile feeling, and some of the insolvent farmers around Lewiston might have been glad of a chance for another invasion.[1] The only fault that English travelers found with the Americans, however, was that they were inclined to "blow their horn too much." They vaunted over what the British called "a puny war."

In June and July, 1822, commissioners settled upon the details of the boundary line between Canada and the United States from the St. Lawrence to Lake Superior, thus lessening the probabilities of misunderstanding in that quarter. When Canning came to the head of the Foreign Office at the death of Castlereagh in 1822 he was much more polite than he had been before the war in his conversation with the American ambassadors. In 1823 he drew Great Britain closer to the United States. The interests of the two countries were the same in the South American republics.

In 1826, relations had become somewhat tangled. An English order in council kept the United States from trading with the West India ports. At the same time the British authorities in Canada were building canals to compete with the United States in securing the trade of the lakes. Some went so far as to advise that in order to deprive the Ameri-

[1] Howison: Sketches of Upper Canada and the United States. 1820.

cans of a means of attack upon Canada, and in order to make Great Britain mistress of the lake trade, the canals should be made large enough for steamers suited to the lakes and "capable of being turned into military purposes without any expense."[1] This proposal to secure for Great Britain the commercial and military possession of the lakes was not the result of any immediate danger to the security of Canada, nor to her interests except so far as the Erie canal, carrying the waters of the lake toward the Atlantic, had opened the door between New York city and the commerce of the rich and developing Northwest. The United States was not looking for war.

With the great increase in the population along the southern shores of the lakes, and with the more friendly intermingling of the two peoples upon its waters, the relations with Great Britain were felt to be entirely safe. In 1826, Fort Shelby, at Detroit, was demolished and the garrison was removed. By 1827, when Canning died, affairs with England were even more satisfactory. The convention of 1818 was continued indefinitely. In 1830, when the United States asked the West India trade as a privilege, the interdict was removed by Great Britain. A permanent direct trade in American bottoms was also established between England and the United States.

Statesmen could look forward to continued cordial relations and a gradual growth of the spirit of reciprocity. Strained relations were not anticipated. War was thought of only as a remote possibility. In 1830 it was argued in the House of Representatives that in case of any future war our main defense of the long northern frontier must be our naval force, but it does not seem that any war was expected. When the question of fortifications was being considered in Congress in 1836, Mr. Cass, the Secretary of War, thought that under existing conditions, and when we were not hunting war, it seemed "altogether inexpedient to construct expen-

[1] Report of Canadian Archives. 1890. Lieut. Col. By to Gen. Mann, July 13, 1826.

sive fortifications" along the lake frontier, which, he said, "requires no permanent defenses."[1]

What the lakes needed was not a fleet of naval vessels, nor a cordon of shore defenses, but improved harbors for the increasing commercial fleet. In 1816 the first steamer, the *Ontario*, was built on Lake Ontario at Sackett's Harbor. She began to ply in April, 1817. In 1818 the first steamer on Lake Erie, the *Walk-in-the-Water*,[2] was launched near Black Rock, below Buffalo. From 1818 to 1824 there was a very small number of vessels employed on the lakes. From 1824 to 1827 there were harbor improvements on Lake Erie, which produced a stimulus on commerce. A new stimulus was given in 1825 by the completion of the Erie canal,[3] which had been commenced at Rome on July 4, 1817. There was a gradual increase in commerce from this time forward. Many new steamers were built.[4] Two new boats were built in 1824, and three more in 1825. By 1832 there were four others. In 1833, twelve additional ones were completed. In a few years more there were fifty steamers from Buffalo to the upper lakes. Chicago was first reached by a vessel from the lower lakes in 1834. Down to this time all the boats that went beyond Cleveland were primarily engaged in carrving provisions to the new settlers. After 1835 the transportation of western products to the East became more prominent. The first cargo of grain from Lake Michigan reached Buffalo in 1836. In the same year a company was organized in Chicago to facilitate the transportation of goods from St. Louis to that city, and the bulk of the western products that found their way east by the lakes constantly increased.[5]

[1] House Reports, Exec. Doc. No. 243, 24th Cong., 1st Session.

[2] An account of its entrance to Detroit is found in an "Account Book" of the Collector of Customs at that place in 1818.

[3] The Oswego canal was also completed in 1828, and the Welland canal in 1829.

[4] Exec. Docs., 27–1, Vol. 1, p. 191 (1841–2). Also, see Senate Doc. 112, Aug. 25, 1852. Also, see J. W. Hall's "Record of Lake Marine." Detroit, 1878.

[5] Wis. Hist. Coll., Vol. 13, 1895, article by O. Libby on the "Significance of the Lead and Shot Trade." Also, see Exec. Doc. 68, 26–1, Feb. 1840. Also, Senate Doc. 140, 26–1, Vol. 4, p. 19. Also, De Bow's Review for January, 1846.

V.

THE CANADIAN REBELLION AND BOUNDARY QUESTIONS.

Tangled Relations and Threatened Armaments.

The period after the close of the second war with England was one of national and industrial development. The army of active and enterprising people continued to advance westward, and the region along the lake shores which, at the time of the war, had been "covered with dark and gloomy forests, filled with hostile savages," was gradually claimed for cultivation and civilization. The tribes which Tecumseh struggled to form into a great confederacy retreated before the emigrants that pushed their way over the Appalachian mountains. Silently and gradually there grew up a commerce which far surpassed the early fur trade. The demand for a better communication between East and West[1] was finally answered in the construction of the Erie canal and the increased use of the lakes for transportation. This in turn led to the more rapid growth of the Northwest, and the waters which had once been the scene of the most brilliant naval triumphs which adorn our history were transformed into a commercial highway to carry vast products to the ocean.

It does not appear to have occurred to the governments that with the increased settlements in the West internal troubles might arise on either side of the lakes and make it necessary to protect the frontier from lawless violations of neutrality. This very condition of affairs, however, was brought into existence in connection with the Canadian Rebellion of 1837-38, when secret lodges of sympathizers held

[1] See Niles' Register, Feb. 22, 1817, p. 423.

meetings in several of our lake cities, and, by readiness to rush blindly into conflict, endangered our peace with England. Some joined these lodges because of a hatred toward Great Britain, which had its origin in the Revolution of 1776. Others sympathized with the insurgents of Upper Canada simply because they represented the weaker side. Still others believed the rebellion was a struggle for liberty in Canada.

The Canadian insurgents received more sympathy at Buffalo than at any other point, on account of the central position of the place and owing to the fact that it had a large floating population who were out of work. Some of the newspapers published stirring editorials, which were not intended to calm misdirected sentiment. When Mackenzie, the leader of the rebellion, came to Buffalo on December 10, 1837, demonstrations were arranged in his honor, and spread-eagle "orators" regaled the crowds with mendacious speeches. Several of the rabble joined the rebel army. An "Executive Committee" was appointed at a popular meeting to look after the safety of the city. There was some fear that the Canadians would make an attempt upon the city in revenge for the sympathy shown the insurgents. On December 21, Secretary of State Forsyth gave instructions to the United States District Attorney to enforce the law in preserving neutrality. Nevertheless, several of the rabble joined the insurgent forces—some for expected spoils, some for fun, and some to kill time. The son of old General Van Rensselaer joined because he aspired to be a "Sam Houston."

During the latter part of December, 1837, the insurgents were gathered at Navy Island, on the Canadian side of the Niagara river, just above the Falls. Mackenzie represented it as the seat of government for Upper Canada, and issued his proclamation declaring in favor of free trial, free elections, free trade, free education, free St. Lawrence, free western lands and freedom from weary prayers to lordlings. His bait did not catch as many Americans for his army as he had hoped, though it increased the sympathy for his cause.

Governor Sir Francis Bond Head, of Canada, soon issued

a call for troops to stop this menace to the Government of Canada. It was found that Mackenzie had chartered the steamer *Caroline*, owned by American citizens, to carry supplies from Schlosser, on the American side,[1] to the insurgents at Navy Island. On December 29 a British expedition crossed over to the Schlosser wharf in boats, and, after some force, secured the *Caroline*. Her decks were cleared, and she was taken to the middle of the river, where she was set on fire and allowed to drift toward the falls. During the capture one American, Amos Durfee, was shot and left dead on the wharf. In death he received greater honors than he had ever received in life.[2] His body was displayed on the piazza of the city hall in Buffalo, and his funeral was extensively advertised by a panorama of placards illustrated with coffins. It was an appeal to sentiment. Inflammatory speeches were made to the excited multitude to persuade them that the eagle had been insulted.

As the news of the *Caroline* massacre spread there were mutterings of war. The danger of filibustering expeditions from the United States was increased. Some young men of Buffalo were especially anxious to get hold of a royalist sheriff, McLeod, who had made threats against the people of that city.[3] Some who had been passive sympathizers with the insurgents before, now became active. The manager of a Detroit theatre announced a benefit each week for the "Patriots." Some urged a war with England. A member of the "Executive Committee" of Buffalo was reported to have said that he would have a war out of the Canada disturbance if possible.[4] The country waited in suspense to see what course the government would pursue. There was a false report that Mr. Fox would demand his passports. Stocks in New York fell 1½ per cent.[5] On January 7 the Buffalo Daily

[1] Schlosser Wharf is between Navy Island and Niagara Falls.
[2] Lucy M. Hawes: Buffalo Fifty Years Ago (pamphlet, 1886).
[3] *Detroit Free Press*, Jan. 6, 1838.
[4] Buffalo *Commercial Advertiser*, Jan. 23, 1838.
[5] Buffalo *Commercial Advertiser*, Jan 17.

Star said that notwithstanding the Sabbath stillness, "the whole frontier from Buffalo to Lake Ontario now bristles with bayonets." The ferries were stopped. The two peoples along the Niagara were watching each other.

There were rumors of preparation for invasion from Canada. The people of eastern Chautauqua county were scared by the report started by a drunken man that 3000 Indians were coming from Canada.[1] Conspiracies against the peace of Canada were also being hatched all along the line. "General" Sutherland, who had enlisted in the insurgent cause at Buffalo, went west to incite the people.[2] At Detroit he obtained possession of several boats, with supplies. Muskets were taken from the jail and from the door adjoining the United States Marshal's office.[3] Sutherland began to issue his proclamations from Bois Blanc Island; but his air-castles fell when the *Anne*, commanded by the Irish-Canadian, Theller, was captured near Malden on January 10. The cause of the "Patriots" was clearly on the wane by January 13, when the cannonading at Navy Island ceased and the insurgents evacuated the place.

In the meantime an effort was being made on each side to prevent further trouble. A meeting was held in Buffalo to counteract the bad effect of the previous meetings. It was in favor of non-interference in the affairs of Canada. It was declared that this was the safe policy to prevent British steam frigates from appearing upon the lakes, and the best plan to follow in order to prevent an Anglo-Mexican alliance. The Government at Washington was prompt in its action. It objected to the seizure of the *Caroline*, but there was a good understanding with the British minister.[4] Act of January 9 provided means of preserving peace on the border. The President issued a proclamation enjoining neutrality, and Secretary Woodbury requested the commander of

[1] *New York Express*, Jan. 3, 1838.
[2] Dent: Upper Canadian Rebellion, Vol. 2, p. 224.
[3] R. B. Ross: Patriot War. (*Detroit News*, 1890-91.)
[4] Philadelphia *U. S. Gazette*, Jan. 5, 1838.

the cutter *Erie* to go to Buffalo to aid in enforcing the laws.[1] General Scott was sent to the frontier, and Buffalo became a military post. His moderation did much to calm the excitement on the border. When the British general, McNabb, had Captain Drew to anchor two schooners in American waters to intercept the passage of the *Barcelona*, in which it was believed the insurgents intended to depart for the Michigan frontier, Scott objected, but, at the same time, he arranged to charter the *Barcelona* for his own use, and by keeping a watch on other vessels, he interfered with movements hostile to the Canadian Government. The insurgents tried to secure the *Virginia*, but they could not get anyone to give bonds for it. It was also suggested by sympathizers in Buffalo that they get the steamer *Peacock* at Erie, but it was feared "that the cutter and steamboats in the service of the United States would interfere."[2] General Van Rensselaer began to feel that his aspirations to become a "Sam Houston" had very little chance of being realized, and he soon went east to see his "beloved intended."[3]

The prompt action of the United States Government in preventing the "Patriots" from organizing and from securing lake vessels had hardly been expected by them. Donald McLeod wrote: "The course which your government has pursued towards the Patriots seems to me uncalled for, especially after the repeated insults and aggressions by the British authorities." McLeod accused the British of having three armed vessels on Lake Erie in violation of their agreement with the United States Government.[4] This and other things led him to "expect that the United States Government would permit the Patriot army to proceed peacefully through its territory," and, "as in the case of Texas," let them alone to manage their own affairs.

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[1] Buffalo *Commercial Advertiser*, Jan. 12, 1838.

[2] Patriot Letters (in Buffalo Historical Library). Morgan to Ajt. Gen. McLeod, Jan. 28, 1838.

[3] Patriot Letters. Henderson to McLeod, Feb. 4, 1838.

[4] Patriot Correspondence. McLeod to Thompson, Feb. 16, 1838.

Notwithstanding the action of the government, however, small bands of insurgents continued to make attempts upon Canada.[1] McLeod was defeated on Fighting Island in the Detroit river on February 25. Another band was defeated on Point-Pele Island in western Lake Erie.

The mutterings of war increased. The United States Government had demanded redress "for the destruction of property and assassination of citizens of the United States on the soil of New York at Schlosser." Public sentiment was worked up to a high pitch, especially after the British Government showed no disposition to make amends for what appeared to be clearly a violation of international usage.[2] The danger of filibustering expeditions from the United States to assist the "Patriots" still existed.

Governor-General Head, of Canada, lost his equilibrium, and made matters worse. He wrote that almost every United States arsenal from Lake Champlain to Lake Michigan had been broken open in order to enable American citizens to invade Canada.[3] He was inclined to believe the stories of Sutherland, in the Toronto jail, concerning the aim of the United States to get Canada as they had Texas. He wanted greater defenses for Canada, and in this he was opposed by the home government. He took occasion to ventilate his feelings so freely that Lord Glenelg wrote that he should abstain from conduct or language calculated to inflame passion and endeavor to "diffuse a better and more friendly feeling toward the neighboring states."

The border feeling was further aggravated by the controversy in Maine over the disputed boundary. The action of lawless men from the British provinces in cutting timber upon the territory in dispute, and in seizing an agent whom the government of Maine sent to investigate the affair, led to a sharp correspondence between the Governor of Maine

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[1] 19 Notes to State Dept.

[2] Buffalo *Commercial Advertiser*, Jan. 8, 1838.

[3] Head's Narrative, p. 399. Head to Fox, Mar. 3, 1838.

and the New Brunswick authorities. It looked as if the people were treading upon smouldering coals which were at any time liable to be blown into a blaze. There was great danger of a local clash of arms.

Some of the frontier characters were determined to harass the British authorities at every opportunity. On the night of May 29 the *Sir Robert Peel*, having among other passengers Colonel Frasher, a British custom-house officer, while passing the Thousand Islands was burned by the notorious Bill Johnson and his associates, who yelled to the half-dressed passengers on the shore, "Remember the *Caroline*, "Remember the Schlosser."[1]

Such acts could not go on always and peace exist. They were a source of annoyance both to Canada and the United States, and if continued would necessitate a standing naval and military force in that quarter, and this was opposed to the policy and habits of the American Government. The need of a larger force on the lake frontier had already been under consideration.

On May 28, 1838, the House of Representatives passed a resolution instructing the Committee on Naval Affairs to inquire into the expediency of providing for the construction of an armed steam vessel on Lake Erie. This resolution was referred to the Secretary of the Navy, and on June 8 he wrote the chairman of the committee as follows:

"In reply to your letter of the 5th inst., enclosing resolution of House of Representatives of May 28 . . . As the objects of the resolution required the participation of the Treasury and War Departments, as well as the Navy, the subject was brought to the consideration of the President, as well as the heads of those departments; upon which it has been concluded, with the approbation of the President, to hire or otherwise procure two steam vessels, one for Lake Erie and one for Lake Ontario, for the purposes mentioned in the

[1] Capt. Van Cleve : Reminiscences of Early Steamboats, etc., p. 47. (Capt. Van Cleve's book is in manuscript and may be seen at the Buffalo Historical Library.)

resolution, and to be so manned and equipped as not to interfere with existing treaties. Measures will be at once adopted for carrying this arrangement into effect, which it is believed may be done under existing appropriations.'"[1]

After these precautionary measures, further action by Congress was considered unnecessary.

The British authorities had also begun to make some naval preparation. They had temporarily hired some boats for the expedition against the *Caroline.* They had also hired two or three schooners in the early part of 1838, and armed them to prevent an invasion from Navy Island, but these were probably not retained after the danger was past. During the summer of 1838 it appears that the authorities in Upper Canada employed "one or more steamers, hired for the purpose, and manned with a certain number of troops, to cruise on Lake Erie against apprehended invasions" of unlawfully organized bands from the United States. According to Colonel Worth, the Canadian authorities also hired several armed steamers and barges after the burning of the merchant vessel *Sir Robert Peel* in 1838 to cruise against the "Patriots" on the St. Lawrence and on the Canadian side of Lake Ontario.

Notwithstanding these measures to protect the frontier, considerable alarm was still felt. In June it was reported that Donald McLeod was organizing an invasion of Canada for July 4. There was a report of similar preparations at Port Huron. Toward the end of the summer there were rumors of a widespread organization of "Hunter's Lodges" along the border of the United States, the purposes of which were unfriendly to the Canadian Government. The Brady Guards, of Detroit, were kept busy patroling the Detroit and St. Clair rivers. Mr. Fox notified the State Department on November 3 that he had information of a large secret combination in the United States which was preparing to wage war on the British provinces, and that "no less than nine steam-

[1] Reports of Committees, No. 1008, 25–2, Vol. 4.

boats that ply on Lake Erie had been engaged to the service of the conspirators."[1] The Secretary of State saw in these exaggerated reports some room for fear, but he assured Mr. Fox (November 15) that "regular military bands from the American side" would be successfully repressed, and stated that the United States Government would expect British officers to prevent a violation of the territory of the United States.[2] It was a time for discretion and vigilance on both sides. On November 11 the *United States*, commanded by Captain Van Cleve, left Oswego with many filibuster passengers bound for Ogdensburg. She also towed two "Patriot" schooners part of the way. Colonel Worth, United States army, followed in the *Telegraph*, seized all three vessels at Ogdensburg and took them to Sackett's Harbor.[3] The "deluded youths" who were left in Canada were soon caught by the Canadian authorities.[4]

On November 21 the President, with good effect, issued a proclamation against insurgents from the United States. The Canadians, however, felt the need of more effective steps to protect the long frontier. This, together with the fact that the Secretary of State had called the attention of Mr. Fox to the provisions of the Agreement of 1817, caused that gentleman on November 25 to write the Department of State that it was "found necessary to equip under the British flag a more extensive naval armament" upon the boundary lakes and rivers than was allowed by the stipulations of the convention of 1817.[5] He apprehended no objection by the Government of the United States to this temporary increase of force to guard against the unlawful and piratical acts of hostility which threatened the British colonies. In order that there might be no misapprehension, Mr. Fox thought it expedient to give assurance that the extra armament was

[1] 19 Notes to State Dept.
[2] 6 Notes from State Dept.
[3] Van Cleve: Reminiscences of Early Steamboats, etc., p. 11.
[4] Upper Canadian Gazette Extra, Nov. 16, 1838.
[5] 19 Notes to State Dept.

"equipped for the sole purpose . . . of guarding Her Majesty's provinces against a manifest and acknowledged danger," and he stated that it would be discontinued "at the earliest possible period" after the causes which created the danger should cease.[1] The United States Government made no objection to this extra force. It seems to have been satisfied with the explanation made by Mr. Fox at this time. On the opening of navigation the next spring, however, it decided to make provision for a temporary lake fleet in case it was needed. When a bill was proposed giving the President additional power in regard to the augmentation and preparation of the naval forces of the United States, Mr. Fillmore, on March 1, proposed an amendment so that the bill would also include the equipment of vessels on the lakes. Mr. Fillmore was informed at this time that the British had one armed steamer on Lake Ontario, one on Lake Champlain, and three on the upper lakes, and he suggested the advisability of taking some steps in order to be ready to protect the commerce on Lake Erie where the United States Government had not owned a vessel of any kind.[2] An act was passed on March 3, the day after the news that blood had been shed on the Maine frontier, which provided that in event of invasion or imminent danger the President should be authorized to get coast vessels ready for service "and to build, purchase or charter, arm, equip and man such vessels and steamboats on the Northern lakes and rivers whose waters communicate with the United States and Great Britain as he should deem necessary to protect the United States from invasion from that quarter."[3]

It appears that during the winter of 1838-39 all danger from the "Patriots" was gone. The season of 1839 was more

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[1] The last serious raid of the year occurred in the Detroit river. Armed men on the *Champlain*, during the first week in December, crossed from Detroit to Windsor and set fire to the steamer *Thomas*. Several of the raiders were caught by the Canadians. Four were shot and others executed.

[2] Cong. Globe, Mar. 1, 1839, Appendix, p. 282.

[3] 5 U. S. Stats. at Large.

peaceful. General Scott, who had been sent to the disturbed frontier, was of great service in preventing the madness of the few from dragging the peaceful, non-contesting many into an aggressive war, which would involve all in crime, disaster and disgrace. In his addresses to large gatherings of "Patriot" sympathizers he reminded them that if, in the attempt to force on unwilling neighbors independence and free institutions, we had first to spurn and trample under foot treaty obligations and laws made by our own representatives, we should greatly hazard free institutions at home in the confidence and respect of our own people. The trial and conviction of Mackenzie in the United States in June also had a good effect, by preventing him from making agitating speeches.

By the autumn of 1839 the Secretary of State felt that there was no longer any danger of acts of hostility against Canada. The British authorities also felt that all danger was passing away. General Scott did not hear of a single armed British vessel on Lake Erie during the year.[1] As a security against the renewal of the troubles of the preceding year, however, the British authorities owned or hired two steamers, one schooner and several barges, which were employed on Lake Ontario and the St. Lawrence river up to the close of navigation. Mr. Fox thought that in case no new attempts against the peace of Canada should occur during the winter there would be no good reason for keeping a larger force than that prescribed by the Agreement of 1817. The abuses which led to the Canadian rebellion were being corrected, and the sympathizers on both sides the border recognized that it was foolish to try to change the destiny of the Dominion by unlawful movements.

In his annual message to Congress, December, 1839, Mr. Van Buren stated that "there is every reason to believe that disturbances like those which lately agitated the neighboring

[1] Report of Scott to Secretary Poinsett, Mar. 23, 1840. In Exec. Doc. 163, 26–1.

British provinces will not again prove the sources of border contentions or interpose obstacles to the continuance of that good understanding which it is the mutual interest of Great Britain and the United States to preserve and maintain." He said that "within the province tranquillity is restored, and on our frontiers that misguided sympathy in favor of what was presumed a general effort in behalf of popular rights and which in some instances misled a few of our inexperienced citizens, has subsided into a rational conviction strongly opposed to all intermeddling with the internal affairs of our neighbors."[1] He hoped that future immigrants from Canada would abstain from attempts to endanger the peace of the country which gave them an asylum.

At the opening of the year 1840 social and business intercourse had been resumed along the frontier,[2] but there were other dangerous questions already above the horizon, and the war hawks did not cease shouting for the fray, though they were kept in check by the disapprobation of the majority of the people in the United States and by the wisdom of the higher officials on both sides of the lakes. In the United States it was felt that the British had not yet given satisfactory answer in regard to the invasion of the United States territory by the expedition against the *Caroline*. Mr. Fox had placed it on the same footing as the invasion of Florida by United States troops,[3] which had been justified by President Monroe in his messages of March 25 and November 17, 1818. There were also reports that the British were strengthening their military means upon the Maine boundary. This was not in harmony with the arrangement made between the Governor of Maine and the authorities of New Brunswick through the interposition of General Scott in 1839. It was also believed that the military and naval preparations which had appeared necessary in 1838 were to be continued.

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[1] Journal of Senate, 26–1, 1839-40.

[2] *Toronto Examiner*, Jan. 1, 1840. Also, *Ogdensburg Times*.

[3] 19 Notes to State Dept., Oct. 21, 1839.

The condition of the northern frontier attracted considerable attention in Congress in February, 1840. In March, active measures were taken to ascertain the truth concerning the various rumors of extensive British defenses. On March 9 the following resolution passed the House of Representatives:

"That the President of the United States be requested to communicate to this House, if compatible with the public service, whether the Government of Great Britain has expressed to the Government of the United States a desire to annul the arrangement entered into between the two Governments in the month of April, 1817, respecting the naval force to be maintained upon the American lakes; and that, if said arrangement be not annulled, whether there has been any violation of the same by the authorities of Great Britain."

On March 12 Mr. Norvell offered a resolution, "That the President of the United States be requested to cause to be communicated to the Senate all the information that is possessed by the government, or can be conveniently obtained, of the military and naval preparation of the English Government on the northern frontier of the United States, from Lake Superior to the Atlantic Ocean, distinguishing the permanent from the temporary and field works and particularly noting these which are within the claimed limits of the United States."[1]

In submitting the resolution, he said that it was his firm conviction, and had been for a long time, "that the period had arrived when preparations of a military and naval character on one side of our northern frontier ought to be met by corresponding preparation on the other side." He thought that while the British Government was "amusing us with negotiations as Philip amused the Athenians, it was making quiet and steady progress in preparing for offensive and defensive operations" along our undefended frontier from Maine to Lake Superior.

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[1] Congressional Globe, Vol. 8, 26–1, pp. 262–3.

"Along the whole line of Lake Ontario, it had been stated that new military works were in the progress of construction, and that the old works were in a course of being strengthened. The military posts at Malden had also, as he had learned, been rendered stronger. White Wood Island, which had been many years ago most unfortunately ceded to the British, was, as he had been informed in letters, fortified, or about to be fortified. That island was in the river Detroit, near its mouth; and, with a powerful battery, it would command the passage of both the American and British channels of the river, and lay the whole of the upper lake country, with its important military posts, its flourishing cities and villages, at the mercy of an enemy. Military works were constructed, or constructing, at Sandwich and Windsor, immediately opposite to Detroit. And that prosperous city could, from these works, in one hour, be laid in ashes. And what was the state of defensive military preparation on our side in that quarter? Why, sir, we had not even the benefit of public barracks for the protection and accommodation of the miserable skeletons of companies which were stationed there. The commanding officers were compelled to rent a house at the water's edge for their accommodation.

"He had been told that the British authorities were building one or two steam frigates on Lake Ontario and Lake Erie. Such a measure was a departure from the spirit of that arrangement by which the American and British navies were respectively reduced to one vessel on Lake Champlain, one on Lake Ontario, and two on Lake Erie and the upper lakes, not exceeding one hundred tons burden each, and each carrying but one gun. Were the steam frigates to be of one hundred tons burden, and to carry but one cannon? Nobody could believe it."

Mr. Norvell said he was not anxious for war, but he thought that the collection of men, the accumulation of materials, and the preparation of naval vessels along the frontier, together with the fact that the British "were negotiating for the purchase of California," indicated that a crisis was approaching which demanded vigilant preparation.

It does not seem that there was so much danger as Mr. Norvell had been led to believe. Mr. Calhoun thought that there was no real danger along the inland frontier except in case of an actual collision of the local authorities along the Maine boundary.[1] On April 1, in the Senate, he said that he "regarded the British possessions on the frontier as a pledge of peace, and not a source of danger."

The House was at least determined to get all the necessary information to enable it to decide what was best to be done. On April 6 a resolution was moved by Mr. Fillmore, and adopted by the House, requesting the President to communicate "any information in possession of the executive department showing the military preparation of Great Britain, by introducing troops into Canada or New Brunswick, or erecting or repairing fortifications on our northern and northeastern boundary, or by preparing naval armaments on any of the great northern lakes or the waters connected with them, and what preparations, if any, have been made by this government to put the United States, and especially the northern and northeastern frontiers, in a posture of defense against Great Britain in case of war."

On April 9 the House considered a resolution of Mr. Hand, of New York, requesting that the Secretary of War communicate "what works he considered necessary to be constructed in order to place the northern and northeastern frontiers in a proper and permanent state of defense."[2] This resolution was extended, at the request of Mr. Wise, of Virginia, so as to embrace an "entire system of defense."

In the discussion no one claimed to be seriously alarmed. Mr. Wise, in his principal speech, talked of our defenseless condition in the face of a threatened war; he said we "stood now in the presence of the British lion himself," and with less means of defense than any other power, civilized or barbarous, of one-tenth our physical force; he thought it folly

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[1] Congressional Globe, 26–1, Vol. 8, Appendix, p. 369.

[2] Congressional Globe, 26–1, Vol. 8, pp. 311–313.

to talk of war about a few pine logs when . . . every portion of our frontier was "exposed to British aggression and British bayonets." A few minutes later Mr. Wise added: "I am no alarmist. I have no idea that there is to be a war, but I go for the necessity of fortifications upon the most liberal scale for a peace establishment." Mr. Hand was no alarmist. He had no desire for an exciting and injudicious debate. "All he desired now was that the House might be fully informed."

Mr. John Quincy Adams "thought that there was not the slightest danger at this moment of a war with Great Britain, or for years to come" (and he was sorry that Mr. Rhett, of South Carolina, was not glad to hear it). Mr. Adams founded his opinion upon the character of the President's message, and upon the growing probability that the northeastern boundary question would be settled by arbitration, since Maine was now ready to refer the settlement to the United States Government. Mr. Thompson thought fortifications were not necessary, and desired to await further news from England before arming the country.

From March to July the executive department endeavored to secure all the information possible regarding the subjects mentioned in the various resolutions of inquiry which passed the House.

On March 28 Mr. Van Buren communicated reports from the Secretaries of State and of War,[1] with documents, which gave evidence that the British Government had not shown any desire to annul the Agreement of 1817. Mr. Forsyth enclosed Mr. Fox's note of November 25, 1838, concerning the necessity of a temporary increase of naval force, and said that "prior to the date of that communication the Secretary of State, in an interview invited for that purpose, called Mr. Fox's attention to the disregard by Her Majesty's colonial authorities of the convention arrangement between the two countries as to the extent of naval armaments upon the lakes.

[1] House Exec. Doc., No. 63, 26–1.

In the autumn of the past year the Secretary of State made known verbally to Mr. Fox that, the causes assigned in his note no longer existing, the President expected that the British armament upon the lakes would be placed upon the footing prescribed by the convention. Mr. Fox engaged to communicate without delay to this government the substance of the conversation between them, and expressed his own conviction that, if the winter then ensuing passed without renewed attempts to disturb the tranquillity of the Canadas, there could be no sufficient motive for either government maintaining a force beyond that authorized by the convention of 1817."

Mr. Poinsett, Secretary of War, enclosed a report of General Scott (dated March 23), who stated that he did not think the British had had an armed vessel above Detroit for many years; that they had hired temporarily one or two armed steamers on Lake Erie in 1838, and that they had employed on the St. Lawrence and the Canadian side of Lake Ontario, up to the close of navigation in 1839, two steamers, one schooner and a number of barges.

On June 29, Mr. Van Buren sent to the House a second communication in answer to the resolution of March 9 concerning the attitude of Great Britain to the Agreement of 1817.[1] It contained a report of Alexander Macomb, the Commanding General, to the Secretary of War (June 26), in which he gave replies of various officers who had been addressed upon the subject.[2]

Colonel Bankhead had no information that the Agreement of 1817 had been violated. He said that a large vessel for a steamer was being constructed in the autumn of 1839 at Ni-

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[1] House Exec. Doc., No. 246, 26–1, Vol. 7.

[2] The President had given the Secretary of War instructions to report "any specific information in possession of the War Department relative to the British naval armaments on the lakes, and the periods when the increase of force, beyond the stipulations of the convention of 1817, were severally made on different points of the lake frontier."

agara for the service of the government, and that the British Government had on Lake Ontario a steamboat commanded by officers of the navy, and probably commissioned as a government vessel. He was also informed that "the authorities in upper Canada had last summer in their service on Lake Erie two steamboats which were at first hired from citizens of Buffalo, but which they subsequently purchased." Colonel Crane, of Buffalo, had no information on the subject. He said that there had "been rumors there of armed steamers being built or building at Chippewa, etc., but on inquiry he could learn of none, except the ordinary steamboats for the navigation of the lakes." He had also heard it stated that a steamer was being built on Lake Ontario by the English, and intended for the revenue service, but he did not know what truth there was in this statement. Colonel Pierce wrote from Plattsburg that he had no knowledge of any naval force on Lake Champlain in violation of the arrangement of 1817. He believed there had been no British naval force maintained on Lake Champlain since that arrangement had been concluded.

These replies, together with the letter of General Scott, which had been sent to Congress on March 28, embraced all the information that the War Department could give upon the subject. The Navy Department had not been asked in regard to the matter, probably because there were no naval officers upon the lakes to assist in getting information. According to the rumors mentioned in these reports, it does not appear that there was any extensive naval preparation by the British authorities upon the lakes. Possibly some of the temporary augmentation during 1838 was made in ignorance of the agreement between the two nations.[1] During

[1] Colonel Brady, of Detroit, wrote that he did not know whether the arrangement had been violated by the British Government; for he never knew that there was such an understanding between the two governments until the resolution of Congress making the inquiry was sent to him. During the border troubles he frequently had a piece of ordnance on board the steamboat in the employ of the United States; and besides that, had the service demanded it, he should not have hesitated to have increased the number, not being aware of the arrangement referred to.

the long peace, in which there was a total disregard of any force at all, many would not have known that such a treaty existed.

On June 29, President Van Buren, in response to Mr. Fillmore's resolution of inquiry of April 6, sent to the House a communication from the Secretary of War, accompanied by a report from the Commanding General of the Army. This report gave the replies of the officers at the principal points on the frontier, from which it appears that the British had strengthened their works at Malden on the Detroit river, at Fort Mississanga near the mouth of the Niagara, at Kingston on the lower part of Lake Ontario, at Fort Wellington, opposite Ogdensburg, N. Y., and at the Isle aux Noix, in the outlet of Lake Champlain. They had also commenced new barracks at Toronto and St. Johns, and had in the provinces 20,000 regular troops, of which two-thirds had arrived in Canada since the spring of 1838.

These official replies do not intimate that Great Britain had any offensive designs. It was understood that the preparations had been made "to suppress rebellion and insurrection among the Canadian population." General Scott was not alarmed. He believed that there were no important British forts on our borders from Vermont to Maine. The works erected near the borders of Maine, above Frederickton, were of little military value, and he "had heard of no new military preparation by the British authorities on the St. Croix or Passamaquoddy Bay."

After receiving this report, the question of defense upon the northern frontier attracted less attention in Congress. During the first part of July most of its time was occupied with bills for pensions and other private claims. Further alarm might have been avoided, but for the border feeling engendered by a new turn in the *Caroline* affair.

In November, 1840, Alexander McLeod, a deputy sheriff in Upper Canada, came across to New York State and boasted that he was the slayer of Durfee on the Schlosser wharf when the *Caroline* was taken. He was at once ar-

rested and placed in the Lockport jail on the charge of arson and murder. This aroused the indignation of the English, and Mr. Fox asked his release. When Forsyth replied that McLeod was in the hands of New York courts and must wait for deliverance in regular course, Lord Palmerston directed Fox to proceed as though the attack on the *Caroline* was done by authority of the British Government. When the Harrison administration came in, it made an attempt to have the matter tried as a national affair, but New York would not give up the prisoner. Mr. Webster, the new Secretary of State, had to inform Mr. Fox that McLeod was in the custody of law, and could not be given up except by process of law. When the correspondence upon this subject was sent to Congress in June, 1841, it led to vehement debates. The rumor in New York that England's Mediterranean fleet was held in readiness to emphasize the demand for the release of McLeod did not tend to calm public feeling.

Another occasion for further discontent at the policy of the British Government was presented on July 14, 1841, when the President sent to the House a part of the correspondence between the Secretary of State at Washington and the United States minister at London, relating to the "seizure of American vessels by British armed cruisers under the pretence that they were engaged in the slave trade."[1] These new sources of bad feeling had a tendency to revive disorders which had already been pacified by prudence and good fortune.

It does not appear that England had any offensive motive in increasing her force in America at this time. But the condition of relations between the two countries led to a renewal in Congress of discussions concerning lake defenses.[2] In the early part of 1841 there were various reports in favor of recommencing the work upon lake harbors which had been suspended, but in July the talk for defensive measures was upon a higher key than harbor improvements. On July 12

[1] House Exec. Doc., No. 34, 27–1.

[2] Congressional Globe, 27–1, Vol. 10, p. 273. See Appendix, p. 141.

Mr. Ward, of New York, said he hoped the United States would not go to sleep and dream that we should have no war. He favored an increase of naval force. On July 31 the House considered a resolution in favor of armed steamers between northern and southern ports and upon the principal rivers, bays and lakes. On August 2, Mr. Young, feeling that the West and Northwest were not getting their share in the naval and other appropriations, spoke in favor of defenses at Detroit, and gave military as well as commercial reasons for completing a "safe, convenient, and permanent harbor" at Chicago.[1] Its position with respect to facilities of procuring provisions and for transportation, and its unequalled adaptation for harbors, into which armed steamers and other armed vessels might retire for repairs and supplies, would add peculiar value to this inland sea. And in event of war between the United States and the power in possession of half of all the other lakes, Lake Michigan might become the scene of contention. A loss of its possession would certainly be attended with consequences of serious import to the commerce, agriculture and safety of a large and growing portion of the West. But it was probably not from needs of defense so much as of commerce that Mr. Young was dissatisfied towards his fellow-members in not providing for the Chicago harbor. He said that for want of a harbor many vessels had recently been lost in a gale, and that it was a "pity they were not freighted with members of Congress."

In the fortification bill, the committee had not seen fit to provide for defense along the lake frontier. Mr. Porter, of Michigan, offered an amendment for defensive works at Detroit.[2] Mr. Woodbridge advocated the amendment as necessary to protect the commerce which had to pass through the Detroit river, and, in case of war, to prevent a return of the disastrous results which followed Hull's surrender. He dangled the skeleton of 1812 before his hearers, and asked them to remember the river Raisin.

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[1] Congressional Globe, 27–1, Vol. 10, pp. 278, 281, etc.

[2] Congressional Globe, 27–1, Vol. 10, p. 284.

Mr. Allen, of Ohio, on August 3, moved an amendment to the amendment of Senator Porter "for the construction of armed steamers and other vessels of the government on Lake Erie, $100,000." He said he did not offer it with a view to benefit any particular portion of the country, but, that "having understood the British had two armed steamers on that lake, he thought armed steamers were necessary to watch armed steamers." He also spoke of the capture of the *Caroline* at Schlosser, and said the "Senate would not do its duty if it did not put its seal of reprobation upon the doctrines of international law, which had been officially promulgated by the Secretary of State."

Some local feeling is shown in these debates. In case there were to be defenses, each section of the country had a claim. Mr. Phelps said that if Lake Erie was to have vessels, Lake Champlain should have her share also. Mr. Evans, of Maine, said that treaty arrangements with Great Britain restricted the construction of armed vessels upon the lakes, but Mr. White "was not to be deterred from standing up for the justice of the West." In case of a war, he said hostilities would be carried on by harassing the northern frontier and destroying the commerce of the Northwest. "As a western man, he was bound to have an eye to the interests of that great section, whose representatives, if they would act together, could soon take care of themselves. Who paid the taxes of this country? Those vast masses which people the fertile valleys of the West—all laboring men, and all gentlemen, who individually consume more dutiable articles than any other portion of the Union."

On August 4 Mr. Allen, of Ohio, renewed his motion for an amendment to appropriate $100,000 for armed vessels on Lake Erie, for the purpose (as he said) of "making our force equal to that of the British Government whose steamers were cruising about our coast prying into its exposed parts." Mr. Porter, who was ready to vote for the amendment, said that the means of transportation on the lakes were almost exclusively in the hands of the United States. The British Gov-

ernment had only two steamers of one hundred tons each, and the Americans had thirty or forty steamers of from two hundred to eight hundred tons; but he could not say whether the merchant steamers would be able to cope with the two armed steamers of four hundred tons each which, according to the newspapers, the British had recently built.

Mr. Woodbridge said that there were enough vessels, if armed and equipped, to defend the lakes in any case of emergency against any possible force that could be mustered by the British, but he wanted Congress to know that it was Detroit which was in the jaws of the lion and needed an appropriation for defenses. He did not think the British had violated the spirit of the treaty of 1817, and thought that the amendment for placing armed vessels upon the lakes by the United States Government should have a proviso that nothing should be done to violate the provisions of that treaty. Mr. Allen said that the greater number of United States merchant vessels only made it the more necessary to provide armed steamers to defend them and the commerce which they carried. His amendment was adopted, after being modified so as "to appropriate one hundred thousand dollars for the construction and armament of armed steamers or other vessels on the northwestern lakes, as the President may think most proper, and be authorized by the treaty with the British Government."

On August 11 the Senate ordered to be printed a petition of persons along the northwestern frontier ("Rufus L. Reed and others") asking an increase of maritime and military forces on the lakes and frontiers.[1] It spoke of the late increase of the forces of their Canadian neighbors upon these inland seas, which now consisted of "two large war steamers of sufficient capacity to mount 30 guns each and which are now in commission and exploring the different harbors on both sides of the line," while the United States had "no fortification in any kind of repair from Sackett's Harbor to

[1] Senate Exec. Doc., No. 88, 27–1.

Mackinaw, a distance of 1000 miles . . . and no maritime force except a revenue cutter of sixty tons."

The petitioners were "aware that there is but a mere shadow of a prospect of war at present," but they believed in preparing for war in time of peace, and recommended . . . the establishment of such a maritime force as the wisdom of Congress saw fit "to meet the exigencies of the times."

On August 12 the subject of lake defenses was again discussed in the Senate. Mr. Wright, of New York, traced the boundary from Vermont to Michigan.[1] For Lake Champlain, where McDonough won his "ever memorable victory," for Lake Ontario, where the hand of time had long since annihilated the vast fleets of 1814, and for Lake Erie, which had been consecrated by the "gallant and immortal Perry," he favored measures for "defense and protection." Mr. Woodbridge, fearing that the amendment for armed steamers would endanger the whole bill and prevent Detroit from securing defensive works, made an unsuccessful attempt to have the amendment reconsidered. Mr. Wright thought there could be no objection to the amendment except that it should go further and provide for arming the vessels of all the lakes in case the contingent necessity should arise. Mr. Woodbury said that "a single new war steamer need not be erected on the northern lakes under the appropriation," but that "armament," cannon, etc., could be collected at the principal lake cities, and in case of an expected incursion they could be placed on board the commercial steamers.

There was some further discussion in the Senate on August 28 bearing upon the lake defenses.

On September 9 the fortification bill, with Mr. Allen's amendment regarding lake vessels, became a law.[2]

As the time for McLeod's trial drew near there was much disquietude along the lake border of New York.[3] Especially

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[1] Congressional Globe, 27–1, Vol. 10, p. 327.

[2] U. S. Stat., Vol. 5, p. 460.

[3] Miscellaneous Letters, Sept., 1841.

during the latter half of the month of September the relations with Canada became a subject of intense solicitude, which needed to be managed with the greatest prudence. With the news that Canadians were building strong vessels on the lakes also came reports that a strong secret organization on the American side of the lakes was contemplating to disturb the peace with Great Britain. An attempt was made to blow up one of the locks on the Welland canal. It was also feared that an attempt was being planned upon the person of McLeod in case he was acquitted. Added to these was the rumor that popular discontent in Canada against the existing government was liable to lead to another uprising, in which it would be difficult for the United States to preserve absolute neutrality.

Mr. W. H. Seward was at that time Governor of New York. Under the circumstances which then existed he was inclined to think the government should adopt some precautionary means to prevent trouble. On September 17, in a letter to Mr. Webster, after referring to the stipulations of the Agreement of 1817, he said:

"I transmit for the information of the President a copy of a communication from the Marshal of the United States for the Northern District, from which it appears that Her British Majesty's Government has now at Chippewa, on Lake Erie, one steamship of war of 500 tons burden, named the *Minos*, prepared for eighteen guns and having a pivot carriage on deck ready to mount a 68-pounder, calculated to be manned with 75 men, and already furnished with a full complement of muskets, hatchets, boarding-picks, cutlasses, etc. It appears also by the same communication, that the British Government has another steamship of war named the *Toronto*, lying in the same port, of equal tonnage and capacity for war.

"Under the circumstances of the case, it seems my duty to inquire whether the President has received notice of a desire on the part of the British Government to annul the stipulation to which I have referred. The preparations of that gov-

ernment show very fully that it is not its real purpose to continue the stipulation. While I by no means relinquish the hope that the peace between the two countries may be maintained, I beg leave to suggest most respectfully to the President the inquiry whether an armament of at least corresponding power with that which I have described ought not to be provided for the defense of the northern frontier of the State.

"I am moved to make this communication not only by the conviction that our northern frontier ought not to be exposed, but by an inquietude on the subject which prevails among the people in the towns situated upon the lakes. That inquietude seems neither unnatural nor unreasonable when the present condition and circumstances of our northern frontier are duly considered."

On the same day, Hon. Seth C. Hawley, of Buffalo, and a member of the New York Assembly, who was making efforts to get information concerning Canadian operations, wrote Governor Seward as follows:

"I am advised by a private confidential letter that these steamers sail to-day or to-morrow upon the lake, and it is supposed that they are to take position opposite—say at Fort Erie, by the 27th inst. . . . Growing opinion that we are in danger of a sudden blow from Canada . . . People are becoming alarmed, particularly in regard to these steamboats which now menace us . . . if left to our defenceless condition. Would be well to have ammunition sent us . . . to be deposited for safe keeping."[1]

On September 21 Mr. Seward wrote Mr. Webster that the report of a confidential agent whom he had "appointed to traverse the western country, together with a conversation which he had the day before with General Scott led him to believe that there was along the southern shores of the lakes an organization of secret societies, whose purpose was to aid a revolution in Canada." It appeared that these societies had been collecting powder and small cannon to use in their designs.

[1] Miscellaneous Letters. (Enclosure in Seward's letter to Webster, on Sept. 24.)

Beneath the large amount of report which Mr. Hawley and others were communicating to him, Mr. Seward saw danger lurking. It seemed to him that we were treading upon half-smothered embers, which were ready to burst forth into a dangerous flame. Hardly had his letter been sent to Mr. Seward on the 21st, when he received information that an attempt had been made to blow up the locks on the Welland canal, at Allanburg, Canada. He had also seen the statement in the Buffalo Commercial Advertiser that the two British steamships, the *Minos* and the *Toronto*, had been fired upon at Navy Island by persons who had taken a field piece from the American side of the river for that purpose. On September 23 Mr. Seward received information from Mr. H. J. Stowe, Recorder of Buffalo, and from Mr. Hawley, which confirmed his belief as to the excited state of the public feeling in certain quarters. He did not doubt that there was still in Canada a strong discontent, which might lead to efforts against the government, and he thought that there were still many along the counties next to the lakes who would favor such a movement. In his letter to Mr. Webster on September 22, after referring again to the substance of his previous letters, Mr. Seward said: "If it be admitted, as I presume to be the case, that the immense military and naval preparations made in Canada, have for their object the suppression of internal commotions and the preservation of tranquillity, it is equally manifest that those preparations carried on in full view of the American shore are regarded by many of our citizens as having for their design some aggression against this country." He stated that under existing laws, neutrality could hardly be maintained in case of a civil war in Canada, and for this reason he thought the United States Government should adopt means of defense without delay. He favored the plans recently laid before the President (so General Scott informed him) which "contemplated the purchase and fitting up of four steamboats on Lake Erie, of two on Lake Champlain, and of the completion as a steamer of the large ship of war now on the stocks at Sackett's Harbor."

Seward's letter induced Mr. Webster to make inquiry of the Secretary of Navy concerning ordnance stores on lakes Erie and Ontario.[1] Mr. Simms replied on September 23 that there was neither cannon nor ordnance of any kind on either of these lakes belonging to the navy, but that cannon and other implements of war could be sent from the navy yard near New York by canal to Buffalo, on Lake Erie, and also to Oswego, on Lake Ontario.

On the same day the news reached Washington of the attempt upon the British steamers by the discharge of artillery from Navy Island.[2] Mr. Webster took immediate steps to prevent any further breach. He told General Scott that such attempts must be suppressed.[3] To Governor Seward he wrote: "If we cannot repress these lawless acts, we shall ere long be engaged in an inglorious border warfare, of incursions and violations, ending in general hostilities." On September 24 he wrote United States District Attorney J. A. Spencer to get the truth, find the authors of the outrages and prosecute. On September 25, in order to lessen the dangers of border collision, President Tyler issued a proclamation in opposition to organizations against Canada.[4]

At this time Mr. Webster wrote to Mr. Fox in regard to the new British vessels in the Niagara river, of which Mr. Seward had furnished him a description, in order that there might be a clear understanding as to the attitude of the British authorities[5] toward the stipulations of the Agreement of 1817. He mentioned the note which Mr. Fox wrote to Mr. Forsyth on November 25, 1838, and said that the government of the United States did "not allow itself to doubt" that the increase in armaments was for purely defensive purposes, to guard against hostilities like those of 1838, but he desired to be assured that "these vessels of war, if, unhappily,

[1] Miscellaneous Letters.
[2] Buffalo *Commercial Advertiser and Journal*, Sept. 18.
[3] Domestic Letters, Vol. 32.
[4] Buffalo *Commercial Advertiser and Journal*, Sept. 29.
[5] Notes from State Dept., Vol. 6, p. 219.

it shall be found necessary to use them at all, will be confined to the sole and precise purpose of guarding Her Majesty's provinces against hostile attacks."

At this time the President had not directed the construction of steamers for the defense of the lakes as provided by the Act of September 9, though there is little doubt that England and the United States were nearer to a war than they had been for twenty-five years. Disorder had been pacified only by prudent diplomacy and by good fortune.

It was felt that in case McLeod was convicted in the New York courts "it might bring on a catastrophe,"[1] while even his acquittal would not remove all "grounds of apprehension and alarm." Luckily, it was clearly shown at the trial that he was a mere braggart, and had not even been present when Durfee was killed. Governor Seward felt relieved when he was released (October 12) and taken to Canada in safetv.

His acquittal ended one source of international embarrassment, and smoothed the way for the friendly conferences between Webster and Ashburton, which were opened at Washington a few months later, when the wisdom of diplomacy was successfully exerted to prevent two great nations from breaking the peace of the world. Neither country desired a war for national aggrandizement. What each did want was to be let alone so far as anything savoring of aggressiveness was concerned. There was a war party on both sides of the lakes ready to fan the flame of discord, but the government of each country desired to preserve peace.

October brought a decrease in the temperature of the September fever, and there was a stronger probability that the people along the borders of Maine and New Brunswick would keep their hands off of each other, and also that the invasion of United States territory at Schlosser might be satisfactorily settled.

But the British vessels were still on the lakes, and it was feared that they might prove a source of greater misunderstanding and trouble in the future.[2] In a conversation with

[1] Miscellaneous Letters. Seward to Webster.

[2] Buffalo *Commercial Advertiser and Journal*, Oct. 1.

Mr. Webster, in the latter part of September, it appears that Mr. Fox explained that his statement of November, 1838, in regard to the necessity of increasing the British force on the lakes, was also applicable to existing circumstances. But he gave no written reply to Mr. Webster's communication of September 25. On November 29, Mr. Webster again called the attention of Mr. Fox to the two steam vessels of war at Chippewa,[1] and said that the purposes of the disarmament of 1817—to prevent the expense of rival fleets, to remove causes of jealousy and apprehension, and to place each party on an equal footing—could not be accomplished except by a "rigid compliance with the terms of the convention by both parties." He said that "the convention interdicted the building, as well as the equipment, of vessels of war, beyond the fixed limit. The United States have not been disposed to make complaint of the temporary deviation from this agreement by the British Government in 1838, under what was supposed to be a case of clear and urgent necessity for present self-defence. But it cannot be expected that either party should acquiesce in the preparation by the other of naval means beyond the limit fixed in the stipulation, and which are of a nature fitting them for offensive as well as defensive use, upon the ground of a vague and indefinite apprehension of future danger." Mr. Webster did not doubt that Mr. Fox would see the importance as well as the delicacy of this subject, and he concluded his note by saying that "the United States cannot consent to any inequality in regard to the strictness with which the convention of 1817 is to be observed by the parties, whether with respect to the amount of naval force, or the time of its preparation or equipment. The reasons for this are obvious and must immediately force themselves upon Mr. Fox's consideration."

Mr. Fox replied promptly (November 30) that it was well known that Canadian provinces were still "threatened with hostile incursion by combinations of armed men, unlawfully

[1] 6 Notes from State Department.

organized and prepared for war, within the frontier of the United States; and it being found by experience, that the efforts of the United States Government, though directed in good faith to suppress those unlawful combinations, are not attended with the wished-for success,"[1] he thought the vessels which were serving upon the lakes were necessary to guard the provinces against hostile attack, and he gave the assurance that this was the only purpose for which they were equipped. Probably in view of the fact that Mr. Webster, in his note of September 25, had remarked that he did not understand Mr. Fox's note of November, 1838, to be a notice of the intention of the British Government "to abandon the arrangement of 1817," Mr. Fox stated that he would show Mr. Webster's communication to the home government "with the view of learning the pleasure of Her Majesty's Government in regard to the continuance or annulment, after due notice, of the Convention of 1817."

The later reduction of the British force on the lakes, after the fear of insecurity along the frontier had ceased, shows that Great Britain desired to continue the agreement; but as late as 1842 the London Government still thought it necessary to retain some force in that quarter. In a dispatch of the Foreign Office to Mr. Fox, dated March 31, 1842, it is stated that "Her Majesty's Government is at all times anxious to fulfill scrupulously" all engagements with the United States, and that nothing but absolute necessity would cause a departure from this principle. The dispatch alluded to the state of affairs which had existed in the vicinity of the lakes—the rebellion in Canada and the active support which had been given by the border population of the United States, "unawed by the menaces, and unrestrained by the efforts" of the American Government to repress them, and stated that these conditions "obviously justified an exception to the strict execution of the treaty" so far as was necessary for the protection of Canada from the ill-affected population along the

[1] No. 20 Notes to State Department.

border. The continued inveterate hostility of the "Patriots" to the established order of things in Canada, it was claimed, had not justified an earlier reduction of British armaments on the lakes, and it was confidently expected that the United States Government would not insist on a strict execution of the arrangement of 1817. The dispatch from the Foreign Office gave assurance, however, that the British Government intended faithfully to observe the Agreement of 1817 as soon as it could be done with safety to Canada, and stated that "Her Majesty's Government would have the greatest reluctance to annul that arrangement," which had proven a most valuable security for the preservation of the peace.[1]

By 1843 the British force was probably reduced to the strict limit prescribed by the agreement. In answer to a resolution of the House, April 12, 1842, in relation to public defenses for Lake Ontario, General Scott reported to the Secretary of War, on April 16, that the British had "laid the keel of a war steamer of 900 tons at Kingston last September, and had another on the stocks at the mouth of the Niagara," and that "both must be ready."[2] It is possible, however, that these were never finished as war vessels, but were used for commercial craft.

The feeling that the British were increasing their force on the lakes led to the consideration of the best plans to meet this increase. In the report of the Secretary of War, December 1, 1841, and in various reports to the War Department in April and May of 1842, on November 15, 1841, T. O. Jessup, Quartermaster, in his report to the War Department, recommended measures to begin at once for a "canal around Niagara so vessels of war can pass." There were also various reports concerning the military importance of harbors. Mr. Spencer, the Secretary of War, thought that "naval forces on the lakes afford our chief reliance for defence and offense."

The United States owned a revenue cutter on Lake Erie,

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[1] Foreign Office Correspondence, London.

[2] Exec. Doc. No. 225, 27–2, Vol. 4.

but she owned no vessel on Lake Ontario. During the years 1838, 1839-40 she had paid a large sum for the use of the steamers *Oneida* and *Telegraph* on that lake,[1] and this led Congress in the spring of 1842 to consider the advisability of owning a steamer. The great ship of the line, *New Orleans,* which had been begun in 1814, was still in the ship-house at Sackett's Harbor, and inquiry was made to find whether it would be worth finishing, but part of it was found to be too much affected by the "dry rot."[2] No appropriation was made for a vessel upon Lake Ontario.

It was decided by the President in the autumn of 1841 that one or more steamers should be constructed under the Act of September 9 of that year for the defense of the northwestern lakes. Secretary of the Navy Upshur was given directions to this effect, and he concluded that the appropriations would not be enough for more than one steamer. On November 27 he requested Commander L. Warrington, President of the Navy Board, to "take the necessary measures for the construction of one steamer of defense on Lake Erie."[3] Mr. Warrington did not advertise for bids, but, acting for the Commissioners of the Navy, he began to correspond in order "to get information as to plans, etc." On April 20, in response to a resolution of April 12, Mr. Upshur informed the Speaker of the House that they hoped "to enter contract in a few days for all parts of the iron vessel."[4]

On May 20 the House considered and passed a resolution of Mr. Pendleton, of Ohio, requesting the Secretary of the Navy to furnish correspondence relative to the construction of the lake steamer, and to state whether bids had been invited.[5] Mr. Pendleton had desired to put in proposals for some of his constituents, and was not pleased that contracts had been made without advertisement. On June 3, Mr. Up-

[1] Exec. Doc. 227, 27–2, May, 1842.
[2] Exec. Doc. 225, 27–2, Vol. 4. Upshur to Spencer.
[3] No. 22 Notes to State Department.
[4] Exec. Doc. 199, 27–2, Vol. 4.
[5] Congressional Globe, 27–2, Vol. 4.

shur, in reply to this resolution, stated that he did not think it necessary to advertise for bids. He went on to say: "Still less was it necessary to advertise for proposals as to the place where the vessel should be built. Discretion of the department should have been left uncontrolled here. In exercise of that discretion it seemed to be that the seaboard was out of the question; and I did not consider it wise in the then condition of our relations with England, to begin such a work on the borders of a lake commanded by her naval power. Choice seemed to me to be between Cincinnati and Pittsburg. The latter seemed to have the best material, equal skill, and indeed its means and facilities were greater than those of any other place, not too remote from Lake Erie, and possessing a communication with it by water; hence Pittsburg was selected. It was supposed to be unnecessary to advertise in newspapers for proposals . . . ."[1]

The war scare appears to have collapsed by the time this war vessel was commenced at Pittsburg. The representatives of the lake region in Congress talked of the needs of inland commerce instead of lake defenses. Mr. Mason, of Ohio, on May 18, 1842, said in the House, while advocating a still greater reduction than had already been made from the estimates of 1841 on the Naval Appropriation bill, that he saw no sign of approaching war, and that improvement on lake harbors for commerce was of greater value than any hothouse creation of a navy. "It was the easiest thing in the world to create a war panic. He had witnessed the rise, progress and termination of so many such panics since he had been a member of that body, that he had ceased to be agitated by the alarm, felt or feigned, on such occasions by others."[2] Mr. Mason said that all points in controversy with foreign governments were in process of amicable adjustment at that time.

The new vessel commenced at Pittsburg in 1842 was a side-wheel iron steamer, and was named the *Michigan.*

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[1] Exec. Doc. 238, 27–2, Vol. 4.

[2] Congressional Globe, 27–2, Appendix.

She was not removed to Erie and placed upon the lake till 1843, when she was taken across the country in sections. From that day to this she has been the only naval vessel owned by the United States upon the lakes. At the time of her completion she was "of 498 tons burden with an armament of 2 eight-inch Paixhan guns, and 4 thirty-two pounder carronades." This was in excess of the stipulations of the Agreement of 1817 both as to tonnage and as to armament, but there is nothing on record to show the United States authorities intended to violate that agreement. There had been great changes since 1817 in the size and character of vessels. Steam had largely taken the place of sail-power, and, as Secretary Mason, of the Navy, said in 1844, "no effective steamer for any purpose" was built of so small size as one hundred tons. In 1841 some of the British naval vessels on the lakes were reported to be over four hundred tons burden.

Not long after the *Michigan* was put together at Erie a report of it reached the British Government.[1] On July 23, 1844, Mr. Pakenham, the British minister at Washington, informed Secretary of State Calhoun as follows:

"It has been represented to Her Majesty's Government that the naval force of the United States on the Lakes Ontario, Erie, and Huron, at this moment considerably exceeds that to which Great Britain and the United States reciprocally restricted themselves by the agreement entered into in April, 1817. It is true that not long ago while Her Majesty's Canadian dominions were threatened with invasion from parties unlawfully organized within United States, Great Britain did maintain, in her own defence, a naval force exceeding the amount stipulated in the agreement, but explanation was given of the necessity of that departure from the existing engagement

[1] Despatch from Foreign Office to British Legation at Washington, June 3, 1844. Mr. Packenham, the British Minister, was directed to say that augmentation of forces by the United States was unnecessary, that the British Government proposed to adhere strictly to the Agreement of 1817, and that it must claim the right of equality in the matter.

which appeared to satisfy the government of the United States, and when a change in the attitude and disposition of the people on the frontier was sufficiently evident to enable the British Government to feel security against aggression, the British force was reduced to the limit prescribed by the Agreement of 1817. At the present moment, there are happily no circumstances on either side to justify or require any departure from the strict fulfillment of that agreement, and it therefore becomes by all means desirable that it should be fulfilled to the letter by both the contracting parties.

"In addition . . . I have observed in the newspapers of this country an advertisement stating that proposals would be received at the Bureau of Ordnance for the supply of a quantity of cannon, shot, and shells, for the United States, of which a proportion including a number of 32-pounder chambered guns is to be delivered at certain places on the lakes—whereas by the agreement of 1817 it is provided that the armament to be used on board the vessels of the limited tonnage allowed by the same agreement shall be 18-pound cannon.

"This circumstance, I am sure, will appear to you, sir, still further to justify the desire of Her Majesty's Government to receive satisfactory explanations as to intentions of United States Government with reference to the fulfillment of the Agreement of 1817."[1]

This communication was promptly referred to Secretary J. Y. Mason, of the Navy, who at once took steps to ascertain whether the British Government had any iron steamers upon the lakes. He also ordered the commander of the *Michigan* not to leave the port of Erie on a cruise until he should receive further orders, for while he was "not aware that the United States naval forces on Lakes Ontario and Huron exceeded that of the Agreement of 1817, he knew that under a strict construction of that agreement the *Michigan* at Erie would not be allowed."[2]

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[1] No. 22 Notes to State Department.

[2] Miscellaneous Letters, Sept. 4, 1844.

In August, Secretary Mason, in response to his inquiries, received information which he thought gave him some reasons to believe that the British still had "in commission on the northwestern lakes a larger force, both in number and tonnage, than that authorized by the agreement." On August 17, Passed Midshipman Dillaplain R. Lambert had written him from Rochester, N. Y., as follows: "I went to Kingston (U. C.) as a citizen to learn facts. I find at Kingston they have a steamer *Cherokee* of about 600 tons already launched, machinery on board, and can be fitted for service in about twelve days—and can mount from 16 to 24 guns—built of wood. I learned that they have an iron steamer *Mohawk* at Toronto in commission, and commanded by Commodore Fowell, R. N., and can mount from 4 to 6 guns. They also have a schooner called *Montreal* commanded by St. Tyson, R. N., cruising—all the above on Lake Ontario. On the upper lakes they have two vessels—the *Minos*, an iron steamer, and the schooner *Experiment*, both commanded by officers of the royal navy." On August 25, Lieutenant F. N. Parmelee had written a letter to the President from Lake Huron, in which he said: "I learn that the British Government has a powerful steamer, with her armament taken out at a small naval depot on the northern shore of the lake whither I am now going. The name of the place is Penetauguashia, an Indian name. We have no commerce with the port. There is a fine harbor there—the best, I understand, on all the lakes. It is said there are two steamers there belonging to the government, but one I am certain of. Shall write again when I learn facts. There can be no doubt, I think, that the British Government is perpetually violating the spirit of the Treaty."

Both of these reports appear to be based largely upon rumor. If any complete investigation was made to get more reliable information no report of it is found. On September 4, Mr. Mason enclosed these two reports in his reply to Mr. Calhoun, and stated that the vessels mentioned in Lambert's letter and commanded by officers of the royal navy were

found "on the list of the royal navy, published by authority of the Admiralty, though they appeared by the list to mount only one gun each." If the reports were true, however, there was still a violation of the strict letter of the agreement as to tonnage and number of vessels. Secretary Mason suggested that the changes from sail to steam vessels since 1817 "would justify a revision of the agreement" in regard to the tonnage of vessels, and stated that "if it is considered that the British vessels are not inconsistent with the agreement, by reason of the armament being limited to one gun each, the armament of the steamer *Michigan* can be readily reduced to that number."

In regard to the advertisement which Mr. Pakenham had seen in the newspapers, Secretary Mason may be quoted in full:

"The advertisement . . . has been made by Bureau of Ordnance and Hydrography by my direction, in pursuance of a policy, adopted for many years, and in execution of laws of Congress. That policy has been gradually to collect material, ordnance, and munitions, on our entire seaboard and lake frontier. Contemplated purchases of present year do not exceed proportion to which northern frontier is entitled, in pursuance of system adopted; and the measures taken have had no reference to any anticipated disturbances with Great Britain. How far that government, in its wise forecast, has made similar preparations for circumstances which may render them necessary, I am not advised, and have not enquired, as agreement of 1817 does not impose any restriction on such supplies. I have no reason to believe that the appropriations made by Congress for cannon and munitions were influenced by any considerations which threatened the peace which happily subsists between Great Britain and United States. The advertisement has been made to execute in a regular course these laws of Congress."

On September 5, 1844, Secretary Calhoun transmitted to Mr. Pakenham the letter of Secretary Mason.[1] There is

[1] No. 7 Notes from State Department, p. 48.

nothing on the records at the State Department to indicate that there was any further consideration of the subject at that time,[1] and the *Michigan* was allowed to cruise upon the upper lakes.

The general temper of the Peel ministry, with Lord Aberdeen at the head of foreign affairs, had been pacific. The northeast boundary question had been settled by friendly interviews between Webster and Ashburton. Various other sources of dispute were amicably arranged. But Oregon became more and more a bone of contention as the Presidential election of 1844 approached. "Fifty-four Forty, or Fight" was the cry of those who were enthusiastic in their ideas of the "manifest destiny" of the United States. Even the schoolboys wrote it on the fences. This bluster over the Oregon question perhaps led to some fear that the lakes might again become a sea of carnage. The Council of Rochester, N. Y., saw the "opposing shore of Lake Ontario bristling with active military preparations.'"[2] President Polk, in reply to a Senate inquiry, proclaimed to that body on March 4, 1846, that "under this aspect of our relations with Great Britain I can not doubt the propriety of increasing our means of defence both by land and by sea.'"[3] But all the "stage thunder" died away, the Oregon question was settled without further strained relations, and "manifest destiny" became satisfied with a corner of Mexico. The new tariff bill in the United States also probably had a tendency to secure a friendlier feeling from England.

The feeling along the northern border now became such that rumors of war vessels ceased, and the mirage of danger disappeared.

In a report of the Secretary of the United States Navy, March 2, 1846, it is stated that of five ships of the line which

[1] The incidental suggestion of Secretary Mason that the Agreement might be revised probably called forth no observation from the British Government. (Note from Foreign Office, April 2, 1897).

[2] Senate Doc. 162, 29–1, March 10, 1846.

[3] Senate Doc. 248, 29–1, Vol. 5.

were at that time building, one was on Lake Ontario, at Sackett's Harbor.[1] This probably refers to the ship *New Orleans*, which had remained unfinished since 1814, for it does not appear that any naval vessel was placed upon Lake Ontario. The *New Orleans* finally ended its long, inactive career by being sold for old timber and kindling wood, though it seems to have been upon the navy list as late as 1862.[2]

On January 27, 1848, Mr. Buchanan, who was then Secretary of State, asked Mr. Crampton to secure permission for the passage from the lakes through the St. Lawrence to the Atlantic ocean of the two iron steamers *Dallas* and *Jefferson*, which had been recently employed in the revenue service on Lake Erie and Lake Ontario, but were no longer needed. Their passage was granted and canal charges were omitted. Two small schooners were taken from the ocean to the lakes the next November to replace the iron steamers which had been removed.[3]

It was not likely that the United States Government would have removed her iron revenue vessels if the British had not shown a disposition at that time to abide by the spirit of the Agreement of 1817. In 1850, when Mr. Cobden was pointing to the Agreement of 1817 as a precedent for a plan by which England and France could reduce their expensive armaments, he stated that there was then only "one crazy English hulk on all the lakes."[4] In July, 1852, Joseph Smith, of the United States Bureau of Yards and Docks, reported to the Secretary of the Navy that the British Government had ordered all its naval vessels, which had formerly been in commission on the lakes, to be dismantled.

In 1845, Commodore Morris and Colonel Totten, by order of the Navy Department, made an examination of the northern frontier. In 1848, Captain Breese did the same. From

[1] Senate Doc. 187, 29–1.
[2] London *Times*, Jan. 7, 1862.
[3] Notes to State Department, Vol. 25.
[4] Bright and Rogers: Speeches of Cobden.

their reports it appears that no danger was apprehended.[1] It was found "unnecessary and inexpedient even to progress further with the uncompleted works . . . on the shores of the northern lakes." In July, 1851, Lieut. M. F. Maury, of the United States army, said that the friendly feeling in Canada made measures of defense unnecessary. In case it was thought best to provide against the possibility of a naval surprise on the lakes he said: "Engines and armaments might be placed upon lake shores. . . . The frames of a few small men-of-war steamers could be gotten out at the navy yards of Memphis and New York, and on the first appearance of the war cloud could be sent to lakes by the Erie and Michigan canals, put together, and be ready for launching at a moment's warning."[2]

In September, 1851, Commander R. B. Cunningham, of the United States navy, reported that the changes since 1812 would prevent the lakes from ever again becoming an arena of naval combat, and that the United States needed no preparation in that quarter.[3] Captain Morris, of the navy, reported (July, 1851) that no danger from attack was to be apprehended in that quarter, though the advantage of canals would give Great Britain a temporary superiority of force on Lake Ontario in case of war. General Totten thought (November, 1851) the United States would have a great superiority in preparation upon the other lakes. In 1852, when the legislature of Pennsylvania passed resolutions for a navy yard, naval depot and dry dock upon the lake frontier, in order that the United States might show herself in time of peace prepared for war, Secretary Graham, of the Navy, stated to the Naval Committee of the Senate that he thought such a measure unwise and unnecessary.[4] He saw no reasons for preparations for war till there was a chance of war in sight.

There was a general feeling that "warlike preparations on

[1] Senate Reports 331, 32–1, Vol. 2, Aug. 10, 1852.
[2] Reports Com. 86, 37–2, Vol. 4, pp. 426 and 514.
[3] Reports Com. 86, 37–2, Vol. 4, pp. 422 and 434.
[4] Senate Report 331, 32–1, Vol. 2.

either side of the lake shores in time of peace would be the signal for similar or more extensive preparations on the other." Joseph Smith, of the Bureau of Yards and Docks, said that in case of any future war, the United States, by means of its merchant marine and its railroads, could soon outstrip England in building a lake navy.

The changes in economic conditions had made the lakes the main avenue of transportation for western products, and the minds of the enterprising people of the lake region were interested in commerce rather than war. The importance of the lakes as a highway between East and West was rapidly increasing.[1] In 1854 the United States entered into a reciprocity treaty with England, by which British subjects were given the free navigation of Lake Michigan and free trade in various articles. In return for this, the United States received more extended fishing privileges and "the right to navigate the river St. Lawrence and the canals in Canada used as the means of communication between the great lakes and the Atlantic Ocean with their vessels, boats, and crafts as fully and freely as the subjects of Her Britannic Majesty. . . ." Thus the people on each side of the lakes were attracted more and more to the other, and social and business relations softened the sharpness of border lines.

A further objection to the *Michigan* was made by the British authorities, however, in 1857. A new question in regard to revenue vessels also arose in 1857-58. In 1856 the Secretary of the Treasury was authorized to sell at auction the two revenue vessels, the *Ingham* at Detroit, and the *Harrison* at Oswego, which had been upon the lakes for

[1] Before 1836, and in fact for ten years later, the Mississippi was the main avenue of trade for the West, but after 1846–7 the lakes became the principal avenue. (Wis. Hist. Coll., Vol. 13, p. 293. 1895).

Other economic changes, as well as new political conditions, led to the projection of a canal through Central America, to shorten the route from the Atlantic to the Pacific. By the Clayton-Bulwer treaty of April 19, 1850, Great Britain and the United States agreed to defend the complete neutrality of such canal. Each party agreed not to acquire or maintain exclusive control over any such canal, and not to acquire any colonies or territories adjacent thereto.

several years, and to have six small 50-ton cutters built for the protection of the revenue of the lakes.[1] While these six cutters were being built, and at a time when it seems that the United States had no cutters upon the lakes, the Governor of Canada reported to the home government that "an American vessel, qualified as a revenue cruiser," of 800 tons burden, and having a 68-pound Paixhan gun, was making frequent excursions on the lakes from its headquarters in the Detroit river. The Earl of Clarendon drew the attention of Mr. Dallas, the American minister at London, to the matter. Mr. Dallas stated that the vessel was probably the *Michigan*, and was armed with only an 18-pound gun. Mr. Dallas also stated that the tonnage of the *Michigan* was in excess of that stipulated by the Agreement of 1817. This led the Earl of Clarendon to direct Lord Napier to bring the subject before Mr. Cass at Washington.[2] This Lord Napier did on April 8, 1857, and suggested the "expediency of further inquiry, in order that measures [might] be taken for the correction of any infringement of the engagements of 1817 which may have occurred." Mr. Cass referred Lord Napier's note to the Navy and Treasury Departments,[3] but if they made a reply to Mr. Cass it was probably only verbal. In the reply of Mr. Cass to Lord Napier the contention seems to have been that the ship in question was not, in fact, a vessel of war.[4]

The intimation in 1857 that revenue vessels were included under the Agreement of 1817 was followed in 1858 by inquiries from the British Government in regard to the "six new armed revenue cutters," which, according to information received from Canada, had been placed upon the lakes, and which it was apprehended might "not square with the mutual obligations of the two countries contained in the treaty of 1817."[5] Lord Napier, on July 2, intending to leave

[1] Act of Aug. 18, 1856.
[2] Notes from Foreign Office.
[3] Domestic Letters, April 11 and 17.
[4] Correspondence at the Foreign Office.
[5] 37 Notes to State Department, July 2, 1858.

Washington for two weeks, calling both at the State Department and at his home to see Secretary Cass, and failing to find him, wrote him a note, in which he stated that when he next met him it would be his "duty to ask verbally" concerning these cutters, and that Mr. Cass would much oblige him "by inquiring whether the vessels alluded to have been built and whether they are destined for the purpose alleged." Lord Napier had returned by July 17, and soon after, probably July 27, or August 9, he left a memorandum[1] with Mr. Cass in which he asked whether vessels of war or revenue vessels were about to be placed on the lakes; if such vessels were being built, what was their number, tonnage, and armament; and whether they were built by any special appropriation of Congress.[2] It is probable that Mr. Cass answered the questions verbally, since no formal written reply is to be found at the Department of State.[3]

These inquiries in regard to cutters and the renewal of the complaint in regard to the character of the *Michigan* seem to have originated in the disputes of 1856 concerning the Central American canal and the recruiting in the United States of soldiers for the Crimean War. There was excitement when Mr. Crampton, the British minister at Washington, was given his passports, but it soon subsided. The United States Government had been suspicious of the English fleet in the West Indies, but the British Government disavowed any hostile intention. By 1858 there were no serious difficulties to adjust, and relations were the most cordial.[4] The visit of the Prince of Wales to the United States in 1860 indi-

[1] 37 Notes to State Department.

[2] Six new revenue cutters were placed on the lakes about this time. Five of them were removed to the Atlantic at the opening of the Civil War in 1861.

[3] From the correspondence of the Foreign Office at London it appears that Mr. Cass "argued that the vessels were very small, and mounted no cannon."

[4] In 1858 and 1859 there was some correspondence concerning the violation of British jurisdiction, and the encroachment of American fishermen. (8 Notes from State Department.)

cates the friendly feeling which existed. President Buchanan spoke of the good effects of this visit, in his message to Congress in December of that year. Lord Lyons characterized this message as having the most cordial language of any that had ever appeared.

But at this very moment a storm was upon the horizon—already visible to some—an irrepressible conflict of such proportions that it would involve England and America in serious misunderstandings which it would take years to untangle.

VI.

AGITATION OF LAKE DEFENSES DURING THE AMERICAN CIVIL WAR.

Confederate Operations From Canada.

Events growing out of the Civil War several times caused the relations between England and the United States to be strained almost to the breaking point. In England there was alarm felt at the vast armies and naval armaments, which continued to grow as the war progressed. With the long Canadian frontier unprotected by costly forts and fleets, with a revived feeling that the United States looked forward to a "manifest destiny" of wider territory, and with thousands of Canadians joining the Union army,[1] it was not unnatural that England should have some fear of danger to her American possessions. This feeling was strengthened after the *Trent* affair by the statement in American papers that England would be brought to a reckoning after the close of the war.

On the other hand, there was a general feeling in the United States that the policy of the London Government was greatly influenced by the wide sympathy for the Confederates which existed among the aristocracy and clergy of southern England, who expected to see recorded the death and funeral of another of the world's republics. English statesmen announced that "the United States has ceased to be." They thought that North and South would never again occupy the same bed together. The Queen had early (May 13, 1861)

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[1] Cases in regard to British citizens in the United States army were considered almost every day in the correspondence from the State Department to the British Legation at Washington during part of the year 1863. In May and June, 1864, it was the principal subject of correspondence.

issued a proclamation of neutrality, but the Government of Great Britain, it was said in the United States, was too fast in recognizing the cotton States as belligerents and too slow in preventing the English ports from being made bases for Confederate operations against the United States. The Times and other London papers appeared to be subservient to the Confederate cause, and some people were "persuaded that the Lord Chancellor sits on a cotton bale."

The first note of warning of the fitting out of the Confederate vessels in British territory was given by the Secretary of State, Mr. Seward, in a private interview with Lord Lyons in April, 1861. The United States Government had received information that the iron steamer *Peerless* was in the hands of the enemy on her way out of Lake Ontario, and that she had regular British papers. Lord Lyons did not think the information was definite enough to justify him in having the vessel detained. Mr. Seward said that the United States could not tolerate the fitting out of piratical vessels on the St. Lawrence, and stated that he would direct the *Peerless* to be seized by United States forces if the reports were true, no matter what flag she carried. Lord Lyons protested, but Mr. Seward gave conditional directions to the United States naval officers.[1]

Mr. C. F. Adams, who, during the Civil War, was our prudent and able minister at London, held the pulse of the English people and promptly recorded each variation. He watched the rise and fall of sentiment in favor of the Southern Confederacy, helped to avoid difficulties, and finally by his firmness and moderation secured greater English activity in enforcing neutrality. In June, Mr. Adams wrote Mr. Seward that the British were sending troops to protect Canada from invasion.[2] Lord Russell, who was Secretary of State for Foreign Affairs, explained that they were sent as "a mere precaution against times of trouble." He said the Ameri-

[1] 8 Notes from the State Department. Seward to Lyons, May 1, 1861.

[2] Despatches, June 14.

cans "might do something" and he thought it was well to be prepared.

By the Agreement of 1817 the naval force of each party upon the lakes had been limited to four vessels, each of one hundred tons burden, and with restricted armament and duties. In 1861 no British naval vessels were upon the lakes, and there had been none for many years. The United States had only one naval vessel, the *Michigan*, which had been cruising upon the lakes since 1844. The British Government had, as we have seen, already complained in regard to the size of the *Michigan*, and the conditions of 1861 led to another complaint. On August 31, Lord Lyons was instructed by the British Government to represent to the United States Government that the tonnage of the United States naval force on the lakes above Niagara Falls, and especially the armament of the steamer *Michigan* seemed to be "in excess of the limit stipulated in the arrangement of 1817."[1] Mr. Seward, in reply, stated that the only naval force of the United States on the upper lakes was the *Michigan*, of fifty-two tons, carrying one gun of eight inches, and used "exclusively for purposes of recruiting the navy, with artillery practice for the newly recruited seamen." Mr. Seward did not consider that the retention of the *Michigan* upon the lakes was any violation of the Agreement of 1817, but expressed his willingness to consider any views which the British Government might have to the contrary.[2] There is no record at the State Department to show that any further objection to the *Michigan* was ever made. The fact that the United States had no other naval vessel on the lakes probably influenced the British Government to allow a loose construction of the Agreement of 1817 in regard to the size of the *Michigan*. The *New Orleans*, of seventy-four guns, which had remained unfinished at Sackett's Harbor since 1814, seems to have been reckoned in the navy list as

[1] 42 Notes to State Department.

[2] No. 9 Notes from State Department. Also, see Miscellaneous Letters, Sept, 10.

an effective line-of-battle ship, but there was nothing to fear from it.[1] It seems that there was only one revenue cutter, the *Floyd*, upon the lakes at this time. The five others which the United States Government had had there since 1858 were taken to the Atlantic at the outbreak of the war.[2]

It was doubtless the intention of the Canadian authorities to preserve strict neutrality. Canadian sympathy in 1861 was naturally with the United States. In fact, there was for some time before the Civil War a strong feeling for annexation to the prosperous country whose internal improvements and manufacturing towns could be seen from Brock's Monument. But the people of the United States were suspicious when the nation was in peril. Secretary Seward's circular of October 14 to the Northern governors spoke about the need of defenses for the lakes. In reply to this the Canadian papers said that fortifications on the north were a menace to Canada. The English papers doubted whether the convention which made the Great Lakes neutral would justify either England or the United States in erecting fortifications along their shores, and it was stated that such fortresses would only be standing menaces and could not answer the end desired.

On November 8 the *Trent* affair occurred, and was a new cause of alarm in regard to the relations between England and the United States, but it does not appear that the danger from Canada was great enough to require defensive preparations in that quarter. The Detroit Free Press said that there was no danger on the lakes, and that the merchant craft could be used for defense in case of hostilities. The Toronto Globe said that the act of Commodore Wilkes could not cause any apprehension of war between the two countries.[3] Other Canadian papers went so far as to say that the weight of authority might be found to lie upon the side of Wilkes.[4] There was a wide Northern sympathy in Canada at this time. The Detroit Free Press saw no danger upon

[1] London *Times*, Jan. 7, 1862.
[2] Information at Bureau of Revenue Marine.
[3] *Toronto Globe*, Nov. 22, 1861.
[4] *Montreal Herald and Gazette*, Nov. 20.

the lakes. The comment of the London press and the demand of the British Government in December, however, seemed to forebode war, and each side considered plans for the defense of the lakes. There was an impression in Canada that General Scott returned from France solely to give counsel as to an invasion of that country, and there was a decrease of Canadian sympathy for the Union cause.

In the midst of the general excitement, statesmen were carried away by their feelings; but Lincoln and Seward, uninfluenced by passion and prejudice, surveyed calmly and decided wisely. The past policy of the country was continued and war was averted, but the rankling wound caused by the *Trent* affair was one that could not be healed at once.

England would have had an immediate advantage in case war had broken out. She had dug a canal from the foot of Lake Ontario, on a line parallel to the river, but beyond the reach of American guns from the opposite shore, to a point on the St. Lawrence below, beyond American jurisdiction, thus securing a safe channel to and from the lakes. She also had a canal around the falls of Niagara. Thus she could in a short time convey light-draft gunboats from the ocean to the lakes, and threaten American commerce on the lake cities. The House Military Committee, however, probably exaggerated the danger. Its report stated that the wealthy cities and immense commerce of the United States upon the lakes from Ogdensburg to Chicago was "as open to incursions as was Mexico when invaded by Cortez;" that light-draft gunboats could in one month shell every town, and at one blow "sweep our commerce from that entire chain of waters." It went on to say:

"Occupied by our vast commercial enterprises and by violent party conflicts, our people failed to notice at the time that the safety of our entire northern frontier has been destroyed by the digging of two short canals. Near the head of the St. Lawrence, the British, to complete their supremacy on the lakes, have built a large naval depot for the construction and repair of vessels, and a very strong fort to protect

the depot and the outlets of the lake. . . . The result of all this is that in the absence of ships of war on the lakes, and of means to convey them there from the ocean, the United States, upon the breaking out of the war, would, without navy yards and suitable docks, have to commence the building of a fleet upon Lake Ontario and another upon the upper lakes. At the same time England, possessing a naval depot at the entrance of this system of waters, can forestall us in all our attempts, both offensive and defensive."

But the British probably felt that the ultimate advantage in this quarter would rest with the United States. They did not desire to make the lakes the theatre of any conflict which might arise. Sir Francis Head said: "If Canadian vessels are attacked on fresh waters, let the injury be promptly avenged by the British navy throughout the wide, rude, salt, aqueous surface of the globe." Mr. C. F. Adams thought that it was the discovery of the indefensible condition of Canada which materially contributed to cool the ardor with which the discussion of the *Trent* affair was entered into.[1] Mr. W. H. Russell, an Englishman, who went from the United States to Canada just after the *Trent* affair to study the condition of the Canadian frontier, said that it was assailable at all points. The line of the Welland canal was open and defenseless. Hamilton had no defenses; the defenses of Toronto were ludicrous; the Grand Trunk Railway was close to the shores of Lake Ontario, where communication could be easily cut; Lake Michigan gave the United States the advantage. New York alone was richer than the Canadas; England did not have as many light vessels as the United States, and Canada could not guard herself from invasion by preparing a navy in time of peace.[2]

Nevertheless, the evident immediate advantage which the British had upon the lakes was the source of various discus-

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[1] Despatches, March 24, 1865.

[2] W. H. Russell: Canada and its Defences, Conditions and Resources.

sions, resolutions and reports concerning the northern frontier during the year 1862. The Ohio legislature passed resolutions in favor of a naval depot on Lake Erie to protect the country from danger or injury by an "armed enemy."[1] Lieutenant Totten had also recommended such a depot at some point on the western lakes. The House Committee (on Harbor Defenses on Lakes and Rivers) favored lake defenses.[2] The "brilliant naval triumphs" upon the lakes in earlier days were held out to the "brethren of the East" in order to secure their vote for defenses. The House Military Committee reported in favor of a ship canal from the Mississippi river to the lakes, in order to admit gunboats, though they did not think it wise to abrogate the Agreement of 1817 at that time.[3] Reports upon a national armory in the West favored Pittsburg rather than Chicago, on the ground that it was near the lakes, but not upon them.[4] On April 23, Mr. Blair, of the Military Committee, reported in favor of military canals from the Mississippi to the lakes and from the lakes to the Hudson, so that "one fleet would answer for two" in protecting the "exposed" northern frontier.[5] On April 28 there was a report upon the feasibility of enlarging the Illinois and Michigan canal so gunboats could pass to Lake Michigan.[6] It was believed by many that the Agreement of 1817 did not apply to that lake.[7] On June 3, Mr. Blair, of the Military Committee, reported upon the petitions for enlarging the locks of the Erie and Oswego canals so monitors could pass for the defense of the lakes.[8] Partially to overcome the British advantage on the lakes, the New York Senate also proposed to adapt the canals of the State to the defense of the northwestern lakes.[9]

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[1] H. Misc. Doc. 45, 37–2, Feb. 21, 1862.
[2] H. Reports 23, 37–2, Vol. 3, Feb. 12.
[3] H. Reports 37, 37–2, Vol. 3, Feb. 20.
[4] Reports of Com. 43, 37–2, Vol. 3, Feb. 28.
[5] Reports of Com. 86, 37–2, Vol. 4, April 23.
[6] Reports of Com. 96, 37–2, Vol. 4, April 28.
[7] Congressional Record, 38-1, May 25, 1862.
[8] Reports of Com. 114, 37–2, Vol. 4, June 3.
[9] N. Y. Senate Journal, 1862.

Back of all the petitions and reports upon ship canals was something besides the feeling of danger. It was the actual need of western commerce more than any imminent danger from northern attack that developed the plans for connecting the lakes with the Mississippi and the Atlantic by deep waterways. The ghost of British fleets upon the lakes was pushed into prominence in order to get the aid of the government in digging canals. There was doubtless some cause for uneasiness in the rumors which were occasionally afloat,[1] and there was a considerable number of people in both countries who might have rushed into a conflict if they could have had their way; but there appears to have been a general conviction that the countries would reach a mutual understanding.

During the first two years of the Civil War, when the lower Mississippi was held by the Confederates, the western products considerably increased the lake commerce. The Canadian canals, even before, were not of sufficient capacity to satisfy the needs of the American commerce. In addition to this, just after the *Trent* affair there was considerable American sentiment in favor of canals on American soil. A select committee of Congress in March, 1863, thought that our Canadian neighbors had insulted us and that we should not be compelled to use their canals.

In June, 1863, at a Ship Canal Convention in Chicago, five thousand delegates were reported to be present. The Union arms had recently sustained serious defeats, and the Confederates were planning to carry the war north of the Potomac. The fear that this would secure the adherence of England to the Confederate cause was increased. It was thought to be a favorable time to secure the aid of the government in constructing a commercial waterway from the Mississippi to the lakes and from the lakes to the Atlantic. Nearly every speaker at the convention said that the lake commerce was in great danger. Many thought there should be a procession of the Eads ironclads from the Mississippi to Lake Michigan.

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[1] Domestic Letters, Vol. 68, Oct. 8.

Mr. Spalding, of Ohio, favored the Niagara canal also, so that the procession could pass on to Lake Ontario.

It is evident that the danger of war was much exaggerated. Vice-President Hamlin spoke of the military value of the canals, but he mentioned the commercial value also. Mr. Hubbel, of Wisconsin, said the canals were not a military necessity. He said that if England had desired war she would have declared it in 1862 "when the South had us by the throat," and that there was now no danger of war with her "except by our own volition." Mr. D. B. Ruggles, of New York, talked of the "glorious West as a gigantic hog-pen." With the co-operation of the hog and the canals, vast amounts of corn could be taken to the sea. The hog could eat the corn and Europe could eat the hog.

The convention passed resolutions declaring the construction and enlargement of canals between the Mississippi river and the Atlantic, with canals connecting the lakes, as of great military and commercial importance. It was stated that such canals were demanded alike by military prudence, political wisdom and the necessity of commerce; that they would "furnish the cheapest and most expeditious means of protecting the northern frontier," and, at the same time, "promote the rapid development and permanent union of the whole country."[1]

The energy and resources of the country were taxed to the utmost at this time, and these schemes were not adopted by the government, though they were proposed several times in the Thirty-eighth Congress, during the early part of 1864.[2]

By July 4, 1863, the tide of the Civil War had clearly turned in favor of the Union cause. Vicksburg had fallen, and a few days later the Mississippi was entirely wrested from the hands of the Confederates. Gettysburg had also helped to decide the issue of the war. The invasion by the gallant

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[1] Springfield *Daily Illinois State Journal*, June 4, 1863.

[2] Congressional Record, Vol 57.

Lee was repelled. It was considered an auspicious time for the Government of the United States to speak in a more decided tone against the attitude of the British Government toward the Confederates. It apprehended a crisis in case of the probable failure of all the "friendly appeals to Her Majesty's Government against suffering a deeply concerted and rapidly preparing naval war to be waged against the United States from British ports in Europe and America by British subjects in British built and armed vessels."[1] Mr. Seward, on July 11, when he felt the danger of an approaching naval conflict with Great Britain, in his instructions to Mr. Adams used some expressions which were afterwards incorporated into the President's message, and were considered by the British Government to be "disrespectful and menacing." The President, in the following March, allowed any expressions to be withdrawn which Lord Russell should consider exceptional, though it was asserted that their object had been "to remove out of the way a stumbling-block of national offenses," and not to offend or provoke war.

Events which occurred after his letter of July 11, 1863, "such as the invasion of Johnson's Island from Canada . . . and especially the report of Malling, the pretended Secretary of Navy of the insurgents," caused Mr. Seward to feel that the trouble which he apprehended "was not overestimated nor too soon anticipated."

In the early part of November, 1863, the Governor General of Canada notified Lord Lyons at Washington that there was rumor of a plot of the Confederates in Canada to secure steamers on Lake Erie, release the prisoners at Johnson's Island, and then invade the United States by an attack upon Buffalo.[2] Lord Lyons, at a late hour on the night of November 11, promptly notified Mr. Seward so that measures could be taken to watch lake steamers. General Dix was at once sent to the frontier, and Honorable Preston King was sent

[1] 19 Instructions, p. 214. Seward to Adams, No. 859, March 2, 1864.

[2] Correspondence relating to Fenian Invasion and Rebellion of the Southern States. Published at Ottawa, 1869.

to confer upon the subject with Lord Monck, so that there might be perfect understanding between the authorities of Canada and the United States.[1] The *Michigan* anchored off Johnson's Island to prevent any expedition against that place, but Lord Monck's warning had already prevented the execution of the plot.[2] The United States ceased to make military demonstrations on the Vermont border.[3]

At the beginning of 1864 there was much anxiety concerning the operation of Confederate agents along the northern border of the United States. Suspicious vessels were reported to be in Canadian waters. They were supposed to be there for the purpose of making piratical attacks upon the lake trade of the United States. The *Montreal* was reported to be armed with twenty-four guns, small-arms, cutlasses and boarding-pikes. The *Saratoga* was also reported as a hostile vessel. Lord Lyons notified Lord Monck of the reports concerning the vessels, and he at once took steps to detain them if the report proved to be true. The large number of Confederates in Canada at this time caused Lord Monck to have fears that there would be great danger of having the neutrality of the Canadian territory compromised during the following season, and this consideration caused him to think that there ought to be some British naval force stationed on the lakes to enforce the commercial police. On March 19 he wrote to the Duke of Newcastle that the Agreement of 1817 prohibited the United States from a naval force competent to protect her commerce from piratical attempts at that time,[4] and that Great Britain was "bound to take stringent precautions that her harbors shall not be used for the preparation of expeditions hostile to the trade of the United States against which the stipulations of a treaty prevents that power from making adequate provi-

[1] Seward to Lyons, Nov. 12.

[2] Adams to Russell, Feb. 22, 1864.

[3] 10 Notes from State Department to British Legation.

[4] Cor. Rel. to Fenian Invasion and Rebellion of Southern States, p. 61.

sion for her defense."[1] He suggested that five vessels small enough to pass through Canadian canals should be sent out —one for Lake Ontario, and two each for Lakes Erie and Huron.

Lord Monck sent a confidential agent to investigate the various reports concerning Confederate vessels, and he reported to Lord Russell on March 31 that no evidence was found. Neither the *Montreal* nor the *Saratoga* could be discovered.[2] But he was still of the opinion that it would be "most advisable to have some vessels bearing Her Majesty's flag upon the lakes."[3] There was no royal navy on the lakes, and he thought this might hold out some inducement to piratical attempts. Rumors, even though they had no foundation, produced a feeling of unrest on the part of those interested in the lake trade of the United States "which might easily be exaggerated into a sentiment of hostility towards the Canadians from whose harbors they imagine an attack on their commerce might issue." Lord Monck thought the evil effects of rumors could be stopped if it were known that one British vessel was stationed on each of the lakes, Ontario, Erie and Huron. Mr. Cardwell, who soon took the place of the Duke of Newcastle at the Home Office, promised (April 23) to address Lord Monck later concerning the small naval vessels which were to be kept within the limits of the Agreement of 1817, but no vessels were ever sent. It was doubtless considered wise to make no preparations upon the frontier which might be misconstrued as a menace to the United States.[4]

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[1] Lord Monck's ideas were not clear in regard to the Agreement of 1817. He thought it limited both parties to "one vessel on Lake Ontario and two on each of the other lakes." He was also under the false impression that the prohibition had been "imposed on the United States" in the interest of Great Britain.

[2] 62 Notes to State Department.

[3] Cor. Rel. to Fenian Invasion and Rebellion of Southern States, p. 107. Monck to Newcastle.

[4] *Toronto Weekly Leader*, Dec. 30, 1864.

The reports of Confederate organizations in Canada probably had some influence in causing the United States to begin the building of cutters for the lake revenue service. A side-screw cutter was begun at Lower Black Rock, near Buffalo, in the early part of April, and was expected to be ready in three months.[1] Lord Lyons saw a newspaper statement concerning the new vessel, and asked Mr. Seward whether it would contravene the conditions of 1817.[2] The latter made inquiry of the Secretary of the Treasury, and on May 11 he wrote Lord Lyons that it appeared that the vessel would form "no part of the naval force of the United States," but was intended exclusively for the prevention of smuggling.[3]

But the idea of making these revenue vessels available for defense in case of an emergency was probably considered, though there was no intention of violating the stipulations of 1817. On May 5, Secretary Chase, of the Treasury, wrote Secretary Seward as follows:

"I have the honor to call your attention to the arrangement of April, 1817, between the United States and Great Britain (U. S. Stat. at Large, v. 8, p. 231) relative to the naval force to be maintained upon the American lakes, and to inquire whether the provision of the arrangement which restricts the naval force of the two governments to two vessels on the upper lakes, is construed by the Department of State to embrace Lake Erie as among the lakes referred to; also whether it is within the scope of the arrangement to restrict the tonnage and armament of vessels designed exclusively for the Revenue Service."

On May 7, Mr. Seward replied:

"I have the honor to state that, in my opinion, Lake Erie may be considered as one of the upper lakes referred to in that instrument. I am not, however, prepared to acknowledge that its purpose was to restrict the armament and ton-

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[1] *Buffalo Morning Courier*, April 15, 1864.

[2] 63 Notes to State Department.

[3] 11 Notes from State Department, p. 222.

nage of vessels designed exclusively for the Revenue Service."[1]

The United States Government desired to live up to the spirit of the Agreement of 1817, although there was a feeling in Congress that it was unequal under the changes which had occurred since its inception. It was believed that England was too passive in her policy concerning the Civil War in the United States, and that she should have followed the advice of those English statesmen who advocated a more liberal policy toward the United States Government.[2] Notwithstanding the avowed intention of the British Government to preserve a strict neutrality, the Confederates managed to get materials of war from English ports. The Union cause doubtless received assistance in the same way, but this did not prevent the widespread belief that the Confederates were receiving assistance that could have been prevented. On April 22, Mr. Seward said: "We must finish the Civil War soon or we shall get in war with England." Two months later he was convinced that British sympathy was clearly with the South.

The uneasiness regarding the Confederates in Canada continued.[3] Lord Monck was kept busy investigating reports concerning them. He asked the authorities to adopt every precaution to prevent the Confederates from making Canada a base for hostilities against the Northern States. But notwithstanding the diligence of the authorities, it was still possible for the Confederates to find their way into Canada and secretly plot to break the peace between Canada and the United States. Relations with Great Britain were also made more complicated by the Canadian canal policy, which was not considered to be liberal enough to justify the United States in continuing the Reciprocity Treaty.

On May 25, Mr. Spalding, in the House, passed from a discussion of the inequalities of the Reciprocity Treaty to

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[1] Vol. 64, Domestic Letters, p. 228.

[2] 86 Despatches, No. 694, May 19, 1864.

[3] 64 and 65 Notes to State Department.

consider the Agreement of 1817, "whereby," he said, "the northwestern lakes, with a population of ten million people upon their American borders, and upon whose bosom floats one-third part of the whole commercial wealth of our country, were placed at the tender mercies of Great Britain."[1] He complained that the United States Government was afraid it would offend England to place a naval depot or navy yard upon the American coast of one of the lakes, though Great Britain had been allowed quietly to dig canals by which she could pass gunboats from Quebec to Chicago to "devastate our fairest cities and destroy our richest commerce."

Mr. Spalding said that by their canals the British had "defeated the only object that led us into the arrangement." Mr. Washburn thought that if the government would enlarge the Illinois and Michigan canals in his State the United States would also be able to send gunboats into the lakes. Mr. Pruyn, of New York, said the United States could build gunboats on Lake Michigan, but Mr. Spalding informed him that the head of the Navy Department said that this lake also was included under the Agreement of 1817. Mr. Arnold said there were one hundred vessels of war on the Mississippi which could be taken to the lakes, and he favored the canals rather than the abrogation of treaties. Mr. Spalding was tuned up to a higher key. He had a constituent who controlled fourteen steam propellers from Chicago to Ogdensburg, all of which could within a week have been made into gunboats if there only had been a navy yard on the lakes. Mr. Spalding was not satisfied with the decision of the Navy Department, and he was at that time in favor of making a clean sweep of treaties. "I hope," he said, "when we get our hands once in we will make clean work."

On account of the objections which had been made to establishing a naval depot upon the lakes, Mr. Spalding, on June 13, introduced a joint resolution for the termination of the Agreement of 1817. On June 18 it passed the House in the following form:

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[1] Congressional Globe, Vol. 58, 38–1, p. 2481.

"*Whereas* the treaty of eighteen hundred and seventeen, as to the naval force upon the lakes, was designed as a temporary arrangement only, and although equal and just at the time it was made, has become greatly unequal through the construction by Great Britain of sundry ship canals; and whereas the vast interests of commerce upon the northwestern lakes, and the security of cities and towns situated on their American borders, manifestly require the establishment of one or more navy yards wherein ships may be fitted and prepared for naval warfare; and *whereas* the United States Government, unlike that of Great Britain, is destitute of ship canals for the transmission of gunboats from the Atlantic Ocean to the western lakes:

"*Be it resolved* by the Senate and House of Representatives of the United States of America in Congress assembled, that the President of the United States be, and is hereby, authorized and directed to give notice to the Government of Great Britain that it is the wish and intention of the United States to terminate said arrangement of eighteen hundred and seventeen, in respect to the naval force upon the lakes, at the end of six months from and after the giving of said notice."

This resolution was not considered in the Senate, but on August 4 Lord Lyons wrote Mr. Seward that the attention of his government had been drawn to the resolution, and would view with regret and alarm the abrogation of an arrangement which had for fifty years prevented occasions of disagreement, as well as needless expense and inconvenience.[1] Mr. Seward replied that there was "at present no intention to abrogate the arrangement," and that timely notice would be given in case the government should favor its abrogation.[2]

But letters and telegrams continued to announce that the Confederates were negotiating for the purchase of boats on

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[1] 67 Notes to State Department.

[2] 11 Notes from State Department, p. 558.

the lakes. In July there were rumors that they had machines which were to be mounted on vessels,[1] and that they intended to destroy the cities on the lakes. Such reports induced the United States Government to place a restriction upon the export of materials of war from New York to the British colonies.[2]

An affair on Lake Erie on September 19 brought matters to a crisis. The steamboat *Philo Parsons* left Detroit for Sandusky, taking passengers with supposed baggage at Sandwich and Amherstburg. They proved to be Confederates, and after leaving Kelly's Island they took charge of the vessel. They intended to co-operate with another force designed to capture the armed steamer *Michigan* at Sandusky, to release rebel prisoners at Camp Johnson, near Sandusky, and then to commit depredations on the lake cities.[3] The design on the *Michigan* having failed, the *Parsons* was brought back to the Detroit river, and left at Sandwich in a sinking condition. During the raid the steamer *Island Queen* and some United States soldiers were also captured.

The news that the Confederate flag had been unfurled upon the lakes created much excitement along the frontier. Major-General Hitchcock, of Sandusky, advised "that no time be lost in putting afloat armed vessels upon Lake Ontario and speedily upon the other lakes also." On September 26, Mr. F. W. Seward notified Mr. Burnley, of the British legation at Washington, that owing to the recent proceedings on the lakes it was found necessary to increase the "observing force" temporarily in that quarter.[4] The steam propeller *Hector* was chartered at Oswego, N. Y., for revenue-cutter service. The *Winslow* had been chartered at Buffalo a few days before [5]

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[1] Lieut. Col. R. H. Hill to Capt. C. H. Potter, July 30, 1864. See Cor. Rel. to Fenians and Rebellion of Southern States.

[2] 11 Notes from State Department, p. 573.

[3] *Detroit Free Press*, Sept. 21, 1864.

[4] 12 Notes from State Department, p. 185.

[5] 12 Notes from State Department, p. 203, Oct. 1.

The United States Government felt that it was only acting in self-defense in meeting conditions which "could scarcely have been anticipated" in 1817.[1] In the Agreement of 1817 neither party had expected to relinquish its right of self-defense in the event of a civil war in its territories. Mr. Adams, in his letter to Lord Russell, said of the agreement:

"It certainly did not contemplate the possible intervention of a third party, ill-disposed to both, which should malignantly avail itself of the known provisions of the compact for the purpose of working certain mischief to that which it hated the most and possibly injuring even the other, by provoking strife between the two. Neither could it have foreseen the precise position in which Her Majesty's Government has been placed by recognizing as belligerents persons capable of abusing the privilege conceded by that measure to the most malicious purpose."[2]

Mr. Seward had just prepared a statement of the outrage upon Lake Erie, when the news arrived that a band of twenty-five desperate men had attacked St. Albans, Vt., robbed its banks and boarding-houses and escaped upon stolen horses to Canada, where they were arrested by the municipal authorities.

Mr. Seward discussed these matters in a friendly spirit with Mr. Burnley, but he wrote Mr. Adams in London to give Lord Russell notice that after six months the United States would deem themselves at liberty to increase the naval armament upon the lakes, if, in their judgment, the condition of affairs should require it. He said that such events required prompt and decisive proceedings on the part of the British Government "in order to prevent the danger of ultimate conflict upon the Canadian borders."[3]

The excitement produced by the St. Albans affair was fed both by the natural course of events and by artificial means. It was felt that Canada was responsible for the conduct of

[1] 19 Instructions, No. 1136, Oct. 24, 1864.
[2] Nov. 23, 1864.
[3] 19 Instructions, No. 1136, Oct. 24, 1864.

her Confederate guests, and that their bad conduct might endanger the peace with Canada.[1] It produced no better feeling in the United States when Lieutenant Bennett H. Young, commander of the St. Albans raiders, declared that he went to Vermont as a commissioned officer in the provisional army of the Confederate States, and that he had violated no law of Canada.[2] False reports continued to alarm the people and to add to the excitement which naturally existed upon the eve of a great Presidential election. On October 30, the American consul at Toronto telegraphed the Mayor of Detroit that one hundred men, armed to the teeth and loaded with combustibles, had left Toronto to raid Detroit.[3] The congregations at Detroit were dismissed. Bells rang. Rumors spread. Crowds met and had to be dispersed by the Mayor. The hundred men never arrived, but on November 2 a telegram from Washington announced that the State Department had information that there was a conspiracy to fire all the principal cities in the North on election day. The Free Press had ceased to place much reliance in such reports,[4] but they had a tendency to keep up an unhealthy excitement along the border. Some, guided entirely by emotion and passion, would have been glad if a disruption of peaceful relations between the United States and Canada could have been brought about. The war had given a great impetus to the Fenian organization, and there were many Fenians in the Federal army who would have welcomed an opportunity to invade Canada.[5] Then there were others, who, speaking for political effect or personal influence, favored "the next war." A colonel at St. Louis said that "God Almighty had established boundaries for the great Republic

[1] *Detroit Free Press*, Oct. 27, 1864.

[2] *Toronto Weekly Leader*, Oct. 28, 1864.

[3] *Toronto Weekly Leader*, Nov. 4, 1864. *Detroit Free Press*, Oct. 31.

[4] *Detroit Free Press*, Nov. 4, 1864.

[5] Dix to Stanton, Nov. 22, 1864. See Correspondence Relating to Fenians and Southern States.

bounded on all sides by oceans and peninsulas," and that Canada would become a part of it.[1]

Canadian authorities seem to have done all they could to preserve neutrality, but the tone of some American newspapers gave them offense. Governor Monck took offense at the Dix order to an officer at Burlington after the St. Albans affair, which spoke of pursuing the offenders across the boundary.[2] Seward wrote Lord Lyons on November 3 that "indignant complaints by newspapers . . . as well as hasty popular proceedings for self defense and retaliation are among the consequences which must be expected to occur when unprovoked aggressions from Canada no longer allow her citizens to navigate the intervening waters with safety, or rest at home with confidence of security."[3]

Mr. Seward found no fault with the authorities in Canada, but he felt that the two governments should agree upon some more effective measures to preserve the peace. He saw that the provocations against the people along the line of the border might lead to intrusions from the American side of the lakes. He remembered the border troubles of 1838 and the excitement at the time of the McLeod trial in 1841. Political agitations had existed in Canada as well as in the United States, and in order to prevent future civil strifes he was inclined to think that it would be "wise to establish a proper system of repression now which would prove a rock of safety for both countries hereafter." Mr. Adams, in bringing the matter to the attention of Lord Russell, used the following language:[4]

"Political agitation terminating at times in civil strife is shown by experience to be incident to the lot of mankind however combined in society. Neither is it an evil confined to any particular region or race. It has happened heretofore

[1] *Toronto Weekly Leader*, Oct. 21, 1864.

[2] 72 Notes to State Department, Lyons to Seward, Oct. 29, 1864. (Monck to Lyons, Oct. 26).

[3] 12 Notes from State Department, p. 346.

[4] 88 Despatches, Nov. 23, 1864.

in Canada, and what is now a scourge afflicting the United States may be likely at some time or other to revisit her. In view of these very obvious possibilities, I am instructed respectfully to submit to Her Majesty's Government the question whether it would not be the part of wisdom to establish such a system of repression now as might prove a rock of safety for the rapidly multiplying population of both countries for all future time."

Whatever this plan of repression was, it would probably have increased the naval force of each party upon the lakes. In December an editorial in the London Times stated that the British authorities should assist Mr. Lincoln if gunboats on Lake Ontario and Lake Erie would impede the enterprises of the Confederates, but that such increased force should not be permanent.[1]

On the day of the November election General Butler and General J. R. Hawley, with seven thousand men as a precautionary measure, were placed upon lake steamers ready for service at any point in case Confederates or Confederate sympathizers should attempt to execute any of the reported plots. Nothing occurred to make their service necessary.

Reports of plots continued, though it was evident that they had decreased in importance.[2] Reported Confederate vessels were searched for, but could not be found. Commander Carter, of the *Michigan*, thought that rumors were issued merely to scare the people.[3] Major-General Hooker, in a telegram to Mayor Fargo, of Buffalo, complained of receiving so little that was reliable, and became sceptical as to the accuracy of the information.[4]

Still, there was reason for vigilance, for since the people had so strongly supported the Lincoln administration at the polls the Confederates saw the approaching doom of their cause, and in order to give themselves a chance to get new

[1] London *Times*, Dec. 19, 1864.
[2] 67 Domestic Letters, Nov. 11.
[3] Miscellaneous Letters, Nov. 16.
[4] *Buffalo Courier*, Nov. 16.

breath they were untiring in their efforts to involve the United States in foreign difficulties. Major-General Dix heard of "rebels drilling north of Lake Ontario," and also saw "indications of retaliation" on the part of American citizens.[1] Thoughts of war with England had become familiar. People complained that the privateers which swept the American commerce from the seas were English-built and English-manned.[2] Detroit believed that further raids were being planned in Canada, and petitioned Congress for "staunch and strong vessels" to protect the cities and shipping of the lakes.[3]

There was intense feeling south of the lakes, both natural and artificial, when Congress met in December. Action at Washington was prompt and energetic. Mr. Seward asked the Secretary of the Navy and the Secretary of the Treasury if they desired legislation for additional naval armament upon the lakes.[4] The Secretary of the Navy thought that since the notice had been given to terminate the Agreement of 1817 it would be well to have two or three additional vessels upon the lakes, though he had not yet submitted estimates for extra expenditures in that quarter.[5] Senator Sherman introduced a bill for six new revenue cutters. He had been out in Ohio when the *Philo Parsons* was captured, and he decided to prevent such another "close shave" for the lake traffic. The two steamers which had been chartered in September "to prevent smuggling" were no longer in the government service.[6] It was felt that in order to guard the long lake coast, vigilance was required. It was understood that the cutters were to be armed with a small pivot gun. This was not supposed to be in violation of existing treaties.[7]

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[1] Dix to Stanton, Nov. 22.
[2] Goldwin Smith's Lecture at Boston, Dec., 1864.
[3] Senate Doc. 2, 38–2, Vol. 1, Dec. 8.
[4] Domestic Letters, Vol. 67, Dec. 9.
[5] Miscellaneous Letters, Dec. 14.
[6] Report on Senate Bill 350.
[7] Congressional Globe, 38–2, Part 1, p. 57.

Passion was aroused on December 14 by the news that the Canada courts had released the St. Albans raiders. Senator Chandler, of Michigan, proposed in Congress that troops be sent to defend the northern frontier from raids from Canada.[1] On December 15 the House passed a bill to terminate the Reciprocity Treaty. Senator Sumner also called for information concerning the Agreement of 1817, with a view of terminating it by proper legislation. The State Department issued an order requiring that all travelers from Canada to the United States, except immigrants, should obtain passports from the United States consuls.[2] On December 19, in discussing a bill for the defense of the northern frontier, Senator Howard, of Michigan, said that the "lion must show his teeth on this side of the border in order to preserve the peace" and to prevent Canada from being a place of refuge for the Confederates. Senator Sherman referred to the inequalities of the Agreement of 1817, and said that Congress should give the President power to place a necessary force upon the lakes. Senator Sumner spoke of the Agreement of 1817 as an "anomalous, abnormal, . . . small type arrangement," whose origin and history and character were still subjects of doubt, and he thought the Senate could easily abrogate it if necessary. Mr. Farwell said there was no need for alarm; that the United States in case of war could easily get entire control of the lakes at any time by converting steamers into war vessels. Mr. Grimes said Great Britain had no vessels which could pass to the lakes.

There was anxiety all along the border. Conservative newspapers admitted that there was danger of a crisis. The Detroit Free Press said: "We are drifting into a war with England," and favored non-intercourse with Canada until Canada could enact proper neutrality laws. Detroit and other cities began to urge the advantage of their location as

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[1] Senate Misc. Doc. 5, 38–2, Vol. 8.

[2] 19 Instructions, pp. 549–551, Dec. 19, No. 1194.

a site for a naval depot.[1] The Toronto Leader began to philosophize upon how much of the savage still remained in man to prevent mutual disarmament from leading to lasting results.[2] The attitude of the American Government seemed to indicate that the United States would have a lake fleet by April, and the Leader began to advocate the enlargement of the Canadian canals so British vessels could be taken into the lakes. It was stated that the Americans had not observed the spirit of the Agreement of 1817 for three years. As the year closed it was reported at Toronto that fifty thousand Fenians were ready to march upon Canada at a day's notice.[3]

February 9, while Congress had been "showing its teeth" by energetic action, the news of preparations for incursions of Confederates from Canada had not ceased, but the border feeling was gradually becoming less aggressive. After the Dix order was revoked, Mr. Burnley thought all would get along smoothly if the public could be kept from getting too "rampagious."[4] It soon became evident that the naval depot which Wisconsin wanted at Milwaukee would not be needed.[5] The Agreement of 1817 was finally abrogated by Congress in February, but the scare upon the lakes was already over, and it does not appear that there was any intention of placing a naval establishment there. The action of Congress seems to have originated in the idea that legislative sanction was necessary to make executive acts legal. When the subject was under discussion in the House on January 18, Mr. Farwell and others thought that useless vessels upon the lakes were "more likely to involve us in trouble with Great Britain than to do us any good," and though they voted to ratify the notice previously given by the State Department for abrogation of the Agreement of 1817, they hoped that the President would at an early date "institute proceedings or a commission with Great Britain to renew the arrangement."

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[1] *Detroit Free Press*, Dec. 16.
[2] *Toronto Leader*, Dec. 16.
[3] *Toronto Leader*, December 30.
[4] 74 Notes to State Department, Dec. 20.
[5] Senate Misc. Doc. 41, 38–2, Vol. 1, Feb. 20.

The need of war vessels on the lakes was still urged by some, especially by those who hoped to induce the United States Government to engage in building ship canals to join the lakes with the Mississippi. One member said in Congress (February 1) that the United States had fifty million dollars invested in war steamers on the Mississippi, and that for one-tenth that amount a canal could be dug so that they might be taken to the lakes for preservation in fresh water. There were still others who said that "the two thousand ships bearing the teeming productions of the west upon the bosom of the lakes" required more than one war ship for their protection. There was probably some reason for this statement just at this time, for it appears that Great Britain, alarmed by the proceedings in Congress, was preparing to send guns "to arm new naval forces on the lakes."

The policy of the British Parliament was as yet uncertain. Its members were not yet assured that the United States did not desire total abrogation of the Agreement of 1817.[1] Lord Palmerston announced to the House of Commons, however, on February 11, that "the abrogation of that arrangement was not to be considered a final decision but as open to renewal," and that the House was not justified in looking upon the matter as an indication of intended hostilities on the part of the United States. He added: "We cannot deny that things did take place of which the United States were justly entitled to complain, and if the measures which they have recourse to are simply calculated, as they say, for the protection of their commerce and their citizens, I think they are perfectly justified in having recourse to them."

Public sentiment for the Confederates began to decrease after the news of the storming of Fort Fisher and the closing of navigation to Wilmington; the friends of the United States Government gained at London.[2] The aspect in Canada had become peaceful.[3] At the recommendation of the

[1] Parliamentary Debates, Vol. 177, p. 142. London *Times*, Feb. 11, 1865.

[2] 88 Despatches, No. 868, Feb. 2, 1865.

[3] Detroit *Advertiser and Tribune*, Jan. 27, 1865.

Government of Great Britain, Canada passed an act on February 6 to repress outrages in violation of the peace on the frontier.[1] The London Times began to alter its tone. Lord Russell spoke in a better spirit. Conferences with Mr. Adams were more friendly. Mason, Slidell and Mann, the Confederate agents in Europe, were notified that such practice as had been going on from Canada and acknowledged by President Davis as belligerent operations must cease.[2] Canadian papers stated that measures would be taken to prevent the danger of a war in which the Confederates were trying to involve us.

Still, there was at this time an undercurrent of much restlessness and distrust in England on account of the fear of large impending claims, and of an American war for the conquest of Canada after domestic reconciliation had been secured.[3] This fear was fanned by Confederate emissaries, who said that if forced into the Union they would favor war with England. The disposition of Congress to terminate treaties also nourished a feeling that the United States was unfriendly to England. On February 20, when the defenses of Canada were being considered in the House of Lords, there was much talk of the contest of the North for empire and the need of counter-preparations on the lakes to offset those made by the United States, which they said were in violation of treaty stipulations.

The debates in the Canadian Provincial Parliament at this time indicate that there was a feeling of danger from the United States, and an expectation that fleets would again traverse the lakes. On March 2, Mr. Haultain said:

"I am glad to see that the American Government have given notice of their intention to terminate the convention for not keeping armed vessels on the lakes. I am glad to see that this is to be put an end to, for it was decidedly prejudicial to our interests, and I have no doubt we shall have gunboats

[1] *Canada Gazette*, Feb. 6. Also, 75 Notes to State Department.
[2] 88 Despatches, Nos. 874 and 879, Feb. 10 and Feb. 16.
[3] 88 Despatches, No. 870, Feb. 9.

on our lakes before the end of the present year. . . . There is no question that should they determine upon going to war with us before the opening of navigation, we might not be able to get a British gunboat on our waters by the St. Lawrence canals, as they are so easily accessible to our opponents, and, without much difficulty could be rendered useless for navigation."[1]

The Montreal Gazette urged the necessity of a connection between Montreal and Lake Huron by the Ottawa and French rivers and Lake Nipissing, so that the British navy could pass to the lakes with safety and prevent Canada from being "exposed to an irruption of Americans only surpassed by that of the Huns and Goths."[2] "Were this canal in existence," it is stated, "gun-vessels could sail from England direct into Lake Huron, and thence they might operate on Lake Michigan, gaining access through the straits of Mackinaw. Small ironclads could run the gauntlet down the St. Clair and Detroit rivers into Lake Erie at Kingston and the Ridean canal. Mackinaw would thus become comparatively useless to the Americans, and Lake Michigan would be sealed by a British blockading squadron." Mr. Kingston, in his "Canadian Canals," says that this canal was not urged for mere defensive purposes, but that the motive was to obtain a commercial canal at the expense of the government by revivifying national prejudices.

It was evident that something should be done to combat the feeling that the United States had hostile designs against Canada. Lord Russell suggested that it was time to think of something to take the place of the Agreement of 1817 before it should be terminated by the notice already given.[3] Mr. Adams agreed that armaments were expensive, useless and breeders of suspicion, and he saw no reason for not continuing the treaties since the active efforts of the Canadian authorities.

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[1] Canadian Provincial Parlia. Debates (on confederation) p. 639, March 2, 1865.

[2] *Montreal Gazette*, March 14, 1865.

[3] 88 Despatches, No. 884, Feb. 23, 1865.

On March 8, Mr. Seward announced that the United States had decided to abide by the Agreement of 1817. The passport system was also to cease at once.[1] In accepting the farewell of Lord Lyons on March 20, Mr. Seward said: "I have no doubt that when this dreadful war is ended the United States and Great Britain will be reconciled and become better friends than ever." [2]

Before the news that the United States Government desired to continue the Agreement of 1817 had officially reached London there had been two debates in the House of Commons in regard to relations with the United States and vessels for the lakes. During the first debate[3] on March 13 a letter from New York was cited as evidence that the United States was having constructed in London "a fleet of gunboats for the Canadian lakes." Some favored counter-preparations, and said it was no menace "for a peaceful citizen to put up his shutters in a tumult." Others thought it foolish to vie with America on her own ground, and that it might be best to defend Canada by abandoning her. America could now carry gunboats to the lakes by rail, and if Canada could not be defended in time of war it was a bad policy to keep a force there in time of peace. There were various opinions in regard to the intentions of the United States. Mr. Cardwell, the Colonial Secretary, saw "no evidence of hostility." Lord Palmerston thought that the tone of moderation which was shown in the debate would be useful in both Canada and the United States.

During this debate Watkins advocated that the British Government should express a desire for peace and fraternity with the United States, and should seek to secure, in the interests of peace and civilization, and "as a bright example to surrounding nations:"

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[1] 20 Instructions, p. 89, March 8, 1865, No. 1289. *National Intelligencer*, March 9.

[2] 13 Notes from State Department, p. 189.

[3] Parlia. Debates, Vol. 177.

1. A neutralization of the three thousand miles of frontier, rendering fortifications needless.

2. A continuance of the neutrality of the lakes and rivers bordering upon the two territories.

3. Common navigation of the lakes and outlets of the sea.

4. Enlargement of canals for commerce.

5. Neutrality of telegraphs and post routes between the Atlantic and Pacific.

Mr. Watkins said: "Let the British Government be firm in considering Canada a part of the British Empire, to be defended at all cost, or let them endeavor to induce the government at Washington to distinguish itself forever by adopting the alternative—the neutralization of the lakes and the avoidance of hostile fortifications on both sides of the frontier."

The results of rash speeches in the House of Lords were being neutralized by the wisdom of such men as Fitzgerald and Disraeli in the Commons. Lord Russell was also using his influence to create a better feeling. On March 23, when he laid before the Lords the notice for the termination of the Reciprocity Treaty, he encouraged moderation by stating there was hope of new treaties during the year. In regard to the Agreement of 1817, he said that the recent occurrences on the lakes justified the United States in availing themselves of all the means of repression within their power. Mr. Adams' language had led him to feel assured that Congress would be ready to consider a proposition by which a "small and limited armament might be kept up on the lakes for purposes of police on both sides."

On March 23 the whole question of American relations and Canadian defenses was again debated in the Commons.[1] During the debates, Mr. Cardwell received a dispatch from Canada stating that the United States intended to withdraw the notice for the abrogation of the Agreement of 1817. The news that the United States would abide by the agreement,

[1] Parliamentary Debates, Vol. 178.

and that the passport system on the Canadian border had been abandoned, created a good effect both in England and in Canada. There was even well-grounded hope for a new reciprocity treaty. Mr. Cardwell, the Colonial Secretary, announced the decision of the London Government also to abide by the arrangement of 1817. Gradually, members of Parliament turned from fortifications, and began to advocate plans for encouraging the settlement of Canada. The long-tried plan which had prevented a competition of expenditure upon the historic waterways was still considered a precedent worthy of imitation. The fact that the slave Confederacy was, notwithstanding former prophecies of British statesmen, now in its death-struggle, no longer rendered it necessary for the United States to adopt stringent measures for the preservation of the nation. Neither England nor America desired to embark into a policy of non-intercourse and armed frontiers, but rather to decrease the national prejudices which frowning fortresses would only serve to nourish.

There was an ambiguity in Mr. Seward's note of March 8 which might have caused misapprehension as to whether the previous abrogation had been rendered inoperative.[1] This led to some further correspondence between the two governments. In Mr. Seward's note to Mr. Adams he had said:

"You may say to Lord Russell that we are quite willing that the convention should remain practically in force; that this government has not constructed or commenced building any additional war vessels on the lakes or added to the armament of the single one which was previously its property; and that no such vessel will in future be built or armed by us in that quarter. It is hoped and expected, however, that Her Majesty's Government, on its part, so long as this determination shall be observed in good faith by that of the United States, will neither construct nor arm nor introduce armed vessels in excess of the force stipulated for by the convention referred to."

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[1] 20 Instructions, No. 1289, p. 89.

The British Government was apparently not satisfied with the wording of this note, and on June 15, 1865, the British minister wrote to Acting Secretary Hunter to ask whether Mr. Seward's dispatch of March 8 was intended as a formal withdrawal of the notice given November 23, 1864, or whether the Agreement of 1817 was now virtually at an end, leaving the matter of disarmament resting merely upon the good pleasure of each party.[1] "In the latter case," he said, "a very inconvenient state of things would exist," and he was directed to say that in the opinion of Her Majesty's Government the best course would be formal withdrawal of the notice of November 23, 1864. On June 16, 1865, Mr. Seward answered that the dispatch of March 8 was intended as a withdrawal of the previous notice within the time allowed, and that it is so held by the Government of the United States.[2] On August 19, 1865, the British minister once more wrote to Mr. Seward to say that his government understood from the notice that the agreement contained in the convention of 1817 would continue in force unless it should be thereafter terminated by a fresh six months' notice.[3] On August 22, 1865, Mr. Seward replied that the statement of Her Majesty's Government was accepted as a correct interpretation of the intention of the Government of the United States.

There was some further correspondence soon after in regard to revenue cutters, which was significant at this time. November 3, 1865, Mr. Bruce asked explanations as to several vessels which had recently been built by the United States for the lakes. Seward replied November 4 that they were for revenue purposes, and that their armament would not exceed the limit stipulated in 1817.[4] The prodigious development of physical power in the United States continued for a time to be a source of some alarm both in Canada

[1] 78 Notes to State Department.
[2] 13 Notes from State Department, p. 358, June 16.
[3] 78 Notes to State Department.
[4] 13 Notes from State Department, p. 438.

and England. With the fall of the Confederacy there was fear that idle soldiers would threaten Canada. In Canada the danger from the United States had been used as an argument in favor of the International Railway and the confederation of the British provinces. Members of Parliament felt that the continuance of the bond with Canada depended partly upon the good-will of the United States, and they were not so sure that the American policy of extension was not one of conquest. They sometimes mistook the momentary utterances of swaggering officers and demagogues for the abiding will of the great American people. Territorial aggrandizement has never been the passion of the North.

It is doubtless true that at the close of the Civil War many in the United States thought that in a few years Canada would be constrained for commercial reasons to knock for admission into the American Union, but it would have been a departure from the American policy to annex Canada by force. In the heat of excitement the press often assumed a threatening tone, and "colonels" for effect referred to the boundaries which "God Almighty had established," reaching to the Aurora Borealis on the north; Fenians organized to carry the green flag into Canada, and a congressman moved to grant them the right of belligerents; but if the government may be said to have had any policy in regard to Canada it was certainly not one of forcible incorporation. Its forcible incorporation could only have brought an element of disaffection into the nation. The disbanding of vast armies at the close of the Civil War, leaving irritating differences with England to be settled by diplomacy, was a triumph of the American principle. Stump orators had pandered to Anglophobia, British peers had harangued, American and British papers had screamed for bread, but the nations did not go mad. The common-sense of the people and the wisdom of their governments prevailed, and the countries were not plunged into disastrous war.

VII.

AFTER THE STORM.

The Adjustment of Irritating Questions and the Continuation of the Agreement of 1817.

After the four years of fighting on bloody battlefields the Father of Waters flowed unvexed to the sea, with both its mouth and its springs in the control of one nationality. After the shock of civil conflict had ended, a united people, without slavery, stood with a confidence born of experience ready to meet the problems of the future. The struggle of interests had developed character and thought. During the tempestuous reign of Andrew Johnson there was some fear that the strength of the nation would lead it into an offensive foreign policy. That the United States Government had no such policy in view is seen by the promptness with which disarmament was secured after the long struggle. The expulsion of the French from Mexico and the purchase of Alaska were not inspired by the desire of dominion.

The feeling which had been engendered against England during the war, however, led Fenians and others to hope for a chance to invade England's dominions. In May, 1865, the report of a scheme to annex Canada was brought to the attention of the State Department by Mr. Bruce, of the British legation.[1] One George W. Gibbons had advertised in the Brooklyn Eagle for three thousand volunteers to join a larger body for the invasion of Canada or Mexico. In one of his letters Mr. Gibbons said: "If we can get the consent of the President of the United States we will. If not, we will go anyhow." In another he said that he had three thousand

[1] No. 78 Notes to State Department, May 19.

men enlisted, and that the intention was "to declare war on Great Britain by invasion of Canada." Mr. Bruce, in calling the serious attention of the United States Government to this scheme, was correct in his conviction that the United States would take prompt steps to stop the "audacious proceeding."

The Fenians for several years after the close of the Civil War continued to threaten Canada. This organization had been in existence from the time that the Irish attempted to throw off the imperial rule of England. A branch was formed in the United States in 1857. During the Civil War its membership had increased fivefold. In June, 1866, two hundred Fenians, under their leader, O'Neill, crossed the river some miles below Buffalo and prepared to carry the green flag into Canadian territory.[1] The United States Government had sent the *Michigan* to patrol the river, but it arrived late. Several brave Canadians were killed while defending their country. The Fenians drove the Canadian forces as far as Ridgway, but here their attempt to invade Canada ended. The United States Government soon took decisive action. The Buffalo Express stated that but for this fact fifty thousand Fenians would have overcome Canada. General Grant placed General Berry, with thirteen companies, in charge of the frontier. A revenue cutter was also sent to patrol the river. It was felt at this time that a British gunboat was "needed in these waters," to aid those of the United States in preventing another invasion.[2] The Canadian Government was satisfied with the exertions of the United States, but thought it prudent to place three or four steamers on the St. Lawrence river and the lakes. These were manned by sailors from the war-ships in port at Montreal. On June 8, Lord Monck notified the Colonial Secretary as follows:

"With the assistance of the officers and men of the ships of

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[1] See *Buffalo Express*, May 31, 1891. Also, O'Neill: Fenian Raid (Official Report).

[2] *Toronto Weekly Leader*, June 8, 1866.

war now in the St. Lawrence, a flotilla of steamers has been chartered by the Provincial Government and fitted up as temporary gunboats for services both on the St. Lawrence and the lakes."[1] On June 19, Lord Monck requested Admiral Hope to detach, if they could be spared, four gunboats "for service on the lakes adjoining the Canadian front, in the event of any renewal of the late attack on the Province by the Fenians." It appears that a large frigate and a corvette were sent to the St. Lawrence by the British Government three successive years. In 1868 it was decided that no reduction should be made for that year, though there was some doubt expressed as to the necessity of it "as well as of the expediency of sending crews . . . to man hired steamers for the Canadian Government."[2]

Fortunately, there was no further immediate occasion for increasing the lake forces. Fenianism was a delusion. As the year drew to a close it seemed to be on the decline. The poor laborers and chambermaids were finding it to their economic advantage not to respond to the calls to furnish money to "head centres" and mock "senates." The Fenians did not get the sympathy that they had expected in the United States. Most of the newspapers opposed their lawlessness. A rampant congressman proposed that they be accorded the rights of belligerents, but he did not represent the great common people of the nation. Congress asked the President to intercede for the Fenians who had been taken prisoners in Canada, and after their release they were not prosecuted in the United States;[3] but this was done because it was felt to be the most efficient policy at that time, to bring the affair to an end. The government took a firm stand against violation of the peace. The postmaster of Buffalo, who was a Fenian, was promptly removed from office by President Johnson.[4]

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[1] Correspondence Relating to Fenian Invasions and Rebellion of Southern States, p. 141. Also, see page 145.

[2] Ib. , p. 164.

[3] H. Doc. 154. 39–1, Vol. 16, July 26, 1866.

[4] *Toronto Weekly Leader*, Aug. 31, 1866.

It would be hard to say what were all the elements of the American political feeling concerning Canada at this time. It is safe to say that there was no intention of plunging the country into another war by invading a foreign country. There was no general desire to appropriate forcibly foreign territory. Only in case of war with England was there any danger of the United States striking a blow at Canada. There was, however, an impression that the disadvantages following the abrogation of the Reciprocity Treaty would cause the Canadians to apply for admission to the United States. The Chicago Tribune, in January, 1866, said: "The Canadians will soon discover that free trade and smuggling will not compensate them for the loss of the Reciprocity Treaty. They will stay out in the cold for a few years, and try all sorts of expedients, but in the end will be constrained to knock for admission into the Great Republic."[1] In February, 1866, when commissioners from Canada ventured to suggest before a congressional committee at Washington that it would be to the advantage of both countries if the intervening waterways were neutralized in regard to commerce, Mr. Morrill, the chairman of the committee, said: "That will have to be postponed until you, gentlemen, assume your seats here."

The big ideas in regard to the "manifest destiny" of the United States which had been expressed by Polk in 1844, and Douglas in 1858, had not ceased with the fall of slavery. In 1866, one could hear talk in favor of "admitting British America into the American Union as four separate States." In December of that year, Thaddeus Stevens, in a public meeting at Washington, said that the United States would embrace the continent. Some American politicians, after the purchase of Alaska, spoke of hemming in the possessions of Great Britain by the purchase of Greenland. Discussions over the *Alabama* claims, and over other questions which had kept animosities alive, naturally led to a consideration

[1] *Chicago Tribune*, Jan. 6, 1866.

of the relation of Canada in case of a war. It was not a time favorable for the negotiation of a new reciprocity treaty. Mr. Chandler, of Michigan, in the heated debates of 1869, said that England should give up Canada to the United States, and announced that sixty thousand Michiganders were ready to overrun it. In 1870, Senator Pomeroy offered a resolution in favor of inquiring into the expediency of negotiating with Great Britain concerning the annexation of Canada.[1]

For two or three years before the Treaty of Washington in 1871 there was a revival of Fenian hopes for the invasion of Canada. In 1869-70 there were various rumors of their projects. On March 3, 1870, the United States District Attorney for Northern New York notified the Government at Washington that he had information of a proposed concerted movement against Canada at several points upon the frontier, and he thought it was advisable "to place the United States steamer *Michigan* and the revenue cutters upon the lakes, in such condition that they could go into commission upon short notice."[2] Rumors of this kind were so common at the time that not much importance was attached to them. By an act of Congress the lake revenue cutters had been laid up for about three years, and could not have been made available without expensive repairs. The *Michigan*, however, could have been prepared for active service as soon as the ice was sufficiently broken for navigation.[3] The government evidently did not deem it necessary to increase the forces on the lake frontier. The President soon found it necessary to issue a proclamation against the Fenians, however. There was an attempted invasion of Canada by five hundred men from Vermont in May, but the attack was frustrated. Dur-

[1] Misc Doc. 140, 41–2, May 19, 1870.

[2] Miscellaneous Letters, March 7, 1870. Attorney General Hoar to Secretary Fish, enclosure.

[3] Miscellaneous Letters, March 10, 1870. Secretary of Treasury Boutwell to Secretary of State Fish. Also, Secretary of Navy to Secretary of State.

ing the next year Canada had to call out troops at three different times in order to defend the frontier from threatened attacks of the Fenians,[1] and there was some complaint that the United States had not been vigilant enough in preventing the organization of lawless bands.

After long negotiations the amicable settlement of irritating questions between England and the United States was finally arranged by the Treaty of Washington in 1871. It provided for the arbitration of claims of the United States against Great Britain for the damage done by Confederate vessels fitted out in English ports during the Civil War. It also provided for the settlement of claims against the United States on account of the interference of American fishermen in Canadian waters since the abrogation of the Reciprocity Treaty. There were various clauses in the treaty which directly affected the relations between Canada and the United States. It provided for a clearer definition of the northwestern boundary. The navigation of the St. Lawrence was to be forever free and open, for commercial purposes, to the citizens of the United States. As an equivalent for certain fishing rights on the coast, British subjects were to have, with certain restrictions, free navigation of Lake Michigan. Goods were also allowed to be carried "in bond" across the border. Great Britain agreed to urge the Government of the Dominion of Canada to grant United States citizens the use of the Welland, St. Lawrence and other canals on terms of equality with the Canadians. The United States granted to British subjects the free use of the St. Clair flats canal, and agreed to urge the State governments to secure to them the equal use of the State canals connecting with the navigation of the lakes or rivers along the boundary. Canada had urged England to secure compensation for the wrongs done the former by the Fenian raids, but the United States claimed that this subject had not been mentioned in previous corre-

[1] Sir John McDonald, Premier Minister of Canada, in Canadian Commons, May 3, 1872.

spondence, and the point was dropped. For awhile it was feared that Canada would reject the treaty. The Dominion Prime Minister saw the danger of a "transfer of the recent feeling against England," and secured the ratification of the treaty, so that Canada could turn to a life of industry.[1]

There was an improvement in good feeling as soon as the Washington treaty received the sanction of the American Congress. Newspaper men of the United States turned to Canada to spend their summer vacation.[2] Excursionists from Canada visited the United States. This had a good effect in allaying angry feelings. While bloody war was being waged in Europe the wish in America was that we might long be able to "settle our strifes with no deadlier ordnance than diplomacy and negotiations."

From that day to this, though there has been no necessity for border defenses, various controversies have arisen at different times. Canadians have complained because they did not get the free use of certain state canals which they supposed they had secured by the treaty of 1871. When Canadian authorities protested, the United States Government replied that it had no control over state canals and could not compel States to act in the matter. Because in 1885 the United States refused to pass through the Sault Ste. Marie canal a Canadian vessel loaded with troops on their way to suppress the Riel rebellion, and because in 1892 President Harrison, in order to retaliate for discrimination against United States commerce,[3] ordered the levy of discriminating tolls on freights passed through this canal bound for Canadian ports, the Canadians have been led to build a canal of their own on the opposite side of the river. Tariffs have often ruffled the temper of the people on the border. Vari-

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[1] Sir John McDonald, in Canadian Commons, May 3, 1872.

[2] *Toronto Weekly Leader*, April 21, 1871. Also, see issue of July 28.

[3] Canada had granted a 90 per cent. rebate of tolls on the St. Lawrence traffic.

ous attempts at securing a new reciprocity treaty have failed.[1] Lack of free commercial intercourse after 1866 led many Canadians to favor a commercial union with the United States. This would have involved a break from their connection with England, which the Canadians would hardly have desired. Canada, though a democracy, still clings to some of the paraphernalia of monarchy. After 1873 the demand for protective duties became general among large classes of Canadian people. The Canadian Government in 1874, still desired freedom of trade, and obtained the consent of England to open negotiations with the United States for satisfactory commercial relations. Sir Edward Thornton, the British minister, and Honorable George Brown, a Senator of Canada, were accredited as joint plenipotentiaries to negotiate a treaty concerning fisheries, commerce and navigation with the United States. A treaty satisfactory to all three governments was agreed upon, but it was rejected by the United States Senate. Four years later there was a feeling in favor of freer commercial relations with Canada, but financial difficulties in the United States stood in the way of bringing negotiations to a successful end. In the fall elections of 1878 the protectionists were successful in Canada, and at the next session of the Dominion Parliament a tariff was enacted. Since that time both countries have found occasion to complain of new tariff bills. The American Congress has placed duties on coal, lobsters, eggs, etc.; Canadian legislation has excluded American cattle, and laid a retaliatory tax on lobster cans. Americans have responded to Canadian retaliation by threatening to stop the transmission of goods in bond and by new tariff provisions. New tariffs will doubtless continue to be the source of more or less irritation.

The question of fisheries has also been a source of considerable friction. In 1878, when Congress appropriated money for the payment of the Halifax award, it inserted a clause

[1] See Sen. Misc. Doc. 4, 40–2, Vol. 1., Dec. 9, 1867 ; Sen. Exec. Doc. 19, 41–2, Vol. 1, Dec. 22, 1869 ; H. Misc. Doc. 50, 43–2, Vol. 2, Jan. 25, 1875 ; H. Rps. 1127, 46–2, Vol. 4, Apl 23, 1880, and June 7, 1880.

saying that articles eighteen and twenty of the Treaty of 1871, referring to the coast fisheries, should be terminated as soon as possible. On July 1, 1883, the President of the United States gave notice of the desire of the United States to terminate these articles, and they came to an end July 1, 1885. On the question of lake fisheries, the Canadian Government has had some reason to complain. While by stringent restrictions on fishing it has endeavored to prevent the depletion of fish in the lakes, there is, on the American side, where the spawning grounds are almost entirely located, no uniformity of restriction in the state laws, and Canada suffers equally with the United States from the abuse of privilege by which American fishermen have made inroads into the young fish. The fish have discovered that they are safer on the Canadian side of the line, and are found there in larger quantities. This fact has attracted American fishermen to steal across the boundary line, where they are subject to seizure. Several crews have been taken prisoners by the British revenue cruiser *Petrel*, their boats and tackle confiscated, and the men imprisoned for a time.

The clash of interests has at times produced much feeling, but there has been no desire by either party to create a system of rival defenses on the lakes. It is not improbable that possible future exigencies have several times been considered, but the *Michigan* has remained the only naval vessel upon the inland "high seas." In 1878 it was thought advisable to replace the *Michigan* by a better vessel, but it was thought that such a change might be an infraction of some treaty. In November of that year Mr. R. W. Thompson, Secretary of the Navy, inquired of the State Department whether any of the provisions of the Agreement of 1817 had been abrogated.[1] He was informed that the agreement was still in force.[2] A few days later, in his annual report, Mr. Thompson said in regard to the *Michigan:* "The vessel

[1] Miscellaneous Letters, Nov. 20, 1878. (Unofficial.)
[2] 125 Domestic Letters, p. 334. (Unofficial.)

is now very much out of repair, and requires extensive work to be done upon her in order to keep her in condition for service. If the obligation of 1817 remains in force, this would require a large expenditure of money, and it would probably be more economical to sell her, and apply the proceeds, as far as they would go, to building a new ship for special service." Mr. Thompson thought that whether the Agreement of 1817 was still in force since 1865 depended upon the decision of Congress. Congress took no action toward providing a new lake vessel.

In the spring of 1890 there were several petitions and memorials, especially from Chicago clubs, urging that it would be prudent to replace the deteriorated steamer *Michigan* by a sound vessel. It was stated that the United States should be adequately represented at the World's Fair, and "that if this vessel is seen by the foreign visitors to our country, during her annual cruise through the Great Lakes, it will become a matter of reproach to our government, and excite ridicule in those familiar with the superior modern vessels of other nations."[1] These memorials were referred to the Committee on Naval Affairs, but no further action was ever taken.

In 1892, at the time of the Behring sea controversy, it was reported that the Canadian Government was building three "vessels of war," which they styled "revenue cutters." The character of these vessels did not escape official attention. In the New York Recorder of March 8 the Washington correspondent says:

"The character of the revenue-cutters, as ascertained by the official investigation conducted by the Treasury Department, is believed by those who have looked into the question closely to be a violation of treaty rights to which the United States ought not to submit without some kind of a protest. Each one of the projected revenue-cutters would be available in case of hostilities for the purpose of actual warfare, and

[1] In File Office of House of Representatives.

would far outclass any vessels which would be at the disposal of the United States on the Great Lakes.

"Their presence in the lakes will be a constant menace, and as they are not needed for the legitimate objects of the revenue service, it is the opinion of Representatives and Senators who have been approached upon the subject to-day that Great Britain should be asked respectfully but firmly to explain their presence on the lakes, and if that explanation is not satisfactory, to abandon the idea of launching them.

"Any action of the Canadian Government looking to a strengthening of its forces in that quarter of the world just at the present time, when the Behring sea question has reached so critical a stage, can not, in the judgment of public men in Washington, be regarded with equanimity."

It does not appear that the United States Government ever objected to these modern "cutters." It was doubtless felt that there was no breach of treaty stipulations. United States cutters were also built, so that they would be capable of easy transformation into tight gunboats and dispatch vessels, in order that they might form an adjunct to the United States navy in case of necessity.[1]

Besides the naval vessel *Michigan*, the United States at this time had three revenue cutters stationed on the Great Lakes. The stations, tonnage, and armament of the vessels were as follows, viz.: Steamer *Perry*, at Erie, 281.54 tons, two 3-inch breech-loading rifles; steamer *Fessenden*, at Detroit, 329.81 tons, one 30-pounder Parrott, two 24-pounder Dahlgren howitzers and two 3-inch breech-loading rifles; steamer *Johnson*, at Milwaukee, 449 tons, one 30-pounder Parrott and two 24-pounder Dahlgren howitzers. A new revenue vessel of 450 tons was also proposed for the

[1] The Navy Department has very recently been asked to lend the old warship *Yantic* to the Michigan Naval Reserves. The vessel would have to be taken to the lakes through the St. Lawrence. The Naval Militia is not under the control of the Federal Government, but the sending of the *Yantic* to the lakes might be interpreted as an attempt to evade the terms of 1817.

lakes by an act of Congress in March. She was to replace the *Johnson*, which needed repairs. Besides these, the *Ann Arbor* and other vessels owned by United States citizens were built so they could be converted into vessels of war in case of future hostilities.

The consideration of the Agreement of 1817 was brought before Congress in 1892, not on account of the size of Canadian vessels, but by an interpretation placed upon the agreement by the Secretary of the Navy. In 1890, F. W. Wheeler & Co., of West Bay City, Mich., had made the lowest bid for the construction of the *Bancroft*, a practice ship for the use of the Naval Academy at Annapolis, Md., but their bid was not considered, because it was thought that the construction of such a vessel might be held to contravene the Agreement of 1817.[1] Senator McMillan, of Michigan, thought that this was unfair to the inland ship interests. On April 5 he presented a petition from the iron-ship builders of the Great Lakes praying for the early abrogation of the treaty of 1817.[2]

There was some doubt as to whether the Agreement of 1817 was still in force. Treasury officials were inclined to believe it had been abrogated by the notice which was ratified by Congress on February 9, 1865. This fact, together with the reported character of Canadian cutters, led Mr. McMillan, on April 11, to offer the following resolution, which was adopted:

"*Resolved*, That the Secretary of State be, and he is hereby, directed to inform the Senate whether the agreement entered into between the United States and Great Britain in the year eighteen hundred and seventeen, covering the question of the naval force to be maintained by the two governments on the Great Lakes of the United States, is now held to be in force by the Department of State, and what, if any, action has been taken by our government to revive or put in force the terms of said agreement, and if so, under

[1] Exec. Doc. 95, 52–1, May 6, 1892.

[2] Journal of Senate, April 8, 1892. *Chicago Tribune*, April 9, 1892, p. 10.

what authority or action on the part of our government such agreement has been held to be in force since the giving of the required formal notice by the President to Great Britain in December, eighteen hundred and sixty-four, of a desire on the part of the United States to annul said agreement at the expiration of the six months from the date of said formal notice, and the ratification of said notice by the act of Congress of February ninth, eighteen hundred and sixty-five."

At this time the conflict of economic interests was the source of some unpleasant feeling toward Canada. The Lake Carriers' Association complained of the Canadian canal tolls. There was also a renewal of an attempt to get national aid in constructing a ship canal from the Great Lakes to the Hudson river. As usual, the canal was advocated for military as well as commercial reasons. A representative of the Deep Water Ways Association, on February 1, before the House Committee on Railways and Canals, stated that in case Great Britain should ever give notice to terminate the Agreement of 1817 the vast American commerce of the lakes would be at the mercy of the light-draft vessels which they could soon force through the canals from the St. Lawrence. He went on to say:

"Commercially considered, a waterway from the lakes to the sea would be worth a hundred-fold its cost, although that cost will necessarily be large; but considered from a military point of view, it seems to me that this great nation can no longer afford to leave the commerce and the cities of our northern lakes in their present defenseless condition. We have not a fort or a gun worthy of the name on all the chain of lakes, and no possible way to put into the lakes a single vessel of war, while the other nation owning the territory on the north can put her whole naval armament with the exception of a few vessels into these lakes and have our cities and our commerce absolutely at their mercy unless we prepare some way in which to meet them."[1]

[1] H. R. 1023, 52–1, Feb. 1, 1892.

This statement must not be interpreted too seriously. Such papers as the Chicago Tribune and the New York Times held that a few forts for vital points were sufficient to keep British fleets out of the lakes in case of any future war.[1]

When Congress met in December the newspapers announced that a "complete disintegration of relations between Canada and the United States" seemed to be pending. President Harrison's message was characterized as "vigorously anti-Canadian in its tone," and the bill introduced by Senator Frye proposed to prohibit the transportation of goods through any part of the United States in Canadian cars, and providing under certain contingencies for the suspension of the transportation of Canadian goods in bond to or from any port in the United States. On December 7 the President sent to the Senate Secretary Foster's response to the resolution of Senator McMillan concerning naval forces on the lakes. Mr. Foster decided that the Agreement of 1817 was "to be regarded as still in existence;" that Mr. Seward's withdrawal of the notice for the abrogation of the arrangement was to be considered as authoritative as the notice itself, and that it would be unprecedented and inadmissible for England to do otherwise than accept and respect the withdrawal as it had been given, and that even if the continuance of the arrangement lacked express legislative action it at least violated no existing legislation. Mr. Foster thought, however, that the arrangement was unfit to meet modern conditions. He said:

"If as early as 1844 the Secretary of the Navy held that the sole consideration of steamers having taken the place of sailing craft for warlike purposes would justify a revision of the agreement; if the House of Representatives in 1864 regarded the opening of the Canadian canals as introducing an inequality incompatible with its engagements; and if, as Mr. Seward held in 1864, the informal arrangement of April, 1817, could scarcely have anticipated such a condition of

[1] *Chicago Tribune*, April 13, 1892.

things as the maintenance of a marine force adequate to cope with domestic troubles or civil war on either side, it seems most desirable now, in view of the long lapse of time and the vast changes wrought in these and other no less important regards, that the arrangement now grown obsolete in practice, and surviving in the letter only as a declared guaranty of international peace, should be modified to fit the new order of things, and with such adaptation to the exigencies of the future as prudence may forecast."[1]

Secretary Foster's communication created a stir at the American capital.[2] It was the principal subject of conversation for congressmen in the hotels and lobbies. The general sentiment was hostile to the reopening of the question.[3] It was feared that any modification of the agreement might invite serious complications. Even Senator McMillan, who introduced the resolution of inquiry, said that he had come to the conclusion, after a full investigation of the subject, that England had everything to gain and the United States everything to lose by changing the agreement. He contrasted the almost barren shores of Canada with the populous manufacturing cities on the opposite American shores, and referred to the immense commerce in American vessels upon the lakes. A British gunboat of modern type would be a constant menace. He said that "the occasional privilege of building a small man-of-war vessel would not be an inducement for a change." Representative Chipman, of Michigan, a Democratic member of the Foreign Affairs Committee in the House, said that the armed vessel clause of the agreement should not be abrogated before the construction of ship canals around Niagara Falls to the tide-water of the Hudson river. He added: "The fact that Great Britain controls the St. Lawrence and the canals between Lake Ontario and Lake Erie must not be forgotten." Representative

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[1] Exec. Doc. 9, 52–2, Dec. 7, 1892, p. 34.

[2] *Washington Post*, Dec. 8, 1892. Also, Dec. 9, 22, 24, 25 and 27.

[3] *Detroit Free Press*, Dec. 9, 1892. *Chicago Tribune*, Dec. 9, 1892.

Herbert, chairman of Committee on Naval Affairs, believed that it would be a wise thing to leave the agreement unmodified. He said: "My own idea would be that it is best not to allow any war ships into the lakes during time of peace and, in event of hostilities, the proper thing to do, it seems to me, would be to seize the Welland canal with an army and then destroy it with dynamite. Such an act as this would make it impossible for England to get any of her ships upon the lakes." Even Senator Frye, of Maine, who had at first spoken in favor of the immediate abrogation of the agreement, by the last week of December was not much concerned about it. He did not think that England meant mischief upon the lakes.

The editorials in the Washington Post and a few other newspapers insisted that in view of the recent friction with Canada, in regard to fisheries and canal management, the character of the new Canadian vessels should not be viewed without apprehension. It was generally considered, however, that the Canadians had no hostile intentions. Mr. C. H. Tupper, of the Canadian Government, said in an interview concerning the relations between Canada and the United States that the vessels built by Canada on the Great Lakes were simply revenue cruisers and cruisers to protect the fisheries. He denied that their construction had in any way violated the treaty with the United States.[1]

In October, 1895, at a time when diplomatic relations with England were somewhat disturbed over the Venezuelan boundary question, a fresh discussion of the Agreement of 1817 was occasioned by the refusal of the Navy Department to award to the Detroit Dry Dock Company the contract for two twin-screw gunboats on which this company was the lowest bidder. Secretary Herbert, of the Navy, said that if the language of the Agreement of 1817 had been "build *and* maintain" instead of "build *or* maintain" the Detroit firm

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[1] London *Times*, Dec. 21, 1892, p. 5, column 5. Also, see *Detroit Free Press* for Nov. 29, 1892, p. 2.

should have had the contract. He would not reverse the decision of the previous administration. Judge Advocate General Lemly recommended the rejection of the Detroit bids on the ground that their acceptance would be in violation of the spirit if not the letter of the agreement. He even held that vessels could not be constructed on a lake port piecemeal and then assembled on the seacoast. The Detroit company appealed the case to President Cleveland. There was considerable newspaper comment against an arrangement which thus discriminated against lake shipbuilders.[1] Some of them spoke of the Canadian "cutters" as being a secret and underhand violation of the agreement, and asked, "why shall we not feel ourselves privileged to build gunboats for ocean use openly and above-board?" A prominent Eastern shipbuilder stated that it was "an outrage upon our national manhood and a disgrace to our flag," and that it was time for a "Declaration of Independence on the Lakes." In a letter to a member of President Cleveland's cabinet he said that "the whole treaty . . . ought to be torn up and consigned to the waste basket," and he thought that if the "rugged and forceful mind" of the President was brought to bear on the question he would be disposed to "act in the American fashion." Mr. Cleveland after thoroughly considering the matter approved the action of the Secretary of the Navy in rejecting the bids. He said: "The agreement made between the United States and Great Britain in 1817 contains a stipulation that no such vessels shall be 'built' on the great lakes. This agreement is too explicit to be explained away. While the passing of the exigency in which it originated and the change of conditions that have since occurred may furnish reasons for its annulment in the manner provided in the contract, they do not justify such a plain disregard of it as the carrying out of the bid of the Detroit Dry Dock Company would involve."[2]

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[1] Philadelphia *Ledger*, Oct. 25, 1895. Chicago *Times Herald*, Oct. 27 and 29. *San Francisco Chronicle*, Oct. 29. *Toledo Blade*, Oct. 29.

[2] Philadelphia *Times*, Nov. 3. *Chicago Post*, Nov. 2. Baltimore *Sun*, Nov. 4.

It was also claimed, probably correctly, that if occasion had arisen the British would have placed upon the Agreement of 1817 a more liberal construction, which would have allowed war vessels to be built on the lakes. Such an interpretation, however, could not be of much value to the ship-building interests of the lakes unless the United States had the right of passing war-ships through the Welland and St. Lawrence canals. A treaty or permit would be necessary to secure the passage of our gunboats through Canadian canals to the ocean. But, having denied Canada the privilege of passing her volunteers through the Sault Ste. Marie canal during the Riel rebellion, the United States Government would hardly desire to ask a similar favor of the Canadians,[1] and especially so when diplomatic relations were not the best. Even if such permission had been obtained, only boats of less than twelve feet draft would have been able to pass.

Notwithstanding this fact, steps were taken in November, 1895, to secure the abrogation of the agreement by Congress. The Detroit city council took the initiative in urging this policy.[2] Other lake cities were asked to join in the movement. The mayor, in his message to the council, said:

"Primarily, it is an injustice to the capitalists whose money is invested and the American architects whose brains are actively engaged, and to the myriad of mechanics whose labor, with the other quantities mentioned, has built the superb fleet of fresh water merchantmen which is the pride of the great lakes, that they are debarred from entering into legitimate competition with their competitors on the seaboard in the construction of vessels for the American navy."

A circular letter, sent by the mayor of Detroit to the mayors of the other lake cities, was in part as follows:

"The work of ship construction in the lake region has attained to a degree of prominence that demands some recognition from the general government in the award of con-

[1] *Marine Record* (Cleveland), Oct. 31, 1895.

[2] *Detroit Free Press*, Nov. 8. *Detroit Tribune*, Nov. 9. *Port Huron Times*, Nov. 14.

tracts for naval vessels. And the excuse of a possible conflict between rival naval forces on the lakes, is no more to be accepted seriously than a possible conflict of the same naval forces in the Gulf of Mexico, or the harbors of Hawaii or China in time of peace. If a navy is to be maintained at all, there is as good reason for maintaining a fleet upon the Great Lakes as upon the eastern coast of the United States, and far greater reason, in view of the relative importance of the commercial vessel interest, than to maintain it on the Chinese or Japanese coast."

Considerable newspaper comment followed the publication of this circular.[1] It would be hard to analyze all the elements which influenced the discussion. Personal and local as well as national interests entered into the considerations. In some cases the desire to "attract" Canada was avowed. Some wanted a show of naval force to "protect" the lake commerce and to inspire "Miss Canada" with the respect which coy maidens have for strength and power. Others held that the timid maiden across the lines would become alarmed by the paraphernalia of war. Still others preferred friendship to matrimonial advances. Though there was no small expression in favor of a modification of the agreement, the agitation for its abrogation was unsuccessful. The Detroit Tribune held that any benefits which might flow from the abrogation would be dearly paid with a system of rival navies racing upon the waters where the United States had hitherto held absolute strategic possession. The Chicago Tribune said: "If England wants the agreement to stand and is willing to live up to it honestly, the United States should interpose no objection." In reply to the Detroit circular letter the mayor of Port Huron stated that he was not ready to join in an effort to abrogate a treaty which had "for over fifty years given the United States almost un-

[1] *Detroit Evening News*, Nov. 14. *San Francisco Chronicle*, Nov. 11. *Chicago Tribune*, Nov. 15, 16 and 18. Baltimore *Herald*, Nov. 18. *Detroit Tribune*, Nov. 18. *Detroit Evening Press*, Nov. 19. *Port Huron Times*, Nov. 19. *Detroit Free Press*, Nov. 27.

disputed possession of our great inland seas upon which the white-winged messengers of American commerce, flying the American flag, manned by American seamen, built by American capital, pass and repass our very doors unmolested by a single ship of war." If the mayors of other cities favored the proposed abrogation the matter was at least never brought before Congress.

In the newspaper discussions it was claimed, perhaps with some grounds, that the British had in convenient warehouses an equipment which could transform some good Canadian lake merchant boats into dangerous war vessels. General Miles also called attention to this fact, and stated that "in case of a war with England this country would be at a frightful disadvantage on the lakes." He did not think a war with England was likely, but he contended that the United States should be prepared for any emergency. In November and December the newspapers were full of dispatches and editorials relating to the defense of the lakes.[1] In the Navy Department at Washington it was proposed to accumulate a supply of rapid-fire rifles, so that the large American lake vessels could be rapidly armed and converted into gunboats in case of an emergency. In this way it was said that a formidable fleet could quickly be put afloat on the lakes. Some men occupying front seats in their party spoke often of an approaching irrepressible conflict between the two great English-speaking nations, said it had as well come to blows as to be postponed, and began to settle plans of foreign alliances in their minds. But luckily they were not the guiding stars of that true American foreign policy which neither cultivates special enmities nor "entangling alliances."

The crisis in the Venezuelan dispute was reached a few days before Christmas, when President Cleveland, in a deliberately prepared message, announced the attitude of the

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[1] Baltimore *Herald*, Nov. 7. *Detroit Free Press*, Nov. 7. Chicago *Times-Herald*, Dec. 20. Baltimore *Herald*, Dec. 21. *Superior* (Wis.) *Leader*, Dec. 24. *Washington Evening Times*, Dec. 24.

United States. Affairs moved at a rapid pace for several days. The Canadian Government took steps to negotiate for lake vessels which could be converted into cruisers in case of war. Commercial interests were disturbed, and there were panics in securities, but the waves of belligerency which had been sweeping over the country for several months had already reached their greatest height. They rapidly subsided at the beginning of 1896, when it became evident that the English Government showed no disposition to precipitate a quarrel by adopting a policy which would call into question any interpretation which the United States Government might place upon the "Monroe doctrine." The Venezuelan question was adjusted satisfactorily to all parties. The relations between England and the United States became more harmonious than they had been for years. It was felt that future differences could be settled by the mutual good sense and righteous feeling of the two peoples. There was a growth of sentiment in favor of providing for the settlement of disputes by arbitration. The people on each side of the lakes continued their usual peaceful vocations, with no other source of irritation than that which arose from the conflicts of commercial interests.

Though another war with England is not a probable contingency, sources of friction are liable to arise in the future as they have in the past. International difficulties between England and the United States will hardly play so large a part in future American history as they have in the past. The principal questions for future adjustment in Anglo-American relations are likely to be connected with the British possessions in North America.[1] This fact has been urged as a reason why these dependencies should become a part of our great American Union. In December, 1894, Senator Gal-

[1] The Behring Sea question has been the source of much discussion. It directly affects the relations between the United States and Canada. The discovery of gold on the upper Yukon may give rise to new international problems. Questions in regard to the eastern boundary of Alaska are liable to arise.

linger, of New Hampshire, offered a resolution for the union of Canada with the United States in order to stop the danger of war. In March, 1895, Senator Higgins, in a speech on the Naval Appropriation Bill, after referring to the military character of the Canadian Pacific Railway, and the inexpediency of assisting Canada in joint ship canals between the lakes and the St. Lawrence, said: "Every day that Canada remains a part of the British Empire she is a standing menace to us. . . We shall be in an incipient stage of conflict until . . . the whole American continent is governed in peace under the dome of this Capitol."

A union of Canada and the United States, even if it should be favored by the people of the United States, is not feasible. The greatest objection would not come from England, but from Canada herself. Canada at present practically governs herself. She has her own system of taxation. Her tariff favors England no more than it favors the United States. Her people, with their present political freedom, have no desire to break their connection with the British Empire. In case future expediency should lead to their separation from the Empire their national aspirations would probably lead them to form an independent nation. It is at least certain that there is at the present time no widespread desire of annexation to the United States. William Kingsford, in the preface of his eighth volume on the "History of Canada," writes: "In Canada we can have no feeling towards the United States but the desire to be the best of neighbors and the truest of friends." Canada would oppose an imperial federation with England as much as she would oppose being annexed to the United States. Under present conditions she desires to work out her own destiny.

In case Canada should ever become one of the independent nations of the earth, there need be no more use of frowning fleets to darken the inland waters than there is to-day. There would probably be no desire to establish an armed truce in place of the neutrality which has existed during the long period since British fleets went to the bottom of Lake Erie.

If the waters of the Great Lakes, sometimes reposing in apparent sluggishness, and sometimes lashed into spray and rolling waves by the tempests which sweep over them, and always rushing to the sea through the St. Lawrence, are forever to separate two nations, they may nevertheless be the means of washing out all enmity between the people on their shores and aid in preserving one common civilization.[1]

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[1] It has been urged by many persons interested in the lake commerce that the United States and Canada should secure a co-operative arrangement for the joint improvement and use of the waterways connecting the lakes with each other and with the sea. (See Proceedings of International Deep-Waterways Association, Cleveland, 1895.)

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