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The Relationship of William H. Seward to the Trent Affair

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THE RELATIONSHIP OF WILLIAM H. SEWARD

TO THE TRENT AFFAIR

by

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Christopher J. McGarigle was born in Chicago, Illinois December 5, 1919.

He was graduated from Mount Carmel High School, Chicago, Illinois, June, 1937. In June, 1939, he graduated from the Pre-Legal School of Woodrow Wilson Junior College, Chicago, Illinois. In February, 1940, he entered the Chicago Teachers College and withdrew from the college in November, 1942 to enter the United States Army. In February, 1946, he returned to Chicago Teachers College, and was graduated in June, 1946. Mr. McGarigle received a Bachelor of Education degree with a major in History.

From 1946 to 1949 the writer has been engaged in teaching for the Board of Education, Chicago, Illinois. During those years, he has devoted his time to graduate study in the field of History.
The purpose of this paper, as the title states, is to show the relationship of William H. Seward to the "Trent Affair".

In order for the reader to gain a true insight to this problem, he must understand the background of the relations between Great Britain and the United States between 1860 and 1862. The reader must also be familiar with the public and private life of William H. Seward up to this time. To blend these two ideas into the subject, it was necessary for the writer in the introduction to mention the attempts of the Confederacy to secure their recognition as a nation by Great Britain and France; the attempts by the United States to prevent this recognition; and the place and attitude of Great Britain and France towards the Confederacy and United States in 1861.

In the second chapter the author states the speeches, views, and beliefs of William H. Seward on matters which the author considered led to a feeling of distrust of Seward by Great Britain.

The third chapter consists of advice to Seward from the friends of the United States in London at the time of the Trent episode. It was the letters of these people which gave Seward insight and advice on the public opinion and attitude of Europe, mainly Great Britain, towards the Trent case. This advice, together with Seward's viewpoints on the seizure helped to bring the affair to a peaceful settlement, and thus eliminated European military interference which might have proved disastrous to the North in the Civil War.
Chapters four, five, and six do not require explanation in the Preface.

If, in the reader's estimation the author neglected to mention other outstanding occurrences at the time, it was because the author felt they were either outside the scope of the problem, or not necessary for a proper understanding of the subject.
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CHAPTER I

INTRODUCTION

During the first half year of the American Civil War, the policy of the British government toward the United States appeared to be one of unfriendliness. In the summer of 1861, troops were sent to Canada by the British government. Lord John Russell, the British Foreign Secretary, regarded this as necessary because of what he regarded as disturbed conditions in the United States. The upper classes of England taken as a whole, were decidedly hostile to the cause of the Union from a variety of motives. Englishmen recalled that a century had not passed since the colonists of New England had demanded for themselves the right of separating from the Mother Country, and could not restrain a certain satisfaction at seeing the United States in trouble; dislike of American business methods and materialistic views was common, and had found expression in a novel of Dickens, Martin Chuzzlewit. In addition, the feeling among the upper classes in England was then in sympathy with a graded or aristocratic state of society, and it could see this state existing in the South in

1 David Knowles, American Civil War, Clarendon Press, Oxford 1926, 73. Hereafter this work will be cited as Knowles.

2 Message Of The President And Diplomatic Correspondence, 1862, Government Printing Office, Washington, 1862, 60. Hereafter this work will be cited as Diplomatic Correspondence, 1862.
much the same way as in England,\(^3\) while the North had been in the habit of employing its democratic citizenship. For these and similar reasons, the majority of the English governing classes found their sympathy transformed into enthusiasm by the early Confederate victories of the war, and by genuine admiration for the character of the Confederate leaders.\(^4\)

In the North continued acts of unfriendliness such as the above, seemed to indicate a strong desire for recognition of the Confederacy and early intervention in American affairs by the British government.\(^5\) In the South these acts were an inspiration and renewed enthusiasm for the Confederacy.

From the time when secession began to be contemplated by the southern leaders, it was evident that they confidently expected foreign aid, both moral and material, in their efforts to establish their independence.\(^6\) A comparatively large and profitable commerce had been carried on for many years between the South and the nations of western Europe. It seems an exaggerated idea of the importance of this trade had impressed itself upon the minds of the secession leaders. They evidently believed that England would aid them in a war for independence which would be caused by a destruction of the cotton trade.

3 James F. Rhodes, History Of The United States From The Compromise Of 1850, Harper Brothers, New York, 1900, III, 502. Hereafter this work will be cited as Rhodes.

4 Ibid., 502.

5 Frank L. Owsley, King Cotton Diplomacy, University of Chicago Press, Chicago, 1931, 13. Hereafter this work will be cited as Owsley.

6 Ibid., 13.
These actions of the British government were brought under the scrutiny of the President and the members of his Cabinet. Secretary of State William H. Seward addressed a circular on October 14, 1861, to each of the governors of the loyal states bordering on the Atlantic Ocean or the Great Lakes.

The circular told of the attempts by the Confederacy to invoke intervention by foreign powers against the United States. It further stated that although these attempts had failed, every precaution must be taken to insure the safety of this country. Seward warned that our ports and harbors on the seas and lakes should be put in a condition of complete defense for "any nation may be said to voluntarily incur danger in tempestuous seasons when it fails to show that it has sheltered itself on every side from which the storm might come." He added that because Congress in its last session was chiefly absorbed during its extra session, with raising an efficient army and navy, it did not provide as amply as could be wished for the fortification of our sea and lake coasts. Thus, the states with the approval of their legislature should perfect the defenses of their state at their own expense and in his opinion would later be reimbursed by the Federal government with the consent of Congress.

This circular caused great comment both in Canada and England. The Canadian press declared that fortifications along the northern frontier of

7 Frederic Bancroft, Life of Seward, Harper Brothers, New York, 1900, II, 213. Hereafter this work will be cited as Bancroft.

8 Ibid., II, 212, quoting Seward.

9 Ibid., II, 212.
the United States were a menace to their dominions, and would be immediately equaled by defenses which they proposed to erect.10 The London Times regarded the circular as a menace and pronounced it "ill-timed", and "a foolish confession of fear".11 At the time of the Trent seizure the London Times again began to comment and severely criticize Seward for his circular.12

It is interesting to notice that Seward's circular was issued three days after the escape from Charleston of Mason and Slidell, the Confederate Commissioners to England and France. The objects of their mission had undoubtedly been well understood at Washington for some time, and this probably had something to do with the issuing of the circular.

According to Gideon Welles, Secretary of the Navy, the federal government at all times pursued a policy of the most determined and unyielding opposition to any foreign intervention in behalf of the insurgents.13 In the first important despatch to William L. Dayton, the new Minister to France, on April 22, 1861, Seward acknowledged the necessity of force to put down the rebellion. With the increase of danger at home, his expressions against foreign interference became stronger. Whatever else, the President might consent to do, he would never invoke or even "admit foreign interference

10 Charles F. Adams Jr., Charles Francis Adams, Houghton, Mifflin, New York, 1900, 225. Hereafter this work will be cited as Charles F. Adams, Charles Francis Adams.

11 London Times, November 5, 1861, 6.

12 Ibid., December 2, 1861, 6.

13 Gideon Welles, Lincoln and Seward, Sheldon and Company, New York, 1874, 88. Hereafter this work will be cited as Welles.
or influence in this or any other controversy in which the government of the United States may be engaged with any portion of the American people. After indicating that he had no apprehension of unfriendly action on the part of France, he recorded this warning to whom it may concern.

Foreign intervention would oblige us to treat those who should yield it as allies of the insurrectionary party, and to carry on the war against them as enemies. The case would not be relieved, but on the contrary, would only be aggravated, if several European states should combine in that intervention. The President and the people of the United States deem the Union, which would then be at stake, worth all the cost and all the sacrifices of a contest with the world in arms, if such a contest should prove inevitable.

The Confederate convention after its organization at Montgomery in February, 1861 adopted resolutions that steps be immediately taken to send agents abroad for the purpose of presenting the cause of the Confederacy to the governments of Europe. After Jefferson Davis was installed in office, he appointed as foreign agents William L. Yancey, of Alabama; Dudley Mann of Virginia; P. A. Rose of Louisiana; and T. Butler King of Georgia. Early in March these men proceeded to their destination by way of New Orleans and Havana. They were empowered to secure the recognition of Confederate independence by European nations and to conclude treaties of amity

14 Message Of The President And Diplomatic Correspondence, 1861, Government Printing Office, Washington, 1861, 199. Hereafter this work will be cited as Diplomatic Correspondence, 1861, quoting Seward.

15 Ibid., 200, quoting Seward.
and commerce with them. Yancey and Mann were to operate chiefly in England; Rost and King in France, although other countries were to be visited.

Secretary Toombs instructed these emissaries that it was the confident expectation of the President of the Confederacy that the government of Great Britain would speedily acknowledge Confederate independence and welcome them among the nations of the world, and that it was not regarded as within the range of possibility that the seceded states could be induced to reenter the Union.

Yancey was primarily an orator and an agitator; he was a man of fascinating manners; besides being a good representative of the slave-holding aristocracy. Rost was a Frenchman by birth, and like Pierre Soule, he early gained distinction at the Louisiana bar, and became a judge of the supreme court of that state. It was expected that he could effectively address his countrymen in their own language about their interest in the Confederacy, and especially in talks concerning Louisiana. Mann had much experience in both the diplomatic and the consular service of the United States. It was he that was sent on a special mission to Hungary when the Whig and the Democratic politicians pretended to be so eager to help her

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16 Owsley, 52.

17 James M. Callahan, Diplomatic History Of Southern Confederacy, Johns Hopkins Press, Baltimore, 1901, 109. Hereafter this work will be cited as Callahan, Diplomatic History.

18 Owsley, 52.

19 Ibid., 53.
gain independence.

The commissioners reached London about the time that the fall of Fort Sumter was reported. There had been a great change in public opinion. Europe had watched the secession spread and had seen no marked check put upon the movement by the United States. As Seward wrote: "Disunion by surprise and impetuous passion, took the first successes, and profited by them to make public opinion in Europe." Many writers have taken more pains to formulate a grievance against Great Britain than to reach a fair understanding of the reasons for her actions at this time. The world knew that the seceding states were insurrectionary, and when Northern leaders like Douglas, supported by the official statement of the Secretary of State, said that such states could not be subdued, Europe and especially England, believed them. Se
cession was so formidable and apparently so complete, that all but compari
tively few Englishmen concluded that a war against it would be unsuccessful and therefore wrong. That such a man as Cobden shared this opinion is strong evidence that it was an honest conviction. According to Henry Adams, "This state of public opinion was natural, and not a subject for complaint so much as for correction."

20 Diplomatic Correspondence, 1861, 51.


On July 15, 1861 Mann and Yancey wrote to Toombs from Paris, their thoughts, that all they could do was to influence public sentiment in an unobtrusive manner until some favorable event at home should furnish an occasion for them to press for recognition. On July 15, 1861 Yancey and Rost reported that Napoleon considered his European policy so important to France that he would wait to follow Great Britain's lead on the American question.

At this time Lord Lyons' advice to Russell was that no rebuff should be given the Southern Commissioners when they arrived in London, but that they be treated well. This he thought might open Seward's eyes to his folly. Still Lyons did not yet fully believe that Seward would be so vigorous as his language seemed to imply, and on March 29 he wrote that "prudent counsels" were in the ascendent, that there would be no interference with trade at this time, and that a quieter tone was everywhere perceptible in Washington. Yet Russell was not wholly undisturbed by the reports of Seward's quarrelsome attitude, for in a letter of April 1, 1861, he wrote to Lyons.

I rely upon your wisdom, patience, and prudence, to steer us through the dangers of this crisis. If it can possibly be helped Mr. Seward must not be allowed to get

23 Robert J. Bartlett, Record Of American Diplomacy, A. A. Knopf, New York, 1947, 288. Hereafter this work will be cited as Bartlett.

24 Callahan, Diplomatic History, 119.

25 Great Britain Foreign Office, British and Foreign State Papers, Ridgway, London, LV, 549. Hereafter this work will be cited as State Papers.

26 Ibid., 551.
us into a quarrel. I shall see the Southerners when they come, but not officially, and keep them at a proper distance.\textsuperscript{27}

It is an interesting query, whether this fear thus expressed of Seward's temper was not of distinct benefit to the United States at the moment when the Southern Commissioners arrived in England. The inference would seem to be clear, that in spite of Lyons' advice to treat them well, the effect upon Russell of Seward's attitude was to treat them coolly.\textsuperscript{28} It is of course uncertain how much Seward's threats had to do with the apparent moderation of caution of either government. Adams believed that Great Britain's inclination to enter into negotiations with the Confederates would have been yielded to in course of time, but for the warning which came from Seward against precipitation.\textsuperscript{29} "In lieu of the former rashness has come a proportionate timidity."\textsuperscript{30}

After spending seven months in Europe these agents accomplished nothing, but Jefferson Davis remarked that their efforts for recognition of the Confederate States by the European powers in 1861, served to, "make us better known abroad, to awaken a friendly feeling in our favor, and cause a respectful regard for the effort we were making to maintain the independence of the Confederate States."\textsuperscript{31}

\textsuperscript{27} Ibid., 554.

\textsuperscript{28} Callahan, \textit{Diplomatic History}, 111.

\textsuperscript{29} Charles F. Adams, \textit{Charles Francis Adams}, 205.

\textsuperscript{30} Ibid., 206, quoting Adams.

\textsuperscript{31} Jefferson Davis, \textit{Rise and Fall of Confederate Government}, Appleton Company, New York, 1887, I, 469. Hereafter this work will be cited as Davis.
At this point it would be safe to assume that one of the chief motives which induced the Confederate government to seek recognition abroad was a hope that the United States would become involved in a foreign war as a consequence. If this was achieved they would then be able to form a foreign alliance which would have greatly aided their cause. In addition, Confederate victories during the summer and early in September strengthened the belief of the Confederates that Great Britain and France would soon be impressed by their military power.

Jefferson Davis determined to try the effect of a second and more formal mission. The new representatives were to be commissioned as ambassadors for the Confederate States. James M. Mason, of Virginia, was selected to represent the Confederate States in England, and John Slidell, of Louisiana, was to represent the Confederacy in France.

James M. Mason had represented Virginia in the United States Senate, and while a senator was chairman of the senate committee on foreign affairs, and was author of the fugitive slave law. He was one of the first to advocate the secession of Virginia.

John Slidell, a native of New York, had in early life become a citizen of Louisiana after marrying a French Creole lady. He entered public life in 1842, being elected to the House of Representatives. This man repre-
sented Louisiana in the United States Senate when his state seceded from the Union. The object of the mission of Mason and Slidell to Europe was to secure, if possible the recognition of the independence of the Confederate government by the respective states to which they were accredited; to effect alliances or to conclude treaties of commerce or amity;36 to procure the intervention of France and England; to neutralize and defeat any diplomatic measures of the United States in Europe; to serve the financial and military needs of their government by procuring foreign loans; securing munitions of war, granting commissions; and in short to aid the Confederacy by every means in their power.

William H. Seward had anticipated the work of all Confederate agents abroad and had sent to each United States minister, accredited to any country which he thought would be applied to by these agents, a carefully prepared letter of instructions containing an outline of the arguments to be used in thwarting the efforts of the southern representatives.

At this point I would like to mention a few of the instructions given to Charles Francis Adams, United States Minister to Great Britain, which were the most careful and extended of any. Seward thought the agents of the Confederates would ask recognition as a measure of retaliation against the Morrill Tariff.37 He believed that England should not be in haste to


assume that the Confederate States would offer more liberal facilities for trade than the United States would be disposed to concede. He also wrote that a recognition of the Confederacy would be equivalent to a British desire to see a prosperous nation permanently dissolved and the excuse for so doing would be only a change in the American revenue laws which could be only temporary because public sentiment in the United States would probably demand a change. If war rather than peace should mark the existence of the new government, there would be very strong temptations to levy an import duty since that would be one of their chief means of raising needed revenue. Adams was also instructed to remind the British government that their Empire was made up of communities and possessions, some of which were held by ties no stronger than those which held together the Federal Union, and the time might come when England would be put to the same test as the Union. "Dangerous action on their part might set a precedent and invoke future retaliation." Additional instructions were sent to Adams by Seward to supplement those already issued, and to keep Adams' perspective abreast with the American attitude. Seward hoped to persuade European nations to accept

38 Ibid., 2.
39 Ibid., 2.
40 Ibid., 2.
41 Ibid., 2, quoting Seward.
his theory that the de facto sovereignty of the United States continued to exist within the Confederacy, although the Constitution and all signs of federal authority—except in the Post Office Department which was carried on at the expense of the loyal people—had been superseded by Confederate control, and although it was repeatedly announced that there was to be no military coercion, no physical attempt to prevent the Confederacy from perfecting its organization at home in every direction.\(^42\) From the beginning he proclaimed with confidence that the resources of the United States would be adequate enough to meet every emergency, and that the panic had nearly passed. There must be no admissions of weakness in our Constitution, nor of apprehension on the part of the government.\(^43\) Suggestions of compromise must no be listened to, and if Great Britain should decide to recognize the enemies of the republic, she should also prepare to enter into an alliance with them. Our opposition to British interference was not to rest on the ground of any favor. No moral question, such as slavery, that might be supposed to be at the basis of the domestic conflict was to be brought into debate before the British government; for it was not to be forgotten that all the states must always continue to be equal and honored members of the Federal Union, and that their citizens throughout all political misunderstandings and alienations "still are and must always be one kindred and countrymen."\(^44\) Above all the citizens of

\(^{42}\) *Diplomatic Correspondence, 1862*, 36.


\(^{44}\) *Ibid.*, 37.
the United States and of Great Britain were of common descent, language, customs, sentiments, and religion. The government and people of Great Britain might mistake their commercial interests, but they could not be indifferent to their ambition for civilization and humanity.45

These are a few of Seward's statements that warranted the conclusions of the London Times war correspondent, William H. Russell, that they contained an undercurrent of menace and an implication that England might wish to interfere.46

The United States were in fact, very weak, so far as making physical resistance to foreign nations was concerned. The thing best to possessing strength was to display a confidence of possessing it; for this would be a warning that if any power should yield to the temptation to intermeddle its actions would be promptly resented.47 It was absolutely necessary to insist that the national integrity was only slightly impaired, and that the United States would demand and extend respect. Otherwise there could be no likelihood of preventing an early recognition of the Confederacy.

45 Diplomatic Correspondence, 1862, 4.
46 William H. Russell, My Diary, North and South, Harper Brothers, New York, 1863, 70-71. Hereafter this work will be cited as William H. Russell, Diary.
47 Diplomatic Correspondence, 1862, 43.
CHAPTER II

BRITISH DISTRUST OF SEWARD

The British public, as distinguished from the government, deriving its knowledge of Seward from newspaper reports of his career and past utterances, might well consider him as traditionally unfriendly to Great Britain.

On February 11, 1852 in a speech before the United States Senate, Seward said that the patriots of Ireland were suffering imprisonment to restore their native land to liberty and independence and this interest was not merely personal, but that it was "reverential compassion indulged by the people of the United States for a fallen nation." He reviewed the ten centuries of Irish wrongs, and declared as a climax, "that never on earth was a revolution more just or more necessary than that attempted by William Smith O'Brien and his companions in exile." Seward viewed Ireland's misfortunes as living and crying, and England's offenses as unfortunate and inevitable; for he concluded this portion of the argument by saying:

But, sir, on an occasion like this, Ireland is entitled to, and from me she has received her vindication. The policy of England was the policy of the age and of systems; and this is her sufficient apology.

1 Congressional Globe, 1851-52, 32 Congress, 1 session, new series, number 33, 525. Hereafter this work will be cited as Congressional Globe, 1851-52.

2 Ibid., 526.

3 Ibid., 526.
It is a conservative summary of Seward's various declarations to say that he believed it to be the duty of well-established republics to encourage and support, morally and politically at least, every rebellious or revolutionary people striving to found a republic. All the leaders and their followers that might flee from the consequences of failure, and thereby become exiles should be welcomed by the United States, and given a portion of our public lands.

When discussing the Clayton-Bulwer treaty, Seward characterized Great Britain to be the foreign power that was "the greatest, the most grasping, and the most rapacious in the world." He continued that without a war on our part, Great Britain would disappear from this hemisphere within the next fifty years.

The acquisition of Canada by the United States had long been known to be one of Seward's favorite ideas. In February of 1861, Russell became suspicious of Seward's plans to incite a quarrel with Britain in case other plans should fail to reunite the North and South. It was well known that

4 Bancroft. I. 327.
5 Ibid., II, 52.
6 Congressional Globe, 1855-56, 34 Congress, 1 session, new series, number 19, 290. Hereafter this work will be cited as Congressional Globe, 1855-56.
7 Ibid., 290.
8 Rhodes, III, 532.
Seward had spoken of this as a means of compensation to freedom for the acquisition slavery had made on the South. In the debate about the fisheries in August, 1852, he said about Canada: "I am content to wait for the ripened fruit which must fall."  

After he returned from Labrador in 1857 he wrote a letter saying that his previous opinion about the future of Canada was dropped as a national conceit.  

I find them jealous of the United States and of Great Britain, as they ought to be; and therefore, when I look at their resources and extent, I know that they will be neither conquered by the former nor permanently held by the latter. They will be independent as they are already self-maintaining....  

On several occasions both before and after this time, he expressed confidence that the United States was to be the only power on this continent. This counter-prophecy of 1857 was soon forgotten, until during the Trent excitement it was brought to mind and used to refute the charges that Seward had used against Great Britain by advocating the annexation of Canada. 

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10 Ibid., I, 273.

11 Frederick W. Seward, William H. Seward: His Life And Letters, Derby and Miller, New York, 1891 II, 319. Hereafter this work will be cited as Frederick W. Seward, Life and Letters.

12 Ibid., II, 319.

13 George M. Trevelyan, Life of John Bright, Constable and Company, London, 1913, 318. Hereafter this work will be cited as Trevelyan.
William H. Seward was fortunate in having had much experience in discussing questions on foreign relations, for since 1857 he had been a member of the United States Senate committee on foreign affairs. Party leadership and his fondness for showy declarations and surprising prophecies had occasionally led him into saying unpleasant things about European monarchies. In a public letter in 1846, he announced that the monarchies in Europe were to have no rest while they had a colony remaining on this continent.\(^\text{14}\) When advocating a welcome to Kossuth, he maintained that this republic forever must be a living offence to Russia and to Austria and to despotic powers everywhere, and also that they will never by humiliations gain one friend or secure one ally in Europe or America that wears a crown.\(^\text{15}\)

To the doctrine of the natural equality of men as announced in the Declaration of Independence he added the belief that when one nation had established a government based on that doctrine, its mission was to aid every effort for republicanism and civil liberty in other parts of the world.\(^\text{16}\) He referred to Napoleon III as "the youthful and impatient Bonaparte, the sickly successor of the Romans."\(^\text{17}\) In 1856 he mentioned the treachery by which Louis Napoleon rose to a throne on the ruins of the


\(^{15}\) Ibid., I, 184.

\(^{16}\) Ibid., I, 175.

\(^{17}\) William H. Seward, Works, IV, 562.
Republic and he pronounced the French Empire as a "hateful usurpation."

In all Seward's dreams of territorial expansion was the expectation that they were to be realized by peaceful means, such as the quiet spread of population and the growth of commerce. In a speech of July 29, 1852, on the "Survey Of The Arctic and Pacific Oceans", Seward set forth his opinions as to the duty of the nation to maritime interests and as to the functions of commerce in bringing the Orient and the Occident into closer relations. He had reported from the committee on commerce a bill the purpose of which was to cause an exploration and the making of charts of those parts of the Pacific and Arctic Oceans traversed by our vessels engaged in whaling or in commerce with China and Japan. He was proud of the supremacy of American whale-fishermen, for between 1750 and 1824 England paid her whalers fifteen million dollars in subsidies. He showed that the most profitable fishing grounds were in the neighborhood of the Bering Straits where a large part of the exploration was to be made. He continued:

Who does not see that this movement of commerce must effect our own complete emancipation from what remains of

18 Ibid., IV, 562.
19 Ibid., I, 236.
20 Congressional Globe, 1851-52, number 124, 1935.
21 Ibid., 1935.
22 Ibid., 1937.
European influence and prejudice and in turn develop the American opinion and influence which shall remold institutions, laws, and customs in the land that is first greeted by the rising sun?... Whatever nation shall put that commerce into full employment, and shall conduct it steadily with adequate expansion, will become necessarily the greatest of existing states; greater than any that has ever existed....

Although England's flag was to be met almost everywhere, "rooted into the very earth," claiming supremacy in continents, and whatever is most valuable in all the oceans, and although her commerce was advanced by the never-tiring steam engines and by her thoughts, language, and religion, Seward believed that the resources of the United States were abundant for competition with her.

The recounting of two incidents that had occurred within a year greatly prejudiced the minds of the British Cabinet against Seward. In April, 1861, it was rumored that the Confederacy had purchased the Peerless, a ship lying at Toronto, to be used as a commerce destroyer, and that she was to go down the St. Lawrence River under the British flag and be delivered to them as sea. Seward demanded that Lord Lyons should take immediate action to prevent this, but the British Minister explained that his relation to Canada made compliance impossible. Seward then declared that

23 Ibid., 1939.
24 Ibid., 1940.
25 Ibid., 1944.
26 Spencer Walpole, Life of Lord John Russell, Longmans, Green, London, 1889, II, 342. Hereafter this work will be cited as Walpole.
27 Diplomatic Correspondence, 1861, 106.
he would have the ship seized by United States naval forces, and without informing the British government he dispatched George Ashman to Toronto on an official mission. Lords Russell and Lyons inferred from this action that Seward thought he could overawe Great Britain.\textsuperscript{28} They entered their solemn protests. Ashman was recalled; the Peerless did not go to the Confederates; and perhaps it was Seward's summary action that prevented it.

The other incident concerned the Duke of Newcastle. When the Prince of Wales was in Albany, late in 1860, Seward remarked to the Duke of Newcastle that he was soon to be in a position where it would be his duty to insult Great Britain, and he would proceed to do so.\textsuperscript{29} The Duke took the remark seriously, and as Colonial Secretary reported it to his colleagues. The newspapers soon relayed the information to the British public. The Newcastle conversation stuck in the British mind as indicative of probable trouble when Seward became responsible for American foreign policy.\textsuperscript{30} Seward might deny, as he did, that he uttered the alleged words,\textsuperscript{31} and his friend Thurlow Weed might describe the words as "badinage", in a letter to the London Times,\textsuperscript{32} but the Newcastle story continued to be material for fre-}

\textsuperscript{28} Walpole, II, 343.
\textsuperscript{29} London Times, December 14, 1861, 6.
\textsuperscript{30} Ibid., 6.
\textsuperscript{31} Thurlow W. Barnes, Life of Thurlow Weed, Houghton, Mifflin, London, 1884, II, 378. Hereafter this work will be cited as Barnes.
\textsuperscript{32} London Times, December 14, 1861, 6.
quent comment in the British press and also in private circles.

British Ministers would have paid little attention to Seward's speeches and remarks intended for home consumption, had there not been suspicion of other and more serious evidences of unfriendliness. Lyons was an able and well-informed Minister, and from the first he had pictured the leadership of Seward in the new administration at Washington, and had himself been worried by his inability to understand what policy Seward was formulating. 33

On January 7, 1860 Lord Lyons informed Lord Russell that Seward would be the Secretary of State and had expressed the fear that with regard to Britain he would be a "dangerous Foreign Minister." 34 It was felt that Seward's voice was sure to be a powerful one. 35 On February 4, 1861, in a letter to Russell, Lyons reported at length an interview with Seward, in which the latter had expressed his extreme confidence that the trouble in America was but superficial and that Union sentiment in the South would soon prevail. In another letter of the same date, however, Lyons asserted that Seward was indeed likely to be a very dangerous Secretary of State. 36 He had told Lyons that if European governments interfered to protect their commerce, he could unite America by a foreign war in order to resist such

33 Thomas W. Newton, Lord Lyons, Edward Arnold, London, 1913, I, 30. Hereafter this work will be cited as Newton.

34 Ibid., I, 30.

35 Ibid., I, 30.

36 Newton, I, 31.
interference.37 While himself expressing hope that a solution might be found for the difficulties in America, Lyons warned Russell that there were those who would solve these difficulties by a foreign war, especially if foreign governments refused to acknowledge a United States declaration without formal blockade closing the Southern ports.38 Lyons exhibited great anxiety in regard to Seward's attitude and suggested that the best safeguard would be close union by England and France, for if these two governments took exactly the same stand in regard to trade, Seward would hardly dare to carry out his threat.

Lyons' letter of February 4, 1861 called out from Russell an instruction in which it was repeated that advice to either party should be withheld and a strictly neutral attitude maintained, and Russell concluded by an assertion that if the United States attempted a jingo policy toward England, the British Cabinet would be tolerant because of its feeling of strength, but that "blustering demonstrations" must not be carried too far. Russell had foreseen, the possibility of what he considered a mere jingo policy for home effect in America. Now however, upon the repeated expression of fears from Lyons that this might be more than words, Russell began to instruct Lyons not to permit English dignity to be infringed, while at the same time desiring him to be cautious against stirring American an-

37 Ibid., I, 33.
38 Walpole, II, 317.
On March 20, 1861 Lyons told Seward in a confidential conversation that if the United States determined to stop by force so important a commerce as that of Great Britain with the cotton-growing states, he could not answer for what might happen. If a considerable rise were to take place in the price of cotton, and British ships were to be at the same time excluded from Southern ports, an immense pressure would be put upon Britain to use all the means in her power to open those ports. On March 25, 1861, Lyons gave a dinner for Seward and other foreign diplomats, and there Seward's violent talk about seizing any and all ships that tried to trade with the South, even if there was no blockade, made Lyons very anxious.

On April 1, 1861, Seward laid a program before the President entitled "Some Thoughts For the President's Consideration." The first half of the paper dealt with domestic policy and the latter part with which we are concerned, dealt with foreign relations.

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39 Newton, I, 39.
40 Ibid., I, 31.
41 Ibid., I, 31.
42 Ibid., I, 32.
43 Thornton K. Lothrop, William H. Seward, Houghton, Mifflin, Boston, 1899, 254. Hereafter this work will be cited as Lothrop.
three days before the "Thoughts" were written, the newspapers reported that a revolution had overthrown the Dominican Republic and had raised the flag and proclaimed the sovereignty of Spain. For some too it was well known that France, Spain, and Great Britain were considering the question of intervening in Mexico in order to stop the anarchy and violence detrimental to their interests. It was also rumored that a plan was developing to put a European prince upon a Mexican throne. The three European powers had not yet reached any agreement; and it was unwarrantable for the United States to assume that they intended to do more than enforce their just claims. As to Russia, the basis for demanding an explanation was to be found in the false reports in southern newspapers and in political circles in Washington that she was about to open diplomatic relations with the Confederacy. That part of Seward's paper which dealt with foreign relations read:

I would demand explanations from Spain and France, categorically, at one. I would seek explanations from Great Britain and Russia, and send agents into Canada, Mexico, and Central America to rouse a vigorous continental spirit of independence on this continent against European intervention. If satisfactory explanations are not received from France and Spain, I would convene Congress and Declare war against them. But whatever policy we adopt, there must be an energetic prosecution of it. For this purpose it must be somebody's business to pursue and direct it incessantly. Either the President must do it himself, and be all the while active in it, or Devolve it on some member of his Cabinet. Once adopted, debates on it must end, and all agree and abide.
It is not in my especial province; 
But I neither seek to evade nor assume responsibility. 45

Lincoln's rejection of this program rid this note of its dangerous features. To further explain, it must be remembered that Seward previously had stated that he deprecated war. In speaking on the Hungarian question in 1852, he said he would never counsel war except on the ground of necessary defence. 46 As late as January 12, 1861 he stated in the Senate that there is not a nation on the earth that is not an interested admiring friend of the United States. 47 At this time he seemingly ignored all these opinions and was zealous to do what would be most certain to make enemies of great nations and justify their combining and attaching the United States. Thus, he desired to stir up a foreign war as the main-spring of his policy, for it was the prerequisite of changing the issue. 48 Why in our critical condition, it would not have sufficed to pick a quarrel with one foreign nation at a time does not appear, unless it was that he was so bent on speedily having a conflict of that kind that he sought it in several places.

Seward's theory of the unifying effect of a foreign war can be


47 Ibid., IV, 662.

48 Ibid., IV, 662.
illustrated by the following examples. At the dinner of the New England Society, he had declared that, if New York should be attached by a foreign power "all the hills of South Carolina would pour forth their population to the rescue." In a speech of January 12, 1861 Seward declared that during the War of 1812 Jefferson had maintained that states must be kept within their constitutional sphere by impulsion, if they could not be held by attraction. According to Seward, Jefferson added that secession was then held inadmissable in the face of a public enemy.

Seward in his own mind believed the South had stronger ties to the federal government than to slavery, and that, if given time to reflect, they would not go to war in the interest of that institution. He also believed that he alone could furnish and direct the policy by which the country was to be saved. His ambition was for the Union vastly more than for himself. He sought power and mastery of the administration, not because he wanted glory, but because he honestly believed that that was the way for him to serve and save the nation.

On May 3, 1861 Lord Russell assured George M. Dallas that there was no disposition to take any advantage of the unpleasant domestic trouble

49 Ibid., IV, 649.
50 Ibid., IV, 653.
51 Ibid., IV, 653.
52 Lothrop, 275.
53 Lothrop, 258.
in the United States; but Dallas stated that English public opinion favored separation, and that it was expected that W. H. Gregory, a member of the House of Commons, would press a motion for the recognition of the Confederacy. Early in May, rumors of the issuance of letters of margue by the Confederacy, and Lincoln's declaration of a blockade, reached London. Russell requested Dallas to call, and informed him that the Confederate Commissioners were in London; that although they had not yet been seen, he was not unwilling to meet them "unofficially", and that France and Great Britain had agreed "to take the same course as to recognition, whatever that course might be", as Dallas reported. About the same time Russell announced in the House of Commons that a British naval force sufficient to protect British shipping was to be sent to the coast of the United States; and that it was the intention of the government to avoid taking any part in the American contest. Seward became greatly excited upon learning of the decision of Great Britain and France to act together. It plainly indicated an expectation that by joint action they could safely pursue the policy best suited to their political and commercial interests. The evident assumption was that their lead would be followed by other nations, and that the United States would not be able to resist such a

54 Diplomatic Correspondence, 1861, 81-82.
55 Ibid., 84, Dallas quoting Russell.
56 Ibid., 84-85.
57 William H. Seward, Works, II, 575.
combination of forces.

On May 17, 1861, Seward wrote that Great Britain was in danger of sympathizing so much with the South, for the sake of peace and cotton, as to drive the United States to make war with her, as the ally of the traitors. The long despatch of May 21, 1861 was the result. This despatch to Adams began with the declaration that our relations with European powers had reached a crisis, and that it was necessary for our government to take a decided stand on which "not only its immediate measures, but its ultimate and permanent policy can be determined and defined." Stating that the United States was ready to meet such a war with confidence and success, he wrote Adams that the United States after long forbearance had a right to adopt a blockade as a means of suppressing insurrection, and that the treatment to be administered to Confederate privateers was a matter for the United States alone to decide. He also stated that every unofficial intercourse with the Confederates was hurtful to the United States, and he added that Adams should desist from all intercourse whatever, official or unofficial, with Great Britain so "long as it shall continue intercourse of either kind with the domestic enemies of this country." Because the joint action of France and Great Britain had already been announced, but not put into practice, Seward doubtless inferred that a protest against it just then would be both ineffectual and unwise. Seward

59 Frederick W. Seward, Life and Letters, II, 575.
60 Diplomatic Correspondence, 1861, 87.
61 Ibid., 89.
62 Ibid., 88.
further stated that Britain will do well to remember:

...that in the controversy she proposes to open we shall be actuated by neither pride, nor passion...; but we will stand simply on the principle of self-preservation, and that our cause will involve the independence of nations and the rights of human nature.63

Seward's plan was that Adams should give Russell a copy of this paper and then break off diplomatic relations with the British government, a rupture that should last as long as Russell continued to hold either official or unofficial intercourse "with the domestic enemies of this country."64 Fortunately Lincoln struck out most of the indiscreet expressions, and made the whole despatch harmless by directing Adams to regard it as strictly confidential.65 Lincoln here acted as Seward's guide, and was to do so again, still more distinctly, in dealing with the Trent affair.66

William H. Russell, the London Times correspondent, in his diary said that the relations of the United States with England probably were considerably affected by Seward's failure in his prophecies as to the early suppression of the war.67 On July 4, 1861, Seward told Russell, the correspondent, that if any European power provoked a war the United States would not shrink from it, and had nothing to fear from a foreign war, though it should wrap the world in fire.68

63 Ibid., 90.
64 Ibid., 91.
65 Nicolay and Hay, Lincoln's Works, IV, 470.
66 Charles F. Adams, Charles Francis Adams, 184.
67 William H. Russell, Diary, 125.
68 Ibid., 131.
William H. Russell could not but admire his confidence and coolness. Years later, Seward admitted that he purposely made these assertions to William H. Russell knowing that they would rapidly reach the ears of the British Cabinet.

Thus, the material presented in this chapter gives ample reason for the British distrust of Seward as the time of the Trent affair approached the scene.
CHAPTER III

FRIENDLY ADVICE FROM LONDON AND PARIS

On November 27, 1861, the news of the seizure of Mason and Slidell from the deck of the British mail ship, Trent, and the transfer of the Confederate emissaries into northern hands reached England. More will be said about the reaction of the British people and government in the next chapter. In this chapter will be emphasized the parts played by John Bright, Richard Cobden, Thurlow Weed, and Charles Francis Adams in informing the United States government as to their interpretation of the reaction of Great Britain towards the seizure; and also their views, not only on the seizure, but as to the methods the United States should employ in settling the affair. All four men were friendly to the Northern cause and their importance exists not only from this fact, but also that they were in London, and they were well qualified to give their views towards the matter. In addition the viewpoints of these four men reached the ears of William H. Seward whose duty it was to guide the destiny of the United States in foreign matters. The first person to be considered will be John Bright.

By 1860 John Bright alone had shouldered the work to carry a real reform bill through Parliament. The hatred for him in England became so intense that before the reform fight was finished Lord Russell was censured for even inviting him to dinner. In America he was the object of great
admiration, and was urged to visit this country. Although he never came to the United States, he was probably one of the few English statesmen that had working knowledge of it. He sympathized with the struggle a democracy in the United States,¹ and he set out to give his countrymen a similar share in their government. As Barry O'Brien states:

Bright had no faith in aristocratic institutions. He believed in government broadly based upon the people's will; and it was to secure such a government that he advocated the cause of Parliamentary Reform.... It was Bright's policy to reform the system, and practically to transfer the government of the country from the privileged classes to the masses of the people.²

John Bright took a very conservative view of the Trent case. At a public dinner given at Rochdale on December 4, 1861, Bright made a speech in which he said that he did not endorse the seizure of the Southern commissioners, but believed that it was an unauthorized act for which sufficient reparation would be made.³ He thought that the United States had evinced a great desire to be guided by wise and moderate consels in the construction of cases under the maritime law. It had been asserted, Bright believed, that that this was one of a series of acts showing ill-will on the part of the North, but he believed that irritating accidents were unavoidable in a struggle like the present one and advised his countrymen to be calm. The noted pacifist reminded his fellow Englishmen

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1 Leonard V. Roth, "John Bright and The American Civil War", Old South Leaflets, IX, Number 2, 3. Hereafter this work will be cited as Roth.
2 Barry O'Brien, John Bright, A Monograph, Smith, Elder, London, 1910, 177. Hereafter this work will be cited as O'Brien.
how they were dragged into the Crimean War, and suffered the ensuing penalties of men, money, loss of trade, and the increased costs of European armaments. He then reminded the meeting that large number of English people had recently emigrated to the Northern states, and that people bound by such close ties could only be involved in war by misrepresentation, and the most gross and wicked calumny. In conclusion Bright prayed that in the future it might not be said by the "millions of freemen in the North that in their darkest hour of need the English people, from whom they sprung, had looked on with icy coldness on the trials and sufferings of their terrible struggle." This speech was the clearest note of battle for the North that had been sounded in England by an Englishman.

His letters to Charles Sumner, Chairman of the Senate Foreign Relations Committee, had much effect on American foreign policy, especially at the time of the Trent affair. On December 5, 1861, John Bright wrote a letter to Sumner in which he stated that if he were President of the United States, he would write a complete and capable answer to the case which would be written in a courteous and friendly tone, and then send this note to London. If this note would not be accepted, then the matter would be referred to an arbitration group consisting of European

4 Ibid., 4.
5 Ibid., 7
6 Ibid., 14.
7 Trevelyan, 313.
8 Roth, 20.
9 Trevelyan, 313.
governments. Bright firmly believed that if the seizure was not authorized by the United States, the difficulty would be smaller. He firmly hoped that the United States would act firmly and courteously. At this time, there was talk in a British Cabinet meeting that the Trent seizure was arranged by Mason, Slidell, Wilkes, and certain members of the United States government for the purpose of causing war between the United States and England. On December 7, 1861, Bright wrote to Sumner his belief that the United States would be able to produce strong cases from the previous actions of Great Britain in support of the seizure, but he doubted if the above action would change the opinion held in London. This important letter continued with the advice that the United States must put the matter in such a shape as to save its honor, and to put Great Britain in the wrong "if they refuse your proposition." Bright continued:

I am looking alone to your great country, the hope of freedom and humanity, and I implore you not on any feeling that nothing can be conceded, and that England is arrogant and seeking a quarrel, to play the game of every enemy of your country. Nations in great crises and difficulties have done that which in their prosperous and powerful hour

10 Ibid., 314.
11 Ibid., 314.
12 Charles F. Adams, "Trent Affair", Proceedings of Massachusetts Historical Society, Boston, 1912, 152. Hereafter this work will be cited as Charles F. Adams, Massachusetts Society.
13 Trevelyan, 315.
14 Ibid., 315.
they would not have done, and they have done it without humiliation or disgrace. You may disappoint your enemies by the moderation and reasonableness of your conduct, and every honest and good man in England will applaud your wisdom. Put all the fireaters in the wrong, and Europe will admire the sagacity of your government. 15

In the opinion of the author, Bright appears to be addressing and giving advice to Seward rather than Sumner. Of course the purpose of this correspondence was to enlighten the United States and Great Britain on their actions and attitudes towards each other. Special attention must be paid to this letter, and the tone and contents of Seward's final answer to Lord Lyons.

On December 14, 1861, Bright again warned the United States that if it desired victory against the South to have no war with England. 16 He advised the United States to make every concession rather than give Great Britain a pretence for aiding the South in the winning of the war. 17 He said that in case the demands by England cannot be complied with, to make an offer of arbitration or negotiation of some sort that will "make it impossible for our 'religious public' to support war." 18 He believed that the more generous and liberal the United States could be in their answer, the more difficult it would be for those people despising American

15 Ibid., 315, quoting Bright.
16 Ibid., 315; also Charles F. Adams, Massachusetts Society, 153.
17 Trevelyan, 315.
18 Charles F. Adams, Massachusetts Society, 154, quoting Bright.
Institutions to make war.\textsuperscript{19}

Richard Cobden also carried on a correspondence with Charles Sumner in which the problems existing in both countries were also expressed. These letters vindicate Cobden of the charge brought against him by his opponents. The charge concerned his being a disparager of his country.\textsuperscript{20} In arguing these points of international policy and law with Sumner, he never fails to protest against the high-handedness and disregard for precedent to which a government fighting for its existence is always prone. His judicious analysis of the change which public opinion in Great Britain underwent regarding the merits of the Civil War and the prospects of the "Trent Affair" is even today of great value. The consistent support rendered by Cobden and Bright to the Northern cause, and the evidence they presented to show that the democracy of Britain was heart and soul with the Union, went far to help establish better relations between Great Britain and the United States. At the beginning of the Civil War, Cobden did not realize the true significance of the struggle. Two of the reasons why his sympathy wavered between the North and the South were that he felt the North was the aggressor of the strife by attempting to prevent the South from seceding; and that the Southerners being slaveholders were Free-Traders.\textsuperscript{21}

\textsuperscript{19} Ibid., 154.

\textsuperscript{20} William H. Dawson, Richard Cobden and Foreign Policy, George Allen and Company, London, 1926, 236. Henceforth this work will be cited as Dawson.

\textsuperscript{21} John Morley, Life of Cobden, Chapman, London, 1881, II, 373. Hereafter this work will be cited as Morley.
Here he came under the influence of John Bright who felt that the breakup of the United States would be a damaging blow to the cause of freedom all over the world. From the time of the Rochdale speech, Cobden and Bright became identified with the support of the Northern cause.

In a letter written November 29, 1861, Cobden informs Sumner that he can count on the support of Bright, himself, and all of their friends in the Trent episode, but Cobden also reminds Sumner that the seizure will have little effect in discouraging the South, "compared with the indirect encouragement and hope it may hold out to them of embroiling your government with England." This letter mentions Cobden's lack of confidence in Seward, and places Seward in Cobden's estimation, in the same category as Lord Palmerston. On December 5, 1861, Cobden wrote to Sumner that he was enclosing a copy of John Bright's Rochdale speech, and conveys his interest in maintaining peace. He begs Sumner to send copies of any documents or despatches; relating to private property, and concerning seizure, which have not been made public in Great Britain. He feels convinced that the French Emperor would have the support of the French people if Napoleon III would enter into an alliance with Great Britain,

22 Ibid., II, 373.
23 Ibid., II, 390.
24 Ibid., II, 391.
25 John A. Hobson, Richard Cobden, T. F. Univirs, London, 1918, 346. Henceforth this work will be cited as Hobson.
and recognize the South. He continues:

For ourselves in England, in spite of the bluster of the Times, the majority are anxious for peace. Do not overrate the power of the Times.... Now its circulation is not perhaps one-tenth of the daily Press. The Star and the Manchester Examiner... circulate far more than the Times. But it cannot be denied that the great motives of hope and fear which kept us at peace and inclined the English Government always to recede in pending controversies with you are gone. The English people have no sympathy with you on either side.... There are two subjects on which we are unanimous and fanatical—personal freedom and Free Trade.... In your case we observe a mighty quarrel: on one side protectionists, on the other the slave-owners. The protectionists say they do not seek to put down slavery. The slave-owners say they want Free Trade. Need you wonder at the confusion in John Bull's poor head? He gives it up! Leaves it to the Government, Which Government, by the way, is the most friendly to your Government, that could be found in England, for although Palmerston is fond of hot water, he boasts that he never got us into a serious war. As for his colleagues, they are all sedate, peaceable men.

God bless us. "A mad world, my masters"!27

The noted historian, James F. Rhodes, does not agree with Cobden's viewpoint of the influence of the Times, but he does agree with the accuracy of Cobden's remarks on the British government and recommends that they be borne in mind.

On December 6, 1861, Cobden mentions that he had read General Scott's letter, and quotes a liberal portion of the text. The gist of the quotation

26 Ibid., 347.
27 Ibid., 350; also Rhodes, III, 529-530, quoting Cobden.
28 Rhodes, III, 530, footnote.
of Scott's letter is that, although it would be a disadvantage at this time for the United States to surrender any of her maritime privileges, nevertheless the United States will "be faithful to her traditional policy upon this subject, and to the spirit of her political institutions." The above quotation bears striking resemblance to a portion of Seward's note to Lord Lyons in which is mentioned the position of the United States in the "Trent Affair". The letter continues that if Cobden were in the position of the United States, he would release Mason and Slidell and demand the abandonment of the old code of maritime law upheld by Great Britain.

The reader must bear in mind that this letter was probably the last of Cobden's correspondence to Sumner, to reach the United States and the ears of Seward in time for Seward's answer to Lord Lyons.

In October of 1861, Seward selected Thurlow Weed to go to London and correct many of the erroneous impressions in the minds of the British, and also undo some of the work of the Confederate agents. He arrived in London at the time of the Trent seizure, and upon the invitation of the London Times, he sent that paper a letter which was published. In this letter he entered a general denial of the assertion that the Federal government desired a rupture with England, and did what he could to change the

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29 Charles Sumner, Works of Charles Sumner, Lee and Shepard, Boston, 1900, VIII, 27; also Morley, II, 392. Henceforth the first mentioned book will be cited as Sumner, Works.

30 Sumner, Works, VIII, 27.

31 Thurlow W. Barnes, Life Of Thurlow Weed, Houghton, Mifflin, New York, 1884, II, 355. Hereafter this work will be cited as Barnes.
British viewpoint towards the Seward-Newcastle story. He referred the British public to Charles Francis Adams for a true reflex of American sympathies. The opinion was expressed that England had no real grievance of any substantial nature against the United States. Weed said that he knew nothing of the proposed course of the British government, but he expressed the opinion that a peremptory demand for the release of the envoys would be met by as peremptory a refusal, since in temper and pride Americans were as unreasoning as the bad example of their mother country. He did not believe Mason and Slidell were worth a war, and hoped the matter would be considered calmly and with due deliberation.

His communication was printed in the London Times, but his assertion that Seward's unfriendly utterances, beginning with the "Newcastle Story", were misunderstood, did not convince the Times, which answered him at length. The Times asserted its belief that upon his ability to involve the United States in a war with England, Seward had staked his official, and "most probably his political existence."

31 Thurlow W. Barnes, Life Of Thurlow Weed, Houghton, Mifflin, New York, 1884, II, 355. Hereafter this work will be cited as Barnes.

32 Ibid., 356.

33 Ibid., 358.

34 Ibid., 354.

In a letter of December 2, 1861, Weed mentions that he saw a letter from a high source in London, in which it was again said that Seward wanted to provoke a war with England for the purpose of getting Canada.36 The letter continued that Seward was in a tight place and "I pray that you may be imbued with the wisdom the emergency requires."37 On December 4, 1861, Seward was again warned that systematic agencies and efforts must have been employed by the Confederacy to poison both the English government and people against him,38 "all around they (your friends) found people fortified with evidences of your hostility to England."39 Two days later, Weed told Seward that the Duke of Newcastle incident was being used to put the ministry against him; and also that the story had been given to the newspapers which added to the fuel against Seward.40 He hoped that Seward foresaw the wisdom of concession to Britain, because England was rapidly making gigantic preparations for war. He also told Seward, "I was told yesterday, repeatedly, that I ought to write to the President demanding your dismissal."41 This letter closed with the interesting view that people in England were saying that Seward sought war with England

36 Frederick W. Seward, Life and Letters, III, 27.
37 Ibid., III, 27, quoting Weed.
38 Ibid., III, 28.
39 Ibid., III, 28, quoting Weed.
40 Ibid., III, 29.
41 Ibid., III, 29, quoting Weed.
because he felt that disaster loomed for the North in the Civil War; and "the suspicion that Slidell and Mason are in collusion with Wilkes and Fairfaw gains ground." 42

Weed wrote on December 10, from London and suggested that it was really important that Seward devote some attention to ironing out the difficulties in relation to London and Paris. 43 He seriously warned Seward that unless he averted it, war was inevitable. 44 He continued:

I pray that I am not mistaken in the hope that you comprehend the disastrous effect of such a war. I know, or fear that at home, another view or side to this question exists. But be assured there is but one side to it. With England as an auxiliary to rebellion, we are crushed out.... 45

In the opinion of the author, Thurlow Weed's views and advice to Seward must have carried much weight, because of their long friendship and the obvious sincerity with which Weed wrote.

William L. Dayton, Minister to France, wrote to Seward in an unpublished despatch from Paris on December 3, 1861, that upon the Trent question the United States will have scarcely a friend among the press or public men in Europe. 46 Dayton stated that he had been "asked by

42 Ibid., III, 29, quoting Weed.
43 Ibid., III, 29.
44 Ibid., III, 30.
46 Diplomatic Correspondence, 1862, 307.
intelligent gentlemen here why it was that you seemed so determined to pick a quarrel with England.\(^4\) He believed it was vain to answer that no such determination did or could exist, because under such circumstances it would have been an act of folly believed by no person.\(^5\) This very important despatch concluded with the statement that Dayton felt whether "right or wrong, this seizure of the Confederate commissioners on board a British ship has come at a most inopportune moment."\(^6\)

Thouvenel informed Dayton at this time that, in case of war, the moral force of French opinion would be against the United States, and that all the maritime powers with whom we had conferred agreed that Wilkes had violated international law.\(^7\)

On December 5, 1861, John Bigelow wrote to Seward that the Trent seizure was regarded in Paris by the press, the people, and the government, as a rude assault upon the dignity of neutral nation.\(^8\) He also prepared a letter expressing the belief that the United States would surrender the Confederates if Great Britain should adopt the liberal policy favored by the United States government. Thurlow Weed had this letter signed by General Winfield Scott, then in Paris.\(^9\) This so-called Scott letter was

\(^{47}\) Ibid., 307.
\(^{48}\) Ibid., 307.
\(^{49}\) Ibid., 307.
\(^{50}\) Ibid., 307.
\(^{51}\) Frederick W. Seward, Life And Letters, III, 27.
\(^{52}\) Ibid., III, 28.
published in the London *Times* of December 6, 1861. This letter was quoted throughout Europe and also appeared in the New York *Times* of December 19, 1861.

The next and perhaps the most important person in this group to be considered is Charles Francis Adams, Minister to Great Britain. Adams took over the London delegation on May 13, 1861. He was well fitted to his new post by previous experience, by his power of cool judgement, and by his power of careful expression in critical times. His very coolness, sometimes appearing as coldness and stiff dignity rendered him an especially fit agent to deal with Russell, a man of very similar characteristics.

On November 30, Seward forwarded a despatch to Adams in which Seward casually mentions the capture of Mason and Slidell and says that it is to be met and disposed of by the two governments in the best possible spirit. He also informed Adams that Lord Lyons hadn't as yet approached the subject because as he was presumably awaiting instructions from London. Seward also felt that the ground taken by the British government should be first made known to the United States, and that if there must be

53 London *Times*, December 6, 1861, 7.
54 New York *Times*, December 19, 1861, 1.
55 Robert B. Mowat, *Diplomatic Relations Of Great Britain And the United States*, Edward Arnold, London, 1925, 171. Henceforth this work will be cited as Mowat.
56 Charles F. Adams, Jr., *Charles Francis Adams*, 215.
57 *Official Records Of The Union And Confederate Armies*, Government Printing Office, Washington, 1897, series 2, II, 1109. Henceforth this work will be cited as *Official Records*.
a discussion, it should be held in Washington. He further advised Adams not to attach much importance to the case, and informed the Minister that Wilkes acted without any instructions from his government.\(^{59}\) He closes with, "I trust that the British government will consider the subject in a friendly temper, and it may expect the best disposition on the part of this government."\(^{60}\) As an added postscript Seward advises Adams that if it is considered expedient this confidential despatch could be read to Palmerston or Russell.\(^{61}\)

In a despatch to Seward dated November 29, 1861, Adams refers to the imperative nature of the "Trent crisis" and says that the law officers of the Crown have modified their original position and now deny the right of the United States to "take out persons when they do not take papers and things."\(^{62}\) He informs Seward as to the probable British action of demanding an apology and the release of the men.\(^{63}\) He confesses that his anxiety has mounted for the "fate of my unhappy country."\(^{64}\) Adams closed the despatch with the statement that he "shall await with resignation the

\(^{59}\) Ibid., 1109.
\(^{60}\) Ibid., 1109.
\(^{61}\) Ibid., 1109.
\(^{62}\) Diplomatic Correspondence, 1862, 6.
\(^{63}\) Ibid., 7.
\(^{64}\) Ibid., 7.
instructions which will probably close my mission."65 Adams whose wisdom increased with the emergency, strongly advised on December 3, 1861, against the approving Wilkes' act, unless the United States was ready to assume Great Britain's claim of the dominion of the seas.66 Adams believed the neutral rights of the United States were as valuable to us as ever, while time had reflected anything but credit on our steady defence of them against superior power.67 The Minister held that the position taken by the United States had always been one of resistance to British policy which "endangers the privileges of neutrals to be free of search."68 Adams told Seward:

   I should be sorry to see our own country varying from what seems to me so honourable a record under the temptation of a little ephemeral success, entailing as it does so many of the most serious consequences to the prosperity of two great nations....69

Three days later he wrote again to Seward that the British Ministers and people fully believed that it was the intention of the United States government to drive them into hostilities.70 He mentioned the British preparations for war, such as the proclamations forbidding the export of salt-peter, gunpowder, and arms, also of the British fleet being put into readiness for instant action.71 In the next paragraph, Adams mentioned that he had done everything in his power to combat the British idea that

65 Ibid., 7.
66 Official Records, 1115.
67 This despatch was received by Seward on December 16.
68 Official Records, 1116.
69 Ibid., 1116.
70 Ibid., 1119.
71 Ibid., 1119.
the Administration was hostile to Great Britain, but the result has been to
give him credit for good intentions rather than "to inspire conviction of
the Government's sincerity." Adams closes the despatch with the idea
that by the middle of January at the latest, diplomatic relations will have
been broken off between the two countries, "without any act of mine." 73

In the despatch of December 11, 1861, Adams protests against the pre-
dicament in which he is placed by the lack of an official viewpoint from
the United States concerning the seizure. The minister complains that
this type of action plays into the hands of the enemy by their stating that
the conciliatory policy of Adams is not the true policy of the United States
government. 74

On December 12, 1861, another despatch to Seward was written which
conveyed the British attitude towards the "affair" by mentioning the
uneasiness of the London stock market, the feeling of different religious
groups, and the preparations of the government arsenals. 75 He expected
his mission to end in another two weeks should no special instructions
be received in regard to future action. 76

On December 19th Adams went by appointment to the Foreign Office
and had a long interview with Russell. The two discussed the bearing

72 Ibid., 1120.
73 Ibid., 1120.
74 Ibid., 1123.
75 Ibid., 1123.
76 Ibid., 1124.
of Seward's note in full and reached the conclusion that an adjustment
could be arrived at with no great difficulty. Adams wrote to Seward as a
result of this interview that he "inferred that his Lordship did not desire
war; but that he was likely to be pushed over the precipice by his desire to
walk too close to the edge." The interview ended and Russell told Adams
that if all matters were left to them, there could be no doubt as to a
peaceful solution.

By December 27, 1861, Adams felt that the Ministry, at least was eager
to find a way out, and that the British government would not press the Trent
to an extreme unless they were driven to it. On December 29, 1861, Adams
wrote Seward that he thought the signs were clear of a considerable degree of
reaction. He also explained the causes of the nearly unanimous European
support of England in the contention:

Unquestionably the view of all the countries
is that the opportunity is most fortunate for ob­
taining new and enlarged modifications of inter­
national law which will hereafter materially restrain
the proverbial tendency of the country on the ocean.

This international tension lasted three more weeks, and during these
weeks nothing more was heard in London from Seward concerning the "affair".
No advice could be given from Seward because his policy was in doubt until
the attitude of the British government could be ascertained. Then in London

77 Charles F. Adams, Jr., Charles Francis Adams, 228.
78 Ibid., 221, quoting Adams.
79 Ibid., 229.
80 Charles F. Adams, Massachusetts Society, 109.
81 Ibid., 110, quoting Adams.
between the nineteenth of December, 1861 and the eighth of January, 1862, it was not clear what Secretary Seward had in mind when he wrote the despatch of November 30.
CHAPTER IV

LORD LYONS' MEETINGS WITH SEWARD

Lord Russell upon hearing of a Federal warship arriving at Falmouth and after coaling proceeding to Southampton, began thinking of the Trent and her passengers. He was advised by his law officers that a United States warship would have the right to board a British mail steamer, open her bags examine their contents, and if the steamer should prove liable to confiscation for carrying dispatches from the enemy, put a prize crew on board and carry her to a port of the United States for adjudication. ¹

In that case the law officers thought she might, and in their opinion she ought to disembark the passengers on the mail steamer at some convenient port. ² But they believed the Americans would have no right to remove Mason and Slidell and carry them off as prisoners, leaving the ship to pursue her voyage. ³ A few days before the law officers gave this opinion, the San Jacinto intercepted the Trent and did the very thing which the law officers had advised she had no right to do.

¹ Charles F. Adams, Charles Francis Adams, 221.
² Ibid., 222.
³ Ibid., 222.
With a Parliament largely hostile to the United States, with nearly all of the rich and influential class unfriendly,\(^4\) with a press which exhibited hatred for the North, with a large population of merchants, tradesmen, and cotton workers who were complaining of the blockade, it may readily be imagined what effect the news of Captain Wilkes’ act created in England. The government was called upon to vindicate the honor of the British flag "by exacting a full and complete reparation, or, in the event of failure, war must be declared against the Union."\(^5\)

The London Times was the exponent of the British opinion at this time, so far as the government and ruling classes were heard.\(^6\) In discussing the matter, the Times was willing to admit that similar British precedents were entitled to be considered in justification of the act of Wilkes. The comment was as follows:

But it must be remembered that these decisions were given under circumstances very different from those which now occur. Steamers in those days did not exist and mail vessels carrying letters wherein all of the nations of the world have immediate interests were unknown. We were fighting for existence, and we did in those days what we should neither do nor allow others to do in these days.

During the entire period of excitement which was caused in England by the seizure of the commissioners, the wrath of the British press and public

\(^4\) Rhodes, III, 502.

\(^5\) London Times, November 29, 1861, 6.

\(^6\) Rhodes, III, 530.

\(^7\) London Times, November 28, 1861, 8
was aimed at Secretary of State Seward. His recommendation that the coasts and lake frontiers of the United States be put into a condition to resist foreign aggression, caused all Englishmen who sympathized with the South to hate him. It was said and continually repeated by the London Times that Seward and the Federal government at Washington proposed to annex Canada to the United States, and that a pretext was wanted for a quarrel and war with Great Britain.

Lord Palmerston referred the Trent "matter" back to the law officers of the Crown for a final decision. Their verdict was that Captain Wilkes had passed on a violation of neutrality, on the spot, instead of sending the Trent as a prize into port for adjudication.

On November 29, two days after the news of the boarding of the Trent and seizure of the envoys had reached England, Lord Palmerston prepared a note to Queen Victoria in which he demanded of the American government, a disavowal of the act, and setting the prisoners free, and under British protection. The Queen preferred that language less harsh and offensive in character should be used. Queen Victoria and Prince Albert penned the recommended changes which were later adopted in Russell's instructions to Lord Lyons.

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8 London Times, December 2, 1861, 6.
9 Trevelyan, 318.
10 Charles F. Adams, Charles Francis Adams, 221.
11 Walpole, II, 346.
12 Rhodes, III, 525.
Lord Lyons, of course, knew all about the Trent incident long before the despatch concerning it reached him from the Foreign Minister, but he determined "not to take any decided step in the matter", until he "received orders from His Majesty's Government." Thus, in the absence of an Atlantic cable, a wholesome delay of six weeks ensured between the boarding of the Trent and the reception of Lord John Russell's critical despatch.

The first thing which Seward is known to have said or written about the affair is his confidential letter to Adams on November 30, 1861. In this despatch as was previously mentioned, Seward informed Adams that the act was done without instructions and without the knowledge of the United States. In this despatch, Seward also stated that Lord Lyons has refrained from communicating with him on the subject, and "I thought it equally wise to reserve ourselves until we hear what the British government may have to say." Seward repeated this in an official despatch of November 30, which was communicated to the British government. From the day when the capture was first know, Seward and the British Minister did not meet, until on December 19, 1861, when Lyons came to the State Department, and acquainted Seward in general terms with Russell's despatch.

The reserve of Seward and Lyons, and their avoidance of each other during this month of waiting, show how strongly both felt the gravity of the situation, and their worry of serious consequences.

13 State Papers, 608.
14 Official Records, 1109.
15 Ibid., 1109.
The decision formed by the British government was conveyed by Lord 16 Russell to Lord Lyons on November 30th. The note mentioned that friendly relations have long existed between Great Britain and the United States, and that he, (Lord Russell), was unwilling to believe that Wilkes was acting on orders from his government. 17 Lyons was also instructed that the United States should liberate the four men, and that they be placed under British protection, with an apology due to the British government. 18 If these terms were not offered to Lord Lyons, then he was to propose them to Seward.

In a second dispatch on the same day Russell requested Lyons to inform Seward that the answer of the United States was not to exceed seven days, and that if there was no answer by that time the British legation in 19 Washington was to return to London.

In a private letter Russell advised Lyons that at the first meeting with Seward he was not to take his letter of instructions, but to prepare him for it. At the second meeting he was to read the full despatch. According to Montague Bernard, Russell added:

If he asks what will be the consequence of his refusing compliance, I think you should say that you wish to leave him and the President quite free to take their own course, and that you desire to abstain from anything like menace. 20

16 State Papers, 605.
17 Ibid., 605.
18 Ibid., 605.
19 Ibid., 606.
20 Montague Bernard, Historical Account of Neutrality of Great Britain During the American Civil War. Longmans, Green, London, 1870, 194. Henceforth this work will be cited as Bernard.
The last diplomatic note reveals the motives and policy of the British government in the whole proceeding. It was on the part of Great Britain a case of uncalled for braggadocio and bullying.

On December 7, 1861, Russell wrote another private letter to Lyons. Russell mentions that he has been thinking of Seward's possible evasive answers which might fall short of Britain's demands. Russell wanted a simple yes or no for an answer which had to be made within seven days of presentation. The letter closed with a post-script that he would be satisfied if Mason and Slidell were placed under the protection of the British flag, but Lyons was to leave Washington if this was not obtained. These despatches and letters, if they had been sent alone would have been grave. The gravity of the situation was emphasized by the hurried despatch of the British Guards and other troops to Canada, and by the fact that instructions were sent to Sir Arthur Milne, who commanded the British fleet in American waters. Meanwhile a notable change had taken place in American public opinion. It now regarded "the Wilkes affair unfavorably and would much prefer it had not occurred at all," a reaction without question.


22 Newton I, 64.

23 Ibid., 64.

24 State Papers, 606.

almost wholly caused by the knowledge of the British demand and the unanimous support given it by the British public. 26

On December 18, 1861, at 11:30 P.M., a messenger delivered Russell's despatch to Lyons, and also two private letters in which full instructions were given. 27 Thus, on December 19, Lyons acquainted Seward with the general nature of Russell's leading despatch.

Lyons stated, according to Russell's words, that the only redress which could satisfy the British government would be the immediate release of the prisoners to him, that they might be placed under British protection, and also a suitable apology for the action committed. 28 He added that Britain hoped the United States would offer this reparation of its own accord, and because of his hope for this arrangement, he had come without any written demand. 29 If this was possible he was willing to be guided by Seward, as to the conduct "which would render its attainment most easy." 30 Seward asked Lyons, if any time was fixed within which the United States government must reply. Lyons answered that he did not like to answer the question because he desired to abstain from anything which suggested menance. 31 After more of Seward's probing questions Lyons finally stated that he must have Seward's answer within seven days. 32

26 Ibid., 110.
27 State Papers, 623.
28 Ibid., 623.
29 Ibid., 623.
30 Ibid., 623.
31 Ibid., 623.
32 Newton, I, 65.
Seward requested a copy of the despatch unofficially and informally as so much "depended on the wording of it that it was impossible to come to a decision without reading it." Seward said that if he was given a copy of the message, it would be given on the understanding that no one but the President and himself should know that it had been delivered. Lyons agreed to the suggestion and after returning to the Embassy, sent Seward a copy of the despatch.

In the opinion of Lyons, Seward received the communication "seriously, and with dignity, but without any manifestation of dissatisfaction." Seward closed the interview with the assurance that he was aware of the "friendly and conciliatory manner in which I had made it."

Lyons purposely avoided menace in the interview because he feared that menace could be an obstacle to the United States yielding, and at the same time let Seward know how earnest Great Britain felt towards the matter. The Minister did not believe the United States would give in, but at the same time he did not regard it as impossible, especially if the next news from England would bring tidings of warlike preparations.

33 Ibid., I, 66, quoting Lyons.
34 Ibid., I, 66.
35 State Papers, 623.
36 Ibid., 623, quoting Lord Lyons.
37 Newton, I, 66.
38 Ibid., I, 66.
After Seward received the despatch he again visited Lyons and expressed himself pleased to find the "despatch was courteous and friendly and not dictatorial of menacing."\(^39\) Seward asked Lyons what would happen if after the seven days Seward sent a refusal or a proposal to discuss the question.\(^40\) Lyons answered that if the answer was not satisfactory, he could not accept it.\(^41\)

On December 21, 1861, Lyons again visited Seward. Seward stated that other pressing duties had prevented him from fully mastering this question, and he requested that the formal presentation of the case might be postponed until the following Monday.\(^42\) Lyons agreed to this request on the condition that the meeting would be held early Monday morning so Lyons could mail his despatches on the next available ship.\(^43\)

At the appointed hour on December 23, Lyons called again, read the despatch and left Seward a copy of it.\(^44\) Seward said that the President would be immediately informed of the contents of the despatch and that Lyons "should without delay receive a communication with regard to it."\(^45\)

\(^{39}\) *State Papers*, 623, quoting Lord Lyons.

\(^{40}\) *Newton I*, 66.


\(^{42}\) *State Papers*, 625.


\(^{44}\) *Ibid.*, 626.

From December 23 the seven days, in which an answer to Lord Lyons had to be made, began.

Lyons' fairness can be judged by his allowing Seward plenty of time, in not presenting the British despatch officially until the last possible moment, that is, until the eve of the departure of the next weekly mail ship. His aim throughout the negotiation was to bring it about that the United States compliance "should have as much as possible, the air of having been made spontaneously." 46

In the despatch of December 23rd which Lyons sent to Russell informing him of the latest details of his meeting with Seward, Lyons mentioned that he believed the United States was frightened. Still he felt that nothing but the beginning of hostilities would convince most of the people of the United States that Britain would fight. 47 Lyons also informed Russell that Seward was now on the side of peace. He presumes that "ten months of office have dispelled many of his illusions." 48 Still he cannot earnestly say how Seward will react to the British demands because "if the President and the Cabinet throw the whole burden on his shoulders, he may refuse to bear it." 49

46 Ibid., 625.
47 Newton, I, 68.
48 Ibid., I, 69.
49 Ibid., I, 70.
Lord Lyons carried out the spirit as well as the letter of his instructions. During this period his attitude of reserve was irreproachable. He wrote to Russell that he "avoided the subject of the capture on board the Trent as much as possible, and have said no more than that it is an untoward event which I very much regret."\(^{50}\)

At this time there was nothing for Lord Lyons to do, but to wait for Secretary Seward's reply.

\(^{50}\) *Official Records*, 1097.
CHAPTER V

THE CABINET MEETING

All of the members of President Lincoln's Cabinet, with the exception of Montgomery Blair, held a different attitude after the Cabinet meetings of December 25th and 26th than they did when the news of the seizure was announced.

According to Gideon Welles, in the beginning Seward was most elated and jubilant over the capture of Mason and Slidell, and "for a time made no attempt to conceal his gratification and approval of the act of Wilkes." 1 Frederic Bancroft, a biographer of Seward, believed this to be highly probable because "were it otherwise, Seward would have been a rare exception." 2 Yet it must be remembered that as far as the public knew, Seward was non-committal on the affair.

Gideon Welles, Secretary of the Navy, was much pleased, and sent a letter congratulating Wilkes on his safe arrival and especially on the great public service he had rendered. 3

1 Welles, 185.
2 Bancroft, II, 232.
3 Official Records, 1109.
Benson J. Lossing who says that he happened to be in the War Department when the news reached Simon Cameron, participated in three cheers for Wilkes, led by the Secretary of War. 4

Salmon Chase felt that the seizure was warranted, and also that Wilkes had done his duty by seizing Mason and Slidell.

Attorney-General Bates, in his diary, believed the seizure not only to be legal, but also that Wilkes would have been justified in confiscating the ship. 5 He also believed that Great Britain would not take offense at the seizure. 6

The only member of the Cabinet who believed that Wilkes had committed a blunder was Montgomery Blair.

To analyze the reasons for the above reaction it must be remembered that no event of the war up to that time caused so much rejoicing in all of the loyal states. 7 In the opinion of the North, these men were bent on a traitorous errand which might lead to the permanent dissolution of the Union. Furthermore, after the early Confederate victories this was one of the first opportunities for the North to celebrate what they regarded

4 Benson J. Lossing, Pictorial History of Civil War, T. Belknap, Hartford, 1868, II, 156. Hereafter this work will be cited as Lossing.


6 Ibid., 202.

7 Bancroft, II, 226.
as a victory. In addition, the attitude of Great Britain towards the seizure did not reach the United States for another two weeks.

A dispute has arisen over the reaction of Abraham Lincoln when he first was informed of the seizure. Lossing writes that Lincoln took a very sober view of the seizure and told him in conversation that he regarded it a violation of the principles for which we fought England in 1812. According to Lossing, Lincoln held the traitors to be "white elephants" and that if Great Britain would protest the seizure, the United States would have to surrender them and apologize. Otherwise we would be admitting that England has been right "for at least sixty years." Welles, Nicolay, and Hay seemingly hold the same attitude; yet there are certain indications that Lincoln did not want to retreat before the British threats. These indications seem to lead to a settlement of the dispute by arbitration or negotiation. They are exhibited by Lincoln's draft of a letter proposing arbitration and by his conversation with Seward after the Cabinet meetings of December 25th and 26th. Both of these incidents will be further developed in this chapter.

In the opinion of Thornton K. Lothrop, a biographer of Seward, the Lossing conversation with Lincoln is false. Lothrop holds that the story was first published seven years after the conversation took place, and has

8 Lossing, I, 156.

9 Ibid., 157, quoting Lincoln.
never been confirmed. 10 Lothrop also holds that, according to Welles' statements, Lincoln was impressed with the gravity of the situation and thought the capture embarassing only because he did not know what could be done with the prisoners and was afraid what the punishment would be demanded for them. Thus, Lothrop states that the two opinions are quite different; yet not absolutely inconsistent with each other.

Seward's decision made, he had to convince the President. Lincoln told Seward to go on preparing his answer as to why Mason and Slidell should be surrendered while he would try to state the reasons why they should not be given up. 12 Lincoln believed that both sets of reasons should then be compared.

At this point, I would like to present a digest of Lincoln's despatch which he wrote at this time. In this note the President wrote that, if there existed no fact or facts pertinent to the case beyond those stated by the British government, the reparation sought by Great Britain from the United States would be justly due and promptly made. 13 Lincoln stated that he was reluctant to volunteer his view of the case with no assurance that the British government would consent to hear him. Yet he was directed to say, that the government intended no affront to the British flag or to the British nation, and this act was done without the authorization of the government. 14

11 Ibid., 308.
12 Bancroft, II, 234.
13 Nicolay and Hay, Lincoln's Works, VII, 63.
14 Ibid., 64.
An inquiry was made as to whether the British government would consider the American side of the question, including the fact of existing insurrection in the United States; the neutral attitude of England toward the belligerents; their American citizenship and the traitorous mission of the captured persons; the British captain's knowledge of these things when the commissioners embarked at Havana; the place where the capture was made, and the bearing of international law and precedent upon the case. It was then stated that, if the foregoing together with any others pertinent to either side of the case could be submitted, the Federal government would, if England were willing, cheerfully submit the whole affair to the peaceful arbitration and would abide by the result. The last paragraph of the proposed despatch provided that no redress should exceed in kind and amount that which was already demanded and that the award should constitute the basis of a rule for the determination of similar cases between the two nations in the future. In the proposed despatch Lincoln's crafty phraseology is quite evident in relation to pinning down and holding Great Britain in check, now and in the future, in maritime disputes such as the Trent affair.

This draft did not suit Lincoln, and was never presented to the Cabinet, but its importance to this subject exists from the fact that, undoubtedly Seward and Lincoln had been considering the above-named proposals as one of the ways of extricating the United States from the position in which it had

15 Ibid., 64.
16 Ibid., 64.
17 Ibid., 65.
been placed. After the Cabinet meeting on December 26th, Lincoln told Seward that he could not find an argument that would satisfy his own mind, "and that proved to me your ground was the right one."\(^{18}\)

The Cabinet meeting was set for Tuesday morning, December 24th, but Seward postponed it until Christmas day because he was not yet ready. On the morning of December 25th, 1861 no one except Blair and Seward seems to have favored a full compliance with the British demand. Seward later wrote to Weed and said that when the subject was taken up by the Cabinet, the others did not wish to concede the case to Great Britain, still they "had no idea of the grounds upon which it would explain its action."\(^{19}\) Yet they were unanimous towards the release of Mason and Slidell, after two days examination.\(^{20}\) This meeting lasted until two o'clock in the afternoon. The President's experimental draft previously mentioned was not read; there is no mention of either the reading or the points it raised. More than half of the days of grace had elapsed and something had to be done quickly, else a foreign war would be added to the domestic war. However desirable arbitration may have been, it was prevented by the nature of the demand of England. One day was not found sufficient for the consideration of this important matter, and the session was therefore continued on the following

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19 Weed, II, 409, quoting Seward.
20 Ibid., 409.
day. Seward's proposed despatch upon which the surrender was based could not be fully discussed at one session, so the paper appears to have been prepared solely by the Secretary of State without the assistance of either Lincoln or any of his Cabinet officers. Of the debate and various opinions, we have some record in the subsequent writings of the different persons who were present.

Salmon Chase, the Secretary of the Treasury, believed Wilkes violated those principles of the law of nations which the United States, so closely guarded. Chase said that Wilkes did this by taking the parties concerned from the Trent without invoking any judicial tribunal. Thus Great Britain had a right to ask us for a disavowal of the act and the return of Mason and Slidell. Chase thought the seizure to be a mere technical violation of England's neutral rights considering the circumstances under which the act was carried out. There was no aggressive behavior or unfriendly intent towards England. Chase reviewed the hostile intentions of Mason and Slidell, and the fact of their status being known to the captain of the Trent. Here the Trent violated English law, and was not treating the United States as a friendly nation. After the English captain refused to exhibit to Lieutenant Fairfax his passenger list, Chase felt that Wilkes had the right to break up the voyage, "and send the steamer as prize into a port

21 Lathrop, 306.

22 Robert B. Warden, Life of Salmon P. Chase, Wilstach, Baldwin and Company, New York, 1874, 393. Hereafter this work will be cited as Warden.

23 Ibid., 393.

24 Ibid., 393.
for trial or condemnation." Wilkes desiring not to inflict a delay on the other passengers deprived himself of the only means of justifying his capture "through judicial decision." Thus he believed that the technical right was with England because they could not lawfully be removed from the ship until a judicial decision had been made. Chase then stated how we could not afford delays because our commerce might be endangered, the carrying out of the war hindered, and the attitude of other nations towards the United States violation of the rights of neutrals should be considered.

The Secretary concluded by saying:

It is gall and wormwood to me. Rather than consent to the liberation of these men, I would sacrifice everything I possess. But I am consoled by the reflection that, while nothing but severest retribution is due them, the surrender... is...simply proving faithful to our own ideas and traditions under strong temptation to violate them; simply giving...to the world the most signal proof that the American nation will not...for the sake of inflicting just punishment for rebels, commit even a technical wrong against neutrals.

Gideon Welles held that Seward was at the beginning opposed to any idea of concession which involved giving up the emissaries, but yielded immediately with dexterity to the peremptory demand of Great Britain. He stated that Seward should receive credit for his skillful handling and preparation of the despatch. According to Welles, this exhibited Seward's

25 Ibid., 393, quoting Chase.
26 Ibid., 393, quoting Chase.
27 Ibid., 394.
28 Ibid., 394, quoting Chase.
29 Welles, 183.
30 Ibid., 185.
readiness, fact, and talent to remove himself from and to pass on certain difficulties.

Regarding his personal views towards the case, Welles glosses over the congratulatory telegram he sent Wilkes. Welles says that even before the administration had decided upon any action, he thought that Wilkes might be excused for patriotic reasons, but by no means should his action set a precedent for future action.

Montgomery Blair, the Post-Master General, seems form the first to have held more radical views concerning the matter than did the President or any one else. He did not publicly discuss the case, but to the other members of the Cabinet he denounced Captain Wilkes' act as an outrage on the British flag, which he said, the English Minister would seize upon to make war upon the United States. Not being an admirer of Wilkes, Blair said that he should be ordered to take Iroquois, with Mason and Slidell on board, proceed to England and deliver them over to the British government. This he thought would be a manifestation of the greatest contempt and indifference for the Confederate emissaries, and a severe rebuke to whatever of alleged intrigues that may have existed between the insurgents in the United States and the English Cabinet.

31 Ibid., 185.
32 Ibid., 187.
33 Ibid., 188.
34 William E. Smith, Blair Family in Politics, Macmillan Company, New York, 1933, II, 194. Hereafter this work will be cited as Smith.
35 Ibid., 194.
From the published extracts taken from the diary of Attorney-General Bates, it appears that there was a full and frank discussion of Seward's note. All the members of the Cabinet were impressed with the extraordinary gravity of the situation as probably the fate of the nation depended on the result of their deliberations. Bates, himself, urged the surrender. Waiving the legal right about which there was much doubt, he favored compliance with the British demand on account of the necessity of the case. He told of the dangers of going to war with England and the repercussions of such an action. A few of these dangers would be the breaking of the blockade, the ruin of United States trade, bankruptcy of the treasury, and other calamities. According to Bates, President Lincoln and the other members were too slow to acknowledge these truths.

Charles Sumner, the Chairman of the Senate Foreign Relations Committee, had no small part to play towards the settlement of the "Trent affair". He was in Boston when the news of the seizure arrived and at once said, "We shall have to give them up." In his letters to Cobden and Bright, Sumner

36 Bates, 216.
37 Ibid., 216.
38 Ibid., 216.
39 Ibid., 216.
40 Moorfield Storey, Charles F. Sumner, Houghton, Mifflin, New York, 1900, 209. Hereafter this work will be cited as Storey.
did his best to arouse the moral sentiment of England in our favor, and to
warn against the calamities for which Great Britain would be held responsible
if there was intervention or any other unfriendly action on her part.41
He was deeply moved by the attitude of English public opinion, and the hos-
tile attitudes of England's leaders.

In the opinion of Charles Francis Adams, during these trying times the
bearing of Sumner was above criticism;42 and when the time came he used his
influence in such a way that added glory and credit to the United States
during these trying days.

The peremptory tone of the English demand and the strong feeling in the
United States made Sumner's course difficult. Sumner persistently urged
his views on Lincoln; and as soon as the Bright-Cobden correspondence was
received, he read or sent them to Lincoln.45 He attended the Cabinet
meeting on December 25, 1861, and read to Lincoln and the Cabinet leaders,
private letters from Bright and Cobden. These letters, as has been men-
tioned, earnestly urged a yielding for America and depicting the strength
of British feeling.46 If Sumner's opinion was asked, he doubtless expressed

41 Edward L. Pierce, Memoir and Letters of Charles Sumner, Roberts Brothers,
Boston, 1893, IV, 147. Hereafter this work will be cited as Pierce.
42 Ibid., 147.
43 Charles F. Adams, Massachusetts Society, 63.
44 Ibid., 64.
45 Sumner, Works, VIII, 24.
46 Ibid., 27.
himself warmly in favor of Seward's decision.

During the course of the Cabinet meeting of December 25th, a despatch arrived from Thouvenel to the French Minister at Washington, Mercier. This despatch which had been written in Paris on December 3, 1861 was received by Mercier that morning, and impressed by its importance, hurried to the White House and begged that it be submitted at once to Seward. This despatch fully confirmed the reports about France's attitude. It mentioned that France was glad to find Great Britain reversing her practice; but what must have stirred the men present at the meeting was the sincere appeal made to the United States not to commit the fatal mistake of trying to defend what had been done. Thouvenel believed that the only thing the United States could do, would be to yield to the British demands, return the commissioners, and offer such explanations as would satisfy Great Britain. The despatch closed by saying that Thouvenel wished because of friendship, to make his interpretation known.

As the title of this paper suggests, it is outside the scope of the subject to treat the detailed attitude of European countries towards the settlement of the Trent affair. The reason for this statement is that by the time the European foreign ministers presented their views towards the

47 John B. McMaster, History of the United States During Lincoln's Administration, Appleton, New York, 1927, 151. Hereafter this work will be cited as McMaster.

48 Official Records, 1116.

49 Ibid., 1117.

50 Ibid., 1118.

51 Ibid., 1118.
affair, Seward had already prepared his answer to Great Britain. Nevertheless, Seward did receive warnings concerning the European attitude, as has already been mentioned in Chapter III.

After a studied examination of the Cabinet leaders, the main reason for hesitation was doubtless the fear of public opinion in the North. It was certain that a surrender of the commissioners would bring the displeasure of the people upon the government, which would be accused of having timidly submitted to the unjust demands of England. 52 The Cabinet discussion ended on December 26, 1861 in a unanimous agreement upon the letter of reply which Seward had prepared.

52 Bates, 216.
CHAPTER VI

SEWARD'S NOTE

In preparing the note Seward undoubtedly had many things to consider. The United States government was to be allowed no opportunity for a full statement of the facts or to present its own views of the right to make the capture. Behind the demand was the instruction to Lord Lyons to leave Washington within a week if the United States failed to comply with the British terms; there was the hurrying of several thousand troops to Canada and the hasty fortification of the frontier of those provinces; and lastly the evasive answer Lord Lyons should return, if he were asked what would be the consequences of a refusal to surrender the prisoners. These things all foretold what the consequence would be, if any attempt were made by the United States to maintain the seizure on the principles of international law as determined by British precedents and practice. It meant simply instant war. This would be a struggle in which England would be actuated by motives of selfish policy in a much greater degree than by the principle that she was pretending to uphold and defend. The weavers of Lancashire,

1 Newton, I, 65.
2 Ibid., I, 66.
at that time were beginning to suffer from a cotton famine, and there was such impatience from that quarter on account of the continuance of the Civil War. To the United States, on the other hand, such a war meant the loss of everything. This would include the transfer of the Federal armies to the northern frontier, the raising of the blockade, the ravaging of unprotected coasts, the bombardment and blockade of seacoast cities, a probable invasion of the northern states by British troops from Canada, and an alliance between England and the Confederacy which would probably result in establishing the independence of the latter. It was necessary to bear all these things in mind while considering the British demand. It may be assumed with confidence that the perils of a conflict with Great Britain, as was emphasized by the advice of Bright, Cobden, Adams, Weed, Bigelow, and Dayton was the chief factor in Seward's conclusions.

Seward evidently did not expect Great Britain to take such a serious stand in regard to the matter. It had been his belief that the British government would not want the prisoners. He said on a later occasion that Lord Lyons' communication was his first knowledge that the British

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3 Donn Piatt, Memories of Men Who Saved the Union, Belford, Clarke, New York, 1887, 165. Hereafter this work will be cited as Piatt.
4 Bates, 214.
5 Ibid., 215.
6 Ibid., 215.
7 Ibid., 215.
8 Welles, 186.
government proposed to make it a question of insult and of war.9

The President and Cabinet having agreed to surrender the Confederate commissioners, Secretary Seward's reply to the British demand was sent to Lord Lyons. The communication was quite long and began by making a careful statement of the contents of Russell's note of November 30, 1861.10 Seward then stated that the capture was made without any direction, instruction, or even foreknowledge of the Federal government. It also mentioned that no orders had been issued to Captain Wilkes or any naval officer to arrest the four persons taken from the Trent, or any other British ship. Thus, the British government would infer from these facts that the United States had no purpose or even thought of forcing into discussion the question that had arisen.

The facts concerning the boarding of the Trent as reported by Commander Williams of the British Navy were then reviewed by Seward and the supposed fictions pointed out.

Seward reminded Russell that in his correspondence he had omitted the facts that at the time of the seizure, an insurrection was existing in the United States which this government was engaged in suppressing by the employment of land and naval forces, and that in regard to this domestic strife the United States considered Great Britain as a friendly power, while

9 Weed, II, 415.
10 Official Records, 1145.
11 Ibid., 1146.
she had assumed for herself the attitude of a neutral.

Next, it was mentioned that Great Britain and the United States recognized the two articles of the Declaration of Paris in 1856, that the neutral or friendly flag should cover an enemy's goods not contraband of war, and that neutral goods, not contraband of war, are not liable to capture under any enemy's flag. "These exceptions of contraband from favour were a negative acceptance by the parties of the rule...everywhere recognized as a part of the law of nations that whatever is contraband is liable to capture and confiscation in all cases."13

The character and purposes of the persons seized were then carefully explained, and the statement made that it was to be presumed that the commissioners bore dispatches which it appeared from information sent by the American Minister at Paris had escaped the search of the Trent, and reached England in safety.14 Seward also stated that the agent and officers of the Trent, including Commander Williams, before leaving Havana knew that Mason and Slidell were commissioners from the Confederate States on their way to Europe.15 From the above facts Secretary Seward arrived at the conclusion that the case was not an act of violence or outrage,16 but only

12 Ibid., 1147.
13 Ibid., 1147.
14 Ibid., 1147.
15 Ibid., 1147.
16 Ibid., 1148.
an ordinary and legal belligerent proceeding against a neutral vessel carrying contraband of war for the use and benefit of the insurgents; that the question was whether this had been done in accordance with the law of nations; and that the following inquiries were involved:

1) Were the persons named and their supposed despatches contraband of war?
2) Might Captain Wilkes lawfully stop and search the Trent for these contraband persons and despatches?
3) Did he exercise that right in a lawful and proper meaning?
4) Having found the contraband persons on board and in presumed possession of the contraband despatches, had he a right to capture the persons?
5) Did he exercise that right of capture in the manner allowed and recognized by the law of nations?17

It was then stated that if these questions should be answered in the affirmative, the British government would have no claim for reparation. An affirmative conclusion was reached in the case of the first four questions. Seward remarked that "maritime law is clear as to the disposition to be made of captured contraband vessels and property, but it says nothing concerning the mode of procedure in regard to contraband persons."19 Regret was expressed that maritime systems of law furnished no better processes of determining the characters of contraband persons.

17 Ibid., 1148.
18 Ibid., 1149.
19 Ibid., 1149.
Seward thought all unprejudiced minds would agree that, it would be better to follow the existing judicial remedy than to adopt the idea of leaving the decision with the captor and relying upon diplomatic debates to review his decision. It was practically "a choice between law, with its imperfections and delays, and war with its evils and desolations." 20

The Secretary next reviewed the course of Wilkes in making a prize of the Trent and capturing the contraband persons lawfully, then permitting her to continue upon her voyage, instead of sending her into port for adjudication. 21 The capture was incomplete, if the whole thing constituted a single transaction. It was unfinished or abandoned. Whether the leaving of the act unfinished was voluntary or not, was the question which was to determine the validity of the British claim for reparation. 22 If necessary, and therefore involuntary, the British claim for reparation would be unfounded; if unnecessary and involuntary then the claim was well founded.

At this point Seward reviewed Wilkes' reasons for not carrying the Trent into port. The first reason was on account of his being so reduced in officers and crew, 23 and the second was the inconvenience, loss, and disappointment which would have resulted to the passengers of the vessel. The United States could not disavow such humane motives, but it did not occur to Wilkes that such a course might sacrifice the right of the government to retain the captured persons, although he was not deserving of

20 Ibid., 1151.
21 Ibid., 1151.
22 Ibid., 1152.
23 Ibid., 1152.
censure for anything that he had done. The question was not whether he was justified to his government, but what the view of his government was as to the effect of his course in not bringing the Trent into port. It would have been entirely involuntary if made solely upon the ground that Wilkes could not bring the prize vessel into port on account of a lack of officers and crew necessary to do so. Neither is a large prize crew necessary for it is the duty of the captured party to assent and go willingly before the judicial tribunal which tries the case. Should the captured party express a determination to use force which there is no reasonable probability of the captor's overcoming without too much risk to himself, he may properly leave the prize vessel to proceed on her voyage and it cannot afterward be objected that she has been deprived of the judicial remedy which was her due. Because Wilkes' second reason was different from the first, Seward came to the conclusion that the release of the Trent was not made of necessity and was therefore voluntary.

Seward disclaimed that any deliberate wrong in the transaction had been meditated or approved. He remarked that what had happened was simply an inadvertency from a rule uncertainly established. He believed that for this error, Great Britain had a right to expect the same reparation that we

24 Ibid., 1153.
25 Ibid., 1153.
26 Ibid., 1153.
27 Ibid., 1153.
would expect in a similar case. Seward very capably stated that he was not aware that in examining this question he seems to be taking the British side against his own country, but again he discovered that was really defending an old honored, and cherished American cause. He mentioned that these principles had been "laid down for us in 1804 by James Madison, when Secretary of State...in instructions given to James Monroe, our Minister to England."

A quotation was then inserted from one of Madison's despatches, in which he said that a belligerent commander is not permitted to condemn and seize on the deck of a neutral vessel, property suspected of being contraband, but that the whole matter must be submitted to a prize court which can assess damages against the captor for an abuse of his power; hence it is unreasonable, unjust and inhuman to permit a naval officer restricted in the case of mere property of trivial amount to decide, on the deck of his vessel without any sort of trial, the question of allegiance, and carry such decision into effect by forcing every individual he may choose into a service of detestable and humiliating to the impressed seaman and dangerous again to life itself. 29

Seward expressed satisfaction at being able to decide the case upon strictly American principles, and the statement made that the claim of the

28 Ibid., 1153.
29 Ibid., 1154.
British government had not been made in a discourteous manner. 30

He believed that it was the duty of the American government to disavow Wilkes' act and return the prisoners. Seward very capably stated for the benefit of Great Britain:

If the safety of this Union required the detention of the captured persons, it would be the right and duty of this government to detain them. But the effectual check and waning proportions of the existing insurrection, as well as the comparative unimportance of the captured persons themselves, when dispassionately weighed, happily forbid me from resorting to this defense... 31

Seward again called attention to the fact that Great Britain had often refused to yield claims like the one under consideration, and it was thought a matter of special congratulation that the British government had disavowed its former principles and was now contending for what the United States had always insisted upon. The Secretary closed this very important note by saying that the seized persons being held in custody would be cheerfully liberated. "Your lordship will please indicate a time and place for receiving them." 33

This was the reply of William H. Seward which was also the reply of the United States government conceding to the British demand. The entire

30 Ibid., 1154.
31 Ibid., 1154.
32 Ibid., 1154.
33 Ibid., 1154.
communication conveys the idea to the reader that it was prepared for the purpose of finding diplomatic reasons for the surrender of the Confederate Commissioners. In considering the worthiness of such a note, it must be remembered that Seward's answer was prepared at a time of national crisis and also on brief notice. It was necessary for Seward to persuade a President who wished to dispose of the affair in a different manner. The reluctant members of a divided Cabinet were to be conciliated and unified. Captain Wilkes who had become a naval idol had to be justified and supported. Congress also had to be pacified because of its actions after the disclosure of the capture. Seward was indeed placed in a delicate and complicated position. At the same time that he yielded to Britain's demand, he justified the spirit of Wilkes' act and was able to place the surrender solely upon a simple mistake, an error made out of humane considerations and consequently one which was not deserving of censure. By showing that in making the surrender, he was guided by long cherished American principles, he held back the censure and objections which were certain to come from the United States.

This paper was highly characteristic of Seward because as his biographers suggest, he was at last given the opportunity to save his nation at a time of national crisis. His answer was written in that careless and

34 The full contents of this despatch may also be found in William H. Seward Works, V, 295 to 309.

35 Bancroft, II, 239.
confident attitude that so characterized his correspondence. He smoothed over the places which were most antagonistic to Great Britain and elaborated upon the points where he was on safe ground. The note was intermittently dotted with crafty implications or plausible assumptions.

Seward made a few comments on his reply to Lord Lyons. In a letter of December 27, 1861 to Adams, Seward maintained that the United States as always have vindicated their consistency, principles, and policy, while "measuring out to Great Britain, the justice which they have always claimed at her hands." On December 27th, he also wrote a letter to Thurlow Weed mentioning that when Weed would read the reply he would know who wrote it. He also mentioned that Weed would have to shield him from reproaches as he had so ably done in England. Seward told Weed that it was necessary to consult the tempers of people in the United States as well as in England, and that if he had been as tame as Weed suggested, "I should have had no standing of my own." A few years later, Seward while on a visit to General Grant's headquarters gave his reasons for the release of Mason and Slidell. He said that the books on international law gave no clue as how the subject should be handled. It was decided to release the prisoners rather than become embroiled in a war with Great Britain and possibly France.

36 Official Records, 1143.
37 Frederick W. Seward, Life and Letters, III, 34.
38 Ibid., III, 46.
39 Horace Porter, Campaigning with Grant, Century Company, New York, 1897, 253. Hereafter this work will be cited as Porter.
He knew that it was the desire of the Confederacy to have the United States become embroiled in a foreign war, and thus he decided to prevent assistance from abroad. 40

Lincoln while conferring with Grant in 1864 said that during the trying days before the settlement, Seward studied the various works on international law, and "came to Cabinet meetings loaded to the muzzle with the subject." 41

On December 27, 1861, Lord Lyons acknowledged receipt of Seward's note to Commander Hewett of the English boat, Rinaldo, directing him to proceed at once with his vessel to Provincetown, Massachusetts, and receive the released prisoners. 42

On January 10, 1862, Lord Russell addressed a note to Lord Lyons stating that the British government had carefully considered how far Seward's note and its concessions complied with the British demand and arrived at the conclusion that they constitute the reparation which the British nation had a right to expect. 43 He also stated that the British government differed with Seward on some of the conclusions at which he arrived. 44

In his reply of January 23, 1862, to Seward, written after the release of the prisoners, Russell denied that ambassadors were contraband of war

40 Ibid., 254.
41 Ibid., 408, quoting Lincoln.
42 State Papers, 647.
44 Ibid., 1171.
subjecting the vessel to seizure.\textsuperscript{45} Seward, as has been stated, had maintained the contrary. The case therefore leaves that question exactly as it was before.

The surrender of the prisoners being placed upon the well settled rule, that a captor cannot take out a prize either persons or property as contraband without bringing in the vessel for adjudication, unless he is necessarily prevented from so doing, the decision settled in this respect no new principle of international law. But Lord Russell persisted in his original contention, that a belligerent cannot on any pretense take persons out of a neutral vessel,\textsuperscript{46} thus not merely admitting but insisting on what we as a nation had claimed for years; this doctrine, therefore, for which we had so long contended in vain, must now be considered an established rule of international law.

Several conclusions are apparent from a careful examination of the subject. British conservatives who feared the influence of democratic liberals like Cobden and Bright, rejoiced when the United States seemed to fail in the early years of the Civil War.

"Seward's great responsibility as Secretary of State was to prevent the recognition of the Confederacy by Great Britain and France."\textsuperscript{47} To

\textsuperscript{45} State Papers, 650.

\textsuperscript{46} Ibid., 651.

\textsuperscript{47} Burton J. Hendrick, \textit{Lincoln's War Cabinet}, Little, Brown, and Company, Boston, 1946, 209. Hereafter this work will be referred to as Hendrick.
prevent this recognition Seward implanted the idea in the minds of the French and British leaders that recognition of the Confederacy meant war with the United States. This was how he prevented intervention because he knew that Great Britain did not desire war with the United States at this time. Lyons and Russell believed that Seward desired a foreign war as a way out of the nation's difficulties. As a result of this information, his rants and rages against Great Britain take on a new importance. Thus Seward accomplished his aim and carried out his responsibility not because he was an authority on international law, which he was not, "but because he understood human nature." 48

The Trent case proved that it is not lawful on the high seas to take persons, whatever their character, as prisoners out of a neutral ship which has not been judicially proved to have forfeited the benefit of her neutral character.

The four dates most necessary to bear in mind while studying this subject are the 16th of November, 1861, when the news of the seizure reached Europe; the 12th of December, 1861, when the extreme seriousness of the situation dawned on the American mind through tidings of the British excitement and consequent demands; and, finally, the 18th of December, 1861, when it became apparent that a decision as to the course to be pursued had to be reached within one week by the United States government.

By his method of presentation in the note Seward put England on the

48 Ibid., 210.
ground of insisting on the rights of neutrals, a matter to which in the past Americans had sometimes thought England indifferent. He also placed the United States in the proper position regarding her previous utterances towards the rights of neutrals, and at the same time placed the United States in accord with Europe.

The United States lost a wonderful opportunity by ignoring the advice of Montgomery Blair. The position advised by Blair would have indicated the confidence we felt in our national power, and the contempt in which we held both those whom we called "rebels" and those whom they termed their envoys. It would have established our prestige in the eyes of foreign nations.

Sound reasons were not given for the surrender of Mason and Slidell by Seward. According to James G. Blaine, the doctrine announced by Seward should not be held on sound principles of international law, and he believed that we did not place the restoration of the prisoners upon true ground, viz., "that their seizure was in violation of the principles which we could not abandon either for a temporary advantage or to save the wounding of our national pride." 49

Seward's handling of the case as he did, yielded no point of international law on which we might at any time desire to rest a claim as

belligerents, but made the decision depend on a doctrine and practice universally recognized in modern civilized warfare as the only mode of treating a prize. The note gave due credit to Wilkes for all the qualities which we wished our naval officers to cultivate, and only indirectly criticized his leniency. It appeared to follow the doubts suggested by Welles as to the possible consequences of Wilkes' failure to bring in the Trent. It showed that the government had from the outset been conscious of the weak point of the case. His wording was meant to convey the impression that he reached the same conclusions as the British lawyers which would undoubtedly weaken any criticism from Great Britain. Through this surrender because of United States principles, Mason and Slidell were to become Britain's "white elephants".

50 Lothrop, 313.


52 Lothrop, 213.

53 Ibid., 318.
CRITICAL ESSAY ON AUTHORITIES

1--SOURCE MATERIAL


2—SECONDARY MATERIAL


3--GENERAL HISTORIES

Scholarly accounts of Seward and the "Trent Affair" may be found in many general histories of the United States. The following works are a few which can be used to obtain a general outline of the entire period. Thomas A. Bailey, A Diplomatic History of the American People, F. S. Crofts and Company, New York, 1947, John H. Latane and Donald W. Wainhouse, History of American Foreign Policy, Odyssey Press, New York, 1940, and James Schouler, History of the United States of America, volume 6, Dodd, Mead, and Company, New York, 1899.
APPROVAL SHEET

The thesis submitted by Christopher J. McGarigle has been read and approved by three members of the Department of History.

The final copies have been examined by the Director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

[Signature]

Date: June 30, 1949

Signature of Adviser