Episode 5

Hello and welcome my dear patrons to episode 5 of \_\_\_\_. Last time, we saw Alexander McLeod finally get acquitted, and Anglo-American relations relax somewhat as a result. However, the burden of disputes between the two countries meant that there was still much work to be done, and while the stars aligned, FS Aberdeen believed a diplomatic mission should be sent to Washington to hammer out these issues, and arrive at a mutually beneficial settlement. If done right, Anglo-American relations would improve, perhaps improving French relations by proxy, and British exports to America could be increased, thereby easing her economic depression.

To achieve this mission, Aberdeen selected Lord Ashburton, an accomplished British financier and businessman, with connections to American politics. Though his diplomatic experience was minimal, Ashburton was expected to arrive at a settlement because of those ties, and his reported relationship with Daniel Webster, the US SOS. The Webster-Ashburton Treaty of 1842 marked a turning point in AA relations, but since we’ve still got 5 episodes to go, it’s clear the Treaty did not solve everything. In this episode, we’re going to see how Ashburton fared, how this treaty was received, the impact it arguably had upon Anglo-American relations, and what the former FS Palmerston might have done differently if he’d had his way. Without any further ado then, I will now take you all to early 1842.

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Alexander McLeod’s acquittal was far from the end of Anglo-American tensions. In fact, it would be more accurate to see it as the beginning of the end of a period of mutual hostility, tension, suspicion, and competition. That both London and Washington had sought to avoid war, in spite of the hawks on either side, suggested that further cooperation was possible, and this was just as well, because a morass of issues remained on the table, some of which had awaited attention since 1783. Palmerston’s exit and Aberdeen’s arrival in the Foreign Office also boded well, since Aberdeen and PM Sir Robert Peel were known to broadly be in favour of peace. Aberdeen was also in a strong position within the Cabinet; his status as a former head of the Conservative Party within Scotland, and a former FS during the short-lived government of 1835, granted him a certain authority which in turn meant that he was virtually independent in his formation of foreign policy. None of Aberdeen’s colleagues, with the exception of the more hawkish Duke of Wellington, possessed either an experience of foreign affairs, or sufficient knowledge of American negotiations, to hold that baton themselves.[[1]](#footnote-1)

For the next five years then, Aberdeen’s control of foreign policy was largely secure, and this was just as well considering the issues at stake, and the challenges posed by the historic disagreements. In his appointment of Lord Ashburton to lead the mission to the US, Aberdeen believed he had landed on the perfect candidate to turn AA relations around. On 1 January 1842, the *Morning Post* – nominally a conservatively minded newspaper – offered its views on Lord Ashburton’s newfound importance:

We rejoice, therefore, to learn that the British government has determined to send to the US with a view to their termination, an Ambassador who has attained to his present rank and wealth by successful and honourable commerce, who has the closest, the steadiest, and most important commercial relationship with the American State and people, who is distinguished by the moderation of his character, and the practical good sense of his conduct and opinions, who, both by temper and principle, by interest and habit, must be a constant friend to peace, and, above all, a friend to peace between Great Britain and America.[[2]](#footnote-2)

The *Spectator* provided its impression of Ashburton’s mission:

…his special instructions are limited to these three points – the Caroline Affair, the Boundary, and the right of search. The juncture is favourable, and the man well chosen. Both countries have just escaped from a minor quarrel, the trial of McLeod, which might have appealed to the point of honour on both sides, and involved both in a profitless and unwelcome war; both are the more desirous of peace.

But what of Ashburton’s character? The *Spectator* continued with its positive tone:

His appointment is the wisest preliminary step towards a real adjustment of these uselessly and dangerously protracted disputes. Taking the measure and the man together, it is in promise, whatever it may turn out in fruition, the luckiest hit that Sir Robert Peel has made.[[3]](#footnote-3)

However, not all papers were so optimistic. There was some concern among opposition sources that Ashburton might not be British enough for the task ahead. His American family connections, financial record, and history of aiding American interests – such as helping to raise funds for the loan which achieved the Louisiana Purchase – suggested that Ashburton might be motivated by matters other than direct British interests. This was proposed by the *Morning Chronicle*, historically a pro-Whig and pro-Palmerston organ, which recorded on 7 January 1842 that:

His lordship has some qualifications for the delicate mission, but they may be neutralised by his proverbial infirmity of purpose. As a politician he has been notoriously inconsistent… The change in Lord Ashburton’s ideas was his change of class. The merchant dealer in cotton and tallow, the loan-monger and money-changer, was metamorphosed into a peer and landowner; and this revolution of his circumstances doubtless accounts for his disgraceful vacillation…

Considering this record of flip-flopping, the *Morning Chronicle* judged that:

How far such a public man will be an acceptable mediator at Washington, or how far qualified for his mission, may reasonably be doubted… Jonathan is not likely to be tickled by such an anti-democratic peer being accredited to the Republic.[[4]](#footnote-4)

Jonathan – by which the *Morning Chronicle* meant Brother Jonathan, the nickname given to the US among British newspapers – would certainly have its share of sceptics. Much would thus depend on Ashburton’s relationship with Daniel Webster, US SOS, and his ability to persuade those in Tyler’s administration that Britain’s interests were fair. The historian Frederick Merk, who wrote extensively on these negotiations, as well as the later discussions over Oregon, provided a generally positive view of these negotiations, writing:

The negotiation which followed marked a turning point in Anglo-American relations. It marked the end of an era of the piling up of controversies and the opening of an era of their systematic removal. Indicative of the change was an altered temper in the conduct of the negotiation. The stiff formalities, the manoeuvring for advantage, the clashes over the form of minutes, the distrusts and tensions of earlier negotiations were absent. The negotiators dealt with each other informally, without minutes, in a spirit of give-and-take and mutual trust.[[5]](#footnote-5)

Perhaps because of this perceived turning point, after decades of mutual distrust and the outbreak of unnerving violence in the US-Canadian borderlands, Merk is joined by a veritable host of historians all eager to offer their views both on the WA Treaty, and the subsequent negotiations over Oregon. In fact, I would even argue that a sharp contrast exists between the availability of sources on the McLeod affair, and the diplomacy which followed it regarding boundary settlements. If further reading is what you’re after, be sure to check the footnotes in these scripts, especially in the next set of episodes to come, because we’ll be working with a wide range of articles in particular on the Oregon settlement, with Frederick Merk’s research foremost among them.

Lord Ashburton left for Washington on 14 February 1842, a journey which took him six weeks, and he did not arrive until 4 April. For Aberdeen and Ashburton, there were good reasons for beginning the mission as soon as possible. It was important to set out before Parliament had a chance to offer much scrutiny, while it was also hoped that by leaving before President Tyler’s annual address, the mission would appear less like a response to American actions, and more as an independent British initiative. In the weeks since his confirmation as chief negotiator in late December, Ashburton had had several informal conversations with Aberdeen, wherein he learned that he was to enjoy a considerable degree of freedom.

For Aberdeen and Peel’s Cabinet, those aforementioned issues of the boundary – particularly between the State of Maine and Canada – and the right of search – of prime importance to tackle the continuing slave trade – were most important. Both these issues were likely to rouse American feelings, but there was at least an appreciation of the fact that the status quo of Maine’s unsettled border was unsustainable, since several minor crises had erupted along it only recently. For the American and British administrations fatigued by the border serving as a constant source of friction – not to mention radicalising the inhabitants of Maine, who were likely going to be hard to please – a settlement was long overdue.

But the US had their own list of subjects they were eager to see Ashburton address. In his article examining Webster’s use of propaganda within the Treaty, Richard Current wrote that ‘American war hawks were shrilly clamouring for redress of all their real and fancied wrongs.’ These demands included:

…an uncompromising settlement of the north eastern boundary controversy; outright title to all the Oregon country; apology and indemnity for the destruction of the ship Caroline in the Niagara River…and a clear renunciation of the alleged rights of search and impressment on the high seas.[[6]](#footnote-6)

More importantly, Current noted that some State representatives, hailing from Maine, or further afield in Ohio, urged President Tyler and Webster to push as far as war in order to rectify these issues. Of course, Americans were bound to insist upon the extreme limit of what they wanted at the beginning of the talks; Ashburton was directed to do the same thing. Demanding more than what you expect to get, and compromising later, was part and parcel of diplomacy, but only days before Ashburton had left, Aberdeen was confronted with a problem. It revolved around the borders of Maine, and the fact that some in Peel’s Cabinet, like Wellington, insisted upon the extreme limits of British claims. If your knowledge of the geography of this area is as poor as mine, you should find a convenient map attached to this Patreon post which details the extreme American and British claims, as well as the compromise eventually settled upon, which ran somewhere through the middle.

Without complicating matters too much, Wellington thought of the border in military terms, and wanted enough natural barriers such as mountains or rivers which would make a viable defence of New Brunswick and Quebec properly viable. Writing to Ashburton the week before his departure, Aberdeen acknowledged that ‘If the Duke's views were to be adhered to, you would have little chance of success, but at the same time they deserve some attention.’ Ashburton scanned his demands, before concluding:

I fear I am little likely to satisfy him on the Boundary question by anything I can do. The line which would best suit us, or even that for which we could make out a good argument must, I fear, yield to larger views of prudence & policy in dealing with a troublesome people.[[7]](#footnote-7)

Wilbur Jones, in his article examining Ashburton’s role in settling the Maine boundary, wrote of Wellington that ‘Wellington's great prestige and testiness alike prevented the ignoring of his opinions, and on the Maine boundary question these opinions were uncompromising.’[[8]](#footnote-8) Wellington advocated a boundary below the St John River, which flowed to the north of Maine in a kind of crescent shape, but which was far more than even the King of the Netherlands had awarded to Britain during his failed efforts to arbitrate the border in 1831. Going further north of St John River brought one to the vital St Lawrence River, and then to Quebec, so this land between the two rivers, wild and desolate though it was, seemed likely to cause divisions among Peel’s Cabinet. Indeed, perhaps to settle the matter, Peel invited four military experts to offer their views on the ideal border Ashburton should press for but, interestingly, these four experts all gave different conclusions, which gave Aberdeen greater freedom of manoeuvre than if they had all vouched for the old Duke’s position.[[9]](#footnote-9) By April, as Ashburton continued in his mission, Aberdeen offered his view to the negotiator in Washington:

My belief is that it will be preferable for us to give up everything to the South of the St. John, & to retain the District between the St. John & the St. Lawrence, in consequence of the ugly appearance of bringing the Americans so near to Quebec.[[10]](#footnote-10)

Indeed, it would be perceived as more than ugly if American settlers, or inhabitants from Maine, were permitted to drag their wagons to within sight of Quebec and the St Lawrence. It was safer to request enough land for a road, or later a railway, to pass through, but to leave everything south of the St John River to Maine. A modified version of this idea was eventually agreed upon, and we can put a pin in this issue for now, to focus on a more sensitive question – that of slavery, and the right of British sailors to stop and search American vessels on the high seas if they suspected them of acting in the interest of that awful institution.

In fact, this right – also called the Right of Search – was perhaps the sorest of all points for the Americans. Not just because it interfered with independent American business, but because it was eerily reminiscent of the extremely unpopular policy of impressment, whereby in wartime, British vessels had stopped their American counterparts at will, and forced them into naval service. The issue of impressment had provided the spark for the War of 1812, and American emotions were high at any suggestion of its return. Aberdeen communicated that he had no intention of returning to that old practice, but still, granting rights which were similar in appearance, if not in function, would be a hard sell for Tyler’s administration.

It might surprise us to learn that per an 1818 Treaty, Britain was joined by the other European powers, though the French remained uncertain. Furthermore, the 1814 Treaty of Ghent saw Britain and the US express a moral condemnation of slavery, and for a time in Congress an anti-slavery coalition pushed forward bills condemning the slave trade as mere piracy. But the Americans never went as far as London would have liked, and they continued to associate Right of Search with their national honour; John Quincy Adams even exclaimed that if America agreed to the Right of Search, it would make America into slaves themselves. But there were also several bad actors who understood the AA standoff, and displayed American flags on the seas so they could engage in slavery in peace, regardless of their nationality.[[11]](#footnote-11) There was thus a great deal on the line for the British in the Right of Search dispute; if the Americans were seen to nakedly oppose it, it would encourage other Europeans to do the same.[[12]](#footnote-12)

Palmerston watched the developments on this issue with a sincere interest. As Brown has noted, Palmerston’s concern was not wholly for ‘prestige’, but in displaying ‘firmness’ during the boundary question, as the former Foreign Secretary also wished to enforce Britain’s ‘right of search’ for American vessels involved in the slave trade.[[13]](#footnote-13) Palmerston wanted Ashburton to include provisions to this end in the eventual Ashburton-Webster Treaty, but correspondence published in *The Times* on 1 January 1842 between Aberdeen and America’s former Ambassador Stevenson confirms that the United States viewed the right of search less as a moral issue or one of international law, and was instead a dispute ‘involving high questions of national honour and interests, of public law, and individual rights.’

The prospect that Britain would assert its right to search any vessels flying the American flag was reminiscent of the casus belli of 1812, even if the intention now was to hamper the slave trade. Ambassador Stevenson believed that ‘of all the principles’ asserted in British naval superiority, ‘few probably could be selected of a more offensive and objectionable character’ than those Palmerston presented, and Stevenson added that: ‘Such a power once submitted to…there would be no species of national degradation to which it might not lead.’ Stevenson objected to the principle, and disclaimed any responsibility for slave ships who might falsely raise the American flag for its protection. Although apparently eager to supress the trade, Stevenson insisted that ‘it cannot consent to do so by sacrificing the rights of its citizens or the honour of its flag.’[[14]](#footnote-14) Aberdeen was thus informed that resisting the right of search was a matter of American national honour, a fact which was only exacerbated by the outbreak of – you guessed it – several miniature incidents which raised the temperature before 1842.

Perhaps the most significant of these was the affair of the slave ship *Creole*, which in November 1841 was sailed by its rebellious crew towards the Bahamas. As British law dictated slavery to be illegal, this technically meant any slaves who set foot on British land would be free men. However, the controversy gained greater significance, because when Americans in Nassau tried to reclaim the *Creole* and its slaves, they were forcibly prevented from doing so by British officials, and nearly fired upon. American accounts of the incident claimed that a mob had formed in Nassau, sided with the slaves, and prevented Americans from reclaiming their ‘cargo’, but though Webster was given this version, the truth was less fantastical. Still, added to the train of controversies in AA relations, the *Creole* could hardly have come at a worse time, and sharpened the will of southern Americans in particular to support the continuation of slavery.[[15]](#footnote-15) The Creole’s American captain then wrote of the incident back home:

These slaves, as I view the case, while they were under the American flag, and regularly cleared from one slave-holding state to another within the United States, were as much a portion of the cargo of said brig, as the tobacco and other articles on board; and whether on the high seas, or in an English port, does not change their character; and that her Majesty's Government had not the right to interfere with, or control, the officers of an American vessel, thus circumstanced in such a course as might be necessary and proper to secure such property from being lost to the owner.[[16]](#footnote-16)

Morally bankrupt though this view is, we should note the sense of offence caused by the fact that British officials had violated the sovereignty of an American vessel which flew the American flag. It was this principle – essentially, this desire to be left alone by British ships on the high seas – which compelled both abolitionists and advocates of slavery alike in the US to criticise the British assumption of right in its suppression of the slave trade. ‘Truly’, Howard Jones wrote, ‘patriotism made strange bedfellows.’[[17]](#footnote-17) After the slaves were granted their freedom, many travelled to Jamaica, or went as far from their former masters as possible. However, the *Creole* would have to return to its original destination of New Orleans eventually, and as soon as it did, the predictable storm erupted. The *New Orleans Bulletin* said that the city had been "thrown into a flame" and that now was the time to settle once and for all "whether British authority can strip American citizens of their property without their consent.'"' One American present in the city wrote to a friend in England:

The affair has stirred up the South to much angry menace, and one member of Congress has been foolish enough to talk of a retaliatory assault on New Providence. I trust that England will use this opportunity to prove her immoveable fidelity to the principles of justice and humanity which she has espoused.[[18]](#footnote-18)

When news emerged that one of the sailors on board the *Creole* had been killed during the slave rebellion, a demand for satisfaction also emerged from the American side. All this went on in the background, as Ashburton travelled towards his destination, and promised to provide an additional wrinkle in the negotiations. On 20 January 1842, President Tyler addressed the situation and the question of law, by insisting:

Now there was nothing more clear, than that, according to laws of nations, a vessel on the ocean is regarded as a portion of the territory of the state to which she belongs…and that if forced into a friendly port by an unavoidable necessity, she loses none of the rights that belong to her on the ocean.[[19]](#footnote-19)

Essentially, Tyler argued that just because an American vessel reached a British port, this did not render the vessel as British territory. As officials at Nassau had escorted the slaves off the *Creole*,they had violated American sovereignty. Tyler’s position is remarkably similar to that argued by the British years later in 1861, when Union sailors seized Confederate diplomats from a British vessel on the high seas. The British argued then that as Union officials had boarded a British vessel, they had entered British territory, and thereafter violated British rights. In 1842 though, the British were on the other side, and they responded that

…it does not appear that the slaves were liberated by any act of British authority; but that being within the limits of British Territory, within which limits the consideration of slavery is not recognized by law and being charged with no crime, they voluntarily quitted the vessel on board of which there was no legal power to detain them.[[20]](#footnote-20)

As if giving a clue as to the divided nature of the US, and the ruinous direction these divisions would lead it, a resolution was proposed in the House of Representatives by Ohio man Joshua Giddings, a prolific attorney, politician and a prominent opponent of slavery. Giddings insisted that the British had ‘violated no law of the United States, incurred no legal penalty, and are justly liable to no punishment" and that any effort of the government to re-enslave them is ‘incompatible with our national honour.’ Giddings found himself censured, resigned his seat, but was then re-elected with a huge majority the following December. These developments placed further pressure on President Tyler to overcome the divisions in his Republic, and it predictably outraged southern Congressmen who accused Giddings of pro-British sentiments.[[21]](#footnote-21)

Ashburton did not actually arrive in Washington until 4 April 1842, by which time the atmosphere had markedly deteriorated. He could and did claim that the *Creole* had not been on the list of issues he and Aberdeen had originally discussed, but Ashburton quickly realised that this did not matter. The *Creole* presented itself as the shining beacon of the slavery issue, and meant any compromise on Right of Search would be impossible. By June, in fact, the *Creole* threatened to sink the negotiations altogether, and Ashburton wrote to Aberdeen that:

My great plague is the *Creole*, and you will see how I have at last disposed of it. At least a dozen various attempts at explanation were tried and there came only yesterday a…foolish letter from the President to Webster which made me fear we might at last stick fast, and if it were not that the general object of the Mission is popular in [this] country, I think this would have been the case. My settlement on this point was at last sulkily received by him.[[22]](#footnote-22)

The settlement was described by Wilbur Jones as ‘a splendid example of burying an insoluble problem under a mass of acceptable verbiage’,[[23]](#footnote-23) but it did contain a tacit understanding by Webster that Britain had no choice but to free any slaves which reached its territory. Instead, Ashburton focused on the idea that Britain would refrain from any ‘officious interference’ in American naval affairs. Actions would be taken, Ashburton wrote, but only those that might ‘be indispensable to enforce the observance of the municipal law of the colony, and the proper regulation of its harbours and waters.’ With this word salad, the *Creole* issue was finally solved. Typically, Ashburton offered no apology, and President Tyler had to dress the matter up as a win for the southern statesmen who had expected better.[[24]](#footnote-24) But still, it represented the removal of a roadblock against a final settlement. Ashburton might have congratulated himself, but some such roadblocks remained frustratingly immovable.

From the beginning, Ashburton was made aware that the US still expected some form of compensation over the destruction of the *Caroline*. He was not unsympathetic to this, nor was Aberdeen back in London. A view of the situation had developed in recent years that Palmerston had been wrong to ignore American requests for reparations for so long.[[25]](#footnote-25) Yet, it was also important not to give too much; Britain could apologise for leaving American requests unanswered, but it did not have to go further than that. Apologising for the delay was different to apologising for the act, and although it was known that Britain had accepted responsibility for the destruction of the *Caroline* in previous years, this was as far as Ashburton was willing to go. ‘You will see what I have done about the *Caroline*’, he wrote to Aberdeen.

My letter is more wordy than it need be, but for the audience for which it was intended. I hope you will not think it too apologetic, the words in this part were well-weighted and I have not said more than I thought was honourably due. The President to whom this letter was confidentially communicated before it was sent is satisfied, and this is important because he is sore and testy about the *Creole*.[[26]](#footnote-26)

This reflected an important point about the negotiations; that each of the major issues – whether it was the *Caroline*, right of search, or boundary debates – all overlapped into one another. Angering the Americans in one area could make them spiteful and intransigent in another, and we see constant mention by Ashburton of small concessions which practically did little, but which did improve the mood music in Washington, and encouraged a sense of goodwill.[[27]](#footnote-27) Originally, Ashburton added a paragraph explaining why the owner of the *Caroline* could accept no compensation, but President Tyler preferred that the matter of compensation be left aside, rather than publicly acknowledged, and what was given instead was the following non-apology:

The violation of the independent jurisdiction of the United States . . . Her Majesty's Gov't regard in a very serious point of view. So far are they from thinking that an event of this kind can be lightly risked, they would rather deprecate its recurrence by every means in their power.[[28]](#footnote-28)

However, although it appears that Ashburton had gotten away with it, even with the alleged help of Daniel Webster, the US SOS was not all smiles. A perusal of Aberdeen’s private papers show several letters from high-ranking French dignitaries, including the French King and several prominent French statesmen, which all expressed the view that France would back the US if the negotiations deteriorated into war. How else could Aberdeen have come by these letters, which were addressed to Washington, if Webster had not handed them to Ashburton, who sent them back to London? The question is why Webster would have done this, and the most likely answer is that Webster believed this proof of French support would pressure Peel’s Cabinet into going further in the negotiations than they otherwise would have.[[29]](#footnote-29)

The letters certainly would have raised British eyebrows. One historian quoted the French King proclaiming that “If the Union of the five Powers is once more disturbed as it was in 1840 by the scurvy trick the Whigs played us in the Eastern Question, it is impossible to foresee the consequences.” America’s Ambassador to France reported one of Louis' confidential aides as observing that "England is too arrogant and you are right to resist her. The feeling of France is with you." Another letter to the President recorded a diplomat’s view that: "I was satisfied from the language of Louis Philippe that if there should be war between the United States & England, the French nation would be forced into it on our side.”[[30]](#footnote-30)

For Webster particularly, the talks with Ashburton seemed to be insufficient, and he actually opened a private line of communication directly with Aberdeen. The intermediary in these talks between the SOS and FS was Andrew Everett, the newly appointed American Ambassador to Britain.[[31]](#footnote-31) This effort of opening another channel of diplomacy may have been necessary because Aberdeen found himself surrounded by such anxious news, such as reports of the French position, and rumours of anti-British forces coalescing around the President. Since the situation was far from static, Ashburton had himself received new instructions from Aberdeen on the Maine boundary almost as soon as he arrived. We will recall Aberdeen’s efforts to gauge the views of military experts on the boundary, and of the necessity in balancing the more hard-line views of Wellington on the matter. What was produced in the end was a more uncompromising demand, which Ashburton immediately believed was impossible. ‘If you had read to me your present instructions before I left London, I should have ventured under such circumstances to give an opinion that it was inexpedient to send this mission’, Ashburton testily replied.

Though his bluntness is likely also explained by Ashburton’s belief that he would have a greater freedom of action in the boundary discussions. While he had been at sea though, Cabinet divisions had changed this expectation. By 2 July, with Aberdeen continuing to send updated instructions on the boundary, Ashburton said, with some palpable frustration, that ‘it is too late now to enter into elaborative argument, for any useful purpose. The matter will be settled practically by you, while we are engaged in discussions here.’ Ashburton could argue with some justification that the rulebook had changed since he had first departed for Washington, and he certainly disliked being bypassed by Webster and Aberdeen’s private line. Ashburton might well have wondered, if such private discussions were possible, why he had been sent to Washington in the first place.[[32]](#footnote-32)

Back in London around this time, Aberdeen was coming to see the developing Treaty as a beacon of hope for relations with France. ‘A settlement of our differences with the US’, he wrote, ‘will greatly improve our relations with France.’ And Aberdeen added ‘I believe Guizot [French Premier] cordially wishes our success, for it will be the means of extinguishing the warlike propensities of our enemies throughout France, and will give the government the power to pursue a pacific and friendly policy.’[[33]](#footnote-33) Such a friendly policy, we will recall, was foremost among Aberdeen’s goals, because it would reduce expenditure, increase trade, and generally improve the depressed British economy.

It is not necessary to go through the innermost details of the Maine boundary negotiations now, since we’ve spent more than enough time on them, and in simplified terms, they read like a back and forth over insisting on small strips of land, before eventually giving way. The final settlement contained an element of give and take, whereby Britain acquired greater security for Quebec’s border, in exchange for concessions in the Maine boundary. The aforementioned map provides the clearest account of who got what, and by July, Ashburton had reached the end – probably of his patience – but also of the morass of issues, having apparently solved each one. The Webster-Ashburton Treaty was signed on 9 August, and ratified by the Senate three weeks later.[[34]](#footnote-34)

In a final analysis, the WA Treaty did resolve the boundary with Maine, and disputes over it ceased immediately, tying up at last a once plentiful source of AA hostility. Other decisions are also worth noting. Seven crimes, including murder, were stipulating as justifying extradition between Britain and the US, which would help improve relations further and deepen a reliance on international law. The Great Lakes were to be neutralised, and jointly patrolled by the two states. There was also a tacit agreement that the slave trade should be brought to an end on the high seas. However, there was one issue which remained unsolved, and which promised to keep AA relations somewhat unsettled. While the Maine boundary had been resolved, a boundary dispute in the north west, that of Oregon, was apparently too difficult to fix. It was left as it had been for many decades, as a disputed territory jointly administered by British and Americans, despite rapidly filling with American settlers.[[35]](#footnote-35)

But this omission was not necessarily a bad thing. As Aberdeen reflected to Ashburton, ‘The good temper in which you left them all, and the prospect of continued peace, with, I trust, improved friendly relations, far outweigh in my mind the value of any additional extent of Pine Swamp.’ Aberdeen understood that any concessions to the Americans, however excessive they might appear on the surface, could all be justified if the WA treaty represented a new era of AA peace. Ushering in this new era had arguably been Aberdeen’s main goal. However, by omitting Oregon, Aberdeen was placing his faith in an uncertain future. If the Americans returned to Oregon’s fate with great demands, critics could argue that Aberdeen had encouraged them by his concessions in this treaty.[[36]](#footnote-36) Unfortunately for Aberdeen, this was precisely what happened, though he could not have predicted it, nor could he have known the impact which the Presidency of James K Polk would have.

This episode has already been chunky and intense, so we’re going to return to the WA treaty, its fallout, and the outstanding issue of Oregon in the next episode. How did the opposition – namely, Palmerston – react to the news of the Treaty? Was Aberdeen right to believe that the concessions were worth the new era of peaceful cooperation? Or was the FS exposed by his naivety, as America became increasingly expansionist and aggressive under a new regime? All of this is to come in the next episode, so for now I will say thanks for listening, remember to read the footnotes if you like further reading, and I’ll be seeing you all soon.

1. Jones, *American Problem*, 16. [↑](#footnote-ref-1)
2. *Morning Post*, 1 Jan 1842. [↑](#footnote-ref-2)
3. *Hereford Times*, from *The Spectator*, 15 Jan 1842. [↑](#footnote-ref-3)
4. *Morning Chronicle*, 7 Jan 1842. [↑](#footnote-ref-4)
5. Frederick Merk, ‘The Oregon Question in the Webster-Ashburton Negotiations’, *The Mississippi Valley Historical Review*, Vol. 43, No. 3 (Dec., 1956), pp. 379-404; 383. [↑](#footnote-ref-5)
6. Richard N. Current, ‘Webster's Propaganda and the Ashburton Treaty’, *The Mississippi Valley Historical Review*, Vol. 34, No. 2 (Sep., 1947), pp. 187-200; 187. [↑](#footnote-ref-6)
7. Quoted in Wilbur Jones, ‘Lord Ashburton and the Maine Boundary Negotiations’, *The Mississippi Valley Historical Review*, Vol. 40, No. 3 (Dec., 1953), pp. 477-490; 479. [↑](#footnote-ref-7)
8. *Ibid*, 480. [↑](#footnote-ref-8)
9. *Ibid*, 480-481; Also Jones, *American Problem*, 24. [↑](#footnote-ref-9)
10. Quoted in *Ibid*, 482. [↑](#footnote-ref-10)
11. Richard W. Van Alstyne, ‘The British Right of Search and the African Slave Trade’, *The Journal of Modern History*, Vol. 2, No. 1 (Mar., 1930), pp. 37-47; 37. [↑](#footnote-ref-11)
12. Jones, *Webster-Ashburton Treaty*, Slavery and National Honour section. [↑](#footnote-ref-12)
13. Brown, *Palmerston*, p. 268. [↑](#footnote-ref-13)
14. *The Times*, 1 January 1842, p. 6. [↑](#footnote-ref-14)
15. Edward D. Jervey and C. Harold Huber, ‘The Creole Affair’, *The Journal of Negro History*, Vol. 65, No. 3 (Summer, 1980), pp. 196-211; 202-203. [↑](#footnote-ref-15)
16. *Ibid*, 204. [↑](#footnote-ref-16)
17. Jones, *Webster-Ashburton Treaty*, Slavery and National Honour section. [↑](#footnote-ref-17)
18. Jervey and Huber, ‘The Creole Affair’, 205. [↑](#footnote-ref-18)
19. *Ibid*, 205. [↑](#footnote-ref-19)
20. *Ibid*, 206. [↑](#footnote-ref-20)
21. *Ibid*, 206. [↑](#footnote-ref-21)
22. Jones, *American Problem*, 22. [↑](#footnote-ref-22)
23. *Ibid*, 22. [↑](#footnote-ref-23)
24. Jervey and Huber, ‘The Creole Affair’, 207-208. [↑](#footnote-ref-24)
25. Jones, *American Problem*, 19. [↑](#footnote-ref-25)
26. *Ibid*, 23. [↑](#footnote-ref-26)
27. *Ibid*, 22-24. [↑](#footnote-ref-27)
28. Quoted in Ephraim Douglass Adams, ‘Lord Ashburton and the Treaty of Washington’, *The American Historical Review*, Vol. 17, No. 4 (Jul., 1912), pp. 764-782; 767. [↑](#footnote-ref-28)
29. See Jones, *American Problem*, 23-24. [↑](#footnote-ref-29)
30. Wilbur Jones, ‘Lord Ashburton and the Maine Boundary Negotiations’, 484-485. [↑](#footnote-ref-30)
31. His nomination as Ambassador and southern American opposition to his appointment is examined in Matthew Mason, ‘The Local, National, and International Politics of Slavery: Edward Everett's Nomination as

U.S. Minister to Great Britain’, *Journal of the Civil War Era*, Vol. 6, No. 1 (MARCH 2016), pp. 3-29. [↑](#footnote-ref-31)
32. Jones, *American Problem*, 24-25. [↑](#footnote-ref-32)
33. *Ibid*, 25. [↑](#footnote-ref-33)
34. Lyon G. Tyler, ‘President John Tyler and the Ashburton Treaty’, *The William and Mary Quarterly*, Vol. 25, No. 1 (Jul., 1916), pp. 1-8; 7. [↑](#footnote-ref-34)
35. Kenneth E. Shewmaker, ‘Daniel Webster and the Oregon Question’, *Pacific Historical Review*, Vol. 51, No. 2 (May, 1982), pp. 195-201; 197-198. [↑](#footnote-ref-35)
36. Jones, *American Problem*, 28. [↑](#footnote-ref-36)