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1829-1850*

Terence John Corps

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## ABSTRACT

Terence John Corps

Reciprocity Revised: The Jacksonians, Navigation, and the Shaping of United States Commercial Policy, 1829-1850

Submitted for the degree of Ph.D., 1992

The study investigates the importance of the policy of reciprocal navigation within U.S. domestic politics and commercial diplomacy in the late Jacksonian era. Addressing the neglect by historians of the development of the policy after 1829, the study examines the basis of a strong minority in opposition to the existing equality in commercial exactions granted to the shipping of foreign countries which reciprocated with like terms. This opposition, located chiefly in the maritime centres of New England and Baltimore, and reaching its climax in the harsh economic climate of the early 1840s, made use of pressure group tactics in an attempt to persuade American policy-makers to suspend the policy, or to abandon it altogether. They also drew attention to similar problems in the related matter of trade with Britain's colonies in the western hemisphere. Their efforts met with varied results: the gradual improvement of the colonial trade problem until its final resolution with the reform of the British Navigation acts in 1849; short-term legislative attention to the issue of reciprocal navigation, but with no positive outcome; temporary suspension of the policy by diplomatic officers of the Tyler administration; and finally the further extension of reciprocity, and the exploitation by the Polk administration of the opposition to it as a negotiating tool to win commercial concessions from European states. The study concludes that reciprocal navigation, while not a party issue as such, did evoke responses which reflected prevailing partisan and sectional attitudes. At a time of growing sectional tension the issue tended to divide northern and southern Whigs, for and against sympathy for the critics of reciprocity respectively; while Democrats managed to maintain party unity on this issue, despite the apparent southern priorities of the Polk administration, as revealed by their manipulation of shippers' discontent.

Reciprocity Revised: The Jacksonians, Navigation,  
and the Shaping of United States Commercial Policy,  
1829-1850

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Thesis submitted for the degree of Ph.D.

University of Durham  
Department of History  
1992

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### Introduction

Amidst the obvious fascination for dispute and controversy in history it is hardly surprising that more mundane business is frequently neglected. In diplomatic circles, for example, the careful nurturing of peaceful relationships overseas and the gradual development of policy stances struggle hard to grasp the attention in the same way as do acquisition of land, crises, and war. And yet it is often less exciting matters which demand the most energy and time from diplomats around the world and which, arguably, have the greater long-term impact upon peoples' lives and everyday interests.

U.S. commercial diplomacy in the Jacksonian era is a case in point. It rarely wins the notice of historians, despite being an important element in the domestic and foreign relations of the country at the time. Politicians and diplomats made strenuous efforts to foster the various interests involved in American overseas trade, and yet historians have usually only examined those commercial issues which provoked controversy or a near break-down in foreign relations. One thinks of Andrew Jackson's deal with Britain in 1830 to open the colonial trade; of elements of the negotiations with France over spoliation claims; and, again with Britain, of the commercial aspects of events leading to the Webster-Ashburton treaty. Yet it has been the more momentous issues of cross-border relations with North America, in Maine, New York, and later Oregon, which have dominated general and specific historical study of Anglo-American affairs of the period. In the same way expansion and war with Mexico account for much of the study of U.S. relations with their southern neighbour.<sup>1</sup>

In the light of this general neglect it is not to be expected that the narrower issue of reciprocal navigation would receive much attention. The policy of treating

foreign and American ships equally in terms of tonnage and import duties imposed in U.S. ports (provided American vessels were treated reciprocally in foreign ports) has generally been judged as having reached maturity by 1829. Significantly Vernon Setser ends his major study of reciprocity in 1829, and other diplomatic and maritime historians, when touching on the topic at all, usually assert that the years 1830 to 1850 witnessed the unquestioned continuation and extension of the policy.

And yet important groups within the maritime economy did question the sense and effects of reciprocal navigation in the late 1830s and 1840s. Undoubtedly anxious during depressed conditions at the end of the 1830s, critics of reciprocity called for the suspension and even a reversal of the policy. Historical study has largely ignored this development. Indeed, most historians portray these years as healthy ones for American navigation. Even those who do acknowledge a degree of unease among the maritime interests at the time have focussed upon the underlying problems of depression and relative inefficiency of American shippers, rather than looking in any detail at how that unease was translated, in some cases, into attacks upon reciprocity.<sup>2</sup>

A connected issue, in that it aroused the anger of American shippers about the access to and share of trade with a particular market, was the British colonial trade as regulated by Andrew Jackson's "successful" arrangement of 1830. For most historians the arrangement, which heralded the final opening of the West Indian colonies to American vessels, represented the glorious conclusion of a fifty-year story of American diplomatic effort. Jackson and his officials are lauded for their triumph in fostering the interests of American commerce. But here again the mid-1830s saw the start of a wave of criticism of the trading conditions endured by American shippers, as it seemed that British rivals enjoyed unfair paper and

natural advantages. Maritime communities, especially in New England, mobilised in opposition to prevailing conditions and called for a diplomatic remedy or, failing that, legislative retaliation. While historians have paid more attention to these moves than to the reciprocal navigation issue, there has not been detailed examination of their causes and consequences both abroad and in domestic circles.<sup>3</sup>

In explaining the contemporary neglect of problems in the colonial trade in the later Jacksonian era, Lloyd Maxwell goes some way to explaining the lack of historical study of questions of commercial diplomacy:

The period from 1830 to 1850 was one of internal political conflict in the United States. Party rivalry was exceedingly intense, and at times the local controversies were so bitter as to leave Congress little time, or inclination to deal with foreign affairs.<sup>4</sup>

Certainly politicians were caught up in a host of difficult and time-consuming matters which historians have chosen to examine in preference to commercial diplomacy. Banking and finance; internal improvements; the domestic implications of the tariff; Indian removal; and, towards the end of the period, expansion with its increasingly sectional dimension; all these combined with the everyday business of partisan wrangling to occupy the attention of contemporary politicians and of subsequent historians of the period. What Maxwell does not make clear, however, is that on occasions reciprocity and commercial diplomacy were intimately bound up with the domestic political agenda, either as issues in their own right, or as side-issues to a more important domestic dispute. Commercial diplomacy was, of course, closely connected to the issue of the tariff, but it also impinged on other debates, as well as providing opportunities for actions of sheer partisan spite and for the expression of sectional or interest-related loyalties.

Historical neglect of these issues might also be explained, in part, by the fact that in its basic lines navigation policy did not change greatly. Critics of reciprocity undoubtedly failed to prevail upon the U.S. government to modify the policy which they considered so damaging. Resort to traditional pressure group methods of lobbying Congress and the Executive branch failed to transcend the simple reality that critics of reciprocity were in a minority, not only within the whole range of economic interest groups pressing for attention but even within the narrower groups interested in commerce and navigation. Against such odds success was most unlikely.

But failure to secure satisfactory results did not mean that critics of reciprocity were without any influence. Indeed, far from having no impact whatsoever, they did cause policy-makers in Washington, especially those in the State department, to reconsider reciprocity and to re-define its position within U.S. commercial policy as a whole. At first this resulted in the Tyler administration suspending the previously unchecked progress towards the most liberal of navigating rights, in apparent sympathy with the criticism circulating at the time. The return of the Jacksonians to office with James K. Polk's arrival in the White House in 1845 brought with it continued recognition of the substance of much of the criticism of reciprocity, as U.S. diplomats abroad and in Washington admitted the benefits accruing to some foreign shipping rivals. But their response was more exploitative than sympathetic. Driven by concern for the wider interests of commerce, and especially of agricultural producers, the Polk administration turned the criticism into a negotiating tool, dangling the carrot of reciprocity before foreign countries as an incentive to grant other commercial favours to the United States. Even if the results were again negligible, the attempt revealed some of the Polk administration's priorities, at a time

when sectional prejudices were increasingly influential in political party splits.

Reciprocal navigation had been challenged but survived as a favoured policy of the United States. Indeed, after 1850, when Britain adopted the most liberal of reciprocal terms, it was unlikely that the United States would move away from their support for the policy. Ironically, subsequent developments apparently confirmed much of the substance of the criticism during the Jacksonian era, as reciprocity combined with technological advances in navigation to bring about a more general, long-term decline in the fortunes of American shipping in the second half of the nineteenth century.

## Chapter 1. The Maturing of Reciprocity, 1815-1836

One month after his defeat in the 1828 election President John Quincy Adams sent his final annual message to Congress. To a certain extent this was an exercise in self-vindication. Among the successes he chose to celebrate was the recent negotiation with the Austrian representative in Washington, Baron de Lederer, a negotiation which had led to the preparation of a treaty of amity, navigation and commerce between the two nations, a treaty which now only required approval by the Austrian government. Aside from the pleasure he took in the prospective establishment of friendly relations with one of the "most eminent and powerful nations of the earth," Adams rejoiced also in the fact that this occasion promised the extension of "those principles of liberal intercourse and of fair reciprocity which intertwine with the exchanges of commerce the principles of justice and the feelings of mutual benevolence." After a brief review of the history of American adherence to reciprocity in commercial relations Adams expressed his hope that other nations would adopt the principles of this policy, so that "by its universal prevalence one of the fruitful sources of wars of commercial competition will be extinguished."<sup>1</sup>

On this occasion the retiring President refrained from drawing attention to the fact that he had been personally responsible for many of the strides taken towards the extension of reciprocity in commercial relations over the past twelve years, whether as diplomat, Secretary of State, or as President. Indeed that period which had seen Adams at the pinnacle of his Executive career had also witnessed the most remarkable advancement in the commercial policy of the United States. The years of peace following the defeat of Napoleon in 1815 brought with them both old and new challenges to American commercial and shipping interests overseas. Markets and shipping routes left open during wartime were now closed,



as European powers sought to recover strength after the ravages of war. To the United States there remained two options: retaliation, or the encouragement of more liberal treatment by others. By a combination of both, wrapped up in the veil of policy known as reciprocity, the United States had by 1830 reached the position which Adams celebrated in his final address. What is more, the administration of his successor, Andrew Jackson, would be guided by the same principle in its conduct of commercial diplomacy, and by 1837 further important commercial treaties based on the principle of reciprocity had been signed with countries in all parts of the world.

Reciprocity in commercial relations embraced a number of different aspects, and too often historians have used the term rather loosely to explain American policy in the first half of the nineteenth century. At the most general level "reciprocal treatment" simply meant that the contracting parties exchanged the same privileges, in whatever field of activity, however limited or restricted those privileges might be. For example, this might entail the right of each country to appoint consuls in the territories of the other. However, as applied more narrowly to commerce and navigation, "reciprocity" took on more specific meanings. In commerce the term was used loosely to denote that countries placed each other's products on the same footing, usually on "most favoured nation" terms. However, reciprocal arrangements in commerce might also involve the mutual reduction of customs duties by two countries. As applied to navigation, though, reciprocity assumed yet another meaning, and it is with the development of this concept that this study is concerned.

In essence reciprocity in navigation determined that each country's ships were allowed to trade on the same terms in the other country's ports as were the vessels of that country. This did not mean that an American ship

entering a foreign country could claim to be charged the same duties as were imposed upon a ship of that country entering an American port, as some contemporaries mistakenly believed. Rather, an American vessel entering a foreign port could claim to be treated on exactly the same terms as a ship of that port's nationality, whether it be in the payment of import, export or tonnage duties. It was this principle which Adams celebrated in his 1828 address and which the Jackson administration pursued relentlessly in the years which followed. In the process the policy was refined and matured, so that by 1837 it was only the geographical scope and not the theoretical basis of reciprocity which could be further extended.

In order to understand fully the principle of reciprocity in navigation and why American statesmen were determined that it become a mainstay of commercial policy throughout the world, it is necessary to trace the roots of American practice in this field. The policy derived its origins from the days of the War of Independence. As the war denied them access to what had been their traditional markets and shipping routes, most especially in their once-fellow British colonies in the Caribbean, the new United States were forced to re-define their commercial position within the world. Whereas previously their only legal trade had been with other parts of the British empire, now the United States had to seek new markets for their goods, new suppliers of products they might require, and new routes in which their shipping would be allowed to flourish. Under wartime conditions they found a willing ally in France, with which kingdom a treaty was signed in 1778, guaranteeing that American and French vessels entering each other's ports would be afforded the same treatment as those of the "most favoured nation." The same principle was included in a treaty with the Netherlands in 1782. So was set in train a process of commercial relations which would last into the mid-1830s.<sup>2</sup>

The end of war and the successful attainment of independence in 1783 caused a slight shift in approach. Despite the successful negotiation of a treaty with Prussia in 1785, it was to be relations with Britain which really signalled how effective American policy was. The United States might have secured their political independence, but it soon became clear that British knowledge of credit and marketing skills, the deep-seated preference for British goods, and an unwillingness to break away from old habits were to ensure that Britain would still figure highly in American trade. The problem now posed, though, was how to make sure that Britain did not exploit those factors to win a disproportionate influence over American interests. The United States needed to take measures to guide American trade along natural routes, free from the influence of Britain, but most importantly of all they had to develop their own independent facilities for trade and shipping, to provide a healthy platform on which to base any resistance to British pretensions, as well as simply for the material welfare of their own people.

It was believed that the new federal Constitution ratified in 1787-88 afforded to the national government powers to fulfil these ambitions. Admittedly these powers were not as extensive as those enjoyed by some nations. Most notable was the prohibition of export duties on American products as a concession to Southern staple producers. However, there was still ample scope for commercial regulation in the imposition of import duties and whatever duties Congress might see fit to impose on tonnage, and in light and harbour dues.

Making use of these tools, Congress set about designing policies to foster the American merchant marine as a means to the future economic and naval strength of the country. Duties on foreign shipping in the coasting trade from one American port to another were raised to

prohibitive levels, providing one field of shipping activity in which American vessels could enjoy a monopoly. In certain other specific trades American participation was protected by the imposition of higher duties on goods when carried in foreign vessels, most notably in the tea trade from the Orient. However, the two main planks in the first U.S. commercial policy were the tariff act and tonnage duties of 1789. American-owned tonnage was charged six cents per ton, American-built, foreign-owned tonnage thirty cents, and completely foreign tonnage was to pay fifty cents when entering American ports. By the tariff act a ten per cent discount in import duties was given to all goods entered in American vessels, a measure changed in form, but not in its effect on shipping, in 1794, when the discount was exchanged for a ten per cent extra duty on goods carried in foreign ships.

These discriminations, initially a policy of protection to the infant American shipping industry, soon came to be regarded as a weapon in future commercial negotiations with other countries. From the very beginning there were some, among them James Madison and Thomas Jefferson, who believed that due credit ought to be given to those countries which were prepared to meet the United States on treaty terms. In a noted report on the status of American commerce abroad Secretary of State Jefferson stressed that the United States should not afford equal treatment to those countries which refused to treat American interests equally in their ports. His solution was to encourage others by offering to reduce or remove completely the discriminations against those countries which reciprocated by means of treaty relations. Opponents of this line of policy, including Jefferson's Cabinet rival, Alexander Hamilton, realised that Britain was the main target of the proposed discrimination. They were anxious to maintain close trading relations with the former mother country, at least until such time as the

United States were strong enough financially to stand on their own feet, and they succeeded in preventing the imposition of an extra discrimination against British vessels trading in American ports. Indeed, Federalist policy makers even forestalled the need for such a line of action anyway by their negotiation of "most favoured nation" terms with Britain in the infamous Jay treaty of 1794. Even so the policy of removing discriminations on the shipping of those countries which reciprocated had been mooted and would be suggested again occasionally in the course of the next twenty years, most notably when Samuel Smith, Baltimore merchant and representative of the commercial interest at Washington brought up the matter in the first years of the new century.<sup>3</sup>

At that time Smith's was a lone voice. What is more, the issue of reciprocity in navigation hardly merited the attention of American policy makers, as war raged in Europe for most of the years between 1793 and 1815, and indeed as the United States themselves were at war with Britain between 1812 and 1815. For the first half of this twenty-two year period American commercial prosperity was stimulated by the demands of the warring powers for neutral trading and shipping services. Markets previously closed were now opened, and American mercantile groups made full use of the opportunity to promote their fortunes. After 1805 conditions grew markedly worse, as issues of impressment, contraband and blockades took the diplomatic stage, relegating questions of reciprocity, access to markets, and "most favoured nation" treatment to the background. The triangular battle of commercial restrictions between the United States, Britain and France, which eventually led to war between the first two in 1812, brought to an end the artificially stimulated prosperity of American shipping but more importantly made impossible any pursuit of a coherent commercial policy in the first years of the nineteenth century.

The return of peace in Europe in 1815 heralded the first real years of normality for American commercial relations with Europe. However, if peace was to be celebrated for its own sake, this did not mean that normal relations would be profitable ones for the United States. No longer were the nations of Europe dependent on others to be their suppliers and carriers, and 1815 witnessed the recommencement of a rivalry to secure the biggest slice of the commercial pie possible.

In their rivalry European countries regarded the use of commercial restrictions and prohibitions as legitimate and essential weapons. In the name of protecting domestic production and producers in their overseas colonies, or for the purpose of raising revenue, countries such as Britain, France, Spain, and the individual states of Germany imposed heavy import duties on foreign products. Such measures hit the United States particularly hard in the light of their traditional role as a colonial producer for Europe. Cotton, alone of American staple products, escaped the heaviest duty levels. The wartime relaxation of old navigation systems was also brought to an end. Many countries allowed access to their colonies in their own ships only; and trade with their European possessions was often restricted to their own vessels and those of the country of origin of any imported product. Even in those trades which were open heavier duties were charged on foreign tonnage and on produce carried in foreign ships.

It is fair to remark that at this stage the United States shared in such restrictions. In 1817 prohibitive duties in the coasting trade were replaced by an absolute prohibition of foreign shipping in that important branch of trade, destined to become more valuable still as the continental integrity of the United States was achieved in the course of the century. The discriminating tonnage duties remained in force in American ports and the tariff act of 1816 incorporated the standard ten per cent

discrimination in favour of goods imported in American vessels. However, it soon became clear from the diplomatic and legislative initiatives taken after 1815 that these duties were there to be removed, whenever evidence emerged that other countries had similarly removed their discriminations against American vessels. In other words discriminating duties were now no longer intended as a permanent protection to American shipping, but were, rather, to be used as an encouragement to other countries to liberalise their commercial policies. It was from this point that the policy of reciprocity in navigation really took off.

The first steps towards a policy of reciprocity in navigation were taken in Congress, where a bill drafted by Samuel Smith was passed unanimously by the Senate and without significant opposition in the House. This act offered the prospect of removal by further legislation of all discriminating duties on tonnage and imports in vessels of those countries which likewise removed their own discriminations against American vessels. The only limitation in these conditions was that they were to apply solely to vessels carrying articles of their own country's production, a principle known as reciprocity in the direct trade. When the Netherlands, Prussia and the Hanseatic towns gave evidence of acceding to these terms, further acts were passed in 1818 and 1819 removing discriminating duties imposed on their vessels in the direct trade. These acts were designed to expire in 1824, at the same time as the experimental period for the act of 1815 came to a close. The experiment was judged a success, however, and in 1824 a new act was passed renewing the offer of reciprocity in the direct trade indefinitely and confirming the operation of the acts with regard to direct trade with the Netherlands, Prussia and the Hanse towns. At the same time it affirmed that similar reciprocal conditions were to be effective with Russia, Norway,

Sardinia, and Oldenburg. Finally it streamlined the procedure by which further countries could be added to the list, by empowering the President to issue a proclamation removing discriminating duties on receipt of the necessary evidence of reciprocal treatment. In this way Hanover and the Papal States were brought under reciprocal conditions in 1827 and 1828 respectively.

Reciprocity in the direct trade would have been adequate if all trade involved straight outward and return voyages between two countries. Such is the nature of international commerce, however, that such voyages are exceptional and rarely the most profitable. Few countries' productions are so perfectly complementary as to enable vessels to ply fully laden between the two, maximising their profits in the process. It is far more common for ships to make triangular or multi-legged voyages, carrying products of their own country to one destination, picking up a new cargo there for carriage to a third country, before re-loading with a third cargo for the voyage home. Some ships even make tramp shipping their only business, never trading in their own country's products. In the wake of the Napoleonic wars such routes were not always easy to find. Britain, for example, prohibited all imports not carried in British vessels or in ships of the products' country of origin. In retaliation Congress passed a navigation act in 1817 which in turn refused entry to non-British goods carried to American ports in British ships. Even in those countries which did allow trade in third-party goods there remained the problem of discriminating duties, again a circumstance which was perpetuated by the United States themselves.

As moves were made to liberalise American policy with regard to the direct trade, so too were proposals made that reciprocity should be extended to this indirect trade in third-party goods. In 1818 Secretary of State Adams noted how various influential men, such as his own Cabinet



colleague William H. Crawford and once again Samuel Smith, were calling for the removal of all discriminating duties. At that time Adams himself was against the proposal to extend the reciprocal experiment, but seven years later, in his first annual message to Congress as President, he called for the very same principle as the basis for American trade. Noting the current limit of reciprocity to the direct trade only, the President declared that it would

deserve the serious consideration of Congress whether even this remnant of restriction may not be safely abandoned, and whether the general tender of equal competition . . . may not be extended to include all articles of merchandise not prohibited, of what country soever they may be the produce or manufacture.

He hinted that various European countries had enquired about such terms, and he felt sure that if enacted such a measure "would recommend itself by the experience of its advantages to the general accession of all." A bill was prepared at that session but it failed of passage for fear of its effect on the continuing dispute with Britain over her colonial trade. In 1827, though, Congress took up the measure again, and after enquiries to the Secretary of State, Henry Clay, from the Chairman of the Senate Committee on Commerce, Levi Woodbury, as to the likely effects of such a measure, an act was passed the following year, offering to the whole world reciprocal conditions in the indirect trade.<sup>4</sup>

The legislative basis for reciprocal navigation was completed a further two years later when tonnage duties were abolished. The Maine Senator Peleg Sprague regarded this measure with great relief, as it removed a burden which together with other impositions was "oppressing and nearly overwhelming the navigation of the country." While the imposition of these tonnage duties upon American shipping and such overseas vessels as enjoyed reciprocal treatment was abolished, there remained a 50 cent tonnage

duty on foreign vessels in all trades not covered by reciprocal arrangements. This duty remained as a means of encouraging further countries to extend their reciprocal relations with the United States.<sup>5</sup>

The act of 1828 signalled the intention of Congress that American commercial relations should be governed in future by the principle of reciprocity of navigation in the indirect trade. However, the very principle of reciprocity relied for its success on the terms being taken up by other countries. As things stood in 1828 the list of countries granted reciprocal treatment on a legislated or proclaimed basis was very impressive, but the amount of trade with those countries constituted only a small fraction of American overseas commerce. For the policy to be judged a success in terms of being widely applied it would have to operate in the trade of the United States with France and most especially Britain, which, despite early warnings of disproportionate influence, remained far and away the major American trading partner.

There were still many who regretted this state of affairs. As late as 1837 the veteran Philadelphian politician Charles J. Ingersoll expressed his worry that British influence in American trade was too great, causing the commerce and prosperity of the United States to suffer. He considered it "the obvious interest & the policy of this country . . . not only to back off a little from that anchorage, but to draw nearer to France, Russia, Austria and the great continental powers." Others regarded efforts to find new trading partners in distant parts of the world and with the newly independent states of Latin America as another means of lessening the dependence of the United States upon British trade. However, most realised that Britain would remain an essential commercial partner, and so were determined that American shipping would have as fair a participation in

her trade as possible. For this to eventuate it was hoped that Britain would open up her trade routes and allow reciprocal conditions to operate in them.<sup>6</sup>

The omission of Britain from the list of countries enjoying privileges under the acts of 1824 and 1828 did not signify total failure in these ambitions. Running parallel to the legislative offer of reciprocity were diplomatic efforts to secure reciprocity by direct negotiation, the principle to be cemented in commercial treaties. If anything treaties were to become the preferred form, offering a greater sense of permanence, a much surer guide to merchants as to the sort of conditions they could expect in foreign ports, and an agreed form of redress for any infractions of the reciprocal principle.

Accordingly, in 1815, Britain became the first country to enter reciprocal conditions with the United States on a treaty basis. The arrangement was negotiated by the peace commissioners from Ghent, John Quincy Adams, Henry Clay and Albert Gallatin, who had moved on to London after the return of peace to discuss a variety of issues, including damages, impressment and access to Britain's colonial trade. Failing on those questions, the commissioners nevertheless succeeded in getting Britain to accede to the terms of the act of 1815, putting trade on a conventional basis of reciprocity in the direct trade. At first this arrangement was limited to four years' duration, but when Adams, as Secretary of State, considered renewal in 1818, he was so impressed by figures from Liverpool and other British ports which revealed that "a constant preference had hitherto been shewn to our vessels for freight from thence," that he decided that the convention should be continued for another ten years at least. Gallatin, now the Minister to France, was dispatched to London to discuss a variety of matters, and along with settlement of the questions of the Canadian fisheries, the northwestern boundary line and compensation

for slaves seized during the war, the commercial convention of 1815 was extended for another ten years.<sup>7</sup>

The convention with Britain set in train a process of treaty-making which would last for the next twenty years. Indeed, the arrangement with Britain was taken as an inspiration by some American diplomats. Jonathan Russell, the American man at the Swedish court, was convinced that the convention of 1815 would have "a salutary influence on our negotiations with other nations." Two years later he succeeded in signing a similar treaty with Sweden, removing all discriminating duties in the direct trade. The British convention also reinforced the message sent out by the act of 1815 and encouraged other countries to come to seek terms from the United States. The Danish minister, Pedersen, was keen for such an arrangement in 1818, but negotiations broke down when Denmark insisted that all Baltic products should be treated as Danish for the purposes of reciprocal treatment and refused to reduce duties imposed on American vessels passing the Sound. Negotiations with Spain and Portugal also proved fruitless at this time. Efforts to come to terms with France were more successful, but only after a contentious and protracted negotiation about the heavy French discriminations against American ships and claims over Louisiana. After Gallatin failed to reach agreement with the French court, talks switched to Washington where Adams and Hyde de Neuville, the French representative, drew up a treaty providing for a gradual reduction of discriminating duties in the direct trade, until they disappeared altogether by 1828.<sup>8</sup>

While Europe provided the main field for commercial diplomacy, exciting developments in the western hemisphere afforded new opportunities for the extension of the policy of reciprocity. The second, and this time successful, set of revolutions in Central and South America confronted the United States with important decisions to make about the

future status of political and commercial relations with the region. Although in the course of the revolutions the United States had adopted a neutral stance, allowing trade with both Spain and the colonies in revolt, there were many who were wary of affording total recognition to independent Latin American states. Among the doubters were merchants who enjoyed a growing and profitable trade with the still-loyal colony of Cuba, <sup>and</sup> who feared that Spain might retaliate by closing access to that island. However, leading statesmen, and most importantly Secretary Adams, and future Secretary of State Clay, were keen to cement relations with the southern continent, in anticipation of both the commercial and political benefits which would accrue.<sup>9</sup>

As early as 1820 Clay predicted that events in the southern continent could only be productive of beneficial results. The independent states would look for new markets for their goods, new suppliers of their own needs and new carriers for all their trade. The United States could fill all those roles, creating "a system of which we shall be the centre, and in which all South America will act with us." This system would compensate for losses sustained in the recent hard times in the wake of the Panic of 1819. The future, indeed, looked rosy:

In relation to South America, the people of the United States will occupy the same position as the people of New England do to the south of the United States. Our enterprize, industry, and habits of economy, will give us the advantage in any competition which South America may sustain with us &c.<sup>10</sup>

Adams considered the issue more in political terms. He recalled the problems the United States had confronted in securing genuine independence from British influence, because of lingering commercial ties. He anticipated that new Latin American states would confront similar problems if they did not take early steps, guided by treaties with the United States. Those treaties should be based on

principles of "entire and unqualified reciprocity," or at the very least "the mutual obligation of the parties to place each other permanently upon the footing of the most favoured nation." Adams explained why:

These principles are, indeed, indispensable to the effectual emancipation of the American hemisphere from the thralldom of colonizing monopolies and exclusions. . . . The time has been, and that not remote, when some of those States might, in their anxious desire to obtain a nominal recognition, have accepted of a nominal independence, dogged with burdensome conditions, and exclusive commercial privileges granted to the nations from which they have separated, to the disadvantage of all others. They are all now aware that such concessions to any European nations would be incompatible with that independence which they have declared and maintained.<sup>11</sup>

Adams' concern in principle led to firm action in practice with the successful negotiation in 1824 of a treaty with Colombia upon the "most favoured nation" basis. Ideally all treaties would have been based on reciprocity. In 1825 Henry Clay noted how reciprocity was a much simpler system to operate, not requiring detailed knowledge of the commercial relations of contracting parties with all other countries, so that the United States might claim similar privileges. What is more the "most favoured nation" principle "may not be, and scarcely ever is, equal in its operations between the two contracting parties." The United States offered far more liberal terms in general, and so American shipping was unlikely to secure as favourable treatment in foreign ports as foreign vessels would receive in American ports. However, for treaties with countries with no or insignificant amounts of shipping of their own the "most favoured nation" principle would suffice, as American ships were unlikely to meet with much competition from home-grown rivals. Such treaties were acceptable in Asian and African countries, and with Latin America, too, where

they acquired an added importance as a means of counter-acting British, French and Spanish influence. Britain was the main cause for concern, as that country had the experience and resources to develop a commercial stranglehold over the southern continent's trade. Britain already had well-established trade with many of the independent states, for example supplying Chile with 80 per cent of its imports. It was possible that American shipping might never effectively rival this influence, but American statesmen were determined that Americans should at least have a fair chance by removing obstructions to their best opportunities. So then the treaty with Colombia ended a five per cent discrimination in favour of British trade and shipping. In all future negotiations with the countries of the region the United States refused to sign treaties which did not include at least the "most favoured nation" principle.<sup>12</sup>

Where possible, however, the United States secured reciprocal treatment which would counter British influence equally well, if not better in some cases, for if Britain did not enjoy reciprocal relations with the contracting party, then American shipping would in fact be the favoured interest. Here the Adams administration met with some success, signing treaties with the Confederation of Central America in 1825 and with Brazil in 1828. Trade with Central America itself was not great, but American shippers hoped to make it an entrepôt for all Latin American trade, with American vessels participating both in voyages between Central America and the continent to the South, and from Central America to the rest of the world. Trade with Brazil was more substantial, and the desire for negotiation was heightened by rumours that American products were charged between 15 and 24 per cent higher import duties than were imposed upon like articles from elsewhere. The treaty signed in 1828 removed these discriminations, except for the right to impose them in

favour of Portugal. Most significantly, though, both the treaties with Brazil and Central America applied the principle of reciprocity to navigation in the indirect as well as the direct trade, a marked extension in comparison to those treaties signed with Europe so far discussed.<sup>13</sup>

Indeed, the Central American treaty became a model for future negotiations with Latin American and European countries alike. Before the passage of the 1828 act the treaty basis represented the only means by which the United States could respond to approaches of countries like Sweden, Austria and Denmark when they suggested the total removal of discriminating duties on shipping. In 1825 Clay put aside the continuing issue of the Sound dues and signed a treaty of full reciprocity in the indirect trade with Denmark. He negotiated a similar treaty with Rumpff, the special minister plenipotentiary from the Hanseatic towns in 1827, although this treaty was marred by the omission of an article determining that only ships built in the respective countries could be considered national vessels for the purposes of reciprocal treatment, an omission which would cause problems in the next decade. Five months later he signed yet another treaty, this time with the Prussian minister Niederstetter. Meanwhile, he had sent instructions to John Appleton, the American chargé in Stockholm, offering to Sweden terms of indirect trade reciprocity. Appleton was successful in his approaches and returned to the Secretary a treaty whose provisions appeared to Clay "to be characterized by great liberality, and to come up entirely to any expectations which I had formed."<sup>14</sup>

Despite these notable successes, the policy could not be considered complete until Britain was a party to full reciprocity. Here the omens were not good, for, of course, Britain did not only discriminate against foreign shipping in the indirect trade but prohibited it altogether. Even so, when time came around for the



reconsideration of the 1818 convention, Clay hoped that the principle of full reciprocity might be incorporated. Albert Gallatin once again was the special agent sent to the Court of St. James to discuss this and other matters. The British negotiators were prepared to concede some elements of reciprocity, for goods of third parties carried between the United States and Britain rather than direct from the third countries concerned. However, Clay rejected this as likely to operate more in Britain's favour. He considered it probable that Britain would act as an entrepôt for European goods, with British ships undercutting American participation in the direct trades with each respective country in Europe. He saw no similar prospect for American ships carrying Latin American productions indirectly to Britain via American ports. "How would American navigation, which can sustain any just competition, support itself against such great inequalities?" Posing this rhetorical question, he ordered Gallatin to reject the British proposals and to agree only to a renewal of the 1818 convention "without alteration." This Gallatin did in 1827.<sup>15</sup>

The failure to bring Britain within the terms of full reciprocity in the indirect trade slightly stained but could not tarnish altogether the record of Adams and Clay in the field of commercial diplomacy. By means of legislative and treaty agreements they had extended reciprocity in either the direct or indirect trades to most of Europe and they had established a foothold in Latin America as well. While the 1827 convention with Britain failed to include reciprocity in the indirect trade, the direct trade agreement did cover the single most important branch of trade which the United States enjoyed. Over the course of twelve years the policy of reciprocity in navigation had been refined into its mature state, from the legislative to the treaty basis and from operation in the direct trade only to the indirect trade

of some countries. A sound foundation had been laid, and now it remained to be seen how the administration of Andrew Jackson assumed the responsibility for this important arm of policy.

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The initial response of the Jackson administration to questions of commercial diplomacy was to follow in the footsteps of its predecessor. Negotiations already in progress were continued and in three or four cases carried through to a successful conclusion. Of course, this did not mean that the continuation of the policy of reciprocity in navigation was automatic or that it would persist for the rest of Jackson's two terms. On several other major issues of economic policy, such as the tariff, internal improvements, and banking and finance, it took several years for distinct party differences to emerge, and so it was conceivable that the Jacksonians might develop their own approach to shipping policy as the 1830s progressed. However, for the duration of Jackson's term in office this development did not occur, and there was a steady pursuit of exactly the same principles as had been the guiding force for Adams and Clay.

The strongest evidence for continuity came in the form of three treaties signed by the United States, with Austria, Mexico and Turkey respectively. Each stemmed from negotiations begun during Clay's tenure at the State department. What is more each reflected a different aspect of the expectations, frustrations, and achievements of the reciprocity policy, which determined how successful the policy was in practice.

Both Austria and the United States had been keen for the mutual abolition of discriminating duties since the mid-1820s, and only delays in negotiations had prevented a treaty from being seen through to completion before the close of the Adams administration. Even so Adams felt confident enough to give premature notification of a

prepared treaty to Congress. It was left to the Jackson administration to complete the formalities, initially issuing proclamations in accordance with the acts of 1824 and 1828 when it became clear that Austria had already removed her discriminating duties upon American shipping in both the direct and indirect trades; then submitting the treaty to the Senate for their approval; and finally acknowledging the exchange of ratifications. This treaty represented another successful step in the extension of reciprocal conditions in trade with European countries.<sup>16</sup>

More frustrating and ultimately less of a success for the United States was the treaty with Mexico. Against a background of heavy Mexican duties on American shipping and products, Clay had impressed upon Joel Poinsett in Mexico City the desire of the United States "to establish, as the basis of all their Commercial Treaties, those [privileges] of equality and reciprocity." Two treaties were signed but failed of ratification by Mexico, even though Clay had surrendered many of the liberal features he thought should be in them. After yet more delay Mexico finally ratified a treaty which Clay's successor, Martin Van Buren, described as "not the best." While it did remove discriminating duties on tonnage in all trades, it provided for an equal imposition of import duties only in the direct trade. Worse still, these terms were to be postponed for six years, for the duration of which the "most favoured nation" status was to operate in both trades for both tonnage and import duties in order to allow the Mexican mercantile marine to develop a stronger base. Thwarted in the attempt to get full reciprocity, the United States had even been forced to accept a temporary suspension of reciprocity in the direct trade. But as in the case of Colombia it was more important to secure some sort of treaty footing so as not to be in a less favourable position than potential foreign rivals with regard to Mexican trade.<sup>17</sup>

Negotiations with Turkey were centred around the American desire to secure access to the Black Sea. Clay's attempts to secure this had been without success, but changes in Europe suggested that things might improve. The previously closed trade had been opened by means of a treaty between Russia and Turkey in 1830, but Russia interpreted this as offering access only to those countries which enjoyed treaty relations with Turkey. Representatives of the mercantile interest, such as Baltimore's Isaac McKim, considered it urgent that the United States should now come to terms, "to be put on a footing with other Nations." William Offley, the negotiator on the spot, insisted that any treaty be based on reciprocity, but Secretary of State Van Buren realised that gaining any access at all was more important than securing reciprocal conditions, especially if insisting upon the latter jeopardised the success of the negotiation as a whole. This more realistic approach shone through in his orders to Offley, which made no reference to reciprocity and called only for the right to navigate and trade in the Black Sea. This the treaty did provide for, affording an example of a treaty with a country where access on equal terms with foreign rivals was more important than equality of treatment with the shipping of the contracting party.<sup>18</sup>

Continuity in negotiation need not have meant that the Jackson administration fully espoused the policy of reciprocity. It might have been the case that proceedings were too far advanced for the United States to withdraw without damaging their reputation and causing the country severe embarrassment. After completing those negotiations the Jacksonians might decide to adopt a completely new tack. However, the reaction to these three treaties reveals that this was far from being a partisan question, so far as the substance of the policy was concerned. What is more, the future negotiating stance of the Jackson

administration would confirm that there had been no fundamental shift in policy.

There were hints of the bi-partisan nature of the issue as early as 1827. Two years earlier Adams had suggested a bill offering total reciprocity to any takers. At that time it had been his supporters, in a majority in Congress, who responded by drafting an instrument. Circumstances intervened to block further progress of that bill, and when the matter was next considered in the 1827-28 session, Jackson supporters were in the majority. Even so, they navigated the bill through Congress, and Adams had no qualms about signing it, regardless of where credit for the measure might go. Nor was there any apparent attempt in the 1828 campaign to make a party issue out of reciprocity. Clay confirmed this in what amounted to a farewell speech at Frederick in Maryland after retiring as Secretary of State. Celebrating the success of the Adams administration in concluding more treaties than had been signed in the previous thirty-six years, he also paid tribute to the opposition: "Whilst a ceaseless opposition has discovered real or imaginary objection to almost every important measure of the late administration, these treaties have not only escaped all animadversion, but have commanded universal approbation."<sup>19</sup>

This agreement in substance continued into the next administration, even if the parties did argue over where credit for new treaties lay. Just as Clay had lauded the Adams administration for its successes in commercial diplomacy, so too did Jacksonians celebrate their fortune and efforts. This extended beyond the annual roll of honour in the President's address to Congress into campaign literature. As President, Jackson was credited with initiating moves which led to the successful negotiation of treaties. Then in the 1836 and 1840 campaigns Martin Van Buren was still being praised for his tenure in the State department several years earlier,

which had overseen the signing of as many as four treaties. Although written some years later, the "Autobiography" of Amos Kendall still captures the flavour of this literature. Displaying none of the magnanimity to political opponents revealed earlier by Clay in his speech at Frederick, Kendall averred that the foreign relations of the United States were "found in a disordered state" in 1829. Among other successes, the Jackson administration had won "most favoured nation" status for ships trading with Turkey, and had initiated relations with Austria, "extending to our commerce many advantages in her ports." All this, done against a background of alleged partisan efforts to withhold appropriations for ministers, had brought tangible rewards for merchants, shippers, ship-builders, farmers and manufacturers alike.<sup>20</sup>

The National Republicans responded in like fashion. The address from their national convention in 1831 acknowledged the "appearance of success" in foreign affairs during Jackson's first term. However, it claimed for the opposition much of the credit for this success and accused the President of being small-minded and ungrateful. Jacksonian success was

in consequence of the fact that several arrangements with foreign powers which had been matured, and in some instances concluded, under the preceding administration have been made public under this. Such was the case with the treaties with Austria . . . and with Turkey. In announcing the conclusion of these arrangements, a president of an elevated and generous disposition would have taken delight in doing complete justice to the merits of a political competitor. General Jackson took to himself, without scruple or ceremony, the whole credit of these negotiations, and on this and other occasions affectedly avoided to mention the name of his predecessor.

Clay played around with a similar theme during the 1836 campaign, although only in the intimacy of private

correspondence: "I negotiated various treaties. Several of these (those for example with Austria and Mexico) were agreed upon, but not actually signed and were subsequently concluded in the name of the succeeding Administration."<sup>21</sup>

Throughout these statements the tone was the same. Both parties were keen to claim credit for the policy rather than to criticise the other for their espousal of it. In substance they were agreed. Any potential difference over the substance of the policy would have required one or more of several circumstances to prevail. The parties might have clashed over the constitutionality of the policy, over its main intentions, or over the way in which it was operating in practice. However, in none of these cases did such a clash occur in the period of transition from the Adams to the Jackson administration.

Unlike other issues, such as the protective tariff and internal improvements, there was little constitutional doubt about the policy of reciprocity. The Constitution expressly states that Congress has the power "to regulate commerce with foreign nations," which gives clear sanction for acts such as those offering reciprocal conditions in 1824 and 1828. What is more, the right of the Executive branch to pursue commercial aims through diplomacy was accepted, especially if those aims fitted in with the intentions of any legislation on the subject. If anything the policy which reciprocity replaced, discriminating duties for protective purposes, held within it the potential for greater constitutional debate. Some did still regard the discriminating import duties as a legitimate form of protection. John Scott, from Missouri, deemed it essential that "our commerce, and shipping interest [be] guarded and well regulated," and thought the extra duties imposed by the tariff of 1824 were appropriate for the task. However, the Adams administration, and the Jacksonians after them, both considered the removal of special privileges for American

shipping at home in return for equal treatment overseas as the best form of encouragement, and as a result the likelihood of constitutional argument was diminished.<sup>22</sup>

The beauty of the policy was that it seemed to combine high principle with the best interests of the United States. The removal of discriminating duties was hailed as part of a general liberalisation of trade. It lessened unnatural burdens on commerce and allowed trade to follow a more natural and therefore preferable course. James Lloyd, the Massachusetts Senator representing Bostonian shipping interests, avowed that "the leading, fair, and honorable principle of our commercial intercourse with foreign nations undoubtedly is, and should be that of reciprocity." However, he added that this was a principle "alike of National self-respect, and interest . . . ." Jonathan Russell, celebrating the 1815 convention with Britain, considered the achievement of reciprocity as vital, certain as he was that "the sagacity, skill & enterprize of our fellow citizens will always secure the ascendant in a free commercial competition & that we shall always have the advantage in every advancement towards liberal principles." Americans pursued reciprocity, therefore, both in the name of principle and for material interest, and the more it was extended, the greater were the benefits expected to accrue to the United States.<sup>23</sup>

Those benefits were expected to come in several forms. The abolition of discriminating duties and an increased atmosphere of competition for the carrying of trade to and from the United States would force down the price of carriage of products both ways, to the benefit of producer and consumer alike. However, the policy should not promote those groups at the expense of the interests of American shippers. Both parties saw the value of a strong mercantile marine for the defence and commerce needs of the country and celebrated advances in this



branch of industry. Reciprocity did not represent the removal of protection on routes already open to American shipping, but rather was designed to open up opportunities in new routes. And, as Russell had hinted, most considered that American vessels were particularly suited to exploiting such conditions.

The competitiveness of any country's shipping depended upon a complicated combination of costs of ship-building, the provision of crews and supplies, the speed, efficiency and safety of the service, and the ability to maximise returns on each leg of any voyage. Each of these factors was subject to considerable fluctuation and often they balanced each other out, which makes it difficult to judge just how competitive American shipping was. However, the impression left on the minds of contemporaries was that American shipping was more competitive than its rivals around the year 1830, and there are one or two hints as to why.

Most acknowledged that American ship-builders provided better and cheaper products than rival shipping powers could obtain. Admittedly ship-builders usually had to pay higher wages than their foreign rivals and frequently were forced to purchase articles such as hemp, sail duck and iron fittings from a costly, protected market. However, their great advantage lay in the ready supply of timber, and especially of the preferred oak, near the main ship-building centres in New England and the Mid-Atlantic regions. The cheap supply of timber was handed on to shippers in the form of cheaper vessels, and this gave them a competitive advantage over rivals such as Britain, as borne out by the successful participation of American ships in the trade between the two countries.<sup>24</sup>

Just as ship-builders had to pay higher wages than their competitors, so did American shippers have to do likewise for their crews. However, in their case this was counter-balanced by the greater skill and efficiency of

American seamen. Francis Grund, German by birth, but a long-time resident in American port cities, noted that higher wages were counteracted by "the much smaller number of sailors, and the greater rapidity of passages." They could make four voyages to any other ships' two or three, and all with smaller, better-disciplined crews. Another foreign observer, Alexis de Tocqueville, agreed with this assessment but placed more stress on "moral and intellectual qualities." Noting that the "vessels of the United States cross the seas at a cheaper rate," he attributed this to a kind of "heroism" in the way Americans did business: "The European merchant will always find it difficult to imitate his American competitor, who, in adopting the system which I have just described, does not follow calculation, but an impulse of his nature."<sup>25</sup>

Cheaper vessels, more efficient and skilful crews, and even a more enterprising approach to the business of shipping and commerce; these were the factors designed to allow American shipping to exploit conditions of reciprocity. With equal treatment in foreign ports, how could this competitive edge fail to afford American vessels a profitable participation in the trade with other countries?<sup>26</sup>

There remained one other possible cause for party division over the policy of reciprocity. If the policy failed in practice to live up to its theoretical expectations, then either of the parties might have dropped it in favour of a more overtly protective line, pandering to the doubts of those groups who found themselves injured by it. However, there is no evidence by 1836 of any real doubts. The policy was still very much in its infancy. The act of 1828 was still fresh, and the earliest treaty incorporating indirect trade reciprocity had only been operating for ten years, clearly not enough time to assess the value of the experiment. In

the direct trade, where reciprocity had operated for an extra decade, the policy seemed only to have brought benefits. The potential for complaint appeared limited.

Exceptional commentators did identify problems confronting shippers but excused reciprocity from blame. The most famous was Churchill C. Cambreleng, Jacksonian representative of New York City mercantile interests, and a close friend of Martin Van Buren. In a report drafted for the House Commerce Committee, of which he was the Chairman, Cambreleng highlighted what he considered to be a worrying decline in shipping fortunes since 1807 and blamed this on the "most strange and contradictory" policy towards navigation. Noting the progress of the reciprocity policy, Cambreleng proceeded to criticise connected policies which undermined its best effects:

we have done every thing to smooth the paths of the Ocean, while we have imposed the heaviest taxes on our own navigation, and taken the most effectual means to destroy the employment of our ships [by protective tariff duties imposed in 1828]. In short, it has been our peculiar policy to secure an enlarged intercourse with all the world for empty ships, of the most expensive construction. Such diplomacy, with such legislation, is an absurd mockery. Our treaties and our navigation laws are idle pageants unless [sic] we relieve ship-building from its taxes, and secure with foreign countries mutual commerce, as well as reciprocity in navigation.

For Cambreleng reciprocity in navigation was a desirable policy, but only when accompanied by policies which increased the volume of trade available for carriage by American shippers. Consistent with his free-trade beliefs this meant reducing tariff duties, either by legislation or by diplomatic efforts with those countries which did not rival the United States in shipping, so that Americans would be able to participate fully in the carriage of their own produce to the markets of the world, which was "naturally our employment."<sup>27</sup>

While Cambreleng worried about the damaging effects of other policies on the benefits of reciprocity, others celebrated the extension of the policy and the results it seemed to bring. In 1832 the President himself praised the "rule which has long guided our national policy, to require no exclusive privileges in commerce and to grant none." This policy was "duly producing its beneficial effect in the respect shown to our flag, the protection of our citizens and their property abroad, and in the increase of our navigation and the extension of our mercantile operations."<sup>28</sup>

So the working of the policy gave no reason for any shift in approach by the Jackson administration. Reciprocity was still in its experimental phase and so far had given no reason to doubt its effects. Consequently, inspired by principle and by hopes for the future prosperity of American commerce and shipping, the Jacksonians pressed on with efforts to extend the policy by diplomatic means. The direction their negotiations followed was, not surprisingly, very similar to that of their predecessors. The first intention in any talks was to secure reciprocity in the indirect trade. In Latin America there remained the fall-back position of the "most favoured nation" status, which was still an acceptable second best. Treaties with more obscure parts of the globe also tended to end up along "most favoured nation" lines. Of course, each individual negotiation was influenced by local conditions and by the bargaining position and strengths and weaknesses of the contracting parties. But throughout, Jacksonian negotiators stuck by the same basic rules, in the process extending the policy of reciprocity still further in its geographical scope.

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Perhaps the most noted treaty success was the agreement signed by James Buchanan on a mission to Russia. Trade with that country took place mainly through her

Baltic ports. There was some direct importation of American rice, tobacco and coffee, subject to no discriminating duties, since Russia had responded positively to the act of 1824. However, by far the most important "American" trade to Russia was in the indirect importation of Cuban sugar which enjoyed no such exemption from extra duties. While American participation in the trade could hardly be increased, as American vessels carried 90 per cent of the return cargoes of Russian hemp, iron and sail duck, the securing of reciprocal conditions in the indirect trade would relieve the importation of sugar from a needless burden. So then Cambreleng hoped that a treaty could secure such privileges, while another correspondent of Van Buren, James A. Hamilton, considered that the prospect of Russia becoming a first-rank commercial power was reason enough for her to be bound by sound principles: "and in no way could this be so well secured as by inducing her while she is in her commercial infancy to avow by a Treaty with us her regard for these enlightened and liberal views which we have proclaimed as the true basis of navigation and trade."<sup>29</sup>

Buchanan left for Russia in 1832, and after a difficult negotiation, in which he made full use of his ability to charm the Russian emperor, he succeeded in signing a treaty on full reciprocal terms. He was most pleased with his efforts, and it was generally acknowledged that the treaty would be beneficial to American shipping. Prince Lieven, the Russian minister in London, asserted in conversations with Aaron Vail that the commercial prowess of Americans would guarantee that all the benefits of reciprocity would go to the United States. After all "the Russians were not now, nor had any prospect for a long time to come, of being able to enter into competition with us in the carrying trade which the Treaty secured to us between Russia and foreign countries." Vail's commentary on the Prince's comments could stand as

a textbook explanation of American adherence to reciprocity:

The superiority of our commercial marine and mercantile skill is brought home to the conviction of the people and Statesmen of this country by the increase of our tonnage and the monopoly which, from the unavoidable course of things, falls into our hands whenever any thing like fair & equal terms are extended to us.

Ironically, American trade with Russia fell in value in the years immediately after the signing of the treaty, though through no fault of that instrument. Despite a reduction in import duties on Russian naval supplies in the 1832 tariff, alternative sources reduced the return cargoes available for American vessels, just as the Russian government began to protect her domestic production of sugar with higher import duties, which damaged the indirect trade from Cuba. An increase in the cost of sugar in Cuba also caused American shippers to seek other markets where they could sell the product for higher prices. To such developments the policy of reciprocity had no answer.<sup>30</sup>

Legislative arrangements also provided for the extension of reciprocity in the indirect trade in Europe. President Jackson brought three countries within the scope of the act of 1828, issuing proclamations which removed discriminating duties on the vessels of the Grand Duchies of Oldenburg, Mecklenburg-Schwerin and Tuscany in 1830, 1835 and 1836 respectively. Potentially of greater importance were continued approaches to Spain. Although dispute over duties imposed in Spanish colonies prevented any treaty from being signed, gradually reciprocal terms were secured in trade with the mother country. In 1832 an impatient Congress imposed additional discriminating duties upon Spanish vessels entering American ports, but this measure had its intended coercive effect upon the Spanish government, which proceeded to drop its own discriminations by royal order. Initially this was

thought only to apply to the direct trade, and one supporter of the Secretary of State, Henry Gilpin, praised Van Buren for securing even this much, "notwithstanding the proverbial repugnance of the Spanish government to make any changes in its commercial policy." By 1840, however, it became clear from Spanish complaints at unfair treatment that the royal order of 1832 had been interpreted by the Spanish authorities to include American vessels in the indirect trade as well, an unexpected but welcome bonus.<sup>31</sup>

Even in those negotiations which ended in failure the intention remained the winning of reciprocity in the indirect trade. In 1833 Auguste Davezac, the American diplomatic representative in the Netherlands, was sent instructions to negotiate a treaty with the Kingdom of the Two Sicilies, whose "basis must be that of reciprocal equality established by our treaty with Central America." However, these negotiations fell into abeyance as the Sicilian government proved unwilling to meet American terms. Davezac was also central in negotiations at his appointed station, the Netherlands. Despite being included in the list of countries favoured by the act of 1824, the Netherlands had for some years discriminated in favour of their own shipping by means of a ten per cent bounty. After several failed diplomatic approaches, and the neglect of Congress to provide some sort of retaliatory measure, Davezac was ordered to address the problem, by offering to the Dutch treaty terms of complete reciprocity in both direct and indirect trades. Again the Dutch refused to comply and the issue of the bounty would rumble on for the rest of the decade. It was complicated by relations with the newly independent Belgium, which also discriminated against American shipping, yet which did not share Dutch good fortune in enjoying equal treatment for her vessels in U.S. ports. The United States, anxious to promote good relations with a country

which might prove useful as an access route to German markets, were keen to remedy this situation. So, when the new Belgian minister, Baron Behr, arrived in Washington offering reciprocal conditions in the indirect trade, the United States were happy to agree to those terms. Jackson was most disappointed, therefore, when he learned that Behr had been admonished for going beyond his orders on the separate issue of neutrals' rights in wartime, with the result that the Belgian Senate refused to ratify the treaty. Nevertheless, the American government remained firmly wedded to its belief in the policy of reciprocity and ordered Virgil Maxcy to keep the matter before the eyes of the Brussels government, while in Washington John Forsyth kept the Belgian representative informed of the continuing "ardent desire of this country to effect the entire and mutual abolition" of discriminating duties.<sup>32</sup>

The Jackson administration followed similar principles in its diplomacy in Latin America. Here, though, continuing political instability, the desire of new nations to win Spain's recognition for their independence, and the development of a degree of pan-Latin American feeling complicated negotiations considerably. In some regions diplomatic relations were impossible, notably the Rio de la Plata district, while in more established nations U.S. negotiators had to work hard to combat efforts to favour either Spain or fellow Latin American countries with preferential trading terms.

Political instability played its part in some of the more successful negotiations as well. Relations with Colombia seemed to be progressing well when American representations brought an end to discriminating duties on American shipping and imports, duties which went against the "most favoured nation" terms of the 1824 treaty in that other Latin American countries were not charged them. In recognition of the Colombian removal of these duties, Congress passed a special act which established



reciprocity in the direct trade with Colombia in 1832. However, events were already conspiring to render this act useless, as Colombia underwent political fragmentation into three parts, New Granada, Venezuela and Ecuador. The question now arose as to whether the three new states would all abide by the treaty of 1824, and indeed whether the separation would be permanent. American statesmen covered themselves by preparing to negotiate new treaties with each of the three. Relations with New Granada were soured when that country re-imposed a discrimination against the United States. Nevertheless, Robert McAfee, the American chargé, was ordered to keep pressing for a treaty on the principle of reciprocity in the indirect trade. Indeed, Secretary of State John Forsyth ordered that failing full reciprocity it was "not our wish to negotiate upon any other basis . . . ." These negotiations came to nothing, however. More encouraging were assertions from Venezuela that she was prepared to offer the most liberal terms. In 1835 John Williamson was dispatched with orders to sign a treaty based on the principles embodied in the acts of 1824 and 1828, and in January 1836 he succeeded in reaching such an agreement with the Venezuelan government. Similar approaches were made to the government of Ecuador, although its location meant "that our commerce with Equator is not of much extent." As of 1836, though, these had come to nothing.<sup>33</sup>

Once again, as in Europe, treaties which appeared not to meet demands for full reciprocity were the result of failed negotiation rather than of altered intention. Treaties with Chile and Peru, both on the "most favoured nation" basis, illustrate this. As was often the case the initiative for negotiation was taken by the American representative on the spot, in the case of Chile, Samuel Larned. In the last years of the Adams administration he expressed his intention to use the Central American treaty as a basis for one he hoped to sign with Chile, and only

failing that would he accept "most favoured nation" terms. The change in administration brought no change in this basic approach, and Martin Van Buren ordered his new man John Hamm to adopt the same line, pressing for reciprocity first and, only after failing to achieve this, "most favoured nation" status second. The resulting treaty proved to be one of the most disappointing from an American point of view, since it not only failed to secure reciprocity but even allowed Chile to grant special privileges to other Latin American states. Hoping that differences between Chile and other states would prevent her from operating this discrimination, the United States nevertheless made repeated, unsuccessful attempts to have this provision abolished. Similar problems bedevilled negotiations with Peru. In practice things did not start off too badly as it was reported that Peru did not discriminate against American vessels in either direct or indirect trades. However, Peru was unwilling to enshrine this in treaty terms, and despite repeated instructions from Washington ordering him to accept no less than full reciprocity, the American negotiator, Samuel Larned again, realised that "most favoured nation" terms were the best that could be secured. This was to be the basis of the treaty he signed in 1836, this time without the odious discrimination in favour of fellow Latin American countries.<sup>34</sup>

While "most favoured nation" terms represented a fall-back position for negotiations in Latin America, in other parts of the world they were the upper limit of American expectations. American merchants already enjoyed rich rewards from their adventurous voyages to Asia and countries on the Indian Ocean rim. While unchallenged by native shipping, Americans did fear that they might be discriminated against, or excluded altogether from trade with these regions, if Britain, France or the Netherlands exerted too great an influence. So it was important that

equal American access be secured by means of "most favoured nation" terms. The principle had already been applied to Turkey, and in 1832 an American merchant who traded regularly in Asia, Edmund Roberts, was dispatched by President Jackson to seek arrangements with Siam, Cochin-China and Japan. Breaches of etiquette caused negotiations to collapse with Cochin-China, while time ran out for a mission to Japan. But Roberts did succeed in signing a treaty with Siam placing American ships on equal terms with their rivals. On his return journey he made a similar arrangement with Muscat, which included much of the east coast of Africa and the spice island of Zanzibar and whose Sultan was an old acquaintance of Roberts. A second mission, in 1835, proved less successful, as once again negotiations with Cochin-China broke down and as Roberts died before he could proceed to Japan. However, the principle had been well established, and in 1836 a treaty was signed with Morocco, where "the commerce with the United States shall be on the same footing as is the commerce with Spain, or as that with the most favoured nation for the time being."<sup>35</sup>

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In December 1838 the Senate called upon the Secretary of State to present to them a report showing

the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with all foreign nations, so as to show how far the commerce and navigation of this Republic are favoured and encouraged, or burdened and restricted in different countries.

The document submitted to the Senate by John Forsyth provides a useful progress report for the policy of reciprocity after twenty years of development. Listing in turn those countries which enjoyed reciprocal conditions in the indirect and direct trades, "most favoured nation" terms, or no established commercial relations at all, either by treaty or legislative basis, Forsyth concluded:

The success of our efforts in the advancement of liberal principles of intercourse has been such as to justify a hope that we may, by constant adherence to the true principles of political economy, and the use of the means fairly within our reach, be successful in the correction of the opinions on this subject which now form the great barrier to a universal, unrestricted, and advantageous interchange of the varied commodities of the civilized world.

American efforts had indeed been successful in extending the policy of reciprocity in Europe and Latin America. Buoyed up by the belief in the competitive advantages of American shipping, American statesmen appeared confident that reciprocity would promote American interests while upholding the great principle of more liberal international trade. However, even as Forsyth reported, the policy of reciprocity was heading towards stormier seas, as doubts were expressed as to its true effects in several important trades.<sup>36</sup>

## Chapter 2. Reciprocity and the Colonial Trade, 1815-1842: A Special Case

John Forsyth's report of 1839 was for the most part an upbeat document. He remarked how by means of "most favoured nation" arrangements the "navigation and commerce of the United States, so far as it regards foreign competition, stand on satisfactory grounds in the ports of each of the most important Powers." He hoped that a further spread of reciprocity would extend competition with national vessels as well. However, he sounded a gloomier note in conclusion, in a clear reference to Britain and France, when he noted that in some trades American ships still did not receive equal treatment. At the same time he adverted to another area of trade where there remained cause for concern:

In regard to the national and colonial competition with the several Powers with whom our commerce is extensive, our condition is very different: our products are prohibited, or burdened with high duties, for the protection of the home or colonial interests of the respective Powers with whom we have intercourse.<sup>1</sup>

American statesmen had had considerable difficulty in extending the principle of reciprocal navigation to colonial trades, largely because a different set of priorities operated upon the minds of colonial powers. In direct trades with Europe reciprocity held out the prospect of cheaper carriage for the benefit of both producer and consumer. Countries with little shipping of their own were most likely to accept these terms as a means to reducing a pointless burden. Even acknowledged shipping powers usually met the United States half-way with reciprocity in the direct trade, since maintaining their discriminating duties would only provoke the United States into imposing duties of their own, with the result that both sides would be burdened, without effective protection to the shipping of either. But the origins and history of overseas colonies dictated that they were owned

by powers which considered the very purpose of colonies to include fostering the maritime strength of the mother country. As a result of this they established strict navigation systems to ensure that colonies lived up to expectation. Colonies were prohibited from trading with other countries except indirectly through the mother country, and this trade was closed to foreign vessels. Similarly trade between two colonies of the same country could only be conducted in the ships of those colonies or the imperial power. For most of the early history of the various colonies the object of protecting the mother country's shipping interests was plain, and reciprocity held little attraction for imperial powers. Only much later did they begin to take the interests of the colonies as producers and consumers into account and to relax their laws to allow colonists to find new markets for their goods, alternative carriers of their cargoes, and cheaper suppliers of their import requirements.

The location of the United States meant that they were well placed to fulfil some, if not all, of these roles for European colonies in the western hemisphere. The country demonstrated its value to them during the Revolutionary and Napoleonic wars, when the United States acted as neutral supplier and carrier for many of the colonies. As American traders enjoyed a prosperous participation in these trades and as colonial populations developed a taste for American goods and especially their value for money, there was pressure to regularise these relations after peace returned in 1815. In some cases this led to rapid and successful adjustment, but in others, most notably that of the British colonial trade, long and heated disputes ensued before settlement was reached. Americans longed to secure access to the trade with the British West Indies, keen to restore old trades which had been profitable during their own colonial past. However, the presence of British colonies to the north of

the United States greatly complicated negotiations to open the West Indies trade and provided a source of continuing discontent for certain American shippers even after the renowned reciprocal arrangement of 1830 finally opened the British colonial trade to American shipping.

American statesmen realised that the legal position of the colonies stood in the way of any American claims to trade with European colonies by right. However much Americans might disapprove of colonial possessions, they had to accept that ultimately the right to trade with them depended on the mother country. Henry Clay admitted as much in 1826: "It is the undoubted right of any nation to prohibit or to allow foreign commerce with all or any part of its dominions, wherever situated . . . ." So then the colonial power could restrict colonies to trading with the mother country alone, and the United States would have no grounds for complaint. Clay continued, though: "[T]he moment it chooses to relax and open its Colonial ports to a foreign trade . . . the right is acquired by the Foreign States to examine and judge for themselves the conditions on which they are proposed to be admitted, and to reject or accept them accordingly." If, then, the colonial power sought to restrict trade between the United States and its colonies to its own and colonial shipping, the United States would have every right to refuse to do business. Similarly, if the colonial power imposed discriminating duties on American ships entering its colonies, then the United States could appeal for reciprocal treatment or, failing that, impose their own discriminations on its ships coming from those colonies. After all, trade was a thing of "mutual convenience and advantage," and, as Clay concluded, "in trading with any Colonies we have no more imagined that a privilege had been gratuitously conceded to us than that we had made such a concession to the colonial power in allowing its Colonies to trade with the United States."<sup>2</sup>

These principles guided American statesmen in the period 1815-1840. However, they had to be careful that strict adherence to principle did not get in the way of trade which in practice might transcend the restrictions imposed by colonial powers. The trade with Spain's Caribbean possessions was a case in point. American vessels did have access to Cuba and Puerto Rico, but American produce was subjected to heavy import duties, and American ships were charged burdensome tonnage duties. What is more, the Spanish operated discriminations in favour of their own shipping. Repeated diplomatic efforts to have extra duties on American vessels removed failed in the 1820s and 1830s, and Congress throughout imposed retaliatory duties on Spanish ships coming from the islands. Despite these problems American trade with Cuba assumed extensive proportions, becoming one of the most valuable of all, not just colonial, trades in terms of shipping employed and amounts of imports and exports.<sup>3</sup> [TABLES 1.2-1.6]

The American appetite for improved conditions in the Spanish colonial trade was whetted by success in securing better treatment in the island colonies of other European countries. The 1822 convention with France lacked a clause concerning French colonies, but soon after its conclusion the King of France issued a decree opening the Caribbean islands of Guadeloupe and Martinique to American vessels on equal terms in the direct trade. In this case the French government was clearly swayed by the interest of island consumers and producers, for whom American carriers could provide a cheaper service than could French shipping. As a result the French did not demand equivalent treatment for French vessels arriving in American ports. However, American politicians considered it only fitting that the United States should uphold the principles of reciprocity, and Jacksonian leaders in Congress piloted through a bill in 1828 which returned the favour to French vessels, an embarrassingly smooth



settlement in the eyes of the Adams administration as it struggled to solve the British colonial trade problem. Most, though, considered the arrangement to be a success, and while the 1830s saw a freezing of relations with France over the issue of old claims, the following decade saw similar reciprocal conditions extended to the port of Cayenne in French Guinea (1841) and to France's two remaining possessions in maritime Canada, the islands of Miquelon and St. Pierre (1847).<sup>4</sup>

Danish possessions in the western hemisphere consisted of the Arctic colonies of Greenland, Iceland and the Faeroe Islands, as well as the Caribbean islands of St. Croix and St. Thomas. The Arctic colonies remained closed to foreign shipping throughout this period, but the United States did enjoy good terms in the Caribbean. As early as 1818 John Quincy Adams learned that American vessels had access to the islands for the carriage of American products, and this state of affairs was enshrined in the treaty of 1826, which also established that reciprocity would operate in the direct trade with St. Thomas and St. Croix. Predictably, though, Americans were not allowed to participate in the trade between those islands and Denmark herself. It soon became clear that American vessels enjoyed favorable treatment in the Danish island trade, since the ships of many countries were excluded from the islands altogether. However, in 1831, when the Danes suggested that this practical monopoly be enshrined in a hard and fast arrangement, in return for the abolition of American import duties on Danish island products, President Jackson refused to accept such terms on traditional ideological grounds that the United States should never give or accept special privileges in its trading relations.<sup>5</sup>

The highlight of American attempts to secure access to colonial trades came with the arrangement with Sweden over her Caribbean island of St. Bartholomew. American

trade with the island was more extensive than that with the mother country, and so it was gratifying that the treaty with Sweden in 1817 confirmed that reciprocal terms would operate in the direct trade with St. Bartholomew. In orders for renewal of the treaty in 1827, Secretary of State Clay instructed John Appleton to push for even more favourable terms in the form of reciprocity in the indirect trade of the island with foreign countries. Appleton fully complied with these orders and, moreover, even secured access and reciprocal conditions in the trade between St. Bartholomew and Sweden herself. If this were not sign enough of Sweden's abandonment of the original purpose of the colonial system, the treaty also guaranteed that American products would receive similar equal treatment, whether it be with colonial goods entering Sweden, or with Swedish goods entering St. Bartholomew.<sup>6</sup>

Despite strenuous efforts American statesmen failed to emulate the success of the arrangement with Sweden in their negotiations to secure wider access to other countries' colonies. The most that the United States could usually expect to obtain was reciprocity in the direct trade with colonial possessions, as was the case with the Dutch colonies of St. Eustacius, Curaçao and Surinam.<sup>7</sup> However, these terms were usually adequate to cover the sort of business which went on between the United States and the Caribbean. For the most part this involved the sale of foodstuffs and timber products shipped directly from Mid-Atlantic and Southern ports in exchange for colonial productions, exchanges which reciprocity in the direct trade would encourage. Nor did heavier duties in other routes seem to act as too great a discouragement, as the American carriage of Cuban sugar to Europe demonstrated. On top of this the European colonies played an integral part in the major American dispute over colonial trade in the 1820s, that with Britain, which resulted in American trade with the British West Indies

being prohibited for two considerable periods in the 1820s. In order to preserve valuable markets and shipping business, Americans sidestepped the prohibition by exporting American produce to the British colonies indirectly via the colonies of other countries, taking advantage of their reciprocal terms. To Churchill Cambreleng, observing with dismay the British policy of restriction, the results were obvious:

Her jealousy of our marine, induces her to except those [West Indies] colonies in a general emancipation of her colonial dominions, and to subject them to a gradual, but certain decline; while the islands of Sweden, Denmark, France, and Spain, are comparatively rising in importance through their unrestricted commerce with the United States.<sup>8</sup>

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The struggle to win access to the British colonial trade occupies first place in the attention given by historians to colonial, and indeed all, trade disputes in the Jacksonian era. Biographers of the President and of his diplomatic staff and historians of American foreign policy of the era have focussed on this topic almost to the exclusion of other colonial trades, and the affair is the only one to have its own monograph.<sup>9</sup> This concentration is no doubt to be explained by the fact that the British negotiation was the longest and most difficult and aroused more heated contemporary feeling than any other colonial trade matter. Politicians raised the issue at two general elections, and although the influence of the affair in domestic circles should not be exaggerated, it did exceed all other trade matters in political importance.<sup>10</sup>

At first sight the size of the British colonial trade seems not to have merited this attention, especially in comparison with Cuba's. Despite the shared colonial past of the United States and the British colonies in the western hemisphere, the volume of trade to Cuba alone

usually exceeded that with all the British colonies, both in North America and the Caribbean. This was even the case some years after the final opening of the British colonial trade to American participation in 1830. Yet, neither contemporaries, nor historians after them, directed the same attention to the long and unsuccessful effort to have heavy restrictions removed from the Cuban trade. Other reasons must, therefore, lie behind the importance of the British colonial trade. Traditional links to the British colonies undoubtedly played their part, but far more influential was the practical position of American trade with the respective colonies. In 1815 Spain at least allowed American vessels to trade with Cuba, and her shipping was not sufficiently strong to interfere with a profitable American participation in that trade. The British colonial trade posed more difficult questions. British maritime interests were in a healthier condition than those of Spain and were in a stronger position to exploit, and perpetuate, discriminations in their favour at the expense of American shipping interests. What is more, the presence of British colonies in North America threw up rivals for most American interest groups, in the form of the shippers of the Maritime provinces and the producers of the mainland provinces. These groups complicated the issue in a way unknown in debates over other colonial trades. And these complications determined that many ups and downs would occur before the matter was settled in 1830, and that for some American interest groups the settlement would be a hollow victory.

The story of the struggle to secure access to Britain's colonial trade has been told too many times to require re-telling here. However, a brief summary of the main phases, and especially of the major issues involved, is instructive in providing the essential background to later problems which arose in this trade.

In the 1780s and 1790s the newly independent United States, being a foreign country, were excluded from legal trade with the British colonies. Jay's treaty did not remedy this situation, as its article on the colonial trade was considered almost so restrictive as to be derisory, resulting in its rejection by the Senate. Years of war in Europe brought a relaxation of restrictions as British governors opened their islands to American trade for the sake of survival, but Anglo-American commercial wrangling and then war in 1812 led to the closure of such links and to the loss of a profitable line of business for many producers and shippers.<sup>11</sup>

Peace in 1815 heralded fifteen years of on-off negotiations and legislative retaliation which culminated in Andrew Jackson's famous reciprocal arrangement of 1830. In 1815 the British islands, with the exception of Bermuda, were closed to American vessels, while the British authorities did allow their own ships to sail between the United States and the colonies. After American negotiators failed to secure a clause on the colonial trade in the convention of 1815, Congress imposed a limited degree of retaliation in 1817 by banning all imports from islands which refused entry to American vessels. However, this rather toothless measure still allowed British ships sailing from Britain to the United States to carry away a cargo of American produce for sale in the islands. So then, when the British offered terms even less favourable than those in Jay's treaty, limiting the size of American vessels, restricting the sort of articles they could carry, and putting them only on the "most favoured nation" rather than a reciprocal basis, the American response in 1818 was much firmer: Congress established a virtual non-intercourse with all colonial ports bar Bermuda, and even that island was included in 1820 when it became clear that its exclusion diluted the effect of the 1818 act.

The trade remained closed until 1822, although some exchange did occur illegally by smuggling and legally through the island colonies of other countries. In 1822 Britain relaxed her restrictions and allowed American ships to trade on equal terms in the colonies. The acts of 1818 and 1820 compelled President Monroe to open American ports in return, but clumsy drafting of the acts did not provide for reciprocal treatment. After Congress failed in 1822-23 to pass a new law to meet the British terms, the ironic situation prevailed in which the United States imposed discriminating duties on British ships from the colonies, whereas American vessels received equal treatment in colonial ports. Britain did not allow this to last for long, though, and in 1823 imposed her own discriminating duties. But at least the trade was open to the shipping of both sides for the first time and the beginnings of a healthy exchange ensued.

This brighter picture did not last. Negotiations to replace mutual burdens by mutual freedom came to nothing. When, out of miscomprehension of what was required of them, the United States failed to comply with a new British law for the regulation of her West Indies trade in 1825, Britain issued an Order-in-Council prohibiting American participation in the Caribbean trade once again. Further negotiation failed to clear things up, and so President Adams had no choice but to retaliate by re-enforcing the non-intercourse measures of 1818 and 1820. Again the trade was closed on both sides, apart from the route through other countries' colonies and the even more indirect channel of the North American colonies.

This was the position when the Jackson administration took over the reins of government in 1829, proclaiming a new, more flexible approach to the matter. In fact, what the Jackson administration offered during negotiations in London through the agency of Louis McLane was not far removed in substance from the final stance of the Adams

administration. However, McLane was in the position of being able to divorce his own efforts from earlier more extreme claims on the part of Adams and Clay. The reduction of certain American tariff duties in 1830 and the passage by Congress of prospective legislation empowering the President to re-open the West Indies trade on the American side whenever Britain came to terms also improved the atmosphere for negotiation. Even so McLane had to struggle hard to overcome the influence of representatives of British North American interests, which had profited from the prevailing situation; the producers of Canada in supplying the West Indies, and the shippers of Nova Scotia and New Brunswick in carrying both American and Canadian products to the islands. Here, veiled threats from Washington that all intercourse with the North American colonies might also be terminated played their part. Armed with these carrots and sticks, and against the background of possible turmoil in Europe after revolution in France, McLane succeeded in reaching agreement with Britain: reciprocity would operate in the direct trade with the British colonies in the western hemisphere; American vessels would be allowed to carry colonial products to other parts of the world; British vessels sailing to the United States via the colonies carrying the productions of Great Britain would be treated on reciprocal terms as if coming direct from the mother country; but, of course, American vessels were still prohibited from the trades between colonies, and between the colonies and Britain herself.<sup>12</sup>

This brief summary does not do justice to what was a highly complex issue which had persisted for nearly fifty years. The question was complicated by the lack of any single "American" approach to the colonial trade affair. Various interest groups had quite distinct aims when it came to securing access to the West Indian trade, and, depending on whose star was in the ascendancy, this had a

profound impact upon the stance adopted by successive administrations in Washington.

These differences stemmed from fundamental divisions within the mercantile sector of the economy. The major clash was between producers and shippers. Samuel Smith described this division explicitly in 1825:

Commerce and Navigation are by many considered as one great whole, but you know that they are separate and distinct interests, however nearly allied; Commerce can exist without the Nation being its own carriers, but certainly not with the same advantages, activity or enterprize. . . . The Southern States having the great and valuable articles of export, are more attentive to Commerce. It is not of such vital importance to them whether their produce be carried by the vessels of the one or the other nation.

As applied to the colonial trade this implied that producers, whether Southern food and staple farmers, or even the budding exporting sector in the Mid-West, were not concerned whose vessels carried their goods, as long as colonial markets were open and the method of carriage was the most economical available. Shippers, on the other hand, had a vested interest in securing a participation in the colonial trade. Here, though, one more distinction needs to be made. Smith believed there was a sectional dimension to the matter: while the Southern states were the producing interest, "the Eastern States own nearly half of all the shipping of the United States, they have little of their own produce comparatively, and therefore are compelled to seek employment in the Southern States and elsewhere for their Ships." Indeed, shippers of New England did rely on the business provided by the carriage of produce of other regions and were especially keen to incorporate the West Indies into triangular and multi-legged voyages. They also felt threatened by rival shippers from New Brunswick and Nova Scotia. As a result they desired more stringent safeguards of their role in the colonial trade. However, the flipside of Smith's



assertion that the Eastern states owned one half of U.S. shipping is that the other half belonged to other regions, namely the Mid-Atlantic and the South. Vessels of ports from New York southwards could all participate in the colonial trade on a more direct basis, less bothered about securing complex triangular voyages. Nor were they likely to feel so threatened by British North American shipping, since their advantages of proximity and ice-free harbours would nearly always outweigh any unfair advantages granted to rivals by the British government.<sup>13</sup>

These differences had the potential to disrupt a concerted American negotiating stance. For a start they affected the retaliatory options open to Congress, as in 1817 when the attempt to influence British opinion by means of non-importation from the colonies bore the hallmarks of a concession to the producing interest, since British vessels would still be allowed to carry away American products for sale in the West Indies. Divisions in the mercantile sector also made it likely that those whose needs from negotiation were least would feel their interests were being sacrificed if American demands for better terms for the sake of others obstructed a final settlement. Throughout the affair many considered that it was Eastern shippers who held the ear of the Adams administration at the expense of the wider American interest. Supporters of the administration feared that the opposition might make political capital out of this, especially in 1826 when the British closed the trade for the second time. Churchill Cambreleng, advising Van Buren in 1830 on how to alter the American negotiating stance, noted:

some of our little traders to the East may, as they always will, grumble at any temporary alteration of their trade . . . . It has been our misfortune to be advised too frequently by small traders who do not see far enough ahead. It was such petty counsellors that gave Mr. Adams the advice which led him into difficulties

and kept him negotiating for years about little nothings till he lost the West India trade.<sup>14</sup>

Initially, however, these differences in outlook did not have too damaging an effect. The first objective was to get Britain to end her prohibition of U.S. vessels from trade with her American colonies, and here shippers and producers were in concert. Both groups were also keen that any direct trade between the United States and the colonies be on reciprocal terms. This was essential for American shippers, both Northern and Southern, if they were to have a fruitful share in the colonial trade. The motivation of producers is not quite so apparent, but they supported access on equal terms for reasons of self-interest, principle and patriotism. Aside from a general belief in liberal trading conditions the world over, they also desired to strengthen the U.S. merchant marine in the wake of the war against Britain. Undoubtedly, though, their own interests came first. In common with others they believed that American ships, if left free of unfair restrictions, would provide a faster, more efficient and cheaper service than could protected British shipping. So then they were keen for a degree of competition to be introduced into the trade, so that they might benefit from the cheaper carriage of their products to the colonies. The future President from Virginia, John Tyler, summed up the producer stance in extolling the virtues of the 1818 non-intercourse act. The act would not only "bring into existence 75,000 tons at the least of American shipping," but would also allow Americans to take their own goods to the West Indies "and dispose of them on our own terms, and in our own way, and thereby enhance their value."<sup>15</sup>

The solidarity between shippers and producers in favour of reciprocity in the direct colonial trade accounts for the near unanimous support for the non-intercourse act of 1818 when Britain refused to offer anything other than the limited terms of the "most

favoured nation."<sup>16</sup> Non-intercourse did injure producers, however, as direct access to their markets in the British colonies was replaced by indirect and more costly access via the islands of other countries. Murmurs of discontent, rising to full-blown memorial activity, followed when it was learnt that the U.S. negotiator in London in 1818 had been ordered to reject as inadequate a British offer of access and reciprocal terms. This set the pattern for the 1820s, as Southern producers and shippers expressed their satisfaction with access and reciprocity, while American statesmen pressed for more. In 1822 and 1825 Southern and Mid-Atlantic mercantile representatives, such as Samuel Smith, Littleton Tazewell and Churchill Cambreleng, were happy with the terms offered by British legislation and called for the removal of U.S. discriminating duties in return. Predictably they were less happy when negotiations broke down, with the result that the trade was shut down again in 1826-27.

The refusal of the United States, until 1827, to accept terms of access and reciprocity in the direct trade with the colonies revealed a true difference in interest between Northern and Southern shippers. One reason that New England shippers were so keen to secure access to the colonial trade was their fear that a British monopoly of that trade would disadvantage Americans in other routes as well. Always aware of the value of the triangular voyage, they thought that the prohibition of American vessels from the colonial trade would allow British ships to undercut American rivals in the direct Anglo-American route: they could carry British goods to the United States, pick up a cargo of U.S. produce for carriage to the West Indies, and then clear for Britain carrying colonial products; the prohibition of American vessels from the latter two legs would give British ships an overwhelming advantage in the first, devaluing the reciprocal convention of 1815. Of course, access to the colonial trade would not have solved

the problem completely, since the British monopoly of trade between the colonies and the mother country would have perpetuated the advantage. Only the scrapping by Britain of her navigation system would have remedied this problem, and some Americans did call for the right to sail between British possessions for that very reason. However, that could never be a serious aim for American negotiators, and the most that they could hope for was that reciprocity in the colonial trade would even up the odds somewhat.<sup>17</sup>

However, there remained one further aspect of British policy which threatened to upset those odds. In the talks of 1818 the British offered reciprocity for shipping in the colonial trade but they still hoped to protect their own shipping indirectly by means of a system of preferential duties imposed on colonial goods. For example, grain products and timber from the mainland provinces of North America were charged a lower import duty in the West Indies than were U.S. products of the same type. Americans in general were worried that this would encourage the Caribbean colonies to seek their supplies in Canada rather than the United States, but Northern shippers also feared that this device might be used to divert U.S. produce, naturalised as Canadian, from the direct route to the West Indies, mainly in American vessels, to the indirect route in British and colonial ships alone. Opposition to this policy lay at the heart of the U.S. refusal of British terms in the years up to 1827. The 1818 talks broke down over British insistence on maintaining it; U.S. legislation in 1823 to remove discriminating duties was so worded that preferential treatment for colonial products would have to be abolished before British vessels sailing from the colonies would be treated equally--and so those duties remained; and orders in 1824 to Richard Rush in London demanded that Britain surrender her right to impose the preferential duties.

Ironically the British acts of 1822 and 1825 regulating the West Indian trade had reduced preferential duties somewhat, but even so Britain still insisted on the right to impose them. She claimed, quite lawfully, that the internal duties of the British Empire were no concern of the United States and she asserted that the proximity of the United States to the West Indies really ought to merit an even greater preference in favour of colonial products. This reasoning made sense to the Southern mercantile interest, which espied fewer demons in the preferential duty policy. Samuel Smith reported to Henry Clay in 1825 that Southern producers and shippers had secured a fair share of the supply trade of the West Indies despite any extra duties and he saw no reason "to fear a competition in the article of flour, or in any other article which we are permitted to import into the colonies . . . ." He saw no obstacle to removing all discriminating duties on shipping, after which American "enterprize . . . proximity and our articles essential to the Islands will do the rest."<sup>18</sup> Most importantly, Secretary of State Clay was beginning to think along similar lines, admitting that there was "more than plausibility in the British claims," and asking:

Can we not maintain a successful competition with the produce of the Northern B. Colonies, even with the British protecting duties against us if all the alien duties [on navigation] were abolished by both Countries, from our proximity and superior natural advantages?

In accordance with this change of tack, in orders to Albert Gallatin as early as 1827 Clay set to one side the fears of Northern shippers, as he dropped the insistence that Britain surrender the right to impose the preferential duties. However, by that time Britain had had too much of American pretensions and negotiations stalled, leaving the trade closed on both sides.<sup>19</sup>

Martin Van Buren blamed past insistence that the preferential duties be abandoned for much of the failure of previous negotiations. In his orders to Louis McLane he noted that the President had been "admonished, by the past, of the inutility of protracted discussions upon a subject which has been over and again debated" and so did not wish to "harass the British Cabinet by their repetition." However, in the light of Clay's earlier surrender of this point, this stance can hardly be regarded as the crucial element behind the success of the 1830 negotiations. Nor did the Jackson administration abandon all hope of having the duties abolished, and McLane even suggested that the U.S. tariff reductions of 1830 be considered as an equivalent for the maintenance of the lower level of preferential duties established by the British act of 1825. However, the British government categorically refused to accept such a mutual reduction as an enshrined part of the arrangement and reserved the right to increase the preference for colonial goods over American products, a stance which McLane was forced to accept. It remained to be seen whether Northern shippers would accept this with equal grace.<sup>20</sup>

Initial reactions to the arrangement were predictably mixed. Jacksonians praised the efforts of Van Buren and McLane and the forthright stance of the President. Men like Churchill Cambreleng and Samuel Smith celebrated the substance of the arrangement, which was a "complete success," and "all important to his [Jackson's] glorious and fortunate administration." James A. Hamilton simply saw it as the "coup de Grasse<sup>[sic]</sup> to the opposition." National Republicans feared that Jackson would take great credit for the negotiation, and Alexander Everett explained away rather disappointing election returns in Maine in 1830 as a result of the "West India issue . . . which has taken a turn rather favorable to the Administration." For the most part opposition to the

arrangement reeked of the purely partisan, with attacks on the way in which it was negotiated rather than upon its substantial provisions. This reached a climax in the approach to the 1832 election, when the National Republicans accused Van Buren of dragging domestic politics into diplomacy by intimating to the British that the Adams administration had been in the wrong. However, opposition leaders such as Clay found it difficult to attack the substance of the arrangement when he had been prepared to accept very similar terms in 1827.<sup>21</sup>

Meanwhile, events in Britain seemed to confirm the worst fears of Northern shippers. In April 1831 Parliament reverted from the lower preferential duties set by the act of 1825 to a system designed to benefit their shipping. J.C. Herries proposed a bill to allow American beef, pork, ham, flour, wood and lumber to be imported into the West Indies duty-free when coming indirectly via British North America, while the same products were burdened with heavy duties when carried directly in American vessels. McLane vigorously opposed the bill on the grounds that "so far as it proposes to give encouragement to the indirect over the direct trade, it is a palpable evasion of the arrangement recently concluded with this government for a renewal of the direct intercourse." The British government rejected his arguments, and although the collapse of the Wellington ministry stopped the progress of the Herries bill, the new President of the Board of Trade, Poulett Thompson, secured the passage of another which, even if it did reduce the duties on direct importation somewhat, further encouraged the indirect route by removing all duties on U.S. goods entering Canada as well as on such goods entering the West Indies via the North American route. Martin Van Buren assessed the results accurately: "Mr Thompson's Bill is . . . in the result much more favorable to the United States, at least to their producing interest, than Mr.

Herries' bill," but it "must in some degree, exclude American shipping from the carrying trade of our produce to the West Indies."<sup>22</sup>

In his annual message of 1831 President Jackson put a similar interpretation on the measure. Reviewing the 1830 arrangement as a whole Jackson noted that there were signs that it was "highly beneficial." American vessels outnumbered foreign shipping in both outward and incoming voyages to the West Indies, by two-to-one in the former, and three-to-two in the latter. What is more, American agricultural interests also fared well. From the North-Western states and New York there was an increased trade across the border and lakes to Canada, "which may prove more than equivalent to the loss sustained by the discrimination made to favor the trade of the northern colonies with the West Indies."<sup>23</sup>

This was too much for some representatives of shippers to stomach, and in the Senate John Holmes and Peleg Sprague, both from Maine, rounded on the President for his remark. Holmes questioned the success of the negotiation when even Jackson had to admit that the increased trade across the border to Canada made up for a loss to American navigation. Sprague lambasted the whole arrangement, which he considered too recent to merit the premature and undue praise it had received. Preferential duties had effectively secured to British shipping the control of the supply trade to the West Indies. Even if the arrangement did benefit the producing interest, this was scant compensation so far as Sprague was concerned:

If it might, it would still be a miserable apology for the injury to the ship owner. Never in the whole history of our country, was the idea tolerated, that our navigation should be sacrificed in any event, or for any consideration. . . . There can be no divorce of the great interests of the country. They are linked by indissoluble bonds, and injury to one is depression to all.



Sprague rounded off with a more familiar partisan attack. He denied that Clay and Gallatin would have sacrificed so much; they would have ensured that Britain agreed to stick by the duty levels imposed by the act of 1825. Why had McLane failed to take such a firm line?:

It is the demon of party which now for the first time has crossed the Atlantic to present our domestic divisions to a foreign court.

A clamor in relation to the colonial trade has been raised against the late administration as one of the means of driving them from power; and their successors, to get some color of a redemption of previous promises for political ends, deemed it necessary that, at any rate, something should be done, to be trumpeted by partisans. Even the President has said . . . that one of the reasons which stimulated his negotiation was the 'influence it was believed to have had in the elections which terminated in the change of administration.'<sup>24</sup>

Such attacks weighed little with the Jackson administration which had already made up its mind that no further advances could be made on the issue of the preferential duties. In August 1831 Van Buren's successor as Secretary of State, Edward Livingston, had taken note of McLane's view that all his efforts had failed and that "all further argument would be nugatory." The new Secretary had ordered that no further claims should be made on this point:

There is an evident impolicy in reiterating demands which we cannot enforce, and have good reasons to believe will not be voluntarily granted. For having repeatedly, during the last fifteen or twenty years, acknowledged the right in the Mother Country to regulate the trade between its colonies, and to admit or prohibit foreigners to participate in it, the only argument we could urge for a relaxation in our favor would be one addressed to the interest, not to the justice of the nation; and although it would be easy to show that the interest of the English sugar Colonies would be promoted by abolishing the discrimination, yet that of her navigation will be, probably so much benefited, that it will not be difficult to determine which the national policy and prejudices will prefer.

Although he agreed to delay final judgement until the practical effects of the preferential duties were known, Livingston seemed convinced that producers would probably benefit, and, in complete antithesis to Peleg Sprague, he regarded this as adequate compensation:

It is true . . . that the navigation of the United States is excluded from this trade; but so it was before the arrangement, and will always be. And it surely would not be the policy of the United States to sacrifice the probable nay a certain benefit to internal commerce and agriculture, for the very improbable chance of obtaining by coercion an advantage to our navigating interest. Until, then, the advantages or disadvantages of this present system are tested by experience it is deemed most prudent not to renew any discussion on the subject of the discriminating duties.<sup>25</sup>

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In 1839 the administration of Martin Van Buren found no cause to disagree with Livingston's assessment. Of course John Forsyth expressed dissatisfaction that colonial trades in general were not on a more liberal footing but he admitted that reciprocity did prevail in the direct trade with the British West Indies colonies. Even though the effects of the preferential duty policy were further exaggerated by the establishment of "free ports" in British North America, where U.S. produce might be warehoused free of duty before carriage to the West Indies, Forsyth continued in the tradition of Samuel Smith, Edward Livingston, and even Henry Clay, in regarding this as unlikely to damage the interests of the majority of American producers and shippers:

The disadvantage accruing to our navigation from this circuitous trade in British bottoms, is in a great measure neutralized by the enhanced cost of the goods in consequence of the expense of double carriage and insurance, unloading, reloading, commissions, &c., to which they are subjected before they reach their places of destination, and by the interruption of navigation at some of them by the ice, during a considerable portion of the year.<sup>26</sup>

The Secretary of the Treasury, Levi Woodbury, also presented evidence that the arrangement of 1830 was working insofar as the colonial authorities were faithful, for the most part, in its execution. Consular reports from Nassau and Turks Island in the Bahamas, from Kingston, Jamaica, and from Bermuda, gave notice that local authorities had complied with the act of Congress of 1830 which had re-opened the trade, so that American vessels in the direct trade with the islands were treated exactly as British vessels in the same routes. To the North the returns from Sydney on Cape Breton and Pictou, Nova Scotia, painted a similar picture of reciprocal conditions. Only one return, that from Thomas Leavitt, the consul at St. John, New Brunswick, presented contrary evidence, reporting that American ships carrying away coal were charged an export duty of four shillings per ton, whereas British and colonial vessels paid no such charge, a clear infraction of the 1830 agreement. However, the local authorities had intimated that if the United States made a remonstrance, the British government would remedy this. What is more the record of the British government in such cases was good, since it had already ordered a colonial authority to have unjustly levied duties refunded to American shippers.<sup>27</sup>

Such a favourable report was an ironic reply to House resolutions calling for information with which to investigate alleged problems with the colonial trade arrangement. The House had become interested in the issue in response to growing outcry about how the arrangement was working in practice. If Peleg Sprague had previously waged a one-man crusade on the subject, then from 1837 onwards his efforts were reinforced by those of his fellow citizens of Maine. In legislative resolutions and memorials from individual ports they made known their dissatisfaction with the 1830 arrangement, and by 1842 most of the major maritime centres of the State, including

Portland, Bangor, Eastport, Lubec and Bath, had issued complaints about some aspect of the regulation of the colonial trade. If this activity was centred in Maine, other ports nevertheless made similar noises, especially towns in New England such as Portsmouth, Boston, and Providence, but even New York and New Orleans as well.<sup>28</sup>

Whatever the geographical derivation of the memorials the general impression they gave was the same. Memorialists from Newburyport, Massachusetts, asserted in 1840 that the "existing arrangements . . . are unequal and injurious to the navigation and commerce of the United States." They had "operated to the great encouragement of British tonnage, and to the unjust and impolitic discouragement of American tonnage, in the trade between the United States, Great Britain, and the British colonies." In 1841 colleagues in Portsmouth agreed, noting that the arrangement had proved "injurious" and that after eleven years of operation "no benefits have resulted to us . . . but, on the contrary, much injury has resulted to the commerce and navigation of this country." The Boston Chamber of Commerce in 1841 set up a special committee to investigate the colonial arrangement which they found "injurious to the interests of our country," having fostered British navigation at the expense of American "to a deplorable extent." Meanwhile to the South Isaac Coffin, writing from New Orleans in 1842, declared that the arrangement had led to an increase of British tonnage, causing a "serious injury to American commerce."<sup>29</sup>

It was Maine, though, which cried first and loudest about this perceived problem. In a memorial presented to the House in February 1838 the citizens of Lubec avowed that the "present arrangement . . . is exceedingly injurious to the maritime interests of said State [Maine], and of all the ship-owning States." Their successors in 1842 joined with fellow shippers in Eastport to bemoan the

lack of a fair competition in the colonial trade, a circumstance which exacerbated the depressed condition of Maine shipping. Earlier that year memorialists from Bangor had asserted that "the effect of the present colonial arrangement . . . bears with great severity upon the navigation interests of our own State." It was time to make moves on the subject, "unless we wish to see our foreign and coasting trade not only crippled but destroyed." The citizens of Portland inquired "what benefits have resulted to us, beyond those we enjoyed during the period that they [the colonial ports] were shut to us?" In questioning just how far reciprocal conditions really did operate they summarised the problems posed by the arrangement of 1830:

Are our vessels admitted to all British Colonial ports where custom-houses are established, in like manner as British vessels are into the ports of the United States? Are they admitted to carry all the productions of this country to her ports, and fairly offer them for sale? Are not our fish oil and salted fish, the staple articles of the New England States, prohibited by her altogether in their Colonies? Are not many of the articles which we are allowed to take there under this boon taxed more onerously than like articles, arriving in British vessels, from other colonial ports, even to the extent of a prohibitory duty? Are not the ports to which we may trade limited also? Is not the monopoly of a large proportion of the carrying trade by British vessels operating injuriously to American vessels? . . . a trade we enjoyed the principal share of prior to the opening of these ports.<sup>30</sup>

The Portland memorialists had raised a number of distinct issues, each of which were blamed for American, and especially Maine's, problems. Some of these issues stemmed from infractions of the arrangement, whereas others were inherent in its very terms, but together they made a strong case, eagerly adopted by men already under pressure from the hard economic conditions which prevailed from 1837 onwards.

The prohibition of trade in certain articles and the limitation of ports which American vessels might use constituted two of the inherent effects of the arrangement. The British act of 1825 forbade all foreign vessels from importing to the West Indies certain products, especially those of the fisheries. This measure, designed to protect the fishing fleets of the Maritime Provinces, cut off a potentially profitable trade for New England fishermen and shippers. However, as the United States had accepted the act of 1825 as one of the bases of the arrangement of 1830 it was unlikely that Britain could be persuaded to abandon it.

Critics of the arrangement judged more damaging Britain's policy of selecting "free ports" in Nova Scotia and New Brunswick with which American vessels could trade. U.S. legislation provided for equal treatment of British ships coming from ports to which American vessels had access, but this did not mean that Britain had to open all her colonial ports. When it became clear that all U.S. ports were open, while only selected colonial ports were opened to Americans, Maine shippers made it known what they thought of the selections. The Lubec memorialists of 1838 complained how "our vessels are suffered to enter only a few specified ports . . . and these ports are such as do not generally afford profitable cargoes for the United States." Shippers from Eastport informed Samuel Morse, the U.S. collector of customs in the Passamaquoddy district of Maine, that with the exception of Sydney and Pictou where coal could be obtained, "from no 'free port,' . . . is there a single article of commerce . . . which an American vessel can procure for a cargo, without it first having been brought from some other port, and freight paid to the English carrier." Morse relayed this information to Washington, reporting that there were only two or three ports on the Bay of Fundy where American ships could trade, "but neither plaster, grindstones, nor wood, which

constitute almost the entire trade of the Bay of Fundy with the United States, is shipped from either of these ports." He was also scornful of the creation of two new free ports at Digby and Arachat in Nova Scotia, since "these are also places having nothing to export."<sup>31</sup>

This situation was clearly intolerable to Maine shippers, who complained at not being able to find return cargoes after exporting U.S. goods to the provinces. However, British and provincial shippers faced the same problems, at least on paper, since the Free Port act of 1833 ruled that the selected free ports were the only places in the colonies through which any trade with foreign countries could take place, even trade carried in British vessels.

The memorialists asserted, though, that this equal restriction on paper did not translate into equal opportunity in practice. Citizens of Lubec complained that while Americans were afforded the least possible share, "the arrangement gives British colonial vessels constant and lucrative employment." The plaster trade once dominated by American carriers "now . . . is performed to a great extent by British vessels, and soon will be wholly so." Their Eastport colleagues concurred, avowing that "the commercial marine of those colonies has thereby increased more than four-fold . . . ." How could this be the case if British vessels were legally bound to use the same ports as Americans? The Eastport group had hinted at one means: British vessels could first carry export products from other places to the free ports, in the process giving themselves a competitive edge over American ships when it came to bidding for cargoes. The House Committee of Foreign Affairs came to a similar conclusion when it investigated the matter in 1839. British ships simply collected plaster from the banks of rivers and inlets "where no port, or even town, exists," called at a free port for clearance papers, and then

sailed to the United States. Strictly speaking this did not infringe either British or American laws.<sup>32</sup>

There was evidence, though, of more underhand methods which clearly did infringe both British and American law. The Eastport shippers complained that many British ships did not even bother to call at free ports for clearance papers but rather, after trading at outposts of the provinces, proceeded "direct to those [ports] of the United States, and use any, and all of them, as freely as American vessels could do . . . ." U.S. consuls in the Maritime Provinces confirmed these claims. Jonathan DeWolf in Sydney reported that "many British vessels are engaged in carrying plaister to the United States from several ports on the Bay of Fundy, which are not free ports." Meanwhile Thomas Leavitt reported from St. John, New Brunswick that it was "obvious" that, whereas American vessels were restricted to free ports, "British vessels engaged in the same trade enter other ports with their cargoes from the United States, and clear with cargoes from those ports to the United States." In Leavitt's eyes this was a clear infraction of the British act of 1833, and although he was reassured by claims of the authorities in New Brunswick that the law had been fully complied with, he was certain that the case was different in Nova Scotia, where it was "beyond a doubt, that British vessels, enter and clear to and from the United States with their cargoes at ports other than 'free ports,' which American vessels cannot enter."<sup>33</sup>

Whether by fair or foul means British gains in the direct trade with the Maritime Provinces were seen as American losses. The Eastport shippers bemoaned the fact that Americans were almost totally excluded from the plaster trade which "previously . . . employed nearly ten thousand tons of American shipping, and one thousand seamen." Four years later the Bangor memorialists remarked how American vessels "are not admitted to the



great plaster quarries of Nova Scotia," and that "of course, the large and important trade in plaster to the United States is almost wholly monopolised by the British." Also in 1842 two groups revealed how important the plaster trade was to the citizens of Maine. The joint Lubec/Eastport shippers noted that the carriage of plaster was a vital source of employment in the dry season when the lumber trade was stagnant for lack of water power to drive sawmills. The Portland memorialists inflated the Eastport estimate of the amount of U.S. shipping involved in this trade, putting it at some 75,000-100,000 tons per annum, carrying freight worth around \$150,000. Future British domination spelt financial disaster:

This is no inconsiderable sum to be deducted from the hard and small earnings of the industrious mariner, and compels him to abandon a losing business, (a business in which his competitor has a decided advantage,) and embark in some other, which he finds already too crowded; the inevitable consequence of which is, the reduction of freights, already sufficiently low.<sup>34</sup>

The solution to this problem was not straightforward, since even in the legal trade British vessels were likely to enjoy a certain competitive edge, as they could still secure clearance papers at free ports for goods brought from other provincial ports. The Lubec memorialists confronted this dilemma by making the forthright, if somewhat inaccurate, demand that the United States take such action "as will oblige Great Britain to perform her part of the arrangement, by opening all her colonial ports, as required by said act of May 29, 1830." The Eastport group also avowed that

the interest of the State of Maine, require that all the ports in the provinces of Nova Scotia and New Brunswick, which are now, or may hereafter be, ports for the delivery and reception of cargoes for British vessels, be made ports of entry for the delivery and reception of cargoes for American vessels, or that the ports of the United States should be closed against British vessels coming from said provinces.

The Maine State legislature hoped for a similar result but, in recognition of the fact that Britain need not, nor was likely to, open all her ports in the provinces, demanded that the enforcement of the law of 1830 be tightened to keep out British ships coming from non-free ports. Stopping this infraction might not counter the competitive position of provincial vessels but it would ensure that all trade would have to go through the free ports, giving American vessels a fairer chance of picking up return cargoes.<sup>35</sup>

The abuse of the free port system affected the shippers of Maine almost exclusively, but there were other problems in the colonial trade with a wider impact. The hoary issue of preferential duties on colonial produce was one such and attracted much attention, especially from groups in New England as a whole, who considered their carriage of northern products to the West Indies to be under threat.

U.S. officials at both ends of the trade reminded Washington that the duties were still causing difficulties. Robert Harrison, in Kingston, Jamaica, was happy with most aspects of the arrangement of 1830 but reported "that the protecting duties on the produce of the British North American Colonies are so high that our vessels from the 'New England States' are unable to compete with them." Since his arrival only three American vessels carrying white pine lumber had arrived at Kingston, and that had been by accident! Equally damaging were the duties on fish; and, "as lumber and fish are the principal products which a greater part of the 'five New England States' formerly traded in to the West Indies . . . no part of the Union has suffered so much by the opening of the ports of these Colonies, as they have." Indeed, "their trade has been completely knocked up." The customs collector for the district of Portland and Falmouth, John Anderson, explained why the trade to the

West Indies had nearly been abandoned after proving "a losing business." Preferential duties had

forced such productions, as yet do go there, first via Nova Scotia or New Brunswick, where they are carried by British vessels and entered for exportation, and thus avoid a duty there; whence they are exported in British bottoms, and are exempt from the duty, in the West India Colonies, that would be imposed if exported in United States vessels directly from the United States.

Worse still, the free port policy gave British ships an advantage in the short northward leg of this trade also.<sup>36</sup>

Once again Maine shippers were to the fore in complaints about this policy. Delegates to Boston from Lubec and Eastport in 1842 were especially worried at the effect of preferential duties upon lumber exports, since lumber was "one of the great staples of Maine, and one which above all others, she desires to carry to all markets, for herself." The export of flour by the indirect route also gave cause for concern:

The process, which gives to our provisions, this unnatural route . . . which makes it expedient, to bring them north and east, to get them south and west, may do infinite credit to the sagacity of those who devised it, but its equality, is not very clearly perceived, since its object is, that the planters shall receive them, by vessels of their own nation, at all hazards and at whatever additional expense.

Bangor's memorialists also noted that the British "were not slow to perceive the signal advantage they had gained" by the imposition of these duties. As a result "we cannot export our produce to them through the neutral islands as formerly, as supplies for the British islands are now mostly received direct from their northern Provinces."<sup>37</sup>

On this point the opinions of Maine were reinforced by similar views from other New England communities. A report drafted by the Boston Chamber of Commerce remarked how Britain had imposed "heavy, and in some instances, prohibitory duties on our products when imported into the

West Indies from the United States, and admitted the same articles free of duty when imported circuitously through the provinces." Vast amounts of flour went north by sea and by land, providing "a vast field for the employment of British vessels, to the exclusion of our own, in the transportation of our own products." In 1842 William Parker of Portsmouth wrote to the Secretary of State, Daniel Webster, noting how as a result of the duties "articles of our produce are daily shipped to the British provinces in British vessels, nominally landed and naturalized, and sent directly to the West India colonies."<sup>38</sup>

There seemed to be no easy solution to this problem. Some of the memorialists recognised that McLane had fought to have the principle of preferential duties disallowed but that his efforts, like those of his predecessors, had proven fruitless. As long as both sets of colonies remained British, then Britain could regulate the trade between them as she liked, and only calls from West Indian consumers for cheaper imports stood any chance of changing the policy; but even then the interests of British and provincial shippers and producers were more likely to prevail. One extremist suggested the ultimate remedy of U.S. purchase of all the Canadian provinces, but such an unrealistic view did not win favour with critics of the arrangement of 1830.<sup>39</sup> However, they produced no constructive alternative solution of their own. Instead they limited themselves to calls for amendment of the arrangement with the intention of making it truly reciprocal, but without giving any clues as to how this could be achieved. The Bangor memorialists wanted Congress to interfere to place American trade with the colonies "upon a just footing of reciprocity," which would allow the enterprise and skill of Maine shippers to secure a just participation in the trade. William Parker called on the Secretary of State "to protect us in all our just

rights in our intercourse with foreign nations and in the consequences resulting from the existing untoward arrangement with the British Government."<sup>40</sup>

If no such amendment of the arrangement were possible, then most critics were keen that the act of 1830 be repealed. Recalling conditions before 1830 with nostalgia, they claimed they were prepared to live with the consequences of a closed trade. So then Mr. Rogers of Bristol expressed the hope that "the West India treaty with G. Britain may be abolished unless that Govt. will so modify it as to make it perfectly reciprocal." If not, the circumstances which had prevailed under the Adams administration were to be preferred, with the United States "carrying our own produce to St. Barts & St. Thomas and their [British] vessels taking<sup>[sic]</sup> it from those Islands to their own ports." The shippers of Eastport and Lubec also called for modification or abolition of the arrangement; at least under the latter condition the old trade via the neutral islands would be revived.<sup>41</sup>

One final problem highlighted by the critics of the 1830 arrangement also seemed unlikely to be remedied, because it was an unavoidable, if unpalatable, consequence of an open colonial trade. In the years up to 1830 many Northern shippers had feared that British ships would undermine American participation in the transatlantic trade by means of triangular voyages involving the colonies. Nothing had changed in 1840: the United States remained powerless to challenge the British monopoly of trade between the colonies and the mother country. Critics remarked upon this state of affairs in order to enlist the hostility of those groups involved in trades with Britain. Many worried that British vessels trading in the West Indies would call at U.S. cotton exporting ports for a cargo to take to Britain. They spread scare stories about the increasing British presence in Savannah, Charleston and New Orleans, where they had a "decided

advantage over us, even in the direct freights to and from our own ports." Shipmasters of New Orleans judged problems in the direct trade with the colonies as "now a minor consideration." Far more worrying was the way the colonial trade allowed British vessels to take as an "incident of their voyage" what was the lifeblood of American shippers. Others even warned that the British would use the preferential duty policy at home to encourage the trans-shipment to Britain of naturalised American goods in British vessels. Finally, some claimed that British ships would soon be carrying over half the cotton trade to Britain.<sup>42</sup>

Undoubtedly these claims were exaggerated. Although there was a triangular trade involving British vessels carrying timber products to Southern ports and then cotton to Britain, this did not jeopardise the domination of New York and Boston shipping in the cotton trade. Historian David Williams estimates that American vessels carried some 65 per cent of that trade in the 1830s. Northern shippers operated their own triangular route between Britain, New York, and Southern ports, and especially from New Orleans which accounted for one third of U.S. cotton exports. Clearance figures for New Orleans reveal an American share of two-thirds or more, and even Isaac Coffin, a critic of the colonial arrangement, admitted that British vessels made up only one quarter of clearances from the port. However, there are signs that less important cotton ports did witness higher proportions of British shipping. Coffin claimed that share was 75 per cent in Savannah, and 50 per cent in Charleston, those ports being responsible for 20 and 23 per cent of cotton exports respectively. Clearance figures for Mobile reveal a similar picture, with the American share falling from 80 per cent in 1840 to 46 per cent by 1844. So there were some grounds for concern and certainly enough for critics of the arrangement to use in their memorial activities.<sup>43</sup>

[TABS. 3.7(b), 3.8(b)]

The accuracy of claims with regard to the colonial trade itself depends on three assessments: the state of navigation in the direct trade to the West Indies; the amount diverted from that direct trade into the indirect route via the Maritime provinces as a result of the preferential duties; and the state of navigation in the direct trade to the Maritime Provinces. Unfortunately the second of these, the most important of the three, is also the most difficult to assess.

Overall American navigation fared well in the direct trade to the West Indies. Most of this trade went from ports in the Southern and Mid-Atlantic regions and was carried in American vessels. As many had predicted, American shippers from these ports enjoyed an advantage in this trade by virtue of their proximity to the West Indies, their access to rich hinterlands, and their artificial improvements such as the Erie Canal. Indeed, some Canadian grain products found their way to the West Indies through the Lakes and the Erie Canal route. New England's direct trade with the West Indies was not as substantial, but in this American ships also dominated. American consuls in the West Indies commented on this healthy state of affairs. From Turks Island John Arthur reported that "by far the greater proportion of imports from the United States into this port are brought in the vessels of the United States." George Huyter on Bermuda returned figures for the year to August 1839 showing 71 American entrances from the United States compared to 40 British. Robert Harrison averred that three-fourths of the trade from the United States to Jamaica was carried in American ships, which convinced him "that there can be no exclusive privileges granted to British vessels . . . ." The only black mark was a decline in volume and value of trade to the Danish and Swedish West Indies.<sup>44</sup> [TABS.5.1-3]

Of course what these returns do not reveal was the amount of American produce which made its way to the West

Indies via the indirect route under the encouragement of preferential duties. Certainly the value of U.S. exports to British North America rose during the 1830s, from \$2 million per annum at the start of the decade, to \$3 million by 1838, and to \$6 million by 1839 and 1840. It was also the case that the United States exported more to the North American colonies than to the West Indies. However, there is no way of knowing how much of this produce was consumed across the border, how much was shipped to Britain or the rest of Europe, or how much went to the West Indies. The claims of the critics of the 1830 arrangement suggest that large amounts did go to the West Indies, which deprived American shippers of their rightful business, but historians deny that the inter-colonial trade was very important to the British provinces. Their main interest was in the transatlantic trade, and they sent large amounts of produce to the West Indies only in times of glut in Britain. Significantly, though, 1835-36 were years of plenty in Britain, which might have triggered increased activity by provincial shippers in the trade to the West Indies, provoking the anxious American reaction a year later. Under normal conditions, though, the amount exported from British North America to the West Indies was far less than that exported from New York alone. Moreover, figures provided by the Bangor memorialists to show that the trade to the North American colonies exceeded that with the West Indies, actually reveal that both trades had increased since 1830, that with the West Indies at a faster rate. It is still possible, however, that on a local level New England shippers were deprived of the carriage of their own products such as lumber and fish.<sup>45</sup> [TABS.1.5, 5.3-4]

More clear-cut were signs of difficulties in the direct trade with the North American provinces. Figures for 1833 reveal that many Southern and Mid-Atlantic ports did trade with British North America, with Alexandria,



Delaware and New York City to the fore. British vessels took a disproportionately high share of this trade. This pattern was repeated in most New England ports and especially in Boston. Rather surprising in light of memorial activity from these ports was the apparently healthy position of American shipping in the trade from Providence and Portland. The most telling figures come from the Passamaquoddy collection district, the home of the most vocal and consistent critics from the ports of Eastport and Lubec. Here hard statistical evidence bears out the claims that British ships were abusing the free-port system in the plaster trade, with 97,670 tons of foreign shipping clearing for the North American provinces compared to only 2,535 tons of American shipping. Figures for the whole decade reveal further that British shipping had greatly benefited from the arrangement, rising from insignificant levels in 1830 to an equality, or better, by 1840.

Surprisingly, on the spot reports from Nova Scotia and New Brunswick did not paint such a distressing picture. Jonathan DeWolf in Sydney, Cape Breton, remarked that most of the trade there was in the export of coal, "in which American vessels are chiefly employed . . . the proportion of British vessels being very small." In the first seven months of 1839 American vessels constituted 44 of the 52 vessels clearing for the United States. Another coal-exporting port, Pictou in Nova Scotia, provided a similar picture. James Primrose reported that the coal trade was "conducted almost exclusively in the vessels of the United States."<sup>46</sup>[TABS. 5.3, 5.5]

Maine shippers were not impressed by these returns or any others from Nova Scotia and New Brunswick reporting healthy conditions in the colonial trade. Joseph Noyes, signatory to the letter from Eastport to Samuel Morse and one-time representative of the town's views in Congress, doubted the very basis of the report presented by Levi

Woodbury, "whose information . . . was of the most imperfect character imaginable and was not sought from the proper sources." He charged that U.S. commercial agents in the Maritime Provinces were British subjects "and as far as I know themselves engaged in trade." He asked Caleb Cushing: "How could they give an impartial view?" Three years later there were to be demands by some merchants for the removal of Primrose from his office.<sup>47</sup>

Noyes and others put greater store by the more sympathetic reports of American customs collectors such as Samuel Morse, and John Anderson in Portland. The latter agreed that there was an "excess of their tonnage over ours" in the trades with New Brunswick and Nova Scotia. However, he differed from others by accounting for this excess "without imputing to them [the British] any violation of the existing commercial arrangement." He introduced a final and in the long run more significant set of reasons for American problems in this trade. They struck at the very basis of American competitiveness in shipping in a way which cast a cloud over the future prospects of American navigation.

Local knowledge was one reason for the imbalance of shipping in the Bay of Fundy trade: "They are familiar with the navigation of the remote bays and creeks in which their cargoes are taken in, and consequently less liable to injury from the tremendous tides in that region." Provincial shippers, owning "roughly built vessels," were suited to the "hard, laborious" plaster trade and for want of an alternative were satisfied with the "very small profit" which it afforded. But very few Americans would engage in it "while they can find employment for more expensive and better built vessels." The very nature of the trade exaggerated the imbalance in tonnage, since the voyage between the gypsum quarries and Eastport was only a few hours, allowing Provincial vessels to make as many as twenty voyages every year.

This might explain the size of the imbalance, but it did not console Maine shippers. There was still carrying to be done, and they were not taking a fair share of it. Although Anderson claimed that Americans were not willing to take the smaller profits accruing from this trade, the various memorials reveal that Maine shippers still considered it a vital branch of their business. However, Anderson hinted at another reason why Americans lost out: "their [Provincial] vessels are less expensively built, by the whole amount of duties that our ship builders and owners pay on materials, and less labor is expended on this class of their vessels on the inside finish and ornamental work." What is more, "the seamen's wages too are lower, and their food less expensive, than in our vessels." It seemed that the traditional American competitive edge in initial outlay costs and in shipping skill and enterprise had been lost in this localised instance.<sup>48</sup>

Some of the memorialists admitted to this fact, for example those from Bangor:

Coasting vessels from Nova Scotia and New Brunswick, which can be built there cheaper than in the United States, on account of the exemption from duty on iron, hemp, rigging, and other articles imported from Great Britain, are now filling all our harbors with wood, potatoes, lime, fish, plaster, hay, oats, and other produce of the Provinces. . . . Some vessels from Nova Scotia entered laden entirely with eggs!

The Boston Chamber of Commerce remarked that "our competitors have other advantages over us." Their costs in building ships were up to one third less than in the United States, and their vessels were also manned and equipped more cheaply. The Chamber could see only one redeeming feature, in that "from their manifest inferiority, they do not command the same rates of freight as our own;" but even this was not very consoling, because

it meant they could undercut American rivals. In short, "their influence is powerful for evil against us."<sup>49</sup>

The experience of New England shippers and especially those of Maine at the end of the 1830s was not a happy one. They viewed with alarm the growth of British shipping in the trade with Nova Scotia, and what they perceived to be an increasing indirect carriage of U.S. products to the West Indies via the Maritime Provinces. They even tried to raise fears for American participation in the transatlantic trade. Of course, these complaints arose at a time of depression in the United States. In 1838 a Mr. Chickering of Newburyport reported that he had "never lived in such times for business," and that "the situation for trade was never so bad in Newburyport as at this time." Four years later he found little had changed, considering it "almost impossible to describe the state of trade in this region, and I suppose throughout the country." John Porter corroborated this view as he watched "gloom & melancholy" spreading over the town. In the midst of the depression, "all kinds of business appear[ed] to have been siezed by a general paralysis," and the "freighting business . . . continued at a great aggregate loss."

The depression was triggered partly by a crisis in world trade, which caused the value and volume of American exports and imports to slump. Undoubtedly this reduced the amount of carrying to be done, and some of the memorialists admitted that American shipping was suffering from an over-capacity. Mr. Rogers of Bristol, Rhode Island, reported how ships had lain in dock without business for months on end. Many shipowners had been forced into an unrewarding participation in whaling or even to sell their vessels, "thereby suffering great loss in addition to that by their preceding voyages . . . ." In these circumstances the critics of the arrangement found it even more galling that they should have to submit

to British infractions and to the advantages which the British enjoyed. They called for amendments to its terms or for its total abolition. After all, as Henry Lee, a doyen of the Massachusetts mercantile community, noted in 1842, if American shipping was too extended for its employment, nothing could save it from further depreciation except a decrease in tonnage,

or an increased employment resulting from such modifications in our commercial arrangements with foreign nations as may give us back some portion of the freighting business which for want of due attention to our navigating interests had been drawn from us by our foreign competitors.

First among Lee's list of competitors was Great Britain, but two subsequent names, those of the Hanseatic towns and Sweden, revealed that problems of competitiveness and unfair commercial agreements had arisen in other trades as well.<sup>50</sup> [TAB.1.1]

### Chapter 3. Reciprocal Navigation under Fire, 1836-1846

For John Quincy Adams, one of the two main architects of reciprocal navigation, life after the Presidency was not a time for peaceful retirement. He threw himself into yet another career pursuing a busy, often controversial, course in the House of Representatives. In the process he left behind in his journal an interesting if not always disinterested record of Congressional proceedings. On February 16, 1843, in a surprisingly dispassionate entry, he noted how his colleague John P. Kennedy of Baltimore had brought forward for debate a resolution "declaring the expediency of repealing the reciprocity treaties with the minor navigating powers." This resolution represented the culmination of the first round of a fight lasting for most of the 1840s to bring attention to the issue of reciprocity and to re-define it in substance and in its relation to other goals of U.S. commercial diplomacy.<sup>1</sup>

Unlike the criticism of the colonial trade arrangement, the initial expression of discontent with reciprocity, up to 1840, came not from home-based mercantile groups but rather from U.S diplomats overseas, although they doubtless took heed of the views of those Americans who traded with the countries where they resided. Soon, however, domestic opinion was mobilised, and the years 1842 to 1843 witnessed a flood of memorials and concerned correspondence arriving in Washington. The issue matched the colonial trade affair in complexity. Critics complained about how the policy operated in different trades, both direct and indirect, and this fact determined that several U.S. maritime centres were involved. As in the colonial trade critics believed that in certain cases commercial treaties were being infringed. And, of course, underlying these complaints were the same general economic conditions and the fears of declining American competitiveness which had influenced critics of the colonial arrangement.

The involvement of so many trade routes and countries in this issue inevitably raises the question as to which treaties in particular aroused the anger of American shippers. Many of the memorials to Congress do not survive and their short titles recorded in the legislative journals were couched only in the most general terms. They concurred in describing the treaties as "not beneficial," or "highly injurious," or as causing "material injury." They all called for such modification of navigation treaties as would afford the United States just terms of reciprocity and place American shipping upon more equal terms with that of foreign nations, but they did not specify which nations were involved. Equally vague were some of the individual correspondents of leading American statesmen. The company of Pearce and Bullock of Providence attributed problems confronting American navigation to the "large number of foreign vessels that are allowed to compete on equal terms with our own." They too hoped that in any future commercial arrangements U.S. shipping would be placed "in a better condition so as to afford to American industry in this department of the arts an adequate reward."<sup>2</sup>

Other critics allow us to pinpoint the location of the problem with greater accuracy. Another Providence resident, the merchant and manufacturer Edward Carrington, noted that it was "the reciprocal treaties made between the U. States and European Powers" which had proven injurious to the U.S. mercantile marine. New York memorialists in 1844 called on Congress to investigate all treaties of reciprocity but drew a distinction when it came to their preferred course of action: they prayed that "the treaties with the Northern Powers of Europe may be annulled, and those with other nations that are susceptible of improvement may be altered accordingly." Into the latter category fell the convention with Britain, which needed modification to settle the colonial trade

problem. The former category included Sweden, Denmark and the Hanseatic towns of Hamburg and Bremen. Henry Lee had also highlighted the Hanseatic towns and Sweden as problem states, while Kennedy's resolutions named those three and added to them Austria, the Netherlands, Russia, Prussia, and Denmark. Therefore critics of the policy seemed to have northern Europe in mind when they called for change.<sup>3</sup>

This impression is confirmed by an examination of attitudes to treaties with other countries. Although satisfaction with a policy is notoriously more difficult to identify than dissatisfaction, there are hints as to where reciprocal navigation treaties were considered beneficial. Those treaties with Latin American countries gave no grounds for concern. The report accompanying John Kennedy's resolutions made this quite clear: "The few treaties of this character [full reciprocity in the indirect trade] which we have entered into with the South American States,--Brazil and Venezuela--have produced no inconvenience, and may therefore be left upon their present basis." In August 1843, Secretary of State Abel Upshur considered the treaty with Brazil to be "decidedly favorable" to the United States, and a few months earlier Henry Clay, admittedly an interested party as the man who headed the State department when it was signed, judged that "the success of our navigation with the Brazils" was a sign of the value of that treaty.<sup>4</sup>

Nor did treaties with Mediterranean countries provoke complaints. Again the evidence is sparse, but the signs are that a treaty signed with Sardinia in 1838 was regarded as a success. In terms of navigation Austria was a Mediterranean power trading through Trieste, and the inclusion of that state in Kennedy's resolution is rather puzzling. Prospects for shipping looked quite good, especially after the efforts of Nathaniel Niles to reduce duties on tobacco. Niles, a special agent for the Mediterranean region, who had also negotiated the



Sardinian treaty, naturally was full of his own triumph:

the usefulness of my service both in Sardinia & Austria is more & more apparent every day. More than double the ordinary number of American ships will have entered at Trieste this year owing to the abandonment of the Restrictions. The results of my labours are equally obvious at Genoa.

This no doubt self-interested assessment was borne out later in the 1840s. Ambrose Dudley Mann, another special U.S. agent in Central Europe and normally critical of the reciprocal navigation treaties, saw no reason to worry about the one with Austria. Indeed, "our navigation in its intercourse with Austria is on as good a footing as we could reasonably desire." U.S. ships benefited greatly from the terms of the treaty, and dominated the trade with that country. Austria's mercantile fleet was comparatively small and, being involved mainly in trade with Turkey, did not pose a threat to American shipping. Kennedy had probably included Austria in his resolution because vessels from that country arrived in the United States in much larger numbers than normal in 1836 and 1837, the very time when worries about the policy of reciprocal navigation began to surface.<sup>5</sup>

Mann also shed light on the exact location of the problem within northern Europe. In 1849 he reported that U.S. shipping carried 95 per cent of the direct trade between France and the United States. Again in marked contrast to his usual hostility to the policy, he anticipated that "if we were permitted to engage in the indirect trade with France we shall enjoy it in a similar ratio." Similar hopes were expressed about participation in the indirect trade with Britain. Here then another distinction can be made. The complaints were directed only at those treaties already offering full reciprocity in the indirect trade to the shipping states of northern Europe. The harshest criticism fell on the treaty with the Hanseatic ports, and some denied that problems existed

elsewhere. In 1842 the American agent in Belgium, Virgil Maxcy, noted that he had "not supposed that the principle thus extended had operated unfavorably except in the case of the Hanse Towns and especially Bremen . . . ." This view was apparently confirmed by reports from the American minister in Sweden, Christopher Hughes, who reported in 1831 that American vessels dominated the trade with Sweden, and ten years later that "the footing of our concerns & relations with this Government & with the commercial community in Sweden, leaves nothing to be desired; . . . it cannot be better!" However, critics of reciprocity did stress Swedish and Danish shipping, alongside that of the Hanseatic ports, as those giving most cause for concern. More importantly the State department took account of this opinion when it revised its approach towards commercial diplomacy later in the decade. So it is, then, that while the focus of this chapter will be the trade with the Hanseatic towns, the complaints about other countries do provide acceptable reinforcement of its main points.<sup>6</sup>

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At first view the Hanseatic ports of Hamburg, Bremen and Lübeck appear strange targets for the widespread hostility of American shippers in the late 1830s and early 1840s. Size and location made it unlikely that they would ever be major trading partners of the United States. All three were mere independent city states with populations too small to provide a market for American carriers to service. Moreover, the position of Lübeck on the Baltic side of the Jutland peninsula meant that any American vessels had to sail to it by way of the Danish Sound, something which discouraged a large trade with the city.

The location of Bremen and Hamburg on the North Sea coast of Germany, on the Weser and Elbe rivers respectively, determined that their trade was more important. Along with the Netherlands and Belgium they

represented obvious routes by which merchants could trade with the interior of Germany. Again, the potential of this trade should not be overstated, since Germany was not a major trading partner of the United States at this time. Trade with Germany rarely accounted for more than five per cent of total U.S. exports and imports. Secretary of State Clay, the man responsible for the treaties with Prussia and the Hanseatic towns and who might, therefore, have been expected to be bullish about prospects for commerce, nevertheless predicted in 1830 that the United States were "not likely to have any extensive commercial or diplomatic connections with any of those Powers."<sup>7</sup> [186.13]

Clay's pessimistic outlook was coloured by the political and economic condition of Germany. The region emerged from the Napoleonic wars without the hundreds of small states and principalities which had characterised its past history, but the Bund set up in 1815 was still a loose confederation of some thirty-plus states, including large kingdoms, like Prussia and Bavaria, and the smallest enclaves and city states like the Hanseatic trio and Frankfurt. Potentially disastrous economic circumstances resulted from this political maze, with each state imposing its own customs and transit duties on goods for consumption or on those simply passing through to another destination. With this patchwork of customs regimes and with restricted communications, the idea of Germany as a wider market was not one to contemplate with optimism.

The 1830s witnessed developments which encouraged hopes of improved commercial opportunity in Germany and which seemed likely to increase the importance of routes to the interior. There were gradual moves towards commercial rationalisation within Germany: larger states brought enclaves into their own tariff regimes; and they linked with neighbours in customs unions, unifying levels of customs duties and removing transit dues between their component parts. By far the most successful union was

that headed by Prussia, which by 1828 had formed a continuous stretch from East Prussia across to the Rhineland. This league adopted Hesse Cassel and Saxony from rival leagues in 1831 and 1833 respectively, before linking with its main rival in the South, headed by Bavaria and Württemberg, in 1834. This combination, now the foremost customs organisation in the region, became the Zollverein and by 1841 it had made further converts. At that time only the North-West corner of Germany stood alone, with the states of Hanover, Oldenburg and Lippe Schaumburg forming their own Steuerverein, while the Hanseatic towns and the Grand Duchies of Mecklenburg remained aloof from the process of consolidation.

To an outside commercial power these events were mixed blessings. Observers expected that the process would stimulate economic development within Germany. John Forsyth asserted that "the removal of numerous obstructions which had before impeded internal intercourse . . . must necessarily produce a reviving and invigorating effect upon the agriculture and manufactures of the various countries coming within their influence." As German manufactures and exports would increase, this could not fail "to create an additional demand for the great staple productions of the United States." Commercial union seemed to reflect more liberal attitudes in general, and many hoped that this would entail a reduction of import duties throughout the Zollverein as well. However, this was not the only possible result of a unified German tariff. Different interests within the region would still fight for their preferred level of duties, possibly adopting protection which could be detrimental to American exporters. Even so American hopes remained high.<sup>8</sup>

The prospect of increased trade with Germany heightened the potential importance of relations with the Hanseatic ports, which partly explains why those cities came in for added diplomatic attention in the late 1830s.

The independent stance adopted by the states of the North Sea coastline of Germany clearly complicated matters, and the need to balance diplomatic relations between members of the Zollverein and non-members was to take up much time and effort. However, for American shippers there were more worrying reasons why the Hanseatic towns demanded attention. The very existence of the towns was grounded in traditions of seafaring, and many Americans feared that Hanseatic merchants were using their experience to take unfair advantage of treaty relations with the United States. Even the relatively small levels of trade with Germany did not moderate American fears of Hanseatic competition, since those fears involved trades far removed from the direct voyage between U.S. ports and Bremen and Hamburg.

The first reports of problems in the trade with the Hanseatic towns surfaced in 1836 in despatches from the U.S. consul in Bremen, Joshua Dodge. Until that time there was no widespread hostility to the treaty. Indeed, in 1835 Henry Wheaton, the U.S. Minister in Berlin, had reported: "The duties of navigation & Tonnage, & those [products] imported in the respective shipping of both countries, are already placed on the footing of perfect reciprocity, either by treaty, or by proclamation," in areas "including the entire coasts of Germany, on the Baltic, North Sea & Mediterranean." This despatch recorded only the status of shipping according to the provision of treaties, but Wheaton most likely would have reported any known difficulties faced in practice. A year later he had changed his tune, noting that Dodge, "our intelligent, active and faithful consul at Bremen," had reported to him that "merchants in Hamburg and Bremen [were] strongly impressed with the unfavorable operation of the Reciprocity treaty of 1827 upon our Navigation as competing with the shipping especially of Bremen." Andrew Stevenson in London told of his own conversations with

Dodge on the subject. The consul considered the treaty as having had "an extremely injurious effect upon our commercial interests in their intercourse with Germany," with the American flag "nearly driven out of the trade with Bremen" and the carrying trade to Germany "almost exclusively" in the hands of Bremeners.<sup>9</sup>

Dodge's views reached Congress as well as the State department. In recognition of his knowledge of the area, he had been appointed agent for the promotion of tobacco exports to Germany. In 1837 in communications to Daniel Jenifer of Maryland, the chairman of a select committee examining the tobacco trade, Dodge included among his conclusions hints of the problems facing navigation. He contended that the treaty, "although based upon the principle of reciprocity, in the practical result has failed to prove so to the United States." He illustrated the point with figures: whereas entrances of American ships to Bremen from the United States had totalled 47 in 1823 compared to 15 Bremen vessels, the numbers for 1835 were 27 and 55 respectively; clearances from Bremen for the United States showed a similar trend, from 42 American and 15 Bremen ships to 17 and 64; finally, Bremen vessels had secured a tight hold on the carriage of tobacco--they carried 18,661 hogsheads to Bremen in 1835 compared to 4,737 in 1828, while American shippings' share had fallen from 13,417 hogsheads to 6,346. Clearly "the shipping interest of the United States has been materially affected."<sup>10</sup>

Initially Dodge combined his duties as consul and tobacco agent but by 1839 he found the burden of both jobs unbearable. He was also finding further residence at his consulate "extremely disagreeable": the inhabitants of the port were

perfectly well acquainted with the fact, that during my residence among them . . . I had considered it my duty, as a native American and an American consul to represent to our Govermt.

the injurious effects to our commerce of the misnamed reciprocal treaty with the Hanse towns, besides which the Bremeners have neither forgotten nor forgiven my having put a stop to several abuses in their commercial relations with the United States.

Dodge requested and received dismissal from the consulship, but his successors' reports confirm that Dodge's views were not just the result of the bad personal relationship to which he admitted by the end of his term in Bremen. Before he became consul Marcus Darckheim, on examining the treaty, had found that far from "being any thing like reciprocity in its provisions" it was "nearly altogether in favor of the good Burghers." In confirmation of this, two years later he produced figures which revealed the same sad trend reported by Dodge. Although the total amount of shipping between the United States and the Hanseatic towns had increased, the lion's share had fallen into Bremen hands: in 1840 20 American ships entered Bremen from the United States, while Bremen vessels made up 75 of the 79 foreign ships making the same voyage; again the picture was repeated in the reverse trade, which employed 27 American and 98 Bremen out of 104 foreign ships.<sup>11</sup>

The appointment of Francis Grund as U.S. consul at Bremen represented a return to the less savoury personal relations experienced by Dodge, but in Grund's case it was more the result of his personality than of any attacks on the treaty. Although German by birth, Grund was effectively a naturalised American by virtue of long periods of residence in U.S. ports. He was highly impressed with his adopted country and wrote works extolling its virtues. He also cut an impressive figure on first meeting, and one Bostonian described him in 1835 as a "German and a Republican, and withal a profound scholar, who during his residence in Boston has acquired the respect and esteem of our best citizens." It was

undoubtedly these qualities and his native origins which made him a natural choice for diplomatic service in Germany, and he took up the office of consul at the start of John Tyler's presidency. In that post he revealed a darker side to his character. Both at Bremen and later as consul at Antwerp he pursued his own financial gain and demonstrated the skill of annoying the host authorities. Arrogant, quick to take offence, and possessed of a hot temper which occasionally landed him in even hotter water (at one stage he was in virtual exile from Antwerp after drawing a knife on a man in a fight), he proved unsuitable for the duties assigned to him. His superior in Belgium, Thomas Clemson, described his activities there as a "repetition of his conduct and the enmity he excited against himself at Bremen where his name is held in detestation until this day."<sup>12</sup>

Such a damning record warns against taking Grund's reports too literally. However, in the context of earlier complaints his criticism of the treaty merits attention. Moreover, he had a vested financial interest in any increase in U.S. shipping, as his consular fees depended on services rendered to American traders: when Grund complained that the value of his office had declined from up to five thousand dollars annually to just over six hundred, his view can be accepted. What had accounted for this fall? The figures told a familiar story, with American ships barely accounting for 25 annual clearances: "now the whole trade of the U.S. is monopolised by the shipowners of Bremen, sailing their vessels under the Hanseatic flag, & sending home the American ships in ballast."<sup>13</sup>

While Grund poured out his invective against the treaty in a twelve-page despatch, his colleague at Hamburg responded to a request for information from the State department in a one-page reply couched in a calmer tone. John Cuthbert judged that the treaty was "faithfully



adhered to" in Hamburg and that the United States were deprived of no privileges which were granted to other countries. Traditionally, though, American trade with Hamburg was much less important than that with Bremen, as Britain tended to dominate the business of the former. What is more, a great fire destroyed much of Hamburg's oldest mercantile quarter in 1841, and so American trade was likely to be even less substantial. As for Lübeck, the location of that port dictated that little American trade took place with it.<sup>14</sup>

A large number of memorials in 1842-43 attest to a mobilisation of domestic opinion on this matter by the turn of the decade. Individuals and companies, such as Edward Carrington and the firm of Pearce and Bullock, both of Providence, also brought this fact to the attention of leading statesmen who might be expected to influence any alteration in the policy.<sup>15</sup> In the winter of 1842 Henry Lee of Boston produced further discouraging evidence of the state of shipping in the Hanseatic trade: American exports to the towns amounted to \$4,110,655 in 1841, but American vessels carried goods only to the value of \$1,278,450; of foreign exports gathered in U.S. ports before carriage to the Hanseatic towns American ships transported only \$93,000 out of \$450,061; finally of imports from the towns foreign vessels carried goods to the value of \$2,157,377 out of a total of \$2,449,964.<sup>16</sup>

One regular contributor on the issue was Hugh Birckhead, a friend and correspondent of Daniel Webster. Birckhead was a prominent businessman, merchant, bank director, and leading member of the Board of Trade in the city of Baltimore, a community deeply interested in the reciprocity question as a result of its involvement in the tobacco trade. Birckhead noted his impression that the Hanseatic treaty had been "highly injurious to our shipping, driving a large amt. of our Tonnage from the carrying trade and transferring it to foreign bottoms."

However, Birckhead's use of the term "carrying trade" and his own trading interests reveal how the issue involved more than the direct tobacco trade to Bremen. His company had once been involved in the West Indies trade but now concentrated its efforts in South America, another field of intense Baltimore mercantile activity. Yet even though he had no trade links with Bremen, Birckhead still criticised those treaties with the Hanseatic towns and other shipping powers of northern Europe which afforded their vessels equal treatment in the indirect trade from third countries, including Latin American states. Later in the decade James Birckhead, a relative and the U.S. consul at Rio de Janeiro, was to set his name at the top of a memorial sent from Americans in that city, complaining at the effects of reciprocal navigation in the indirect trade. In explaining his fears for American participation in the Latin American trade, Hugh Birckhead threw severe doubt upon the working of the policy of reciprocity in its entirety and questioned the very principles which lay behind it:

There can be no doubt, but tho' the shipping of the U. States, can successfully compete with that of any other country, if it is equally placed upon an equal footing, this equality, however, is not always obtained with the mere right of trading in similar products, at equal duties & charges, and this I believe is all our reciprocal Treaties pretend to secure.

Equality was lacking when American shipping tried to compete with Prussian and Bremen ships, Birckhead claimed:

first there is not equality in the products of those Countries compared with ours: none in the extent of coasts & number of ports, and above all, none in the cost of ships, or the expense of sailing them--to constitute a just reciprocity, it should exist in all these particulars.<sup>17</sup>

Unequal trading conditions and unequal costs; these were to be the Scylla and Charybdis of American navigation when faced with the shipping of those countries of



northern Europe enjoying treaties of reciprocal navigation. Other critics took up these themes in their attacks on the policy of reciprocal navigation, especially as it operated in the indirect trade. However, in the case of Bremen there were problems in the direct trade as well, as its very first critics pointed out.

Certainly the statistics presented by the critics of the treaty painted a depressing picture in the direct trade to Bremen, with American vessels taking an ever smaller share of the carrying to and from the United States. Some simply accused American shippers of neglecting their opportunities, while Bremen's merchants exploited that neglect energetically to promote their own interests. But many blamed other problems, such as the difficulties experienced by American shippers in securing return cargoes after taking tobacco to Bremen. While some cargoes on offer consisted of textiles, especially linens, the major part of return freights was the human "cargo" of emigrants, and most Americans agreed that Bremen vessels had been particularly successful in securing the larger share of this "trade." There was disagreement, however, as to why this was the case.

Joshua Dodge asserted that "the increase of Bremen tonnage has in a measure arisen from the great emigration." He blamed liberal treaty terms for this state of affairs. Under those terms Bremen shippers could afford to set lower rates of passage which enabled them to monopolise the carriage of emigrants across the Atlantic. Marcus Darckheim agreed that "the transport of emigrants is . . . a lucrative branch of business to the Bremen ship owners." Despite relatively low rates of passage, they still took a small profit, "even were they to bring no return freight." It was hardly surprising, then, that they were in a strong position to bid for cargoes of tobacco. Darckheim gave other reasons for the dominance of Bremen in this business, including a simple preference

for Bremen ships. Emigrants found "invariably good and prompt opportunities at this Place," and as a result "the greater number of those from the interior of Germany prefer taking this route to any other . . . ."

Despite a prediction by Dodge in 1835 that a surplus of land on the German market might prevent potential emigrants from obtaining the resources necessary to make the journey west, they continued to come in large numbers. The depression years of 1837 to 1840 did witness a slump in emigration, but by 1841 Darckheim reported that some 12,650 passengers had left for the United States in the previous year, most of them in Bremen vessels. Three years later the problem lingered on. The U.S. consul in Bavaria, Louis Merk, reminded Henry Wheaton that "our vessels must now often leave the Ports of Bremen & Hamburg in Ballast, whilst a Bremen or Hamburg ship sails in company with them to the United States & earns many thousand dollars Passage--money for emigrants." He suggested that American bankers be allowed to offer special terms for the transference of money to all emigrants who made the voyage in American vessels. If Francis Grund is to be believed, though, this would have been of no avail. He intimated that there was a law compelling German emigrants to travel to the Americas in Bremen vessels.<sup>18</sup>

If correct Grund's accusation laid bare a direct infraction of the treaty: any restriction of emigration to Bremen vessels went against the guarantee that American ships would share all privileges enjoyed by Bremen rivals. Critics claimed that the terms and spirit of the treaty were broken in other ways as well. American merchants demanded reciprocal treatment in all elements of business, from residence qualifications to guild regulations, yet found themselves blocked at every turn. Although not questions of navigation, these elements combined to undermine the position of Americans in Bremen and so to

increase the advantages enjoyed by Bremen merchants and shippers.

Even before the treaty was signed, Albert Gallatin had warned Henry Clay of such dangers. He noted

that they are very narrow and selfish, as regards merchants residing within their own precincts and that they may be unwilling to grant to citizens of the United States . . . the same privileges, which foreign merchants indiscriminately enjoy, in common with our own citizens, in the ports of the United States, where they reside.

In 1832 the U.S. consul at Bremen, Nathaniel Pearce, revealed that Gallatin's warnings were not without substance. He complained at a regulation which required that all merchants residing in the city, including consuls, had to be registered as citizens. Consequently Pearce had experienced great difficulty in securing recognition from the Bremen authorities.

Some years later a letter from a successor as consul convinced Pearce that this was the "true picture" in Bremen. Marcus Darckheim revealed how the Senate exacted "protection money" from all strangers residing in the city, on top of the regular dues paid by Bremen merchants. This unequal treatment rendered the treaty "so far as citizens of the U.S. are to be benefitted by it, a mere nullity." When Darckheim complained, the Bremen authorities did not force him to pay the due, but he attributed this to their wish not to let the matter get in the way of the treaty's renewal when its expiry was looming. Darckheim noted other infractions: American merchants were supposed to have all the rights of native burghers but especially "the right to clear and enter goods & vessels without having to employ anyone." Yet Bremen merchants enjoyed guild privileges closed to Americans, and Americans had to use the expensive services of merchants, whereas Bremen sea captains arriving in U.S. ports could employ brokers to transact their business for

a much smaller fee. Darckheim even faced personal problems: when his daughter wished to marry a Bremen citizen, she first had to obtain burgher status herself, or her husband would lose his own status. As this would cost 266 Rix dollars and as Darckheim had four other daughters, he anticipated losing "no trifling sum" to secure the happiness of his family. This was manifestly unfair when Bremeners of both sexes had become U.S. citizens "without paying a cent for it either to the government or any of the corporations or towns."

The problem persisted into Francis Grund's term in Bremen, provoking the same damning reaction:

The express law . . . prevents any one from trading here . . . without his becoming a citizen of Bremen. The Bremen merchants are subject to no restriction whatever in the U.S. & on the principle of reciprocity, the American who wishes to establish himself here, ought not to be prevented from carrying on trade and traffic.

By these means Bremen merchants secured an unfair advantage in monopolising the best commercial information in their own port but "at the same time saving the commission on the purchases in America by sending out their own agents to Baltimore and New York." To remedy this Grund suggested a stricter interpretation of reciprocity as applied to merchant status when it came to renewing the treaty. Otherwise "from the corporation laws of this place the parties on this side can or will be allowed to interpret it as may best suit their convenience and interest."<sup>19</sup>

If such problems had an adverse effect upon American participation in the direct trade, the influence of emigration and infractions of the spirit of the treaty harmed U.S. interests in the indirect carrying trade as well. Bremen ships carried emigrants to Latin America and in the process undercut American shippers in that route. Residence qualifications affected Americans trading

indirectly to Bremen as much as they did those trading directly to the port. But on top of these factors were several more which represented the major cause for concern about the practical operation of the treaty of 1827. To make matters worse, those new factors were also believed to operate in favour of the shipping of other northern European states.

According to their critics reciprocal navigation treaties failed to give a true equality of conditions to both contracting parties. The New York memorialists claimed that the system of reciprocity "gives to others the freedom of trading with us, while it fetters our own navigation." Hugh Birckhead asserted that equality could only consist of exact comparability of opportunities for trade in both countries, whether in the number of ports, or in the amount of trade transacted in them. Of course, critics never regarded the inequality as favouring the United States, and so this line of argument provided a foundation for attacks on the treaties.<sup>20</sup>

Certainly in terms of the number of ports opened to reciprocal conditions by the treaties the United States offered more than their treaty partners. Just as there were complaints about the limitation of access only to free ports in the colonial trade, so the disparity of numbers of accessible ports was raised in this case as well. Birckhead noted the rather obvious point that "Bremen has but one port to admit us to, while we have fifty for her ships to enter." The New York memorialists broadened the canvas by including Sweden and Denmark in their analysis: "Hamburg and Bremen are but single ports; those of Sweden and Denmark are but few in number. While our vessels . . . are thus necessarily restricted, the ships of these countries enjoy the advantage of free access to all the ports of our extended Union."<sup>21</sup>

It was in the volume of goods carried, however, that the disparity appeared most pronounced. Even before the

treaty had been signed James Brown had warned the negotiator from the Hanseatic towns not to expect the same full reciprocal terms as had been granted to Denmark and Central America. After all "it must have occurred to him that the Hanseatic Towns were not in the same condition with [those] Countries . . . having no productions of their own and being the carriers of those of other powers." Subsequent critics stressed how the Hanseatic towns and the Baltic powers had little indigenous trade in which American vessels might attempt to share. Francis Grund noted how the people of Bremen scarcely consumed as much as a suburb of New York or Philadelphia. He emphasised the point: "Bremen is not a country. . . . It possesses no manufactures, no agriculture, no exchange of commodities that have not previously been imported into it; it is in fact but a warehouse from which goods are almost as soon exported as they are imported into it." Bremen was not even a particularly valuable entrepôt so far as the United States were concerned, because anticipated increases in trade with the interior of Germany had not yet materialised. Edward Carrington agreed that the Hanseatic towns were little more than "ports of transit" and that they had "no produce or manufactures to give us to be the carriers of . . . ." Even Sweden and Norway were "very limited consumers of foreign productions," offering little in the way of indirect trade for American shippers to participate in. And Henry Wheaton made the same point, highlighting Denmark and the Hanseatic towns "which have no back country & a comparatively small number of consumers."<sup>22</sup>

The critics made clear their opinion that such levels of trade were a scant return for what the United States had on offer. Carrington remarked how little Bremen gave to American ships "in return for the benefit granted them." The New York memorialists noted how the policy of reciprocity granted "to other nations, who can make no



adequate return, the liberty of bringing into our ports all foreign productions whatever, thereby interfering directly with our own carrying trade." The consuming power of these small states was "comparatively trifling," so that privileges had been given to those "without the power to reciprocate the benefits we confer." Francis Grund put it most eloquently: "there cannot be a perfect reciprocity between a commercial nation of 10 millions, possessing 1600 miles of sea coast & abounding with the most magnificent harbors in the world, and the Government of a town of 45,000 inhabitants!"<sup>23</sup>

The results of this folly could be seen in several trades. "It is not only the American shipping to this place which suffers," claimed Grund, "but the whole trade of the U.S. with the nations of the Baltic and the Gulf of Finland." He estimated that nearly two-thirds of the trade from Denmark, Sweden, Norway and Russia to the United States, took the route via Bremen in Bremen's ships. Intrusion in indirect trade also helped to explain the contradiction between the denial by Christopher Hughes of any problems in the direct Sweden-United States trade and the attacks upon the treaty with Sweden by critics of reciprocity. As early as 1835 Hugh Legaré reported from Belgium how "our trade with the U.S. is usurped by the Swedes," and nine years later the U.S. consul in Antwerp noted that the carrying trade with Belgium was "almost entirely monopolised by vessels of foreign nations, principally of Sweden and the Hanseatic Towns." But the effects were felt in further-flung trades as well. In 1841 Marcus Darckheim reported how Bremen vessels had sought employment in the South Seas in rivalry with Americans, and a year later Edward Carrington remarked how Hanseatic vessels interfered "in bringing the produce of foreign Countries into our ports on the same terms as our own ships," citing the example of a ship based in Hamburg carrying China teas and Batavian coffee.<sup>24</sup>

More common was the view that these forces operated with most damaging effect in the trade with Latin America. Once again this development had had its prophet, in the person of Joshua Dodge. In 1835 he had anticipated the day when a fall in demand for ships to carry emigrants would set adrift a fleet of large Bremen vessels looking for work. He predicted that they would "probably go into the West India or South American trade, & carry the produce of those countries to the United States, thus entering into competition with our vessels in a trade which until now has been carried on almost exclusively by our Countrymen." In 1842 Carrington listed Brazilian coffee among the goods which a Hamburg vessel had brought to the United States. Birckhead drew attention to Hanseatic, Swedish and Prussian vessels which were "beginning to interfere with our trade in other quarters." He had learnt from Rio that six German as opposed to only three American vessels had recently loaded with cargoes of coffee. Finally the New York memorialists summed up how this threatened American shippers:

The produce and manufactures of the north of Europe are taken to Brazil, and these foreign vessels then bring us the coffee which we require for our own consumption; our own vessels, accordingly, being thus interfered with in their return freights, cannot carry our own produce and manufactures as cheaply or extensively as they could do if ~~this~~ carrying trade was left in our own hands.<sup>25</sup>

The effects of reciprocity affected not only the direct trade between the United States and northern Europe, therefore. They also damaged American trade with Latin America by allowing foreign ships to carry Latin American products to U.S. ports. This in turn worsened the terms of trade for Americans carrying U.S. products to Latin America, since it reduced the number of return cargoes available to them. Yet, in return the United States received no similar benefits in the indirect

carrying trades of northern Europe. Moreover, there was one other factor which enabled Bremen and other countries to exploit this situation. Apart from the hint of restriction in the carriage of emigrants these were all trades open to American shipping. Unlike Britain's inter-colonial trade there were no closed routes, and so U.S. vessels were free to compete with northern European rivals so far as access to trade routes was concerned. However, as Birckhead hinted, this did not guarantee a complete equality for American ships: the relative costs of rival shipping added the final element to the argument against reciprocal navigation.

Critics of the reciprocity treaties touched on the question of comparative costs with varying degrees of elaboration. The New York memorialists remarked that Sweden, Denmark and the Hanseatic towns employed ships "cheaply built and cheaply navigated." Henry Lee had to admit that in those trades the United States had "as far as our navigation is concerned a successful competitor." Diplomatic sources added weight to this view. Henry Wheaton believed the granting of reciprocal treatment gave an advantage to "the shipping of that one of the two contracting parties which can build, equip, man, provision and navigate at the cheapest rate." The statistics in the Bremen trade left no doubt as to which of the two that was. Grund agreed with this assessment and believed it to be near impossible for American shipowners to compete with the low freight rates which Bremen shippers could afford to offer as a result of their much lower costs in wages and provisions.<sup>26</sup>

It was difficult to quantify the competitiveness of any country's shipping. Hugh Birckhead thought it was pretty well accepted that "the ships of those countries cost fully one third less than ours, and the expense of sailing them, is from one third to one half less." "Nautilus," in an article published in the Baltimore

American, estimated that a month's voyage for a 450 ton vessel with a crew of fifteen would cost the American shipper \$409, compared to only \$201.36 for his Bremen rival. However, while wage and provision costs were no doubt higher in the United States, many claimed that those costs could be balanced out by the fact that any decent American vessel would require a smaller crew and a shorter time at sea. The initial capital outlay in the purchase of vessels remained the most important factor, and here there were signs that Americans might be at a disadvantage. The price of new American-built vessels was rising as the ready supply of timber for ship-building dwindled. The maritime historian J.G.B. Hutchins suggests that this occurred towards the end of the 1830s, and there were even signs in the 1840s that New England was having to import timber for ship-building and other purposes from Nova Scotia and New Brunswick. In the case of the Bremen trade the lax drafting of the treaty exacerbated the problem, because Hanseatic merchants were allowed to buy their ships abroad, wherever they were cheapest, and claim for them the reciprocal treatment due to any other Hanseatic vessel. Together these factors left the impression that the Hanseatic towns, Sweden and Denmark were able to fit out ships more cheaply, which, on top of their seafaring traditions and expertise, made them more than adequate rivals to American shippers.<sup>27</sup>

In the light of this competitive advantage and the benefits derived from reciprocal conditions which enabled northern European rivals to underbid American vessels in most trades, Hugh Birckhead saw "great reason to apprehend that this interference of foreign vessels in our circuitous voyages is destined to increase naturally." He believed that U.S. statesmen had not sufficiently appreciated the difference in costs and expense of sailing and he feared that "unless some modification of the existing laws is speedily effected, the Prussians, Swedes

& Bremeners will engross much more of the carrying trade, that legitimately belongs to us." Edward Carrington would have agreed. To him it seemed "unequal and impolitic to give these little fellows equal advantage in our own commerce as we enjoy."<sup>28</sup>

Such sentiments demanded some sort of response. What options were open to American statesmen, and, more importantly what sort of measures did critics of the policy suggest? The early critics were encouraged by the fact that the Hanseatic treaty was due to expire in 1839, as long as its provisions were not allowed to continue beyond the original twelve-year term by means of its perpetuating clause. In 1836 Wheaton suggested that "as the period [was] now rapidly approaching when that Treaty may be revised at our option" the State department should listen to the reports of how it operated. A year later he advised that "the expediency of renewing it in its present form, deserves the most serious consideration in respect to its practical working upon the employment of our shipping." Joshua Dodge was more explicit, considering it his "duty towards my fellow citizens to state . . . the strong objections there are against the said treaty being renewed." His opinion convinced the House select committee on tobacco, which did not "perceive any obligation on the part of the United States to continue in force that treaty a moment longer than the time allowed for its discontinuance, no reciprocal benefits having been derived to the United States."<sup>29</sup>

If most agreed that the treaty should not remain as it was, then there was similar unanimity in favour of a modified form of treaty. In principle it was preferable that the United States should maintain its treaty relations, but there was also the very practical reason that annulling the treaty altogether would "throw that portion of the trade which is now carried on under their [Hanseatic] flag, into the hands of the Danes, Swedes,

Russians and Dutch . . . ." Some even feared that a refusal to regulate trade by treaty would lead to Hanseatic vessels being transferred to the register of those countries and pursuing their damaging business under different flags. So a modified form of treaty was the preferred course. Minor changes could include a clause forbidding the Hanseatic towns from flagging foreign-built ships for the purpose of claiming reciprocal treatment; as Bremen was not a major ship-building power, it was anticipated that this would reduce her competitive edge. Another change could be along the lines suggested by Marcus Darckheim, making much clearer the rights of American merchants residing in the Hanseatic ports.<sup>30</sup>

However, the main target for change was the grant of reciprocity to foreign shipping. Nothing much could be done about the direct trade. Unless Hanseatic vessels were charged heavy discriminating duties or prohibited from it altogether, they would dominate the direct trade for as long as they enjoyed competitive advantages in costs. Any such duties or prohibition would most likely have been mirrored by similar actions by the Hanseatic towns, causing the shippers, consumers, and producers of both parties to suffer needlessly. So then reciprocity in the direct trade was unlikely to be changed. But it was not the number of Hanseatic vessels in the direct trade which was so galling. Rather it was their involvement in the U.S. indirect carrying trade which aroused most anger. Here the scope for reform was much wider.

The solution was simple. Those countries which had competitive shipping but also very small carrying trades should no longer be offered equal treatment in the indirect trade. This would not apply to Latin American states which had little shipping to compete with the United States. Nor would the limitation affect Britain, should she ever open her indirect trade to foreign shipping, because although a major shipping power, her

large volume of trade seemed likely to offer enough business for all-comers. But the Hanseatic towns and other smaller shipping powers of northern Europe met both criteria. Wheaton's suggested revision of the Hanseatic treaty would limit equal treatment to their vessels in the direct trade only, carrying their own and other German products to the United States. Rather optimistically he hoped that U.S. vessels would still receive equal treatment when arriving in Bremen or Hamburg with goods from all third countries but he was prepared to accept a limitation of reciprocity to vessels carrying the productions of the American continent. It was essential, though, that Hanseatic vessels should pay extra duties when bringing goods to the United States from anywhere other than Germany. Hugh Birckhead proposed a similar restriction: "It has always appeared to me that our offers of reciprocity should not extend beyond the lines drawn by Great Britain--which, I believe, goes no further than to permit foreigners to exchange their productions for the products of England." Foreign vessels could clear U.S. ports for any location they chose, but he "would not allow them to bring Coffee & sugar from Brazil & Hemp from Manilla, without subjecting them to a discriminating duty." Edward Carrington rounded off this argument:

I am decidedly of opinion, that our Treaties, allowing foreign vessels to participate in our general commerce has been a great error--These Treaties ought to have confined the trade to the contracting parties--There is no equality in allowing Vessels of Sweden, Hanseatic Cities &c. the same privilege of of [sic] bringing into this Country the products of all Countries, on the same terms as our own vessels . . . .<sup>31</sup>

Carrington went one step further by proposing that the standard discriminating duty be increased from ten to twenty per cent, to apply to all trades not covered by treaty terms. He even suggested a discrimination in the direct trade regardless of any reciprocal arrangements.

His was a fervently protectionist view, as befitted a man who manufactured textiles as well as owned ships. He was quite happy with the prospect that extra discriminating duties might reduce imports, in effect acting as an indirect form of protection to American manufactures.<sup>32</sup>

For others less enamoured with the protectionist principle the implication behind the proposed withdrawal of full reciprocity was distressing. It signalled that the interests of U.S. shipping no longer coincided with what had become a cherished principle of commercial policy. Reciprocity was satisfactory for as long as American vessels maintained a competitive edge, but once that edge was lost the policy was more likely to harm American navigation. Henry Lee found this particularly troubling. As a busy merchant with a trading empire stretching out from Boston across Europe and Asia, the West Indies and Latin America, he had been a free-trade spokesman for Massachusetts merchants in the 1820s and 1830s, as they strove to thwart the efforts of protectionists. He had written the major "Boston report" in 1827 attacking the defeated woollens tariff of that year and in 1831 he worked closely with Albert Gallatin to produce a supplement to the report of the Philadelphia Free-Trade Convention. As a free-trade enthusiast it had greatly pleased him to see that "even those most favorable to the promotion of our Navigation, have . . . avowed their readiness to place this interest on the principle of reciprocity." It seemed that free-trade ideas had triumphed in relation to navigation, if not to commerce in general. By 1842, though, circumstances had changed, and Lee was contemplating a revolution in American thinking. This issue also placed Lee in a difficult political position, when the crisis of New England shipping put him in bed with one-time party opponents who were now his colleagues on a committee in Boston co-ordinating attacks on the reciprocity policy. Referring specifically to the



colonial trade issue, this staunch Jacksonian was pained to admit that the past views of the Jackson administration might be "adverse to the principle which the Committee in order to obtain their ends, may, perhaps be disposed to maintain."<sup>33</sup>

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Lee's behaviour revealed how local hardship could reverse earlier partisan and principled stances on this particular subject. Further evidence of this was to be found in Baltimore where in the spring of 1842 an anti-protection Democrat, Beale Richardson, took part in a massive public meeting "without respect to party." Admitting that "the principles of what was called 'free trade' . . . were not conducive to the prospects of the mechanical, the agricultural or the trading classes," he assented to calls for a much more protective tariff, including such "discriminating duties . . . as will place them [U.S. vessels] in the ground of a fair competition with the vessels of other commercial nations."<sup>34</sup>

Understandably concern of the type displayed by Lee and Richardson was most common in maritime communities. Observers of the policy from other regions were less quick to condemn it. Henry Clay of Kentucky adopted a very different attitude. Of course, as co-author of many of the treaties which were under fire Clay was not a disinterested party, but if he had resided in a port city then he might have been more sympathetic. As it was, he chided his colleague Daniel Webster for adhering to the movement to revise the reciprocal navigation policy:

He speaks of the injury to our Navigation by the Reciprocity treaties, the great interest of the Country which has been constantly flourishing, amidst the depression of all other great interests. Instead of looking with the eye of a Statesman to the whole system of Reciprocal navigation, like a pleader, he selects the single case of poor Bremen!

Significantly Clay did not deny the existence of a problem in the Bremen trade. He did suggest, though, that American shipping as a whole was, in his word, "flourishing." This assertion highlights the need to examine more closely the state of American navigation both in its totality and in certain ports and trade routes, in order to pinpoint more accurately the exact location and timing of the problems which arose.<sup>35</sup>

Economic historians are generally agreed that the 1830s and 1840s were successful years for American shipping. Americans did well in their two most important trades, those with France and Britain; the speedy development of packet lines brought a regularity to shipping business, especially in New York; towards the end of the 1840s glorious clipper fleets ruled the waves with grace and speed; and the coasting trade, reserved exclusively for American vessels, provided an increasingly valuable amount of business, especially after the acquisition of California in 1848. A cursory glance at the shipping statistics appears to confirm this healthy picture. The total amount of tonnage registered to American shippers rose steadily throughout the period. The figures also show that American vessels took a more than equal share of an increasing volume of trade: total entrances and clearances by American ships rose during the 1830s and 1840s and remained ahead of foreign participation; for nearly the whole period American vessels accounted for between 60 and 70 per cent of entrances and clearances.<sup>36</sup>[TABS.2,3.1]

Contemporary reports raise doubts as to just how healthy things were. In hard times an increase in total tonnage might have contributed to an overcapacity of shipping in certain trades, as Henry Lee had hinted. In April 1842 one newspaper, admittedly with a political axe to grind, reported how in these "Whig times!" one third of five hundred ships at Brooklyn were lying idle, "with no

captains, no crew, no freights, and no prospect of getting any for some time to come." Many were up for sale, with "no buyers in the market." Six months later the same paper reported how a drop in demand for ships had caused carpenters to be thrown out of work in Philadelphia.

Closer examination of the statistics suggests that these were indeed relatively hard times for shippers. While the overall trend in most figures was upwards, the period of successive crashes and depressions between 1836 and 1844 witnessed violent fluctuations in the fortunes of American shipping. 1836 to 1838, 1840, and 1842, were particularly bad years, with falls in the number of entrances and clearances by American vessels. As many critics of reciprocity had feared, foreign shipping did not seem to suffer as badly, and in the years 1836-37 and 1842, both times when criticism reached a climax, the American share of carrying declined in relation to that of foreigners. Significantly the first two years in particular witnessed a surge in activity for most countries' shipping, including that of the Hanseatic towns, Denmark, Sweden, Austria, Russia, Prussia, and even Sardinia. In the case of the first three named that participation remained fairly high after 1837 as well, while the share of the others fell back to more "normal" levels. In times of economic distress, then, American shippers shared in the discomforts endured by other Americans, as they watched foreign shipping profit from fluctuations in their own fortunes.<sup>37</sup>[TABS.3.1.4]

National statistics cannot give an adequate picture of the more specific location of the problems which arose, because certain ports and trades were affected more than others. Even composite regional statistics, for the New England coast and for the Mid-Atlantic/Gulf coast ports combined, conceal local variations, both sets of figures revealing steady increases in tonnage. Such numbers are easily distorted by the success of one or more ports,

while hiding the failure of others. In New England, for instance, small ports like Salem went into decline while Boston fared relatively well. The same was seen to an even greater extent in the Mid-Atlantic region, which included both New York City, a steadily growing giant, and Philadelphia, whose overseas trading interests had declined sharply since 1815 and which now dedicated itself to fighting Baltimore for a greater share of the hinterland and coasting trades. But figures from selected collection districts do show the same pattern of fluctuation in the share of carrying as do the national figures, with natural local variations and exaggerations. American shipping did consistently well in what was left of Philadelphia's overseas trade, while in New England ports Americans fared relatively badly compared to other collection districts. All, though, shared the same depressing figures for the years 1837 and 1842.<sup>38</sup> [TASS.2, 3.2-8]

It is hard to determine exactly which communities felt hardest the effects of reciprocity. If the problems had been limited to the direct trade, the analysis would be easier. Marcus Darckheim's consular return for 1840 identifies those U.S. ports doing business with Bremen, with Baltimore and New York far in advance of others. As Bremen vessels took the lion's share of this intercourse, it is not surprising that those two cities produced vocal critics of reciprocity. However, those figures tell only part of the story, because they do not reveal whether American ships from other ports lost out in the carriage of goods from New York and Baltimore to Bremen. The difficulties in the indirect trade pose even greater problems of analysis, since by definition it involved foreign ships calling at any U.S. port carrying goods from any foreign country, again in competition with American vessels based in any port. Short of examining every consular return and customs collector's report to discover where the vessels of all countries enjoying reciprocity in

the indirect trade embarked and where they arrived in the United States, it is not possible to locate where the problems were hardest felt. Investigating the complaints where they arose, therefore, represents the most accessible route into the problem.<sup>39</sup>

The inclusion of New Englanders in the list of critics hardly needs explanation. For many years navigation was the lifeblood of much of the region, and although changing economic circumstances in the 1820s had encouraged diversification into textile manufactures, overseas commerce remained a mainstream occupation. Boston, the centre of the region's economic life, just outran New Orleans for second place behind New York as the busiest American port. American shippers did well in this trade, as the entrance and clearance figures reveal: American shipping far exceeded foreign ships in tonnage; even so, the total number of ships was in foreign vessels' favour, which, as ships were easier to visualise than total tonnage, might have accounted for heightened fears at the level of foreign involvement in the port's trade. This imbalance can be explained by the regular sailings of small British vessels from the Maritime Provinces, one trade in which Boston, in common with the rest of New England, did lose out. Elsewhere, though, Bostonian and other New England shippers were active, in the trades with Europe, Latin America and the Caribbean, and from the Pacific North-West coast to the Orient. In 1839-40 the city of Boston even celebrated becoming the first U.S. terminus for the Cunard transatlantic line, for vessels continuing on from Halifax, Nova Scotia.<sup>40</sup> [TABS.33.3.8]

With so diverse a range of trading interests, it was almost inevitable that New England shippers would face rivalry from northern Europeans. However, their concern did not derive from fears for their involvement in the region's direct trade with Bremen. Darckheim's figures reveal how insignificant this was: only two ships sailed

from Bremen to New England ports in 1840; and only eight cleared for the German port, all from New Bedford and most likely carrying whale oil, one of the few New England products with a market in Germany. Far more worrying was the threat posed by Bremen shipping in other routes. These included direct trades from other U.S. ports to Germany, since New England vessels often did the carrying of other American regions, a fact hidden by entrance and clearance figures. Most at risk, though, were the prestige carrying trades from Latin America, the Caribbean and even the Far East. News of the threat, real or alleged, of Bremen competition in these routes caused New England shipping groups to mobilise and to issue calls for a change in policy.

Criticism of reciprocal navigation far exceeded the piecemeal complaints of interested individuals like Henry Lee and Edward Carrington, important though these were. By means of a unique blending of the issue with the problems confronting New England shippers in the colonial trade there emerged a co-ordinated regional effort to bring matters affecting navigation before the public and political eye. A committee based in Boston spearheaded the movement in the autumn of 1842. It consisted of some important businessmen, including the chairman, Thomas Lamb, President of the Washington Insurance Company of Boston, Benjamin Rich, a self-made sea captain, J. Ingersoll Bowditch, another insurance company president, and J. Thomas Stevenson. In mid-November they began to publicise a mass meeting to be held in Boston on 1 December and they solicited the advice and help of New England shippers, among them the worthy Henry Lee. Indeed, so anxious was the committee to recruit Lee's experience and expertise that they postponed the meeting until 15 December, to allow him time to do the necessary spadework for any report he might choose to make. They were well rewarded when he set about his task with an

energy which made him "of more use to the committee than any other two men or perhaps all of them together."

The meeting of this "New England Commercial Convention" attracted men from all maritime corners of the region, from Lubec and Eastport in the most northerly part of Maine, to Bristol and Providence in Rhode Island. A further postponement of the Convention to the end of December meant that some had to leave before it started, but they ensured that they forwarded their views on paper. Those who stayed found it a valuable occasion and anticipated great things from the meeting. Thomas Curtis, a delegate from Boston, noted how many able reports were made, so detailed as to be "better fitted for perusal than hearing." But pride of place went to Henry Lee, who produced a "very very large report which I [Curtis] should suppose he had been writing during the past ten years, going over the past present and future." The colonial trade took up most of the Convention's time, but no doubt with Lee having played such a prominent part reciprocal navigation was unlikely to have gone unnoticed.

The least impressive aspect of the Convention was its final outcome. A report was promised, along with resolutions to be sent to Congress, but time rolled by and neither appeared. As many delegates began to doubt that the report would emerge before the current session of Congress ended in March 1843, "it was . . . determined that Congress should be memorialized from the several towns interested in New England." As a result of this directive a veritable flood of memorials from over twenty New England communities reached Congress, and, if the example of Massachusetts Congressman Robert Winthrop was imitated by colleagues, other memorials were held over until the next session when legislators would have more time to consider them. There could be no mistaking the depth of New England feeling. Shippers were worried about the threat posed to their interests by competitive rivals,

both in the restricted colonial trade and in the indirect carrying trades; and they were prepared to call for political action to remedy their grievances.<sup>41</sup>

Other regions were not quite so prolific in the articulation of complaints about reciprocal navigation. Indeed, apart from Baltimore and New York, the port of Alexandria, just downstream from the nation's capital, was the only other source of memorial activity on the issue. This memorial came from the company of William Fowle & Sons, which had a substantial amount of money invested in foreign trade. Their concern probably related to the participation of foreign shipping in the carriage of Chesapeake tobacco to Germany, or maybe in some indirect carrying routes.<sup>42</sup>

Similar fears, heightened by their heavy involvement in trade with Latin America, inspired the mercantile community of Baltimore to make the efforts they did to bring the problems of reciprocal navigation to the attention of politicians and statesmen. As in Boston the overall shipping statistics look encouraging. In numbers of vessels and total tonnage American ships out-traded foreign vessels by three-to-one throughout the 1830s and 1840s, although 1837 was relatively a very bad year. Again, though, northern European rivals were believed to pose a threat in certain specific routes, including the trade in tobacco to Bremen, which, as the figures provided by Marcus Darckheim reveal, was the most important of any U.S. port with that city. Much of the early criticism of reciprocal navigation came from parties interested primarily in the fortunes of tobacco, such as special agent Dodge and the select committee on the tobacco trade which counted among its members Isaac McKim and Daniel Jenifer, both Maryland Congressmen. The dominance of Bremen vessels in that trade undoubtedly aroused discontent among shippers keen to carry their local product to German markets.



Valuable trades with Latin America were believed to be under greater threat. These were an important line of business for the city, as they had compensated to a degree for a relative decline in Baltimore's trade with the Caribbean after 1815. American merchants still carried over two-thirds of the trade in provisions from Baltimore to the West Indies, but that trade was not as important as it had once been. In its place the city developed its trade with Latin America, and, according to historian Rhoda Dorsey, the 1820s and 1830s and again the later 1840s, were the most successful years. To explain the gap between those two periods in terms of the effects of reciprocal navigation would be to draw a highly circumstantial conclusion, but even the hint of a more competitive rival in that trade would have given cause for concern, and there were more than enough such hints circulating at the beginning of the 1840s.<sup>43</sup> [TAB. 3.6]

The result of this concern was an active campaign in Baltimore. Hugh Birckhead, of course, was a resident of the city and tried to put his friendship with Daniel Webster to good use. He was also involved in two other publicising efforts. He was a vice-president of the huge meeting, some nine thousand strong, which gathered at the Exchange Building in April 1842, a meeting so large that it had to be moved outside. When their memorial, over fifty yards in length, reached Congress John Quincy Adams described it as a "strong tariff petition," which implies that it did not deal with the state of navigation alone. This is borne out by the fact that shippers were not in a majority at the meeting and by the composition of Birckhead's fellow vice-presidents, who included merchants, bankers, manufacturers and artisans among their number. But the inclusion of a clause calling for the protection of navigation by discriminating duties showed the value of linking the problems faced by shippers with those confronting other groups within the economy in a

joint initiative to promote all domestic interests. At the beginning of 1843, Birkhead was active in yet another capacity. At the same time as another memorial was being circulated among the merchants of Baltimore, he took part in the deliberations of a special meeting of the city's Board of Trade, which appointed an investigative committee, which in turn spawned a further memorial on the dangers of the reciprocity treaties.<sup>44</sup>

The position of New York was in many ways similar to those of Boston and Baltimore. The city was indisputably in the process of growth, only temporarily stalled by a great fire in 1835 and by the economic problems of the late 1830s. New York dominated the transatlantic trade and became the hub for much of the external and internal commerce of the country. Most statistical indicators of the fortunes of shipping showed an upward trend. However, if there was a perceived threat to American navigation in any trade route, it would more than likely impinge on the interests of at least some New York merchants, since the city had commercial links with most parts of the world.

Accordingly the arrival in Washington in 1844 of a memorial from New York attacking both reciprocity in navigation and the colonial trade arrangement should not occasion much surprise. More surprising was the stature of some of the sixty-plus named individuals and companies who signed the memorial. These included successful enterprises, and not just businessmen facing economic ruin. Prominent were the ship-building firms William H. Webb and William H. Brown, as well as the smaller companies of Smith and Dimon, and Brown and Bell. Shipbuilders had a greater stake than most in the fate of American navigation, since it represented the most important market for their product. Shipowners clearly had an interest in protecting the participation of American vessels in the carrying trade, which accounts for names of the packet operators Elisha Hurlburt, W. Nelson,

and the renowned Edward Collins on the memorial. Famous general mercantile firms such as the Griswolds, Moses Hick Grinnell, Howland and Aspinwall, and Woodhull and Minturn, all of whom did business with Latin America, were also conspicuous among the signatories. But the memorial was nothing if not cosmopolitan, and in addition to the names of artisans and mechanics there were the marine insurers Walter Jones, the mercantile financier, James Brown, a scion of the famous Alexander Brown company of Baltimore, and, most colourfully, the maritime cartographers, Edward and George Blunt.<sup>45</sup>

This reflection of apparent unanimity in the New York mercantile community was shattered when a second memorial from the city reached Congress two weeks later. This memorial, signed by Jonathan Goodhue and nine other shipowners, challenged its predecessor by questioning the assumption that American navigation needed protection. The memorialists proclaimed that "the true interests of the country will be best promoted by the utmost freedom of trade." If American vessels were unable to compete with more efficient rivals, this was no reason to reject long-cherished principles, making consumers and producers pay more for the carriage of their goods. Significantly, though, they denied that foreign vessels even did pose a threat by offering lower freight rates. American shippers need not and for the most part did not "fear the competition of those of any other nation." In spite of heavier outlay costs to buy ships, the prices of which were inflated by heavy duties on ship-building materials, American vessels were "now successfully competing with those of every nation, in every trade, which is open to them." Consistent with their free-trade outlook they longed for the day when lower tariff duties would make it possible to see "how vastly beyond the need of 'protection' and the reach of competition the skill of our ship builders, the superior character of the American ship

masters and the enterprise of our merchants, can render our commercial marine."

The composition of these memorialists gives no real clues as to why they differed from their fellow New Yorkers. They included operators of packet lines to Europe such as Mortimer Livingston, J.J. Boyd, and Goodhue, but the involvement of the latter in carrying cotton to Russia in return for Baltic products should have made him an ideal candidate to sign the anti-reciprocity memorial, since it was more than likely that Bremen ships competed with him in that route. Most puzzling of all, though, was the presence of three names on the second memorial: Henry Grinnell, the brother and partner of Moses Hick Grinnell who had signed the first memorial; and Charles Marshall, a sea captain turned commission merchant and agent for a packet line, and William Whitlock, another merchant of varied interests, who shared the interesting distinction of signing both memorials!<sup>46</sup>

Referring to Marshall and Whitlock when he presented the second memorial, Senator Silas Wright noted that one or two men had signed the first one "by mistake," which raises doubts as to whether any signatory knew what they were putting their name to when a paper was thrust under their nose. The existence of this second memorial also raises the question as to how widely held sentiments hostile to reciprocity really were. New York provided just one example of a counter-movement, but the absence of records of similar movements in other maritime communities need not mean that all agreed with the complaints against reciprocity: those happy with, or indifferent to, the prevailing policy were far less likely to express their opinion. Moreover, while the existence of any such silent majority in favour of the policy cannot undermine the fact that the sentiments articulated above were passionately held, it does raise doubts as to how criticism of reciprocity would be received at Washington. After all

these were hard times for all, and special pleading by one group was not guaranteed a sympathetic ear at the nation's capital. Yet, action by the federal government was what the critics of reciprocity demanded, and their efforts succeeded in bringing the matter into the political eye for much of the 1840s.

#### Chapter 4. Congress and Reciprocity, 1840-1845

In December 1840 John Davis of Massachusetts presented to the Senate one of the many memorials calling for action to secure better conditions for American vessels trading with the Caribbean. After Davis had spoken in favour of the memorial, his Massachusetts colleague, Daniel Webster, expressed the hope that the committee charged with studying the subject would broaden its focus to include "all the consequences of that system of policy which they had been for some years in the habit of calling the reciprocity system . . . ." He made plain his opinion immediately, asserting that the treaties which cemented the policy were "entirely destitute of all the essential principles of reciprocity." His memory jogged by Webster's request, Davis recalled earlier memorials from merchants in Baltimore, "setting forth the unequal advantages which they enjoyed in the transshipment of tobacco to Germany." Reciprocal treaties had driven them out of the trade, rendering the system "of very doubtful policy," Davis averred, as he consented to Webster's request. James Buchanan of Pennsylvania warned that this was an important topic, which might involve changing a long-standing policy, but he did not deny that, "in some respects, particularly in regard to our commerce with some of the Hanse towns," the policy had been disastrous.<sup>1</sup>

A discussion followed as to which committee should be entrusted with the memorial, the Foreign Relations committee, or its Commerce counterpart. Both chairmen tried to pass the buck, claiming that the other's committee was better suited to the task, and the eventual choice of the Commerce Committee proved disappointing, as that body failed to produce a report. Nevertheless the episode was a significant one. In the debate two future Secretaries of State had expressed opinions on reciprocal trade relations, providing hints as to how they might be

expected to respond to the issue when in office. Moreover, memorial activity had been successful in bringing the issue to the attention of Congress, in combination with the colonial trade affair. Over the next five years Congress would ponder these matters in tandem, although heavy workloads and partisan battles on other issues would prevent any constructive legislative action.

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Memorial activity in the years 1838 to 1844 revealed not only the discontent of shipping groups, but also a conviction that the federal government had powers to remedy the prevailing state of affairs. In the spring of 1842, when the campaign was at its height, this belief became stronger still. J. Chickering of Newburyport urged Congressman Caleb Cushing that "nothing but the action of the Government is wanted to stay the destruction of the country." His colleague John Porter avowed that it was "in the power of Congress to relieve us in one week, and put the wheels of business again in motion." In Baltimore, meanwhile, Hugh Birckhead hoped that judicious policies would "revive the drooping and desponding spirits of our people," while The American, taking some solace from the fact that the issue had at least been broached, demanded the establishment of a better system of import duties and commercial regulations--"That constitutes now the first great duty of the Government."<sup>2</sup>

While the implication behind these entreaties was that Congress should act, there was some uncertainty as to the form that action could or should take. Both issues involved diplomatic as well as commercial questions--the colonial trade issue stemmed from the arrangement of 1830, while the reciprocity policy involved U.S. treaties with countries the world over--and so the Executive branch was likely to play an influential role in any modification of policy. Even so, the issues were commercial matters first and foremost, involving hardships suffered by important

interest groups, and the legislative body was traditionally the forum for consideration of such topics. Congress had several courses of action at its disposal, from the general publicising of the issues, to specific measures relevant to each in turn.

Although the colonial trade arrangement of 1830 had been secured by diplomatic efforts, it rested solely upon the legislative basis of the prospective act passed in May 1830. Congress could, therefore, request the Executive branch to ensure the proper enforcement of the terms of the act, which in itself might solve the problem of infractions, such as the abuse of the free port policy. Congress could also assess the effects of the arrangement and recommend that the State department attempt, through negotiation, to obtain a better deal. Ultimately Congress retained the power to repeal the act of 1830, to re-impose discriminating duties against British vessels coming from the colonies, or even to close down the trade altogether.

The range of options with regard to the reciprocity policy was just as wide, but the supreme-law status of treaties limited the possible actions of legislators somewhat. Again, Congress could demand that the Executive branch put an end to any infractions of the treaties, but this would not have solved the problem of the quite legitimate involvement of foreign ships in the indirect carrying trade. In theory Congress could call for the abrogation of the treaties before they expired, but this would require the concurrence of the Executive. Abrogation would also entail the loss of the non-offensive elements of the relevant treaties, and it would most likely subject American shipping to retaliatory duties in foreign ports. The most realistic option for Congress, if it chose to act on the matter, lay in recommending that expired treaties not be perpetuated, and that any new or renewed treaties provide for different terms. The Senate could have a say in this through its ratification power.



Two courses of unilateral action open to Congress were likely to be more symbolic than effective. It could repeal the legislation of 1824 and 1828, but this would not remedy the main problems which lay in trades with countries already enjoying treaty relations with the United States. Repeal would send a message to the Executive branch, however, highlighting concerns about the policy of reciprocity. The same was true of the final option open to Congress, the imposition of extra discriminating duties by means of tariff legislation. Again this would affect only those trades not covered by treaty relations or by legislative provision of reciprocity, but it would signal the desire of Congress to afford greater protection to American shipping.

The advocates of change proposed all these alternatives at various times. At first they were happy for Congress simply to investigate, to discover the true causes of their distress. But as depression gripped more tightly, they resorted to calls for the more extreme remedies, such as revision or abrogation of the reciprocal treaties, and the repeal of the act of 1830. Throughout, though, the conviction that Congress should act prevailed.

Some hinted at the political rewards for successful action, or, more darkly, at the less welcome consequences of ignoring their interests. Again the crisis year of 1842 witnessed the climax of this approach. Lewis McKenzie asserted that action would win the "thanks of all interested in Commerce." Joseph Sumner of Maine, noting that there was no other subject "about which we have so much enquiry, & which so much appears to engross the public mind in this state," called for retaliatory duties in the colonial trade: "Nothing could be done by the present Congress to render the administration so popular." Chickering also believed that returning the colonial trade to its pre-1830 condition would be a "popular act for the Administration."<sup>3</sup>

Any failure to tackle the problems confronting the nation as a whole and of shipping in particular would provoke a less favourable response. The confused political climate of the early 1840s, as Whigs battled Democrats and the nominal Whig President, "his accidenty" John Tyler, sought a following of his own, often thwarted effective legislative action, laying Congress open to criticism. In 1842 John Porter complained that "Congress is spending its precious time in petty disputes and quarrels, while we the great & leading interests of the nation are neglected." If the Whig majority did not bury their differences and do something for the sake of their "suffering & bleeding country," then there would be "such an expression of public opinion throughout the country, as has not been had in your day or mine." The Whigs would "sink so low, that . . . even the crowns of their heads 'will soon be out of sight.'"<sup>4</sup>

A final method of enlisting Congressional support was the use of rhetoric designed to appeal to those not directly interested in shipping. Advocates of change realised that their problems were limited in impact to certain communities, and indeed to certain groups within some cities. In the economic context of the late 1830s and early 1840s, when most Americans had been touched by successive crashes and depressions, the champions of one group, and a fairly small one at that, were unlikely to win favours on the grounds of economic hardship alone. As their objective was a type of protection likely to increase the cost of carrying to producers and consumers alike, they tried to couch their appeals in terms which would attract the support of a wider constituency.

On the most general level this involved pointing out the injustice of the prevailing situation. It was an affront to American sensibility to be denied liberal trading conditions, and Francis Grund went so far as to refer to "the evils under which the commerce of the U.S.

is now suffering . . . ." More practical, though, were appeals to the general material interest. Shipmasters at New Orleans declared that under the current colonial arrangement "the commercial interests of our country do and will more and more suffer." Memorialists from Portsmouth claimed that it "does appear to impede our advancement to the climax of commercial prosperity." Meanwhile the Portland memorial called for a modification of the arrangement on terms which would "appear the most to conduce to the welfare and prosperity of these United States." The memorialists from Bangor illustrated how universal the importance of this matter was:

Every citizen in the State who raises a bushel of potatoes or of grain, or cuts a cord of wood, or burns a cask of lime for exportation, or who fells a pine tree, or owns a ton in shipping, is deeply interested in this business, and is essentially injured by the present arrangement of the colonial trade.<sup>5</sup>

Memorialists and individual correspondents also claimed that healthy American shipping was vital for the survival of the nation. In 1844 the New York memorialists declared that the commercial marine constituted "the foundation of our national defence, while its strength and efficiency are so intimately connected with the preservation of national character and the maintenance of national security." The meeting in Baltimore in 1842 resolved that protection of navigation was all the more important "from the fact that a flourishing Commercial marine must be looked to as the best nursery of seamen for the national navy in time of war." The memorialists from Portland agreed, describing the "hardy seamen of America," as "the right arm, the very strength of our defence on the ocean, the highway of nations." The sea was the nation's best means of defence; so "should not . . . our carrying trade, and particularly the coasting carrying trade, as well as our fisheries--these nurseries of our seamen--be protected, that their numbers may more rapidly increase?"<sup>6</sup>

Edward Carrington resorted to this line of argument in his series of letters to James Fowler Simmons. By persisting in the current policy "our Merchant Ships will have to be laid up or sold to foreigners--our ship Carpenters and Rope walks abandoned--and then where will be your Navy?--No seamen, no Carpenters, Caulkers, Riggers &c. &c." He returned to the point a week later:

If we expect to maintain a Navy, we must have revenue and seamen, and without commerce we cannot have either--and if we expect to have a revenue, duties must be laid, and if commerce and seamen, our merchant ships must have the carrying of its own exports and Imports, under certain privilege over foreign ships.

This was vitally important because "in no other way can we be an independent nation and have the means of sustaining our independence." The remedy was obvious: "we must legislate for ourselves, work for ourselves, and defend ourselves as Citizens of our country." William Parker of Portsmouth, a correspondent of Daniel Webster, made a similar link of interest and policy, avowing that "the importance of our navigation may well entitle it, not merely to a fair field, but to especial favor." Yet currently even a fair field did not exist, as by the colonial trade arrangement "many and great advantages are now given . . . to our most active competitors."<sup>7</sup>

References, such as Parker's, to the specific British threat to American interests were a common rhetorical device in this campaign. Fear of British influence was a potent force in the United States in the late 1830s and early 1840s. In commerce Britain seemed to represent the biggest obstacle to American fortunes. Besides the alleged results of the colonial trade arrangement there were suspicions that British diplomats were deliberately hampering the efforts of their U.S. counterparts to secure favourable commercial treaties in Latin America. The actions of Britain in China in 1840 only reinforced these fears, as she used naval power to seize Hong Kong and

force open other Chinese ports. So it was essential that the United States should not let Britain trample over their interests as well, although one Whig commentator, partly from partisan motives, asserted that Americans had "suffered too much already by a desire to succumb to British arrogance," as a result of the 1830 arrangement. The Bangor memorial catches the tone of these fears:

The grasping insatiable power of Great Britain is beginning to be felt all around us. She is intruding herself upon our Northeastern and Northwestern frontier; she is dividing with us our foreign trade, and has the monopoly in some portions of our coasting trade, she preaches free trade to our manufacturers, but practises herself entire prohibition; she has extended her system of unequal laws and unequal privileges until the trade of the world has become tributary to her; and when the pen of her diplomatists has failed to succeed, the bayonet of her soldier is brought into requisition.<sup>8</sup>

This ominous assessment reveals that there were greater perils endangering Anglo-American relations than commercial issues alone. Frontier disputes in both the Northeast and Northwest, with skirmishes across the Canadian border in 1837-38, had aroused genuine concern that war would break out until negotiations between Webster and Lord Ashburton defused most of the more explosive issues in the late spring of 1842. The most passionate memorials against the colonial trade arrangement were drafted before the negotiations, and were infused with the spirited assertion that U.S. policies should be modified so as to stop them fostering the navigation of a potential enemy. More immediately many feared that Britain would exploit another loophole in U.S. commercial laws to pose a direct threat to the nation, by means of her growing fleet of steam vessels. As Congress embarked upon five years of debating issues related to navigation, it was to be the question of British steamers which attracted the initial and most immediate attention.

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For some years British steam vessels based in the Caribbean and the Maritime Provinces had been plying to and between Southern and Northern U.S. ports, carrying passengers and mail. Many Americans viewed this activity as damaging to the nation's commercial interests and questioned whether it was in contravention of the prohibition of foreign vessels from the coasting trade--there were doubts as to whether that restriction applied to passengers and mail as well as goods. In the tense atmosphere of early 1842, though, critics aroused darker fears about British steamers. Expressing concern for the safety of the nation, Edward Carrington rated its maritime defences so inadequate as to be "at the mercy of any Small naval force, and particularly the Steam Navy of G. Britain." The defences of Norfolk, the Washington Naval Yard, New York, Newport, Boston and Portsmouth could all be by-passed by armed steamers, "in defiance of the present fortifications," and the cities and dockyards they "guarded" be bombarded and destroyed "before breakfast." He found the situation most threatening:

Do our Government mean to allow British war steam ships, (under the name of mail packets, commanded by British Naval officers,) to visit all our most important Seaports, Sound out the channels of the Bays and Rivers, and become as well acquainted with the navigation as our own pilots--with our defences and localities of our harbors.

If so, then the United States would "soon find ourselves in the predicament of the Chinese--& a British steamer will be going up the Hudson River, burn Albany, and return before morning." Expressing similar fears, the editor of the Baltimore Republican and Daily Argus likened British steamers to the Trojan Horse, posing a distinct military threat by their capacity to carry large numbers of men and munitions. He implored the "lazy drones" in Congress not to fall into sleepy oblivion and to devote time to debate the threat.<sup>9</sup>

Congress paid heed to such pleas and in March 1842 the House adopted two resolutions: one from Congressman Stanley of North Carolina calling on the Secretary of the Treasury to suggest legislation to secure the American monopoly of the coasting trade in goods and passengers; and the other from John Minor Botts of Virginia committing the Judiciary committee to investigate possible amendments to the revenue laws to prevent foreign steamers from carrying letters between U.S. ports. Early the following month the Commerce committee drafted its own bill with the same aims in mind.<sup>10</sup>

This bill sparked off a heated debate when Stanley called it up on April 25. George Proffitt, a Tyler Whig from Indiana, described the bill's prohibition of foreign vessels from the carriage of passengers between American ports as "narrow and bigoted in its spirit, and altogether behind the age." Millard Fillmore countered that the bill merely extended to passengers the same principle as existed for goods, a just retaliation to similar British regulations. A speech by Robert Rhett confirmed John Quincy Adams' opinion of Southern contributions to the debate--"in hatred of internal industry," and blazing out "for free trade and the rights of the citizen." Rhett refuted Fillmore's claims that the bill was retaliatory and condemned it, suspecting that its object was "to secure to our railroad companies the transportation of the passengers who now took passages on board the British steamers." This represented a serious threat to the "most enlarged personal liberty to travel where we would, and as we choose." After Caleb Cushing had spoken in favour of the measure on commercial and strategic grounds and Mark Cooper of Georgia had reiterated Rhett's arguments against it, the House voted to postpone consideration of the bill.

As Congress became preoccupied with other business the coasting trade bill was neglected for the rest of the session. By the time Congress next met the Webster-

Ashburton treaty had taken much of the urgency out of the question. There was a suggestion that a select committee look into the matter, but the proposed course of action revealed a change in approach. The urgent desire to prohibit British steam vessels was replaced by the view that it might be expedient to aid "individuals or companies in the establishment of lines of steam vessels, for the purpose of transporting the mail between some of our principal Northern and Southern ports to foreign ports on the Lakes and the Mississippi river." It was hoped, though, that these vessels could be built under Naval auspices and used as war steamers in future.<sup>11</sup>

The issue had been transformed from one involving access to ports to one of subsidy to mail steamers, another major concern of shipping groups in the 1840s, but not directly connected to the issue of trading rights. The British steamer question did, however, signify Congressional interest in shipping matters in 1842, and that interest was seen also in attention given to the colonial trade and reciprocal navigation issues. Although little action resulted, the problems were discussed, solutions were proposed, and the issues did come under close legislative scrutiny for the first time, with the potential for influencing the way the federal government acted upon them.

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The two regular sessions of the 27th Congress, from December 1841 to March 1843, constitute the high point of legislative consideration of reciprocal navigation. For all the activity from 1838 onwards, the outcome of earlier sessions had been little more than fact-finding, with no suggestions of constructive remedies. No doubt this was partly because many did not know the true facts of the issues--as the House Foreign Affairs committee noted in 1839 in calling upon the Secretary of the Treasury for a report, it could not make any positive recommendation for



action on the colonial trade issue out of "deficiency of exact information." Requesting information on commercial arrangements generally was an annual occurrence, as illustrated by a resolution proposed by Senator Thomas Hart Benton in 1838, calling upon the Secretary of State

to report . . . the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with all foreign nations, so as to show how far the commerce and navigation of this republic are favored and encouraged, or burdened, or restricted, in different countries.<sup>12</sup>

Similar resolutions introduced the matter to both chambers in the Special and first regular sessions of the 27th Congress. But the latter session witnessed an acceleration of the process, as calls for information from Cabinet officers were supplemented by more specific resolutions for committee investigations. In the House John Pendleton Kennedy requested that the Committee of Commerce be charged with inquiring into the effects of recent tariffs, and "into . . . the past and present condition of our navigation," with a view to recommending "such measures as may be necessary to enlarge our commercial marine." Meanwhile in the Senate Levi Woodbury resolved that the Commerce committee be directed to

inquire into the State of our tonnage, freights and commerce with foreign powers, and report whether it is prosperous or other wise, and the existing arrangements by treaties or laws in relation thereto; and also whether the regulations by other Governments, are equal and in conformity to the spirit of these arrangements; and if not so, what measures are proper to insure reciprocity.<sup>13</sup>

This heightened activity was mainly in response to the increase of memorial communication from distressed communities. Complaints of maritime hardship seem to have been loudest in early 1842, and although contemporaries would not have had the statistics for that year to hand, those figures do illustrate what was no doubt the

perception that foreign shipping was taking an increasing share of the American carrying business.

But there were also political grounds for anticipating more action on the part of the 27th Congress. In 1841, for the first time, the Whigs had secured control of both houses as well as the Presidency in the form of first William Henry Harrison, and then, after Harrison's most unfortunate demise, John Tyler. The Whigs were by renown the party more committed to the use of federal government powers to aid domestic interest groups, and in 1841 their leaders in Congress proposed a complete overhaul of the political economy, with new policies lined up for banking and finance, the tariff, and distribution of land sales revenues for projects of internal improvement. Shippers hoped that changes in navigation policy might form a part of this revolution and intensified their efforts accordingly.

Of course, the Whig programme was so broad as to raise doubts as to whether there would be time to accommodate navigation issues as well. These doubts were strengthened after the Special session of the 27th Congress in the summer of 1841, when arguments over a new national bank demonstrated that President Tyler was more out of line with Whig thinking than party leaders in Congress feared. However, even though this raised the spectre of vetoed legislation and slow progress, shippers still clung to hopes for action by a Whig Congress. Certainly they feared worse from the Democrats. After the 1842 mid-term results had promised a Democratic House in the new Congress, one shipper avowed that "the present Congress . . . is our only hope, if legislation, is to be resorted to."<sup>14</sup>

Moves in the House gave shipping groups cause for optimism in early 1842, as individuals and committees expressed fears similar to their own. William Pitt Fessenden introduced the memorial from Portland with

sympathetic words on this "subject . . . of great importance." He expressed concern at the growth of provincial shipping with the United States and deplored the crippling of the indirect trade with the British West Indies through other countries' island colonies. Worst hit by this development was New England, whose trade with the West Indies had "now become of little or no value." Meanwhile, a protectionist report on the tariff from the Committee on Manufactures revealed that a wider number of politicians than might have been imagined were familiar with the problems of reciprocity. The report asserted that a non-protective tariff would be as disastrous for manufacturing as the impact upon navigation of the reciprocal treaties, "under which we have lost a great part of the carrying trade of our own produce."<sup>15</sup>

Events in the Senate no doubt dented the mood of optimism somewhat. The former Secretary of the Treasury and now Senator from New Hampshire, Levi Woodbury, presented the Portsmouth memorial, but defended the policy of reciprocity and the colonial arrangement of 1830. The system of reciprocity was "the glory of the country," which in general had worked well despite infractions of its spirit. He gave his whole-hearted support to the principle of equality in world trade, even if it did result in American shippers not carrying as great a share as they might like. Indeed, "he showed how unreasonable it was to expect that the United States should own the tonnage or carrying trade of the whole world." Americans could expect no more than a "fair competition and such advantages as could be gained from superior skill, accommodation, and energy in competition with the vessels of less favored nations." As for the colonial trade, Woodbury believed the petitioners had a just complaint, "not so much of the arrangements themselves, as that arrangements . . . in respect to the British colonies . . . were, on their side, unfairly carried into effect."

Overall, though, he perceived no grounds for concern. He cited figures showing how American tonnage was increasing both nationally and at the local level, in Maine and Massachusetts, and he expressed pleasure at the fact that American shipping carried two-thirds of the nation's trade as a whole, and the same proportion of the most important transatlantic business.

Woodbury's stance should not occasion much surprise. As a loyal Jacksonian he had condemned the failure of the Adams administration to settle the colonial trade dispute, and had taken considerable pride in the far smoother implementation of reciprocity in the French colonial trade. To Woodbury Jackson's negotiations with Britain were a triumph, and he stood by the arrangement of 1830 for the rest of the decade. His Treasury department report of 1839 uncovered little evidence to cast doubt on the usefulness of the arrangement, taking the line that the colonial trade was a matter of commerce which interested the whole country, and not just one of navigation important only to the East. Predictably he asserted that commerce as a whole had been the winner, with an increased share in the direct trade to the West Indies from the more southerly ports and higher levels of exportation of products both to Britain and the colonies. On top of political loyalty and statistical evidence, a genuine belief in free-trade principles convinced Woodbury that reciprocity and the colonial arrangement were inherently right. He even tried to attribute the healthier shipping statistics of the 1830s to lower levels of tariff duties compared to the 1820s, until James Fowler Simmons countered with the fact that as a result of the tariffs of 1832 and 1833 duties were actually higher in the later decade!

Woodbury's general description of affairs was no doubt accurate: American tonnage did increase; the proportional share of entrances and clearances did not

fall to disastrous levels. As such his speech can be regarded as representative of the less vocal majority who found little to complain about in the current system, a stance later to find expression, again with free-trade overtones, in the second New York memorial of 1844. But apart from acknowledging certain British infractions of the arrangement of 1830, Woodbury did not really confront the specific criticisms of reciprocity. He gave less than convincing explanations of those statistics which did reveal heavy imbalances in favour of foreign shipping, and he offered little comfort to those shippers who did experience real distress.<sup>16</sup>

While the Senate as a whole proved as unhelpful as Woodbury in this session, failing to broach either of the major issues affecting navigation, this was more than made up for by the attention given to both in the House. Two major reports emerged from the Foreign Affairs and Commerce committees, the first dealing exclusively with the colonial trade issue, the second with commercial affairs in general but with special emphasis on reciprocal navigation. Moreover, both reached conclusions which heartened the shipping fraternity. The reports, and especially their proposed solutions, reflected the personal and political interests of their authors, Caleb Cushing and John Pendleton Kennedy, with whom must lie much of the credit for the publicity given to navigation issues at this juncture. However, neither was able to mobilise sufficient support to secure legislative action, in what would become a familiar pattern of raised but thwarted hopes.

On April 14, 1842 the Foreign Affairs committee presented House Report No.650 on the colonial trade, a long paper consisting of twenty pages of analysis and 180 pages of supporting documentation. The report was nominally the committee's response to the memorial from Jabez Mowry and his fellow citizens of Lubec, but it

examined sixty years of Anglo-American relations over the colonial trade, as well as the more recent criticisms of the arrangement of 1830.

As an important member of the committee since he entered the House in 1835, Caleb Cushing had received many letters on the colonial trade issue. However, his interest and concern derived from more than official duty alone. He was the representative of the Massachusetts maritime community of Newburyport, which despite the development of manufacturing remained proud of its seafaring tradition and still pursued commercial activities. Cushing was a fit representative, with friends and relatives in the town's commercial community and with his own interest in matters of commerce, travel and foreign affairs. His place on the Foreign Affairs committee nourished these interests, but later in the decade he was able to combine them in an even more active role as special U.S. minister to China, where he signed the commercially significant Treaty of Wanghia in 1843.

The report opened with a fairly standard history of the colonial trade affair, before moving on to assess the effects of the 1830 arrangement. Cushing left no doubt as to his view, claiming that figures revealed "a remarkable and most extraordinary augmentation of the relative amount of British tonnage entered and cleared in the ports of the United States." This 500 per cent increase, compared to the 50 per cent growth in American tonnage, had occurred at a time when British shipping had performed badly elsewhere; indeed, "in her relations with the United States alone, have her commercial treaties proved beneficial to Great Britain." The wealth and population of the maritime provinces were booming and there was even evidence of Americans investing in British-registered shipping. From these facts Cushing concluded that there was "some inequality" in the existing arrangement, or that "for some other cause, those arrangements foster and

promote the navigation of Great Britain without being in the same way beneficial to that of the United States."

After a less than critical examination of the charges made in the memorials and correspondence, Cushing presented a familiar list of "alleged" problems as the cause of the current situation: the abuse of free ports, the use of preferential duties, and the prohibition of certain products; and the more natural factors of geographical location and lower costs. His conclusion was forthright: "the existing arrangements . . . are prejudicial to the United States, by reason of their inequality, and their want of that just reciprocity, and that mutual participation of advantages which any state is entitled to demand, in its intercourse with all other independent states . . . ." It was, therefore, the committee's duty to inquire into the defective elements of the arrangement and suggest a proper remedy.

In considering possible remedies Cushing was encouraged by the fact that the arrangement was founded on legislation which could be repealed or amended. As a result the arrangement could be treated as an experiment, and now he judged that

the experiment has been sufficiently tried  
. . . in the infliction of immense and still  
increasing injury to our commerce and navigation,  
the progress of which, if not arrested in time,  
will eventually place all our maritime resources  
at the mere discretion of Great Britain.

As the outcome was "unequal, unjust, and injurious," so the United States had a right to respond to British restrictions, discriminations and regulations with measures of their own. However, Cushing and the committee shied away from immediate legislative retaliation, which was "the certain means of effectually guarding and securing the rights of the United States." Instead, out of "national comity," they called for friendly negotiation with Britain, proposing the following resolution:

That the President of the United States be, and he hereby is, requested to enter into negotiations with the British Government, for the purpose of effecting a permanent, equitable, and just conventional arrangement of the commerce between the United States and the British Colonies in America.<sup>17</sup>

The prevailing diplomatic atmosphere demanded such restraint. The imminent negotiations between Daniel Webster and Lord Ashburton might afford an opportunity to discuss the matter. But, more importantly, there was concern that retaliatory measures would add more fuel to the smouldering relations between the two countries, even to the point of provoking the British to call off talks.

It is also possible that Cushing was influenced by political motives. Negotiation would give the initiative, and the chance for glory, to the Executive branch, and in the political context of 1842 this suited Cushing perfectly. Originally an Adams supporter in the 1820s, he had been a fervent and regular Whig in the decade up to the summer of 1841. At that time he was faced with the choice of whether to support John Tyler as President, and, as did most Whigs, he backed him at first. But when Tyler alienated the bulk of the party with his successive bank vetoes in the Special session of 1841, Cushing took the brave step of standing by him. He trusted the President more than he did the Whig leader in Congress, Henry Clay, and this earned him the wrath of regular Whigs who labelled him "Democrat" when he voted the wrong way on party measures. His stance even cost him the reward for his loyalty, as the Whig-dominated Senate three times blocked his nomination as Secretary of the Treasury. His proposed resolution might, therefore, reveal a reluctance to allow Congressional Whigs to take the credit for a legislative remedy to the colonial trade issue, and a greater trust in the Executive department.<sup>18</sup>

Although some regretted that it did not go further in its recommended actions, Cushing's report met with a



generally favourable response. One New York correspondent, a Mr. York, commended the report as "able and important," and trusted that Congress would adopt its conclusions. Benjamin Rich of Boston expressed the appreciation of the city's mercantile community for the sympathetic tone of the report, and Lewis McKenzie trusted that Cushing would earn "the thanks of all interested in commerce." Joseph Sumner declared that the report was "just the thing" to show that the subject was "so well understood at Washington," but he thought more positive action should be taken: "Negotiation appears too tardy a remedy to meet the wants of the Country." He called for the levying of an extra tonnage duty upon foreign vessels, to put more pressure on Britain during the proposed negotiation. Joseph Noyes, the former Congressman from Eastport, suggested a similar course and claimed that the chances of success would have been much greater if Cushing had recommended that the President give notice of termination of the arrangement. This would have convinced Ministers of the "necessity of prompt action," whereas without such pressure the British government, knowing that the system favoured their shipping, would "not be likely to be in any hurry to enter into negotiation."<sup>19</sup>

Issued six weeks later, the Commerce committee report, on the "Commerce and Navigation" of the United States, was more responsive to the calls for immediate positive action. As a result of the committee's wider brief it ranged over a much broader field of topics than Cushing's report. Moreover, the scope of the paper reflected the wide interests and talents of the committee chairman, John Pendleton Kennedy, Congressman from Maryland.

Kennedy has been woefully neglected in studies of the politics of the early 1840s, despite the fact that he played an active, if short-lived, part in the partisan battles of that period. His fame rests almost exclusively

on his literary merits as the prolific author of the 1830s, Mark Littleton. Born in Baltimore into the famous Pendleton family of Virginia, a rich uncle's legacy freed him from an unrewarding legal career, allowing him to pursue a gentle life of local service, literary pretension, and political dabbling. He sat in Maryland's House of Delegates in 1820. In 1838 he was elected to complete the congressional term of the deceased Isaac McKim, and although he failed to secure re-election for the next term, he did win a seat in 1840, and re-entered the House for the first of two terms in 1841.<sup>20</sup>

By personal interest and political inclination Kennedy supported active government involvement in the economy. His father, a Scotch-Irish immigrant, had been a merchant until his bankruptcy in 1809. Kennedy's truncated legal career brought him into contact with the broad spectrum of Baltimore's economic life so graphically illustrated by the mass meeting of 1842, whose memorial Kennedy presented in Congress. Even his two marriages reinforced these connections, first in 1824 to Mary Tennant, from a leading mercantile family, and, after her death, to Elizabeth Long, daughter of a manufacturer of Ellicott Mills, Maryland. Originally a supporter of John Quincy Adams in 1828, Kennedy became a Whig and a close friend of Henry Clay, backing his "American System" of economic measures. As early as 1830 he wrote a political tract attacking Churchill Cambreleng's free-trade report of that year. In the prologue to the 1842 report he recorded the remarkable spectacle of an energetic country enduring "deep suffering in every department of industry," and predictably he blamed this upon "some most unhappy mistakes in the policy of the Government." He referred, of course, to Jacksonian policies on banking and finance, although he also feared the effects of the compromise tariff of 1833 whose reductions really started to bite in 1841-42. As a remedy he espoused the regular Whig

measures of sounder banking policy with a national bank, currency reform, land sales reform, and a more protective tariff.<sup>21</sup>

In the light of these economic policy preferences, Kennedy's stance during the turmoil of the Tyler administration was understandable. On hearing the news of Harrison's death, Kennedy despaired, and from the first he harboured grave doubts about Tyler--"He is reputed an obstructionist of the worst school of Virginia." When Tyler vetoed the Bank bill in 1841, Kennedy went on to the offensive, attacking the President in a two-volume diatribe illustrating his treachery and duplicity. He never slackened in his assault on Tyler, and not surprisingly it led to the collapse of all civil relations between the two, as the President refused to receive Kennedy in the White House and as their two families pointedly ignored each other in the street. Kennedy's hatred of Tyler also affected his relations with Daniel Webster, whose talents he admired, but whose conduct gave cause for concern when he refused to resign as Secretary of State after the debacle of the Special session of 1841. Thereafter Kennedy doubted Webster's motives, accusing him of jealousy of Clay's influence, and he never really trusted his official actions. Such distrust coloured Kennedy's attitude to the Executive branch as a whole and inclined him to propose legislative solutions to the problems addressed in the Commerce committee report.<sup>22</sup>

The first fifth of the report looked at the general state of the economy, for, as Kennedy noted, "Commerce, navigation, domestic industry in all its departments, have equally suffered . . . ." But the main focus was on the specific problems confronting the interests of navigation, in general trade and more narrowly in the colonial trade.

Kennedy did not go fully into the latter subject, deferring to the "very full and satisfactory report" produced by the Foreign Affairs committee. But he did

express his frustration that American shipping was excluded from the trade of the British empire and especially from the indirect routes from Britain to the United States by way of colonies to the north and in the Caribbean. He called for the trade be put on a just basis and demanded that either American shipping be allowed "to participate with her in this carriage of our own commodities from and to any part of her dominions," or "regulations should be adopted which shall prevent her from monopolizing that carriage to herself." Failing a new arrangement, Kennedy thought it preferable to return to the conditions which had prevailed before 1830, which could be no worse than the current position. Britain should grant true reciprocity in the form of access to direct trade to all colonial ports, and more optimistically

the privilege of carrying freely from the British colonies to the mother country, to all other British colonies, and to all foreign countries, all commodities of the same class or description as those which are ordinarily imported by the British colonies from the United States, on the same terms that British vessels may carry them.

These terms would have entailed Britain scrapping her Navigation system completely, and Kennedy recognised that this was expecting too much. So he lowered his sights and proposed a bill to put pressure on Britain to make limited changes. In setting out the future conditions for equal treatment of British vessels in the colonial trade it aimed to remedy two of the alleged causes of distress. Reciprocity was only to operate in the direct trade with the colonies: no British ship arriving in a U.S. port from Britain could take a cargo of American products to the colonies--only American vessels, and British vessels coming from a colony, could take American goods back to it; and British vessels arriving in U.S. ports from a colony would only receive equal treatment after giving

bond that they would return direct to that colony rather than sail to Britain. In other words this measure would eliminate the advantage accruing to British vessels in the transatlantic trade from the triangular route via the colonies. The second element was more straightforward, in that it confronted the well-known abuse of the free port system: the bill required that close attention be given to the port of origin of British ships from the colonies, and that any vessels clearing from ports which were not on the free port list should be prohibited.<sup>23</sup>

The bill made no attempt to remedy the problem of the use of preferential duties, but as it stood it won the plaudits of interested parties. Joseph Sumner admitted that he did not entirely understand its import but liked the idea that failure to meet its terms "throws us back to the same condition as to our intercourse with the Colonies, in which it was held previous to the year 1830." Theodore Chalk of Boston supported the use of bonds to ensure that ships from the colonies did not carry on with a circuitous route to Liverpool. And Henry Lee supported the measure, which left shipowners only wanting

an attempt to obtain by negotiation such modifications of the British colonial System as will give them the benefit of the reciprocity principle--according to an honest and liberal interpretation of that term--and perhaps obtain some changes in our commercial relations with other powers.

On the question of a negotiated settlement, it is likely that Kennedy would have disagreed with Lee, for surely the bill reflected his own political prejudices at the time. Rather than allowing the hated Tyler and the ambitious Webster to take the credit for a solution of this matter, Kennedy put his faith in legislative action. This displayed not only his own personal animosity to the President, but also the Whig tendency since the days of "King Andrew" to place more trust in Congress than in the Executive branch. Moreover, as his report reveals, the

same motivation influenced his contribution to the debate on reciprocal navigation as well.<sup>24</sup>

If Kennedy disagreed with Lee on the proper approach to the colonial trade issue, he concurred in his hope for "some changes in our commercial relations with other powers." Here Kennedy again revealed a preference for legislative regulation of the country's overseas commerce. Reviewing the early years of American policy, he noted that one striking feature was that "the whole subject of trade and navigation was always kept within the control of Congress, and might be altered, relaxed, or enforced as the circumstances of the time and the case might render expedient." Only after 1815 had the United States pursued treaty-making on a wide scale, but now Kennedy asked whether reciprocity ought not to be subject to the legislative power of the countries involved, so that each "might be at liberty to discard them upon any inducement." As things stood, treaties secured reciprocal terms "against temporary changes or repeal."

From the tenor of these remarks it was plain that Kennedy did not look favourably upon reciprocal navigation. He declared the policy to be an experiment which had failed on two counts. The first was that there remained certain important trades not covered by reciprocal terms, including most colonial trades and the indirect trade of Britain. Ironically these omissions were probably for the best, because analysis of shipping statistics and certain trade routes provided sad evidence of the second count of failure. Foreign vessels trading in U.S. ports were exhibiting "an extraordinary increase," an increase displaying a "steadiness . . . indicating no temporary or occasional impulse, but some permanent source of vigor." In trade with France and Britain American navigation grew at a slower rate than its rivals, but in some trades it actually declined at the expense of Danish, Swedish, Prussian, Russian, Dutch and Hanseatic shipping.

This aroused fears of the anomalous situation in which American commerce was "chiefly sustained by the ships and seamen of transatlantic nations." As there was still plenty of carrying to be done, Kennedy could only surmise that there were "other active and efficient causes at work to increase the employment of foreign shipping and, to a certain extent, to supplant our own."

From the statistics he discerned two clear patterns:

That, our navigation in general has fared best in our commerce with those nations with whom we have not negotiated reciprocity treaties. . . . That the results have been most to our disadvantage where the reciprocal privilege has been established on the broadest scale.

Certain aspects of current policy Kennedy agreed with: mutual access to ports; consular privileges; and "most favoured nation" status in import duties. However, he considered equal treatment for foreign shipping less desirable. Even in the direct trade there were circumstances to justify exceptions to the accepted practice of not imposing discriminating duties. As a general rule, though, Kennedy considered that it was "a safe and useful restriction . . . to confine that privilege, of exemption from discrimination, to the importations of cargoes, the growth, produce, or manufacture of the nation from whence they are brought." Offering reciprocity in the indirect trade granted "a very important boon to any nation," as had been illustrated only too graphically by the speed with which small maritime powers, with lower shipping costs and little trade of their own, had signed treaties with the United States. Larger shipping powers such as Britain, France and Spain, not enjoying competitive advantages, had entered into limited arrangements, maintaining some degree of protection for their shipping.

In the light of this analysis Kennedy hoped Congress would "discard whatever error of theory or practice it may

be convinced has crept into the administration of this branch of our polity." He reiterated his conclusion: "the facts would seem to disabuse the public mind of an impression that the reciprocity system founded on treaty has, under any circumstances, produced a positive benefit to this country." Indeed, those facts demonstrated that even at its best the system was "but an arrangement recommended to the adoption of foreign nations by its value to them." The picture was gloomy, as American harbours filled with foreign flags, as mechanics and artisans were thrown out of work, and as naval preparedness was jeopardised. If "timely legislation" did not provide a remedy, then Americans would be confronted with the terrible sight of "the laying up of our own shipping to rot at our docks."

Kennedy did not propose legislation, however; but rather two resolutions for Congress to consider. The first called on the President to give a year's notice for the termination of certain treaties already expired by their original terms but still in operation by means of perpetuating clauses. All were treaties offering reciprocity in the indirect trade to the countries of northern Europe. Any such treaties still in force by virtue of their original terms could be re-considered when the expiry date approached. Significantly, Kennedy excepted the treaties with Latin America, which "have produced no inconvenience, and may therefore be left upon their present basis." The second resolution set down the guiding principle that in any future treaties reciprocity should be limited to the direct trade only. Kennedy made plain that each case could be judged on its merits and so was insistent that the indirect reciprocity act of 1828 be left in place, in order that the United States could apply those terms when desirable, while keeping the subject within the control of Congress: this would "enable us, at once, to correct any injurious effect which might result



in any particular case to the detriment of our commerce or shipping."<sup>25</sup>

The subsequent history of Cushing and Kennedy's proposed remedies set a persistent and frustrating trend in legislative action on matters relating to navigation. It was fateful that the issues were raised during one of the busiest periods in congressional history, at a time when the unique position of the President placed legislation more at the mercy of partisan politics than normal. Despite the fact that the first regular session of the 27th Congress was the longest on record, lasting well into August, navigation-related issues were crowded out by matters of more immediate importance. In 1842 it was the tariff which took first priority. The same occurred in later sessions, such as in 1843 when a warehouse bill, the repeal of the bankruptcy law, and general appropriation measures pushed reciprocity to one side. In the summer of 1842 there was also the diplomatic situation to consider, with even the most passionate advocates of legislative action being wary of the effect hostile bills might have upon the negotiations between Webster and Lord Ashburton. Together, the political and diplomatic environments blocked further progress on both the issues of most importance to shipping groups.<sup>26</sup>

Kennedy presented his report on May 28 and introduced his bill and resolutions six days later. On June 8 Cushing opened the way for discussion of the colonial trade affair by proposing that his resolution be referred to the Committee of the Whole, which, having Kennedy's bill before it already, could "determine between the alternative propositions." Kennedy agreed to the referral, which the House voted in the affirmative, but only after a passionate, two-day debate. Francis Pickens, while not denying that a problem existed, did deny the House's right to call upon the President to negotiate upon any matter. The House could only ask for information,

whereas "it was the business of the President . . . by and with the advice and consent of the Senate" to initiate and undertake negotiations. If Congress passed the resolution, "they were treading upon ground which they were unfit to tread upon." William Pitt Fessenden opposed Cushing's memorial from a quite different perspective. He was "opposed to any negotiation of this matter, and, principally, upon the ground that it would be useless to attempt to settle it by negotiation." He called on ex-President Adams to back his opinion that it was essential to "proceed to legislate, and place our commerce upon that footing of equality which it ought to have." Adams obliged, agreeing that he wanted "peremptory legislation . . . in opposition to legislation on the part of Great Britain," and "preliminary to negotiations for the reason that negotiation had failed to produce any effect."

Fessenden's Maine colleague, the Democrat Joshua Lowell, sounded a less positive note. Even without the advantages enjoyed by British shippers on paper, their cheaper vessels, more expendable in heavy seas, their lower crew costs, and their familiarity with the geography of the Maritime Provinces would afford them a competitive edge over American rivals. He saw no harm in trying to remedy the existing abuses and so proposed, for the short term, tougher enforcement of the 1830 act against infractions of the free port system, followed by negotiation of the type proposed by Cushing. But if Kennedy's bill, as he understood it (though not having read it himself), threatened a return to non-intercourse conditions, then to pass it without first informing Britain of U.S. dissatisfaction with the arrangement would be "a rash, hasty, and ill advised proceeding on our part." It might hurt British interests, but it would hurt their own more, at the cost of increasing "the already excited ill-feelings of our British neighbours," and of adding "another to the long list of controversies now

pending between our two countries." Avowing his free-trade beliefs, he concluded that legislation could only be justified on the ground of "uncontrollable necessity" and that it would never receive his support, "except as a dernier resort, when all reasonable measures shall have been tried and failed."<sup>27</sup>

Lowell's warnings seemed to find their mark. When Kennedy eventually got the floor for debate on his bill at the end of June, he yielded to John Quincy Adams for discussion of French spoliation claims. Some time after the session Kennedy confided to his journal why he had postponed consideration of his bill and resolutions until December: "I did not call up these questions during the session because I thought they might lead to a debate unfriendly to the negotiation . . . ," by which he meant, of course, the Webster-Ashburton talks, and not any specifically devoted to the colonial trade issue.<sup>28</sup>

Perhaps predictably it was the tariff bill, passed with other interests in mind, which provided the only legislation affecting reciprocity in this session. Even this measure was almost the victim of the partisan battles of the day, as Tyler vetoed two bills and as Whigs of different stamps in the House and Senate struggled to find a solution acceptable to him. There had been calls for the tariff to incorporate an increase, to 20 per cent, of the discriminating duty on the shipping of countries not enjoying reciprocity, and for an increase in special discriminations imposed on trade from the Orient. Senator James Fowler Simmons drafted a bill which would have imposed an extra five per cent duty on "teas imported from other places than those beyond the Cape of Good Hope, or in vessels other than those of the United States," as protection for American vessels against foreign shipping in the direct tea trade and against the indirect import of tea in British ships via Britain. Furthermore the usual ten per cent discrimination was to be doubled for goods

other than teas coming from beyond the Cape of Good Hope. The House bill drafted by Millard Fillmore was less generous to shipping, by making all importation of tea duty-free. Supporters of the rest of the bill hoped that changes could be made, "particularly in what may affect the shipping interest," and eventually the two chambers reached a compromise: despite the opposition of some such as John Calhoun, teas, coffees, and other oriental goods would be entered duty free when carried by American vessels, but under a 20 per cent ad valorem duty in foreign ships. This measure raised considerable problems of interpretation, when Dutch, Danish, and Austrian vessels, carrying these articles in routes covered by reciprocal terms, were charged the duty. Diplomatic representations and embarrassed letters from the State department to the Treasury department brought this infraction to an end, and there were also moves in Congress to refund duties wrongly paid.<sup>29</sup>

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Apart from the tariff, the first regular session of the 27th Congress had provided no effective action on issues involving navigation. However, the efforts of Cushing, Kennedy, and others had alerted Congress to their importance, and the flood of memorials from various meetings over the winter of 1842-43 reinforced the message. When the second session started, in December 1842, Congress had ready-made options to hand. But, again, partisan politics, a full legislative programme, and diplomatic events were to overshadow issues of concern to shipping.

In the case of the colonial trade issue, diplomatic developments elsewhere took over. Webster had not touched on the matter with Lord Ashburton in Washington, but now there were hints from London that another special mission might be possible, to discuss Oregon in the main, but also commercial questions. Webster approached Cushing and

Adams, the ranking members of the Foreign Affairs committee, for an appropriation for a mission, expressing optimism that Britain was "ready to talk to us on the subject of the Colonial trade."

Webster was less optimistic about the prospects of getting money from Congress. Both Democrats and regular Whigs would be wary of financing a diplomatic initiative which might bring the Tyler administration great prestige. There were also policy grounds for opposing the mission. Whigs feared that the mutual reduction of import duties might constitute part of such talks. As the Whig protectionist band had only just got the tariff they wanted, they would be loath to see their handiwork undone by events beyond their reach. Finally, many Democrats expressed dissatisfaction with the "sell-out" of American interests in the Treaty of Washington, which they considered unjust, dishonourable, and disgraceful. So then Webster had good cause to state that "at the present temper of the two Houses, I exceedingly doubt whether the vote wd. be carried." Indeed, there were "a great many people in this country who want war with England; & many more who desire to keep up the agitation," who would therefore be likely to "oppose all extraordinary efforts to settle difficulties."

Proceedings in Congress bore out these fears. Some continued to call for legislative retaliation in the colonial trade, to put pressure on Britain to listen to American arguments. But although Webster's proposed mission accorded with Cushing's view on how the United States should proceed, when he and Adams put the question of an appropriation to the Foreign Affairs committee, they received support only from Isaac Holmes. The call for the appropriation died. From then on the colonial trade received congressional attention only in discussions on the wider issue of reciprocity in general.<sup>30</sup>

On that issue the Senate proved slightly more active than in the previous session. Woodbury, declaring it to be an important inquiry "which concerned the whole country, but especially the Northern portion of the country," charged the Commerce committee with an investigation of the regulation of commerce. But he gave no signs of having changed his earlier opinions. More encouraging for those critical of reciprocity must have been the actions of Senator Merrick of Maryland, who in successive days introduced a bill "providing for a system of reciprocal commercial intercourse with foreign nations" and a copy of Kennedy's resolutions. But the Senate again shied away from immediate action and passed a resolution from the Commerce committee, discharging the committee from further consideration of the matter and referring it instead to the Secretary of State, for later report.<sup>31</sup>

It was left to John Kennedy in the House to take up the cudgels for his resolutions. Frustrated by repeated procedural objections to his attempts to make the resolutions the special order for the day, only after a month did Kennedy finally take the floor. In an hour-long speech, considered "able and elaborate" by John Quincy Adams, he reverted to the themes of his report to review the history and effects of the reciprocity policy. He claimed that some countries, notably Britain, encouraged reciprocity in others while not adhering to it themselves, and he warned that to put the policy into practice in full would be to fall into a "snare" set by British statesmen. The policy had had only harmful effects, and he blamed the failure to recognise that fact upon the mistaken view that the United States built and manned ships at a competitive rate. Adverting again to the dangers of placing reciprocity on the treaty basis, he repeated his remedy, as encapsulated in his resolutions of the first session.

The main thrust of the short debate which followed was that there was inadequate time to see the matter

through to a conclusion. Cushing said a few words in favour of passing the resolutions, but others were quick to dismiss them. McKeon, a Democrat from New York, claimed there was "scarcely time to effect much good legislation thereon;" the Kentucky Whig Triplett also considered it "too late to effect much at this advanced period of the session;" and Millard Fillmore, anxious that the House proceed to other business, moved to discharge the Committee of the Whole from consideration of the matter. He averred that it was "apparent to all that this resolution could not be passed, or sufficiently discussed at this late period of the session; and that it delayed the action of the House on objects of indispensable necessity." His motion passed, leaving the issue of reciprocal navigation to lie on the table.<sup>32</sup>

Robert Winthrop was disgusted at these proceedings. He informed Thomas Lamb in Boston that the debate on the issue had been "arrested forcibly" and "very summarily disposed of," all because the House had been so busy that it was "unwilling to spend any time upon it." Kennedy left no record of his feelings at the failure of his efforts. Even so, the political developments of the session still made it one of the "most extraordinary chapters in our annals," as he witnessed the separation between Tyler and the Whigs ripening "into the deadliest hostility."<sup>33</sup>

Political developments also affected the composition of the 28th Congress, and by the time reciprocity next arose as an issue a new cast of characters had taken the legislative stage. But the resulting drama was very similar. The changed political environment in 1843-45 created even more confusion for those seeking legislative favours. John Tyler was still President, of course, and the Senate still had a Whig majority, but this remained a recipe for instability, not effective legislative action. The new Democratic majority in the House now raised the

prospect of inter-chamber disputes as well. The chances for constructive legislation were bleak, and apart from Democratic attempts to revise the tariff, little action was anticipated. Kennedy's assessment of the first session appears to bear out those anticipations:

A dull session followed ending 17th June. A session of negations and do nothings. A miserable House of Representatives. A tyrannical domineering of the Loco Majority--a majority of sixty--I was on no Committee--so had nothing to do but look on, and laugh with Mr. Adams.<sup>34</sup>

It was possible, of course, that an issue not known to raise party hackles, such as reciprocal navigation, might receive more attention in a less busy session. The issue was still in the public eye, as memorials from New York, Boston and Alexandria demonstrated. Even if this represented a fall-off in memorial activity, the collected body of previous memorials remained on record. Moreover, a note of controversy had been added to the debate, as the supporters of reciprocity demanded recognition in the second New York memorial. Senator Silas Wright reflected this split when he presented the anti-treaty memorial: he admitted that he was "bound in candor to say, that he had entertained opinions different from those expressed by the memorialists," however impressive the experience and force of sentiment of that group. With opinions divided, the issue appeared ripe for discussion.<sup>35</sup>

The people likely to be involved in any decisions about reciprocal navigation at this point had also changed. In place of the sympathetic Webster there was a new Secretary of State, Abel Upshur, whose views on the issue were as yet unknown. As Kennedy noted, he was no longer Chairman of the Commerce committee, his mantle having been assumed by Isaac Holmes. Holmes showed some signs of action on the matter, by having printed a section from a report from the new Secretary of State critical of the treaties, and by deputing a member of the committee to



investigate the issue. Kennedy, however, became impatient at the lack of progress and requested, unsuccessfully, the consideration of his old resolutions.<sup>36</sup>

The most significant contribution to the navigation question in the 28th Congress came from Charles Jared Ingersoll, the veteran Pennsylvanian Jacksonian, who now became the Chairman of the Foreign Affairs committee. While reflecting the largely non-partisan nature of the issue, this development was somewhat ironic in view of Ingersoll's<sup>later</sup> relations with Kennedy, who described him as "a most absurd buffoon" for his attacks in 1846 upon Webster's alleged use of secret funds to procure a favourable reaction to the Treaty of Washington in 1842. On matters of commerce Ingersoll was well-informed, if not always consistent. He had supported heavy protective duties at the Harrisburg convention in 1827, but had later moderated his demands for protection in order to conciliate Southern opponents of the tariff. He was, though, a consistent advocate of the use of diplomacy to obtain commercial favours, and in 1845 expressed his dissatisfaction at the record of American ministers and chargés abroad who neglected their duties in search of pleasure and social intercourse. It was not surprising, therefore, that he advocated the use of special commercial agents overseas to promote markets for American exports. In 1844, with a whole range of diplomatic and commercial matters under his gaze, he revealed sentiments sympathetic to the critics of the reciprocity policy.<sup>37</sup>

His response was much like Kennedy's, as he introduced the following resolution:

That the President of the United States be requested, as soon as it can be done amicably and without just cause of complaint, to rescind the reciprocity treaties subsisting between the Hanse towns, Denmark and Sweden, and the United States, and to procure such a modification of that with Great Britain as will open the trade between her colonies and the United State with Great Britain.

If the response was the same, then so too was the outcome. Two attempts to suspend rules in order to have his resolution made the special order for the day were defeated, and the matter was laid to rest on the table.<sup>38</sup>

In this abrupt fashion the issue of reciprocal navigation slipped from the legislative agenda, in this form at any rate, for the next four years. This was not the result of lack of interest in the matter. In July 1844 Abbott Lawrence requested from Kennedy advice on which bits of his 1842 report to publish in abridged form for Rhode Island shippers who felt "sensibly the operation of our foreign arrangements touching the carrying trade," and were "ready to make an effort to place our tonnage upon a rational foundation." Ingersoll touched on the question in a speech in 1845, expressing concern at the relatively slow increase of American tonnage as a result of, among other things, British monopoly of steam navigation, false measurement of tonnage, dearer ship-building, and the "extremely detrimental reciprocity treaties with many small navigating States . . . ." This was just one way in which "foreign commerce was lost sight of by government." He made plain, though, that his concern was for commerce as a whole, and indeed the speech was made in support of a call for an appropriation for special commercial agents, with whose help in promoting trade in general the "marine and navigation of this country must surpass all others." Ingersoll's speech was to herald a new era of commercial diplomacy, especially in U.S. relations with Germany. But the speech also highlighted the fact that the state of navigation was not dependent on legislative action alone. Diplomatic efforts could also alter the position of American shipping in relation to foreign rivals. What is more, for the past seven years the State department had undertaken significant changes in the reciprocal navigation policy as applied through diplomatic arrangements.<sup>39</sup>

## Chapter 5. The Diplomatic Response, 1837-1845:

### Reciprocity on Hold

On May 18, 1843, over one hundred of the leading lights of Baltimore's mercantile community attended a public dinner. After the traditional toasts the Chairman, Robert Gillmore, introduced their guest as a man who had rendered "eminent services . . . to our country, and indeed, to the whole commercial world." Amidst great applause and loud cheers Daniel Webster rose and proceeded to offer some suggestions "touching the commercial interests of the country, and the policy in regard to them which the time demands." Proclaiming the "essential connection" between all forms of economic pursuit, he deemed it essential that the prosperity of commerce be the highest and most important consideration for all public men and intelligent citizens. He was encouraged by the fact that forces all over the world were combining to produce an age "in which governments and individuals are thinking more of benefiting themselves than of annoying or destroying their enemies," a trend illustrated by the increase in commercial treaties in recent years. Now it was the duty of the federal government to respond to that trend by adopting a system of policy beneficial to all parts of the country:

eminently favorable to agriculture, to the grain-growing and plantation States; reasonably favorable also to the manufacturing and commercial interest; and if we could make an impression on it that should last for twenty years, we would soon have a much better state of things than we have seen for years and years past.

When he came to the future direction of policy towards commerce and navigation, Webster knew the mood of his audience well. He concluded by attacking earlier mistakes of policy and left no doubt as to his views on treaties of reciprocal navigation, claiming it to be his "strongest belief that all this principle of supposed reciprocity in the carrying trade . . . is wrong--a

mistake from the beginning, and injurious to the great interests of the country." Referring to the direct trade to Bremen, a topic bound to strike a painful chord with his audience, he ran through the usual arguments against the policy and asserted that the treaties should be terminated, leaving the subject "open for new negotiation or for such provisions as Congress may see fit to adopt." Amidst growing applause he envisaged a glorious future:

We are destined, I trust, to act in the world the part of a great maritime nation. We have no inferior game to play--no subordinate part to act. It is no assumption to say, either, that in whatever respects commerce and the seas, and the character exhibited upon the seas, for national defence or national glory . . . we may have rivals, but we admit no superior!

Straining to make himself heard, he concluded by warning how policy should be directed to that glorious end:

How are we to do this without founding for ourselves a wise, a cautious, a comprehensive policy, not marked on the one hand by narrowness or meanness of spirit, nor on the other by an excessive or foolish liberality; a policy that shall rear up and maintain and furnish employment to a body of seamen who are to defend our rights where assailed on the boundless ocean?<sup>1</sup>

Although Webster had resigned a few days before attending the dinner, the speech still aroused much interest. Foreign governments and commentators believed Webster's recent position gave the speech the "character of a semi-official document," and it was included in lists tracing shifts in U.S. attitudes on reciprocity. At home, the speech was viewed more as a political event. John P. Kennedy, in whose estimation Webster had fallen to an all-time low, believed the dinner had been arranged originally to rally support for Tyler, but that it had failed because Webster's resignation had scared many Tyler men into not attending: they feared that "Webster might . . . not be in the best humor with Tyler," and might say things to make them regret having given him a platform. As it was,

Webster was told not to talk politics, leaving him to make what Kennedy considered a contemptible speech, its contents being a poor re-working of his own report of the previous year. For others the speech's contents, rather than the circumstances in which it was made, had political implications. Recalling that Clay had been responsible for negotiating many of the treaties which Webster was now attacking, they claimed that this was an attempt by Webster to promote his presidential ambitions among Baltimore merchants, at the expense of Clay's reputation.<sup>2</sup>

There were other occasions on which Webster sought political capital out of the matter. For instance, in a speech delivered in Boston in September 1842 in which he refused to resign as Secretary of State, he attacked anti-Tyler Whigs in Massachusetts for proposing a "full and final separation from President of the United States." He warned that such a split might jeopardise the prospects of measures which relied on close co-operation between the Executive and legislative branches. His choice of example was significant: if Tyler should attempt, "by negotiation, or by earnest and serious application to Congress," to solve the problems in the colonial trade, were the Whigs of Massachusetts to give him "neither aid nor succor?" Similarly, if the President chose to review and amend the policy of reciprocity "to which so much of our tonnage is now sacrificed," would Massachusetts Whigs oppose him? Asserting that by the policy as it stood "we take the bread out of our children's mouths and give it to strangers," he concluded by asking whether the Whigs would remain inactive under any such grievance for the duration of Tyler's presidency.<sup>3</sup>

From his contribution in the short debate in the Senate in 1840 to later reports issued as Secretary of State, Webster had earlier made clear his very real doubts about reciprocity. It was in the latter role that Webster's stance assumed greatest importance, because

reciprocal navigation, as a diplomatic issue, was subject to the review of the Executive branch, just as, as a commercial topic, it fell within the domain of Congress. The performance of the State department was crucial in shaping the debate about reciprocal navigation, since it was the agency which could report the effects of the policy, and decide upon the efficacy of maintaining or amending it by means of further treaties. The repeated efforts to pass resolutions calling for the abrogation of the original reciprocal treaties with the states of northern Europe would seem to indicate that the actions of the Van Buren and Tyler administrations failed to satisfy the critics of the treaties. Nevertheless, within an overall context of continuity in navigation policy, those eight years did witness some changes in Executive-branch attitudes to reciprocity in those trades which had given cause for concern.

The formulation of foreign policy depended upon a close interaction between <sup>the</sup> President, the Secretary of State and other policy-makers within the Executive branch, with the occasional directive from Congress. U.S. diplomatic representatives overseas could also be influential, because it was their despatches which kept the State department informed of any infractions or problems arising in treaty relations. Some ministers and chargés, most often those in Latin America where communications were less regular, even took it upon themselves to initiate negotiations on terms they thought appropriate, presenting the State department with a fait accompli in the form of a treaty. In most cases, though, it was the Secretary of State whose views mattered most, since it was he who gave the orders for negotiation.

The Van Buren and Tyler administrations employed five men in the office of Secretary of State, along with several acting Secretaries, such as Aaron Vail and John Nelson, who held the post during temporary absences or

vacancies. The latter, and indeed at least two of the regular Secretaries, did not hold office long enough to play a major role in the shaping of reciprocity policy. Hugh Legaré, who had hinted at the undesirable effects of reciprocity offered to Swedish shipping in the mid-1830s, occupied the office from Webster's resignation in April 1843, until his own death two months later. Abel Upshur, who succeeded Legaré, did not last much longer, dying tragically when the "Peacemaker" cannon exploded on board the Princeton in February 1844. However, he merits closer attention, in recognition of his important statements on the issue during his brief tenure. This is in marked contrast to John C. Calhoun, who filled the office for the final year of Tyler's term. In view of his hostility towards the protection of manufactures, it is likely that he would have felt the same way about protecting shipping, and indeed in the debate on the tariff bill of 1842 he expressed his opposition to the "novel principle" of allowing foreign goods to be entered free of duty only when carried in American vessels. But he made no official reference to reciprocity as it related to the problems experienced with the shipping of northern Europe.<sup>4</sup>

John Forsyth was the first of the three Secretaries who exercised most influence upon the issue. He had held the office since 1834, serving both Presidents Jackson and Van Buren, and therefore had had plenty of time to view reciprocity in action. His record before taking up the office revealed little interest in matters affecting navigation. Although known as a politician from Georgia, where he was governor from 1827 to 1829, Forsyth was a Virginian by birth and so might have been influenced by the tobacco connection. Yet his early actions in office and his written opinions held out little hope to the opponents of reciprocity. Before complaints really surfaced he was an enthusiastic supporter of extending reciprocity in indirect trade and pursued that goal in his

diplomatic orders. In his report of 1839, the ideal opportunity to express doubts with the policy, he betrayed no hint of any such doubts. Moreover, in a despatch to Henry Wheaton Forsyth further dented the hopes of the proponents of change: "the President has determined not to interfere at present with the Treaties with Prussia and the Hanse Towns," and so they would "continue in force under the perpetuity clause in each respectively." The phrase "at present" might have kept those hopes alive, but time would tell whether Forsyth responded sympathetically to the calls for change.<sup>5</sup>

On paper Daniel Webster and Abel P. Upshur encouraged hopes of more positive action. They could hardly have had more different backgrounds. Webster was of course an experienced statesman, well-used to the political limelight. A leading Whig, his consistency in the anti-Jacksonian cause was not always to be relied upon when other interests interfered. In the 1820s he had represented the New England shipping community, and although he changed his policy preferences on issues such as the protective tariff in response to the growth of manufactures in his own state of Massachusetts, his interest in matters affecting navigation persisted. Hence his pronouncements on reciprocity were no surprise.<sup>6</sup>

Upshur was a state-rights Whig from Virginia and a loyal supporter of President Tyler. When the first Tyler Cabinet, inherited from William Henry Harrison, resigned en masse (with the exception of Webster) after the President's two bank vetoes, Upshur had become Secretary of the Navy in the second Cabinet, transferring to the State department after the death of Legaré. He had no apparent personal or constituency interest in matters affecting navigation, although as a Virginian he might have had an eye open for conditions in the tobacco trade. Like Webster, though, he did take seriously the despatches from Germany, and in a report to Congress in November 1843



he presented conclusions very similar to those already expressed by the New Englander. He advised action to protect the country's commercial marine against the "great and constantly increasing amount of foreign shipping in our ports." He laid the blame squarely on the treaties:

The remedy is consequently in our own hands, and we have only to retrace our steps, and make known the determination of this Government to regulate its foreign trade, in future, upon such principles of reciprocity as shall not extend beyond the direct importation trade in the produce and manufacture of the contracting parties.

Not surprisingly the actions of Forsyth, Webster and Upshur failed to live up to their written and spoken views, producing a period of raised and dashed hopes for those seeking change in navigation policy. On the face of it things did not get any worse. New treaties of indirect trade reciprocity were negotiated, but they were in those areas deemed to represent no threat to U.S. shipping. While this constituted a clear continuity in the approach adopted in relations with Latin America, Asia and the Mediterranean from the mid-1820s into the late 1840s, relations with northern Europe did experience a change. But the fact that no new full reciprocal treaties were signed with countries in that region was not enough to please the critics of reciprocity, whose calls for the abrogation of existing treaties went unheeded. As a result the policy of reciprocity remained a subject for debate to the end of the Tyler Presidency.

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The extension of full reciprocal navigation to Latin America remained a desirable goal throughout this period. Although complaints about the intrusion of northern European shippers into trades between Latin America and the United States formed a central part of the criticism of reciprocity, it was clear that this was not the fault of treaties signed with Latin American states, whose fleets did not rival American shipping. Rather, it was

the result of U.S. treaties which afforded equal treatment in American ports to European vessels coming from Latin America. Significantly, critics of reciprocity made plain that they did not wish for the abrogation of the treaties with Latin American states. After all, if reciprocal conditions could be secured in the trade with the southern neighbours of the United States, it would free American ships from added burdens when trading between two American countries, or when sailing to Latin America with European goods in triangular voyages.

This policy stance persisted right through the Van Buren and Tyler terms, and James K. Polk's besides, into the 1850s, making a single survey of the whole period to 1851 the most satisfactory way of examining U.S. relations with the region. Polk's Secretary of State, James Buchanan, wrote in 1847 that "we are anxious to strengthen our friendly relations with all the South American Republics, and there is no more effectual means of accomplishing this than by a Treaty of Commerce based upon the most liberal terms of perfect reciprocity." Indeed, it was Buchanan who drew out most clearly the distinction between U.S. policy in Europe and Latin America:

With the nations on this Continent, we either have already concluded, or are always willing to conclude, Treaties of indirect reciprocity; but the reason is manifest. They have not many advantages for ship-building, and but few of their vessels engage in distant voyages. The privilege, therefore, granted to our vessels, of carrying to their ports from the ports of third Powers the production of all countries, upon the same terms with their own vessels is deemed of itself sufficient equivalent for the benefits which we bestow. The case, however, is far different in regard to the Northern commercial nations of Europe.<sup>8</sup>

Diplomacy in Latin America remained a tricky and at times hazardous business. The region was still prone to political upheaval, as was shown in Central America where the federation of the same name fractured into several

constituent parts. In the Rio de la Plata district Argentina, Uruguay and Paraguay were racked by successive internal revolutions, provincial revolts, civil wars and wars between states. Of course, the United States were themselves no strangers to war at this time, and the diplomatic battles over Texas and California, leading to conflict with Mexico, prevented any constructive commercial diplomacy with that nation. Other obstacles remained important, such as the persistent conviction that Britain and to a lesser extent France were prejudicing Latin American leaders against the United States. New problems arose to complicate negotiations further: the right to trade up the great rivers of the continent to states in the interior grew in importance; the demand for fertiliser made rights to farm and trade in guano on certain islands an attractive goal of U.S. policy; and after the acquisition of California in 1848 the desirability of a trade route of some kind across Central America became obvious to all. Whether it were to be a canal across the Isthmus, or a railroad further north in the region, the United States were keen to secure favourable trading rights in any such route, as well as possible permission to build or even own it.

Despite all these complications, U.S. commercial diplomacy in Latin America was remarkably successful in the years 1837 to 1851. Terms of indirect trade reciprocity were secured with most states on the continent, whether by confirmation or amendment of old agreements or by the negotiation of new ones. Apart from Mexico, only in the case of Bolivia did American approaches end in complete failure, which, considering the interior location of that state and the lack of any U.S. diplomatic relations with it until 1848, can hardly be judged as surprising. Indeed, when John Appleton was despatched to La Paz to secure a treaty of full reciprocity in 1848, he found no established government

with which to negotiate. Elsewhere, though, the story was one of a successful, if at times tortuous, path to full reciprocity in navigation.<sup>9</sup>

A first goal of diplomacy was to preserve intact those treaties of full reciprocity already in operation. The treaty with Venezuela was the most recent of that type, and throughout the 1840s relations with that state gave cause for neither concern nor complaint. Fears did arise in 1849, after the treaty had officially expired, when the Venezuelan President, José Tadeo Monagas, issued a decree in accordance with its perpetuity clause, declaring the continued operation of the treaty terminated in one year's time. However, the President calmed those fears by promising to give urgent attention to a new treaty after consideration of the needs and interests of his country. Doubts arose also over the status of trade with Brazil, which had declared its treaty terminated soon after its due expiry date in 1841. Even though it did not appear that American vessels or produce were treated any differently after the termination, U.S. statesmen were still wary that Britain might secure more favourable terms. So Upshur, Calhoun and Buchanan all recommended that relations be put back on the sounder treaty footing, preferably on terms of full reciprocity, but at least on terms equal to Britain. The Brazilian government was unwilling to negotiate, but, despite continuing British influence, still treated American vessels on terms equal to their own. Polk acknowledged this in 1847 by issuing a proclamation in accordance with the act of 1828.<sup>10</sup>

The Federation of Central America had been the first Latin American state to agree to terms of full reciprocity with the United States. John Forsyth was perfectly satisfied with the treaty's operation and in 1838 gave orders for its renewal, as the time for its expiry approached. The U.S. chargé, Charles De Witt, opened negotiations but failed to secure ratification of the

treaty, because the authority of the Federation had collapsed in the wake of a civil war which tore the region apart. De Witt's successors had no more luck, as they found no central government with which to negotiate, and so William Murphy, under orders from Webster, set in train negotiations with various of the former Federation's constituent parts. The aim in each case was to secure full reciprocity. These efforts did not bear fruit until Polk's term, when the governments of Guatemala and Nicaragua finally agreed to negotiate. With one eye on the new interest of the United States in securing a transit route between the Gulf of Mexico and the Pacific, successive negotiations brought treaties with Guatemala, Costa Rica, San Salvador and Nicaragua, all on the basis of full reciprocity, and with the Nicaraguan treaty incorporating exemptions from port and tonnage duties for goods in transit.<sup>11</sup>

The pursuit of full reciprocal navigation was also successful in the cases of Peru and Chile, both of which had previously only ceded "most favoured nation" terms. Initially relations with Peru were somewhat fraught, as the Peruvian government claimed that the existing treaty signed by the defunct Peru-Bolivian confederation was no longer valid. Undaunted, Buchanan regarded this as the opportunity to secure a completely new treaty and succeeded in signing one with the Peruvian minister in Washington, Senor de Osma. However, this instrument, and another signed by Webster during his second term in the State department during Millard Fillmore's Presidency, both failed to meet with the approval of the government of Peru, because of articles concerning the farming of guano on Peruvian islands. Only in 1851 did a third treaty win the approval of both sides, including as it did a clause providing for full reciprocity in the indirect trade. Efforts with Chile took equally long to succeed, thwarted for most of the 1840s by Chile's discriminations in favour

of other Latin American products. U.S. representatives tried hard to find loopholes through which the United States might claim similar privileges, but to no avail. Hopes were raised when Chile gave notice to terminate their treaty in 1849, with the intention of negotiating a new one, but again Chilean insistence on the discrimination blocked further progress. However, it became clear that the discrimination in favour of Latin American products did not extend to shipping and that American vessels paid no more duties than Chilean vessels in both direct and indirect trades. Millard Fillmore acknowledged this with a proclamation in line with the act of 1828, reciprocating the treatment for the few Chilean vessels entering U.S. ports.<sup>12</sup>

The achievement of full reciprocal terms with four states not enjoying treaty relations with the United States in 1836 completes the success story. Two of these, Ecuador and New Granada, had been bound by treaties before, as parts of Colombia, but that had only been on "most favoured nation" terms and the treaty had now lapsed. The route each took to more liberal trade conditions was very different. The negotiation with Ecuador was relatively simple, as in 1837 its President had expressed a willingness to come to terms. Two major problems arose. First, Ecuador insisted that its own vessels, built in its own ports, enjoy special treatment in accordance with its existing legislation. The United States agreed to make this concession on the grounds that Ecuador was unlikely to become a ship-building and shipping rival. Second, Ecuador demanded that it be allowed in future to grant more advantageous terms to Spain and other Latin American countries, a demand steadfastly rejected by the United States. It was feared that the Ecuadorean Senate, which had suggested the licence to treat fellow Latin countries more favourably, would protest its omission by refusing to ratify the

treaty, but after an anxious delay of three years, during which the influence of British and French officers in Ecuador's army came under suspicion, the treaty was finally ratified in 1842. Although levels of trade with Ecuador were not significant, the treaty was still hailed to be "mutually advantageous," and throughout Polk's term it was held up alongside the treaty with Venezuela of 1836 as a model for any future negotiations.<sup>13</sup>

In 1842-43 the United States had high hopes for a settlement with New Granada, as its ministry had proposed legislation offering equal treatment for American ships entering its ports. However, the New Granada legislature refused to make any such concession without reductions of U.S. tariff duties on its products. Aware that New Granada had no significant mercantile marine of her own to protect by withholding equal treatment, U.S. diplomats once again discerned the hand of Britain at work, as she, along with other Europeans, feared that an unburdened American marine would engross all New Granada's trade. William Blackford did sign a treaty on less than the most liberal terms in 1844 but the U.S. Senate twice postponed consideration of it as the Polk administration instigated new negotiations. Indeed, Blackford's treaty was abandoned altogether, when in March 1847 the Senate received one negotiated by his successor, Benjamin Bidlack. This treaty at last incorporated full reciprocal terms, although they were made conditional upon American agreement to guarantee New Granada's possession of Panama. Bidlack had been keen to secure a separate treaty dealing with Panama, especially to obtain transit rights across the Isthmus, and he regretted the insistence of New Granada in linking the two issues. Polk's Cabinet also had doubts about the form of the treaty, even though "as a commercial Treaty it was liberal & in all its respects satisfactory." The posture of the Senate justified those doubts, as it viewed with suspicion not only the guarantee

of Panama, but also a clause allowing foreign-built vessels under New Granada's flag to claim equal treatment. After one postponement the treaty was finally ratified in June 1848, against greater opposition than normal. Even so, apart from the clause on flagging, reciprocal terms of a satisfactory nature had been secured.<sup>14</sup>

The final two treaties strictly fall outside the time limit of this study but they serve to illustrate the continuity of the policy of reciprocal navigation as applied to Latin America right up to the Civil War. They also demonstrate the persistence and patience of U.S. diplomats in overcoming the most dire circumstances possible for negotiation. The whole Rio de la Plata region was in turmoil for most of the period, with American trade, at one time quite substantial, interrupted by wars and also by blockades between 1844 and 1847, imposed in turn by the Argentine dictator General Rosas and by Britain and France. Despite these problems the State department kept trying to secure treaty relations with the Argentine and, after recognising its independence in 1845, with Paraguay. Successive Secretaries sent orders to that effect, with reciprocity as the desired basis, but with "most favoured nation" terms as a second best. Although the lifting of blockades heralded a recovery of trade, there was no further progress with negotiations until the signing of a treaty with Argentina in 1853 and finally one with Paraguay in 1860.<sup>15</sup>

Throughout this period U.S. diplomacy in Latin America was geared towards securing full terms of reciprocity in the indirect trade. Satisfied with the operation of such terms where they already operated in the continent, U.S. diplomats saw no reason to upset the continuity in this policy. Similar considerations influenced policy-makers when it came to relations with Mediterranean states, and in these too the prevailing trend was one of continuity rather than change.



The problems of reciprocal navigation did not greatly affect trades involving Mediterranean countries. Spain and France could be considered Mediterranean states but the fact that they were also Atlantic powers made it difficult to assess the impact of the policy on the Mediterranean branches of their navigation alone. What is more, in both cases reciprocity was limited to the direct trade anyway, by legislation in the case of Spain and by the convention of 1822 with France. This was the position with most Mediterranean powers and only Austria enjoyed treaty terms of full reciprocity. The surge of Austrian shipping operating from Adriatic ports in 1837 did arouse enough fears for that state to be linked with those of northern Europe in the initial condemnation of the effects of reciprocity. However, when the number of Austrian ships arriving in U.S. ports resumed its usual insignificant level, later assessments of the policy omitted the Austrian treaty from the list of those treaties requiring action. Tuscany was the only other Mediterranean state enjoying full reciprocal terms, on the proclaimed basis.

With little practical experience of difficulties to warn against the extension of the policy, successive administrations pressed ahead in securing full reciprocity treaties with states in the Mediterranean region. In two cases negotiations preceded the major campaign for change and the effects of the resultant treaties confirmed the value of the policy in this region, encouraging further negotiations to extend it.

The Jackson administration had already tried but failed to secure a treaty with the Kingdom of the Two Sicilies, but Forsyth had more success in negotiations with two other states. Trade with Greece had been much interrupted by wars and piracy, reducing the American urge for formal relations. But when the Greek representative at London, Spiridion Tricoupé, suggested a commercial

treaty in 1837, the United States still responded positively. As a first step Van Buren issued a proclamation in accordance with the act of 1828, in recognition of equal treatment for American ships in Greek ports. Soon afterwards Andrew Stevenson signed a treaty of full reciprocity with Tricoupé in London. The following year, Nathaniel Niles, special agent to the Kingdom of Sardinia, was ordered to secure similar terms, as well as to obtain lower duties on American tobacco. Until then trade with Sardinia had been regulated by the act of 1824, but the Kingdom was keen to extend reciprocity to the indirect trade and Niles was soon able to report success in securing this by treaty. There was one exceptional clause allowing Sardinia to favour her own vessels carrying grain, rice, oil and wine from other Mediterranean ports for the next four years. However, this was accepted by Niles as harmless to the main American interest, the indirect carriage of colonial products to the port of Genoa, which John Calhoun would later describe as "the largest commercial Emporium in the Mediterranean, . . . the principal port from which the smaller ports of Italy, the Levant and Africa are supplied with the colonial products of this hemisphere."<sup>16</sup>

The Sardinia treaty was deemed a great success in helping to promote U.S. trade with the Mediterranean. In 1844 Calhoun noted how "our trade . . . has been rapidly on the increase." Equal treatment for American vessels and a reduction of the duties on tobacco had led to a much enlarged exportation of that article to Sardinia, and, through Genoa, to other parts of Italy besides. Cotton exports also increased, and Calhoun anticipated the day when American cotton manufactures would replace those of England in Mediterranean markets. American ships did not find many products in the kingdom to carry back directly, but they did carry Italian products, such as medicinal articles, marble and olive oil, for sale elsewhere in the

Mediterranean, where they could pick up return cargoes for carriage to the United States. More importantly there seemed to be no invasion of the U.S. carrying trade by Sardinian vessels. Indeed, the greatest activity of Sardinian ships in U.S. ports was seen in 1837, the year before the treaty!<sup>17</sup> [TAB.4]

Encouraged by the conditions which inspired such a glowing report, U.S. diplomats hoped to secure similar terms with other Italian states. In 1841 Edward Everett travelled around the region and learned from American merchants in Florence that "a commercial treaty with Tuscany is much wanted." As reciprocity already operated with Tuscany by proclamation, it is likely that they desired similar terms on a more secure treaty basis. Later the same year Charles Sumner remarked upon the likely benefits of a treaty with the Papal States, which would secure for Americans a trade "free from the competition of England," whose laws still banned relations with Rome. In the cases of Tuscany and the Papal States it is possible that the State department held back from negotiating such treaties, at least under the stewardship of Webster, since no positive instructions were sent.<sup>18</sup>

By the time the Polk administration took over in 1845 any doubts had been erased, and negotiations with the Kingdom of the Two Sicilies began. The American chargé at Naples, who happened to be the President's brother, William, was ordered to bestow "the right on that state to trade indirectly with the United States for permission to enjoy in like right." However, the negotiation proved only half-successful, because the Sicilian government would concede reciprocity only in the direct trade. Despite this disappointment, the treaty was approved by the Cabinet and by the Senate in 1846.<sup>19</sup>

The treaty with the Two Sicilies was the final diplomatic success in Italy in this period. One U.S. commercial agent, Ambrose Dudley Mann, remained hopeful

that further treaties would be signed, especially as there were rumours of a customs union being formed between Tuscany, Lucca and Rome, and possibly the Two Sicilies and the Duchy of Modena as well. In such treaties he hoped for reductions of import duties on American products, but also for indirect trade reciprocity:

We would assuredly be the party most benefitted by a Navigation Treaty of extended reciprocal liberality with the Italian states. It would rarely happen that one of their vessels would arrive at a port of the United States with a cargo from a third country, while we might do a large portion of the carrying between British and other foreign ports and Leghorn, Civita Vecchia, Naples, &c.

Mann's attitude at this juncture was significant because he was to become involved in the debate on reciprocal navigation at another time and in another country. On that occasion he expressed very different views as to the value of reciprocity in indirect trades, affording a telling illustration of the facts that the policy was deemed to work differently in diverse trades with various countries, and that U.S. statesmen counselled shaping policy accordingly.<sup>20</sup>

This flexibility was further illustrated by relations with China, which marked a continuity of approach from the Roberts missions of the mid-1830s, with their slightly narrower ambitions so far as securing shipping privileges was concerned. Conditions for trade in China had been worsened by wars within the Celestial Empire, and by its struggle with Britain over the opium trade. British naval action had secured a treaty giving her control of Hong Kong and opening trade in certain Chinese ports, but the latter was a mixed blessing for Americans who feared top-heavy British influence as much as they had regretted the closure of the Chinese trade. It was not even certain on what footing the British treaty left other countries in their trades with China, and Americans were keen to have

this clarified, since the Chinese trade had been a profitable line of business for many enterprising merchants, especially from New England. Caleb Cushing, the special agent sent to negotiate, came from a family with strong commercial links with China, but ironically he was not the first choice for the job. It had been intended that Edward Everett should vacate his post at the Court of St. James to go to China, leaving the London post open for Webster, who was keen to resign as Secretary of State. However, Everett refused to step down, which meant that Cushing got the job as part-reward for his loyalty to Tyler. Webster's resignation turned into an early, temporary retirement after his last official action of signing the orders for Cushing's mission. The Webster family still continued to influence affairs though, as Daniel Fletcher Webster accompanied Cushing to China as his secretary.

Leaving the United States in 1843, Cushing succeeded in 1844 in signing a treaty which gave Americans what they wanted. It laid the foundations for regular diplomatic relations in future, but more importantly from the commercial point of view it guaranteed that certain Chinese ports would be open to American vessels, regardless of the terms in Britain's treaty with China. Access to ports was considered more important than reciprocal terms, because it was not anticipated that Chinese shipping would pose any threat in the direct trade between the two. This same line of policy persisted into the 1850s, with the famous Perry mission to Japan following the same principles.<sup>21</sup>

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Experience had given no cause to alter policy in relations with Latin American, Mediterranean and Asian countries. But how would the State department respond in relations with north European and other potential shipping rivals? Here would be the proof of whether or not the

Executive branch took complaints against reciprocity seriously. The response was disappointing. For various reasons, including the fact that the campaign for change did not really reach its peak on the domestic level until well into Tyler's term, Forsyth continued to seek full reciprocity in navigation, but with only limited success. Only at the very end of his time in office did he oversee a subtle change in the policy. Despite their more sympathetic statements Webster and Upshur did not build upon that change in terms of substantial results. The most that could be said for their tenure was that they did not sign any new treaties of full reciprocity, but equally there was no reversal of policy by abrogation of existing ones. This was not for want of advice from U.S. diplomats and especially from Henry Wheaton, the minister in Germany. He remained vocal in his criticism of full reciprocity and continued to suggest how the policy should be altered. In doing so he highlighted the much broader context of policy ambitions within which reciprocal navigation lay and he hinted at how the policy would develop later in the decade.

Forsyth's later years in the State department produced four significant treaties of navigation, those with Portugal, the Netherlands, Belgium and Hanover. These treaties shared the common feature of limiting reciprocity to the direct trade and so, on the surface, could be seen as a concession to calls for change in navigation policy. However, examination of the individual negotiations reveals that Forsyth was not yet ready for so revolutionary a step. As was so often the case the final terms of these treaties depended not only on American ambitions, but also on what treating parties were prepared to concede. So, with the exception of that with Hanover, these treaties represented a failure of Forsyth's efforts to extend full reciprocity, rather than a deliberate attempt to withhold it.

Portugal's maritime heritage and her links with her former colony of Brazil encouraged Americans to seek closer relations. But it was a long-standing dispute over tonnage duties which accelerated progress toward a treaty. The two countries had argued about the treatment of shipping in each others' ports since 1832, when Portugal had stopped imposing discriminating tonnage duties upon vessels in the direct trade. Congress had responded by passing legislation to make the terms of the tonnage act of 1830 applicable in this case and to refund duties already levied. At the last moment, though, Portugal had undermined these reciprocal terms by re-imposing extra duties. This pattern was repeated two years later when it seemed as if a decree had revoked all discriminating duties imposed at Lisbon, Oporto and Madeira. Congress declared the 1824 act applicable to trades with those ports in which American vessels were treated equally. Yet again, though, American hopes were frustrated when evidence of extra tonnage duties came to light, and Van Buren was compelled to proclaim Portuguese shipping subject to like discriminations.<sup>22</sup>

Such fluctuations in the level of duties afforded an uncertain basis for trade and both sides sought the firmer treaty footing for commercial impositions. Edward Cavanagh started the ball rolling in 1835 with conversations in Lisbon, and it soon became clear to him that amongst important men "the favourite basis . . . appears to be that of perfect reciprocity, without the allowance of indirect trade." This was a familiar refrain throughout the negotiations, which lasted until 1840, much delayed by internal political and dynastic problems in Portugal. The sticking-point was not just reciprocity, but also Portugal's refusal to allow any vessels to enter her ports indirectly. It also went without saying that Portugal opposed foreign involvement in her colonial trade.

These obstacles would not have mattered if Forsyth had been listening to the complaints about reciprocity. But from the very first he expressed a preference for a treaty on the basis of reciprocity in the indirect trade. In his orders to Cavanagh in January 1836 he proposed the 1832 treaty with Russia as a model which embodied "all the important principles upon which the commerce of the United States with foreign countries generally is sought to be established." Four months later, learning of the Portuguese stance, he noted that the

limitation of the Treaty to the territories of Portugal on the European Continent and the Azores and Madeira Islands, and the refusal to allow an indirect trade, are objectionable features in the proposed Convention, and not to be silently or readily conceded.

However, they were "not so unexpected or important, that they should be permitted to constitute any very serious obstruction to the progress of the negotiation." In other words, Forsyth adopted the regular stance of holding out for full reciprocity if attainable. He was not going to make any concessions to critics of reciprocal navigation.

While Forsyth could contemplate a treaty without the indirect or colonial trades, he was not prepared to concede a clause allowing Portugal to favour the productions of Brazil. Fearing that Brazilian rice and sugar would force American products out of the Portuguese market, Forsyth insisted that no higher import duties be imposed on American goods. Portugal seemed likely to stick on this point and at the very point of signing a treaty this intransigence almost caused Cavanagh to pack his bags and leave Lisbon. The treaty was saved when both parties agreed to omit the disputed clause until such time as Portugal had negotiated with Brazil--favourable treatment might not have transpired--and, if necessary, to include an extra clause before each side ratified the treaty. As it turned out the treaty was ratified without



any extra clause, although there were signs that Forsyth had been about to relax his stance a little.

Freed of this obstacle, Cavanagh was able to conclude the treaty on lines that were much as expected. It established reciprocity in the direct trade only, but guaranteed that if and when Portugal's indirect and colonial trades were opened to foreign vessels Americans could share in them on the basis of the "most favoured nation." This did not guarantee reciprocal treatment in future, but it did provide for the possibility of it. Despite his concern for the Brazilian-products clause and the failure to secure full reciprocity, Forsyth still expressed satisfaction at the unexpected success of Cavanagh in signing the treaty. The Senate also demonstrated its approval with a unanimous ratification in February 1841.<sup>23</sup>

Initial negotiations for a treaty with Belgium followed a similar path, although the commercial stakes were considerably higher in view of her potential as a channel for American goods from the North Sea coast into the interior of Europe. Indeed, Belgium's energetic approach after securing independence from the Dutch had encouraged hopes of a healthy transit trade as early as 1832, when the acting U.S. minister in London, Aaron Vail, had anticipated the value of formal relations with her:

As Antwerp is to be made a Free-Port and to be connected with Cologne and the navigation of the Rhine by a Rail-road which is to be immediately commenced, such a power [to enter third party products free of discrimination] would make us the carrier in the trade which at present supplies, thro' Hamburg, the Rhenish provinces, and a great part of the interior of Germany, and cannot fail to open a new field for our commercial enterprise.

Such prospects explain the enthusiasm with which the United States pursued treaty relations with Belgium and the disappointment at the failure of the Belgian government to ratify the treaty signed in 1832. Unbowed,

though, successive Secretaries of State had pushed for a re-negotiation of the treaty, if necessary omitting the clause which had offended the Belgian Chambers. Just as in the case of Portugal, problems over discriminating duties made both parties keen to reach an agreement: Belgium continued to claim equal treatment in U.S. ports on the grounds that the Dutch enjoyed that status, even though they too discriminated against American vessels. Forsyth stressed that neither the Netherlands nor Belgium deserved such treatment and he was supported in this stance by Congress, which passed a bill in 1836, stating that Belgian ships should indeed be treated on the same terms as Dutch ships, but that this did not entitle them to reciprocity until Belgium abandoned her discriminating duties. This dispute reinforced Forsyth's commitment to a treaty settlement:

The precarious state in which the commercial intercourse between the U.S. and Belgium is thus placed, and the acknowledged importance of stability in all regulations which concern the interests of trade will induce the Belgian Government, it is hoped, to examine into the operation and effect of their discriminating duty and will lead to some permanent arrangement by which the views and policy of the Government may be fully met, and the commercial relations between the two countries may be fixed upon the solid basis of a fair and equal reciprocity.<sup>24</sup>

It was over two years before negotiations began. In the autumn of 1839 the new Belgian minister, Charles Serruys, arrived in Washington bearing a projet for a treaty. This made quite clear the limit to Belgian concessions, including the explicit recommendation that reciprocity operate only in the direct trade. In conveying to Serruys the regret of the President at the proposed limitation, Forsyth once again revealed his commitment to full reciprocity: "Under a perfect conviction that the extension of that benefit to importations generally without reference to the place

whence imported, would secure greater advantages to the navigation of both contracting parties," Van Buren had expressed "his preference for the last mentioned basis, and his hope that Mr. Serruys will feel himself authorised to agree to it in the conclusion of the proposed treaty." Clearly Serruys did not feel so authorised, because the treaty signed in March 1840 represented another climb-down from U.S. ambitions. While full reciprocity would operate with respect to tonnage duties, reciprocity in import duties was limited to the direct trade.

Subsequent events revealed pressures upon Serruys from home which explain Forsyth's failure to prise from him the concession of full reciprocity. While the U.S. Senate gave the treaty a unanimous ratification, for the second time in nine years a United States-Belgium treaty failed to satisfy the Belgian Chambers. Virgil Maxcy reported from Brussels that campaigners had petitioned against the treaty on the grounds that it would abolish discrimination even in the direct trade. Moderates might have accepted those terms, but "the more rigid professors of the restrictive doctrines would have made a discrimination in favor of Belgian vessels a sine qua non of any and every treaty." The latter opinion prevailed in the Chambers, and once again frustrated American hopes for a treaty. But the significant fact remained that as late as 1840 those hopes, as represented by Forsyth in the State department, included full reciprocal conditions in indirect trades.<sup>25</sup>

The early stages of the negotiations with Belgium were intimately bound up with relations with the Netherlands. Both were keen to attract transit trade to the European interior and so each kept a wary eye open for possible advantages their rival might grasp. For instance when Congress proposed retaliation against the Dutch bounty in favour of their own vessels, the Dutch worried that U.S. trade might in future go via Belgium. Of

course, the dispute over discriminating duties also paralleled United States-Belgian relations and, as in that case, it accelerated progress toward a treaty. Some, including the U.S. representative at the Hague, Auguste Davezac, believed that Dutch shipping had benefited so greatly from protection that extra U.S. duties on top of the usual ten per cent should be imposed to redress the balance. Ideally, though, Forsyth hoped for the removal of all extra duties by both sides, in favour of the policy of reciprocity, secured by treaty if possible.<sup>26</sup>

Unofficial conversations with the Dutch began in Washington in early 1838, developing into full-blown negotiations in the summer. The central issue in the talks, as was to be expected, was the shipping bounty which the Dutch were reluctant to give up, even in the direct trade, without an equivalent. It was clear that the Dutch opposed reciprocity in the indirect trade as well. Less apparent are the limits of U.S. ambitions in this negotiation, because the sources do not reveal whether Forsyth started with the intention of pressing for full reciprocity. But in the light of the other talks conducted in 1836-39, it is likely that he did.

The treaty signed and ratified in January 1839 might, therefore, have been another disappointment, because it did not include full reciprocity. The standard provision of equal treatment in the direct trade was there, as was a clause guaranteeing the same for vessels entering the other country's ports after a voyage from anywhere in the world in ballast. However, discriminating duties would be imposed in the indirect trade, with the following exception: goods, "whatever their origin," would not be subject to extra duties when carried directly between the ports of the United States and the Netherlands. The implications of this clause were as follows: American vessels could take the products of any country to Dutch ports and pay the same duties as if those goods were

imported in Dutch vessels, as long as those products had first been landed in the United States. For practical reasons, this was likely to apply only to products of the American continent and, less feasibly, to Oriental goods carried to the United States by the Cape Horn route and then re-exported. It also effectively meant that American vessels carrying European products to Dutch ports would be subject to extra duties. In view of the fact that transatlantic trade was more valuable for American vessels anyway, this was less of a disappointment than might appear to be the case. Moreover, this provision had the added effect of allowing discriminating duties on Dutch vessels sailing to U.S. ports from Latin America, thereby meeting one of the major criticisms of reciprocity. Unfortunately the sources do not reveal whether Forysth had this in mind when negotiating the treaty. The only fear was that this clause might allow ports such as Amsterdam to become entrepôts for trade in European goods to the United States in Dutch ships, diverting it from American vessels carrying those goods from their countries of origin. However, without the shipping bounty in the direct trade it was hoped that American vessels could now compete successfully in that route in future.<sup>27</sup>

Paradoxically in 1841-42 critics of reciprocity listed the Dutch treaty among those arrangements which should be modified. This is puzzling, in view of the fact that the treaty differed from the others in meeting fears of foreign involvement in the indirect trade. Of course, some worried that Dutch ships might divert trade from the Baltic via Dutch ports, as Wheaton warned might happen if the treaty with the Hanseatic towns were abandoned. But experience erased such doubts, as statistics revealed no great rise in Dutch involvement in trades with the United States. The critical year of 1837, again before the treaty had been negotiated, witnessed the share of Dutch vessels in those trades at its highest, and after that the

trend was downwards. In 1843 Christopher Hughes was able to report the healthy condition of trade with Holland and the large numbers of American vessels crowding the quay at Rotterdam. Significantly, after 1842 the Dutch treaty no longer came in for criticism.<sup>28</sup> [TAB. 4]

In the cases of Portugal and Belgium, and almost certainly in that of the Netherlands as well, Forsyth had persisted in seeking full reciprocal navigation agreements. Although unsuccessful on each occasion, his stance was in apparent disregard of complaints against that policy. However, even these three cases do not give a fair picture of Forsyth's response to those complaints. After all, negotiations started long before criticism began to surface and the loudest cries of distress were heard. Nor, with the possible exception of the Netherlands, did these three fit the mould of countries likely to threaten American shipping. Portugal was not a major northern European shipping power. Belgium was still a young state and was not expected to challenge in navigation. As Virgil Maxcy noted in proposing yet another attempt to secure a full reciprocal treaty in 1842, Belgium was a country "where from want of timber they can never build ships cheaply." Even with discriminating duties in favour of her own shipping, "the Belgian flag is hardly ever seen in our ports."<sup>29</sup>

Notwithstanding these circumstances, it is tempting to suggest from the tenor of his orders, his reports to Congress, and his track record, that Forsyth was so wedded to the principles of free trade and reciprocity that he would not have paid heed to criticism anyway. At the very end of his term in office, however, he did oversee a partial modification in the policy of reciprocity, seemingly in line with the demands of its critics, most especially those resident in Germany. The treaty which introduced this change was with the Kingdom of Hanover, which again could hardly be deemed a major threat to

American shipping. But Hanover did provide an entrance into the tangled diplomatic relations with Germany, a region undergoing change, which in turn raised many new questions about the shape of U.S. commercial policy.

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Hanover's location on the North Sea coast of Germany gave her an importance in U.S. policy-makers' eyes beyond her actual status. Hanover did not as yet have extensive maritime facilities but was engaged in developing the port of Bremerhaven on the Weser as a potential rival to Bremen. The facts that the latter port was an enclave of Hanover, and that Hamburg lay just across the Elbe, seemed likely to add extra spice to any negotiations with the Kingdom on navigation rights. One point of contention was the notorious levy of duties at the town of Stade on all ships sailing up and down the Elbe from Hamburg. These duties possessed great nuisance value, subjecting American vessels to delay as well as expense, and the exaction was all the worse because the same dues were not imposed on Hanover's own ships, or on Hamburg's. British diplomats had tried for several years to have the duty removed, but despite their close connection with Hanover--she was of course ruled by King William IV until his death in 1837 --their efforts had been to no avail. Even so, U.S. diplomats recommended that an attempt be made to exempt American vessels from payment of the Stade dues.<sup>30</sup>

As the United States contemplated a negotiation in 1837, two circumstances threatened to complicate prospects for success. Under British influence, Hanover had remained aloof from the dominant shift toward commercial union in the rest of Germany. Not only had she not joined the Zollverein, but she was at the heart of the rival Steuerverein. When Victoria ascended the British throne, Hanover reverted to the male line under the Duke of Cumberland, Ernst Augustus, whose connections at the Prussian court might have inclined him to take Hanover

into the Zollverein, making a separate negotiation with the United States unlikely. However, American expectation that this would be the case was not borne out, and Hanover did agree to negotiate in late 1837.<sup>31</sup>

Hanover's membership of the Steuerverein also raised the question of whether to negotiate separately with Hanover or with the whole union. Linked talks with Oldenburg and Brunswick were preferable but were likely to be beset with problems when it came to discussing reciprocity. By a proclamation issued in 1828, in accordance with the act of 1824, Hanover enjoyed reciprocal terms only in the direct trade; Oldenburg's trade was regulated by a proclamation issued in 1830, in accordance with the act of 1828, granting full reciprocity in the indirect trade. It was unlikely that Oldenburg would accept any less privileged a position than she already enjoyed, and this would jeopardise the success of any joint negotiation. Nevertheless, when Forsyth sent Henry Wheaton his orders in December 1837, he recommended negotiating with Hanover first but included within the power to negotiate, "the Grand Duchy of Oldenburg, the Duchy of Brunswick, and any other State or States that may join the Commercial and Customs Union formed by them." Following these orders, Wheaton tried but abandoned talks with Oldenburg when it became clear that the Grand Duchy would not accept the terms on offer.<sup>32</sup>

The terms which Oldenburg found unacceptable concerned reciprocal navigation. In communications expressing their desire to negotiate with the United States, officials of the government of Hanover had stressed that the Kingdom already treated American vessels on equal terms in both direct and indirect trades and that any treaty should also be upon that basis on both sides. However, Forsyth had clearly listened more closely to the advice of his agents overseas, because his orders provided the first evidence of a change in tack in reciprocity



policy, along the lines suggested by its early critics. For the navigation provisions of the treaty Wheaton was to take as his model the Prussian treaty of 1827,

with this important difference . . . that no stipulation shall be inserted placing the vessels of Hanover and of the States that may be joined in the Treaty & their cargoes engaged in the indirect trade to the United States upon the footing of American vessels and their cargoes.<sup>33</sup>

The course of negotiation was a tortuous one, as Hanover was in the throes of a constitutional crisis which delayed proceedings from mid-1838 to October 1839. Wheaton also had to contend with Hanoverian efforts to secure full reciprocal terms, right down to a last-minute ruse to slip in a clause which would have given them what they wanted without everyone understanding its implications. It was normal for treaties to guarantee that any favour granted to a third party by a new treaty, would also be offered to the contracting party, freely if granted freely, or upon like conditions if granted conditionally to the third party. Hanover proposed to extend this to any favours renewed by perpetuity clauses of existing treaties, clearly anticipating that if the Hanseatic and Prussian treaties were allowed to continue, she could then claim for herself the terms in those treaties. Of course, this only reinforced Wheaton in his determination that those existing treaties should be modified rather than perpetuated, but he managed to prevent the inclusion of the clause anyway.<sup>34</sup>

As it was, the treaty did not turn out quite as Forsyth or Wheaton had planned, but not in a way detrimental to American shipping. Aware of their own limited export potential and of their prime location for collection of other German goods for export across the Atlantic, the Hanoverian negotiators demanded

the right to carry to the United States in Hanoverian vessels coming directly from the ports of Hanover, not only the products & manufactures of Hanover, but those of other

countries of Germany, in order to equalize the advantages which our vessels would have in carrying return cargoes of those articles in exchange for the bulky freights of our Staples brought to Europe, whilst the Hanover vessels would be confined to the transportation of the linens & other fabrics of Hanover & Brunswick, & in effect excluded from both branches of the carrying trade.

This was acceptable to Wheaton: it did not allow Hanoverian vessels to trade from Latin America free of discrimination; moreover, it would have been difficult to police a strictly direct trade in Hanoverian goods; and, finally, it would encourage the transit trade from the interior of Germany, to the benefit of both American and Hanoverian shipping. Wheaton's proposal to accept this "mezzo termini" between full and direct trade reciprocity found favour in Washington, as "no material inconvenience appears likely to arise under the circumstances." Forsyth did suggest one quite considerable demand in return: that American ships be allowed to carry to Hanover's ports on equal terms "all articles the growth & manufacture of this Continent and the West Indies islands." Hanover was prepared to accept this proposal, and it was incorporated into the navigation clauses of the treaty.<sup>35</sup>

The negotiations touched on two other issues relevant to navigation. Wheaton raised the question of the Stade duties, but, as John Cuthbert noted, it was "evidently the intention of the Hanoverian Government to delay this adjustment as long as possible, being great gainers by the present unfixed mode." More directly linked to matters of reciprocity was the issue of the flagging<sup>of</sup> foreign-built vessels. Andrew Stevenson had advised limiting equal treatment to ships built in Hanover and the United States, his central concern being to prevent Hanseatic vessels using the Hanover flag for convenience if ever their own treaty were terminated. By now such a limitation was regarded as sensible general policy, correcting previous

oversights, and Wheaton succeeded in securing its inclusion in the treaty.<sup>36</sup>

Wheaton sent the treaty to Washington in mid-1840, where it met with unanimous approval from the Senate. Although Forsyth did not leave explicit reasons as to why he had countenanced such a development, the Hanover treaty appeared to signal a change of direction in reciprocity policy with relation to the north of Europe. One of the architects of this shift even wrote to the soon-to-be President, William Henry Harrison, extolling the virtues of the Hanover treaty as a model for future treaties with other northern European states. Henry Wheaton concluded:

It may deserve your consideration whether if our Treaties with Prussia, the Hanseatic towns and Denmark (which may be made to expire at any time on giving one year's notice from either Party) should not be continued it would not be expedient in any negotiation for their revision to insist on the same restriction as to the indirect trade with these powers.<sup>37</sup>

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The arrival of Harrison, and soon afterwards of Tyler, in the White House heralded the beginning of Daniel Webster's first term of office in the State department. If Forsyth had introduced modifications in reciprocity, even on a modest scale, then what sort of response could critics of the policy expect from the apparently more sympathetic Webster? His reports to Congress promised much, his very first describing the Hanover treaty as favourable to navigation. Yet despite these statements and the recommendations of Webster's successor, Abel Upshur, the Tyler years must have been bitterly disappointing to the opponents of reciprocity, as the rising tide of protest illustrates only too well.<sup>38</sup>

In one respect Webster satisfied expectations, not allowing any extension of full reciprocity to nations in northern Europe. Virgil Maxcy implored Webster to advise him on how to conduct affairs in Belgium, and specifically

to send orders to re-negotiate a treaty on as liberal a basis as possible. But Webster's reply was quite explicit: although he trusted Maxcy to negotiate a good treaty, he expressed "doubts upon the expediency of the measure at present." The Tyler administration was "reconsidering the whole subject of our reciprocal treaties," some of which had "proved very disadvantageous to the navigation of the United States." His own opinion was that "we must forbear from extending the principles of reciprocity to the indirect trade." Webster also resisted the further claims of the Hanover government, which, through Count Kielmannsegge in London, expressed dissatisfaction with the limited nature of the treaty of 1840 and again demanded to be granted full reciprocal terms. These demands were rejected.<sup>39</sup>

Upshur displayed a similar determination. He too refused to give in to passionate pleas for orders to negotiate from the new U.S. representative in Brussels, Henry Hilliard. Upshur was perhaps more concerned that any treaty with Belgium would be rejected for a third time, but he was encouraged by the news that Belgium was likely to limit reciprocal terms to the direct trade in future. Whatever policy the Belgian government might decide upon, though, he insisted that any negotiations should take place in Washington and not in Brussels. Upshur also supported limiting reciprocity to the direct trade with German states. When Wheaton requested orders to negotiate several treaties in the region, Upshur acceded to his demand, but with most explicit guidelines. In any negotiation with Oldenburg and Mecklenburg-Schwerin, Wheaton was to stress that "the proposed conventions are not to stipulate, on the part of the United States, a greater concession to those powers in respect to the indirect trade, than is granted by the Treaty with Hanover." However, Wheaton had great difficulty in pursuing these orders to a favourable

conclusion, because of the old problem of the existing status of the navigation of the states in question. Both enjoyed full reciprocity by proclamation, which allowed them to refuse to ratify any treaty which offered them less. As a result Wheaton's efforts came to nothing and his only suggested course of action for the future was the repeal of the act of 1828, which provided the legislative basis for proclaimed reciprocal conditions.<sup>40</sup>

Preventing the further spread of full reciprocity did not really suffice at this time, as critics called for changes in those treaties already in operation and especially in those with the Hanseatic towns, Denmark, and Sweden. Although both Webster and Upshur advocated that course of action in their communications to Congress, they failed to carry it out in practice, for no clearly discernible reason. Most likely they were waiting for Congressional sanction for such a step, a sanction which never came, thanks to the successive failures of Kennedy's and Ingersoll's resolutions. Less feasibly they were taking account of the opinions of representatives of other countries, who implored them not to abrogate the treaties: men like the Prussian minister, Baron de Roenne, who blamed the relative decline of American navigation on the return of peace in Europe since 1815 which had deprived Americans of the neutral carrying business, and who explained Bremen's rise by the greater trust which German emigrants put in Bremen's vessels; and like the Russian minister, Count Bodisco, who called on Henry Clay to stop his fellow citizens from attacking the treaties, on the grounds that such a course would jeopardise American tobacco exports through Bremen--a big risk to take "for the sake of the few ships she employs."<sup>41</sup>

Another foreign observer, Senator Schmitt of Bremen, summarised the U.S. position: "The sword of Damocles which has remained suspended over the Treaty with the Hanse . . . may still remain thus suspended for an

indefinite period." And suspended it did remain. Just as Forsyth had refrained from announcing the abrogation of the offending treaties, so too did Webster and Upshur fail to order the termination of those instruments. Admittedly they consistently opposed all attempts by the Hanseatic towns to have their treaty renewed, but at the same time in that particular case they did not respond to Wheaton's repeated calls for modifications in the treaty.<sup>42</sup>

If failure to abrogate or modify existing treaties revealed an unwillingness to respond swiftly and positively to shippers' complaints against reciprocity, it was also becoming clear that Wheaton had deeper motives than simply protecting the interests of American navigation. For example, since 1841 he had considered the treaty with Prussia as a useful bargaining counter in future diplomacy. As the Zollverein increased its geographical scope, Wheaton anticipated that Prussia would want to modify the treaty to cover the whole union. As the treaty contained "the largest measure [of] concession as to Navigation, on the basis [of] reciprocity, which we have granted to any European nation," he anticipated that the Zollverein would "probably not be satisfied with less." The United States could, therefore, put pressure on Prussia, by threatening to abrogate the treaty altogether or to withhold its extension to the Zollverein as a whole. Conscious of the wider commercial aim of the United States, of increasing markets for their export staples, he proposed to use that threat as a means to securing tariff reductions: "To my judgment the extension of our present Treaty with Prussia to all the associated States of the Commercial Union for twelve years, or more, might fairly be considered as an equivalent of some value to them." Informal discussions of this proposal in the years 1841-42 proved fruitless, as the Prussian government was quite satisfied with the current status of her navigation under privileges which they did not "appear to

apprehend we may be disposed to put an end to under the clause requiring a year's notice." Prussia specifically refused "to grant a reduction of the duties . . . in return for an extension to the other states of the association . . . of the privileges of commerce & navigation secured by the existing treaty . . . ."43

Blocked by Prussian intransigence, Wheaton turned to new tactics to secure reductions of import duties upon American goods, which in 1843 produced a convention of commercial reciprocity. With this change of tactic came revealing evidence that, in relations with Prussia at least, Wheaton viewed criticism of full reciprocity as little more than a tool to be used to prise concessions from trading partners. Until 1842 he had consistently listed Prussia with other states as a target for criticism of reciprocity in the indirect trade. However, in 1844 in a private letter to John Calhoun he observed that

very different considerations of policy ought to be applied in negotiating for a revision of these [navigation] Treaties with States such as the Hanse towns & Denmark from those which are applicable to the German Zollverein represented by Prussia, which has equivalent commercial advantages to offer for the largest concessions in favour of its shipping interests.

In a telling reversal of his opinion expressed to Harrison in 1841, he recommended the basis of the Hanover treaty for the Hanseatic towns and Denmark, "whilst in respect to Prussia, I think the existing treaty of 1828 may be suffered to continue without inconvenience."44

Wheaton's apparent change of tack should again caution us as to how seriously the threat to navigation was viewed at this time. What is certain, though, was that U.S. statesmen did listen to the complaints which had arisen in the years 1837-45 and were prepared to act upon them, if not always in the manner desired by shippers. Admittedly no further treaties of full reciprocity had been negotiated, except in those regions where such

arrangements were considered unlikely to cause problems, most notably Latin America and the Mediterranean. But by the early 1840s it was becoming clearer, if it had not already been so before, that navigation policy had to be considered within a wider framework of commercial diplomacy. What was not so clear was just how compatible the interests of navigation were with that wider framework, and whether, if interests should clash, one or another would be given priority over the rest. The diplomacy conducted under the Polk administration was to leave a strong impression that although the interests of navigation and commerce in general were often pursued in tandem, on occasions those of shippers were indeed subordinated to the wider commercial ambitions of the United States.



## Chapter 6. Tariffs and Tolls, 1836-1846:

### Wider Motives and Methods in Commercial Diplomacy

While the 1840 convention with Hanover was most significant in marking a change in reciprocal navigation policy, the negotiations which preceded it also illustrated the wider ambitions of U.S. statesmen in commercial diplomacy. Henry Wheaton tried unsuccessfully to secure exemption for American vessels from the Stade duties. But he was also ordered to make representations upon other commercial regulations operated by the Kingdom. John Forsyth believed that the negotiation was "the most favorable opportunity for obtaining a modification of the duties upon American tobacco," and he ordered Wheaton to "keep this important object in view."

These orders were in line with assessments by Wheaton and by Andrew Stevenson in London of the value of raising the issue of Hanover's tariff in any negotiation. They considered the Kingdom and her Steuerverein partners to be a sizable potential market, with a combined population of nearly two million, but they were under no illusions as to the sort of goods which Hanover would consume. Britain, already favoured by close political ties with Hanover, would dominate the supply of manufactures, leaving no market for similar American products. Britain would also discourage any moves towards an indigenous manufacturing sector, and, as the few existing manufactures were in linens, there was little hope of increasing the exportation of cotton to Hanover. Tobacco, however, was a different matter. Stevenson had already alerted Baron Ompteda, Hanover's representative in London, to the high duties imposed on tobacco, explaining "the effect of the onerous restrictions, both as it regarded them and us, and endeavour[ing] to make him sensible of the mutual benefit that would result from their repeal, or modification." He informed Ompteda that

in any treaty discussions "the Tobacco trade would form a prominent subject of negotiation." Wheaton concurred, remarking that "the question of reducing the tobacco duties in that Kingdom can be best treated in combination with other subjects of common interest rather than an isolated matter."<sup>1</sup>

The negotiation on tobacco duties proved to be an anti-climax, although not without a happy ending. In 1839, after the bulk of the talks were completed, Wheaton reported that he had "ascertained that the duties on the importation of raw tobacco . . . are already as low as we could reasonably desire." Nor was there any immediate likelihood of their being increased. He did consider asking Hanover to agree to a clause guaranteeing that the duties would not be raised in future but he rejected this idea as likely to complicate the negotiation; Hanover would ask for some sort of equivalent in return, which Wheaton was not empowered to grant, and so he did not "deem it expedient to urge the point."<sup>2</sup>

The Hanover negotiation, its satisfactory outcome apart, was typical of the diplomatic approach to commercial matters in the late 1830s and 1840s, and especially of relations with German states. U.S. statesmen were concerned that duties upon imports and most particularly upon those staple goods which the United States exported in greatest volume, were too high throughout Europe. They made a concerted effort to secure the reduction of such duties, as well as of other burdens on commerce such as transit dues. In Hanover the prevailing levels of duty were bearable, but this was rarely the case in other states, and so U.S. diplomats had to find ways of getting them to reduce their duties. If persuasion alone failed, then the United States usually had to offer some sort of equivalent commercial favours in exchange for the desired reductions. Yet such a course was fraught with political danger, liable to arouse the

ire of economic, sectional, and partisan interest groups in the United States. Commercial equivalents to foreign governments inevitably affected the economic interests of some and the policy preferences of others, especially when tariff policy was involved. What is more, towards the end of the 1840s diplomats of the Polk administration found in reciprocal navigation another tool for their negotiations, especially in northern Europe and the German States. In this way reciprocal navigation became even more closely linked with the wider motives of commercial diplomacy.

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As with navigation regulations, 1815 had heralded the return of restrictive systems of commercial duties throughout Europe after artificially low levels during the years of war. Freed of the necessity of supplying their populations in wartime, European governments reverted to more traditional goals of commercial regulation: revenue and protection. Anxious to rebuild war-torn economies, they imposed near prohibitive duties on goods they hoped to manufacture or grow for themselves, while they placed heavy revenue duties on the goods they had to import.

For exporting countries the potential for harm from such duty levels was high. For most of the period from 1815 to 1860 the United States experienced a worrying surplus of imports over exports, and, as the country still produced large quantities of exportable staple products, many blamed limits imposed on foreign markets for this situation. It was not so much the protective duties of other countries which rankled. These at least had some sort of logic, and, moreover, such prohibitions did not usually affect goods grown in the United States. Wheat products were the major exception, and the British Corn Laws were just one among many sets of protective regulations which did annoy Americans. But far more perplexing, and so also frustrating, were heavy duties imposed for revenue purposes on goods which did not

compete with domestic productions. Such duties did not prevent importation of American products such as tobacco and rice, but they were regarded as a barrier to higher levels of consumption. Cotton escaped this type of treatment, since it was a vital raw material for the protected domestic manufactures of Europe, guaranteeing employment rather than a mere supply of food. However, although cotton was of great importance to the U.S. economy, it could not provide employment and profits for all regions and all groups in society. Nor could new and exciting markets in the Orient and Latin America be expected on their own to provide an adequate stimulus to the producers of export goods of all types. The barriers in Europe therefore needed to be broken down.

In the difficult years of the late 1830s when economic depression hurt commercial farmers and planters just as it did merchants and shippers, memorials reached Congress demanding better access to European markets. Congressmen responded with calls for information about the State Department's efforts to encourage the exportation of wheat and rice, and recommending that committees, both regular and select, investigate the issue. The tobacco lobby was especially vocal from the late 1830s onwards, successfully founding a select committee to examine the tobacco trade and inspiring the Executive branch to take more positive action to improve the prospects for American tobacco in overseas markets. The lobby even had influence in appointments to key diplomatic posts: for example, in 1841 Daniel Jenifer, the former head of the tobacco select committee, was picked as minister to Austria, whose tobacco policy was regarded as particularly illiberal.<sup>3</sup>

At a diplomatic level regular U.S. representatives were ordered to keep an eye open for opportunities to impress upon host governments the desirability of reducing import duties. Henry Wheaton was especially active throughout northern Europe, and Joshua Dodge toured around

the various German states even before his appointment as special agent. This concern for improving market opportunities for exports was also reflected in a feature included in most treaties. With the exception of those with Peru and Chile, all such treaties contained a "most favoured nation" clause guaranteeing that duties upon American products were no higher than those on goods of other countries.

Some thought regular diplomats would never fulfil this aspect of their work adequately. They had too many other duties to be able to devote enough time to purely commercial affairs. To supplement their efforts, men like Charles Ingersoll called for the appointment of special agents, in either an official or unofficial capacity, who would promote exporters' interests abroad. These men could devote all their time to this one matter and could work in states with which the United States did not yet enjoy full diplomatic relations. The promise of this policy was fulfilled among the smaller states of Germany by the activities of Dodge in the 1830s, and a decade later by Ambrose Dudley Mann. Nathaniel Niles pursued a similar course in Italy and Austria, and even Duff Green played a similar role, annoying Edward Everett by conducting unofficial discussions with British ministers on behalf of President Tyler in 1842-44.<sup>4</sup>

An active pursuit of reductions in other countries' import duties was an acceptable goal of commercial diplomacy for most Americans. Evidence of bipartisan support for the policy can be seen in the tobacco committee, on which Whigs mingled comfortably with Democrats. However, the methods to be used did pose problems. Some trusted in the power of persuasion alone. They believed European governments, and their people and press, to be ignorant of the benefits to be obtained from a reduction of duties, whether in lower costs to consumers, or in the creation of a bigger return trade in

European goods to the United States. Ingersoll proposed that U.S. agents be given financial resources with which they could encourage the printing of papers to influence public opinion and the governments of Europe. He stressed, though, that by this he did not mean "any unfair measures; bribery or corruption, common as they are in all European diplomacy . . . ."5

Showing Europeans how fairly their exports were treated on entering the United States constituted one part of any such information campaign. But another was the threat that retaliatory duties would be levied on certain products if the United States did not gain satisfaction. Both methods flirted with the hazardous currents of the domestic tariff debate, and here the bipartisan approach to commercial diplomacy was likely to founder in the face of political, sectional and economic rivalries. The tariff issue was a complex one whose intricacies have been described too many times over to require re-telling here, but its connection to commercial diplomacy was vital in dictating the choice of policy acceptable to men of different stances in the protection/free-trade debate.<sup>6</sup>

The protectionist line of commercial regulation in itself represented one response to the prevailing conditions in Europe after 1815. If Europe would not accept American products, the argument ran, then the United States should turn inwards and develop their own manufactures, which would provide markets for raw materials and employ a working population which consumed food rather than produced it. A protective tariff fitted neatly into the integrated and developed economy so skilfully advocated by Henry Clay as a complete "American System." Although the logic of that system demanded a reduced dependence on overseas commerce, that branch of the economy was not neglected. Any exportation of staple and eventually, it was hoped, of manufactured products, would be a bonus, providing employment for that other

important branch, navigation. So, protectionists supported the promotion of overseas commerce and were strong advocates of the use of retaliatory duties against countries which imposed what were considered unjust levels of duty on American goods. Protection came first, though, and its advocates would not contemplate measures reducing preferred levels of U.S. duties on imports in exchange for better treatment abroad.

Support for retaliatory duties came also from some men hostile to protectionism, but only as a temporary tool, and indeed the most fervent free-trade advocates, such as John Calhoun, opposed even that course. On the whole, free-trade theorists differed greatly from protectionists in their proposed methods of securing better conditions for American products overseas. By interest, temperament, and principle, they believed protection to do more damage than good. Concerned primarily with the fortunes of the country's agricultural producers and the mercantile sector which serviced them, free-traders claimed that protection harmed overseas trade while providing inadequate substitute markets at home. Reducing imports, they claimed, could only cause exports to decline, for several reasons: foreign governments would retaliate with higher duties of their own; but more importantly the balance of trade would be disturbed, with no return cargoes for merchants to bring to the United States. Robert J. Walker, the Mississippi Senator who became Polk's Secretary of the Treasury, summarised the argument: protection

discriminates in favour of the manufacturer and against the merchant by injurious restrictions upon trade and commerce; and against the shipbuilding and navigating interest by heavy duties on almost every article used in building or navigating vessels. It discriminates in favor of manufactures and against exports which are as truly the product of American industry as manufactures.

In free-traders' eyes, therefore, protection was not the solution to the problem of finding markets for American goods.<sup>7</sup>

In the light of such a view it was hardly surprising that they were prepared to take greater liberties with existing duty levels in order to win commercial favours abroad. Their preferred option, naturally enough, was a tariff setting duties purely for revenue, and not excessively so. Such legislation would lessen the burden on American consumers, provide more trade for American shippers and merchants to conduct, and, most importantly in relation to commercial aims overseas, establish an atmosphere conducive to more liberal trading conditions the world over. Released from heavy burdens on their goods entering the United States, other countries would relax their own restrictions. Robert Walker cited the case of Britain to explain the operation of this idea: "If we reduce our tariff the party opposed to the corn laws of England would soon prevail and admit all our agricultural products at all times freely into her ports in exchange for her exports."<sup>8</sup>

There were two problems with this somewhat naive approach. First, even if successful in adjusting the U.S. tariff, free-trade advocates could not guarantee that other countries would respond in the way they hoped. Their own conviction that free-trade theories were best was not shared by all, and, if the prevailing level of duties in Europe was anything to go by, then few indeed adopted the same line. Between 1815 and 1846, though, this did not actually matter in practical terms, by reason of the second problem with the free-trade approach. This stemmed from the simple fact that they were unable to bring their views to bear upon the process of tariff-making. Especially from 1824 onwards U.S. tariffs imposed duty levels far higher than desired by free-traders. The 1828 Tariff of Abominations was no doubt the worst of all



in their eyes, but it was pushed close by the tariff of 1842. Even the tariffs of 1832 and 1833, which provided for some reduction of duties, had major flaws. The first did not reduce duties generally enough for the liking of extreme free-trade advocates and was not allowed long enough to operate anyway, in the face of the Nullification movement in South Carolina. The second might have anticipated revenue duty levels of 20 per cent, but these would only be reached in 1842 after gradual reduction, and worse some duties were actually increased in 1833 to disguise the tariff's protective features. What is more, the years after 1833 saw the tariff issue relegated to the background for fear of upsetting the sectional compromise which had been reached in that year.<sup>9</sup>

Although free-traders had little success in influencing tariff policy by legislation, they did not despair and in the field of commercial diplomacy found a remedy which they hoped would secure reductions of duties both at home and abroad. This was the principle of "commercial reciprocity," which consisted of foreign countries negotiating mutual reductions of tariff duties on each others' products. It is significant that the loudest calls for commercial reciprocity seemed to be made in the wake of the most shocking tariff rises. The years 1830-31 witnessed several eloquent calls for diplomatic efforts to secure such arrangements. Churchill Cambreleng hinted at it in his famous free-trade report of 1830:

The best means of securing such a reciprocity in trade, is mutually to establish a maximum rate of duty, under which, the produce and manufactures of each may be freely imported into the other country. In other words, a mutual stipulation, that no prohibitory duty shall be levied on either side. This maximum should be ascertained and adjusted with a cautious regard towards our various interests, and should be enforced so gradually, as to interfere, as little as possible, with existing investments.

The following year, Senator Thomas Hart Benton set out a

series of resolutions on overseas commerce, one of which proposed the importation free of duty of certain products not in competition with American goods, a privilege to be offered to all countries which "shall grant equivalent advantages to the commerce of the United States, and will receive the products of their industry . . . either free of duty, or upon payment of moderate and reasonable duties, to be agreed upon in treaties . . . ."

Protectionist control of Congress during Tyler's term, as illustrated by the tariff of 1842, made a repeat of such calls very likely.<sup>10</sup>

Politicians were not always consistent in their attitude toward commercial reciprocity. In 1831 President Jackson cited his opposition to grants of special privileges to any country to justify turning down an offer of access for American vessels to the island of St. Croix in exchange for preferential terms for Danish West Indian products entering U.S. ports. Yet, in the same year he approved a treaty with France which included mutual duty reductions, a treaty cited by some as a precedent for other commercial reciprocity arrangements. Party lines were not a sure indicator of support for, or opposition to, the principle. The Tyler administration sought such arrangements in talks with Britain and German states and even Webster, the truest Whig in the Tyler Cabinet, looked favourably upon commercial reciprocity in 1842-43.

However, his stance was seen by some more as part of an effort to attract producers and free-trade merchants to a third political party than it was a genuine response to their material interests, and by September 1843 Webster had abandoned his support for the principle.<sup>11</sup>

Apart from its connection to the protection/free-trade debate, commercial reciprocity raised one further note of controversy: if adopted, how would the policy be implemented? Most agreed that Congress would be central, since that body alone had the power to regulate commerce

and set levels of import duties. Some historians have hinted that the U.S. tariff reductions of 1846, mirrored by the repeal of the British Corn Laws, were the result of unofficial negotiations which helped to cool relations over Oregon at the same time. While such reductions were general in their impact, affecting all countries' imports, advocates of commercial reciprocity also suggested duty reductions only for those nations which responded in like fashion. Taking as their models the acts of 1824 and 1828 with respect to navigation, they proposed similar legislation offering lower import duties to those who met the United States half way, with the final terms to be enshrined in treaties. Benton's fifteenth resolution of 1831 declared:

That the safest and most satisfactory mode of regulating foreign commerce on these principles would be by combining the action of the legislative and treaty-making powers, Congress fixing, by law or joint resolution, the articles on which duties may be abolished, and the Executive negotiating with foreign nations for the grant of equivalents.<sup>12</sup>

Such measures presupposed a degree of Congressional initiative in the case of the offer of mutual reductions, or at least Congressional support for lower tariff levels in general in the case of the 1846 tariff. What, though, if protectionists controlled Congress and the Executive branch negotiated an arrangement without prior legislative sanction, presenting it as a fait accompli to be rejected or accepted by the Senate? This raised important questions concerning the separation of powers between the Executive and legislative branches in relation to the regulation of commerce. It also raised the possibility of dispute between the House of Representatives and the Senate. Negotiations leading to a commercial convention with the Zollverein in 1843 provided the stage for debate on these issues. The domestic reaction and the subsequent moves in the tariff debate in the United States set the

scene for the final entanglement of reciprocal navigation with the wider aims of commercial diplomacy.

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Relations with northern Europe, and especially German states, illustrated well the motives and problems of U.S. commercial diplomacy. Moves toward commercial union within Germany offered the prospect of less complicated relations in future, but in the process it also posed difficult questions. The apparent internal liberalisation signalled by the creation of the Zollverein did not necessarily portend reduced duties on imports, because there were states and interest groups within the union which remained committed to protection, and which might have succeeded in extending restrictive duties to a wider expanse of German territory. The removal of transit tolls within the union was encouraging but made more frustrating still those duties imposed on goods entering the union through neighbouring states. The latter, by resisting the draw of the Zollverein, also complicated U.S. diplomacy: should the United States simplify matters by encouraging them to join the union; or should they help maintain their independence, an attractive course in some respects, because the independent states often imposed lower import duties? In deliberation of these choices and problems it tended to be the needs of American exporters which took first priority in the minds of U.S. statesmen.

Germany offered good trade prospects, if only certain restrictions could be removed. Tolls on transit were regarded as especially burdensome, as the efforts in 1837-40 to have Hanover remove or reduce the Stade dues on the Elbe river had made clear. The Kingdom exacted similar dues on vessels and goods in transit along the Weser, while most other states made some sort of imposition on goods passing through to neighbours or, more distantly, to Switzerland, Austria and beyond. The removal of such duties within the Zollverein alleviated this problem

somewhat but by no means completely, and in the eyes of U.S. diplomats it remained an annoying throw-back to less enlightened times. To by-pass German transit tolls, those diplomats hoped to promote alternative routes into the Zollverein market. They kept an eye open for opportunities to secure favourable terms of access through Belgium and the Netherlands, and they made representations to the Danish court, to bring about the removal the Sound dues, considered by many to be the most burdensome and degrading tolls of all.

There was no longer a logical justification for the duties imposed at Elsinore on ships navigating the Sound: whereas both banks of the channel had once belonged to Denmark, now Sweden owned the western shore. However, the United States had given tacit recognition to the right to collect them by agreeing to a clause in the treaty with Denmark of 1826 that their ships pay the same Sound duties as paid by vessels of the most favoured nation. This made the grievance harder to bear, especially as the method of valuation penalised American vessels in particular because of the type of cargoes they carried. Moreover, few American vessels were bound for Denmark anyway, yet they still had to dock at Elsinore to pay the duty, making them liable to a port charge as well! The years 1841-44 witnessed some reduction in the rates of duty, especially on articles carried by American vessels, like coffee, sugar, rice and tobacco. Also, the degrading formality of having to lower a vessel's top-sail at the castle of Cornberg was discontinued, which inspired Webster to inform the Danish representative in Washington that the changes were "well calculated to strengthen and perpetuate the bonds of comity and good will between the two countries." However, Webster's successors as Secretary of State still found the principle of the exaction insulting, even if the material burden was reduced, and John Calhoun ordered William Irwin to press for its abolition so as to

remove "the chief obstruction to the full development of the Baltic trade, and more especially of the direct trade of the United States with the States comprising the German Customs Union."<sup>13</sup>

Although burdensome in themselves, transit duties were viewed more as a barrier to a potentially greater trade in future. This view inspired U.S. statesmen to pay most attention to the task of reducing the burdens upon imports and especially upon staple products. The Zollverein represented a cocktail of interest groups which clamoured for different types of tariff. Grain-producing Prussia, the dominant force, wished to protect that article but was not so keen to afford protection to manufactures, which would increase the price of textiles. She also desired to maximise the amount of revenue from the tariff, which would militate against protective levels of duty. Saxony and other manufacturing states of southern Germany adopted the opposite line. U.S. diplomats needed to steer a careful course between these groups. As Joshua Dodge intimated in 1837, although Prussia, "from the enlightened policy . . . and the friendly feelings which exist in that Government towards the United States," might be expected to treat American products favourably, the United States had to

bear in mind the peculiar nature of the numerous German States which compose their federation, that Prussia has but one voice in the league, and that therefore it is not simply by convincing Prussia alone of the sound policy of diminishing the duty on that most important article of our exports [tobacco] that we can hope to succeed, but that each one of these States, naturally jealous of the influence of Prussia, must likewise be convinced of its good policy.<sup>14</sup>

Dodge's reference to the "most important article" of tobacco left no doubt as to the main channel along which energies were to be directed. After all, Dodge had been appointed specifically to look out for the interests of

tobacco farmers. Even so, diplomats worked on behalf of other products as well, with considerable success. German textiles provided a market for cotton and consequently duties on that article were not set at a burdensome level. Duties on rice posed more of a problem, and in 1835 Henry Wheaton reported that, along with tobacco, rice was "exceedingly highly taxed." Hugh Legaré, of the rice-growing state of South Carolina, brought up the matter in Congress, proposing that agents be instructed to "produce a reduction of the duties on American rice imported into the states of Germany, especially those associated in the German Commercial and Customs Union." It was with great pleasure, then, that Wheaton was able to report in October 1839 that his representations had indeed brought about such a reduction.<sup>15</sup>

Wheaton's efforts to secure a similar reduction in the duty on tobacco did not succeed. This merely added to growing frustration at the treatment of that article in Germany. The market seemed a promising one, and already Germans consumed almost half U.S. tobacco exports, amounting to some 41,000 hogsheads annually. However, Dodge noted that this was despite the high duties, which at 11 Rix dollars per hundredweight of processed tobacco, equated to nearly a doubling of the actual price of the commodity. Austria imposed a greater burden still, amounting to a near total prohibition of tobacco. Nor was the extent of the trade as great as might be expected if the duties were reduced. "When we consider the habits of the people of Germany, where smoking is indulged from the highest to the lowest," declared Dodge, "this is a small quantity in comparison to that which would be consumed, were the duties diminished on its consumption . . . ." He admitted that the duties were partly designed to protect tobacco grown in the interior of Germany, but he condemned this brand: "it is . . . of a very inferior quality, and emits, when smoked, a very disagreeable smell; but from

the high duties levied on American tobacco, the peasantry are compelled to use it . . . ."16

Dodge and Wheaton combined encouragement and threats in their efforts to change this position, but these proved largely fruitless. Dodge spent much of his time simply educating German ministers about the treatment afforded their products in the United States. He thought it odd that men, "who enjoyed, from their station, the greatest influence in the various courts," were "utterly unacquainted with the liberal policy the United States had pursued towards Germany, by taking off the duties entirely on many of its principal manufactures, and in greatly diminishing the duties on the remainder." He told them that, in the light of the 1833 tariff, German duties were unfair, and he took encouragement from the fact that various statesmen agreed with him that "in common justice" they ought to "do something for our tobacco."

However, Dodge was prepared to back words with action, to make sure the Zollverein complied with U.S. wishes: "We have in our hands a powerful engine, which can, if necessary, be made use of; and if properly applied, will undoubtedly, induce the various Governments of Germany to agree to such a measure--I mean our tariff." As German linen exports to the United States provided essential employment, the U.S. tariff could be

made to operate, in a powerful measure, in overcoming any difficulties that the interior States of Germany might, contrary to sound policy and their own interests, put in the way of a diminution of the duties on tobacco coming from the United States, and consumed within their territories.

Wheaton agreed with this retaliatory course. In the worsening economic climate of the 1830s Germans would "feel more seriously . . . the value of our market." In revising the tariff, therefore, Americans should seize the opportunity of correcting the error which was committed in gratuitously exempting from duty two-thirds of the German commodities imported



into the United States; & of obtaining some equivalent concessions in the course of a new arrangement of the tariff in return for this exemption if it is to be continued.

However, such advice had little effect in the face of fears of disrupting the compromise established by the 1833 tariff. Only in 1842 was the tariff revised, by an act which changed totally the background to commercial diplomacy with the Zollverein.<sup>17</sup>

Another tactic used by U.S. diplomats in order to improve market opportunities for American goods in Germany was to exploit the peculiar geo-political circumstances prevailing in the region. As the Zollverein grew in geographical scope, the United States had to decide whether to support the independence of smaller states. In so doing they took into account the commercial ramifications of such a move, and the eventual decision often depended on how each state treated American exports in comparison to the Zollverein.

The Kingdom of Saxony did not join the Prussia-dominated predecessor of the Zollverein until 1833, uncertain if her manufacturing interests would benefit from union. Indeed, in 1830 Saxony had approached the United States for a commercial treaty to help secure her independent stance. She offered the United States "most favoured nation" status for imports and a pledge not to increase transit duties on American goods passing through her own lands and those of her partners in a Middle German Customs League. Such terms were welcomed as likely to encourage American trade at the important commercial fair at Leipzig. However, one enthusiastic advocate, Aaron Vail, perceived the treaty's wider importance. He denied that the actual terms of a treaty would be "productive of much greater practical advantage to our commerce than is now enjoyed under the legislative protection of each country." However, a treaty would afford the "means of obstructing the introduction of the system of exclusion

which Prussia is now endeavoring to impose upon the smaller States of the Germanic circle." Implying that Saxony treated American goods better than the Prussian league did, Vail believed this was "sufficient inducement to accept the invitation of Saxony and such others of those States as may be disposed to follow its example." However, Washington did not authorise a negotiation, and Saxony succumbed to Prussian pressure to join the fledgling Zollverein.<sup>18</sup>

Hanover, of course, had more success in maintaining her independent status. Initially U.S. diplomats were wary of initiating a negotiation with the Kingdom, fearing that any agreement might be overtaken by events. In 1835 Henry Wheaton did counsel the establishment of some sort of diplomatic link with Hanover separate from the Zollverein, "with a view to any future contingency that may arise in peace, or in war, by which the political & commercial status of those States may be affected." But two years later the consul in Hamburg, John Cuthbert, predicted a change in circumstances, "if Hanover, as is generally supposed she will, join the German Customs Union." Although Hanover did flirt with the Zollverein after Ernst Augustus' accession, to the extent of reaching an agreement to prevent smuggling, the Kingdom's economic interest dictated that she remain outside the union. Hanover was even more an agricultural state than Prussia and so was hostile to the idea of paying the higher prices which would result if South German manufacturers secured a protective tariff. No doubt the fact that Britain still hoped to import manufactures to Hanover also influenced this stance. As Hanover imposed lower duties upon U.S. products than did the Zollverein, the State department was happy to oblige when the Kingdom asked for a treaty.<sup>19</sup>

Relations with the Hanseatic towns raised the same dilemma. In 1843 John Adami, a Bremen merchant, attributed U.S. threats to terminate their treaty to men

"who wish for an accession of our Hanseatic ports to the well known German Zollverein." There is no evidence to suggest that the State department endorsed this line, but ever since the signing of the treaty Americans had observed that it would help to maintain the status of the towns. In 1827 Albert Gallatin had asserted that on top of its material benefits the towns hoped the treaty would "have a tendency to encrease<sup>[sic]</sup> the consideration in which they are held and to strengthen the tenure on which they hold their situation of independent Republics."<sup>20</sup>

By the end of the 1830s some Americans were doubting the sense of allowing this state of affairs to persist, and they added this to their list of reasons for terminating the Hanseatic treaty. No-one denied that the Hanseatic ports imposed lower duties upon imports or that the ports were an important transit route to the interior of Germany. But a transit route was all they were, and the demand for American products was dictated more by the duties charged by the interior states than by the lower Hanseatic duties. In these circumstances keeping the towns independent of the Zollverein might do a disservice, in that it would block direct contact with the true markets for American goods. The rivalry between the Zollverein and the Hanseatic ports had induced the former to impose heavy duties on goods arriving from the latter. Even if the Zollverein did reduce duties on American products, it was conceivable that goods going via the Hanseatic ports would still be charged at the higher level, unless great care was taken to ensure that those goods were registered as American, and acknowledged as such by Zollverein customs officials.

Francis Grund advocated termination of the treaty on these grounds in two letters in the winter of 1841-42. He informed Webster that the Hanseatic towns refused to join the Zollverein "principally because their treaties with the United States enable them to carry on trade on the

principle of reciprocity." Indeed, their citizens boasted of this "unheard of favor." Giving grounds for the claims of Herr Adami, Grund expressed his hope that the towns would lose their independence: "Were they to join the league, as otherwise they would be obliged to do, the U.S. might trade with the league on principles of reciprocity and obtain new markets for their produce on the Rhine, the Danube and the Weser." In his letter to Caleb Cushing Grund claimed that Bremen did not enjoy a "single advantage in its trade with the interior, that would not, if sought for, be evidently granted to Americans." As it was, Bremen was surrounded by a customs barrier which American goods found difficult to penetrate. How much more satisfactory it would be, Grund claimed, if Bremen was absorbed by the Zollverein, "by which means a direct rapport might be established between the American cotton growers and the manufacturers of Saxony." He concluded: "The treaty, as it now stands, gives Bremen the advantage of a nation, & prevents those national arrangements, by which a direct trade between the US & Germany might be opened." As we know, though, Grund's advice was not adopted.<sup>21</sup>

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Relations with Germany reached a climax in 1843-44. Unsuccessful in using arguments of fair play or threats of retaliation to obtain reductions in duties on American imports, the Tyler administration now adopted the most controversial line of negotiation yet. In December 1843 the President reported to Congress that the Zollverein was contemplating a reduction of the duty on tobacco, "the first intimation of a concession on this interesting subject ever made by any European power." Accordingly, he had ordered Henry Wheaton to

enter upon the negotiation of a commercial Treaty, which, while it will open new advantages to the agricultural interests of the United States and a more free and expanded field for

commercial operations, will affect injuriously no existing interest of the Union.<sup>22</sup>

The initiative for these moves came jointly from Wheaton and Abel Upshur. In October 1843 the minister reported that he had begun negotiations and from the start made clear what the basis of any treaty would be: Prussia was prepared to lower the duty on all tobacco entering the Zollverein in exchange for a reduction of U.S. duties on certain Prussian goods, or on all goods of the same type. Upshur was enthusiastic about this "reciprocal exchange of equivalent reductions of the tariff" and, after securing Tyler's support for the scheme, ordered Wheaton to proceed. However, both President and Secretary of State were wary of Congress' reaction to such an arrangement, and so advised Wheaton not to proceed to a final draft until that body had been consulted. After all, as Upshur noted, it was possible that "on full consideration, it may be deemed more proper to regulate the matter by legislation, than by Treaty." However, they left to Wheaton the decision as to whether any arrangement should be by treaty or convention.<sup>23</sup>

Tyler's reference to the negotiation in his message of 1843 was the first shot in the battle to win Congressional support for a treaty. With the message came a report by Upshur explaining the benefits which would accrue from a reciprocal arrangement and denying any detrimental effects. The value to export producers was clear: the Zollverein would agree not to introduce duties on cotton; favourable duty levels on rice would be maintained; and, most importantly, the duty on tobacco would be reduced. In exchange, the United States would surrender little of real importance:

For these vast advantages, the conditional arrangement proposes that the United States should give to the Customs Union proper equivalents, by reducing the heavy duties of the present tariff upon silks, looking-glass plates, wines, toys, linens, and such other articles as

are not of the growth or manufacture of the United States.

This last point was vital to the success of any treaty, because it should have consoled those who feared that the principle of protection was under attack. Upshur also sought to allay fears about the wider impact of such an arrangement. Citing the claims treaty with France as a precedent, he stressed the conditional nature of the deal and the fact that "the advantages of the new treaty shall be given only on the same terms on which they are given to the party of that treaty."<sup>24</sup>

Congress had an early opportunity to decide on the matter, as Wheaton's negotiations went so smoothly that he had completed a conventional arrangement by March 1844. It was on the predicted lines, with an additional concession by the Zollverein of a reduction of duties on lard. In exchange the United States would limit duties on products of the type referred to in Upshur's report to between ten and twenty per cent ad valorem. Wheaton was excited about the fruit of his labours and saw in them a model for future negotiations. He noted in a letter to the President that, if his work was ratified, "some of the most objectionable features of our present tariff will be got rid of" and he expressed the opinion that "the most advantageous mode of effecting the desirable modifications in our existing Tariff is by Diplomatic Arrangements." He stressed that the equivalent concessions involved goods which were not produced in the United States, which had not been subject to duties under the tariff of 1833, but which subsequently had been excessively taxed by the 1842 tariff. Surely nobody could complain at the duty levels of between ten and twenty per cent proposed by the Convention:

I do not see how those states of our Union peculiarly interested in home manufactures can reasonably refuse such a concession to the agricultural States of the South and West, especially when their own commercial &

navigating interests will be essentially promoted by the Arrangement. I should think a strong appeal might be made on this ground to the sense of justice, & even of interest, in the North. Whatever may be thought of the policy of protecting, by duties carried beyond what is necessary for revenue, branches of manufacture which already exist & might perish for want of that protection, it surely cannot be wise to attempt to force into existence new branches, at the expense of the agricultural, commercial, & navigating interests of the country, as well as the general interest of the great body of consumers.

If put into effect the convention might inspire other countries to follow suit. Apologising for any exaggeration, Wheaton avowed that it would "form a new era in (what may be called) international commercial legislation." Other countries would make concessions in favour of free trade, "until the fetters which now bind the industrious faculties of nations shall be broken, & all obstacles removed to that liberal intercourse with each other, by which their greatest possible progress in wealth & its attendant prosperity can alone be attained." Other diplomats perceived the potential importance of the convention, Irwin in Denmark reporting that it was "looked upon as one of the most important achievements of modern times in a diplomatic and commercial point of view."<sup>25</sup>

Mindful of the fact that the convention would have to be ratified by the Senate and then the new duty levels set by Congress as a whole, Wheaton also wrote to Senator James Buchanan of the Foreign Relations Committee, outlining the value of his work and anticipating a favourable response to it. Here, though, Wheaton was over-optimistic, because when Tyler presented it to the Senate the convention ran into more trouble than he had expected. Predictably, some expressions of support for the convention arrived from communities interested in tobacco, such as Prince George's County, Maryland. However, the prospects for the convention were poor.

Since the opening of the 28th Congress in December 1843, the Democrats had had a majority in the House, allowing the Whigs to express their hostility to the turncoat Tyler only in areas of responsibility exclusive to the Senate, notably appointments and foreign affairs. Already they had vented their anger by rejecting the nominations of Caleb Cushing, Henry Wise, and David Henshaw to a variety of Executive posts. Now the Zollverein convention provided another opportunity for a partisan victory over Tyler, and an especially apt one because it involved the tariff, one of the Whigs' most cherished policies.<sup>26</sup>

The Foreign Relations committee set the tone for debate on the convention. Buchanan's fellow members were all Whigs, the chairman William Archer of Virginia, Richard Berrien of Georgia, Rufus Choate of Massachusetts, and Nathaniel Tallmadge of New York. Even Buchanan, a Democrat, was not certain to support the convention because, as a Pennsylvanian, he had the weight of the most protectionist state behind him. Choate drafted a report, presented in mid-June 1844, which recommended that "the Senate ought not to advise and consent to the ratification of the convention aforesaid." The report put to one side the detailed terms of the convention, apart from concluding that the list of concessions granted by the United States were not balanced by enough equivalents from the Zollverein. The deal would not greatly increase the demand for tobacco and certainly not enough to justify a break from past traditions of commercial policy. In the latter line of argument lay the Committee's main objection to the convention:

The committee . . . are not prepared to sanction so large an innovation upon ancient and uniform practice in respect of the department of government by which duties on imports shall be imposed. The convention . . . changes duties which have been laid by law, It changes them either ex directo and by its own vigor, or it engages the faith of the nation and the faith of the Legislature through which the nation acts to



make the change. In either respect it is the President and Senate who, by the instrumentality of negotiation, repeal or materially vary regulations of commerce and laws of revenue which Congress had ordained. More than this, the executive department . . . places it beyond the power of Congress to exceed the stipulated maximum of import duties for at least three years, whatever exigency may intervene to require it.

In other words the convention infringed the constitutional grant to Congress of the power to regulate commerce, and it broke the essential rule that the Executive branch should fulfil rather than ordain the law and should follow rather than lead the will of Congress.<sup>27</sup>

The extent to which partisan motives outweighed genuine principle as the cause of opposition to the convention is hard to gauge. The Whigs, since their days of opposition to "King Andrew," had put more faith in the legislative than in the Executive branch, a prejudice reinforced by the acts of the new "King John." Perhaps, then, there was a mixing of genuine principle with partisan opportunism. Either way the convention ran into other difficulties as well. The death of Upshur and the departure from the United States of De Roenne, the Prussian minister, removed two men who might have swayed waverers into supporting the convention. There were even rumours that Hanseatic merchants used the influence of their trading houses in U.S. ports to foster opposition to the convention, although, to be fair, supporters from the interior of Germany did the same in its favour. The upshot was that a majority followed the committee's advice, tabling the convention by a vote of 26 to 18, on fairly strict party lines. Buchanan, significantly, was absent on the occasion, although his fellow Pennsylvania Democrat, Sturgeon, did vote with the majority.

The convention's supporters were furious at this rejection. Ex-President Jackson was among them, appealing to the public to pay good attention to the episode:

"There never was such treachery to the laborer of the South and West as the rejection of this Treaty." Thomas Clemson hoped that the 1844 elections "would change the sentiment of the senate" in its favour, and John Calhoun ordered Wheaton to press the Zollverein for an extension of the ratification period in anticipation of the Senate being more co-operative in the following session. He thought the committee had misrepresented the beneficial aspects of the treaty while exaggerating the concessions to be made by the United States, and he also believed that the principled opposition to it would be shown to be unfounded.<sup>28</sup>

Calhoun was no doubt disappointed when the Senate took up the matter again in February 1845. Archer pointedly noted that tabling the convention had been intended to kill off the arrangement without giving the Zollverein the grounds for anger which outright rejection would have afforded. Although the committee re-assessed the potential value of the convention in terms of increased demand for tobacco, they found "no adequate reason" to revise their recommendation that the treaty not be ratified. Archer admitted that the House, dominated by a Democratic majority, would probably agree to the proposed duty reductions, but that should not undermine the reasons of principle for opposing the convention. Finally, Archer warned that the national revenue could be endangered if this type of measure was passed. Although in theory the grant of similar duty reductions to other countries was conditional on like reductions on American products, in practice U.S. duties would be reduced on like goods of all countries without equivalents. Other countries would not accept the argument that the "most favoured nation" clauses in their treaties with the United States were on a conditional basis, and they would claim the same treatment as the Zollverein enjoyed. To avoid retaliation and to maintain friendly relations, the United

States would have to grant similar reductions of duties to all-comers.<sup>29</sup>

Once again the committee's advice was effective. Although the matter was taken up by a special Executive session, now with a Democratic majority, after the termination of the 28th Congress, consideration of the convention was again postponed. After a good eighteen months' delay, in March 1847, the Democrat-controlled Senate investigated it again, but the result was no different, as the Foreign Relations Chairman, John Sevier, recommended tabling the convention. By that time, of course, the whole field of commercial regulation had been altered by a new tariff passed in 1846. Indeed, Polk, in Buchanan's orders recalling Wheaton from his post in Berlin in September 1845, had advised against pressing for a reprieve for the convention "until after he shall ascertain which changes will be made by Congress in the existing Tariff." While regarded as a triumph for the Democrats on the domestic front, the changes introduced by the 1846 tariff necessitated yet another shift in commercial diplomacy with the German States.<sup>30</sup>

The new Secretary of the Treasury, and passionate free-trade advocate, Robert J. Walker, believed that the rejection of the convention with the Zollverein confirmed his view that the best way to encourage other countries to reduce their import duties was for the United States to reduce their own duties unilaterally. In 1845 Walker ranked the influence of staunch protectionists above partisan hostility to Tyler and principled opposition in the list of reasons for the Senate's action: "The manufacturing interest opposes reciprocal free trade with foreign nations. It opposes the Zollverein treaty; and it is feared that no other treaty producing a reciprocal reduction of our own and foreign tariffs will receive its support." So domestic action alone would have to suffice, and Walker was suitably pleased with the 1846 tariff.<sup>31</sup>

Henry Wheaton, revealing his greater experience of the difficulties of commercial diplomacy, saw things in a different light. Initially he had high hopes of fulfilling Calhoun's orders, by persuading the Zollverein to extend the period allowable for ratification of the convention to leave room for a change of mind by the Senate. He soon discovered that the Zollverein, on learning of the change of administration in Washington, and of the political complexion of Congress, had decided not to contemplate such a treaty again:

The Zollverein states are not disposed . . . to revive the negotiation on the basis of the former Treaty, as they expect to obtain, in the revision of our Tariff by Congress, reductions in favour of their manufactures, without conceding any equivalent reductions in favour of our agricultural staples.

Bitter at this loss of a "golden opportunity," made worse by Polk's order to delay, Wheaton could only wait to see if the subsequent tariff revision justified his fears. Louis Mark, a consul in Germany, was more optimistic, predicting that the new tariff would not reduce duties on products included in the convention to the levels provided for by that instrument, which meant there would remain a chance to bargain for reductions of the duty imposed on tobacco by the Zollverein. However, the 1846 tariff delighted German manufacturers, and, although Mark still picked out glass as a future bargaining counter, the scope for negotiation had been greatly reduced. Indeed, Wheaton's fears proved well founded, as the Zollverein now refused to offer any mutual or unilateral reduction of their duties.<sup>32</sup>

Faced with this refusal, U.S. statesmen concerned for the interests of export producers hunted around for alternative ways of securing duty reductions abroad. Tariff reform at home had quashed hopes for commercial reciprocity arrangements. The threat of retaliation no longer possessed such a menacing ring when uttered against

a background of free-trade statements by the Polk administration. The solution hit upon, under the further encouragement of diplomats in Germany, harked back to an approach suggested earlier by Wheaton: to threaten existing rights enjoyed by foreign shipping or to offer to extend navigation privileges in return for equivalent favours to American export products. As once before, negotiations with Hanover would mark a significant turning-point in policy, heralding a new approach to commercial diplomacy throughout northern Europe.

## Chapter 7. Reciprocity Revised:

### A "New Era" in Commercial Diplomacy, 1845-1848

In December 1845 familiar-sounding despatches reached Washington from an equally familiar figure. Removed from the scene of his problems in Bremen, Francis Grund now resumed the fight against reciprocal navigation in a new arena, Belgium, where he had brought his personal brand of diplomatic behaviour to the Antwerp consulship. The passage of time and four frustrating years of inaction on the treaty with the Hanseatic towns had not changed his opinion of reciprocity, and when Thomas Clemson negotiated a treaty with the Belgian government Grund did not refrain from speaking his mind: "Since the treaty with the Hanse towns & with Prussia the American flag has almost disappeared from the North Sea & the Baltic & the treaty with Belgium may drive it away entirely." He attributed Clemson's misguided course to an old fallacy:

From a conversation with our chargé, it would appear that he labors under the impression that the U.S. build ships cheaper and sail them at less cost, than the people of the North of Europe. If this were really the case, this Treaty would be a master stroke of Diplomacy. But the case is quite the reverse.<sup>1</sup>

Clemson, frustrated by Grund's trouble-making, reported that the consul was "determined to kick it down" on the false grounds that the treaty was "more favourable for Belgium than the United States." Clemson countered rather lamely that this could not be the case, because it had been "stated in the [Belgian] Chambers that it was much more favourable to the United States than either of the preceeding, which however were not ratified by this Government." Regardless of its value to the respective parties, the treaty, which brought to a climax fifteen years of difficult relations, was significant in bringing the issue of reciprocal navigation to the fore again.<sup>2</sup>

The years 1842-44 witnessed a lifting of the fog of confusion as to exactly what each country was prepared to offer in terms of reciprocal treatment of shipping. Webster and Upshur had made clear their opposition to anything more liberal than reciprocity in the direct trade, while in 1843 the Belgian government gave notice of its intention to increase duties imposed on all foreign vessels in the indirect trade. Upshur was delighted, avowing that such a move would "operate to the advantage of the navigation of the United States." Reports from the mid-1830s onwards had noted the massive presence of Hanseatic and Swedish shipping in the route between the United States and Belgium, to the extent that "the larger portion of the trade between the two countries [was] carried on in vessels of a third Power." The new Belgian policy would discourage this trend. Moreover, in 1844 a royal decree put American shipping on an equal footing with Belgians in the direct trade, bringing to an end years of discrimination in that route. This measure left American shippers in an even stronger position to exploit the changed regulations in the U.S.-Belgium trade and, together with a Belgian treaty with the Zollverein, which eased access from the North Sea to the interior, caused a notable increase in American vessels in Belgian ports.<sup>3</sup>

These developments gave U.S. statesmen the confidence to believe that the Belgian government had finally settled upon a permanent commercial policy, and encouraged hopes of a successful treaty negotiation. However, it was the Belgian government which made the first moves, offering Clemson a projet which he sent on to Washington. The U.S. chargé was excited by the prospect of a treaty, both in the amount of trade in American products it would encourage and in the practical advantages it would afford to American shipping. He was also anxious to calm fears that any arrangement reached now would suffer the same fate as its two predecessors:

this Government has done all in their power to do away with those impressions which were created by the non-ratification of the treaty of 1840 and I can not for a moment entertain the least suspicion of the recurrence of similar or any future difficulties in the way of a reciprocal consummation of the treaty as it stands, or may be modified according to your instructions.

Understandably Buchanan remained wary of a repeat of 1832 and 1840 and told Clemson to suspend negotiations if there was a change of ministry or policy in Belgium. To be on the safe side the Secretary insisted that the talks be completed while the Belgian Chambers were in session, in order to avoid any delay in ratification. However, he was happy with the contents of the projet and accepted it as the basis of a treaty without substantial amendment.<sup>4</sup>

The projet, and the treaty which it became in November 1845, contained both standard and original provisions. The terms for navigation in the direct trade were similar to those in the 1839 treaty with the Netherlands: articles guaranteed reciprocity for American and Belgian vessels carrying goods of either country's production; and also for those carrying goods of third countries, landed and warehoused in U.S. and Belgian ports, and then shipped directly between them.<sup>5</sup>

It was the latter provision which Grund condemned, and although he had not commented on the Dutch treaty, he no doubt opposed the same principle in that as well. He denied that Americans could benefit from equal treatment for vessels carrying warehoused third party goods. American shippers would not choose to take Latin American products to U.S. ports prior to carrying them to Europe and would only have surplus goods to carry across the Atlantic if they had over-traded in the trade from Latin America to the United States. Moreover, as of 1845 there were not even any public warehouses where goods could be landed on bond, free of duty, before transshipment to



Europe. Everything conspired against Americans participating in that "direct trade" in third party goods. Belgians, on the other hand, would benefit greatly at the expense of Americans involved in trades with other European countries. Antwerp was a well-appointed port in a central location, with steamship connections to Britain and railroad links to Germany and France. It could become "the warehouse of English, French, German & Dutch goods all of which may be carried to the U.S. in Belgian bottoms to the great detriment of our shipping in Havre, Liverpool, London, Rotterdam &c." Even if Belgium did not yet have many vessels to exploit this position, Grund believed that "our treaty will enable the merchants to buy or build them," especially as it did not lay down strict enough rules about the national identity of vessels eligible for equal treatment. Papers confirming national status were adequate, and as Belgian law did not prohibit foreign-built ships becoming national vessels, this provision presaged only one result, in Grund's opinion:

I swear positively that a number of German vessels from Bremen, Oldenburg & Hanover are now but waiting the ratification of the treaty to hoist the Belgian flag & avail themselves of all the advantages secured to the Belgians. The merchants of Europe have not that feeling of nationality which characterises our own, & are ready to sail under any flag that will secure to them commercial advantages.<sup>6</sup>

Given Grund's concern, it is somewhat surprising that he failed to anticipate problems from the treaty's provisions for the indirect trade. In one respect, again, the treaty was similar to that with the Netherlands: it removed discriminating tonnage duties from vessels in ballast in indirect routes, although it also removed those same duties on ships carrying goods. More controversial, though, was the eighth article, which had the potential for granting full reciprocity in the indirect trade at last, after four years of U.S. refusal to grant that

privilege to Belgium. It ruled that the ships of either country carrying goods from third countries direct to the other's ports would be treated on the same terms as ships of the "most favoured nation."<sup>7</sup>

The wording of the treaty left some doubt as to how this provision would operate in practice. If the clause was unconditional then Belgian ships undoubtedly could claim equal treatment in U.S. ports, but it was less certain that American ships could in return. Ambrose Dudley Mann, yet another of the special commercial agents in Europe, highlighted this imbalance in the privileges granted by each side. There was no doubt that in U.S. ports the ships of the "most favoured nation" enjoyed equal terms, and so Belgians would claim similar treatment. However, since 1843, Belgium had limited reciprocity to the direct trade, and so Americans could not claim full reciprocal rights in return. In other words, "reciprocity in the indirect carrying between that kingdom and the United States is 'exclusively on one side.'" Nearly three years after the treaty was signed Mann still referred to this article as a mistake "not very creditable to those concerned in the negotiations, whether on one side or the other," putting it down to an oversight on Clemson's part. Mann demanded a remedy: "With this government of Belgium there can be but little to do now, except to make an effort to correct the mistake in the Treaty which gives ten per cent advantage to the Belgian flag, over ours in the triangular carrying."

An alternative interpretation of the treaty would demand that grants of treatment given to "most favoured nations" be conditional upon either party to the treaty offering to the other the same terms as offered by those "most favoured nations." Belgium would have to treat American vessels in the indirect trade equally to her own, if she wanted full reciprocal rights in exchange. However, whichever way the eighth article was interpreted,

the implication was the same: the Polk administration was prepared to grant full reciprocal treatment to Belgian vessels in the indirect trade, either unconditionally or conditionally. No longer were such terms to be avoided at all costs.

What accounted for this change in outlook? It was certainly not an oversight, as claimed by Mann. The article was included in the projet submitted to the State department and must have received full attention. What is more, in subsequent comments on the treaty Clemson singled out the eighth article with some pride. Perhaps Buchanan intended to insist on the narrower, conditional, interpretation of the treaty and so anticipated that Belgium would not be able to claim equal treatment in the indirect trade, having so far refused to open up her own indirect trade to such terms. They might have believed, along with earlier observers, that Belgian shipping posed no threat to that of the United States in any case. Or, possibly a commitment to free-trade principles caused them to play down the damaging effects of reciprocity to shipping in general, even though Buchanan had certainly sympathised with shippers on this issue in the past.<sup>8</sup>

A final possibility is that the Polk administration judged the balance of the treaty in all its terms to be in favour of U.S. interests, outweighing any potential damage to American shipping. Among the additional articles in the treaty were privileges which promised to benefit both the commercial and navigating interests of the United States. Dues levied upon American vessels sailing up the Scheldt were to be refunded. Steamships in regular packet service between the two countries were to be exempt from the payment of tonnage duties. Finally American goods carried by railroads to interior Belgian markets or beyond to other markets would be exempt from transit duties, a relief from a potentially burdensome imposition on trade. These were just the sort of restrictions that U.S.

statesmen found frustrating in the 1840s, and it is tempting to suggest that their removal was demanded as an equivalent for the privilege of indirect trade reciprocity. However, again these terms were included in the original Belgian projet, and it is clear that the Belgian government judged them equally beneficial for their own commercial ambitions.<sup>9</sup>

Although these privileges were granted willingly by Belgium, subsequent events in Germany suggest that the Polk administration was not averse to making bargains of equivalents. Ambrose Dudley Mann played an important role in those events, and it is significant that in his criticism of the Belgian treaty it was the possible imbalance in the method of granting reciprocity in the indirect trade which underlay his opposition, rather than the grant itself. As later actions would reveal, he was a strong advocate of a policy of offering reciprocal terms in navigation as an equivalent for other favours from the countries of central and northern Europe.

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Ambrose Dudley Mann's early career was typical of the U.S. commercial agent in Europe, as he travelled widely through the continent in pursuit of a variety of goals. After a West Point education he had had a fairly standard introduction to public life, giving up a career in law to take the familiar route into politics. Significantly his first diplomatic post was as replacement for Francis Grund in the U.S. consulate in Bremen, in 1842. Four years later Buchanan appointed him as a special agent, and he went about his new duties with much vigour and success. He toured extensively, visiting Britain and Italy as well as many of the smaller states of Germany, including both members of the Zollverein and non-members. Later missions included a tour of duty in Hungary during Kossuth's ascendancy and a period of residence in Switzerland, before he brought an end to this spate of globe-trotting

by becoming Assistant Secretary of State in the Pierce administration.

Mann's roots were in the South. A Virginian by birth, he became an ardent Southern Rights man in the 1850s and advocated greater economic independence for the region. Along with J.D.B. De Bow he championed the development of a Southern mercantile marine, attempting to promote a steamship line from the South to Europe. When Civil War broke out he followed the logical course laid down by his experience and background and became a commissioner representing the Confederacy in Europe. He spent his time trying to persuade Britain and Belgium to take more Southern exports, and to counter the outflow of Irish and German emigrants who were swelling the ranks of Union regiments. Largely unsuccessful in these efforts, he endured exile in Europe until his death in 1889.<sup>10</sup>

There are hints of sectional prejudice in Mann's approach to the issue of reciprocal navigation. His later advocacy of a Southern merchant fleet revealed a willingness to put the narrower interests of the South above the wider fortunes of the whole country's shipping, which was dominated by Northerners from New York and Boston. In like fashion, it is feasible that he would have put the interests of Southern producers before those of Northern shippers. After all, the South tended not to mind who carried their exports and imports, as long as the service provided was the best value for money. This outlook influenced Mann's appraisal of reciprocity, which was at best ambiguous. In 1849 he noted that reciprocity had operated in favour of American shipping in many areas: the trades with Austria, which Americans dominated; the direct trade with France, which led Mann to predict similar results if reciprocal terms were extended to the French indirect trade as well; and the Mediterranean in general, where he advocated full reciprocity in treaties with Italian states. But northern Europe was a different

case. Countries like Prussia, Denmark, and Sweden, as well as the Hanseatic towns, exploited reciprocity, causing American shipping to face unfair conditions. In the same breath, though, he could conclude that "our reciprocity system of Navigation has been productive of vast benefits to the country" and that he was "in favor of the future observance of the liberal principle in which it had its origin."

Those "vast benefits" no doubt referred partly to the general impact of reciprocity upon American shipping with Europe and Latin America. However, had Mann been a committed supporter of navigation interests, he would have found it hard to express a desire to see reciprocity extended, especially in the context of a discussion of its effects in trades with northern Europe. Perhaps he had some other "vast benefits" in mind, to be enjoyed by groups closer to his heart, such as Southern producers. While discussing prospects for a treaty with a future Italian customs union, he put producers' concerns on a level with those of shippers, noting that it might be possible to win "concessions in favor of our staple products"; and throughout his career Mann was prepared to promote the interests of producers at the same time as those of shippers and, sometimes, even at the expense of the latter's policy preferences. Moreover, the course he followed, offering full reciprocity in navigation in exchange for equivalent commercial favours, received the Polk administration's full support and was recommended to other U.S. diplomats as well.<sup>11</sup>

Hanover again provided the opportunity to test this new approach. During the negotiations for the 1840 convention the Kingdom had made clear her desire to extend reciprocity to the indirect trade, and in the subsequent five years she strove unsuccessfully to persuade the Tyler administration to abandon its refusal to grant that privilege. Hanover persisted with her efforts after Polk

entered the White House, and even won from Buchanan an admission that in most respects she was eligible for reciprocal treatment on the proclaimed basis in accordance with the act of 1828, as the Kingdom's ports were open to American vessels on equal terms with Hanoverian shipping. However, there remained one obstacle: no proclamation could be issued while the Stade duties still operated unequally on American vessels sailing up and down the Elbe. Even though the level of duty had been reduced in 1844 by an ordinance putting American ships on the same terms as British vessels, the inequality with Hanover's (and Hamburg's) vessels remained. The prospect of some sort of bargain on this issue brought Hanover to the negotiating table in 1846.<sup>12</sup>

Hanover had been hinting for some time that such a deal might be possible. Wheaton reported in the early days of his negotiation that "the Hanoverian minister admitted in a conversation with me that they might be willing to relinquish it [the Stade duty] on some terms or other." In 1842 Count Kielmannsegge, the Hanoverian minister in London, intimated to Edward Everett, in a conversation about his Kingdom's desire to secure full reciprocity, that he was negotiating with Britain for a reduction of the Stade duties on her ships and that there would be "no difficulty in extending the same favour to our vessels . . . ." Now, in 1846, Buchanan was prepared to make a deal with Hanover involving full reciprocal navigation, with high hopes that such a deal would be favourable. Even though a grant of full reciprocity would be considered by some as palpably unequal in its effects and beneficial to Hanover, he did not anticipate such a result. Hanover neither had an extensive mercantile fleet to rival American ships in indirect routes such as the trade with Latin America, nor was likely to develop one: "Hanover . . . [does] not possess within [her] limits the chief materials for ship building. These she must

purchase from abroad. Their vessels are built at great expense and their present commercial marine is inconsiderable." As long as the United States insisted on a clause ruling that only Hanover-built vessels were eligible for reciprocal treatment, Buchanan could see no practical difficulties arising from the grant of reciprocity in the indirect trade.<sup>13</sup>

Even so, Buchanan recognised that in the context of the recent U.S. stance such a grant would be seen as a concession. Therefore he advised agent Mann that full reciprocity would only be granted "provided Hanover will yield equivalents for such a concession which she can do not only without injury, but with benefit to herself." He stressed the point: "You are to conclude no treaty . . . unless the Government of Hanover should stipulate for the following equivalents."

Not surprisingly the Stade duties were top of the list, with Buchanan insisting that they should be equalised on the shipping of the two countries. Such a demand was a logical requirement of reciprocity, whose very principle was equal treatment for each country's vessels. But Buchanan also targeted for abolition some other transit duties. As Hanover consumed only a small amount of the American produce which arrived at her ports, the imposition of duties on goods such as cotton, tobacco, rice, and whale oil in transit to the interior of Germany was intolerable. If the Kingdom removed them, both parties would benefit: "Hanover . . . in order to promote [her] own internal trade, and to increase the transportation on the rail-roads, ought to abolish the transit duties on these and all other articles, the growth, produce, or manufacture of our country." Again he stressed that "without such an abolition or reduction of the transit duties . . . you are not authorized to conclude a treaty."



Buchanan's final demand originated in the debate on whether or not to preserve the independence of small German states from the Zollverein. In the case of Hanover the same factors as had operated in 1840 were still applicable six years later. Hanover treated American products on far better terms than did the Zollverein. For example their import duties on tobacco were 69c. and \$3.33 per 100 lb. respectively, a state of affairs the United States would be keen to perpetuate by helping to maintain Hanover's independence from the Zollverein by means of a further treaty. But Buchanan's terms revealed a recognition that that independence might not last long, and represented a remedy for the worst-case scenario. Ernst Augustus was "old and infirm" and Buchanan feared that "his successor may be prevailed upon to change his father's policy in this particular." Therefore Mann was to reject any treaty which failed to stipulate that Hanoverian import duties, especially those on tobacco, would not rise in future. This stipulation should operate even if Hanover did eventually join the Zollverein, so that Hanover's favourable duty levels would be maintained and, more optimistically, the Zollverein might reduce its own duties to those levels.<sup>14</sup>

Mann opened negotiations in May 1846, doubtful at first as to how far Hanover would be prepared to meet Buchanan's terms. These doubts appeared justified when he reported that Ernst Augustus was "unwilling to enter into an obligation not to increase the existing import duty on tobacco." Regarding the other terms, however, things looked brighter. The King was likely to agree to equalise the Stade duties and to abolish transit duties. Moreover, he might also concede an abolition of import duties on raw cotton, not one of the original terms demanded by Buchanan, but highly desirable nevertheless.<sup>15</sup>

After a month of negotiation Mann left Hanover for London, from where he reported a successful conclusion to his efforts. In return for full reciprocity the final treaty included all the equivalents he had hinted at in earlier despatches: the abolition of all transit duties, and of import duties on raw cotton; equal treatment with regard to the Stade duties; and an article limiting reciprocity to ships built in Hanover and the United States. Only on the issue of tobacco duties did Mann have to give ground. Hanover refused to give up completely her right to raise the duties, but the treaty stipulated that she could only increase them after giving a year's notice, in which case the United States would have the right to abrogate the treaty immediately. This demonstrated that reciprocity in navigation was regarded as an equivalent, revocable if ever Hanover withdrew any of the concessions she had made, as she might if she joined the Zollverein.

Of course, Mann hoped that this would never occur, and indeed the twelfth article of the treaty catered for quite the opposite; it provided that any state of the German Bund could enjoy the same treatment as Hanover by officially acceding to the treaty and by making the same concessions as Hanover had made. Clearly Mann hoped that other small states, and maybe even the Zollverein as a whole, might agree to those terms. A similar hope for united German action to reduce the burdens on commerce inspired one final article, by which Hanover agreed not to collect duties on traffic along the Weser, if and when other states bordering the river agreed to do likewise.<sup>16</sup>

Buchanan and Polk received the treaty with enthusiasm and forwarded it to the Senate, anticipating a swift ratification. Their hopes were sorely dashed as a combination of opposition to the treaty and pressure of business blocked its immediate progress. Many Senators from the North-East opposed further extension of reciprocity on principle, but they alone could not have

obstructed the treaty's progress. Others considered the equivalents granted by Hanover to be adequate but were less happy with the more mechanical aspects of the treaty, most especially Hanover's right to increase duties on tobacco at a year's notice. Some Senators put forward an amendment which would provide an opportunity to review the effects of the treaty after an experimental period. It should operate only for the original term of the treaty, twelve years, without the standard perpetuation thereafter, and each country should decide whether a renewal be negotiated. Buchanan reluctantly assented to this, anxious that the treaty be ratified before Congress adjourned. However, in the busy summer of 1846, with a complex tariff debate in progress and war with Mexico raging, the Senate failed to find time to go into executive session for consideration of the treaty, and so postponed it until their next session. Despite this setback Buchanan was optimistic for its chances second time round and told Mann to assure Hanover that the treaty would be ratified "at an early period . . . either with or without the single amendment."<sup>17</sup>

In Hanover Mann was more concerned than the Secretary of State at the initial failure to ratify the treaty. The Foreign Affairs minister had already expressed some surprise that "a convention so entirely one-sided--so immediate in its favorable bearings (or rather calculated to be so) upon the interests of the United States--should have encountered either opposition or delay in the Senate." Everything Hanover had won in the treaty could have been secured by proclamation only by her equalising the Stade duties on American vessels and without having to offer other privileges to American commerce as well. Nor would reciprocity by proclamation have been restricted to vessels built in Hanover, as it was by treaty. Only by saying that the diverse make-up of the Senate always entailed careful and often problematic deliberation of

treaties had Mann been able to pacify the Hanoverian government.

In saying this Mann was partly correct. Privately, however, he laid the blame for the delay squarely on the shoulders of New England Senators, especially those from Massachusetts, Rhode Island and Connecticut. He anticipated the day when they would be embarrassed by their opposition to the treaty:

The northern senators may oppose or yield a reluctant support to the Treaty, but when a great interest of the enterprizing portion of the Union which they represent, is so effectively guarded as the one under consideration I predict that if its provisions are carried into operation, they or those who may succeed them, will have cause to regret its abrupt abrogation by the amendment which has been insisted upon.

The "great interest" of New England to which Mann referred was the whaling industry, which would benefit from the treaty more than those Senators appreciated: "The chief produce of our fisheries in the South Seas [whale oil] . . . is to be free from transit duties, whereby every barrel of it, passing into the Zollverein, will be relieved of a tax of something like 40 cents." Whereas whale oil previously went to Germany via Bremen, Hamburg and the Prussian ports, the treaty would encourage that trade to go via Hanover's ports, not only free from the Stade duty, but also by-passing the Sound and the duties imposed there, as it could be carried to Lübeck by railway for further distribution in the Baltic. And whereas the existing trade was dominated by foreign ships, now New England shipping would fare well, because "their navigation interest . . . has been especially well taken care of." Hanover had little shipping of her own to rival Americans either in the direct trade or in other carrying trades: "the number of indirect Hanoverian vessels to and from the United States can under no conceivable circumstances exceed half a dozen per year."

As 1846 wore on, Mann's concern deepened. He was certain that the treaty was a good one and he feared that further delay would jeopardise its success, as Ernst Augustus appeared to be slipping nearer to death. Mann believed the United States owed something to this man, who, being

animated by a desire to better the conditions of his subjects, adjoined to the sea-coast, has not calculated the cost of purchasing for them such privileges in their intercourse with us, as we have given to all nations which have applied for them at a comparatively, vastly lower cost.

It must have been with some relief that Mann learned that the treaty had at last been ratified in January 1847.<sup>18</sup>

Ratification had not been won without a struggle. Although the treaty had been reported to the Senate without the amendment added in the previous session, James Fowler Simmons tried to modify it again by striking out the twelfth article which allowed for later extension of its terms to other members of the German Bund. This attempt bears the hallmarks of damage limitation on the part of those who opposed further extension of reciprocity. Acknowledging that they were unlikely to block the treaty as a whole, they made a determined effort to ensure that its terms would be enjoyed only by Hanover rather than shared by all who agreed to abide by it. This plan stood a chance of being approved by the Senate on the grounds that it would deny the dangerous principle of allowing countries to enjoy treaty relations with the United States without the need for Senate approval of each case. However, even this limited victory eluded the treaty's opponents, as the proposal was defeated by the relatively close vote of 30 to 14. The final vote on the treaty also departed from the usual unanimity of ballots on treaty ratification: with a count of 32 to 13 for ratification, opponents of the Hanover treaty could at least point to a vigorous show of minority discontent.<sup>19</sup>

What lay at the heart of that discontent? The two recorded votes on the issue, the first on Simmons' motion and the second on the treaty as a whole, reveal a distinct pattern of partisan voting behaviour modified by constituency interest.

The evidence for a partisan vote is compelling. The twelve who voted both to amend the treaty, and then to reject it, were all Whigs. These included all Whigs from New England states, who considered the treaty to be against local shipping interests. The two Whigs from the Midwest, with no apparent local interest, opposed the treaty, probably as a result either of support for protection of shipping as a domestic industry; or of sectional jealousy against an arrangement which seemed to favour Southern producers; but especially of partisan hostility toward the Polk administration. Two Midwest states, Ohio and Michigan, along with New Hampshire, provide further evidence of a partisan vote: each had one Whig and one Democrat, who divided against and for the treaty respectively. New Hampshire's Democrat, Charles Atherton, and his party colleague from Maine, John Fairfield, were the only New Englanders who both opposed the Simmons amendment and voted in favour of the treaty in the final roll call. Neither, and especially not Fairfield, put local concern above party loyalty or above the belief that reciprocity was a principle worth upholding at any cost. This stance was shared by almost all Democratic Senators, with only one stepping out of line with his colleagues in each vote.

The absence of a similar near unanimity among the Whigs revealed that other forces besides the partisan were at work. On the question of amending the Whigs split thirteen to six in favour, while on the final question to ratify the split was twelve to eight against. With one exception all the Whigs who supported the treaty were from the South, including Maryland. Their stance is easy to

comprehend: they greeted the terms secured for cotton, rice and tobacco with enthusiasm and they allowed this to override any partisan qualms or, in Maryland's case, fears for Baltimore's shipping interest.

Only a handful of Senators failed to fall into either the partisan or local interest pattern, and even the behaviour of some of these can be explained. John Niles, a Connecticut Democrat, and George Badger, a Whig from North Carolina, both supported Simmons' motion to amend but then voted in favour of the final treaty. Both probably had doubts about the propriety of allowing the addition of new states to the operation of the Hanover treaty, but once unsuccessful in trying to prevent it reverted to the norm, with Niles putting party and free-trade principles above local interest and Badger following the Southern Whig line. The behaviour of two Senators alone defies reasonable explanation: Dayton, a New Jersey Whig who supported the treaty, and Isaac Bagby, a Democrat from Alabama who voted against amendment but also against the final treaty.

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The voting on the Hanover treaty revealed that the New England shipping states, and especially Whigs in those states, still harboured opposition to the further extension of full reciprocity. However, in Maryland and New York, two previous centres of discontent, it seemed as if prospective benefits to other groups, notably tobacco producers in the former, had outweighed fears for the shipping interest. Yet it remained the case that the Polk administration had apparently sacrificed that interest, in principle if not in practice, a development which raises the question as to where exactly the priorities of this late Jacksonian administration lay.

There had been hints throughout the debates on reciprocal navigation and the colonial trade that it was the Democrats, especially those of a free-trade bent, who

tended to support existing policies. For them the wider interests of commerce as a whole outweighed the specific interest of navigation. One has only to recall the recurrent statements in favour of the colonial trade arrangement of 1830 on the grounds that it provided satisfactory business for American exporters. During Congressional consideration of these matters the statements of Levi Woodbury and Silas Wright stand out, although Wright's free-trade credentials were perhaps not so well established as those of others.

Yet principle and party were not solely responsible for determining stances on these issues. The example of Henry Lee proved that threats to local interest, if strong enough, could outweigh both. How much more likely it was, then, that free-trade Democrats from non-maritime communities would be least attentive to complaints about reciprocal navigation. The Polk administration marked the arrival of just such a group of free-trade politicians with strong links to the producing areas of the country, especially in the South. This was not a complete departure from the past, since Tyler, Upshur and Calhoun were all Southerners, keeping a keen eye open for the interests of that region's export producers. But the arrival of the Polk administration seemed to herald a subjugation of other interests, including navigation, in favour of the agricultural producing sector.

Of course it is not always possible to determine the extent to which commerce, in general, and navigation, in particular, were kept separate in politicians' minds. An increased volume of commerce could provide a greater amount of carrying for American shippers to participate in. So then rhetorical flourishes of the type used in Polk's Inaugural address in March 1845 can be taken at face value. He promised that

no opportunity will be lost to cultivate a favorable understanding with foreign governments by which our navigation and commerce may be



extended and the ample products of our fertile soil, as well as the manufactures of our skillful artisans, find a ready market and remunerating prices in foreign countries.

Nine months later Polk celebrated the fact that American commercial interests, including shipping, were "second to but one power in the world" and would soon be inferior to none. Secretary of the Treasury, Robert J. Walker, appealed to the same combination of interests in proposing a reduction of the tariff which would relieve shippers and shipbuilders from heavy duties on the goods they bought, as well as encouraging more business for both merchants and shippers to enjoy.<sup>20</sup>

Besides the tariff other policy options of the Polk administration seemed to combine the interests of commerce and shipping. In the summer of 1846 the administration supported moves in Congress to establish a warehouse system, which was designed to allow importers to store their goods in public warehouses for up to three years before paying import duties. Its prime purpose was to allay fears of merchants that they would be unable to pay the duties immediately after it was ruled that they had to be paid for in specie. Merchants could now delay the actual presentation of goods for payment of duty until such time as they had the necessary resources of specie. Protectionists claimed that the system would encourage more foreign imports by allowing goods to be entered at the most favourable moment, harming American manufacturers in the process. Polk later denied that claim, asserting that the system precluded the need for forced auction sales of surplus imported goods at times of over-trading, a practice which forced down prices to the detriment of manufacturers and importers alike. Nevertheless, the warehouse system was undoubtedly of greater benefit to the importing interest of the country. It was also expected to help American shippers. Goods landed and held in warehouses for a small storage fee could now be

re-exported much more cheaply than had previously been the case. This countered Francis Grund's claims that American shippers would not benefit equally from the treaty with Belgium for lack of warehouses in U.S. ports. Now it seemed likely that American shippers would be encouraged to carry Caribbean and Latin American goods to U.S. warehouses before carrying them to Europe. This prospect moved some port-city Whigs, including Daniel Webster and Robert Winthrop, to support the bill in Congress.<sup>21</sup>

Territorial expansion might also benefit both commerce and shipping. Robert Walker, in a famous letter advocating the "re-annexation" of Texas in 1844, noted the value of this region as a market for American goods: "agriculture, commerce, and navigation, the products of the forest and the fisheries, the freighting and ship-building interests, would all feel a new impulse . . . ." If the United States failed to act, Britain might intervene, a prospect which Walker viewed with alarm: "do we never wish to see the day when New York shall take from London the trident of the ocean, and the command of the commerce of the world? Or do we prefer London to New York, and England to America?" A year later Buchanan ordered John Slidell to purchase a stretch of the Pacific coastline from Mexico, which would secure access to the valuable San Francisco bay and harbour. And after the United States had indeed obtained the Californian coastline, although not quite by the methods envisaged by Buchanan in 1845, President Polk again stressed the commercial prospects: the new territories were an empire in themselves, representing a large potential market for American products in exchange for their own bountiful resources. Moreover, Pacific ports would enable the United States "to command the already valuable and rapidly increasing commerce of the Pacific." Whaling vessels could be based there, while mechanics established themselves to "furnish ready means of shipbuilding and

repair, which are now so much wanted in that distant sea." In sum, control of the Pacific coast would afford "security and repose to our commercial marine."<sup>22</sup>

So great was the commercial value of expansion that some historians have attributed to it the most influential role in the impulse which drove the United States westwards in the 1840s. For example, Norman Graebner claims that "the determining factor that charted the course of the American nation across the continent to the Pacific was the pursuit of commercial empire." Expansion was supported by politicians of both parties, motivated not by concepts of Manifest Destiny and the desire to spread a society of democratic farmers across the continent, but rather by specific commercial goals. Diplomacy was geared towards securing coastal land of value to trade, not for settlement, Graebner claims. Trade with the Orient and the search for new markets and new sources of goods for exchange provided the main dynamic for expansion. Any celebration of the benefits to producers was token support for an agrarian ideal, incidental to the requirements of commerce. Indeed, farmers supported commercial groups in the hope that expansion would open a gateway for their products to Oriental markets and not because it would provide more land for settlement.<sup>23</sup>

Thomas Hietala offers a different explanation of the expansion impulse, challenging the view that settlement was not a major force behind it. He identifies strong ideological grounds for settlement by expansion in the desire to maintain the essentially agricultural outlook of the country in the face of industrialisation and urbanisation. However, expansion for commercial reasons could help fulfil this desire. Since the 1837 crash, farmers had been worried about surplus production as existing domestic markets proved inadequate, and the fear was that more Americans would be lured into manufacturing

labour rather than encouraged to lead independent, farming lives. New overseas markets were the only sound alternative, and so the push to the Pacific coast to ease the course of trade to the Orient represented one way of nourishing the country's agricultural roots. The diplomatic efforts to secure more favourable treatment for American goods in Europe were equally useful, especially when they had the added value of encouraging importation of manufactures, as was the case with the conjunction of Corn Law repeal and the 1846 Tariff: "This welcome development, like the acquisition of California's ports, would protect the Jeffersonian arcadia from the menace of manufacturing, economic distress, and monopoly."<sup>24</sup>

There is evidence to suggest that such a concern did influence the Polk administration. Even in the extract from his Inaugural quoted above Polk seems to betray special concern for the interests of the producer, whether of the "ample products of our fertile soil," or of "the manufactures of our skillful artisans." Again in his first annual message, when Polk proposed expenditure on steam-powered naval vessels to protect American shipping around the world, he commented also on the wider importance of such a move, revealing a deeper interest: "The productions of the interior which seek a market abroad are directly dependent on the safety and freedom of our commerce."<sup>25</sup>

Of course, a more cynical interpretation would stress the irony of a Tennessee-based, slave-owning President extolling the virtues of the modest independent farmer. Surely such words were little more than rhetorical camouflage for measures designed to promote the business interests of the Southern planter class, while keeping western farmers sweet with the prospect of more open markets. After all, the most vigorous lobbyists in Washington were those working on behalf of tobacco, rice and cotton producers, and, significantly, all three

articles benefited from the Hanover treaty. Apart from two members, Polk's Cabinet revealed a decided leaning to the South. Secretary Walker came from Mississippi and Cave Johnson and John Mason hailed from Tennessee and Virginia respectively. Even William Marcy, the Secretary of War from New York, belonged to the southerly-leaning Hunker faction of that State's Democratic party. While Polk's first Secretary of the Navy, George Bancroft, was from Massachusetts, and his belief in free trade was perhaps more attuned to the needs of the northern and western farmer, in principle and policy he still found himself aligned with his Cabinet colleagues.<sup>26</sup>

While it would be an exaggeration to claim that the southern interest alone prevailed--after all the Polk administration also supported the modification of the British Corn Laws--it certainly seemed to be the southern producer who benefited most often from their policies. And in the case of the Hanover treaty it was at the possible expense of the shipping interest. It might appear strange that the chief agent of that sacrifice was James Buchanan, who had earlier expressed sympathy with the shippers' cause in the 1840 debate on reciprocity, but even his stance is understandable. He clearly shared his colleagues' goal of improved markets for agricultural producers. In 1846 he proposed the stipulation in the Hanover treaty against any increase in duties on tobacco, as a provision which "would be of the first importance to the great agricultural interest of our country." But he also had his constituency position to consider. As a Pennsylvanian he could hardly adopt free-trade principles and so he advocated a more balanced tariff of the type favoured by earlier Democrats. He voted for the Whig tariff of 1842, but only under orders from his State legislature, and he also opposed views on the other extreme when the Polk Cabinet discussed the tariff in 1846, proposing that higher duties be left on certain

protected articles, such as iron, sugar and coal. When it came to the question of commercial diplomacy, Buchanan's awareness of the manufacturing interest led him to oppose commercial reciprocity as a means to securing duty reductions in overseas markets. His absence or abstention from the final vote on the convention with the Zollverein in 1844 assumes added significance in this light, and throughout his term in the State department he steadfastly rejected further suggestions of such an approach to negotiation. For Buchanan the sacrifice of shipping interests by exchanging grants of reciprocal navigation for favours to the producing interest was politically the safer option.<sup>27</sup>

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Buchanan's handling of commercial diplomacy in northern Europe after the signing of the Hanover treaty reveals his priorities more clearly. Had that treaty stood alone, then American shippers would have had little to worry about in practice. The Kingdom did not have a large mercantile fleet to rival them in either direct or indirect trades--the number of Hanoverian vessels trading in U.S. ports rarely ran into double figures prior to 1848--and so American shippers were in a good position to exploit any increase in those trades. However, when Buchanan sought to extend the principle behind the Hanover treaty to negotiations with more powerful maritime countries, the implications for American shipping were more ominous. When Buchanan drafted three sets of instructions in 1847 and 1848, outlining the new rules of commercial diplomacy to be followed by U.S. agents, chargés and ministers in northern Europe, it seemed as if a distinct choice of priorities had been made, with the producing interest coming out on top.

Although their details varied in accordance with local problems, Buchanan's orders to Henry Ellsworth in Sweden, Robert Fleniken in Denmark, and Andrew Jackson

Donelson in Prussia, were near identical in their basic format. Each set outlined practices considered unacceptable by the United States, such as excessive import duty levels, transit dues, or unfair advantages enjoyed by the other country's shipping as a result of indirect trade reciprocity. The inclusion of the latter grievance was significant, as it reveals that Buchanan made no attempt to deny the existence of the problem. In the orders to Ellsworth he avowed that so far as the evils suffered by American shippers were concerned "such a state of things cannot long continue to exist." Ellsworth should warn the Swedish government that the United States were close to taking their rightful and near immediate remedy: "The Treaty may be abrogated at any time, after a year's notice, by either party." Although the President had "arrived at no positive conclusion respecting the abrogation of any of our existing Treaties of indirect reciprocity," it was certain "that he will not authorize the conclusion of any new Treaties of this character, without equivalents to the United States to compensate, in some degree, for the superior advantages which we may grant over those which we receive." In effect, "the late Treaty with Hanover . . . is the commencement of a new era in our policy in this particular. . . . Under its provisions, we have obtained fair equivalents for the advantages we have conferred."

In his orders to Donelson Buchanan added one final element to the argument, to emphasise that the United States meant business. He adverted to the fact that "there exists at present in the United States much objection to such Treaties," as the faltering progress in the Senate of the "advantageous" treaty with Hanover had illustrated. Therefore it should be clear to the Zollverein and other countries that American shippers and their sympathisers would not hesitate to scrap the principle of reciprocity in indirect trade if they got the

chance. If "a treaty less favorable to our Country [than the Hanover treaty] be concluded with the Zollverein," Buchanan warned, "it would doubtless encounter strong opposition in the Senate, and if it were much less favorable, it would most probably be rejected."<sup>28</sup>

So then, Buchanan armed his representatives with the threat to withdraw reciprocal navigation favours, as a means of putting pressure on Denmark, Sweden and Prussia. The type of equivalents which Buchanan demanded in return for maintaining reciprocity varied in each case. Yet despite entreaties and warnings of the possible abrogation of treaties, little progress was made in putting into practice the theoretical "new era" which Buchanan had prematurely celebrated.

Denmark, of course, had been a target for critics of reciprocal navigation for some years by the time members of the Polk administration took up the attack. Ambrose Dudley Mann asserted in 1846 that "Denmark derives more benefits for her navigation with the United States than any state in Europe, and gives comparatively nothing in return." The President himself believed that the treaty was "a very beneficial one to that country," and in 1848 Buchanan agreed, avowing that the convention was "more favorable in its terms to the commerce and navigation of Denmark, than any which now exists or has existed between her and any other nation." It was "manifest that such a concession [of indirect trade reciprocity] to our vessels is far, very far from being a fair equivalent for the privileges which Danish vessels enjoy in our ports." He ranged through the familiar arguments: how could one compare the continental territory of the United States, possessing two long coastlines, "numerous and excellent harbors," and a population of over twenty millions who imported and exported large quantities of goods, with Denmark, "a small and poor country, in a high and severe northern latitude," with a population of not much more



than two million, and with little external trade? Buchanan estimated that there was ten times more business in the U.S. indirect trade for the Danes to exploit than there was for American shippers to exploit in the Danish trade. The truth was that "so far as regards this trade, the reciprocity is but a mere name."<sup>29</sup>

The solution of another old problem provided the likely equivalent for any perpetuation of this state of affairs. The Sound dues still represented a major annoyance for American exporters and shippers, even if there had been a reduction of some tolls, notably upon raw sugar, spirits, and especially raw cotton. Although William Irwin, the minister in Denmark, anticipated in 1846 that these changes would provide for a more certain, and a more direct, trade in American goods to the Baltic, others considered them insufficient. In 1848, Irwin's successor, Fleniken, suggested that it would be an auspicious time to negotiate on the matter again, while Mann had already made clear how he felt the question should be approached: "She should be notified that unless she abolishes the 'Sound or Belt tolls' the treaty which we concluded with her in 1826 should be of no longer duration, after the expiration of the twelve-months from the date of the notice for its cessation."<sup>30</sup>

Buchanan consulted with the President, who agreed that the dues were a "heavy tax" and that a treaty ought to be signed "by which our commerce in that quarter might be relieved from these tolls." They agreed to use the new approach and to instruct Fleniken to stress the value of the treaty to the Danes, "with an intimation that unless a satisfactory arrangement was made as respects the Sound duties or tolls, the U.S. would give the notice and abrogate the treaty." Any new treaty would revise the 1826 version by including an article exempting American goods from payment of the dues, and as a sweetener the United States would be prepared to pay up to \$250,000 if

Denmark abolished them immediately and for perpetuity rather than just for the term of the treaty.<sup>31</sup>

With Denmark at war over Schleswig-Holstein, the prospects for a successful negotiation were not good. There were also rumours of a general European settlement of the Sound tolls issue, projected for 1851-52, which gave Fleniken cause to believe that the Danish government would postpone negotiation on it until that time. Even so he agreed to press on as ordered and suggested adding import duty reductions on tobacco and rice to the list of equivalents he should seek. However, despite his warnings that the 1826 treaty was under review, Fleniken was fobbed off with diplomatic bluff and he found it impossible to negotiate in the atmosphere of war which prevailed until his departure at the beginning of Taylor's presidency. Even so, this failure in practice does not conceal the intention to win commercial privileges from Denmark by conceding to that country reciprocal navigation in the indirect trade, in the face of known opposition to that principle.<sup>32</sup>

The same approach had been adopted towards Sweden, even more narrowly in the interests of producers than was the case with the Sound dues. Again, there had been reports of the advantages which Sweden enjoyed at the expense of American shipping. Henry Ellsworth noted how the carrying trade was "almost entirely confined to her vessels," and claimed that during his term in Sweden "not a single American vessel has arrived at Stockholm, and only a few have come to Gothenburg!" Buchanan's explanation for this problem was nearly identical to that he had used in relation to Denmark, give or take a few statistical variations. The Swedish population was larger than Denmark's at about four and a half million but this was still not believed to provide enough trade for Americans to share in as an equivalent for Swedish access to the huge trades of the United States. The Swedish case

was exacerbated by the fact that it was acknowledged that Sweden built, manned and sailed vessels "at a cheaper rate, perhaps, than any other country." As public opinion was "fast taking a direction against the concession, to any Power, of the indirect trade with the United States upon terms of equality with our own vessels," the example of Sweden only accelerated the trend: the effects of the Swedish treaty were "always presented as the strongest argument to prove the impolicy of such Treaties."<sup>33</sup>

The course to take seemed clear to Ellsworth. In January 1847 he asked whether "the time has not come when some change should be made in the Treaty," and again a year later, "How long then shall the treaty we have made with her exist?" He noted that while the treaty was "notorious" in the United States, in Sweden "the very reverse is the case," as it was "talked of with exultation." If the treaty was so highly valued by Sweden, she should be willing to protect it, and so Ellsworth's proposed course of action followed that of Ambrose Dudley Mann, whose treaty with Hanover he admired:

I do not wish to be understood . . . as precisely recommending a speedy demolition of the treaty now existing with Sweden, but as urging the immediate necessity of securing some equivalents for the benefits and advantages we scatter with so liberal a hand.

And Ellsworth's reports had suggested the sort of equivalent which would be desirable: a reduction of import duties on products such as cotton manufactures, sugar, and especially tobacco; duties which were onerous and in cases near prohibitive, made worse by an odd method of valuation.<sup>34</sup>

Had communications with Washington been swifter, Ellsworth would have discovered that his thinking was in line with Buchanan's. The Secretary of State had already complained at Swedish persistence in the "injustice and impolicy of levying extravagant duties on articles

imported into Sweden by means of an assessed valuation, twice or thrice greater than the actual cost," a practice which bore "with peculiar hardship" upon several American productions. In May 1847 he ordered Ellsworth not to make an all-out attack on the Swedish tariff, which would have provoked calls of outside interference in the country's domestic business, strengthening the hand of Swedish restrictionists. Instead Ellsworth was to use methods of gentle persuasion to enlighten Swedish opinion on political economy and to encourage those who favoured a less restrictive tariff. But the minister was also to make discrete references to the Hanover negotiation and to the evidence of American discontent at reciprocal navigation. Such a juxtaposition of hints might have "a favorable effect in reducing the rate of duties on American productions."<sup>35</sup>

Both before and after receiving these orders Ellsworth looked on helplessly as the Swedish government debated changes in the country's tariff. Various reductions were suggested, and a modification of the valuation method was mooted. But more worryingly a proviso was drafted to favour Swedish shipping by reducing import and export duties on goods carried in vessels which in the past three years had exported Swedish goods to the volume of half their tonnage, a condition which would exclude most foreign ships. On hearing of this Buchanan warned that it would be an infraction of the spirit of the treaty of 1827, and that in the unlikely event of the proviso being enacted it would justify the United States in abrogating the treaty. It must have been with some relief, then, that Buchanan learned of the rejection of the proviso. As to the rest of the tariff, however, there was no joy. Ellsworth reported that such changes as had been made were "of little importance to the commerce of the United States." There had been no change on tobacco, and duties on sugar were still heavy. Again, then,

Buchanan's "new era" policy had failed to bear fruit.<sup>36</sup>

The third of the set of instructions issued by Buchanan were those sent to Donelson in Berlin. His duties extended to the Zollverein as a whole and involved complex questions of intra-Germany rivalries as well as the more familiar issues of duty levels, transit dues, and reciprocal treatment. His position was complicated by the continued presence in Germany of agent Mann, for whom the Hanover treaty was only the opening shot in a campaign to secure more favourable commercial terms for the United States throughout the Bund. The two men disagreed over the best means towards the same general commercial ends. A final complication was the eruption of revolution in virtually all the German states in 1848, which confronted U.S. statesmen with new men and institutions with which to deal. So intricate and complex were these developments that they merit their own, separate consideration.

## Chapter 8. Frustrated Hopes:

### Commercial Diplomacy with Germany, 1846-1849

The "new era" approach to commercial diplomacy espoused by the Polk administration after 1846 was just another in the long list of methods used to try to reduce duties on exports into Germany. Friendly persuasion, threats of tariff retaliation, and mutual tariff reduction had all been tried and found wanting in the 1840s. Now, after the successful Hanover negotiation, Buchanan was prepared to use the same method with the rest of Germany. This did not mean, however, that earlier tactics were abandoned altogether as outright failures. Persuasion by reference to the mutual value of reduced duties could still be effective and was used in negotiations. Even after the Senate's rejection of the Convention of 1844 some still thought that reciprocal tariff reduction was the preferable course. Most importantly the U.S. minister in Berlin, Andrew Jackson Donelson, subscribed to that view and was prepared to act upon it, even if that meant going beyond his instructions from the State department which advocated the "new era" method in its diplomacy in Germany. However, the uncertain condition of German politics, as the region underwent revolutionary events in 1848-50, made any diplomacy difficult. Moreover, serious flaws in the mechanics of the new approach undermined its effectiveness, so that by 1849 not only had Buchanan's efforts been of no avail, but earlier successes had also begun to crumble in his hands.

In 1846-47 these problems lurked in the future and Buchanan had high hopes for the future success of the course adopted in signing the treaty with Hanover. He was certain that other German states, notably Prussia, would perceive the value of good commercial relations with the United States:

I have reason to believe that some of the Zollverein States are prepared for as liberal terms as are contained in our treaty with Hanover. A reduction of the duty on tobacco even to one half of its present rate would open a fine market throughout Germany for that article.

In these hopes he was buoyed up by the enthusiasm of Ambrose Dudley Mann. In one respect Mann's course followed the old tactic of underpinning those states, notably Hanover, which had remained independent of the Zollverein and which treated American goods more favourably. Mann too, though, dreamed of an extension of the Hanover terms to the rest of the region:

I want to see Germany united upon liberal commercial principles . . . . I want to see the 'Old Holy Roman Empire' with her kindly sentiments for our own country . . . consigning to infamy the remains of the feudal age still laid upon her rivers and highways; and erecting herself, in the panoply of her strength, upon a platform, that will admit of an extended and wholly natural commercial intercourse with the rising world of the west.

The Hanover treaty contained clauses which made possible the accomplishment of this end, which, "if judiciously and perseveringly followed up," would contribute to the fame of the Polk administration and of Buchanan in particular. The eighth article held out the prospect of the abolition of all transit dues on the Weser. The twelfth article, offering all the same terms as granted to Hanover in exchange for the same or equivalent terms as she offered in return, was designed primarily to apply to Hanover's neighbours and fellow members of the Steuerverein. But if successful with them, there was every reason to apply it to the rest of Germany as well, opening up new markets in the interior and removing burdens on goods passing from the Baltic and North Seas through to Austria and Switzerland. Together, the two articles promised to be "productive of the best results to American interests," by creating within the

Zollverein the sentiment "that of all the methods of raising public revenue yet adopted, the tax exacted from merchandise in transitu, is the most detrimental to commercial prosperity." In 1847 Mann held the highest possible of hopes: "I by no means despair of uniting all Germany--the Austrian portion excepted--in the provisions of our Treaty with Hanover . . . ."1

Mann threw himself into the first part of this project with great energy. As in 1837 the power to negotiate with Hanover had encompassed Oldenburg and the two Mecklenburgs, Schwerin and Strelitz, as well, but just as Wheaton had done on the former occasion, so Mann also had decided to postpone talks with them until the main aim of his mission was achieved. In both cases the fact that their shipping already enjoyed better terms in U.S. ports than did Hanover's caused problems, but Mann was able to overcome these and bring both negotiations to successful conclusions.<sup>2</sup>

The Grand Duke of Oldenburg expressed a willingness to join the Hanover treaty almost as soon as he had heard of its successful completion and after a brief trip to London to send the final document to Washington Mann resumed negotiations in the Grand Duchy. The Oldenburg authorities proposed two changes to the treaty if they were to accede to it, which could have delayed negotiation or even have necessitated the drafting of a completely new treaty. After all the Senate had approved the Hanover treaty in one form and hardly could be expected to allow other states to join it on modified terms. One of the proposed modifications was unacceptable anyway. Confident in the knowledge that her shipping, unlike Hanover's before the treaty, already enjoyed full reciprocity by proclamation, Oldenburg sought an extra equivalent: both she and Hanover ought to be allowed to flag vessels built in the others' ports as their own when it came to claiming reciprocal terms. Mann and Buchanan successfully resisted



this dangerous principle. The other proposed alteration posed far less of a problem, and it is somewhat surprising that Oldenburg suggested it in the first place. For the simple reason that the Grand Duchy did not lie on the banks of the Weser she did not impose duties upon traffic along it. Nor, of course, were the Stade duties her responsibility. Rather than simply ignoring the articles on those duties in the Hanover treaty as irrelevant, however, Oldenburg insisted on their removal from the document by which she acceded to the treaty. As it would have no practical effect, Buchanan considered this safe to do, and in March 1847 Mann incorporated that term in the accession document. Importantly, though, Oldenburg agreed to abide by all the other terms of the Hanover treaty, including the vital reduction and prohibition of duties.<sup>3</sup>

The Oldenburg negotiation had been relatively simple. The Grand Duchy was a member of the Steuerverein, which made it sensible to put her relations with the United States on the same footing as Hanover's. Less obvious were the chances of success for negotiations which Mann initiated with Mecklenburg-Schwerin towards the end of 1847, in accordance with Buchanan's orders. This Grand Duchy was not a member of the Steuerverein, but like Hanover had resisted Prussian pressure to join the Zollverein. Mann was anxious to perpetuate Mecklenburg-Schwerin's independence of the wider customs union and viewed with alarm the wiles of the Prussians who thronged the court. Even the Grand Duke's mother, the King of Prussia's sister, appeared likely to discourage independent relations with the United States. Mann derived great personal satisfaction, therefore, when his efforts met with success: "I have taken my revenge upon Prussia. I never enjoyed, apart from the benefit, to be derived to my country, my triumph so much."

Aside from Prussian influence, Mann had anticipated many other obstacles to a smooth negotiation. Mecklenburg

claimed that she had nothing to gain from the treaty, already enjoying reciprocal terms by proclamation. Mann countered that a treaty would put those rights on a more permanent basis, and at first this claim seemed to work, as Eustow, the Grand Duchy's foreign minister, said he would be prepared to accede to the Hanover treaty "for the purpose of securing the shipping interest of Mecklenburg for a lengthened period all the privileges the navigation of Mecklenburg enjoyed from the year 1835 . . . ." When negotiations began in earnest, however, Eustow noted that the treaty would actually reduce the rights enjoyed by the Grand Duchy: the treaty would limit reciprocal treatment to vessels of her own construction, whereas the act of 1828 made no such restriction. Only by inferring that the laws of 1824 and 1828 would soon be repealed did Mann convince Eustow to accept final terms. The nature of those terms represented the last hurdle. They differed in detail from those offered by Hanover, necessitating a new treaty rather than just an accession to Hanover's. But in basic principle they were the same: the abolition of import duties on raw cotton and rice in the husk; the reduction of duties on all other types of rice, on tobacco and on whale oil; the abolition of all transit duties on goods passing through the Grand Duchy's ports; and a limit of transit duties on goods using the Hamburg-Berlin railroad through Mecklenburg territory to two schillings per 100 lb. In effect, of course, Mann had also bullied the Grand Duchy into surrendering the right to reciprocity for foreign-built vessels, which added to his delight in securing the treaty. The fact remained, though, that even with this safeguard the granting of reciprocal navigation was contrary to the wishes of some American shippers. Their sacrifice in favour of producers was repeated.<sup>4</sup>

Talks with the Hanseatic towns constituted the final part of Mann's diplomatic offensive in the North Sea coastal region of Germany. If any power was a target for

use of the "new era" approach, then surely it was Bremen, long regarded as the state most successful in exploiting the alleged inequalities of reciprocity. Andrew Jackson Donelson reported that things were still no different in that regard: Americans could not compete with a city whose people, proportionally to size of population and commerce, were "the greatest ship builders in Europe"; American ships carried only ten per cent of U.S. trade with the city and could not hope to carry more "as long as their marine is less costly than ours, & the rate of interest for the use of money is lower in Europe than America." Donelson thought the Hanover treaty was likely to exacerbate the situation: the abolition of transit dues on the Weser, if accomplished, would encourage greater use of Bremen and its shipping, at the expense of Hamburg and of the Elbe route, where the Stade dues had only been reduced and not abolished altogether.<sup>5</sup>

Ironically it was the same eighth article of the Hanover treaty which gave Mann greatest hope of gains in talks with Bremen. Prior to the treaty he had urged the city authorities to abolish their duty of four cents per 100 lb. on goods passing along the Weser, a change "due to the United States, on account of their liberal policy towards the Hanse towns." There was a veiled threat, though, that the United States could coerce Bremen into the abolition, by threatening to abrogate the 1828 terms of indirect trade reciprocity. The treaty with Hanover made it unlikely that that extreme measure would be necessary. On hearing of the treaty the Bremen Senate announced that they would remove the duty on goods bound for Hanover and Oldenburg. Moreover, if in future any state of the Zollverein were to abolish its transit dues on the Weser, then Bremen would remove its duty on goods bound for that state as well. Mann was able to report exciting moves which might lead to valuable results: "delegates from the different sovereigns directly

concerned in the navigation of the river are now in session, and it is confidently believed that the tolls, if they be not abrogated altogether, will be diminished to a tax of control merely." Hamburg also caught the spirit of the age and its Foreign Affairs Minister assured Mann that after the accession of Mecklenburg to the Hanover treaty "his Government will abolish, or reduce to a mere nominal rate, the tolls levied on our four chief staples in their transit to the interior . . . ."6

A combination of hard work, good fortune, and threats, both implicit and explicit, that the United States would take away the privilege of indirect trade reciprocity, had brought Mann much success. Some import duties had been lowered, others frozen, and transit duties had been reduced or abolished altogether. He did abandon an approach to the Grand Duchy of Mecklenburg-Strelitz; but that was because he feared a failure in negotiations with this comparatively insignificant state would reduce the momentum which had already been built up, perhaps persuading others not to treat. Now, instead, he turned to individual members of the Zollverein, beginning with Saxony, again in accordance with his orders from Buchanan. However, his course went against the advice of the other U.S. diplomat in Germany at the time, Andrew Jackson Donelson, who advocated a completely different approach to any negotiation with the Zollverein. The two men clashed over the priority given to reductions of tariff or transit duties respectively, but more especially over the methods to be used in their diplomacy. Most fundamentally of all, they had different perceptions of the future development of inter-state relations within Germany. The calculations of both, though, were swept away by the storm of revolution which broke in 1848.<sup>7</sup>

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Despite the failure of the U.S. Senate to ratify the convention of 1844 the Zollverein had not eschewed further

relations with the United States. Even after Congress had revised the tariff downwards in 1846, fulfilling some of the Zollverein's diplomatic ambitions, the union had other goals to pursue. Foremost among these was the extension of the terms of Prussia's treaty of 1828 to apply to all member states of the customs union. As well as guaranteeing for interior goods the same treatment as was accorded to Prussian goods and ensuring reciprocity for the shipping of all Zollverein states, it was hoped that this would encourage those states independent of the union to join it without losing any of the treaty privileges they already enjoyed. So in February 1846 Baron Gerolt, the Prussian minister in Washington, had approached Buchanan, proposing to extend the treaty of 1828 "so as to embrace the states of the Zollverein." Polk and Buchanan considered the proposal carefully, agreeing that there was no real objection to such a move. But Buchanan saw the chance to make some important changes in the terms of the treaty, and when he told Gerolt that talks on the matter, preferably to be conducted in Germany, would be desirable, he advised him to inform his superiors to be prepared to accept modifications.<sup>8</sup>

Learning of the likelihood of such negotiations, both Mann and Donelson advised Buchanan on the best course to pursue. Predictably Mann recommended that the Zollverein be made to take heed of the Hanover treaty, of the methods used to obtain it, and of the concessions wrung from the Kingdom. In his view the transit trade was the most important issue and he believed that the United States had the means to force Prussia to "remove these transit and other historical duties--relics of feudal ages--wherever they exist." He repeatedly stressed how Buchanan could achieve this aim: "we have but to seriously threaten Prussia, with our intention to terminate the reciprocity treaty under which she enjoys a large indirect trade with the United States to hasten its consummation." If Prussia

failed to follow the example of Hanover, then the United States "should not hesitate . . . to retaliate by terminating . . . a convention which sustains, in all eminent degrees, the shipping of that kingdom." The United States, while being liberal in their commercial policy by granting reciprocity to states like Prussia, should "take good care to make it a sine qua non, that in return, they grant us every favor at their disposal."<sup>9</sup>

Mann made no secret of his desire to see all Germany united upon liberal commercial principles, preferably along the lines of the Hanover treaty of 1846 which he clearly believed to be advantageous. Donelson, however, held a diametrically opposite view, noting in 1849 that his own efforts had been inspired by a desire "that the disadvantages of Mr Mann's treaties might be countered." First and foremost he disagreed with Mann in maintaining the independence of the smaller states from the Zollverein by means of treaties. Admittedly Donelson conceded that if the customs union refused to guarantee that ports of the smaller states, once incorporated within it, would not be used "to enforce a policy of unwise restriction & unnecessary burdens," then those states should "be protected in their independence." Ideally, though, the opposite should be the case: "The Hanse towns, Hanover, & Mecklenburg would be most valuable additions to the Zollverein, & ought to be encouraged to join it." Aware of Prussia's desire to enlist those states in the customs union, Donelson feared that Mann's treaty with Hanover might endanger U.S. relations with Prussia by strengthening the "impression on the minds of some individuals that it has been dictated by a wish to lessen the influence of Prussia & render more difficult the extension of the Zollverein."

Donelson made clear why he thought American best interests lay in good relations with Prussia. He played down the value of the changes in import and transit duties

in Mann's treaties: Hanover would never consume as great a volume of American products as did the Zollverein; and the removal of transit tolls would be of value only if goods did actually go to the interior, something again which demand from the Zollverein would determine. The United States should take care to get their priorities right: "To obtain the advantages of the most unrestricted trade with the States out of the Zollverein, would avail nothing if it were accompanied by causes that lessen the demand of the people who form the association." So it was important not to appear as if they were "trying to thwart the policy of the Zollverein, by strengthening those States which are independent of it . . . ."10

Buchanan agreed with both Mann and Donelson in regarding reductions of tariff and transit duties as vital, especially on items such as tobacco. To obtain such reductions he opted almost wholly for the course suggested by Mann, putting to one side the fears expressed by Donelson about upsetting the Zollverein. In May 1847, in the third of the set of diplomatic instructions which signalled the start of the "new era" approach, Buchanan advised Donelson that the Zollverein should follow the example of Hanover. He recognised that it was "the highest policy and the strongest desire of Prussia . . . to embrace all the German States in the Zollverein league, and place herself at their head"; but he was adamant that such integration should not be based upon the restrictive system of the Zollverein. An alternative development was preferable: "Why should not the States of the Zollverein become parties to the Hanoverian treaty in the manner prescribed by the Twelfth Article; or conclude a Treaty with the United States of the same character?" In a letter to Mann Buchanan revealed the same ambivalence about whether the Zollverein should absorb smaller states. He was pleased by the prospect of the Hanseatic towns remaining independent of the union as a result of the

Weser duty provisions of the Hanover treaty, and he repeated his desire that Zollverein should also become a party to that treaty by reducing its trade restrictions.

His orders to both men reflected this desire but also recognised the fact that the Zollverein was unlikely to comply immediately. Throughout his orders to Donelson Buchanan referred repeatedly to the Hanover treaty, its provisions, and the methods used to obtain them. He warned his minister that any treaty less favourable would probably meet a sad fate at the hands of the Senate. Donelson should try to convince the Zollverein to follow the example of Hanover, reducing its import duties on American products, and especially those on tobacco. Moreover, the union should be induced to accede to the Hanover treaty with regard to transit duties. If the Zollverein proved obstructive, then Donelson was to impress upon them the fact that reducing their restrictions would improve trade in general and would "secure a fine field for the extension of Prussian navigation, which now seems to be the cherished interest of that Kingdom." Here was tacit admission that Prussian shipping would benefit substantially if the Zollverein reduced her duties, both by having a greater volume of trade to carry, but also by having a continued guarantee of reciprocity. Significantly, though, Buchanan did not give any specific, explicit order to threaten to withhold reciprocity if the Zollverein refused to meet his terms. His reference to methods used in the Hanover negotiation and also the enclosure of his instructions to Ellsworth in Sweden, in which the threat was made explicit, were no doubt intended to alert Donelson to the possibility of using such methods himself, but the absence of specific orders to that effect was to cause difficulties.

Buchanan's orders to Mann a month later reveal that he did not expect immediate and total success in the negotiations with the Zollverein. He advised Mann to be



prepared to tour Germany, to talk to member states of the union, such as Baden, Bavaria, Saxony, Nassau, Hesse Darmstadt and Brunswick, where the United States had no regular diplomatic representative in residence. If the Zollverein refused to accede to the Hanover treaty as one body, then at least some of its constituent parts might be persuaded to do so.<sup>11</sup>

Mann's talks with Mecklenburg-Schwerin prevented him from pursuing his new instructions until 1848, but Donelson had already been active in Berlin. He was no less concerned to bring about reductions of duties in Germany, noting in a private letter to the President how anxious he was that "we should be able to say that we have opened a new market to our tobacco, salt provisions, rice, & cotton twist." But he did not subscribe to the "new era" approach of threatening to withhold reciprocal navigation in order to win reductions in tariff and transit duties. His efforts were guided instead by the principles which had led to the unratified convention with the Zollverein of 1844. Undeterred by predictions that the U.S. tariff of 1846 would lessen the desire of the union for mutual duty reductions, Donelson expected orders to proceed upon that basis. Indeed, he advised Polk that he could make most progress "if you will allow me to make some slight concessions to German manufactures that are not in competition with our own." Even after receiving different orders, he waxed enthusiastically about his adopted course: "We can never be losers when by a judicious reciprocity of Tariff reductions we open new markets to our great staples and increase the consumption of them in such . . . flourishing states."<sup>12</sup>

Buchanan's frustration at Donelson's independent line of negotiation soon became apparent. The Secretary of State quickly informed Polk of the state of play, asserting that the "attempt to change the existing Tariff by Treaty would, in my opinion, be highly impolitic &

would re-open discussions which I had hoped were buried." Buchanan no doubt felt uncomfortable when any question of the tariff was raised, but especially when the balance between Executive and Legislature in tariff-making was involved. This became even clearer in his subsequent correspondence with the minister in Berlin, which at times became quite bitter. In a stinging rebuke Buchanan stated his objections to the principles which Donelson adopted:

The more I reflect upon the subject, the better am I convinced that the Executive Branch of the Government, ought not to attempt to change by Treaty, the rate of duties which has been adopted by Congress in our late Tariff;-- certainly not, unless it should first be ascertained to a moral certainty, that such a change would meet the approbation of the Senate as well as of the Legislative power. Such a result I would not anticipate. Considering, therefore, that the rejection, by the Senate, of Mr. Wheaton's Treaty with the Zoll-verein, excited much feeling in Prussia, it might seriously embarrass our relations with that power, should a new Treaty of a similar character show the same fate.

There were also Hanover's views to consider. That Kingdom had received only full reciprocity as her reward for reducing duties on American products and would no doubt feel aggrieved if the Zollverein, for the same sort of concessions, won reductions of duties on its products entering U.S. ports as well as preserving reciprocal navigation rights. This would have the undesirable effect of discouraging the accession of any more small states to the Hanover treaty, and as such, in Buchanan's opinion, would be a "retrograde movement."

Noting that the U.S. tariff of 1846 removed any grounds Prussia had for calling for more, mutual, reductions, Buchanan repeated his desire that the Hanover treaty be the model for any future arrangements in Germany. Again he stressed that the threat to withhold reciprocal navigation offered the best chance of success, especially in view of the facts that Prussia was "anxious

to build up a commercial marine," and that reciprocity so patently operated in her favour:

[C]an any thing attribute <sup>[sic]</sup> more effectively to the accomplishment of this object than for the United States to continue to throw open all their numerous ports, both on the Atlantic and the Pacific, to Prussian vessels bearing hither the productions of all foreign countries upon the same terms with American vessels? It will not be pretended that a similar privilege extended to our vessels in the few and comparatively insignificant ports of Prussia, is any equivalent for the advantages conferred upon Prussian navigation.<sup>13</sup>

The refusal of Buchanan to countenance a further reduction of U.S. import duties in return for mutual favours was the final straw for Prussia and the Zollverein, which were already annoyed by the direction which U.S. policy seemed to be taking, with its implicit support for the independence of the smaller German states. Negotiations in Berlin ended in failure. But what of the threat to withhold reciprocal navigation rights? Donelson, of course, had never favoured the use of this tactic and was certain that the Zollverein would not bow to such pressure. After all Prussia, unlike Hanover prior to her treaty, already enjoyed full reciprocity in navigation. By his own admission, though, Donelson did not make much of an effort to follow Buchanan's orders, either by threatening to terminate the Prussian treaty, or by ruling out the possibility that it would be extended to cover the Zollverein as a whole. For this he blamed the less than specific nature of his initial orders:

Had it been your intention to say that the United States would discontinue the existing Treaty with Prussia unless she reduced her duties on our staple production, as Hanover had done, I should have supposed you would not have left so important a movement to be inferred from the general declaration that the commercial policy of this President was expressed in the Treaty with Hanover.

Donelson had understood this to be a statement of the

policy goals to be attained rather than the specific methods to be used in attaining them and he felt he would have been justified in concluding any treaty which promised to extend the consumption of American products without reducing U.S. revenue or the protection due to national industry.<sup>14</sup>

Donelson did obey Buchanan in trying to secure reductions of transit duties as well as import duties. But he considered such reductions to be of minor significance, since, as he informed Buchanan, transit duties were "of but little force, compared with the import duties, in checking the consumption of our productions." For instance a hogshead of tobacco paid an import duty of 38 dollars compared to transit duties of little more than two dollars. He repeated the point in a letter to Polk in which he kept up his attack on the "new era" approach: "The transit duty must fall of itself as a greater injury to Germany than to us, and it is besides too small to end materially the extension of our products."

Donelson's main purpose in writing to Polk, though, owed more to his hope to sign a treaty of commercial reciprocity. He remained convinced that his approach was sound: "If you could put your finger upon some articles in our Tariff that can bear reduction and yield us more money, such articles as are supplied by Germany, they might be used as equivalents for reductions asked by us of the Zoll Verein." He even asked for leave of absence from his post to meet with Polk in person: "I am anxious to see you . . . . I will take the next steamer, give you the basis of a Treaty that will help our tobacco & cotton, and return here in two weeks."<sup>15</sup>

Events in Europe frustrated Donelson's wish to visit Washington. Revolution had erupted in France, and Polk and Buchanan turned down Donelson's requested leave in the belief that full U.S. representation was required in Europe to respond to fast-moving developments. Polk did

inform the minister that they had been on the point of allowing him leave when the changes in Europe intervened, but he gave no hint of any re-thinking of commercial policy. As it was, those changes gave Donelson hope for a renewed negotiation. In Germany change manifested itself initially in moves towards a unity extending beyond the borders of the Zollverein. As well as removing the problem of transit duties altogether, such a development opened the opportunity for the signing of a single treaty with a new united Germany, by which to "gain some reduction of the import duties on our staples." Of course, such optimism had to be balanced against the possibility that the disruptions in Germany would delay negotiations at least until such time as the final geopolitical outcome was clear. Coming close to the end of Polk's term of office these changes thwarted the successful application of the "new era" approach to commercial diplomacy with the German states.<sup>16</sup>

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The events in Germany did not only disrupt U.S. diplomatic efforts in the region. Trade itself was affected, as fighting broke out in the Baltic. Inspired by the other revolutions in Europe the German populations of the Danish provinces of Schleswig and Holstein revolted against Denmark's rule. Danish troops responded by entering Schleswig to put down these disturbances and the Danish navy preyed on the shipping of Bremen and other German states. Although this raised the long-dormant spectre of neutral traders being faced with searches for contraband, at first shippers' hopes were high. The acting U.S. consul in Bremen, H.W. Böhme, reckoned the fighting would offer a "good chance . . . for American & other neutral vessels to be employed in the carrying trade at high rates of freight for merchandise as well as for passengers." Those hopes were dashed, however, when in August 1848 Denmark responded to Prussian military action

in Schleswig by imposing a blockade on Germany's North Sea and Baltic ports. One month later an armistice brought a temporary lifting of the blockade, but fighting broke out again the following year and the blockade was re-imposed in April, interrupting what had become in the intervening six months an extensive American intercourse. In the face of such conditions restraint in diplomacy was essential.<sup>17</sup>

Doubts about the political future of Germany reinforced the need for restraint. These were exciting times, and Donelson was caught up in the middle of them, reporting occasional outbreaks of violent disorder on Berlin's streets. Of potentially greater significance, though, were dramatic events which seemed to presage full German political union. Five hundred delegates met in Frankfurt early in 1848 to set rules for the election of a representative government for the whole of Germany, and in May 1848 the Frankfurt Parliament was convened with a stated aim of establishing a new confederation of sovereign states. But from the start there was argument over how much power individual states should retain and over the relative influence of the larger states. There was also disagreement as to whether to create a single head of the Confederation with the title "Emperor," to be offered to either the Prussian or Austrian Kings. Such debate proved premature, however, as both men opposed the Parliament and, having secured their domestic positions, worked to undermine its activities. In May 1849 members began to resign, and the Parliament effectively disintegrated.<sup>18</sup>

Despite this precipitate collapse the prospects for a united Germany had been good enough for the United States to take seriously. Of course the moves at Frankfurt promised to fulfil a long-term ambition of U.S. diplomats by creating a united Germany with an economy free of internal barriers, able to conduct a greater volume of trade with the United States. A new confederation might

also avoid one difficulty of the Zollverein, by starting from a new base and reducing Prussia's influence. But American hopes had to be tempered, not only because of the possibility that the Parliament might fail, but also for fear that a predominantly nationalist outlook among Frankfurt delegates might result in protectionism, in the form of a unified, but high, German tariff.<sup>19</sup>

The enthusiastic, yet cautious, reactions of Donelson and Mann reflected such hopes and fears. Mann was the less optimistic and stuck by his approach to commercial diplomacy as the best way to ensure that the United States did not lose out by the changes in Germany. He expected that the new central government would try to negotiate a treaty similar to the one already enjoyed by Prussia and recommended, as usual, that the United States should not

bestow the privileges of the indirect carrying where an inequality existed in Commerce, extent of sea board &c. upon such Nations as are not generous in their tariff of duties on the articles of our growth and produce, which their inhabitants require for consumption.

To secure reciprocal navigation a new Germany would have to guarantee not to impose a duty higher than 25 per cent ad valorem on tobacco, a level low enough to encourage the importation of American tobacco at the expense of domestic tobacco production, while the ad valorem rate would exclude finer, more costly, tobacco from the West Indies. To Mann the results of such a clause would be manifold: "In benefitting the Tobacco planter we should benefit by a fair division of labor, every tiller of the soil in the Union, as well as our Commerce and Navigation." For once Donelson suggested a similar plan, with any treaty to include an article by which the new Germany would impose no duties upon imports of raw cotton and rice in paddy, and no duty higher than three Rix dollars on tobacco.<sup>20</sup>

Donelson was less certain about how swiftly to initiate negotiations. At the beginning of November 1848

he predicted that the new federal system would "hereafter govern Germany," but later that month he counselled delay, in order to avoid making commitments to any party or power while there was still doubt as to the outcome of the changes in Germany. Policy-makers in Washington had already considered this problem, and had adopted the compromise stance of recognising the new government but of refusing as yet to negotiate a treaty with it.<sup>21</sup>

Congress took the first steps in welcoming the changes in Germany. In August 1848 the House of Representatives tendered

congratulations . . . to the United German Confederation, lately founded on the great principles of the sovereignty of the people in sovereign States, to govern themselves without hereditary rulers, whereby forty millions of Germans may be peaceably restored to the first rank among great nations.

Polk's Cabinet followed suit, agreeing to give the minister in Berlin the temporary responsibility of representing the United States at the new Parliament as well. As soon as it was known that a new chief executive of the German Confederation was "invested with exclusive powers to conduct diplomatic relations for all the states of Germany" then the Prussian mission would be discontinued. Congress made this position permanent by establishing an independent mission in Frankfurt, to which post Polk appointed Donelson, replacing him in Berlin with Edward Hannegan of Indiana.<sup>22</sup>

At the same time Buchanan was careful not to trap the United States in an embarrassing position, should events in Germany take another turn. Donelson was not to broach the subject of a commercial treaty "until the German confederation was more fully established, & until that Government had appointed a minister to represent it in the U. States." After all the new government was not yet officially constituted, and until it was the United States should eschew formal diplomatic ties with it for fear of



offending those states with which they already had treaties. President Taylor's Secretary of State, John M. Clayton, also recognised the need for caution and refused to give orders to negotiate any treaty or convention: "The advantages of such a Convention are obvious; but it appears clear to my mind that to attempt negotiations at this time, and under the present circumstances, would be both premature and improper." The virtual disintegration of the Frankfurt Parliament in May 1849 only seemed to confirm the sense of the policy which had been followed.<sup>23</sup>

In the mean time Donelson was ordered to use the force of advice and information to prevent the passage by the Parliament of potentially damaging measures. He was to "watch carefully the progress of the Bill to establish a uniform Tariff for Germany, and use your best endeavors to have their transit duties abolished and the duties on our important articles of export, fixed at a reasonable rate." And the Cabinet agreed that the United States should also seek such terms as the basis for a treaty as soon as circumstances allowed negotiation to take place. Finally, the Polk administration re-affirmed its faith in the Hanover-style negotiation of exchanging reciprocal navigation for better treatment of American products.<sup>24</sup>

Time caught up with the Polk administration as fast as events in Germany ended the prospect of a new united government with which to negotiate. The passing of the Democrats from office and the virtual collapse of the Frankfurt Parliament, occurring within two months of each other, concluded an exciting chapter in United States-German relations. Donelson still hoped that something might be salvaged from the situation, with a resurgent Prussia leading the Zollverein in a successful campaign to absorb the rest of Germany, a development much more acceptable to him than to his colleagues. It was just sad that the Polk administration would not win any plaudits for their efforts in Germany: "A beautiful field is there

opening for a general Treaty with all the states in which Genl. Taylor will gather the fruits as he did those of the Mexican war."<sup>25</sup>

Subsequent events no doubt eased Donelson's partisan jealousy. Although there were indeed signs of increasing commercial unity in Germany, even as attempts at political union waned, no United States-Zollverein treaty resulted, bringing to an end four years of relative failure for U.S. efforts. The "new era" in commercial diplomacy had proven fruitless in relations with Denmark, Sweden and wider Germany. Existing treaties remained in force with the first two countries, Prussia and the Hanseatic towns, yet the Polk administration had not won equivalent favours in return. For the best part of three years the states of northern Europe had resisted American threats, or had been in such a state of political turmoil that meaningful relations were not feasible anyway. Only the treaties with Hanover, Oldenburg, and Mecklenburg-Schwerin bore testimony to the efforts of Buchanan and his agents. And even those small gains were threatened, as the moves to commercial unity so desired by Donelson jeopardised the "new era" approach of underpinning the independence of the smaller German states as an example to the rest. The arguments used by the Zollverein to appeal to those states revealed loopholes in the "new era" approach, requiring Mann to put in place one final piece of his own analysis of the policy of reciprocal navigation.

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The first half of 1849 witnessed the apparent crumbling of all Mann's achievements. In January Donelson reported that Hanover and Oldenburg had declared their intention to increase their import duties on tobacco, a decision which would trigger U.S. abrogation of the Hanover treaty. In February it seemed as if the Hanseatic towns were committing themselves to the commercial policy of the Frankfurt Parliament, and the next month witnessed

Mecklenburg-Schwerin imitating Hanover's action in raising her duties on imported tobacco, again in violation of her treaty with the United States. Donelson believed the pressure for a united Germany had become irresistible, with the result that "the preservation of the Hanover treaty" was impossible "on account of its tending to disunite the interests of Germany . . . ." Even if the potential failure of the Frankfurt Parliament threatened these steps to commercial unity, they still "furnishe[d] a hope that the Zollverein will be enlarged and made to embrace such general interests as are involved in a more direct trade with the United States." Such moves accorded with Donelson's dream of more valuable relations with a properly united Germany, and the increase of duties on tobacco in the northern German states could not deflect him from his optimism. As long as the decisions of Hanover and Mecklenburg were accepted gracefully and the treaties abrogated, thereby easing the absorption of northern Germany into a new union, then the United States would be in a favourable position from which to conduct negotiations with the new Germany. If the new federal authorities collapsed and the Zollverein was resurgent, his recommended course would still win "the good will of the leading states of the association."<sup>26</sup>

Ambrose Dudley Mann, not surprisingly, was less happy with the decision of the northern German states. Not only was the increase of import duties on tobacco regrettable, but it also seemed as if his work in maintaining the independence of the smaller states as an example to the Zollverein had counted for nought. He urged that every effort be made to persuade Hanover and Mecklenburg not to implement their decision. They should also be informed that the United States were "determined to conclude no treaty with the German Union . . . less favorable to our interests, than those in operation with themselves." Such a statement would counter claims that a treaty could be

negotiated "on terms particularly advantageous to their Navigation," claims made by the new German government, as by Prussia previously, in order to lure the northern states from their independent stance. Of course, Mann had always been concerned that the pressure of Prussia, and now of the new united government, could undermine his work and he feared especially the claim that Hanover had sold herself short by agreeing to limit reciprocity only to vessels of Hanoverian construction, whereas by proclamation, or by a promised new treaty as part of a united Germany, she could avoid that restriction. Now, as he battled to salvage his handiwork in the face of such claims, he switched his attention to the legislative basis of reciprocal navigation and proposed an alteration in this as the solution to his problems.<sup>27</sup>

It should be stressed that Mann was not opposed to German unity per se. He was determined, though, that U.S. commercial relations with any such union be on the same lines as those already enjoyed with the northern German states, a view which strengthened his desire to defend the Hanover treaty, in order "to fortify the Coast States in their generous commercial sentiments towards us . . . ." He was no doubt cheered to learn that Buchanan still inclined to his view. The Secretary of State ordered Donelson to hint to any united government that it would be difficult to set separate import duties when Hanover was treaty bound to another tariff of rates, his hope being that the new Germany would adopt Hanover's tariff.

However, the opposite seemed likely to occur when Hanover planned to raise her duties, and the ease with which this happened only illustrated the problems which Mann had faced in withstanding the pressure for the absorption of the smaller states into the union. If in 1849 the pressure came from the new united government, in the past it had come from Prussia, as evidence from his earlier diplomatic efforts made clear. In 1847 Mann had

kept his successful negotiation with Hanover as secret as possible, lest Prussia learn of it and try to block its ratification, or to prevent others becoming a party to it. During the negotiation with Mecklenburg, Prussia had exercised so much influence that not only had the Mecklenburg government begun to doubt the value of signing a treaty, but Oldenburg and Hanover had also started to wonder if they had such a good deal after all. Only by persuading them that they should "be of good cheer for their hour of triumph would assuredly come," had Mann been able to stop them abandoning their treaty.<sup>28</sup>

Mann had found it more difficult to deny specific claims made by Prussia. Most Americans agreed that he had achieved something of a coup by winning such favourable terms from weak negotiating stances. Even Donelson, not the greatest friend of the treaty, had to agree that "all the concession they made are a clear gain to us . . . ." Hanover could have claimed by proclamation the same privileges secured in the treaty merely by equalising the Stade tolls upon American vessels. Reviewing the negotiation several years later, Mann noted that Buchanan had even informed the Hanoverian consul in New York that "the President had promised to issue his proclamation on her behalf . . . before I was called upon to undertake the mission to that kingdom." Yet, although Prussia had tried to remind Hanover of this opportunity, Mann had prevailed, and secured the treaty.<sup>29</sup>

The Mecklenburg negotiation had been more troublesome still as a result of the fact that the Grand Duchy already enjoyed indirect trade reciprocity by proclamation in accordance with the act of 1828. Prussia had contended that Mecklenburg not only enjoyed reciprocity, but did so on terms far better than would be secured by treaty. The United States would limit equal terms to vessels built in the Grand Duchy, whereas the act of 1828 made no such restriction. Mann had responded with the daring claim

that there was a considerable degree of certainty that the Act of Congress, authorising the President's Proclamation, by which the Grand-Duchy was entitled to the privileges of the indirect carrying would be repealed at an early day, and that consequently, the advantages in commerce and navigation would be lost.

When the Mecklenburg minister of foreign affairs had countered in turn that the Grand Duchy carried so small an amount of American indirect trade that Mann's threat had little weight, Mann had thrown doubt upon the proclaimed basis for reciprocity in the direct trade as well. He had asserted that

circumstances might arise to render a change of this system, even, indispensable: That we might be forced in justice to ourselves to repeal the law of 1824, and act in a spirit of retaliation . . . by levying tonnage duties upon the vessels of every state that collected transit duties on our staple products, in their movements to a third state, to double or thrice-fold the amount at present exacted.

It might be U.S. policy to extend the utmost liberality to small states but it remained an "object of our government, in order to extend the consumption of our rapidly augmenting agricultural and other products, to require in return a similar liberality."

Mann had even sketched out a bill which he had urged Congress to pass as a measure of "purely retributive justice upon Prussia," whose influence it sought to counter. An amended act of 1828 would deny full reciprocal navigation to states which imposed transit duties above a set level. States which had little or no shipping to punish by withholding reciprocity would face extra import duties on their products, regardless of the nationality of the ships which carried them. Such a bill would squeeze states like Denmark, Prussia and the Hanseatic towns, while providing Mecklenburg and Hanover with an "ample justification for the spirit of liberality which they have displayed, to the other German states."<sup>30</sup>

Of course Mann's suggestion that the legislative provision of reciprocity be repealed or amended had not been without precedent. Henry Wheaton had suggested a similar course as early as 1841 before adopting reciprocal reduction of import duties as his preferred means of securing commercial favours. And in 1844, when trying to get Oldenburg to come to terms, he had anticipated only failure for as long as the Grand Duchy enjoyed reciprocity on the proclaimed basis. Even Buchanan had contemplated a re-examination of the acts of 1824 and 1828, making clear his preference in a letter to Donelson: "If I had my way, I should make short work with the last Act and leave the indirect trade to treaty stipulations. It is a good consideration to enable us to make advantageous bargains."<sup>31</sup>

Domestic hostility to full reciprocity had provided the final encouragement for Mann's proposals. Whereas previous attacks in Congress had been restricted to the treaty basis, notably in the debates of 1842-43, there had now been a challenge to reciprocal navigation legislation as well. In 1847 Buchanan had reported to Mann how opposition to the Hanover treaty had "manifested itself so very strongly and decidedly as to render it quite problematical how long our Act of 24th May, 1828, will be allowed to remain in force." And sure enough, when the Senate had broached the matter in 1848, John Clarke of Rhode Island had included among resolutions calling for information about treaties and the colonial trade arrangement a further request for a select committee to

inquire into the expediency of repealing the first section of the act . . . so far as the same authorizes the President, by proclamation, to extend to the vessels of any foreign nation the right to engage in the trade between the United States and third countries upon the same terms with American vessels.

The Senate had approved, nominating Clarke and both Senators Davis, John of Massachusetts and Jefferson of

Mississippi, to constitute the committee.<sup>32</sup>

Confronted with danger to his work in Germany, Mann was keen to get the incoming Taylor administration to exploit these moves in Congress by encouraging them "in obedience to an imperative duty, to repeal or amend the Acts of 1824 and 1828 . . . ." If this were done, "no alternative would be left Prussia but to accede to the Hanover treaty, and the governments of the other states of the Zollverein . . . could not oppose a diminution of the duty on Tobacco to 25 per. cent. ad.val." As time passed without any change he pressed harder, appealing to bi-partisan support on this question: "However widely we may occasionally differ with respect to home questions, we are at least in our international policy, in so far as concerns a profitable augmentation of our trade intercourse, an united people." The benefits of repealing the acts were obvious: "While the Acts of 1824 and 1828 remain on our code book, and certain treaties continue in force, it is not possible for us to negotiate stipulations securing concessions favorable to the most extended consumption of our products in Foreign countries." Without a means to retaliate U.S. policy was simply too liberal: "In fact no value whatever is placed upon our generous Navigation policy from the circumstances of its being utterly unrestricted, making no discriminations between selfish and liberal states."<sup>33</sup>

By 1849 the "new era" approach to commercial diplomacy advocated by James Buchanan and Ambrose Dudley Mann had reached crisis point. Prussia, Denmark and Sweden had stubbornly held on to the privileges they already enjoyed. The year 1848 had brought political turmoil to Germany, disrupting prospects for successful negotiation and threatening to undermine the limited achievements already attained, as pressure for a united Germany seemed likely to cause Hanover and Mecklenburg to ditch their treaties in favour of privileges on a



proclaimed basis. In Mann's opinion the only remedy was to remove any sense of security the legislative basis might afford to foreign states by repealing or amending the acts of 1824 and 1828. However, if moves in Congress encouraged him in these ideas, he was sadly misled, as they were inspired by other momentous events in the turbulent sea of commercial diplomacy. Britain's review of her navigation system and the American desire to make the most beneficial response to that review, condemned Mann's suggested line of policy to total failure, as new circumstances reinforced U.S. commitment to maintaining the legislative basis of reciprocal navigation.

Chapter 9. A "Revolution" in World Shipping:  
The United States, the Colonial Trade and the Repeal of  
the British Navigation Acts, 1842-1850

Dramatic developments in world shipping in the late 1840s and early 1850s formed the backdrop to U.S. deliberations over reciprocal navigation. This was the time when great clipper fleets were reaching the peak of their success, bringing speed and grace to trade routes across the globe. Yet, even though these fleets would sail proudly long into the second half of the century, their days were already numbered, as steam-powered navigation and iron-hulled ships began to revolutionise the shipping industry. For over twenty years steam had powered coastal vessels and river boats, but by the mid-1840s steam power had become a fixture on the oceans as well and especially on the transatlantic route. Debates in Congress now touched on questions such as subsidies to steamship lines, as well as on the older issue of the paper freedoms and restrictions confronting American shippers. Moreover, British technological progress seemed likely to follow the relative novelty of steam with the use of iron-hulled boats and the screw propeller. Shipping would never be quite the same again.

Ambrose Dudley Mann predicted where these developments would lead: within twenty-five years "a long voyage [sailing] ship will be quite as rarely seen on the ocean highway as a barge upward bound, propelled by boatmen, is at this time on the Mississippi river." He held out little hope for sail-powered vessels which could not "fail to rapidly diminish when fairly subjected to competition with bottoms which move onward speedily and majestically, regardless of head winds or mountain waves." Indeed, Mann went so far as to anticipate a genuine revolution in shipping as a result of these technological changes. He noted, however, that another change would be

just as important, predicting that "the modification of the 'British Navigation Laws' will facilitate the revolution, on account of the wide field of enterprise which the measure throws open, which steam is destined to occasion to navigation."<sup>1</sup>

The repeal of the British Navigation acts was something of a revolution in itself. They had provided the framework of the Navigation System since the mid-seventeenth century, regulating British and colonial trade in order to promote the nation's maritime strength. While modifications had occurred, such as the opening of direct trade with the colonies to foreign ships, many protective features remained in place, most notably the British monopoly of routes between colonies and between Britain and the colonies, and the prohibition of any indirect trade to Britain. The 1820s had witnessed the first cracks in the latter part of the system when European vessels were allowed to carry certain products from a third European country to Britain, but, of course, this was of no value to the United States. More promising from their perspective were events in the 1840s which caused a more general assault on British commercial restrictions. A combination of attacks by producers and consumers and of natural disaster as the Irish famine necessitated a quick relief response, challenged the Navigation System, and as a result Britain was compelled to lift, temporarily, the prohibition of indirect trade in grain.<sup>2</sup>

Americans quickly took advantage of these limited reforms, coming, as they did, so soon after the repeal of the Corn Laws. In 1848 the New York diarist, Philip Hone, recorded how "Individual prosperity has increased in this part of the Union; men have grown rich in supplying the wants of the starving population of Ireland." Moreover, it seemed that other changes were on the way when, in March 1847, Parliament appointed a select committee to investigate the possibility of repealing the Navigation

acts completely and permanently. U.S. statesmen prepared to celebrate and sought every opportunity to encourage the movement for repeal.<sup>3</sup>

Celebration seemed well in order, because the United States were on the point of achieving a long-term diplomatic goal. Ever since the limitation of reciprocity to the direct trade in the convention of 1815 U.S. statesmen had tried to extend it to the indirect trade with Britain as well. Adams and Clay, through Albert Gallatin, had failed three times to secure that objective by formal negotiation. Successive Jacksonian Secretaries of State had bemoaned the fact that Britain, along with France and Spain, withstood pressure to tear down the edifice of navigation restrictions. Now the system seemed to be crumbling, and the prospects for Americans looked bright. At last American navigation could pit its superior skills against the British under fair conditions. Unlike the shipping powers of northern Europe Britain's large population, many ports, and massive trade, offered a true equivalent in an exchange of indirect trade reciprocity. Repeal was also seen as the solution to the persistent problem of trade with Britain's American colonies. While diplomatic and legislative initiatives had addressed some aspects of this question, there remained the belief that British and colonial shippers enjoyed unfair advantages in the colonial trade as a result of restrictions imposed by the Navigation acts. But beyond these material opportunities there was a deeper-rooted cause for excitement among U.S. statesmen. The central place of Britain within world trade had accorded the Navigation acts a symbolic quality, representing all that was most restrictive in shipping regulations around the world, just as the Corn Laws symbolised commercial restrictions. Cause them to fall, and down would come restrictive shipping laws the world over.

Some Americans tempered their enthusiasm with caution. Indeed, a few warned against any change, echoing old fears about the inability of Americans to compete with more efficient rivals, especially as it now seemed that vessels of countries other than Britain and the United States would be allowed to sail between U.S. and British ports. This opposition proved unavailing in the rush towards reciprocity. Others were keen for the United States to react positively to the repeal of the acts but realised that such a response could have damaging implications for diplomacy in the rest of Europe. Failure to regulate this matter by any form other than mutual legislation would commit the United States to retaining their own navigation laws of 1824 and 1828 in order to be eligible for equal treatment in British ports. But this would remove the last negotiating weapon at the disposal of Mann and others like him who were still striving to secure favourable treaty terms from the powers of central and northern Europe. Further commercial gains would follow in Europe, but British repeal brought an end to concerted diplomacy along the "new era" lines advocated by Buchanan and Mann.

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The failure to resolve matters of controversy relating to the colonial trade provided one cause for excitement at the prospect of the repeal of the Navigation acts. From 1847 onwards debates in Congress on the possibility of arranging a commercial reciprocity deal with British North America provided ample opportunity to assess the general state of trade and navigation with the British colonies as well as the continuing effects of Jackson's 1830 agreement. Evidence suggested that there had been little improvement in the operation of the agreement in its effects on navigation. J.D. Andrews, the U.S. Consul at St. John, New Brunswick, echoed previous assessments which had tried to put a bright face on what

were depressing statistics for American shippers. Although the restricted number of colonial ports open to American vessels meant that "the arrangement made by Mr. McLane had an injurious effect for a short time on our navigation interests, and was obnoxious in some of its results," nevertheless "its influence on the manufacturing and agricultural interests have been of a highly satisfactory character." He concluded,

the grand results, the contrast in state of feeling, the difference in the amount of trade between 1830 and 1850, so favorable to the United States, prove the wisdom of Mr. McLane in effecting a settlement of a vexed and troublesome question, and the pressing necessity that existed for a basis, even if it were not as comprehensive as he desired.

Like Jackson, Livingston and Forsyth before him, Andrews placed satisfaction with benefits for the wider interests of commerce above concern for the narrower interests of navigation. It seemed as if nothing had changed, either in the fortunes of American shippers in the colonial trade or in the sympathy they could expect from some officials.<sup>4</sup>

The 1840s had, though, witnessed some attempts to change things for the better. Congress had spent a considerable amount of time debating the colonial trade issue between 1839 and 1843, and the Tyler administration had responded positively by ordering its ministers in London to broach the matter in their discussions with the British government. Moreover, legislative activity and policy changes on both sides of the Atlantic in the mid-1840s also produced a slight alteration in the position of American shipping in the colonial trade. But such tinkering did not address the central problem of the exclusion of American vessels from the triangular trade between Britain, the colonies and the United States, and it was this matter which the repeal of the Navigation acts promised to resolve.

Even as Congress debated how to tackle Britain on the question of the colonial trade in June 1842, Edward

Everett had already made informal representations on it in London. Although the colonial trade was a matter of some priority for Secretary of State Webster, there were many other topics to discuss as well, the commercial business alone including claims in accordance with existing treaties, the effects of the countries' respective tariffs, and the prospects for mutual tariff reduction. Even so Everett took every opportunity possible to bring up the question of the colonial trade. For example, in April 1842, in the pleasant surroundings of a dinner at Lord Stanley's, Everett informed Lord Aberdeen, the Foreign Secretary, that "great discontent" existed in the United States "relative to the operation of the convention negotiated by himself [Aberdeen] and Mr McLane on the subject of the colonial trade" and that Americans were "not satisfied with the principles on which it [was] founded." The reply was polite but of course strictly off the record: "'Well, perhaps we can do something about that matter also.'" Everett was sufficiently encouraged by this "quite incidental" chat to give details of it to Webster, but further talks revealed how little store Aberdeen had put by it. Seven months later he raised the matter himself, mentioning that he had only recently learnt, with some surprise, of American dissatisfaction with the 1830 arrangement. When reminded of their previous conversation and of his vague hint of possible action, Aberdeen appeared to have forgotten the occasion. Worse still "nothing more was said on the subject."<sup>5</sup>

Although such frustrating behaviour caused some to doubt the prospect of any successful negotiation, the failure of Congress to pass retaliatory legislation meant that diplomacy appeared to be the only way forward. What is more, it seemed as if negotiation would have to take place through the regular diplomatic channels, because elements within both governments were unwilling to sanction a special mission to resolve issues outstanding

between the two countries. The failure of Congress to pass an appropriation for a mission to London mirrored the reluctance of Aberdeen and of Lord Ashburton who had just returned from his own mission to Washington and who revealed, Everett believed, "some feeling . . . of personal objection to a measure which might seem to derogate from the value of his own arrangement." As many believed that the British minister in Washington, Henry Stephen Fox, was being kept on "only to make him pensionable," the onus seemed to fall very much on Everett's shoulders if effective diplomacy was to ensue.<sup>6</sup>

With orders from Webster and news of the "very full & striking reports" which had issued from Congress in 1842 to back him up, Everett attempted to use persuasion and then bargaining to get British officials to change their stance on the colonial trade. At first he came up against the usual barrier of words. Aberdeen agreed to consider any specific proposal put before him but asserted that Britain could not be expected to give up the arrangement gratuitously, "merely on the ground that it was found favorable to British tonnage, if such was the case." And so Everett resorted to bargaining, advising Webster that he did "by no means despair of obtaining from G.B. a relaxation in reference to the W. India trade, if we could offer them any thing like a quid pro quo." In discussions in June 1843 with the new President of the Board of Trade, William Gladstone, a possible quid pro quo emerged. Their topic of conversation was commercial reciprocity, and when Gladstone offered inadequate British tariff reductions as equivalents for the level of reductions demanded of the United States, Everett suggested the following: "by giving us some privileges now denied us in the West India trade they might make up for withholding some things of a different kind." To make clear to Gladstone the value of such a concession, he informed him of the continuing American dissatisfaction with the arrangement and



especially with the use by Britain of preferential duties to encourage the indirect trade in American goods to the West Indies in British vessels.

Everett was stunned by the reply he received. Gladstone asserted that since the passage of Britain's new customs regulations in 1842 that preference "was wholly done away & no longer legal." The U.S. minister learned the same from Peel and Aberdeen two months later when he hinted that the inclusion of new arrangements for the West India trade in any treaty would increase its chances of winning support in the Senate "by enlisting a wider interest in the United States in favor of what might be agreed upon." Peel replied that Britain already "had relaxed considerably in reference to the colonial monopoly last year, by admitting, agreeably to Lord Ashburton's treaty, the timber and agricultural produce of the right bank of the St. Johns, and by the Canadian Corn bill."<sup>7</sup>

As U.S. statesmen had long expected would happen, these changes responded to British rather than American interests, but even so they seemed likely to benefit the latter as well. West Indian planters' complaints that the preferential duty policy required them to pay artificially high prices for supplies were met by the British tariff of 1842, which reduced the duties on foreign products, including foodstuffs and timber, entering the West Indies. This not only reduced the burdens on Southern and Mid-Atlantic shippers and producers who had maintained a successful trade despite earlier British policy, but it also held out hope of more direct trade from New England to the islands. The Canadian Corn bill of 1843 was designed to protect Canadian farmers by imposing a 3 shilling duty on American wheat entering Canada, but that duty also seemed likely to boost the direct trade in American vessels from northern U.S. ports to the Caribbean by discouraging the importation of American wheat for indirect trans-shipment to the West Indies through Canada

in British and provincial vessels. The preferential duty policy and its harm to American shipping business with the Caribbean seemed to be finished.<sup>8</sup>

The changes of 1842-43 were not immediately hailed as a triumph by Americans, especially as previous British reforms had not delivered in practice what they promised on paper. The Lubec and Eastport delegates to the New England Commercial Convention admitted that the British tariff of 1842 "shows to the eye, that this inequality is soon to terminate" and that it "may really come to an end." However, had not the previous inequality been based on the British law of 1825, which McLane had accepted in 1830 on the grounds that it had seemed "quite as fair and equal"? They advised that the measure should be judged by how it worked in practice before celebrations began.

Nor was the preferential duty policy the only, or even the most important, problem with the colonial trade. The delegates noted the continuing abuse of the free ports and the fact that British ships still enjoyed advantages in the triangular trade as a result of their monopoly of the route between Britain and the colonies. Moreover, both the British tariff of 1842 and the Canadian Corn bill the following year actually threatened to exacerbate the latter problem even as they eased difficulties in the Caribbean trade. By reducing discriminating duties on Canadian imports to Britain, again to favour Canada's farmers, the new regulations made exporting American wheat to Britain cheaper by the indirect route via Canada in British vessels than by the direct route from the United States in American ships. Hugh Legaré, remarking upon western farmers' excitement at the commercial opportunities opening to them, noted that "the course of that commerce will be, to some extent, diverted from the outlet by the Hudson to that by the St. Lawrence . . . . Then the carrying trade of England will gain so much more under her navigation laws." The old dilemma of whether to

put satisfaction for producers above frustration for the shipping interest reared its head again, and even Everett plumped for the former, as he revealed when expressing his preference for the existing Corn Law, with the Canada Corn bill as part of it, above fixed duties or even entire freedom of trade in wheat products:

Either of these measures would subject our corn to a competition with those ports in the North of Europe, from which it can generally be imported cheaper than from America, whereas under the present state of the law, although the transportation is monopolized by English bottoms, it would seem as if all the corn imported from abroad must come from the United States through Canada.<sup>9</sup>

Such ideas, reinforced by the lifting of the preferential duties, resulted in a temporary suspension of U.S. diplomatic action on the colonial trade. At the same time an easing of economic pressure, as the nation finally started to recover from the depression of the late 1830s, no doubt helped to tone down domestic complaints about the issue. However, complaints did continue into 1843 and 1844, reminding politicians of a persistent anger in some maritime towns at the way in which the colonial trade agreement worked. In January 1844 petitioners from Belfast in Maine prayed for "an alteration of the laws regulating the trade and commercial intercourse of the United States with the British North American colonies." And later that year the Maine legislature called on its Senators

to present to the consideration of our National Legislature the facts connected with the trade between the United States and the British colonies, under the arrangement now in force, and to exert their influence to rescind the same as soon as possible.<sup>10</sup>

Congressional action in response to these appeals was negligible. Reports had been issued, resolutions considered, and yet no direct action ensued. To a certain extent there were few avenues open to Congress, especially

after Britain's 1842 tariff which rendered the main retaliatory weapon of the United States counter-productive. As Lord Ashburton had intimated to Everett and as Everett told Webster, closing the direct trade with the West Indies would now only harm American interests by encouraging the very indirect trade in products from the United States to the West Indies which the scrapping of the preferential duties was supposed to stop.<sup>11</sup>

There was one line of action open to Congress, which held out the possibility of counteracting the tendency under the new British regulations of American wheat taking the indirect route to Britain via Canada. This was the use of drawback laws refunding import duties imposed on foreign goods entering U.S. ports when those goods were subsequently re-exported. For some years there had been calls for such laws in the hope that they would promote internal commerce, but, as a memorial from the New York Chamber of Commerce in 1844 made clear, a law refunding duties paid on goods re-exported to Canada would

greatly add to our carrying trade, both from abroad and through the Canals . . . -- the comparative cheapness in our market of Sugar, Coffee, and many other principal articles, added to the earlier and quicker internal transit, offers great inducements over imports by the St. Lawrence from abroad.

In June 1844 just such a bill was introduced, and in March the next year it became law. Even greater promise, though, lay in the application of the same principle to trade in the other direction by refunding import duties imposed on Canadian goods re-exported from the United States. Congress passed such a law in August 1846, and although primarily designed to aid western merchants and millers, the act also encouraged the carriage of Canadian products by American ships from U.S. ports to the rest of the world. Most importantly some even believed that this law would make it economically viable to import Canadian wheat and then re-export it to Britain in American

vessels, in the process sidestepping the British monopoly of the carriage of colonial goods to the mother country.<sup>12</sup>

The drawback of duties on Canadian products looked even more valuable in the light of one further British legislative action with implications for the colonial trade. Once more the repeal of the Corn Laws owed its inspiration to domestic pressures but yet again it seemed likely to benefit Americans as well. Although Everett's fears that Britain's removal of heavy discriminations in favour of her own and colonial grain products would lead to greater competition from northern Europe were borne out to a certain extent, the prospects were still bright. Not only did the reduction of duties open a potentially larger market for American foodstuffs in Britain, but the scrapping of the discrimination in favour of colonial products also meant that it was no longer automatically cheaper for American products to go to Britain via Canada in British ships. Indeed, it was almost certain to be cheaper by the direct route from U.S. ports in American or British ships, whichever were more competitive. Moreover, under the drawback provisions it might also be cheaper for Canadian products to go to Britain indirectly via the United States rather than directly from Canada, if Britain allowed.

Anglo-American commercial relations had undergone rapid alteration as legislation on both sides of the Atlantic modified the practical environment in which the colonial arrangement of 1830 operated. For the most part these changes seemed to have acted to improve the position of American shippers by removing tariff laws which had artificially guided American exports to the West Indies and Britain into British and colonial vessels. And yet there remained doubts and complaints about the colonial trade as regulated by the arrangement of 1830. Even as Americans in general welcomed the repeal of the Corn Laws and as free traders in particular celebrated the U.S.

tariff of 1846, Richard Rush believed there was still more progress to be made:

will not England now do something for our tobacco, and become wholly liberal in the arrangements of her West India trade with us. Our new tariff may well justify us in urging her on these and other points in which she is still much behind the liberality of our own system.

And in 1849, when Senator Clarke introduced his resolution calling for information on reciprocity treaties, Daniel Webster succeeded in having the colonial trade agreement added to the the list, since it was "the most important of these cases."<sup>13</sup>

It was against this background of persistent discontent with the colonial trade relationship that news broke that Parliament was considering modifications of the Navigation system. Despite improvements afforded by the changes in British customs duties, American shippers still perceived problems. Perhaps some judged that Americans were losing out to the British in the much freer conditions of the late 1840s, just as they did under reciprocity with some Europeans; after all one less digestible element of the original analysis of the colonial trade had been the claim that American vessels were less competitive than their British rivals in certain trades. More common, however, was the opinion that even the remaining British restrictions were unfair to American shipping, whether the abuse of free ports, or more especially the prohibition of all foreign shipping from the trade between Britain and her colonies, which allowed British vessels alone to develop profitable triangular trades involving Britain, the colonies and the United States. Certainly this was the view of George Bancroft, U.S. minister to Britain from 1847 to 1849, whose initial excitement on hearing about the moves towards repeal of the Navigation System stemmed mainly from its implications for the colonial trade. He hoped that forces in England

would "ere long incline her to listen to propositions on our part, which would do away with the worst features of the Colonial monopoly." Nor was it surprising that Buchanan's first interest was in "how far the British Government might be induced to proceed in relaxing their Colonial restrictions." For the next two years, then, the Polk administration would give its whole-hearted support to the British reform moves which seemed to herald victory in a seventy-year battle to secure a proper and fair participation in the colonial trade.<sup>14</sup>

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Modification of the British Navigation acts also offered tantalising openings for exploitation in other British trade routes. Many critics of full reciprocity with smaller European powers had remained committed to securing similar terms in the indirect trade with Britain, and although this commitment had lately been verbal rather than active, this resulted more from a belief that Britain would not give ground than it did from any waning of enthusiasm for the ultimate objective. Now in 1847 an opportunity beckoned at last, and statesmen of the Polk administration made every effort to promote the reform by explaining its value to Americans and British alike.

Bancroft put forward the free-trade argument, declaring in a letter to Lord Palmerston that "universal reciprocity, in the widest sense," was the only appropriate basis for intercourse between their countries: "The prohibition of the indirect trade has but restrained enterprise; it had done good to neither country. To abrogate it, would at once set free dormant commercial wealth, without injuring anyone." Yet the promise of reciprocity went beyond its commercial value, since it "could not but give openings to still farther relations of amity between them; and . . . create new guarantees for the peace of the world."<sup>15</sup>

Ambrose Dudley Mann concurred with Bancroft in welcoming reciprocity in the indirect trade with Britain. The Navigation acts had "operated with peculiar severity against us," acting as the "principal hindrance to our becoming, speedily, the first commercial and maritime nation on earth." Because most of the staple products exported by the United States were "of a ponderous nature," while the goods they imported were "light," American vessels were "frequently . . . despatched from abroad in ballast." Such inefficiency could be avoided if American ships were allowed to carry foreign products to British ports where they could take on a proper cargo for carriage back to the United States. He had no doubt that "in a few years we should proportionally, with British bottoms, do as much of the foreign carrying to British ports . . . as we now do of the direct carrying." Such triangular trades were "the joy of our sailors, the nourishment which causes our Mercantile Marine to augment with so much rapidity." Mann was convinced that American ships, sailors, and masters, were so superior to British rivals that the United States "should unquestionably turn what we would get to a much better account than Great-Britain would turn that which we should give."<sup>16</sup>

Now all that was left was for Buchanan to give the word to nudge the British along the right course. In August 1847 Bancroft wrote to the Secretary of State asking, "[a]m I not right in feeling assured that the President would wish every effort to be made to obtain success, in order, as far as England is concerned to open the indirect trade of the world to our ships?" Buchanan had actually been considering the matter for some time and had fallen into line with his colleagues in distinguishing Britain from other countries which took unfair advantage of their reciprocity treaties. Reciprocity with Britain was desirable "because, from their population and wealth, our navigation would derive advantages equal to those we



shall concede to their vessels." So in September 1847, with apologies for the delay in sending orders, he instructed Bancroft to continue with his endeavours to "prepare the minds of the members of the British Cabinet for abolishing every restriction in the trade, direct and indirect, between all the possessions of the two countries." Perfect reciprocity was "equally required by the enlightened spirit of the age, the avowed policy of both nations, and the material interest of their people." And ten months later Buchanan still had the highest of hopes for the benefits to be obtained from repeal:

Commerce and navigation, relieved from the fetters which have so long restrained them, would bound forward with invigorated energy. Mutual benefits and blessings would thus be conferred upon the people of both countries, and the peace and friendship now so happily subsisting between the kindred nations would be rendered perpetual.<sup>17</sup>

Buchanan's orders set the stage for nearly three years of feverish diplomatic activity culminating in the opening of full reciprocal relations between the United States and Britain on 1 January 1850. As was to be expected with so complex and important an issue, numerous obstacles lay in the path to final settlement. Despite American entreaties, the ultimate fate of the proposed changes lay with the ability of the British ministry to push them through to completion. Even so, American interests were important in helping to define the scope of the changes, in relation to the inclusion of the coastal trade in any reciprocal deal and to the flagging of foreign-built ships. Americans were also interested in whether the new reciprocal relationship would be established by legislation or by treaty, a choice with implications for other areas of commercial diplomacy. Finally, the negotiations spanned the transition from the Polk to the Taylor administration, which raised the possibility of a different partisan stance on the whole

question, especially in the context of known persistent hostility to reciprocity in some maritime communities.

The technicalities of establishing reciprocity were a problem which could have jeopardised a final settlement. The trickiest issue arose when Bancroft suggested that each country be allowed to participate in the other's coastal trade, an odd offer to make, as most Americans supported the policy adopted in 1817, of American monopoly of the coastal trade. The subsequent massive growth of that trade, with the potential for more after the acquisition of California, seemed to bear out the sense of that stance, and it was hardly surprising that Bancroft's suggestion was criticised on the grounds that Britain's coastal trade did not offer an equivalent volume of business. Once made, though, it was unlikely that the British would agree to an arrangement without this deal. Henry Labouchere, President of the Board of Trade, made clear his regret on learning that Bancroft had been ordered to retract the offer, and the U.S. Minister's blushes were only spared when the British ministry decided to amend their navigation bill by dropping the clause opening the British coastal trade to all-comers out of a fear that it would lead to Belgian, Dutch and French rivals becoming dominant in it. But Bancroft did not take this to be the end of the matter:

I hold it an advantage for the United States, that this amendment has been dictated by British interests, rather than by hesitations on our side. We stand in a great deal better position as it regards future negotiation for opening the British colonial trade.

He gave his hosts the impression that the United States were prepared to open the coastal trade as an equivalent for full American rights in the colonial trade, and even when informed that this was not the case, the British still insisted that they be allowed to trade between Atlantic ports and U.S. "colonial" possessions on the

Pacific coast. In the Senate Daniel Webster attacked the idea of such a bargain and the possibility that its evil effects might be multiplied if other countries were to claim similar access to the inter-coastal trade. His fears were premature, however. American ships were admitted to colonial ports in 1850, but when Britain inquired as to her rights in the coastal trade, Clayton referred the matter to Congress which upheld the prohibition of foreign shipping, even from the California route.<sup>18</sup>

The question of flagging was not so successfully resolved. Critics of reciprocity had often attacked the careless drafting of treaties which allowed nations to claim equal treatment for cheaper foreign-built, but national-flagged, vessels. More recent treaties had corrected this error by restricting reciprocity to vessels built domestically, and observers such as Ambrose Dudley Mann were determined that the same terms should apply to Britain whose reforms seemed likely to end the prohibition of foreign-built vessels from her shipping registry. They feared that whereas British-built vessels would not be able to compete, even under reciprocal terms, ships bought cheaply, for instance from the Baltic, would pose a greater challenge to Americans. Bancroft disagreed with this view, being more confident that the superior skills of American shippers would enable them to compete with British rivals under any conditions. Indeed, he claimed that allowing Britain equal treatment for foreign-built vessels would have positive results as well by giving American ship-builders the opportunity to sell their product to the biggest market in the world. With no orders telling Bancroft to make a major issue of it, either from Buchanan or from his successor as Secretary of State, John M. Clayton, this question was finally resolved by the method used to establish reciprocity: the legislative basis. As that did not specify that ships had

to be built in Britain to be eligible for equal duties, the notes sent to customs collectors to guide them in the treatment of British vessels did not make any reference to the construction of vessels either.<sup>19</sup>

On the question of the basis upon which to found reciprocity the two most significant American figures at the start of Britain's reform moves were in agreement. Bancroft's despatches repeatedly recommended the treaty basis, and in his orders of September 1847 Buchanan made clear that Polk was "not only willing but anxious to conclude a new convention with Great Britain." But it was Mann who best summed up the reasons for this choice in a series of despatches commenting upon the progress towards reform in Britain. Although his own general preference for the treaty basis no doubt coloured his opinion, there were still specific reasons why a treaty with Britain was desirable. One was the old danger that the legislative basis was too lax on the question of flagging of foreign-built ships, something a treaty could remedy by a specific clause limiting reciprocity to domestic-built vessels. More important, he believed, was the prospect that British shippers would lose so much ground to more efficient rivals under the looser trading conditions that they would demand a return to the old system of restriction and protection within a couple of years. Putting reciprocity on the treaty basis would make it far harder for Britain to withdraw from her reforming stance.<sup>20</sup>

The course of events thwarted the negotiation of a treaty by the Polk administration. From the start Buchanan feared that adjusting all the details of such a complex system would be "a task of much difficulty," and it became clear that British officials were reluctant to commit themselves to a treaty when still unsure of the limits of reform. Late in 1847 Labouchere informed Bancroft that reform was not yet far enough advanced for the Ministry to consider a treaty, and Lord Palmerston

thought his government would not be "justified in advising the crown to enter into arrangements which could be at variance with some of the most important principles of the existing navigation law, without the previous sanction of Parliament." Hopes for a successful negotiation were raised again when Parliament seemed to move in the right direction. Mann even went to London to lend Bancroft support, hoping that his own success in Hanover and Mecklenburg would provide a British audience with examples of the value of the treaty basis. But although Parliament seemed to be making promising progress towards repeal of the navigation restrictions in 1848 and early 1849, time was running out for Polk, Buchanan and Bancroft. When British agents were ordered to collect material relevant to the drafting of legislation, by inquiring how the British reforms would be received abroad, Buchanan may have answered that Britain only had to comply with the terms of the U.S. act of 1828 and reciprocity in the indirect trade would be hers; but at the same time he hinted at the preferable possibility of a treaty to cement reciprocity. Meanwhile, in London Bancroft, in a mood approaching desperation, demanded orders to negotiate "at as early a day as may be possible."<sup>21</sup>

By February 1849 Bancroft was certain that he would not have time to sign a treaty before the change of administration in Washington. He feared that Taylor might end negotiations, to the embarrassment of both the nation and him personally, and he even contemplated resignation in order to avoid that fate. Nevertheless, he thought better of this and resolved to carry on in London, cheered by news that his efforts seemed to be on the verge of success. He had agreed with the British "to proceed between our two countries by a Convention," with the understanding that "the negotiation with the United States [was] to go forward step by step with the progress of the Bill in Parliament." Yet despite Bancroft's plea to be

allowed to continue his work, Clayton instructed him instead "to suspend all negotiations on the subject of a conventional arrangement," on the grounds that, with the arrival of Sir Henry Bulwer in the United States expected soon, it was "not deemed advisable that the subject of a new treaty of commerce and navigation . . . should be further pressed by you at the present time."<sup>22</sup>

Bancroft's reply was the first shot in a bitter exchange of correspondence between the two men. He argued that his orders would give heart to the opponents of reform in Britain and were "regarded as 'a very serious impediment' to the passage of the Bill." Indeed, the "coldness of our Government" made harder the Ministry's task of forcing the bill through the House of Lords. And even when the bill did pass, Bancroft blamed a delay in its implementation, from September 1849 to January 1850, upon the lack of enthusiasm from Washington. In a tone little short of contempt he reviewed the Taylor administration's stance in the context of its predecessors: his own efforts "as the humble disciple of the great men of the Revolution" should have met with a little more gratitude. Was he "to be left without encouragement from the President . . . at a time when I am rendering service in effecting that freedom of indirect and Colonial trade which has always been the ardent aspiration of my country and its great statesmen?" He found it strange that at this glorious moment he "should be left, single-handed, to speak for my country from its history and its statute book, without one word of cheering encouragement from its present Government."<sup>23</sup>

Clayton countered with a blistering attack on Bancroft's actions and assertions, which in tone was clearly meant to be a partisan dig at his Democratic predecessor as well. He claimed that it had not been Taylor's intention to end negotiations, but rather to switch them to Washington and to await the final passage

of Britain's new laws before signing any treaty. He denied that this approach had caused the delay in the implementation date (Parliament had already decided upon this before Bancroft received his orders) and justified his action by noting that British legislation now offered, freely, rights which Bancroft, with the sanction of Buchanan, had been prepared to buy with concessions -- a reference to the possible exchange of coastal trade for colonial trade. Clayton was cautious about the prospects for navigation under the proposed changes and wanted more time to consider them and, he claimed, to give Congress a chance to have its say, in order to avoid repeating mistakes made in the past:

The people of this country were still smarting under the effects of the memorable arrangement in regard to the British Colonial trade of 1830, and it therefore became extremely desirable to the President that no arrangement, touching the great interests of our navigation, should be entered into without mature consideration, and ample opportunity of consulting those to whom, in his view of the Constitution, the power on this great subject, as a legislative question is peculiarly entrusted.

Clayton concluded by playing down the minister's contribution. As Bancroft had admitted, Britain had contemplated changes long before his arrival, out of domestic and European causes; also he had not given Britain any further encouragement than she would have got from hearing what most Americans had been saying about reciprocity for twenty years or more; and so he could claim little credit for the reforms. With no further need for Bancroft's services, Clayton promptly recalled him.<sup>24</sup>

Clayton's initial willingness to contemplate talks in Washington gave advocates of the treaty basis some hope that one might still be signed. Mann thought the most important aspect of the new British laws was a provision "authorizing the Ministers in Council to contract with Foreign Nations reciprocity Treaties of Navigation for the

indirect carrying to and from British ports," and he hoped that Clayton would take advantage of this. Yet President Taylor was fearful that a Democratic Senate might not ratify a treaty for purely partisan reasons, even if they did support it in principle. Indeed, despite his earlier claim Clayton proved unwilling to place the issue before Congress at all, as even members of his own party demanded a supervisory role. Bancroft noted with a sense of poetic justice that the Taylor administration was in trouble, "because Webster says, our ports are not to be thrown open without the action of Congress." So Clayton opted for the quickest method of establishing reciprocal relations, by reference to existing U.S. laws. But even this produced controversy, as there was some debate as to which laws should be used to open the indirect trade. Bancroft had originally advised both Clayton and the British that all that was needed was an exchange of notes confirming that the new British laws would open the trade on 1 January 1850 and that the U.S. act of 1817 prohibiting British ships from the U.S. indirect trade would cease to apply from that date. Subsequent meetings between Buchanan, Clayton, and the Secretary of the Treasury, William Meredith, produced apparent agreement that Taylor, in accordance with the act of 1828, would have to issue a proclamation as well if British vessels entering U.S. ports in indirect trade were to receive equal treatment. However, Clayton clearly neglected his predecessor's advice and advised Bancroft "that no proclamation is necessary: that nothing more is wanting to open the indirect trade to England & the United States respectively, than what has been done." Whether or not the confusion arose over the distinction between merely opening the trade and applying reciprocal terms to it is unclear, but Clayton stuck to his chosen stance. In October 1849 the Treasury Department simply sent a letter to customs collectors ordering them, as from 1 January, to



admit British vessels in the indirect trade on equal terms with American vessels; no proclamation was issued.<sup>25</sup>

The affair was over. Thirty-five years of sporadic diplomatic activity had finally ended in Americans securing the right to trade in and out of British ports, in goods of all countries, on exactly the same terms as British vessels. Moreover, they could trade between Britain and her American and West Indian colonies, as well as between individual colonies. The only disappointment was Britain's refusal to allow American vessels to ply between two ports in the same colony, although even this was permitted if sanctioned by the local governor. Bancroft had earlier predicted such changes would mark "the requiem of the old Colonial system" and was doubtless relieved at the final outcome. At the same time, though, he remained contemptuous of Clayton's behaviour which had revealed not only a willingness to criticise both Buchanan and himself but also complete ignorance "of international law & of the foreign relations of the country."<sup>26</sup>

Official Whig reaction was predictably very different. In his first annual message Taylor celebrated the "most friendly character" of U.S. relations with Britain and expressed his hope that the establishment of full reciprocity would "be productive of benefit to both countries." Bancroft's successor in London, Abbott Lawrence, reported that the British government were highly satisfied with the changes, while he personally saw them as a great opportunity for Americans to "test our ability to compete successfully with the greatest navigating nation in the world." At last the rules of that competition were not weighted against the United States:

We are young and vigorous and a fair field is now open for the exercise of the physical and mental powers of the Old and Young Anglo-Saxon. We have now open to us by the repeal of the British Navigation Laws a field for action, the barriers to which we desired to have removed some thirty years ago. We offered all the world

reciprocity so far as the carrying trade was concerned. England, more important to the United States than all other countries besides, refused to accept it. She now has adopted the proffer we then made. I have no doubt we shall obtain advantages of great consequence from it.

And figures from "practical shipbuilders" illustrating the advantages enjoyed by American shippers as a result of their cheaper purchase costs and smaller, more efficient crews, only reinforced Lawrence in his belief that "[t]he enterprise, energy and intelligence of our ship owners, officers, and men, will in the end prevail." Things looked set fair.<sup>27</sup>

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Amidst the celebrations arose a few cries of discontent. There might have been a revolution in international trading relations but some old problems remained to be solved, and it was possible that the establishment of reciprocity with Britain might actually exacerbate some of them. Even in his triumphal mood, Abbott Lawrence still sounded a note of caution, echoing earlier doubts about the wisdom of granting reciprocal terms to countries like Sweden, Prussia and Denmark, terms which had caused American navigation to suffer severely. The acceptable price for further enjoyment of such terms had a familiar ring:

I cannot . . . but entertain the hope, that those Nations upon the Continent of Europe which have enjoyed the high privileges of reciprocity in Navigation, may be induced to reduce the duties upon tobacco, and other articles of our production.<sup>28</sup>

Lawrence's hopes and fears raise three questions. What effect did the basis for reciprocity with Britain have upon the "new era" approach to diplomacy in the rest of Europe? Would the Whigs persist with that approach, as Lawrence's comment seemed to suggest they might, even though it was believed to sacrifice the interests of some American shippers? More importantly, how far did the

views of those shippers accord with the general euphoria brought about by Britain's policy changes?

For Ambrose Dudley Mann the winning of full reciprocity from Britain evoked mixed feelings. No doubt he had every hope that American shipping would benefit greatly from the new development and so he joined in the celebrations. His excitement was tempered, however, by his dislike of the foundation upon which the new relationship was laid. He had consistently opposed the legislative basis for a number of reasons. As he stressed to Clayton in October 1849 when it was still not too late to come to treaty terms, "[w]hile that Act remains in force it would be idle to attempt to negotiate an advantageous treaty with Great-Britain, or indeed with any other country as respects commerce and navigation." Of course his preference for a treaty with Britain was well known; it would provide the necessary security for reciprocity against future British changes of policy and would guard against the problems of flagging. But a treaty would also allow the United States to scrap their own navigation acts without jeopardising the new relationship with Britain. And Mann made clear why this was desirable, in outlining the alternative:

The liberal provisions of the British Navigation Act are calculated to create an impression adverse to a revision of our own legislation, with reference to foreign Navigation, and may contribute to the defeat of an object so much required for a more complete development of our prosperity.

By the "object so much required" he meant the "new era" diplomacy in Germany and Denmark, as was made clear by a reference later in the same paragraph to Prussia's transit duties and the Sound tolls. Relying on legislation to secure the desirable goal of reciprocity with Britain would deprive Mann of his last weapon in the battle to wrest favourable treaties from German states -- the threat of repealing the 1828 act. At first Mann hoped to get

around this by suggesting an amendment to the act which would allow Britain reciprocity while penalising states which still imposed transit duties. By this means the United States could "within a comparatively short period, remove the most restrictive existing fetters upon our commerce in Europe." But the eventual use by Clayton of the 1817 act jeopardised even that approach, since other states would insist that they should enjoy the same construction of it as did Britain, allowing them to bypass a reformed 1828 act in the process. Mann did urge the repeal of the 1817 act as well, in a last desperate attempt to promote the treaty basis for reciprocity in preference to legislation. But no treaty was signed; nor were the acts repealed or modified; and so, stripped of his last weapon, Mann considered himself powerless to continue his work in Germany.<sup>29</sup>

As it was the Taylor administration's wariness of making commitments to any government in Germany had delayed Mann's efforts anyway. Indeed, a policy of caution prevailed within the Clayton State department in most matters, and his orders to other U.S. diplomats gave no firm sense of direction for future commercial talks. But it would be dangerous to suggest that this caution stemmed from a greater concern for the navigation interest and that the change of party in the White House had brought with it an upturn in fortune for the critics of reciprocity. Clayton did not encourage "new era" tactics but, with the exception of Germany, neither did he order an end to such negotiations. Moreover, Lawrence's adoption of the "new era" approach apparently belied his New England Whig background. Finally, Clayton's decision to avoid Congress in implementing the new relationship with Britain also revealed a degree of neglect of shipping interests, because in so doing he not only sidestepped possible defeat at the hands of Democrats but also ignored

a latent hostility to any establishment of reciprocity, even in the indirect trade with Britain.

Despite the symbolic value of the reform of Britain's Navigation acts, there were grounds for fearing the real effects of this change. Part of the criticism of reciprocal arrangements in the past had been a claim that American vessels were losing their competitive edge, and now there were hints of opposition to the establishment of similar terms with Britain on the same grounds. The new regulations opened the way for British ships to participate in American trade with third countries and for third party vessels to get involved in the Anglo-American trade for the first time, and in each case there was real concern that American shippers would be squeezed out.

The likelihood of British intrusion in the trade between the United States and those third countries which accepted her offer of full reciprocity depended on whether or not British vessels could undercut their American rivals. This was a question which had aroused some disagreement, with supporters of reciprocity making clear their belief that Americans would prove their superiority under such conditions, whereas others suggested that such optimism was misplaced. Before 1849 the direct trade between Britain and the United States provided the only testing-ground for these rival views, although any figures from that route had to be considered in the light of claims that British vessels gained an advantage from their colonial trade monopoly. Even so critics did point to a growing British share in the direct trade which could be explained by greater British competitiveness. In his report of 1842 John Pendleton Kennedy had cited figures showing that the British share of the direct trade had risen from one sixth to almost one half under the operation of the convention of 1815 which had "entirely gratified the expectations of its advocates on the other side of the Atlantic." Britain had always taken care to

grant reciprocal terms only when sure of the "comparative cheapness of British navigation," so that "these arrangements are only maintained by Great Britain from a settled persuasion that she enjoys this advantage over the countries with which she treats." Hence, Britain had not signed such a deal with Prussia. But, more importantly, she had been prepared to allow reciprocity in the direct trade with the United States, the implication being that she had expected her shipping to be more competitive. While Kennedy did not discuss the merits or otherwise of establishing full reciprocity with Britain, his views did give grounds for later doubts as to the effects of such a move. What is more, as Britain took the lead in maritime technology, it was feasible that this would reinforce her ability to compete with American shippers in all routes.<sup>30</sup>

Some disagreed with this analysis but found other reasons to be wary of offering too liberal terms. Secretary of State Clayton asserted that the direct trade between Britain and the United States had been one "for which they [British vessels] had never successfully competed with us . . . ." At the same time, though, Clayton did fear that other countries would gain unduly from the change in British policy. Traditional European shipping rivals would now be allowed to take American products to Britain, while they could also carry British goods to the United States free of any discriminating export duties imposed in Britain. Clayton was concerned about the likely impact of this change: "By allowing the ships of all the nations to come into competition with us in carrying our own produce to the United Kingdom the bill . . . will most affect our commercial marine." There was even circumstantial evidence to confirm such fears, as statistics revealed an increase in the number of foreign vessels trading in U.S. ports in 1847 and 1848, years when Britain had temporarily relaxed her navigation restrictions. A fall in clearances and entrances by

American vessels in the same period no doubt gave considerable cause for concern.<sup>31</sup>

Somewhat surprisingly this apparent relative decline in shipping and the fears of permanent disadvantage did not inspire a wave of petitions from maritime communities to match that of the early 1840s. Nevertheless, Congress did see fit to address the matter. In March 1848 the House requested Polk to provide them with any correspondence with Britain relating to the adoption of reciprocity. Given the momentous potential of the change in British policy such a request was only to be expected. But moves in the Senate revealed deeper-rooted concern with the operation of reciprocity in general. In December 1848 John Clarke of Rhode Island introduced a resolution calling for information on all reciprocity treaties, on the state of the trade of the contracting nations, and on "the effect of such treaties comparatively, upon the commerce and navigation of the United States." Later he focussed just on treaties establishing reciprocity in the indirect trade, calling also for information on proclamations which did the same. Finally he secured the appointment of a select committee to examine the possibility of repealing the act of 1828.

There are several possible interpretations of Clarke's motives. It could have been that he was following Ambrose Dudley Mann's advice to repeal the act so that other countries would have to seek the treaty basis for reciprocity in future, a basis which the United States could turn to their advantage by demanding favourable equivalents. But in the light of the views of previous Whig Senators from Rhode Island on matters of navigation, this explanation is less than convincing. The short speech Clarke made to support his resolutions echoed earlier statements of genuine concern for shipping, inspired by fears about the effects of reciprocity:

It is manifest, from the inequality in population and mercantile advantages of smaller nations, that treaties made by the United States are disadvantageous to this Government. Certain nations, small in population and of but few resources, though not deficient in intelligence and industry, enjoy indirectly a large portion of the trade of the whole world. For example, a nation with a population of a few millions, limited in resources and enterprise, had the same right to contribute in the commerce of other countries that this nation, with a population of twenty millions, and in the possession of almost boundless resources and ability to carry on commercial transactions, enjoys. The inequality that is thus manifest has struck me as being grossly unjust.

Clarke pointed to the effects of existing treaties, recognising that they would allow rival European shippers to participate competitively in the trade between Britain and the United States. Depriving them of full reciprocity would not stop them being treated equally in Britain when carrying goods from U.S. ports but it would discourage their participation in the reverse trade from Britain to the United States and, by discriminating against them in the carriage of third country goods to U.S. ports (an important trade for countries which exported few products of their own to U.S. markets), it would make triangular trades less viable. As such Clarke was continuing the tradition of defending shipping against European rivals, this time in the vital U.S.-Britain trade route.

Repealing the 1828 act would provide a safeguard, so that smaller shipping powers, if deprived of treaty-based terms, could not claim reciprocity by the legislative basis instead. It is just possible, also, that Clarke suggested repeal of the act in order to signal his hostility to reciprocity with all countries, including Britain. After all, a treaty between the two countries seemed elusive, which meant that repealing the 1828 act would effectively block reciprocity altogether.<sup>32</sup>



It is best not to overstate the opposition to reciprocity with Britain. Clarke did not mention Britain by name. Nor did she exhibit the same trends in population and volume of trade which made the U.S. offer of reciprocity to smaller shipping powers appear so unjust. So Clarke might have shared the enthusiasm for establishing reciprocity in the indirect trade with Britain, provided other countries' ships were not allowed to take unfair advantage.

That proviso, however, did reveal a definite concern among certain elements about the persistent effects of reciprocal relations with the shipping powers of northern Europe. It is also clear that those critics had as little success as their predecessors had had in bringing their analysis to bear upon U.S. policy. It was highly unlikely that the United States would turn their back on reciprocity. Bancroft illustrated the prevailing attitude in 1849 when replying to a Conservative Lord's query as to the chances of the United States receding from their policy of an open indirect trade:

I thought I might safely say that a policy sustained by so many Administrations, desired by Franklin and his associates, permitted without restriction for thirty five years, encouraged by Madison, by Clay, by John Quincy Adams, by John C. Calhoun, as well as by the late Administration, was not likely to be subverted.

To the weight of tradition can be added the political reality of a Congress dominated by Democrats, where shipping interests were very much in a minority. Ambrose Dudley Mann commented on this in a despatch to Clayton:

I feel quite confident that any effort to change the laws of 1824 and 1828, for the purpose of favoring our navigation, would prove unavailing. The measure must be urged expressly with a view to the coercing of Prussia, Sweden, Denmark, &c. to make import, excise and transit, river and Sound duty concessions in favor of our principal staples. A recommendation of that kind . . . would command doubtlessly, a large majority of each House of Congress.<sup>33</sup>

Mann's hopes for repeal or amendment of all the U.S. navigation acts were of course thwarted, as the Taylor administration overcame its caution and established reciprocity with Britain on the legislative basis. While for Mann this represented the end of an ambition to secure more valuable commercial treaties, for shipping groups it marked a final defeat of their campaign against reciprocity. Their complaints had been manipulated in an attempt to wrest better terms from European treaty partners. The treaties they had criticised so vocally had been allowed to remain in force. And now the legislative basis for reciprocity was retained and virtually guaranteed to remain in place for as long as it was the basis of the more generally acceptable new relationship with Britain.

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The next five years witnessed the resolution of several of the diplomatic questions involving trade and navigation left outstanding at the beginning of the decade. In most cases this resulted more from changes in European policies than from State department initiatives, but on each occasion the American response reinforced the prevailing balance of influence between the interests of shipping and those of commerce as a whole.

Events in Germany finally justified Mann's policy of encouraging the independence of northern German states from the Zollverein. With the customs union treaties due for revision or renewal in 1852-54, the major German states jockeyed for positions of influence. At first U.S. ministers feared that Austria would join the union and cause it to adopt prohibitive duties on tobacco. But it became clear that Prussia would try to prevent this development by calling upon the support of the northern states, especially when Austria attempted to coax some of the southern states into a rival protectionist league. In September 1851 Prussia and Hanover signed a treaty which

would establish a union between the Zollverein and the Kingdom in 1854. Significantly the duties to be imposed on "colonial" imports, including tobacco, would be at the lower rates preferred by Hanover. And when the general Zollverein treaties were renewed in 1853, the terms of the Prussia-Hanover treaty were included in them. Mann's dream of uniting Germany upon the lines of his treaty with Hanover had come true, resulting not only in lower import duties upon American goods entering the Zollverein but also in reduced transit duties.<sup>34</sup>

Apart from having supported Hanover's separate status in the past, U.S. diplomacy played no part in this development. There had been no further threats to terminate the Prussian treaty and certainly no hint of trying to limit the offer of reciprocity. Meanwhile reciprocal terms with the Netherlands had been extended. In 1850 the Dutch government followed Britain's example by scrapping its remaining restrictions on navigation. New laws introduced equal treatment in the indirect trade for vessels of countries which reciprocated, and all Dutch colonial trade was opened to foreign vessels. The State department was slow to respond to this unilateral change of policy, provoking both enquiries as to whether Dutch ships would now be treated equally in U.S. ports in accordance with the act of 1828 and warnings that American vessels would continue to pay discriminating duties until reciprocity took effect. It would be tempting to conclude that the delay resulted from opposition on the part of Daniel Webster, in his second term as Secretary of State. This is doubtful, however, because eventually Webster did agree to the establishment of full reciprocity, and not just by proclamation. In August 1852 he took the active step of enshrining the new terms in a convention supplementary to the treaty of 1839, effectively giving his positive sanction to an extension of reciprocity in an indirect trade.<sup>35</sup>

For a man of Webster's record on navigation questions in general and on the issue of reciprocal navigation in particular this action is somewhat surprising. Maybe he considered the opening of the Dutch colonial trade as an adequate equivalent for the concession of full reciprocity, an exchange which at least had the potential for fostering the interests of American shipping. Yet that hardly squared with his previous record of harsh criticism of reciprocity on any terms, first as Senator in 1840, then as Secretary of State, and even as late as 1848-49 in the Senate again. Perhaps Webster was simply being inconsistent, as his fluctuating stance on free trade, protection, and commercial reciprocity showed he was capable of on other issues.

What Webster's shift of opinion makes clear, however, is that it is dangerous to attribute different stances on the reciprocal navigation question to hard and fast party or even personal prejudices. Many Americans thought commercial diplomacy, as with all diplomacy, should have been an issue above domestic partisan battles. In the early 1830s Jacksonians and National Republicans sometimes fought over the credit for trade agreements, but in general refrained from blocking their acceptance in the Senate. In 1849 Ambrose Dudley Mann had appealed to statesmen, as representatives of "an united people," to drop party stances and to support measures to back his efforts in Germany. Certainly it would be wrong to suggest that reciprocal navigation was a partisan question, helping to define party lines.<sup>36</sup>

And yet these issues were not always above domestic politics in the 1840s. Some statesmen, politicians, and interested individuals dealt with them in partisan terms or made use of them within their wider party and sectional battles. This was especially the case when a commercial treaty touched on long-standing policy debates in domestic politics, as did the convention with the Zollverein with

its implications for the tariff dispute. But the issue of reciprocal navigation was also dragged into domestic politics, reflecting local and sectional priorities.

On the surface Whigs were more sympathetic to those critical of reciprocity; that is to say those politicians who accepted the arguments against the further extension of equal terms in the indirect trade and who acted accordingly tended to be Whigs. It was Whigs who were more active in presenting memorials. It was Whigs who were the most active in suggesting legislative remedies to the problems raised by reciprocity and who opposed the treaty with Hanover in 1847. And it was Whigs of varying shades who ran the Department of State during that period when the further extension of reciprocity was suspended.

But this trend increasingly reflected local and sectional interests as well, which shattered any illusion of this being a strict party issue. Whigs from maritime centres such as New England and Baltimore were the most sympathetic, as witnessed in the legislative developments between 1840 and 1845. But by 1847 even Maryland's Whig Senators had deserted the critics of reciprocity by voting in favour of the treaty with Hanover. Whigs from other regions had not been so convinced in the first place. Henry Clay from Kentucky was scornful of criticism of the reciprocity treaties, although his authorship of many of them no doubt coloured his opinion. But other Southern Whigs were unsympathetic as well, as borne out in their unanimous support for the treaty with Hanover. So distinct was the sectional division among Whig Senators in this vote that it is tempting to explain it not in terms of attitudes towards reciprocity at all, but rather as part of the growing North-South rift within the party in the mid-1840s. Certainly party unity had diminished since their unanimous opposition to the Zollverein convention only three years earlier, a measure whose concessions to producers would surely have appealed to Southern Whigs

just as much. Even though there had been the added element of tariff protection to defend on the earlier occasion, by 1847, after the annexation of Texas, the beginning of the Mexican War and the debate on the Wilmot Proviso, Southern Whigs demonstrated that they had fewer qualms about breaking party ranks in order to support a measure which would help their section's interests. Moreover, the sectional theme can be traced through to the end of the decade. It was perhaps significant that Abbott Lawrence, whose support for the extension of full reciprocity to Britain and for the continuation of the "new era" approach with other European states apparently went against his New England background, was a "Cotton Whig," one of those Whigs less aroused by the issue of slavery extension in the 1840s and more concerned to preserve the national unity of both party and country. And John Clayton, as Secretary of State for the southern President Taylor, put aside his own doubts about reciprocity and indeed his own negative vote on the Hanover treaty, to respond positively to Britain's repeal of her Navigation Acts.

Democrats had nothing like the same trouble over the issue of reciprocal navigation. Despite the seemingly sectional priorities lying behind the treaty with Hanover and the party's own sectional difficulties in the mid-1840s, the Democrats maintained their unity upon this issue, in the Senate at least. Even northern Democrats on Van Buren's wing of the party, such as Senators Fairfield, Dix and Niles, kept the party line on this occasion. Indeed, throughout the 1840s Democrats in general had maintained a virtual unanimity in support of measures likely to remove trade restrictions the world over. So calls for protection of shipping interests received little joy from the likes of Lowell, Woodbury, and Wright, whose response consisted of not much more than the token effort of presenting memorials. Finally even those Democrats

more convinced than others by criticism of reciprocity, such as Forsyth, Ingersoll, and, of course, Buchanan, were more concerned to promote the wider fortunes of American commerce and in the process were prepared to sacrifice the narrower interests of navigation.<sup>37</sup>

To some extent, therefore, it seemed as if attitudes on the issue of reciprocal navigation did distinguish Democrats from one part of the Whig party, the one representing wider commerce, the other the more limited ambitions of American, and especially of New England's, shipping. It should not be forgotten, however, that Democrats no doubt believed that an increase in commerce would inevitably provide more carrying business for American shippers to share in. In that sense offering reciprocity in exchange for better market opportunities overseas was expected to help shipping, in the same way as would Webster's grant of full reciprocity to the Dutch in 1852 in exchange for trading rights with their colonies. So Democrats should not be accused of neglecting totally the American shipping interest. It should also be remembered that not all maritime communities agreed with the criticism of reciprocity. Nor did all shippers within communities which did send forth memorials. For many these were healthy times, as the general economic environment improved and as levels of overseas trade increased. So too did total U.S. tonnage figures increase in the late 1840s and 1850s, both for registered vessels and for vessels clearing and entering U.S. ports. Against this background, and with the emergence of new issues of interest to the mercantile community, most notably the growing sectional crisis but also specific commercial questions involving subsidies to steamer lines and access to river routes in Latin America, was it any surprise that reciprocal navigation had never been, nor would become, a major party issue in the 1840s and 1850s?

There was a dark side to this picture, however. While total shipping figures rose, the years 1848-1851 witnessed an accelerated fall in American shippers' share in their own country's trade, with levels below fifty per cent in many cases, and sometimes much lower. Indeed, it is usually from the 1850s that historians chart the decline of the American mercantile marine. While this relative decline is no doubt more visible in hindsight than it was at the time, some contemporaries did continue to bemoan the fate of shipping, and some of those critics also blamed reciprocity as partly responsible for that fate. Barely six months after the establishment of full reciprocity with Britain, the Boston Atlas criticised its effects upon American shipping. And, in tacit admission that the old problems persisted, the Pierce administration adopted the "new era" approach in 1854-55, by threatening to abrogate the U.S. treaty with Denmark unless something was done about the Sound dues. Reciprocity was not solely to blame for the decline, and historians are probably correct in attributing many of the complaints of the time to a "sour grapes" mentality. It was the cheaper provision of new shipping technology by other countries, and especially by Britain, which in the long run allowed them to outstrip their American rivals in winning a larger share of a growing trade. But reciprocity did remove the possibility of protecting American shipping in numerous routes, and so to that extent the critics of the policy were justified in their claims. Indeed, although the decline of the 1850s involved new technology and new circumstances, the basic lines of the critique remained relevant, as Americans proved unable to compete in open markets. The critics of reciprocity could almost be considered prophetic. But at the time they made their case most loudly, other Americans either were not prepared to listen, or did not help them. Ignored, then exploited, the campaign against reciprocity failed.<sup>38</sup> [TABS.2,3,4]



## **APPENDICES**

## APPENDIX 1

Senate Voting on the Hanover Treaty, January 1847

(Source: Senate Executive Proceedings  
29 Congress, 2 session, vol.7, pp.175-6)

### Vote on Amendment to remove 12th Article

#### Pro-amendment (14)

Badger (W-NCa)  
Cilley (W-NH)  
T. Clayton (W-Del)  
J. Clayton (W-Del)  
Corwin (W-Oh)  
Davis (W-Mass)  
Greene (W-RI)  
Huntington (W-Conn)  
Miller (W-NJ)  
Niles (D-Conn)  
Phelps (W-Vt)  
Simmons (W-RI)  
Upham (W-Vt)  
Woodbridge (W-Mich)

#### Anti-Amendment (30)

Allen (D-Oh)      Dix (D-NY)  
Archer (W-Va)      Fairfield (D-Me)  
Ashley (D-Ark)      Houston (D-Tex)  
Atchison (D-Mo)      R. Johnson (W-Md)  
Atherton (D-NH)      C. Johnson (W-La)  
Bagby (D-Al)      Lewis (D-Al)  
Benton (D-Mo)      Mangum (W-NCa)  
Breese (D-Ill)      Pearce (W-Md)  
Bright (D-Ind)      Rusk (D-Tex)  
Butler (D-SCa)      Sevier (D-Ark)  
Calhoun (D-SCa)      Speight (D-Miss)  
Cass (D-Mich)      Sturgeon (D-Pa)  
Chalmers (D-Miss)      Turney (D-Tenn)  
Colquitt (D-Ga)      Wescott (D-Fla)  
Dayton (W-NJ)      Yulee (D-Fla)

#### Regional Split

|                       | Pro | Anti | Absent |
|-----------------------|-----|------|--------|
| New England           | 8   | 2    | 2      |
| Mid-Atlantic          | 3   | 3    | 2      |
| Mid-West              | 2   | 4    | 2      |
| South-West            | 0   | 10   | 4      |
| South (inc. Maryland) | 1   | 11   | 2      |

#### Party Split

|          | Pro | Anti |
|----------|-----|------|
| Whig     | 13  | 6    |
| Democrat | 1   | 24   |

# APPENDIX 1 cont.

## Final Vote on Treaty

### Anti-treaty (13)

Bagby (D-Ala)  
 Cilley (W-NH)  
 T. Clayton (W-Del)  
 J. Clayton (W-Del)  
 Corwin (W-Oh)  
 Davis (W-Mass)  
 Greene (W-RI)  
 Huntington (W-Conn)  
 Miller (W-NJ)  
 Phelps (W-Vt)  
 Simmons (W-RI)  
 Upham (W-Vt)  
 Woodbridge (W-Mich)

### Pro-Treaty (32)

Allen (D-Oh) Fairfield (D-Me)  
 Archer (W-Va) Houston (D-Tex)  
 Ashley (D-Ark) Jarnagin (W-Tenn)  
 Athchison (D-Mo) R. Johnson (W-Md)  
 Atherton (D-NH) C. Johnson (W-La)  
 Badger (W-NCa) Lewis (D-Ala)  
 Benton (D-Mo) Mangum (W-NCa)  
 Breese (D-Ill) Niles (D-Conn)  
 Bright (D-Ind) Pearce (W-Md)  
 Butler (D-SCa) Rusk (D-Tex)  
 Calhoun (D-SCa) Sevier (D-Ark)  
 Cass (D-Mich) Speight (D-Miss)  
 Chalmers (D-Miss) Sturgeon (D-Pa)  
 Colquitt (D-Ga) Turney (D-Tenn)  
 Dayton (W-NJ) Wescott (D-Fla)  
 Dix (D-NY) Yulee (D-Fla)

### Regional Split

|                       | Anti | Pro | Absent |
|-----------------------|------|-----|--------|
| New England           | 7    | 3   | 2      |
| Mid-Atlantic          | 3    | 3   | 2      |
| Mid-West              | 2    | 4   | 2      |
| South-West            | 0    | 11  | 3      |
| South (inc. Maryland) | 1    | 11  | 2      |

### Party Split

|          | Anti | Pro |
|----------|------|-----|
| Whig     | 12   | 8   |
| Democrat | 1    | 24  |

## APPENDIX 2

TABLE 1:1

U.S. Export/Import Figures, 1821-1850: Total (millions \$)

(Source: Historical Statistics, Series U 116/134)

| <u>Year</u> | <u>Exports</u> | <u>Imports</u> | <u>Year</u> | <u>Exports</u> | <u>Imports</u> |
|-------------|----------------|----------------|-------------|----------------|----------------|
| 1821        | 55             | 55             | 1836        | 124            | 177            |
| 1822        | 61             | 80             | 1837        | 111            | 130            |
| 1823        | 68             | 72             | 1838        | 105            | 96             |
| 1824        | 69             | 72             | 1839        | 112            | 156            |
| 1825        | 91             | 90             | 1840        | 124            | 98             |
| 1826        | 73             | 78             | 1841        | 112            | 123            |
| 1827        | 74             | 71             | 1842        | 100            | 96             |
| 1828        | 64             | 81             | 1843*       | 83             | 42             |
| 1829        | 67             | 67             | 1844        | 106            | 103            |
| 1830        | 72             | 63             | 1845        | 106            | 113            |
| 1831        | 72             | 96             | 1846        | 110            | 118            |
| 1832        | 82             | 95             | 1847        | 157            | 122            |
| 1833        | 88             | 101            | 1848        | 138            | 149            |
| 1834        | 102            | 109            | 1849        | 140            | 141            |
| 1835        | 115            | 137            | 1850        | 144            | 174            |

(\*1843 figures for nine months only)

**TABLE 1:2**

U.S. Export/Import Figures, 1821-1850: Britain (millions \$)

(Source: Historical Statistics, Series U 124/142)

| <u>Year</u> | <u>Exports</u> | <u>Imports</u> | <u>Year</u> | <u>Exports</u> | <u>Imports</u> |
|-------------|----------------|----------------|-------------|----------------|----------------|
| 1821        | 19             | 24             | 1836        | 58             | 76             |
| 1822        | 24             | 35             | 1837        | 52             | 45             |
| 1823        | 22             | 28             | 1838        | 52             | 36             |
| 1824        | 21             | 28             | 1839        | 57             | 65             |
| 1825        | 37             | 37             | 1840        | 55             | 33             |
| 1826        | 21             | 26             | 1841        | 47             | 46             |
| 1827        | 26             | 30             | 1842        | 40             | 34             |
| 1828        | 20             | 33             | 1843*       | 41             | 12             |
| 1829        | 24             | 25             | 1844        | 49             | 41             |
| 1830        | 26             | 24             | 1845        | 45             | 45             |
| 1831        | 31             | 44             | 1846        | 46             | 45             |
| 1832        | 29             | 37             | 1847        | 87             | 48             |
| 1833        | 32             | 38             | 1848        | 67             | 60             |
| 1834        | 44             | 41             | 1849        | 78             | 58             |
| 1835        | 52             | 60             | 1850        | 71             | 75             |

(\*1843 figures for nine months only)

**TABLE 1:3**

U.S. Export/Import Figures, 1821-1850: Germany (millions \$)

(Source: Historical Statistics, Series U 126/144)

| <u>Year</u> | <u>Exports</u> | <u>Imports</u> | <u>Year</u> | <u>Exports</u> | <u>Imports</u> |
|-------------|----------------|----------------|-------------|----------------|----------------|
| 1821        | 2              | 1              | 1836        | 4              | 5              |
| 1822        | 3              | 2              | 1837        | 4              | 6              |
| 1823        | 3              | 2              | 1838        | 3              | 3              |
| 1824        | 2              | 2              | 1839        | 3              | 5              |
| 1825        | 3              | 3              | 1840        | 4              | 3              |
| 1826        | 2              | 3              | 1841        | 5              | 2              |
| 1827        | 3              | 2              | 1842        | 5              | 2              |
| 1828        | 3              | 3              | 1843*       | 4              | 1              |
| 1829        | 3              | 2              | 1844        | 4              | 2              |
| 1830        | 2              | 2              | 1845        | 6              | 3              |
| 1831        | 3              | 4              | 1846        | 5              | 3              |
| 1832        | 4              | 3              | 1847        | 5              | 4              |
| 1833        | 3              | 2              | 1848        | 4              | 6              |
| 1834        | 5              | 3              | 1849        | 3              | 8              |
| 1835        | 4              | 4              | 1850        | 5              | 9              |

(\*1843 figures for nine months only)

**TABLE 1:4**

U.S. Export/Import Figures, 1821-1850: Cuba (millions \$)

(Source: Historical Statistics, Series U 119/137)

| <u>Year</u> | <u>Exports</u> | <u>Imports</u> | <u>Year</u> | <u>Exports</u> | <u>Imports</u> |
|-------------|----------------|----------------|-------------|----------------|----------------|
| 1821        | 4              | 5              | 1836        | 6              | 13             |
| 1822        | 3              | 7              | 1837        | 6              | 11             |
| 1823        | 5              | 7              | 1838        | 6              | 11             |
| 1824        | 6              | 7              | 1839        | 6              | 12             |
| 1825        | 5              | 7              | 1840        | 6              | 9              |
| 1826        | 6              | 7              | 1841        | 6              | 11             |
| 1827        | 6              | 7              | 1842        | 5              | 7              |
| 1828        | 6              | 6              | 1843*       | 3              | 4              |
| 1829        | 5              | 5              | 1844        | 5              | 10             |
| 1830        | 5              | 5              | 1845        | 6              | 6              |
| 1831        | 5              | 8              | 1846        | 5              | 8              |
| 1832        | 5              | 7              | 1847        | 6              | 12             |
| 1833        | 5              | 10             | 1848        | 7              | 12             |
| 1834        | 5              | 8              | 1849        | 5              | 10             |
| 1835        | 5              | 11             | 1850        | 5              | 10             |

(\* 1843 figures for nine months only)

**TABLE 1:5**

U.S. Export/Import Figures, 1821-1850: Canada (millions \$)

(Source: Historical Statistics, Series U 118/136)

| <u>Year</u> | <u>Exports</u> | <u>Imports</u> | <u>Year</u> | <u>Exports</u> | <u>Imports</u> |
|-------------|----------------|----------------|-------------|----------------|----------------|
| 1821        | 2              | a              | 1836        | 3              | 2              |
| 1822        | 2              | a              | 1837        | 3              | 2              |
| 1823        | 2              | a              | 1838        | 2              | 1              |
| 1824        | 2              | a              | 1839        | 4              | 2              |
| 1825        | 3              | a              | 1840        | 6              | 1              |
| 1826        | 2              | a              | 1841        | 6              | 1              |
| 1827        | 2              | a              | 1842        | 6              | 1              |
| 1828        | 2              | a              | 1843*       | 3              | a              |
| 1829        | 2              | a              | 1844        | 6              | 1              |
| 1830        | 3              | a              | 1845        | 6              | 1              |
| 1831        | 3              | 1              | 1846        | 7              | 1              |
| 1832        | 3              | 1              | 1847        | 7              | 1              |
| 1833        | 4              | 1              | 1848        | 8              | 3              |
| 1834        | 3              | 1              | 1849        | 8              | 2              |
| 1835        | 3              | 1              | 1850        | 10             | 5              |

a = less than \$500,000

(\* 1843 figures for nine months only)



**TABLE 1:6**

U.S. Export/Import Figures, 1821-1850: France (millions \$)

(Source: Historical Statistics, Series U 125/143)

| <u>Year</u> | <u>Exports</u> | <u>Imports</u> | <u>Year</u> | <u>Exports</u> | <u>Imports</u> |
|-------------|----------------|----------------|-------------|----------------|----------------|
| 1821        | 6              | 4              | 1836        | 21             | 32             |
| 1822        | 6              | 6              | 1837        | 19             | 21             |
| 1823        | 9              | 6              | 1838        | 15             | 16             |
| 1824        | 10             | 7              | 1839        | 18             | 32             |
| 1825        | 10             | 11             | 1840        | 20             | 16             |
| 1826        | 11             | 8              | 1841        | 18             | 24             |
| 1827        | 11             | 8              | 1842        | 17             | 17             |
| 1828        | 9              | 9              | 1843*       | 12             | 5              |
| 1829        | 10             | 9              | 1844        | 13             | 17             |
| 1830        | 11             | 8              | 1845        | 12             | 21             |
| 1831        | 6              | 14             | 1846        | 14             | 24             |
| 1832        | 12             | 12             | 1847        | 19             | 24             |
| 1833        | 14             | 13             | 1848        | 15             | 28             |
| 1834        | 15             | 15             | 1849        | 13             | 24             |
| 1835        | 19             | 22             | 1850        | 18             | 27             |

(\* 1843 figures for nine months only)

TABLE 2

Documented Merchant Vessels, 1821-1850 (tons)

(Source: Historical Statistics, Series Q 169/170/171)

| <u>Year</u> | <u>Total Seaboard</u> | <u>New England</u> | <u>Mid-Atl./Gulf</u> |
|-------------|-----------------------|--------------------|----------------------|
| 1821        | 1,264,648             | 580,407            | 684,241              |
| 1822        | 1,298,385             | 600,977            | 697,408              |
| 1823        | 1,311,536             | 600,487            | 711,049              |
| 1824        | 1,361,776             | 613,340            | 748,436              |
| 1825        | 1,396,691             | 640,651            | 756,040              |
| 1826        | 1,500,910             | 706,167            | 794,743              |
| 1827        | 1,589,862             | 714,181            | 875,681              |
| 1828        | 1,691,744             | 786,971            | 904,773              |
| 1829        | a                     | a                  | a                    |
| 1830        | 1,145,929             | 581,173            | 564,756              |
| 1831        | 1,214,914             | 575,957            | 638,957              |
| 1832        | 1,367,411             | 700,433            | 666,978              |
| 1833        | 1,529,884             | 811,430            | 718,454              |
| 1834        | a                     | a                  | a                    |
| 1835        | 1,735,393             | 895,748            | 839,645              |
| 1836        | 1,773,125             | 877,371            | 895,754              |
| 1837        | 1,771,256             | 889,089            | 882,167              |
| 1838        | 1,836,564             | 901,058            | 935,506              |
| 1839        | a                     | a                  | a                    |
| 1840        | 2,014,214             | 1,012,343          | 1,001,871            |
| 1841        | 1,935,702             | 984,262            | 951,440              |
| 1842        | 1,888,134             | 915,237            | 972,897              |
| 1843        | 1,940,067             | 922,959            | 1,017,108            |
| 1844        | 2,033,237             | 962,572            | 1,070,665            |
| 1845        | 2,143,365             | 1,009,902          | 1,133,463            |
| 1846        | 2,256,786             | 1,070,842          | 1,185,944            |
| 1847        | 2,463,568             | 1,124,749          | 1,338,819            |
| 1848        | 2,728,516             | 1,258,314          | 1,470,202            |
| 1849        | 2,874,015             | 1,289,260          | 1,584,033            |
| 1850        | 3,051,390             | 1,368,049          | 1,664,686            |

(a=no return reported)

(figures include vessels in coasting and internal trades)

**TABLE 3:1a**

Shipping Engaged in Foreign Trade of the U.S., 1821-1851:  
Entrances to all U.S. Ports

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.2-3)

| <u>Year</u> | <u>Number</u>   |            | <u>Foreign</u> | <u>Tonnage</u>  |            | <u>Foreign</u> |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> |                | <u>American</u> | <u>(%)</u> |                |
| 1821        |                 |            |                | 765,098         | 90.4       | 81,526         |
| 1822        |                 |            |                | 788,961         | 88.7       | 100,541        |
| 1823        |                 |            |                | 775,271         | 86.6       | 119,468        |
| 1824        |                 |            |                | 850,033         | 89.3       | 102,367        |
| 1825        |                 |            |                | 880,754         | 90.5       | 92,927         |
| 1826        |                 |            |                | 942,206         | 89.9       | 105,654        |
| 1827        |                 |            |                | 918,361         | 86.9       | 137,589        |
| 1828        |                 |            |                | 868,381         | 85.3       | 150,223        |
| 1829        |                 |            |                | 872,949         | 86.9       | 130,743        |
| 1830        |                 |            |                | 967,227         | 87.9       | 131,900        |
| 1831        |                 |            |                | 922,952         | 76.6       | 281,948        |
| 1832        |                 |            |                | 949,622         | 70.7       | 393,038        |
| 1833        |                 |            |                | 1,111,441       | 69.1       | 496,705        |
| 1834        | 5,628           | 58.8       | 3,953          | 1,074,670       | 65.4       | 568,052        |
| 1835        | 7,023           | 62.2       | 4,269          | 1,352,653       | 67.8       | 644,310        |
| 1836        | 6,103           | 59.7       | 4,121          | 1,255,384       | 64.9       | 680,213        |
| 1837        | 6,024           | 56.5       | 4,632          | 1,299,720       | 62.9       | 765,703        |
| 1838        | 6,079           | 62.2       | 3,696          | 1,302,974       | 68.8       | 592,110        |
| 1839        | 8,336           | 67.0       | 4,105          | 1,491,279       | 70.5       | 624,814        |
| 1840        | 7,211           | 61.2       | 4,571          | 1,576,946       | 68.9       | 712,363        |
| 1841        | 7,735           | 63.0       | 4,638          | 1,631,909       | 68.9       | 736,444        |
| 1842        | 6,939           | 60.5       | 4,535          | 1,510,111       | 67.3       | 732,775        |
| 1843*       | 4,872           | 62.8       | 2,889          | 1,143,523       | 68.1       | 534,752        |
| 1844        | 8,148           | 59.2       | 5,577          | 1,977,438       | 68.3       | 916,992        |
| 1845        | 8,133           | 59.3       | 5,590          | 2,035,486       | 69.1       | 910,563        |
| 1846        | 8,111           | 58.7       | 5,707          | 2,151,114       | 69.1       | 959,739        |
| 1847        | 7,730           | 54.3       | 6,499          | 2,101,359       | 63.3       | 1,220,346      |
| 1848        | 9,643           | 69.6       | 7,631          | 2,393,482       | 63.0       | 1,405,191      |
| 1849        | 11,208          | 55.5       | 8,992          | 2,658,321       | 60.8       | 1,710,515      |
| 1850        | 8,412           | 45.4       | 10,100         | 2,573,016       | 59.2       | 1,775,623      |
| 1851        | 8,951           | 45.4       | 10,759         | 3,054,349       | 61.2       | 1,939,091      |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

**TABLE 3:1b**

Shipping Engaged in Foreign Trade of the U.S., 1821-1851:  
Clearances from all U.S. Ports

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.2-3)

| <u>Year</u> | <u>Number</u>   |            | <u>Foreign</u> | <u>Tonnage</u>  |            | <u>Foreign</u> |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> |                | <u>American</u> | <u>(%)</u> |                |
| 1821        |                 |            |                | 804,947         | 90.6       | 83,073         |
| 1822        |                 |            |                | 813,748         | 89.3       | 97,490         |
| 1823        |                 |            |                | 810,761         | 87.1       | 119,740        |
| 1824        |                 |            |                | 919,278         | 89.7       | 102,552        |
| 1825        |                 |            |                | 960,366         | 90.9       | 95,080         |
| 1826        |                 |            |                | 953,012         | 90.6       | 99,414         |
| 1827        |                 |            |                | 980,542         | 88.2       | 131,250        |
| 1828        |                 |            |                | 897,404         | 85.6       | 151,030        |
| 1829        |                 |            |                | 944,799         | 87.7       | 133,006        |
| 1830        |                 |            |                | 971,760         | 87.9       | 133,436        |
| 1831        |                 |            |                | 972,504         | 78.1       | 271,994        |
| 1832        |                 |            |                | 974,865         | 71.6       | 387,505        |
| 1833        |                 |            |                | 1,142,160       | 69.7       | 497,039        |
| 1834        | 5,886           | 59.5       | 4,003          | 1,134,020       | 66.7       | 577,700        |
| 1835        | 7,285           | 63.3       | 4,230          | 1,400,517       | 68.9       | 630,824        |
| 1836        | 6,343           | 61.0       | 4,053          | 1,315,523       | 66.1       | 674,721        |
| 1837        | 5,942           | 56.6       | 4,551          | 1,266,622       | 62.6       | 756,292        |
| 1838        | 6,441           | 63.5       | 3,703          | 1,408,761       | 69.9       | 604,166        |
| 1839        | 8,312           | 67.3       | 4,036          | 1,477,928       | 70.7       | 611,839        |
| 1840        | 7,583           | 62.3       | 4,583          | 1,647,009       | 69.9       | 706,486        |
| 1841        | 7,790           | 63.1       | 4,554          | 1,634,156       | 68.9       | 736,849        |
| 1842        | 7,024           | 60.8       | 4,529          | 1,536,451       | 67.5       | 740,497        |
| 1843*       | 5,290           | 65.0       | 2,848          | 1,268,083       | 70.8       | 532,949        |
| 1844        | 8,343           | 60.3       | 5,500          | 2,010,924       | 68.9       | 906,814        |
| 1845        | 8,197           | 59.5       | 5,583          | 2,053,977       | 68.8       | 930,275        |
| 1846        | 8,451           | 59.4       | 5,770          | 2,221,028       | 69.6       | 968,178        |
| 1847        | 8,102           | 56.4       | 6,268          | 2,202,393       | 65.2       | 1,176,605      |
| 1848        | 9,695           | 55.9       | 7,634          | 2,461,280       | 63.7       | 1,404,159      |
| 1849        | 11,466          | 56.4       | 8,847          | 2,753,724       | 62.3       | 1,675,709      |
| 1850        | 8,379           | 46.1       | 9,816          | 2,632,788       | 60.4       | 1,728,214      |
| 1851        | 9,274           | 46.4       | 10,712         | 3,200,519       | 62.4       | 1,929,535      |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

TABLE 3:2a

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Entrances to Portland

(Source: Senate Doc., 32 Cong. 1 Sess., No.123, p.4)

| <u>Year</u> | <u>Number</u>   |            | <u>Foreign</u> | <u>Tonnage</u>  |            | <u>Foreign</u> |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> |                | <u>American</u> | <u>(%)</u> |                |
| 1826        |                 |            |                | 33,637          | 99.1       | 289            |
| 1827        |                 |            |                | 39,716          | 99.2       | 317            |
| 1828        |                 |            |                | 34,347          | 100.0      | -              |
| 1829        |                 |            |                | 30,456          | 100.0      | -              |
| 1830        |                 |            |                | 26,642          | 99.4       | 170            |
| 1831        |                 |            |                | 33,621          | 99.0       | 324            |
| 1832        |                 |            |                | 39,975          | 98.6       | 563            |
| 1833        |                 |            |                | 37,761          | 99.6       | 155            |
| 1834        | 156             | 93.4       | 11             | 31,968          | 95.9       | 1,366          |
| 1835        | 138             | 85.8       | 23             | 28,878          | 93.2       | 2,095          |
| 1836        | 113             | 65.7       | 59             | 21,580          | 71.6       | 8,580          |
| 1837        | 96              | 57.1       | 72             | 19,005          | 73.8       | 6,745          |
| 1838        | 131             | 64.5       | 72             | 27,780          | 82.9       | 5,718          |
| 1839        | 126             | 61.8       | 78             | 25,533          | 82.9       | 5,262          |
| 1840        | 96              | 53.9       | 82             | 18,924          | 77.4       | 5,530          |
| 1841        | 102             | 58.6       | 72             | 22,477          | 81.7       | 5,024          |
| 1842        | 81              | 48.8       | 85             | 17,335          | 64.5       | 9,536          |
| 1843*       | 42              | 40.4       | 62             | 8,651           | 61.0       | 5,520          |
| 1844        | 90              | 45.7       | 107            | 19,621          | 67.2       | 9,557          |
| 1845        | 117             | 54.9       | 96             | 26,464          | 75.9       | 8,363          |
| 1846        | 125             | 52.1       | 115            | 27,118          | 72.4       | 10,318         |
| 1847        | 99              | 49.5       | 101            | 19,760          | 69.9       | 8,505          |
| 1848        | 136             | 59.1       | 94             | 28,344          | 80.7       | 6,769          |
| 1849        | 84              | 24.9       | 254            | 19,212          | 46.6       | 22,013         |
| 1850        | 131             | 29.3       | 316            | 28,624          | 44.6       | 35,571         |
| 1851        | 204             | 44.4       | 253            | 38,956          | 57.6       | 28,660         |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

TABLE 3:2b

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Clearances from Portland

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.4)

| <u>Year</u> | <u>Number</u>   |            | <u>Foreign</u> | <u>Tonnage</u>  |            | <u>Foreign</u> |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> |                | <u>American</u> | <u>(%)</u> |                |
| 1826        |                 |            |                | 43,816          | 99.3       | 290            |
| 1827        |                 |            |                | 42,340          | 100.0      | -              |
| 1828        |                 |            |                | 46,963          | 98.9       | 527            |
| 1829        |                 |            |                | 37,006          | 100.0      | -              |
| 1830        |                 |            |                | 38,560          | 99.9       | 17             |
| 1831        |                 |            |                | 41,830          | 98.9       | 510            |
| 1832        |                 |            |                | 43,858          | 98.1       | 829            |
| 1833        |                 |            |                | 42,823          | 99.4       | 237            |
| 1834        | 217             | 94.8       | 12             | 40,313          | 96.2       | 1,572          |
| 1835        | 222             | 90.6       | 23             | 42,669          | 95.3       | 2,095          |
| 1836        | 237             | 80.3       | 58             | 45,067          | 84.2       | 8,444          |
| 1837        | 231             | 77.3       | 68             | 43,746          | 86.9       | 6,566          |
| 1838        | 219             | 76.6       | 67             | 41,400          | 88.5       | 5,361          |
| 1839        | 210             | 74.2       | 73             | 40,745          | 89.3       | 4,901          |
| 1840        | 171             | 67.1       | 84             | 32,774          | 85.1       | 5,739          |
| 1841        | 195             | 72.5       | 74             | 36,985          | 87.5       | 5,258          |
| 1842        | 164             | 66.4       | 83             | 32,510          | 77.6       | 9,362          |
| 1843*       | 118             | 66.3       | 60             | 22,939          | 80.4       | 5,578          |
| 1844        | 162             | 59.8       | 109            | 32,516          | 77.0       | 9,708          |
| 1845        | 160             | 63.7       | 91             | 32,827          | 80.6       | 7,917          |
| 1846        | 196             | 62.4       | 118            | 39,512          | 78.5       | 10,799         |
| 1847        | 191             | 63.9       | 108            | 35,814          | 79.7       | 9,150          |
| 1848        | 202             | 68.5       | 93             | 41,165          | 86.4       | 6,472          |
| 1849        | 187             | 42.0       | 258            | 38,828          | 63.9       | 21,966         |
| 1850        | 202             | 38.6       | 321            | 41,887          | 53.9       | 35,758         |
| 1851        | 255             | 39.9       | 256            | 48,973          | 63.0       | 28,752         |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

**TABLE 3:3a**

**Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Entrances to Boston**

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.5)

| <u>Year</u> | <u>American</u> | <u>Number</u><br><u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>Tonnage</u><br><u>(%)</u> | <u>Foreign</u> |
|-------------|-----------------|-----------------------------|----------------|-----------------|------------------------------|----------------|
| 1826        |                 |                             |                | 134,854         | 96.6                         | 4,755          |
| 1827        |                 |                             |                | 118,604         | 96.1                         | 4,798          |
| 1828        |                 |                             |                | 111,439         | 95.2                         | 5,595          |
| 1829        |                 |                             |                | 117,608         | 96.1                         | 4,827          |
| 1830        |                 |                             |                | 108,665         | 95.9                         | 4,663          |
| 1831        |                 |                             |                | 116,762         | 92.4                         | 9,612          |
| 1832        |                 |                             |                | 136,360         | 86.4                         | 21,442         |
| 1833        |                 |                             |                | 149,550         | 83.8                         | 29,013         |
| 1834        | 763             | 71.3                        | 307            | 154,941         | 84.6                         | 28,144         |
| 1835        | 754             | 65.1                        | 404            | 158,712         | 81.6                         | 35,708         |
| 1836        | 779             | 56.4                        | 602            | 168,646         | 75.1                         | 56,038         |
| 1837        | 853             | 55.2                        | 691            | 188,367         | 77.7                         | 53,910         |
| 1838        | 747             | 60.5                        | 483            | 161,595         | 81.2                         | 37,303         |
| 1839        | 865             | 60.1                        | 575            | 189,126         | 82.0                         | 41,430         |
| 1840        | 864             | 57.3                        | 643            | 191,752         | 78.2                         | 53,581         |
| 1841        | 1,019           | 58.9                        | 711            | 224,969         | 77.2                         | 66,354         |
| 1842        | 849             | 49.4                        | 870            | 197,481         | 71.5                         | 78,885         |
| 1843*       | 455             | 48.3                        | 488            | 100,815         | 69.8                         | 43,691         |
| 1844        | 879             | 46.3                        | 1,018          | 199,505         | 69.0                         | 89,483         |
| 1845        | 901             | 41.6                        | 1,265          | 207,461         | 67.1                         | 101,491        |
| 1846        | 816             | 37.6                        | 1,356          | 209,387         | 65.7                         | 109,449        |
| 1847        | 906             | 42.7                        | 1,214          | 218,212         | 67.1                         | 107,214        |
| 1848        | 1,098           | 37.6                        | 1,825          | 269,299         | 62.2                         | 163,375        |
| 1849        | 887             | 30.2                        | 2,053          | 248,069         | 54.9                         | 203,107        |
| 1850        | 967             | 34.8                        | 1,905          | 260,550         | 54.4                         | 218,309        |
| 1851        | 888             | 30.4                        | 2,029          | 236,900         | 46.2                         | 275,317        |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

**TABLE 3:3b**

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Clearances from Boston

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.5)

| <u>Year</u> | <u>American</u> | <u>Number</u><br><u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>Tonnage</u><br><u>(%)</u> | <u>Foreign</u> |
|-------------|-----------------|-----------------------------|----------------|-----------------|------------------------------|----------------|
| 1826        |                 |                             |                | 89,703          | 95.1                         | 4,579          |
| 1827        |                 |                             |                | 85,450          | 95.5                         | 3,951          |
| 1828        |                 |                             |                | 87,811          | 94.8                         | 4,819          |
| 1829        |                 |                             |                | 88,593          | 95.9                         | 3,825          |
| 1830        |                 |                             |                | 88,232          | 94.5                         | 5,176          |
| 1831        |                 |                             |                | 94,708          | 92.8                         | 7,403          |
| 1832        |                 |                             |                | 125,751         | 84.9                         | 22,427         |
| 1833        |                 |                             |                | 130,012         | 82.4                         | 27,813         |
| 1834        | 674             | 68.2                        | 314            | 127,295         | 81.2                         | 29,542         |
| 1835        | 736             | 64.1                        | 412            | 144,958         | 79.9                         | 36,335         |
| 1836        | 767             | 56.5                        | 591            | 151,214         | 74.0                         | 53,120         |
| 1837        | 662             | 48.4                        | 705            | 128,486         | 69.7                         | 55,887         |
| 1838        | 645             | 56.4                        | 498            | 125,070         | 76.4                         | 38,644         |
| 1839        | 775             | 57.2                        | 581            | 153,464         | 78.4                         | 42,210         |
| 1840        | 660             | 48.8                        | 693            | 128,973         | 71.0                         | 52,620         |
| 1841        | 822             | 53.2                        | 722            | 166,710         | 70.9                         | 68,133         |
| 1842        | 713             | 45.3                        | 861            | 146,828         | 65.1                         | 78,588         |
| 1843*       | 476             | 49.4                        | 487            | 96,163          | 68.3                         | 44,597         |
| 1844        | 801             | 44.2                        | 1,013          | 168,047         | 65.3                         | 89,116         |
| 1845        | 781             | 38.5                        | 1,248          | 163,107         | 61.3                         | 103,097        |
| 1846        | 809             | 37.2                        | 1,367          | 178,483         | 61.5                         | 111,755        |
| 1847        | 836             | 40.6                        | 1,224          | 174,173         | 61.8                         | 107,701        |
| 1848        | 1,006           | 35.4                        | 1,834          | 229,850         | 58.3                         | 164,649        |
| 1849        | 821             | 28.7                        | 2,035          | 214,518         | 51.8                         | 199,882        |
| 1850        | 899             | 31.7                        | 1,940          | 215,801         | 49.3                         | 221,959        |
| 1851        | 858             | 30.1                        | 1,995          | 207,993         | 42.1                         | 286,069        |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)



TABLE 3:4a

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Entrances to New York(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.6)

| Year  | Number   |      |         | Tonnage  |      |         |
|-------|----------|------|---------|----------|------|---------|
|       | American | (%)  | Foreign | American | (%)  | Foreign |
| 1826  |          |      |         | 248,176  | 90.4 | 26,285  |
| 1827  |          |      |         | 251,522  | 87.5 | 35,887  |
| 1828  |          |      |         | 242,660  | 85.2 | 42,319  |
| 1829  |          |      |         | 244,558  | 90.4 | 26,049  |
| 1830  |          |      |         | 273,790  | 89.7 | 31,391  |
| 1831  |          |      |         | 278,571  | 83.5 | 55,107  |
| 1832  |          |      |         | 298,127  | 74.4 | 102,358 |
| 1833  |          |      |         | 314,409  | 74.8 | 106,099 |
| 1834  | 1,465    | 75.1 | 485     | 342,630  | 77.2 | 101,067 |
| 1835  | 1,528    | 76.1 | 480     | 374,602  | 80.4 | 91,063  |
| 1836  | 1,545    | 70.1 | 660     | 396,906  | 74.3 | 137,632 |
| 1837  | 1,408    | 63.4 | 814     | 391,357  | 67.6 | 187,837 |
| 1838  | 1,253    | 77.1 | 372     | 342,900  | 81.2 | 79,597  |
| 1839  | 1,579    | 73.9 | 559     | 427,627  | 75.9 | 135,990 |
| 1840  | 1,443    | 73.8 | 512     | 417,443  | 76.5 | 128,488 |
| 1841  | 1,570    | 74.5 | 528     | 423,289  | 77.3 | 124,405 |
| 1842  | 1,424    | 71.7 | 563     | 419,076  | 73.5 | 150,939 |
| 1843* | 875      | 76.0 | 276     | 247,590  | 79.3 | 64,624  |
| 1844  | 1,562    | 73.6 | 561     | 434,960  | 75.5 | 141,520 |
| 1845  | 1,450    | 72.2 | 558     | 439,676  | 75.9 | 139,542 |
| 1846  | 1,568    | 73.5 | 564     | 493,995  | 75.3 | 161,882 |
| 1847  | 1,690    | 61.7 | 1,048   | 543,065  | 63.6 | 310,603 |
| 1848  | 1,924    | 67.0 | 946     | 639,305  | 68.6 | 293,188 |
| 1849  | 1,979    | 61.5 | 1,239   | 711,720  | 63.7 | 406,080 |
| 1850  | 1,882    | 59.5 | 1,281   | 734,431  | 64.1 | 410,900 |
| 1851  | 2,068    | 56.7 | 1,579   | 956,879  | 66.0 | 491,889 |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

TABLE 3:4b

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Clearances from New York(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.6)

| <u>Year</u> | <u>American</u> | <u>Number</u><br><u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>Tonnage</u><br><u>(%)</u> | <u>Foreign</u> |
|-------------|-----------------|-----------------------------|----------------|-----------------|------------------------------|----------------|
| 1826        |                 |                             |                | 208,202         | 91.4                         | 19,655         |
| 1827        |                 |                             |                | 232,428         | 88.5                         | 30,090         |
| 1828        |                 |                             |                | 202,844         | 83.5                         | 40,123         |
| 1829        |                 |                             |                | 295,343         | 87.9                         | 28,343         |
| 1830        |                 |                             |                | 210,535         | 86.6                         | 32,620         |
| 1831        |                 |                             |                | 225,721         | 81.7                         | 50,688         |
| 1832        |                 |                             |                | 218,490         | 70.6                         | 90,900         |
| 1833        |                 |                             |                | 232,395         | 69.7                         | 101,007        |
| 1834        | 1,011           | 68.1                        | 474            | 232,934         | 70.8                         | 96,151         |
| 1835        | 1,226           | 73.9                        | 433            | 289,268         | 78.9                         | 77,121         |
| 1836        | 1,079           | 63.4                        | 660            | 274,168         | 68.4                         | 126,918        |
| 1837        | 890             | 55.1                        | 814            | 243,966         | 59.5                         | 166,111        |
| 1838        | 990             | 72.7                        | 372            | 267,906         | 77.3                         | 78,593         |
| 1839        | 1,169           | 69.6                        | 511            | 322,633         | 72.2                         | 124,206        |
| 1840        | 1,067           | 67.9                        | 503            | 283,149         | 69.3                         | 125,619        |
| 1841        | 1,081           | 69.1                        | 484            | 292,575         | 72.2                         | 112,458        |
| 1842        | 1,027           | 64.2                        | 573            | 299,950         | 66.5                         | 151,241        |
| 1843*       | 801             | 74.7                        | 271            | 221,733         | 77.7                         | 63,748         |
| 1844        | 1,289           | 71.2                        | 522            | 371,968         | 74.7                         | 126,286        |
| 1845        | 1,127           | 66.8                        | 561            | 341,094         | 70.5                         | 142,431        |
| 1846        | 1,237           | 68.7                        | 564            | 396,498         | 71.6                         | 157,218        |
| 1847        | 1,476           | 61.5                        | 925            | 495,509         | 65.3                         | 263,236        |
| 1848        | 1,351           | 57.7                        | 992            | 491,219         | 62.3                         | 297,116        |
| 1849        | 1,533           | 57.4                        | 1,140          | 569,711         | 61.2                         | 361,798        |
| 1850        | 1,379           | 52.9                        | 1,230          | 596,812         | 60.7                         | 385,666        |
| 1851        | 1,658           | 53.7                        | 1,427          | 793,229         | 64.5                         | 436,853        |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

TABLE 3:5a

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Entrances to Philadelphia

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.7)

| Year  | Number   |      |         | Tonnage  |      |         |
|-------|----------|------|---------|----------|------|---------|
|       | American | (%)  | Foreign | American | (%)  | Foreign |
| 1826  |          |      |         | 81,538   | 93.7 | 5,496   |
| 1827  |          |      |         | 74,705   | 94.9 | 4,007   |
| 1828  |          |      |         | 80,350   | 90.6 | 8,320   |
| 1829  |          |      |         | 67,222   | 91.5 | 6,232   |
| 1830  |          |      |         | 72,009   | 93.5 | 5,007   |
| 1831  |          |      |         | 71,232   | 88.9 | 8,826   |
| 1832  |          |      |         | 64,268   | 78.4 | 17,671  |
| 1833  |          |      |         | 67,714   | 73.6 | 24,336  |
| 1834  | 332      | 75.3 | 109     | 64,347   | 76.8 | 19,457  |
| 1835  | 348      | 83.7 | 68      | 68,177   | 86.3 | 10,816  |
| 1836  | 329      | 80.8 | 78      | 69,101   | 81.8 | 15,383  |
| 1837  | 346      | 78.9 | 92      | 72,684   | 79.2 | 19,031  |
| 1838  | 374      | 87.4 | 54      | 74,992   | 90.2 | 8,131   |
| 1839  | 453      | 85.3 | 78      | 96,887   | 86.9 | 14,506  |
| 1840  | 353      | 79.5 | 91      | 75,479   | 86.1 | 12,223  |
| 1841  | 428      | 85.9 | 70      | 88,972   | 89.8 | 10,098  |
| 1842  | 363      | 78.1 | 102     | 80,297   | 84.9 | 14,257  |
| 1843* | 221      | 86.6 | 34      | 42,419   | 88.5 | 5,525   |
| 1844  | 376      | 84.1 | 71      | 76,791   | 85.8 | 12,738  |
| 1845  | 343      | 81.6 | 77      | 77,248   | 84.6 | 14,065  |
| 1846  | 346      | 86.9 | 52      | 78,843   | 89.5 | 9,205   |
| 1847  | 435      | 70.0 | 186     | 101,376  | 72.5 | 38,398  |
| 1848  | 390      | 74.4 | 134     | 99,772   | 83.3 | 20,105  |
| 1849  | 421      | 69.5 | 185     | 113,825  | 79.8 | 28,978  |
| 1850  | 352      | 65.5 | 185     | 100,009  | 75.6 | 32,361  |
| 1851  | 404      | 69.5 | 177     | 117,377  | 73.5 | 42,259  |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

**TABLE 3:5b**

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Clearances from Philadelphia

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.7)

| <u>Year</u> | <u>American</u> | <u>Number</u><br><u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>Tonnage</u><br><u>(%)</u> | <u>Foreign</u> |
|-------------|-----------------|-----------------------------|----------------|-----------------|------------------------------|----------------|
| 1826        |                 |                             |                | 69,444          | 93.9                         | 4,445          |
| 1827        |                 |                             |                | 68,753          | 94.4                         | 4,097          |
| 1828        |                 |                             |                | 61,819          | 91.3                         | 5,880          |
| 1829        |                 |                             |                | 52,841          | 91.9                         | 4,625          |
| 1830        |                 |                             |                | 62,959          | 92.8                         | 4,870          |
| 1831        |                 |                             |                | 65,149          | 89.6                         | 7,596          |
| 1832        |                 |                             |                | 46,726          | 76.8                         | 14,131         |
| 1833        |                 |                             |                | 49,109          | 68.7                         | 22,378         |
| 1834        | 262             | 72.9                        | 97             | 46,411          | 74.1                         | 16,236         |
| 1835        | 318             | 81.7                        | 71             | 57,088          | 83.9                         | 10,935         |
| 1836        | 272             | 77.7                        | 78             | 49,670          | 77.6                         | 14,349         |
| 1837        | 244             | 73.5                        | 88             | 45,185          | 71.2                         | 18,284         |
| 1838        | 284             | 84.3                        | 53             | 53,905          | 86.3                         | 8,528          |
| 1839        | 333             | 82.2                        | 72             | 64,318          | 82.8                         | 13,381         |
| 1840        | 376             | 81.9                        | 83             | 72,288          | 86.4                         | 11,340         |
| 1841        | 390             | 85.7                        | 65             | 74,201          | 88.8                         | 9,322          |
| 1842        | 328             | 76.9                        | 98             | 65,208          | 82.6                         | 13,712         |
| 1843*       | 241             | 87.6                        | 34             | 41,573          | 87.6                         | 5,899          |
| 1844        | 394             | 86.9                        | 59             | 70,650          | 89.1                         | 8,627          |
| 1845        | 341             | 84.4                        | 63             | 63,271          | 82.9                         | 12,987         |
| 1846        | 377             | 88.9                        | 47             | 77,272          | 91.0                         | 7,627          |
| 1847        | 430             | 73.8                        | 153            | 107,930         | 75.4                         | 35,213         |
| 1848        | 342             | 71.8                        | 134            | 77,870          | 79.4                         | 20,218         |
| 1849        | 360             | 66.8                        | 179            | 93,322          | 77.6                         | 27,005         |
| 1850        | 309             | 64.5                        | 170            | 81,276          | 72.8                         | 30,342         |
| 1851        | 357             | 67.4                        | 173            | 102,123         | 72.9                         | 38,051         |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

**TABLE 3:6a**

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Entrances to Baltimore

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.8)

| <u>Year</u> | <u>Number</u>   |            |                | <u>Tonnage</u>  |            |                |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>(%)</u> | <u>Foreign</u> |
| 1826        |                 |            |                | 68,860          | 94.3       | 4,130          |
| 1827        |                 |            |                | 55,092          | 92.4       | 4,515          |
| 1828        |                 |            |                | 55,382          | 90.8       | 5,612          |
| 1829        |                 |            |                | 51,613          | 88.9       | 6,446          |
| 1830        |                 |            |                | 54,806          | 89.7       | 6,315          |
| 1831        |                 |            |                | 54,790          | 83.9       | 10,455         |
| 1832        |                 |            |                | 50,936          | 70.8       | 20,957         |
| 1833        |                 |            |                | 58,170          | 70.7       | 24,136         |
| 1834        | 248             | 76.8       | 75             | 46,983          | 72.3       | 18,045         |
| 1835        | 265             | 81.3       | 61             | 47,901          | 75.5       | 15,522         |
| 1836        | 282             | 78.6       | 77             | 51,782          | 73.8       | 18,394         |
| 1837        | 283             | 64.2       | 158            | 57,114          | 58.9       | 39,778         |
| 1838        | 308             | 77.4       | 90             | 54,421          | 70.6       | 22,685         |
| 1839        | 338             | 78.9       | 90             | 58,957          | 74.9       | 19,804         |
| 1840        | 309             | 75.4       | 101            | 58,237          | 70.9       | 23,903         |
| 1841        | 353             | 79.5       | 91             | 69,275          | 77.2       | 20,473         |
| 1842        | 314             | 76.9       | 94             | 65,479          | 75.3       | 21,425         |
| 1843*       | 187             | 73.3       | 68             | 37,134          | 71.9       | 14,464         |
| 1844        | 298             | 72.9       | 111            | 61,469          | 74.2       | 21,344         |
| 1845        | 286             | 74.5       | 98             | 59,944          | 74.9       | 20,076         |
| 1846        | 319             | 74.2       | 111            | 65,563          | 72.9       | 21,343         |
| 1847        | 357             | 69.9       | 154            | 82,099          | 66.7       | 40,966         |
| 1848        | 361             | 75.4       | 118            | 74,188          | 72.4       | 28,342         |
| 1849        | 309             | 63.8       | 115            | 86,485          | 78.6       | 23,583         |
| 1850        | 295             | 67.4       | 143            | 70,427          | 70.7       | 29,161         |
| 1851        | 329             | 70.4       | 138            | 86,774          | 76.8       | 26,253         |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

TABLE 3:6b

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Clearances from Baltimore

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.8)

| <u>Year</u> | <u>Number</u>   |            |                | <u>Tonnage</u>  |            |                |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>(%)</u> | <u>Foreign</u> |
| 1826        |                 |            |                | 61,095          | 95.4       | 2,931          |
| 1827        |                 |            |                | 66,577          | 94.1       | 4,191          |
| 1828        |                 |            |                | 58,323          | 89.8       | 6,631          |
| 1829        |                 |            |                | 54,248          | 88.7       | 6,890          |
| 1830        |                 |            |                | 54,416          | 93.4       | 3,836          |
| 1831        |                 |            |                | 64,872          | 86.3       | 10,276         |
| 1832        |                 |            |                | 48,933          | 75.8       | 15,648         |
| 1833        |                 |            |                | 46,804          | 64.7       | 25,499         |
| 1834        | 236             | 75.9       | 75             | 41,595          | 70.6       | 17,350         |
| 1835        | 268             | 77.7       | 77             | 45,245          | 70.9       | 18,526         |
| 1836        | 241             | 74.6       | 82             | 39,416          | 68.0       | 18,507         |
| 1837        | 230             | 61.9       | 141            | 39,195          | 52.3       | 35,708         |
| 1838        | 266             | 74.1       | 93             | 43,538          | 65.3       | 23,163         |
| 1839        | 311             | 77.8       | 89             | 49,298          | 71.6       | 19,556         |
| 1840        | 352             | 76.4       | 109            | 67,718          | 72.6       | 25,546         |
| 1841        | 347             | 77.9       | 98             | 63,588          | 72.9       | 23,598         |
| 1842        | 299             | 75.9       | 95             | 61,447          | 74.3       | 21,260         |
| 1843*       | 222             | 76.0       | 70             | 41,473          | 72.9       | 15,431         |
| 1844        | 346             | 75.7       | 111            | 69,834          | 76.0       | 21,205         |
| 1845        | 344             | 76.4       | 106            | 69,716          | 75.7       | 22,342         |
| 1846        | 405             | 75.9       | 128            | 88,404          | 74.1       | 30,887         |
| 1847        | 462             | 69.2       | 206            | 114,702         | 67.5       | 55,228         |
| 1848        | 406             | 74.8       | 137            | 84,709          | 70.0       | 36,221         |
| 1849        | 490             | 77.4       | 143            | 118,158         | 78.9       | 31,652         |
| 1850        | 359             | 68.9       | 162            | 89,296          | 70.4       | 37,523         |
| 1851        | 309             | 67.6       | 148            | 75,406          | 71.3       | 30,383         |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

TABLE 3:7a

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Entrances to Mobile(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.9)

| Year  | Number   |      | Foreign | Tonnage  |      | Foreign |
|-------|----------|------|---------|----------|------|---------|
|       | American | (%)  |         | American | (%)  |         |
| 1826  |          |      |         | 13,178   | 89.2 | 1,596   |
| 1827  |          |      |         | 14,312   | 81.9 | 3,163   |
| 1828  |          |      |         | 13,360   | 76.3 | 4,146   |
| 1829  |          |      |         | 11,883   | 68.8 | 5,400   |
| 1830  |          |      |         | 10,490   | 68.5 | 4,826   |
| 1831  |          |      |         | 10,126   | 46.1 | 11,840  |
| 1832  |          |      |         | 10,700   | 47.3 | 11,915  |
| 1833  |          |      |         | 11,238   | 53.1 | 9,918   |
| 1834  | 52       | 59.8 | 35      | 8,683    | 45.7 | 10,308  |
| 1835  | 75       | 64.1 | 42      | 16,834   | 54.5 | 14,050  |
| 1836  | 79       | 64.8 | 43      | 14,915   | 47.7 | 16,323  |
| 1837  | 65       | 70.7 | 27      | 17,211   | 62.5 | 10,320  |
| 1838  | 122      | 79.2 | 32      | 27,191   | 69.4 | 11,996  |
| 1839  | 128      | 73.9 | 45      | 21,857   | 55.7 | 17,408  |
| 1840  | 146      | 70.5 | 61      | 41,208   | 61.7 | 25,564  |
| 1841  | 107      | 60.8 | 69      | 23,965   | 39.6 | 36,583  |
| 1842  | 81       | 55.9 | 64      | 19,706   | 33.9 | 38,264  |
| 1843* | 138      | 58.9 | 96      | 48,892   | 46.3 | 56,648  |
| 1844  | 102      | 54.2 | 86      | 27,095   | 33.5 | 53,676  |
| 1845  | 137      | 53.9 | 117     | 47,654   | 43.1 | 62,952  |
| 1846  | 69       | 43.7 | 89      | 24,722   | 32.0 | 52,468  |
| 1847  | 50       | 38.8 | 79      | 16,956   | 27.8 | 43,162  |
| 1848  | 55       | 41.9 | 76      | 16,135   | 26.2 | 45,491  |
| 1849  | 55       | 35.3 | 101     | 20,858   | 23.9 | 66,213  |
| 1850  | 40       | 26.3 | 112     | 11,914   | 12.4 | 84,108  |
| 1851  | 23       | 19.3 | 96      | 9,186    | 16.5 | 46,498  |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

**TABLE 3:7b**

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Clearances from Mobile

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.9)

| <u>Year</u> | <u>Number</u>   |            | <u>Foreign</u> | <u>Tonnage</u>  |            | <u>Foreign</u> |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> |                | <u>American</u> | <u>(%)</u> |                |
| 1826        |                 |            |                | 16,086          | 89.9       | 1,807          |
| 1827        |                 |            |                | 13,696          | 81.7       | 3,073          |
| 1828        |                 |            |                | 15,359          | 76.3       | 4,765          |
| 1829        |                 |            |                | 14,494          | 74.5       | 4,953          |
| 1830        |                 |            |                | 22,277          | 84.6       | 4,059          |
| 1831        |                 |            |                | 14,707          | 57.3       | 10,953         |
| 1832        |                 |            |                | 18,764          | 60.2       | 12,384         |
| 1833        |                 |            |                | 29,067          | 75.8       | 9,286          |
| 1834        | 120             | 76.9       | 36             | 29,272          | 73.4       | 10,614         |
| 1835        | 119             | 76.3       | 37             | 32,795          | 72.1       | 12,665         |
| 1836        | 114             | 72.6       | 43             | 35,340          | 67.0       | 17,367         |
| 1837        | 156             | 84.3       | 29             | 53,822          | 83.4       | 10,725         |
| 1838        | 244             | 88.1       | 33             | 70,124          | 84.9       | 12,466         |
| 1839        | 200             | 81.9       | 44             | 48,286          | 73.9       | 17,006         |
| 1840        | 251             | 81.5       | 57             | 94,551          | 80.1       | 23,552         |
| 1841        | 153             | 68.9       | 69             | 47,481          | 57.0       | 35,795         |
| 1842        | 146             | 69.5       | 64             | 51,247          | 57.4       | 38,095         |
| 1843*       | 200             | 67.6       | 96             | 79,107          | 58.6       | 55,900         |
| 1844        | 134             | 60.4       | 86             | 47,097          | 46.6       | 53,938         |
| 1845        | 190             | 62.1       | 116            | 80,032          | 56.2       | 62,491         |
| 1846        | 110             | 55.6       | 88             | 46,044          | 47.4       | 51,007         |
| 1847        | 57              | 42.5       | 77             | 23,103          | 34.9       | 43,135         |
| 1848        | 146             | 64.0       | 82             | 67,574          | 57.8       | 49,359         |
| 1849        | 149             | 58.2       | 107            | 76,523          | 51.7       | 71,593         |
| 1850        | 76              | 41.8       | 106            | 32,268          | 28.6       | 80,717         |
| 1851        | 129             | 55.6       | 103            | 68,747          | 56.7       | 52,518         |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)



**TABLE 3:8a**

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Entrances to New Orleans

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.10)

| <u>Year</u> | <u>Number</u>   |            |                | <u>Tonnage</u>  |            |                |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>(%)</u> | <u>Foreign</u> |
| 1826        |                 |            |                | 48,691          | 67.3       | 23,622         |
| 1827        |                 |            |                | 66,657          | 68.3       | 30,937         |
| 1828        |                 |            |                | 76,821          | 65.9       | 39,791         |
| 1829        |                 |            |                | 67,680          | 67.5       | 32,535         |
| 1830        |                 |            |                | 83,243          | 70.2       | 35,393         |
| 1831        |                 |            |                | 76,231          | 57.9       | 55,541         |
| 1832        |                 |            |                | 68,637          | 54.7       | 56,942         |
| 1833        |                 |            |                | 71,476          | 53.4       | 62,346         |
| 1834        | 381             | 53.7       | 328            | 69,131          | 50.7       | 67,199         |
| 1835        | 518             | 62.1       | 316            | 97,680          | 62.5       | 58,690         |
| 1836        | 503             | 70.5       | 210            | 95,833          | 65.9       | 50,294         |
| 1837        | 460             | 72.6       | 174            | 91,790          | 67.3       | 44,645         |
| 1838        | 613             | 78.4       | 169            | 139,722         | 76.4       | 43,184         |
| 1839        | 603             | 73.4       | 219            | 126,547         | 69.1       | 56,618         |
| 1840        | 672             | 72.7       | 252            | 182,292         | 71.4       | 73,185         |
| 1841        | 683             | 72.5       | 259            | 193,003         | 72.9       | 71,634         |
| 1842        | 564             | 71.8       | 222            | 179,777         | 70.4       | 75,698         |
| 1843*       | 833             | 78.1       | 233            | 261,053         | 74.3       | 90,450         |
| 1844        | 727             | 72.1       | 281            | 211,282         | 67.9       | 99,705         |
| 1845        | 752             | 70.1       | 320            | 237,268         | 65.2       | 126,719        |
| 1846        | 655             | 71.1       | 266            | 203,898         | 64.6       | 111,874        |
| 1847        | 682             | 63.4       | 393            | 232,477         | 57.8       | 170,059        |
| 1848        | 600             | 61.9       | 370            | 200,428         | 54.7       | 165,678        |
| 1849        | 686             | 62.5       | 412            | 229,245         | 53.9       | 196,204        |
| 1850        | 522             | 58.3       | 374            | 175,065         | 50.0       | 174,884        |
| 1851        | 542             | 62.3       | 328            | 194,776         | 59.2       | 134,156        |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

**TABLE 3:8b**

Shipping Engaged in Foreign Trade of the U.S., 1826-1851:  
Clearances from New Orleans

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.10)

| <u>Year</u> | <u>Number</u>   |            |                | <u>Tonnage</u>  |            |                |
|-------------|-----------------|------------|----------------|-----------------|------------|----------------|
|             | <u>American</u> | <u>(%)</u> | <u>Foreign</u> | <u>American</u> | <u>(%)</u> | <u>Foreign</u> |
| 1826        |                 |            |                | 68,144          | 74.8       | 22,943         |
| 1827        |                 |            |                | 89,793          | 74.8       | 30,240         |
| 1828        |                 |            |                | 85,341          | 68.8       | 38,731         |
| 1829        |                 |            |                | 87,657          | 72.5       | 33,172         |
| 1830        |                 |            |                | 106,017         | 74.5       | 36,317         |
| 1831        |                 |            |                | 96,753          | 64.4       | 53,558         |
| 1832        |                 |            |                | 88,236          | 59.7       | 59,620         |
| 1833        |                 |            |                | 86,021          | 58.7       | 60,580         |
| 1834        | 456             | 57.5       | 337            | 112,230         | 61.1       | 71,599         |
| 1835        | 587             | 64.9       | 317            | 137,391         | 70.0       | 58,778         |
| 1836        | 632             | 76.9       | 190            | 147,838         | 75.4       | 48,110         |
| 1837        | 668             | 78.2       | 186            | 175,563         | 79.4       | 45,523         |
| 1838        | 764             | 81.9       | 168            | 217,126         | 83.7       | 42,142         |
| 1839        | 684             | 76.7       | 208            | 177,257         | 76.4       | 54,772         |
| 1840        | 850             | 76.2       | 265            | 277,021         | 79.1       | 73,350         |
| 1841        | 741             | 74.1       | 259            | 244,988         | 77.1       | 72,577         |
| 1842        | 644             | 74.7       | 222            | 244,110         | 76.8       | 73,668         |
| 1843*       | 808             | 78.6       | 233            | 292,473         | 78.4       | 80,697         |
| 1844        | 711             | 71.1       | 281            | 237,050         | 70.1       | 101,056        |
| 1845        | 639             | 65.9       | 320            | 243,543         | 65.3       | 129,561        |
| 1846        | 639             | 69.9       | 266            | 238,448         | 68.4       | 110,023        |
| 1847        | 741             | 65.1       | 393            | 274,112         | 62.2       | 166,766        |
| 1848        | 667             | 64.8       | 370            | 287,887         | 65.9       | 148,612        |
| 1849        | 714             | 63.1       | 412            | 293,456         | 60.2       | 194,234        |
| 1850        | 493             | 58.5       | 374            | 211,800         | 60.5       | 158,137        |
| 1851        | 645             | 66.7       | 328            | 292,954         | 69.5       | 128,612        |

(no record of numbers of vessels arriving prior to 1834)

(\* 1843 figure for nine months only)

TABLE 4

Numbers of Foreign Vessels in the Foreign Trade of the U.S., 1834-1851

(Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.12-26)

| <u>Year</u> | <u>Austrian</u> |    | <u>Belgian</u> |    | <u>British</u> |       | <u>Danish</u> |    | <u>Dutch</u> |    | <u>French</u> |     |
|-------------|-----------------|----|----------------|----|----------------|-------|---------------|----|--------------|----|---------------|-----|
| 1834        | 5               | 7  | --             | -- | 3,350          | 3,377 | 23            | 21 | 9            | 13 | 96            | 96  |
| 1835        | 9               | 7  | 3              | 3  | 3,682          | 3,650 | 18            | 17 | 17           | 12 | 65            | 57  |
| 1836        | 26              | 22 | --             | -- | 3,510          | 3,442 | 42            | 40 | 35           | 39 | 75            | 77  |
| 1837        | 53              | 56 | 7              | 7  | 3,691          | 3,628 | 86            | 92 | 63           | 62 | 95            | 95  |
| 1838        | 7               | 10 | 5              | 4  | 3,206          | 3,176 | 23            | 29 | 25           | 24 | 76            | 82  |
| 1839        | 5               | 7  | 5              | 5  | 3,534          | 3,500 | 28            | 28 | 19           | 17 | 94            | 92  |
| 1840        | 10              | 12 | 2              | 2  | 4,024          | 3,987 | 26            | 33 | 22           | 23 | 113           | 108 |
| 1841        | 4               | 3  | 2              | 2  | 4,032          | 4,057 | 26            | 25 | 18           | 16 | 67            | 68  |
| 1842        | 1               | 2  | 15             | 14 | 4,052          | 4,023 | 30            | 33 | 19           | 24 | 56            | 65  |
| 1843*       | --              | -- | 2              | 4  | 2,614          | 2,568 | 12            | 18 | 3            | 4  | 39            | 36  |
| 1844        | 3               | 2  | 7              | 9  | 5,030          | 4,953 | 31            | 36 | 13           | 10 | 55            | 54  |
| 1845        | 9               | 11 | 7              | 9  | 5,030          | 4,981 | 22            | 19 | 9            | 10 | 41            | 74  |
| 1846        | 6               | 7  | 8              | 8  | 5,194          | 5,209 | 20            | 19 | 14           | 13 | 46            | 51  |
| 1847        | 12              | 14 | 15             | 11 | 5,746          | 5,556 | 44            | 41 | 31           | 26 | 101           | 91  |
| 1848        | 6               | 7  | 20             | 21 | 6,898          | 6,876 | 47            | 49 | 30           | 41 | 73            | 76  |
| 1849        | 10              | 10 | 16             | 17 | 8,214          | 8,079 | 47            | 53 | 25           | 21 | 99            | 98  |
| 1850        | 16              | 13 | 15             | 15 | 8,999          | 8,715 | 53            | 53 | 29           | 30 | 116           | 106 |
| 1851        | 15              | 20 | 24             | 18 | 9,489          | 9,423 | 43            | 41 | 69           | 66 | 95            | 100 |

(First figure: entrances; second figure: clearances  
 (\*1843 figures for nine months only)

TABLE 4 cont.

Numbers of Foreign Vessels in the Foreign Trade of the U.S., 1834-1851

Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.12-26

| <u>Year</u> | <u>Hanoverian</u> |    | <u>Hanseatic</u> |     | <u>Mecklenburg</u> |    | <u>Oldenburg</u> |    | <u>Portuguese</u> |    | <u>Prussian</u> |    |
|-------------|-------------------|----|------------------|-----|--------------------|----|------------------|----|-------------------|----|-----------------|----|
| 1834        | --                | -- | 84               | 81  | --                 | -- | --               | -- | 2                 | 2  | 3               | 4  |
| 1835        | --                | -- | 95               | 98  | --                 | -- | --               | -- | 5                 | 7  | 1               | 1  |
| 1836        | --                | -- | 143              | 157 | --                 | -- | --               | -- | 2                 | 4  | 13              | 10 |
| 1837        | --                | -- | 263              | 247 | --                 | -- | --               | -- | 4                 | 6  | 10              | 12 |
| 1838        | 3                 | 4  | 127              | 136 | --                 | -- | --               | -- | 7                 | 9  | 5               | 5  |
| 1839        | --                | -- | 139              | 132 | --                 | -- | --               | -- | 7                 | 6  | 8               | 3  |
| 1840        | 3                 | 3  | 134              | 141 | --                 | -- | --               | -- | --                | -- | 2               | 4  |
| 1841        | 2                 | 2  | 131              | 138 | --                 | -- | --               | -- | 2                 | 2  | 1               | 1  |
| 1842        | 1                 | 1  | 139              | 154 | --                 | -- | --               | -- | 3                 | 3  | 6               | 7  |
| 1843*       | 8                 | 3  | 105              | 106 | --                 | -- | --               | -- | --                | -- | 3               | 2  |
| 1844        | 10                | 9  | 155              | 156 | --                 | -- | --               | -- | 1                 | -- | 5               | 8  |
| 1845        | 4                 | 4  | 145              | 157 | --                 | -- | --               | -- | 5                 | 5  | 12              | 20 |
| 1846        | 4                 | 2  | 173              | 194 | --                 | 1  | --               | -- | 14                | 12 | 6               | 4  |
| 1847        | 5                 | 7  | 241              | 238 | --                 | 1  | 2                | 1  | 15                | 14 | 4               | 4  |
| 1848        | 5                 | 3  | 214              | 207 | 1                  | 1  | 10               | 4  | 15                | 20 | 2               | 2  |
| 1849        | 9                 | 8  | 201              | 211 | 1                  | 1  | 21               | 18 | 17                | 15 | 18              | 13 |
| 1850        | 9                 | 11 | 199              | 210 | 6                  | 3  | 9                | 10 | 20                | 15 | 64              | 61 |
| 1851        | 7                 | 5  | 286              | 298 | 12                 | 10 | 12               | 10 | 18                | 23 | 42              | 30 |

(First figure: entrances; second figure: clearances  
 (\*1843 figures for nine months only)

TABLE 4 cont.

Numbers of Foreign Vessels in the Foreign Trade of the U.S., 1834-1851

Source: Senate Doc., 32 Cong., 1 Sess., No.123, p.12-26

| <u>Year</u> | <u>Russian</u> |    | <u>Sardinian</u> |    | <u>Sicilian</u> |    | <u>Spanish</u> |     | <u>Swedish</u> |     | <u>Tuscan</u> |    |
|-------------|----------------|----|------------------|----|-----------------|----|----------------|-----|----------------|-----|---------------|----|
| 1834        | 3              | 4  | 2                | 2  | 5               | 4  | 241            | 295 | 52             | 57  | --            | -- |
| 1835        | 1              | 1  | 3                | 2  | 5               | 7  | 162            | 177 | 64             | 56  | --            | -- |
| 1836        | 13             | 10 | 2                | 2  | 14              | 17 | 75             | 74  | 99             | 91  | --            | 1  |
| 1837        | 10             | 12 | 17               | 16 | 10              | 9  | 86             | 83  | 117            | 107 | --            | -- |
| 1838        | 5              | 5  | 7                | 7  | 14              | 15 | 103            | 103 | 38             | 49  | --            | -- |
| 1839        | 8              | 3  | 5                | 2  | 19              | 20 | 102            | 90  | 67             | 68  | --            | 2  |
| 1840        | 2              | 4  | 9                | 8  | 17              | 20 | 101            | 103 | 61             | 76  | --            | -- |
| 1841        | 1              | 1  | 5                | 4  | 20              | 22 | 82             | 86  | 83             | 77  | --            | -- |
| 1842        | 6              | 7  | 6                | 7  | 19              | 20 | 65             | 54  | 78             | 80  | --            | -- |
| 1843*       | 3              | 2  | 3                | 1  | 4               | 5  | 38             | 38  | 35             | 36  | --            | -- |
| 1844        | 5              | 8  | 6                | 5  | 18              | 20 | 46             | 47  | 136            | 128 | --            | -- |
| 1845        | 12             | 20 | 14               | 11 | 19              | 17 | 74             | 84  | 126            | 135 | 2             | 2  |
| 1846        | 6              | 4  | 13               | 18 | 12              | 18 | 37             | 37  | 77             | 84  | 1             | -- |
| 1847        | 4              | 4  | 20               | 19 | 7               | 7  | 84             | 79  | 110            | 97  | --            | 1  |
| 1848        | 2              | 2  | 10               | 9  | 15              | 11 | 118            | 119 | 99             | 120 | --            | -- |
| 1849        | 18             | 13 | 21               | 17 | 13              | 12 | 113            | 109 | 105            | 106 | --            | -- |
| 1850        | 64             | 61 | 44               | 35 | 22              | 22 | 134            | 135 | 182            | 189 | --            | -- |
| 1851        | 42             | 30 | 57               | 54 | 21              | 21 | 176            | 168 | 199            | 207 | 4             | 5  |

(First figure: entrances; second figure: clearances  
 (\*1843 figures for nine months only)

TABLE 4 cont.

Numbers of Foreign Vessels in the Foreign Trade of the U.S., 1834-1851

Source: Senate Doc., 32nd Cong., 1st Sess., No.123, p.12-26

| <u>Year</u> | <u>Argentine</u> |    | <u>Brazilian</u> |    | <u>Cent. Am.</u> |    | <u>Mexican</u> |     | <u>New Granada</u> |                | <u>Venezuelan</u> |    |
|-------------|------------------|----|------------------|----|------------------|----|----------------|-----|--------------------|----------------|-------------------|----|
| 1834        | --               | -- | 1                | 4  | 2                | -- | 69             | 29  | 5                  | 6 <sup>a</sup> | --                | -- |
| 1835        | --               | 1  | 4                | 5  | 1                | 1  | 123            | 122 | 4                  | 3 <sup>a</sup> | --                | -- |
| 1836        | --               | -- | 3                | 4  | --               | -- | 56             | 47  | 5                  | 7              | 1                 | 1  |
| 1837        | 1                | 1  | 3                | 3  | --               | -- | 11             | 18  | 5                  | 7              | 4                 | 4  |
| 1838        | 1                | 2  | --               | -- | --               | -- | 12             | 11  | 8                  | 7              | 4                 | 2  |
| 1839        | --               | -- | 3                | 1  | --               | -- | 17             | 16  | 11                 | 9              | 3                 | 7  |
| 1840        | --               | -- | 2                | 3  | --               | -- | 16             | 24  | 5                  | 7              | 7                 | 6  |
| 1841        | --               | -- | --               | -- | --               | -- | 31             | 27  | 8                  | 8              | 9                 | 6  |
| 1842        | --               | -- | 1                | 1  | --               | -- | 2              | 3   | 5                  | 4              | 22                | 20 |
| 1843*       | --               | -- | --               | 1  | --               | -- | 1              | 1   | 3                  | 4              | 9                 | 10 |
| 1844        | 1                | 1  | --               | -- | --               | -- | 15             | 13  | 1                  | 2              | 11                | 11 |
| 1845        | --               | 1  | --               | 1  | --               | -- | 31             | 33  | --                 | --             | 8                 | 8  |
| 1846        | --               | -- | 3                | 4  | 1                | 2  | 35             | 36  | 1                  | 2              | 5                 | 5  |
| 1847        | --               | -- | 9                | 6  | --               | -- | 17             | 17  | 8                  | 6              | 5                 | 3  |
| 1848        | 2                | 1  | 16               | 17 | 2                | 2  | 18             | 21  | 5                  | 7              | 6                 | 5  |
| 1849        | 4                | 3  | 7                | 7  | 2                | 2  | 19             | 20  | 5                  | 4              | 6                 | 4  |
| 1850        | 4                | 2  | 9                | 9  | 2                | 1  | 30             | 35  | 5                  | 6              | 10                | 11 |
| 1851        | 7                | 5  | 9                | 8  | 1                | 4  | 36             | 38  | 9                  | 7              | 9                 | 10 |

(First figure: entrances; second figure: clearances

(\*1843 figures for nine months only)

(a1834/5 figures for all Colombia)

TABLE 5:1

U.S. Trade with European Colonies, Year ending 30 September 1831

(Source: Senate Doc., 22 Cong., 1 Sess., No.80)

|                       | <u>Imports</u> | <u>Exports</u> | <u>Tonnage Entered</u> |                | <u>Tonnage Cleared</u> |                |
|-----------------------|----------------|----------------|------------------------|----------------|------------------------|----------------|
|                       |                |                | <u>American</u>        | <u>Foreign</u> | <u>American</u>        | <u>Foreign</u> |
| British West Indies   | 1,284,678      | 1,441,700      | 36,914                 | 18,768         | 35,967                 | 15,106         |
| British North America | 864,189        | 4,060,896      | 88,670                 | 88,777         | 66,805                 | 83,055         |
| Swedish West Indies   | 218,918        | 263,048        | 3,969                  | 263            | 8,600                  | 724            |
| Danish West Indies    | 1,651,641      | 1,651,641      | 27,223                 | 3,091          | 39,775                 | 2,872          |

TABLE 5:2

U.S. Trade with European Colonies, Year ending 30 September 1833

(Source: Senate Doc., 23 Cong., 1 Sess., No.42)

|                       | <u>Imports</u> | <u>Exports</u> | <u>Tonnage Entered</u> |                | <u>Tonnage Cleared</u> |                |
|-----------------------|----------------|----------------|------------------------|----------------|------------------------|----------------|
|                       |                |                | <u>American</u>        | <u>Foreign</u> | <u>American</u>        | <u>Foreign</u> |
| British West Indies   | 1,349,955      | 1,810,494      | 53,139                 | 26,638         | 64,562                 | 21,775         |
| British North America | 1,720,039      | 4,428,185      | 181,600                | 207,022        | 212,328                | 247,953        |
| Swedish West Indies   | 32,202         | 105,220        | 2,250                  | 260            | 3,395                  | 283            |
| Danish West Indies    | 1,119,407      | 1,546,589      | 22,657                 | 2,218          | 32,642                 | 3,512          |

TABLE 5:3

Regional Origin of U.S. Exports to British Colonies, 1833

(Source: Senate Doc., 23 Cong., 1 Sess., No.58)

| a) <u>Totals</u>      | <u>Produce(\$)</u> | <u>Tonnage</u>  |                |
|-----------------------|--------------------|-----------------|----------------|
|                       |                    | <u>American</u> | <u>Foreign</u> |
| U.S. to North America | 4,389,641          | 28,707          | 190,011        |
| Lake Ports            | 2,629,273          | 189,572         | 56,894         |
| South/Mid-Atlantic    | 1,261,009          | 15,180          | 66,607         |
| New England           | 499,359            | 13,527          | 123,404        |
| U.S. to West Indies   | 1,730,035          | 64,474          | 21,775         |
| South/Mid-Atlantic    | 1,346,398          | 43,577          | 21,553         |
| New England           | 383,637            | 20,897          | 222            |

b) Lakes/Vermont to North America, by collection district

|                  |         |        |        |
|------------------|---------|--------|--------|
| Vermont          | 377,399 | 35,106 | --     |
| Champlain        | 488,218 | 31,940 | 55     |
| Oswego           | 97,759  | 7,177  | 9,955  |
| Oswegatchie      | 592,522 | 15,694 | 5,023  |
| Buffalo Creek    | 55,031  | 57,107 | 2,074  |
| Niagara          | 74,540  | 1,329  | 27,257 |
| Sackett's Harbor | 40,259  | 14,930 | --     |
| Gennessee        | 325,947 | 14,196 | 3,339  |
| Cape Vincent     | 343,000 | 9,408  | 4,856  |
| Cuyahoga         | 225,521 | 2,041  | 4,045  |
| Sandusky         | 23      | --     | 80     |
| Detroit          | 9,054   | 644    | 210    |

c) South/Mid-Atlantic to North America

|              |         |       |        |
|--------------|---------|-------|--------|
| New York     | 677,416 | 7,565 | 44,503 |
| Philadelphia | 286,536 | 2,875 | 10,454 |
| Baltimore    | 28,887  | 1,058 | 2,838  |
| Georgetown   | 5,094   | 317   | --     |
| Alexandria   | 104,492 | 693   | 1,637  |
| Norfolk      | 12,696  | 107   | 1,507  |
| Richmond     | 18,510  | 321   | 105    |
| Tappahannock | 35,062  | 838   | 97     |
| Wilmington   | --      | 165   | 184    |
| Newbern      | 2,337   | 336   | 39     |
| Washington   | 2,195   | 334   | --     |
| Plymouth     | 2,557   | 276   | --     |
| Charleston   | 1,102   | --    | 2,346  |
| Savannah     | 4,768   | --    | 1,355  |
| New Orleans  | 79,357  | 460   | 1,726  |



TABLE 5:3 cont.

d) New England to North America

|                 |         |       |        |
|-----------------|---------|-------|--------|
| Passamaquoddy   | 200,138 | 2,535 | 97,670 |
| Frenchman's Bay | 231     | --    | 281    |
| Penobscot       | 2,080   | 457   | --     |
| Bath            | --      | 995   | --     |
| Portland        | 13,016  | 2,381 | 238    |
| Marblehead      | 102     | 238   | --     |
| Boston          | 306,630 | 7,847 | 24,267 |
| Nantucket       | 132     | --    | 49     |
| New Bedford     | 10,403  | --    | 628    |
| Dighton         | --      | 196   | 574    |
| Bristol         | --      | 446   | --     |
| Providence      | --      | 1,858 | 189    |
| Middletown      | 315     | 69    | 271    |

e) South/Mid-Atlantic to West Indies

|              |         |        |       |
|--------------|---------|--------|-------|
| New York     | 348,804 | 11,159 | 6,536 |
| Perth Amboy  | 5,412   | 125    | --    |
| Philadelphia | 146,508 | 3,065  | 633   |
| Baltimore    | 194,903 | 3,859  | 1,492 |
| Snow Hill    | 3,120   | 146    | --    |
| Vienna       | 2,619   | 87     | --    |
| Georgetown   | 23,862  | 631    | --    |
| Alexandria   | 194,828 | 3,872  | 502   |
| Norfolk      | 202,665 | 4,516  | 6,458 |
| Wilmington   | 84,417  | 5,145  | 2,690 |
| Newbern      | 4,697   | 744    | --    |
| Washington   | 5,729   | 814    | --    |
| Edenton      | 13,918  | 2,054  | --    |
| Camden       | 11,201  | 1,621  | --    |
| Plymouth     | 9,320   | 1,505  | --    |
| Beaufort     | 1,225   | 69     | 88    |
| Ocracoke     | 6,543   | 974    | --    |
| Charleston   | 29,632  | 603    | 1,463 |
| Savannah     | 31,380  | 1,701  | 1,226 |
| Brunswick    | 1,723   | 146    | --    |
| Key West     | 2,630   | 38     | --    |
| Mobile       | 163     | --     | 57    |
| New Orleans  | 21,099  | 703    | 408   |

TABLE 5:3 cont.

f) New England to West Indies

|               |         |       |     |
|---------------|---------|-------|-----|
| Passamaquoddy | 3,652   | 427   | --  |
| Penobscot     | 3,019   | 177   | --  |
| Waldborough   | 1,709   | 168   | --  |
| Bath          | 49,425  | 5,270 | --  |
| Portland      | 7,042   | 388   | --  |
| Saco          | 1,227   | 163   | --  |
| Kennebunk     | 1,835   | 187   | --  |
| Belfast       | 14,972  | 1,975 | --  |
| Boston        | 54,699  | 4,423 | 222 |
| Plymouth      | --      | 88    | --  |
| Dighton       | 1,360   | 196   | --  |
| Newport       | 484     | 113   | --  |
| Providence    | 3,046   | 1,213 | --  |
| New Haven     | 214,319 | 5,195 | --  |
| Middletown    | 20,935  | 672   | --  |
| Fairfield     | 5,913   | 330   | --  |

TABLE 5:4

U.S. Trade with British Colonies: 1831, 1832 & 1840

(Source: House Report, 27 Cong., 2 Sess., No.650, pp.92-3)

| <u>Year</u> | <u>West Indies</u> |                | <u>North America</u> |                |
|-------------|--------------------|----------------|----------------------|----------------|
|             | <u>Imports</u>     | <u>Exports</u> | <u>Imports</u>       | <u>Exports</u> |
| 1831        | \$1,308,301        | 1,441,253      | 864,909              | 4,061,838      |
| 1832        | \$1,442,237        | 1,686,206      | 1,225,526            | 3,614,385      |
| 1840        | \$1,048,165        | 2,097,584      | 2,007,767            | 5,889,215      |

TABLE 5:5

Tonnage Entering U.S. Ports from North America, 1830-1840

(Source: House Report, 27 Cong., 2 Sess., No.835, p.37)

| <u>Year</u> | <u>American</u> | <u>British</u> | <u>Year</u> | <u>American</u> | <u>British</u> |
|-------------|-----------------|----------------|-------------|-----------------|----------------|
| 1830        | 130,527         | 4,002          | 1836        | 278,650         | 377,523        |
| 1831        | 92,672          | 82,557         | 1837        | 286,670         | 488,996        |
| 1832        | 74,001          | 108,671        | 1838        | 266,220         | 370,397        |
| 1833        | 209,958         | 208,054        | 1839        | 384,121         | 332,097        |
| 1834        | 173,278         | 289,984        | 1840        | 373,149         | 387,947        |
| 1835        | 263,852         | 387,250        |             |                 |                |

## **NOTES**

### Notes to Introduction

<sup>1</sup> Paul A. Varg, United States Foreign Relations, 1820-1860 (Lansing: Michigan State University Press, 1979); Samuel F. Bemis (ed.), The American Secretaries of State and their Diplomacy (New York: Cooper Square Publishers, 1963; orig. pub., 1928), vols. 4, 5. John M. Behloulavek, "Let the Eagle Soar!": The Foreign Policy of Andrew Jackson (Lincoln: University of Nebraska Press, 1985), and Herman M. Neiditch, "The Origins and Development of Andrew Jackson's Foreign Policy," Ph.D. Dissertation, University of Cambridge, 1977, both have more than usual on commercial topics. Jesse S. Reeves, American Diplomacy under Tyler and Polk (Gloucester: Peter Smith, 1967; orig. pub., 1907) has virtually nothing on commercial diplomacy in the 1840s. Biographers of diplomats of the period are similarly neglectful, examining specific negotiations involving their subjects without looking at the context of longer-term developments in commercial policy. For examples, see John Niven, Martin Van Buren: The Romantic Age of American Politics (New York: Oxford University Press, 1983); Alvin L. Duckett, John Forsyth Political Tactician (Athens: University of Georgia Press, 1962); Maurice G. Baxter, One and Inseparable: Daniel Webster and the Union (Cambridge: Harvard University Press, 1984); Claude H. Hall, Abel Parker Upshur: Conservative Virginian (Madison: State Historical Society of Wisconsin, 1964); Charles M. Wiltse, John Calhoun: Sectionalist, 1840-1850 (New York: Russell & Russell, 1951); Elizabeth F. Baker, Henry Wheaton, 1785-1848 (Philadelphia: University of Pennsylvania Press, 1937). Philip S. Klein, President James Buchanan: A Biography (University Park: Pennsylvania State University Press, 1962), is a good example of this trend, examining the future President's role as Minister to Russia in the negotiation of a treaty in 1832 at some length, but virtually ignoring commercial diplomacy during his term as Secretary of State.

<sup>2</sup> Emory R. Johnson, History of Domestic and Foreign Commerce of the United States (Washington: Carnegie Institution, 1915), vol. 2, pp. 135-53, 295-307, 335-49, and Paul M. Zeis, American Shipping Policy (Princeton: Princeton University Press, 1938), pp. 1-13, assert that reciprocity was successfully extended after 1829. Vernon G. Setser, The Commercial Reciprocity Policy of the United States, 1774-1829 (Philadelphia: University of Pennsylvania Press, 1937), undoubtedly the best book on the subject, stops in 1829, and, regrettably, a proposed second volume, continuing on to 1850, was not produced. William W. Bates, American Marine: The Shipping Question in History and Politics (Boston: Houghton, Mifflin & Co., 1893), and John G.B. Hutchins, The American Maritime Industries and Public Policy, 1789-1914: An Economic History (Cambridge: Harvard University Press, 1941) both

hint that competition from more efficient rivals made protection of American shipping, rather than reciprocity, the more appropriate policy in the first half of the nineteenth century, but neither examine contemporary criticism of reciprocity. Only Lloyd Maxwell, Discriminating Duties and the American Merchant Marine (New York: H.W. Wilson, 1926), p.119, does this, but only in passing. Diplomatic historians ignore the issue altogether.

<sup>3</sup> General diplomatic and biographical studies tend to stress the triumph of the Jackson administration: Niven, Martin Van Buren, p.286; Robert V. Remini, Andrew Jackson and the Course of American Freedom, 1822-32 (New York: Harper & Row, 1981), pp.281-5; Behloulavek, "Let the Eagle Soar!", pp.54-9; Bemis, Secretaries of State, vol.3, pp.184-7. Neiditch, "Origins," pp.138-51, and F. Lee Benms, The American Struggle for the British West India Carrying Trade, 1815-1830 (Clifton: Augustus Kelley, 1972; orig. pub., 1923), p.186, both hint that the arrangement of 1830 had flaws, but neither investigate the long-term reaction to it. Again Maxwell, Discriminating Duties, pp.97-119, is the only exception, but even his study is based purely on Congressional committee reports, rather than on an in-depth examination of the sources of criticism, and he does not follow up the diplomatic and domestic consequences of the issue.

<sup>4</sup> Maxwell, Discriminating Duties, p.119.

## Notes to Chapter 1

<sup>1</sup> Arthur M. Schlesinger and Fred Israel (eds.), The State of the Union Messages of the Presidents, 1790-1966 (New York: Chelsea House, 1966), vol.1, pp.280-1.

<sup>2</sup> For the early stages of commercial policy, see Vernon G. Setser, The Commercial Reciprocity Policy of the United States, 1774-1829 (New York: Da Capo Press, 1969; orig. pub., 1937).

<sup>3</sup> Thomas Jefferson, The Writings of Thomas Jefferson, edited by Andrew A. Lipscomb & Albert E. Bergh (Washington: Thomas Jefferson Memorial Association, 1903), vol.3, pp.275-6. There has been some dispute as to the purpose of the original measures: were they protective, or rather an encouragement to other countries to offer more liberal conditions, as would later be the case? Lloyd Maxwell, writing in opposition to contemporary moves to re-introduce discriminating duties as an element of policy, claims that they were never intended to be protective, but were rather always an encouragement; Maxwell, Discriminating Duties and the American Merchant Marine (New York: H.W. Wilson, 1926), p.2. Emory Johnson, History of Domestic and Foreign Commerce of the United States (Washington: Carnegie Institution, 1915), vol.2, pp.296-7, and Setser, Commercial Reciprocity, pp.99-135, say that the original intention behind the duties was protective, although they were couched in terms which some men could construe as being an encouragement to other countries. Drew McCoy, in The Elusive Republic: Political Economy in Jeffersonian America (Chapel Hill: University of North Carolina Press, 1980), ch.6, suggests a deeper ideological reason for the line of policy espoused by Madison and Jefferson: discrimination was intended to foster American shipping, but more especially to guarantee that British influence over the American economy, and with it the American moral well-being, was reduced.

<sup>4</sup> John Q. Adams, The Memoirs of John Quincy Adams, edited by Charles F. Adams (Freeport: Books for Libraries Press, 1969; orig. pub., 1874-7), vol.4, pp.61-5; Schlesinger, State of the Union, vol.1, p.233; Henry Clay, The Papers of Henry Clay, edited by James F. Hopkins et al. (Lexington: University of Kentucky Press, 1959- ), vol.6, pp.1393-4.

<sup>5</sup> Peleg Sprague, Speeches and Addresses (Boston: Phillips, Sampson & Co., 1858), pp.71-5.

<sup>6</sup> Charles J. Ingersoll to Martin Van Buren, 21 September 1837, The Martin Van Buren Papers, Library of Congress.

- <sup>7</sup> For the 1815 negotiations, see Raymond Walters, Albert Gallatin: Jeffersonian Financier and Diplomat (Pittsburgh: University of Pittsburgh Press, 1969; orig. pub., 1957), pp.289-94, and Samuel F. Bemis, John Quincy Adams and the Foundations of American Foreign Policy (New York: Alfred Knopf, 1949), pp.235-6. For 1818: Adams, Memoirs, vol.4, p.95; William R. Manning (ed.), Diplomatic Correspondence of the United States: Canadian Relations, 1784-1860 (Washington: Carnegie Endowment for International Peace, 1940), vol.1, pp.270-2, 875; Walters, Albert Gallatin, pp.309-10, and Bemis, John Quincy Adams, pp.287-94.
- <sup>8</sup> For Sweden: Clay, Papers, vol.2, p.73; and Setser, Commercial Reciprocity, pp.194-5. For Denmark: Adams, Memoirs, vol.4, pp.196-7. For France: Walters, Albert Gallatin, pp.303-5; Maxwell, Discriminating Duties, pp.44-46; Bemis, John Quincy Adams, pp.450-7; and Setser, Commercial Reciprocity, pp.195-208.
- <sup>9</sup> Arthur P. Whitaker, The United States and the Independence of Latin America, 1800-1830 (New York: W.W. Norton, 1964; orig. pub., 1941); for treaties, pp.585-90.
- <sup>10</sup> Clay, Papers, vol.2, pp.856-7.
- <sup>11</sup> Schlesinger, State of the Union, vol.1, p.234.
- <sup>12</sup> Clay, Papers, vol.4, pp.168-70.
- <sup>13</sup> "Convention between the United States and Central America," British and Foreign State Papers, vol.13, pp.838-58; Mary W.M. Hargreaves, The Presidency of John Quincy Adams (Lawrence: University Press of Kansas, 1985), pp.82-4. For Brazil: "Treaty between the United States and Brazil," British and Foreign State Papers, vol.15, pp.944-54; Setser, Commercial Reciprocity, p.249. The Brazilian government chose not to exercise this discrimination in 1828.
- <sup>14</sup> Denmark: Clay, Papers, vol.4, pp.796-7; "Convention between the United States and Denmark," British and Foreign State Papers, vol.13, pp.893-7. Hanseatic Towns: Adams, Memoirs, vol.7, pp.229, 241, 348; "Convention between the United States and the Hanseatic Towns," British and Foreign State Papers, vol.15, pp.704-12. Prussia: "Treaty between the United States and Prussia," British and Foreign State Papers, vol.15, pp.874-85. Sweden: Clay, Papers, vol.6, pp.49, 1018; "Treaty between the United States and Sweden," British and Foreign State Papers, vol.15, pp.730-45.
- <sup>15</sup> Clay, Papers, vol.5, p.844; vol.6, pp.232-3; Walters, Albert Gallatin, pp.330-41.

- 16 Schlesinger, State of the Union, vol.1, p.280; Clay, Papers, vol.4, p.903; James D. Richardson (comp.), Messages and Papers of the Presidents (New York: Bureau of National Literature, 1897), vol.2, pp.440, 441-2, 463, 534-5, 542; Martin Van Buren to Baron de Lederer, 5 February 1831, Van Buren Papers.
- 17 Clay, Papers, vol.4, pp.802-5; vol.5, p.722; William R. Manning (ed.), Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860 (Washington: Carnegie Endowment for International Peace, 1932), vol.8, pp.8-17; "Treaty between the United States and Mexico," British and Foreign State Papers, vol.19, pp.209-240; Richardson, Messages and Papers, vol.2, pp.567, 573.
- 18 Isaac McKim to Martin Van Buren, 1 July 1830, Van Buren Papers; Schlesinger, State of the Union, vol.1, pp.318-19; James A. Field, America and the Mediterranean World, 1776-1882 (Princeton: Princeton University Press, 1969), p.133-88.
- 19 Schlesinger, State of the Union, vol.1, pp.232-3; Hargreaves, Presidency of Adams, pp.84-5; Clay, Papers, vol.8, p.12.
- 20 Henry Gilpin, "Martin Van Buren: Life," p.10; Washington Extra Globe, 16 May 1840, 16 June 1840, Van Buren Papers; William Stickney (ed.), Autobiography of Amos Kendall (New York: Peter Smith, 1949; orig. pub., 1872), pp.297-8.
- 21 Arthur M. Schlesinger and Fred Israel (eds.), History of American Presidential Elections, 1789-1968 (New York: Chelsea House, 1971), vol.1, p.560; Clay, Papers, vol.8, p.845.
- 22 U.S. Constitution, Article 1, Section 8:3; Noble E. Cunningham (ed.), Circular Letters of Congressmen to their Constituents, 1789-1829 (Chapel Hill: University of North Carolina Press, 1978), vol.3, p.1261.
- 23 Clay, Papers, vol.2, p.73; vol.4, p.477.
- 24 For the advantages of American shipping, see J.G.B. Hutchins, The American Maritime Industries and Public Policy, 1789-1914: An Economic History (Cambridge: Harvard University Press, 1941), esp. ch.7.
- 25 Francis Grund, The Americans in their Moral, Social and Political Relations (New York: Augustus Kelley, 1971; orig. pub., 1837), pp.167-70; Guy S. Callender (ed.), The Economic History of the United States, 1765-1860 (New York: Augustus Kelley, 1965), pp.357-8. David Williams confirms that American crew sizes were more efficient than



their rivals in the trade with Liverpool, as a result of the size of vessel used, superior technological innovations, and the probable superiority of American sailors: Williams, "Crew Size in Transatlantic Trade in the mid-Nineteenth Century," in Working Men Who Got Wet, Proceedings of the Fourth Conference of the Atlantic Canada Shipping Project, 1980 (St John's: Memorial University of Newfoundland, 1980), pp.105-53.

26 Lloyd Maxwell perhaps sums up this theory best of all:

In early days of American history, the cost of building and operating ships in this country was less than it was abroad. The seamen manning our vessels then were the best in the world, and the only thing hindering profitable operation was the refusal of foreign nations to welcome our navigation in their ports. Hence the purpose of discriminating duties was to force foreign powers to treat us fairly.

Discriminating Duties, p.213.

27 U.S. Congress, House Report, 21 Congress, 1 session, No.165, "Commerce and Navigation," pp.32-3, 35, 38.

28 Schlesinger, State of the Union, vol.1, p.358.

29 Churchill C. Cambreleng to Martin Van Buren, 6 June 1830; James A. Hamilton to Van Buren, 18 January 1830, Van Buren Papers.

30 James Buchanan to Edward Buchanan, 9 January 1833, James Buchanan Papers, Historical Society of Pennsylvania; Aaron Vail to Edward Livingston, 27 February 1833, Department of State, Despatches from U.S. Ministers to Great Britain, National Archives. For two contrasting accounts of the treaty, see Philip S. Klein, President James Buchanan: A Biography (University Park: Pennsylvania State University Press, 1962), pp.78-89, and Walther Kirchner, Studies in Russian-American Commerce, 1820-1860 (Leiden: E.J. Brill, 1975), pp.7-41; Kirchner points to American domination in the United States-Russia trade before 1832 as evidence that the Jackson administration sought this treaty more for prestige than for any material rewards it might bring, in the process surrendering to Russia the right for her vessels to enter American ports on equal terms with American ships. Certainly the Jacksonians did not hesitate to claim the credit for the treaty, but Kirchner is unfair in his assessment of their motives, and ignores the context of policy-making with the rest of Europe and Latin America, where reciprocal conditions had also been pursued. Also, if the treaty conceded so much, how was Jackson expected to win any credit for it? Part of Kirchner's argument was the

disappointing results of the treaty, but as seen in the text this was more the effect of a declining volume in trade, than it was of the treaty. Finally, Kirchner blamed the treaty for the increased participation of British and Hanseatic shipping in the Baltic trade with the United States. In the light of what will follow in Chapter 3, this is interesting, but again his attribution of blame is misplaced, since the United States-Russia treaty had no direct bearing on the shipping of Britain and the Hanseatic towns. Leaving aside the case of Britain, which is a strange one since British ships entering American ports carrying third-party products were charged prohibitively high duties, it is clear that it was the American treaty with the Hanseatic towns allowing them to enter American ports carrying third-party goods, including those from the Baltic, which was really responsible, not the Russian treaty. For unfavourable developments in the sugar trade see William Wilkins to John Forsyth, 22 August 1835, 1 September 1835, Department of State, Despatches from U.S. Ministers to Russia, National Archives.

31 Richardson, Messages and Papers, vol.2, pp.496-7; vol.3, pp.146-7, 233-4; Cornelius Van Ness to Martin Van Buren, 1 September 1830, 31 January 1831, Van Buren Papers; Schlesinger, State of the Union, vol.1, pp.377-8; Gilpin, "Martin Van Buren: Life," Van Buren Papers; Maxwell, Discriminating Duties pp.49-50.

32 Edward Livingston to Auguste Davezac, 13 March 1833, Diplomatic Instructions of the Department of State, The Netherlands, National Archives; Schlesinger, State of the Union, vol.1, p.418; Peter Hoekstra, "Thirty-Seven Years of Holland-American Relations, 1803-1840," Ph.D. Dissertation, University of Pennsylvania, 1916; Martin Van Buren to Edward Livingston, 6 February 1832, Van Buren Papers; Aaron Vail to Livingston, 28 April 1832, Despatches, Great Britain; Schlesinger, State of the Union, vol.1, pp.379, 390; John Forsyth to Baron Behr, 9 February 1836, Notes to Foreign Legations in the U.S. from the Department of State, Belgium, National Archives; Forsyth to Virgil Maxcy, 12 June 1837, Diplomatic Instructions of the Department of State, Belgium, National Archives.

33 "Act of Congress for giving effect to a Commercial Arrangement between the United States and the Republic of Columbia," British and Foreign State Papers, vol.19, pp.1251-2; "Treaty between the United States and Venezuela," British and Foreign State Papers, vol.24, pp.746-67; Manning, Inter-American Affairs, vol.5, pp.338-40, 343-6, 485-6, 558-9; vol.12, pp.463-4, 531-2.

<sup>34</sup> Clay, Papers, vol.7, p.269; Manning, Inter-American Affairs, vol.5, pp.3-4, 8-9; vol.10, pp.281-6, 313-7, 342; "Treaty between the United States and Chile," British and Foreign State Papers, vol.22, pp.1353-63; "Treaty between the United States and Peru," British and Foreign State Papers, vol.24, pp.517-40.

<sup>35</sup> Richardson, Messages and Papers, vol.3, p.53: "Treaty between the United States and Muscat," British and Foreign State Papers, vol.22, pp.587-90; "Treaty between the United States and Siam," British and Foreign State Papers, vol.22, pp.590-3; "Treaty between the United States and Morocco," British and Foreign State Papers, vol.24, pp.702-7. For good secondary accounts of the Roberts mission, see Herman M. Neiditch, "The Origins and Development of Andrew Jackson's Foreign Policy," Ph.D. Dissertation, University of Cambridge, 1977, pp.154-208, and John M. Behlolvek, "Let the Eagle Soar!" The Foreign Policy of Andrew Jackson (Lincoln: University of Nebraska Press, 1985), pp.152-77.

<sup>36</sup> U.S. Congress, Senate Document, 26 Congress, 1 session, No.80, "Report from the Secretary of State," pp.1, 12.

## Notes to Chapter 2

<sup>1</sup> U.S. Congress, Senate Document, 26 Congress, 1 session, No.80, "Report from the Secretary of State," p.12.

<sup>2</sup> Henry Clay, The Papers of Henry Clay, edited by James F. Hopkins et al. (Lexington: University of Kentucky Press, 1959- ), vol.5, pp.896-7.

<sup>3</sup> American bottoms are subjected to a discriminating duty in the ports of Cuba of seven, and in those of Porto Rico of six, reals fuerte per ton; and their cargoes to a like discrimination in favor of imports in Spanish bottoms; which, together with the former, operates very injuriously upon our navigation.

Senate Document, 26 Congress, 1 session, No.80, p.11; Clay, Papers, vol.4, p.295. Tables 1:2-1:6 reveal that the Cuban trade regularly exceeded that with all countries other than Britain and France, and it made up between 20 and 30 per cent of U.S. trade with the rest of the American continent in the period 1820-45.

<sup>4</sup> Clay, Papers, vol.7, pp.120, 347. For the 1826-28 arrangement, see also Mary W.M. Hargreaves, The Presidency of John Quincy Adams (Lawrence: University Press of Kansas, 1985), p.109; U.S. Congress, House Document, 26 Congress, 1 session, No.37, "French Vessels from Guiana and Senegal . . .," p.2; U.S. Congress, Journal of the Senate, 26 Congress, 2 session, p.245; 28 Congress, 2 session, p.570; James D. Richardson (comp.), Messages and Papers of the Presidents (New York: Bureau of National Literature and Art, 1897), vol.4, pp.521-2.

<sup>5</sup> John O. Adams, The Memoirs of John Quincy Adams, edited by Charles F. Adams (Freeport: Books for Libraries Press, 1969; orig. pub., 1874-77), vol.11, pp.196-7; "Convention between the United States and Denmark," British and Foreign State Papers, vol.13, pp.893-7; Arthur M. Schlesinger & Fred Israel (eds.), The State of the Union Messages of the Presidents, 1790-1966 (New York: Chelsea House, 1966), vol.1, pp.252-3; U.S. Congress, House Report, 21 Congress, 2 session, No.117, "Correspondence: Danish Minister and the Secretary of State."

<sup>6</sup> Adams, Memoirs, vol.6, pp.32-3; Clay, Papers, vol.6, pp.48-9, 761-2; "Treaty between the United States and Sweden," British and Foreign State Papers, vol.15, pp.730-45.

<sup>7</sup> Vernon G. Setser, The Commercial Reciprocity Policy of the United States, 1774-1829 (Philadelphia: University of Pennsylvania Press, 1937), pp.239-41, Senate Document, 26 Congress, 1 session, No.80, p.9.

<sup>8</sup> House Report, 21 Congress, 1 session, No.165, "Commerce and Navigation," pp.33-4.

<sup>9</sup> F. Lee Benms, The American Struggle for the British West India Carving Trade, 1815-1830 (Clifton: Augustus Kelley, 1972; orig. pub., 1923). See also Setser, Commercial Reciprocity, pp.222-39; Hargreaves, Presidency, pp.91-112. For the final settlement, see Herman M. Neiditch, "The Origins and Development of Andrew Jackson's Foreign Policy," Ph.D. Dissertation, University of Cambridge, 1977, pp.71-135; John M. Behlolvek, "Let the Eagle Soar!": The Foreign Policy of Andrew Jackson (Lincoln: University of Nebraska Press, 1985), pp.55-9; and John A. Munroe, Louis McLane: Federalist and Jacksonian (New Brunswick: Rutgers University Press, 1973), pp.253-87.

<sup>10</sup> There was undoubtedly a partisan dimension to the issue, if only because Andrew Jackson chose to emphasise the change in American administration in 1829 as a negotiating tool. Henry Clay took great umbrage at this approach, since it dragged domestic politics into foreign relations and implied that the Adams administration had been in the wrong. However, most attention has been focussed on the impact of the issue upon the 1828 election. Benms' claims failure to settle the issue did harm Adams' election chances, while George Dangerfield (The Awakening of American Nationalism, 1815-1828 (New York: Harper & Row, 1965), pp.264-5) asserts that it was a major issue in the campaign. Adams and his supporters were certainly worried that he might be accused of negligence in failing to solve the problem: Adams, Memoirs, vol.7, pp.149-50; Daniel Webster, The Papers of Daniel Webster. Series 1: Correspondence, edited by Charles M. Wiltse et al. (Hanover: University Press of New England, 1974-86), vol.2, p.135; Clay, Papers, vol.5, pp.788-9, 984, 1008. Some opposition spokesmen lived up to these fears: James K. Polk, The Correspondence of James K. Polk, edited by Herbert Weaver et al. (Nashville: Vanderbilt University Press, 1969- ), vol.1, pp.57-8; John C. Calhoun, The Papers of John C. Calhoun, edited by Robert L. Meriwether et al. (Columbia: University of South Carolina Press, 1959- ), vol.10, p.240. However, Mary Hargreaves plays down the influence of this matter, since the major debate over it came in 1827, a full year before the election. A comment of Daniel Webster in the wake of the 1826-27 session might substantiate this view: "What has become of our friend Genl. Smith? I hear nothing of him. You perceive that the Colonial question has gone off very quietly:" Webster, Papers, vol.2, p.188. Moreover, the political debate smacks of the purely partisan, with little real expectation that interest groups would take firm party stances as a result. In fact the Jacksonian approach to the matter did not differ significantly from that of the Adams administration; and after the event one

notably partisan Jacksonian praised the Adams administration's zealous efforts to regain the trade: William Stickney (ed.), Autobiography of Amos Kendall (New York: Peter Smith, 1949; orig. pub., 1872), p.297.

11 Diane Lindstrom, Economic Development in the Philadelphia Region, 1810-1850 (New York: Columbia University Press, 1978), p.29-40, gives some idea of the impact of the loss of the West Indies trade upon one city's commercial fortunes. This was a story repeated in other maritime communities.

12 Benns, American Struggle, and Munroe, Louis McLane, cover the actual negotiation in good detail. Martin Van Buren, "The Autobiography of Martin Van Buren," Annual Report of the American Historical Association for 1918, edited by John C. Fitzpatrick (Washington: American Historical Association, 1920), p.530: William R. Manning (ed.), Diplomatic Correspondence of the United States: Canadian Relations, 1784-1860 (Washington: Carnegie Endowment for International Peace, 1940), vol.2, pp.198-214; Louis McLane to C.C. Cambreleng, 30 March 1830: Cambreleng to Martin Van Buren, 9 April 1830; McLane to Van Buren, 6 August 1830, The Martin Van Buren Papers, Library of Congress: Richardson, Messages and Papers, vol.2, pp.480-1; Andrew Jackson, The Correspondence of Andrew Jackson, edited by John Spencer Bassett (Washington: Carnegie Institution of Washington, 1926-35), vol.4, p.133.

13 Clay, Papers, vol.4, pp.468-9.

14 Webster, Papers, vol.2, p.135; Churchill Cambreleng to Martin Van Buren, 9 April 1830, Van Buren Papers.

15 Noble E. Cunningham (ed.), Circular Letters of Congressmen to their Constituents, 1789-1829 (Chapel Hill: University of North Carolina Press, 1978), vol.3, p.1034-5. See Norris W. Preyer, "Southern Support of the Tariff of 1816: A Reappraisal," Journal of Southern History 25 (1959), pp.306-22, for another example of how postwar patriotism led Southerners to support measures of national improvement.

16 Two opposed in the Senate, sixteen in the House.

17 Daniel Webster was one to call for a real equality by ending the Navigation system, but Clay could not include any such demand in his orders to Albert Gallatin for the 1826-27 negotiation. Clay, Papers, vol.4, pp.695-8; vol.5, pp.440-75.

18 Manning, Canadian Relations, vol.2, pp.445-6; Clay, Papers, vol.4, p.474. The position of New York shippers

on this matter is open to debate. Mary Hargreaves (Presidency, pp.10-11) asserts that they were more in line with Southern and Mid-Atlantic groups than with New England. Certainly New York did have a direct trade with the colonies which would have been damaged by a continuous break in intercourse, and Churchill Cambreleng undoubtedly stood for a conciliatory approach to Britain. However, before the completion of the Erie Canal in 1825, there must have been some danger that Mid-West products would be channelled across the Lakes to Canada, for trans-shipment to the West Indies in British and colonial vessels. What is more, New York shippers might also fear for their participation in the direct trade with Britain, linking them with New England.

19 Adams, Memoirs, vol.6, p.540; Clay, Papers, vol.4, pp.319, 601-2; vol.6, pp.420, 428-9. Clay noted that seven-eighths of the trade with the colonies was carried in American vessels.

20 Manning, Canadian Relations, vol.2, p.207.

21 Samuel Smith to Martin Van Buren, 3 October 1830, Churchill Cambreleng to Van Buren, 11 October 1830, James A. Hamilton to Van Buren, 12 October 1830, Van Buren Papers. For opposition views, see John Quincy Adams to John Adams, 17 October 1830, John Quincy Adams Letterbooks, Adams Family Papers, Massachusetts Historical Society; Adams, Memoirs, vol.8, pp.264-5; W.A. Duer to Van Buren, 1 February 1832, Van Buren Papers; Clay, Papers, vol.8, p.282. Of course criticism of the negotiation had some impact when it came to the rejection of Van Buren as Minister to London in 1831. Arthur M. Schlesinger and Fred Israel (eds.), History of American Presidential Elections, 1789-1968 (New York: Chelsea House, 1971), p.560; Clay, Papers, vol.8, pp.342, 388-9. In Clay's case, though, there seems to have been genuine concern for the shipping interest in the colonial trade, as well as partisan fervour: Clay to John P. Kennedy, 17 April 1839, The John Pendleton Kennedy Papers, Enoch Pratt Free Library; Francis P. Blair to Van Buren, 11 December 1851, Van Buren Papers. Secondary accounts have followed contemporaries in focussing on the partisan praises and attacks of the arrangement of 1830, rather than on how it operated in practice.

22 Louis McLane to Martin Van Buren, 14 March 1831: "Review of the Colonial Trade Policy," April 1831, Van Buren Papers.

23 Schlesinger, State of the Union, vol.1, pp.345-6.

24 Peleg Sprague, Speeches and Addresses (Boston: Phillips, Sampson & Co., 1858), pp.227, 237-8.

25 Edward Livingston to Martin Van Buren, 1 August 1831, Van Buren Papers. In this despatch Livingston uses the term discriminating duties in the same way as I mean by preferential duties, that is duties on produce from other colonies, not direct discrimination against shipping.

26 Senate Document, 26 Congress, 1 session, No.80, pp.7-8. The free warehousing ports were: for entry of goods by sea--Ouebec (Canada), Sydney (Cape Breton), St. John, St. Andrews, Welch Pool (New Brunswick), St. John's, Harbor Grace (Newfoundland), Halifax, Pictou (Nova Scotia); by land--Kingston, Montreal (Canada), Liverpool, Yarmouth (Nova Scotia).

27 U.S. Congress, House Document, 26 Congress, 1 session, No.14, "Trade with the British Colonial Ports," pp.6, 13, 15-17. The case of the Rodney had given evidence of British good faith, as reported by Aaron Vail in despatches from London between 1831 and 1834.

28 House Report, 25 Congress, 3 session, No.301, "Trade with Nova Scotia and New Brunswick," pp.1-2; Sprague, Speeches, pp.321-3, 327-30; House Journal, 25 Congress, 2 session, p.819. The various memorials are referred to throughout subsequent notes.

29 Senate Document, 26 Congress, 2 session,, No.31, "Memorial . . . of Newburyport"; House Report, 27 Congress, 2 session, No.650, "Colonial Trade--Great Britain," pp.84-5; Senate Document, 26 Congress, 2 session, No.234, "Report . . . of the Boston Chamber of Commerce," p.1.

30 House Document, 25 Congress, 2 session, No. 151, "Memorial of Jabez Mowry . . .": Lorenzo Sabine et al. to Thomas Lamb, 12 December 1842, Lamb Family Papers, Massachusetts Historical Society; House Report, 27 Congress, 2 session, No.650, pp.93-4, 81.

31 House Document, 25 Congress, 2 session, No. 151; House Document, 26 Congress, 1 session, No.14, pp.22-4.

32 House Document, 25 Congress, 2 session, No. 151; House Document, 26 Congress, 1 session, No.14, p.23; House Report, 25 Congress, 3 session, No.301, p.4.

33 House Document, 26 Congress, 1 session, No.14, pp.23, 13, 6.

34 House Document, 26 Congress, 1 session, No.14, p.23; House Report, 27 Congress, 2 session, No.650, p.94, 81; Lorenzo Sabine et al. to Thomas Lamb, 12 December 1842, Lamb Family Papers.



35 House Document, 25 Congress, 2 session, No. 151; House Document, 26 Congress, 1 session, No.14, p.23; House Journal, 25 Congress, 2 session, p.819.

36 House Document, 26 Congress, 1 session, No.14, p.15, 20.

37 Lorenzo Sabine et al. to Thomas Lamb, 12 December 1842, Lamb Family Papers; House Report, 27 Congress, 2 session, No.650, p.94.

38 Senate Document, 26 Congress, 2 session, No.234, p.2; William Parker to Daniel Webster, 1 April 1842, The Papers of Daniel Webster, University Microfilms ed.

39 Henry Dearborn to Caleb Cushing, 26 October 1839, Caleb Cushing Papers, Library of Congress. Dearborn had made a similar suggestion to Webster in 1830. Webster, Papers, vol.3, pp.17-18. J.C. Stagg has suggested that American attitudes to Canada, including those of James Madison, were influenced as early as the 1810s by fears that the British provinces might replace the United States as suppliers and carriers for the West Indies. Stagg, "James Madison and the Coercion of Great Britain: Canada, the West Indies, and the War of 1812," William and Mary Quarterly 38 (1981), pp.3-34.

40 House Report, 27 Congress, 2 session, No.650, p.94: William Parker to Daniel Webster, 1 April 1842, Webster Papers, University Microfilms.

41 R. Rogers to Thomas Lamb, 23 December 1842, Lorenzo Sabine et al. to Lamb, 12 December 1842, Lamb Family Papers.

42 For fears as to the effects of the triangular trade, see Lorenzo Sabine et al. to Lamb, 12 December 1842, Lamb Family Papers; Senate Document, 26 Congress, 2 session, No.31; Senate Document, 26 Congress, 2 session, No.234, p.2; House Report, 27 Congress, 2 session, No.650, pp.94, 83. For use of preferential duties in Britain, see Sprague, Speeches, pp.228-9; House Document, 25 Congress, 2 session, No. 151; Senate Document, 26 Congress, 2 session, No.234, p.2.

43 David Williams, "The Shipping of the North Atlantic Cotton Trade in the mid-Nineteenth Century," in Volumes not Values: Canadian Sailing Ships and World Trades, Proceedings of the Third Conference of the Atlantic Canada Shipping Project, 1979 (St. John's: Memorial University of Newfoundland, 1979), pp.305-29; Pearce and Bullock to Daniel Webster, Webster Papers, University Microfilms; House Report, 27 Congress, 2 session, No.650, p.84. See

also Tables 3:7(b) and 3:8(b), which show the American share of clearances from Mobile and New Orleans.

44 House Document, 26 Congress, 1 session, No.14, pp.8, 13-15. Donald Creighton, The Empire on the St. Lawrence (Toronto: Macmillan Company of Canada, 1956), pp.251-2, hints that Canadian produce was traded via New York city. Tables 5:3(a)-(f) show the regional variation in trade to British colonies, and the share of American and British shipping in each region. Tables 5:1 and 5:2 show trade with all European colonies in the Caribbean.

45 Creighton, Empire, pp.251-2, 299, 308. For trade with British North America see Tables 1:5, 5:3 and 5:4.

46 House Document, 26 Congress, 1 session, No.14, pp.13, 17-18. Primrose's figures for Pictou:

|            | 1837 |        | 1838 |        | 1839(to July) |        |
|------------|------|--------|------|--------|---------------|--------|
|            | No.  | Tons   | No.  | Tons   | No.           | Tons   |
| Entrances  |      |        |      |        |               |        |
| American   | 171  | 31,869 | 208  | 30,566 | 94            | 15,515 |
| British    | 16   | 1,379  | 7    | 539    | 6             | 396    |
| Clearances |      |        |      |        |               |        |
| American   | 172  | 32,153 | 210  | 30,870 | 94            | 16,851 |
| British    | 29   | 2,082  | 21   | 1,524  | 19            | 1,390  |

Tables 5:3 and 5:5 show the share of shipping more generally with British North America.

47 Joseph Noves to Caleb Cushing, 24 December 1840, Cushing Papers; Webster, Papers, vol.5, pp.115-6. Grant and Stone, a Philadelphia company heavily involved in the coal trade from Pictou, defended Primrose. They had been instrumental in having a consul appointed at the port in the first place, and now did much business with Primrose, considering him a "very worthy man." They hinted that a letter written by merchants against Primrose should be disregarded as having been signed without much thought.

48 House Document, 26 Congress, 1 session, No.14, pp.20-22.

49 House Report, 27 Congress, 2 session, No.650, p.94; Senate Document, 26 Congress, 2 session, No.234, p.3.

50 Table 1:1 gives some idea of fluctuations in the value of trade during this period. For the depression of 1837, see Reginald McGrane, The Panic of 1837: Some Financial Problems of the Jacksonian Era (New York: Russell & Russell, 1965; orig. pub., 1924), and for the international dimension, Peter Temin, The Jacksonian Economy (New York: W.W. Norton, 1969). William Rowe, in

The Maritime History of Maine: Three Centuries of Shipbuilding & Seafaring (New York: W.W. Norton, 1948) portrays Maine fortunes in shipping and shipbuilding as remarkably rosy in the 1830s and 1840s, but does acknowledge temporary problems brought about by specific causes such as the West Indies trade dispute, the tariff of 1828, and the depression of 1837--however, he makes no reference at all to the campaign against the arrangement of 1830.(pp. 112, 153-7) See also J. Chickering to Caleb Cushing, 27 March 1838, 2 April 1842: John Porter to Cushing, 2 April 1842, Cushing Papers. For hints at over-capacity, see Lorenzo Sabine et al. to Thomas Lamb, 12 December 1842; R. Rogers to Lamb, 23 December 1842; Henry Lee to Lamb, 15 November 1842, Lamb Family Papers.

### Notes to Chapter 3

<sup>1</sup> John O. Adams, The Memoirs of John Quincy Adams, edited by Charles Francis Adams (Freeport: Books for Libraries Press, 1969; orig. pub., 1874-77), vol.11, p.321.

<sup>2</sup> U.S. Congress, Journal of the House of Representatives, 27 Congress, 2 session, p.740; 27 Congress, 3 session, pp.240, 252, 258-9, 271-2, 275, 394-5, 424, 499; U.S. Congress, Journal of the Senate, 27 Congress, 3 session, pp.119-22, 128, 131, 133, 137-8, 143, 145; Pearce & Bullock to Daniel Webster, 8 March 1842, The Papers of Daniel Webster, University Microfilms edition.

<sup>3</sup> Edward Carrington to James F. Simmons, 25 February 1842, James F. Simmons Papers, Library of Congress; U.S. Congress, Senate Document, 28 Congress, 1 session, No.138, "Memorial of a Number of Citizens of New York," p.2. Congressional Globe, 27 Congress, 3 session, pp.143-4.

<sup>4</sup> U.S. Congress, House Report, 27 Congress, 2 session, No.835, "Commerce and Navigation," pp.40-1; William R. Manning (ed.), Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860 (Washington: Carnegie Endowment for International Peace, 1932), vol.2, p.122; Henry Clay, The Papers of Henry Clay, edited by James F. Hopkins et al. (Lexington: University of Kentucky Press, 1959- ), vol.9, p.821.

<sup>5</sup> For negotiation of the Sardinia treaty, see below Chapter 5, pp.182-3; John C. Calhoun, "The Correspondence of John C. Calhoun," edited by J. Franklin Jameson, Annual Report of the American Historical Association, 1899 (Washington: American Historical Association, 1900), pp.595-6; Nathaniel Niles to Caleb Cushing, 13 October 1840, Caleb Cushing Papers, Library of Congress; Ambrose Dudley Mann to John M. Clayton, 15 October 1849, Despatches from Special Agents of the United States, National Archives. For figures, see Table 4. Indeed, 1836-37 witnessed large increases in all foreign shipping entrances into American ports, undoubtedly a worrying occurrence.

<sup>6</sup> Ambrose Dudley Mann to John M. Clayton, 10 May 1849, Despatches, Special Agents; Virgil Maxcy to Daniel Webster, 17 June 1842, Department of State, Despatches from U.S. Ministers to Belgium, National Archives; Christopher Hughes to Martin Van Buren, 15 July 1831, Department of State, Despatches from U.S. Ministers to Sweden, National Archives; Daniel Webster, The Papers of Daniel Webster: Diplomatic Papers, edited by Kenneth Shewmaker et al. (Hanover: University Press of New England, 1983), vol.1, p.10.

<sup>7</sup> For German trade figures, see Table 1:3; Clay, Papers, vol.8, p.166.

<sup>8</sup> W.O. Henderson, The Zollverein (Cambridge: Cambridge University Press, 1939); John Forsyth to Henry Wheaton, 20 April 1835, Diplomatic Instructions of the Department of State, German States and Germany, National Archives. These hopes were not immediately fulfilled, especially with regard to tobacco, an important American export to the German states, and much of the commercial diplomacy of the United States in the late 1830s and 1840s would involve attempts, by various means, to get duties reduced. For these attempts, see below Chapter 6.

<sup>9</sup> Henry Wheaton to John Forsyth, 2 August 1835, 22 August 1836, Department of State, Despatches from U.S. Ministers to German States and Germany, National Archives; Andrew Stevenson to John Forsyth, 6 September 1836, Department of State, Despatches from U.S. Ministers to Great Britain, National Archives.

<sup>10</sup> House Report, 24 Congress, 2 session, No.239, "Tobacco," p.5.

<sup>11</sup> Joshua Dodge to Isaac McKim, 14 February 1838, Despatches, German States; Dodge to John Forsyth, 5 August 1839; Marcus Darckheim to Forsyth, 13 March 1841. Department of State, Despatches from U.S. Consuls in Bremen, National Archives; Darckheim to Nathaniel Pearce, 31 May 1839, Cushing Papers.

<sup>12</sup> Francis J. Grund, The Americans in their Moral, Social and Political Relations (New York: Augustus Kelley, 1971; orig. pub., 1837); Nathaniel Greene to Mahlon Dickerson, 28 January 1835, Mahlon Dickerson Papers, New Jersey Historical Society; Thomas Clemson to James Buchanan, 28 December 1845, James Buchanan Papers, Historical Society of Pennsylvania.

<sup>13</sup> Francis Grund to Daniel Webster, 24 December 1841; Grund to Caleb Cushing. March 1842, Cushing Papers.

<sup>14</sup> John Cuthbert to Daniel Webster, 11 January 1842, Department of State, Despatches from U.S. Consuls in Hamburg, National Archives; Henderson, Zollverein, pp.159-61; Henry Wheaton to Daniel Webster, 24 September 1841, Despatches, German States.

<sup>15</sup> See above, pp.91-2.

<sup>16</sup> Henry Lee to Thomas Lamb, 15 November 1842, Lamb Family Papers, Massachusetts Historical Society.

17 Hugh Birckhead to Daniel Webster, 17 January 1842, 14 April 1842. Webster Papers, University Microfilms. For the Rio memorial, see Congressional Globe, 30 Congress, 1 session, p.640

18 J.F. Woodside to John Forsyth, 25 November 1838. Department of State, Despatches from U.S. Ministers to Denmark, National Archives; Joshua Dodge to Henry Wheaton, 19 December 1835; Marcus Darckheim to John Forsyth, 13 March 1841; Francis Grund to Daniel Webster, 10 February 1842, Despatches, Bremen; Louis Merk to Henry Wheaton, 26 April 1843. Despatches, German States; Virgil Maxcy to Webster, 17 June 1842, Despatches, Belgium.

19 Clay, Papers, vol.6, p.517; Nathaniel Pearce to Edward Livingston, 19 September 1832, Despatches, Bremen; Pearce to Nathaniel Niles, 12 August 1841, with encl. Marcus Darckheim to Pearce, 31 May 1839; Francis Grund to Daniel Webster, 24 December 1841, Cushing Papers; Henry Wheaton to Webster, 24 September 1841, Despatches, German States. Before he became consul, Darckheim believed that part of the problem stemmed from the lack of an energetic consul at Bremen. Although Joshua Dodge tackled these issues, his prolonged absence on special tobacco agent duties left the consulate in the hands of a "very good young man" called Böhme, who suffered from the major drawback of being a native of Bremen. How could he have "nerve enough to sustain the interests of America against the known wishes of the Bremen Senate or the Bremen merchants"? So Darckheim called for a full-time replacement, on whose arrival "such absurd and ridiculous pretensions would soon be put to rest." It is unclear, however, whether he solicited the post he eventually received.

20 Senate Document, 28 Congress, 1 session, No.138, p.1. For Birckhead, see above pp.101-2.

21 Hugh Birckhead to Daniel Webster, 17 January 1842, Webster Papers, University Microfilms; Senate Document, 28 Congress, 1 session, No.138, p.1.

22 Clay, Papers, vol.6, p.823; Francis Grund to Daniel Webster, 24 December 1841; Grund to Caleb Cushing, March 1842, Cushing Papers; Edward Carrington to James F. Simmons, 3 March 1842. Simmons Papers; John C. Calhoun, The Papers of John C. Calhoun, edited by Robert L. Meriwether et al. (Columbia: University of South Carolina Press, 1959- ), vol.18, p.196. Brown's letter raises some interesting questions about Britain's role in these matters, especially with regard to Latin America. He noted that Hanseatic ministers had circulated throughout Latin America with the object of securing full reciprocal treaties, and commented: "These small States hope that the policy avowed by Mr Huskinson [sic] that of throwing

the commercial or navigating advantages into the hands of the weak powers rather than giving them to those whose growth might produce rivalry, will be accepted in the New World." This fear of British intentions underlay American fears that they might lose out in the Latin American trade as a result of reciprocal navigation.

23 Edward Carrington to James F. Simmons, 3 March 1842, Simmons Papers; Senate Document, 28 Congress, 1 session, No.138, p.1; Francis Grund to Daniel Webster, 24 December 1842. Cushing Papers.

24 Francis Grund to Daniel Webster, 24 December 1842, Cushing Papers. It is this trend which explains the fall of American participation in the Russian trade which Kirchner identifies, rather than the Russian treaty as he claims; see above Chapter 1, n.30. Hugh Legaré to John Forsyth, 3 February 1835, Despatches, Belgium; Calhoun, Papers, vol.18, p.337; Marcus Darckheim to John Forsyth, 13 March 1841, Despatches, Bremen; Edward Carrington to James F. Simmons, 3 March 1842, Simmons Papers.

25 Joshua Dodge to Henry Wheaton, 19 December 1835, Despatches, Bremen; Edward Carrington to James F. Simmons, 3 March 1842, Simmons Papers; Hugh Birckhead to Webster, 17 January 1842, Webster Papers, University Microfilms; Senate Document, 28 Congress, 1 session, No.138, p.2.

26 Senate Document, 28 Congress, 1 session, No.138, p.1; Henry Lee to Thomas Lamb, 15 November 1842, Lamb Family Papers; Henry Wheaton to Daniel Webster, 24 September 1841, Despatches, German States; Francis Grund to Webster, 24 December 1841, Cushing Papers.

27 Hugh Birckhead to Daniel Webster, 17 January 1842, Webster Papers, University Microfilms; Baltimore American & Commercial Daily, 6 April 1842. John G.B. Hutchins, The American Maritime Industries and Public Policy, 1789-1914: An Economic History (Cambridge: Harvard University Press, 1941), ch.10, and R. Cole Harris and John Warkentin, Canada before Confederation: A Study in Historical Geography (New York: Oxford University Press, 1974), p.198, hint at the decline of suitable timber supplies in New England. Joshua Dodge to Isaac McKim, 14 February 1838, Despatches, German States.

28 Hugh Birckhead to Daniel Webster, 17 January 1842, Webster Papers, University Microfilms; Edward Carrington to James F. Simmons, 5 March 1842, Simmons Papers.

29 Henry Wheaton to John Forsyth, 22 August 1836, 10 May 1837; Joshua Dodge to Isaac McKim, 14 February 1838, Despatches, German States; House Report, 24 Congress, 2 session, No.239, p.6.

30 Henry Wheaton to Daniel Webster, 24 September 1841, Despatches, German States; Andrew Stevenson to John Forsyth, 29 July 1837, Despatches, Great Britain.

31 Henry Wheaton to Daniel Webster, 24 September 1841, Despatches, German States; Hugh Birckhead to Webster, 17 January 1842. Webster Papers, University Microfilms; Edward Carrington to James F. Simmons, 27 March 1842, Simmons Papers.

32 Edward Carrington to James F. Simmons, 27 March 1842, 4 April 1842, Simmons Papers.

33 Henry Lee to Thomas Lamb, 15 November 1842, Lamb Family Papers.

34 Baltimore American & Commercial Daily, 8 April 1842; Baltimore Republican & Daily Argus, 9 April 1842; House Journal, 27 Congress, 2 session, p.740.

35 Clay, Papers, vol.9, p.821.

36 One exception is William W. Bates, who in American Marine: The Shipping Question in History and Politics (Boston: Houghton, Mifflin & Co., 1893), suggests that American shipping was facing hard times. See also Tables 2 and 3:1.

37 Tables 3:1 and 4: Henry Lee to Thomas Lamb, 15 December 1842. Lamb Family Papers; Baltimore Republican & Daily Argus, 21 April 1842, 5 October 1842.

38 Tables 2 and 3:2-8: Samuel E. Morison, The Maritime History of Massachusetts, 1785-1860 (Boston: Northeastern University Press, 1979; orig. pub., 1921); Robert G. Albion, The Rise of New York Port, 1815-1860 (Newton Abbot: David & Charles, 1970; orig. pub., 1939); Diane Lindstrom, Economic Development in the Philadelphia Region, 1810-1850 (New York: Columbia University Press, 1978).

39 Marcus Darckheim to John Forsyth, 13 March 1841, Despatches, Bremen:

| <u>Entrances at Bremen</u> |    | <u>Clearances from Bremen</u> |    |
|----------------------------|----|-------------------------------|----|
| Baltimore                  | 31 | Baltimore                     | 47 |
| New York                   | 30 | New York                      | 46 |
| New Orleans                | 11 | New Orleans                   | 20 |
| Philadelphia               | 8  | Philadelphia                  | 9  |
| New Bedford                | 8  | Charleston                    | 5  |
| Richmond                   | 8  | Richmond                      | 2  |
| Charleston                 | 3  | Boston                        | 1  |
|                            |    | Portland                      | 1  |



40 Tables 3:3 & 3:8: Morison, Maritime History; Francis E. Hyde, Cunard and the North Atlantic, 1840-1873 (London: Macmillan, 1975), pp.1-57. See above Chapter 2, p.85, for Boston and the British North American trade.

41 For the origins of the Convention, see J. Chickering to Caleb Cushing, 30 November 1842; Joseph Sumner to Cushing, 19 November 1842; James Buckingham to Cushing, 16 November 1842; E. Weston to Cushing, 22 November 1842; Thomas Curtis to Cushing, 28 December 1842. Cushing Papers: "Memo" on rear of Henry Lee to Thomas Lamb, 15 November 1842, Lamb Family Papers. The biographical details of the committee come from A. Forbes and J.W. Greene, The Rich Men of Massachusetts (Boston: W.V. Spencer, 1851). For Lee's involvement, see Committee to Lee, 10 November 1842; William Bullard to Henry Lee Jr., 30 November 1842, Lee Family Papers, Massachusetts Historical Society; Lee to Lamb, 15 December 1842, Lamb Family Papers. For other participants: R. Rogers to Lamb, 23 December 1842; Lorenzo Sabine et al. to Lamb, 12 December 1842, 14 December 1842, Lamb Family Papers. For proceedings and outcome: Curtis to Cushing, 28 December 1842; Dennis Condy to Cushing, 19 January 1843, Cushing Papers; Robert Winthrop to Lamb, 16 February 1843, Lamb Family Papers; and House Journal, 27 Congress, 3 session, pp.240, 252, 258-9, 271-2, 275, 394-5, 424, 499; Senate Journal, 27 Congress, 3 session, pp.119-22, 128, 131, 133, 137-8, 143, 145, for the memorials as follow:

|                |                                                                                                     |
|----------------|-----------------------------------------------------------------------------------------------------|
| Massachusetts: | Duxbury, Plymouth, Kingston,<br>Newburyport, Nantucket, New Bedford,<br>State Legislature, [Boston] |
| Rhode Island:  | Providence, Bristol, Newport,<br>"Citizens of Rhode Island"                                         |
| Maine:         | Augusta, Hallowell, Wiscasset, Bath,<br>Bangor, Portland, Eastport, Lubec,<br>"Citizens of Maine"   |

42 Senate Journal, 28 Congress, 1 session, p.177.

43 Table 3:6. See Dorsey's chapter on Baltimore in David T. Gilchrist (ed.), The Growth of Seaport Cities, 1790-1825 (Charlottesville: University Press of Virginia, 1967).

44 Baltimore American and Commercial Daily, 8 April 1842, Baltimore Republican & Daily Argus, 9 April 1842; House Journal, 27 Congress, 2 session, p.740; Adams, Memoirs, vol.11, p.138; Charles Mayer to Caleb Cushing, 28 February 1843, Cushing Papers; "Minute Book," 23 January 1843, Baltimore Board of Trade MS, Maryland Historical Society; House Journal, 27 Congress, 3 session, p.424.

45 Senate Document, 28 Congress, 1 session, No.138. Identifications are from Dictionary of American Biography; Albion, Growth; and Edwin Perkins, Financing Anglo-American Trade: The House of Brown, 1800-1850 (Cambridge: Harvard University Press, 1975).

46 Senate Journal, 28 Congress, 1 session, p.166; Congress Globe, 28 Congress, 1 session, p.382; Senate Document, 28 Congress, 1 session, No.190, "Memorial of Jonathan Goodhue and Others, Shipowners". Identifications are from Dictionary of American Biography; Albion, Growth; and Walther Kirchner, Studies in Russian-American Commerce, 1820-1860 (Leiden: E.J. Brill, 1975).

#### Notes to Chapter 4

- 1 Congressional Globe, 26 Congress, 2 session, pp.59-60.
- 2 J. Chickering to Caleb Cushing, 2 April 1842; John Porter to Cushing, 2 April 1842, The Papers of Caleb Cushing, Library of Congress; Hugh Birckhead to Daniel Webster 14 April 1842, The Papers of Daniel Webster, University Microfilm ed.; Baltimore American & Commercial Daily, 5 April 1842.
- 3 Lewis McKenzie to Caleb Cushing, 7 May 1842; Joseph Sumner to Cushing, 25 July 1842; J. Chickering to Cushing, 30 November 1842. Cushing Papers.
- 4 John Porter to Caleb Cushing, 2 April 1842, Cushing Papers.
- 5 Francis Grund to Daniel Webster, 24 December 1841, Cushing Papers; House Report, 27 Congress, 2 session, No.650, "Colonial Trade--Great Britain," pp.80-94.
- 6 Senate Document, 28 Congress, 1 session, No.138, "Memorial of a Number of Citizens of New York," pp.1-3; Baltimore Republican & Daily Argus, 9 April 1842; House Report, 27 Congress, 2 session, No.650, "Colonial Trade--Great Britain," pp.80-2.
- 7 Edward Carrington to James F. Simmons, 27 March 1842, 4 April 1842, James F. Simmons Papers, Library of Congress; William Parker to Daniel Webster, 1 April 1842, Webster Papers, University Microfilm.
- 8 Solomon Thayer to Caleb Cushing, 15 July 1842, Cushing Papers; House Report, 27 Congress, 2 session, No.650, "Colonial Trade--Great Britain," p.94.
- 9 Edward Carrington to James F. Simmons, 27 March 1842, Simmons Papers; Baltimore Republican & Daily Argus, 17 March 1842.
- 10 U.S. Congress, Journal of the House of Representatives, 27 Congress, 2 session, pp.542, 673; Congressional Globe, 27 Congress, 2 session, p.319.
- 11 Congressional Globe, 27 Congress, 2 session, pp.441-2; John O. Adams, The Memoirs of John Quincy Adams, edited by Charles Francis Adams (Freeport, N.Y.: Books for Libraries Press, 1969; orig. pub., 1874-77), vol.11, pp.140-1; House Journal, 27 Congress, 3 session, p.106.
- 12 House Journal, 25 Congress, 2 session, p.616; House Report, 25 Congress, 3 session, No.301, "Trade with Nova

Scotia and New Brunswick, &c."; U.S. Congress, Journal of the Senate, 25 Congress, 3 session, p.50.

<sup>13</sup> Baltimore American & Commercial Daily, 1 April 1842; House Journal, 27 Congress, 2 session, p.426; Senate Journal, 27 Congress, 2 session, p.256.

<sup>14</sup> Lorenzo Sabine to Thomas Lamb, 14 December 1842, Lamb Family Papers, Massachusetts Historical Society. For the politics of the Tyler administration, see William R. Brock, Parties and Political Conscience: American Dilemmas, 1840-1850 (Millwood, Ky.: KTO press, 1979); Oscar D. Lambert, Presidential Politics in the United States, 1841-1844 (Durham: Duke University Press, 1936); Robert J. Morgan, A Whig Embattled: the Presidency under John Tyler (Lincoln: University of Nebraska Press, 1954); Joel H. Silbey, The Shrine of Party: Congressional Voting Behavior, 1841-1852 (Pittsburgh, University of Pittsburgh Press, 1967); Glyndon G. Van Deusen, The Jacksonian Era, 1828-1848 (New York: Harper & Row, 1959); George R. Poage, Henry Clay and the Whig Party (Gloucester: Peter Smith, 1965; orig. pub.. 1936); Robert Seager II, and Tyler too: A Biography of John & Julia Gardiner Tyler (New York: McGraw Hill Books, 1963); Norma L. Peterson, The Presidencies of William Henry Harrison & John Tyler (Lawrence: University Press of Kansas, 1989).

<sup>15</sup> Congressional Globe, 27 Congress, 2 session, pp.217-8; House Report, 27 Congress, 2 session, No. 461, "Tariff," p.16.

<sup>16</sup> Congressional Globe, 27 Congress, 2 session, p.420.

<sup>17</sup> House Report, 27 Congress, 2 session, No.650, "Colonial Trade--Great Britain," passim.

<sup>18</sup> For his early opinion of Tyler, see Caleb Cushing to Dr. Spofford. 15 April 1841, Cushing Papers. Too much should not be made of Cushing's hostility to the legislative approach. Adams reports that Cushing did propose the alternative of a bill, which the rest of the committee rejected: Adams, Memoirs. vol.11, pp.133-4.

<sup>19</sup> York to Caleb Cushing, 2 May 1842; Benjamin Rich to Cushing, 3 May 1842; Lewis McKenzie to Cushing, 7 May 1842; Joseph Sumner to Cushing, 1 May 1842; Joseph Noyes to Cushing, 3 May 1842, Cushing Papers.

<sup>20</sup> For Kennedy's literary career, see William R. Taylor, Cavalier and Yankee: The Old South and American National Character (Garden City: Anchor Books, 1963), pp.167-72, who describes him as reflecting important traits in the southern persona. His biographer Charles H. Bohner, John Pendleton Kennedy: Gentleman from Baltimore (Baltimore:

Johns Hopkins University Press, 1961), skims over his legislative career, and omits completely any reference to this report and Kennedy's later efforts on its behalf.

21 House Report, 27 Congress, 2 session, No.835, "Commerce and Navigation," p.2-12.

22 John P. Kennedy, "Journal," 3 April 1841, 13 July 1841, 17 September 1841, 19 September 1841, 5 February 1842, 17 June 1843: Kennedy to Philip C. Pendleton, 5 June 1841, 13 July 1841, The John Pendleton Kennedy Papers, Enoch Pratt Free Library.

23 House Report, 27 Congress, 2 session, No.835, "Commerce and Navigation," p.33-38, 60-62.

24 Joseph Sumner to Caleb Cushing, 27 July 1842: Theodore Chalk to Cushing, 13 January 1843; Henry Lee to Cushing, 7 January 1843, Cushing Papers.

25 House Report, 27 Congress, 2 session, No.835, "Commerce and Navigation," p.13-33, 38-41: the resolutions in full, p.59:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and is hereby, requested, whenever he shall deem it compatible with the public interest, to make known to the Governments of Denmark, Sweden, the Hanseatic Republics, Prussia, Austria and Russia, in conformity with the stipulations of the existing commercial treaties between said Governments and the United States, the desire and intention of this Government to terminate such commercial treaties now in force between said Governments and the United States as have been contracted to allow the parties thereto to import on equal terms, as regards duties on merchandise and tonnage, each into the ports of the other, goods, wares, and merchandise, other than those of the growth, produce, or manufacture of the nation in whose vessels the same are borne.

SEC.2 And be it further resolved, That, in all future negotiations which may be opened with the aforesaid Governments, or with any other, it is the policy of the United States to confine the privilege of reciprocal importation, on equal terms as to goods and shipping, to goods, wares, and merchandise the product of the countries from whence and in whose ships they are imported, or the product of such contiguous countries thereto as usually carry on their foreign commerce through the ports of the same.

26 For examples of "crowding-out," see Congressional Globe, 27 Congress, 2 session, p.598. Millard Fillmore attempted to have discussion of the colonial trade issue postponed in favour of the tariff debate. In January 1843, Horace Everett objected to the introduction of any matter, but specifically the issue of reciprocal navigation, "until the question of the repeal of the bankrupt law should have been decided." (Congressional Globe, 27 Congress, 3 session, pp.143-4). And Fillmore again in February tried to hurry along debate on Kennedy's resolutions, as there were only thirteen working days left in the session, with much other outstanding business to complete (Congressional Globe, 27 Congress, 3 session, p.298).

27 House Journal, 27 Congress, 2 session, pp.877-8, 913, 929-30, 936; Congressional Globe, 27 Congress, 3 session, p.598; Baltimore American & Commercial Daily, 9 June 1842, Adams, Memoirs, vol.11, pp.170-2; Congressional Globe, 27 Congress, 2 session, Appendix, pp.474-80.

28 Adams, Memoirs, vol.11, p.188; Kennedy, "Journal," 30 September 1842, Kennedy Papers.

29 Edward Carrington to James F. Simmons, 4 April 1842, George King to Simmons, 4 January 1842, Simmons Papers; Senate Document, 27 Congress, 2 session, No.340, "Report of the Committee of Manufactures on the Tariff," pp.9, 38, 46; House Journal, 27 Congress 2 session, pp.1094-6; Leverett Saltonstall to Robert Winthrop, 18 July 1842, Winthrop Papers, Massachusetts Historical Society; John C. Calhoun, The Papers of John C. Calhoun, edited by Robert L. Meriwether et al. (Columbia: University of South Carolina Press, 1959- ), vol.16, p.423; Emory R. Johnson, History of Domestic and Foreign Commerce of the United States (Washington: Carnegie Institute, 1915), vol.2, p.350. For later diplomatic disputes, see Hulsemann to Caleb Cushing, 28 August 1842, Cushing Papers; House Report, 28 Congress, 1 session, No.534, "Coffee from the Netherlands," p.410; Circular Letter to Collectors & Naval Officers, 5 August 1844, Secretary of the Treasury, Circular Letters (T Series), National Archives; Steen Billé to Daniel Webster, 7 December 1842, 31 December 1842; Billé to Caleb Cushing, 16 December 1842, Cushing Papers; Circular Letter to Collectors of the Customs, 12 January 1844, Treasury, Circular Letters.

30 Daniel Webster to Caleb Cushing, 24 February 1843, Cushing Papers. For Democratic reactions to Webster-Ashburton, see Van Deusen, Jacksonian Era, p.175. For Webster's doubts: Daniel Webster, The Papers of Daniel Webster: Diplomatic Papers, edited by Kenneth Shewmaker et al. (Hanover: University Press of New England, 1983), vol.1, p.846. For calls for legislation, see Joseph

Sumner to Cushing, 14 November 1842, J. Chickering to Cushing, 30 November 1842, John Porter to Cushing, 4 December 1842, Cushing Papers. John Quincy Adams reports the committee discussion on the appropriation:

Holmes was very warmly for it, with Cushing and me. But [Horace] Everett and [Francis] Granger, peremptorily, [James] Meriwether, bitterly, and [Robert] Caruthers, with his bland and courteous smile, all opposed it.

The full committee voted against it three days later, with Augustine Shepherd and Alexander Stuart joining the majority: Adams, Memoirs, vol.11, pp.327-8, 329-30.

31 Senate Journal, 27 Congress, 3 session, pp.51, 161; Baltimore Republican & Daily Argus, 1 February 1843, 2 February 1843; Senate Document, 27 Congress, 3 session, No.135, "Report from Committee on Commerce."

32 Congressional Globe, 27 Congress, 3 session, pp.143-4, 194, 278; House Journal, 27 Congress, 3 session, pp.334, 355; "Notes for Speech on Reciprocity Treaties," Kennedy Papers: Adams. Memoirs, vol. 11, pp.320-1. For the debate, see House Journal, 27 Congress, 3 session, p.383, and Congressional Globe, 27 Congress, 3 session, p.298.

33 Robert Winthrop to Thomas Lamb, 16 February 1843, Lamb Family Papers: Kennedy, "Journal," 27 March 1843, Kennedy Papers.

34 For anticipated business of the session, see Daniel Webster, The Papers of Daniel Webster; Correspondence, edited by Charles M. Wiltse et al. (Hanover: University Press of New England, 1974-86), vol.5, pp.282-3: Francis Granger to Thurlow Weed, 31 December 1843, The Papers of Francis and Gideon Granger, Library of Congress; Kennedy, "Journal," 13 October 1844, Kennedy Papers.

35 Congressional Globe, 28 Congress, 1 session, pp.365, 382.

36 For attitudes of Secretaries of State, and reports, see below, Chapter 5, pp.169-73. Congressional Globe, 28 Congress, 1 session, pp.150, 324.

37 Dictionary of American Biography, vol.9, pp.465-7: Kennedy, "Journal," 23 July 1846. Kennedy Papers. This falling-out was the more painful because Ingersoll had favorably reviewed Kennedy's book Swallow Barn when it came out in 1832 (Kennedy to Charles J. Ingersoll, 4 July 1832, Kennedy Papers). For Ingersoll's opinion of U.S. Ministers, including Wheaton, who spent too much time writing books for his liking, see Ingersoll to James K.

Polk. 23 March 1845. The James K. Polk Papers, Library of Congress.

<sup>38</sup> Congressional Globe, 28 Congress, 1 session, pp.600, 638. 650: Adams, Memoirs, vol.12, p.43.

<sup>39</sup> Abbott Lawrence to John P. Kennedy, 23 July 1844, Kennedy Papers; Congressional Globe, 28 Congress, 2 session, Appendix, pp.239-42.



## Notes to Chapter 5

<sup>1</sup> Daniel Webster, The Writings and Speeches of Daniel Webster, edited by James W. McIntyre (New York: National Ed., 1903), vol.13, pp.150-71.

<sup>2</sup> For foreign appraisal, see Bremen Weser Zeitung, 23 January 1844, cited in Henry Wheaton to Abel Upshur, 21 February 1844, Department of State, Despatches from U.S. Ministers to German States and Germany, National Archives. For political reaction, see John P. Kennedy to Robert Winthrop, 27 May 1843. Winthrop Papers, Massachusetts Historical Society: New York Post cited in Baltimore Republican & Daily Argus, 25 May 1843; Henry Clay, The Papers of Henry Clay, edited by James F. Hopkins et al. (Lexington: University of Kentucky Press, 1959- ), vol.9, p.827.

<sup>3</sup> Daniel Webster, The Papers of Daniel Webster: Speeches and Personal Writings, edited by Charles Wiltse & Alan R. Berolzheimer (Hanover: University Press of New England, 1988), vol.2, pp.332-53. For political reaction to the speech, see John Quincy Adams, The Memoirs of John Quincy Adams, edited by Charles Francis Adams (Freeport: Books for Libraries Press, 1969; orig. pub., 1874-7), vol.11, pp.255-6; John Pendleton Kennedy to Philip C. Pendleton, 16 November 1842. John P. Kennedy Papers. Enoch Pratt Free Library.

<sup>4</sup> For Legaré, see above, Chapter 3, p.109; John C. Calhoun, The Papers of John C. Calhoun, edited by Robert L. Meriwether et al. (Columbia: University of South Carolina Press, 1959- ), vol.16, p.423; see also Charles Wiltse, John C. Calhoun: Sectionalist, 1840-1850 (New York: Russell & Russell, 1951).

<sup>5</sup> Dictionary of American Biography, vol.6, pp.533-6; Samuel Flagg Bemis (ed.), The American Secretaries of State and their Diplomacy (New York: Cooper Square Publishers, 1963; orig. pub., 1928), vol.4; Alvin L. Duckett, John Forsyth: Political Tactician (Athens: University of Georgia Press, 1962). Duckett borrows heavily from Bemis, and does not touch on Forsyth's handling of commercial policy. U.S. Congress, Senate Document, 26 Congress, 1 session, No.80, "Report from the Secretary of State"; John Forsyth to Henry Wheaton, 12 December 1839, Diplomatic Instructions of the Department of State, German States, National Archives.

<sup>6</sup> U.S. Congress, House Document, 27 Congress, 2 session, No.163, "Report on the Commercial Relations of the United States with Foreign Nations"; Maurice G. Baxter, One and Inseparable: Daniel Webster and the Union (Cambridge: Harvard University Press, 1984).

<sup>7</sup> Claude H. Hall, Abel Parker Upshur: Conservative Virginian 1790-1844 (Madison: State Historical Society of Wisconsin, 1964). Kennedy's comment on Upshur is entertaining:

He is a lazy man, a sophist, full of cobweb; in the worst sense an abstractionist: he never reads, has no energy for business, and has never kept the same opinions two years together. He was an old Federalist,--then a Jackson man--then a Whig (after the Virginia fashion) then a Calhoun man and stark nullifier which he is at present--although most likely to change that very soon. He is severe in his denunciation of the Whigs and lavish in praise of Tyler, and to describe him in a word he is a Locofoco.

"Journal," 26 September 1841. Kennedy Papers. Upshur's report is Senate Executive Document, 28 Congress, 1 session, No.1, "Report of the Secretary of State accompanying the President's Message," p.21.

<sup>8</sup> William R. Manning (ed.), Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860 (Washington: Carnegie Endowment for International Peace, 1932), vol.5, pp.358-9: James Buchanan to Henry Ellsworth, 13 May 1847. Diplomatic Instructions of the Department of State, Sweden, National Archives.

<sup>9</sup> Manning, Inter-American Affairs, vol.2, pp.3-6, 14.

<sup>10</sup> "Decree of José Tadeo Monagas, President of Venezuela," 4 October 1849, British and Foreign State Papers, vol.39, p.1081; Arthur M. Schlesinger & Fred Israel (eds.), The State of the Union Messages of the Presidents, 1790-1966 (New York: Chelsea House, 1966), vol.1, p.546; Manning, Inter-American Affairs, vol.2, pp.122-6, 128-9, 136-8, 246; James D. Richardson (comp.), Messages and Papers of the Presidents (New York: Bureau of National Literature and Art, 1897), vol.4, pp.522-3.

<sup>11</sup> Manning, Inter-American Affairs, vol.3, pp.25-8, 33-5, 152, 160-1, 165-78, 235, 258, 305-6, 310; "Treaty between the United States and Guatemala," British and Foreign State Papers, vol.39, pp.51-61; "Treaty between the United States and Nicaragua," British and Foreign State Papers, vol.40, pp.1052-64. The Nicaragua treaty was signed on 3 September 1849, but was not ratified by the U.S. Senate.

<sup>12</sup> Manning, Inter-American Affairs, vol.5, pp.12-13, 14-15, 183-5; vol.10, pp.234, 559, 569; James K. Polk, The Diary of James K. Polk during his Presidency, 1845 to 1849, edited by Milo M. Quaife (New York: Kraus Reprint Co., 1970; orig. pub., 1910), vol.3, pp.326-7; Richardson,

Messages and Papers, vol.4, p.572; "Treaty between the United States and Peru," British and Foreign State Papers, vol.40, pp.1095-1108; "Proclamation of Millard Fillmore," British and Foreign State Papers, vol.39, pp.77-9.

13 Manning, Inter-American Affairs, vol.5, p.556; vol.6, pp.240-1, 241-2, 247-9; vol.10, p.506-8; Vicente Rocafuerte to Martin Van Buren, 2 August 1837, The Martin Van Buren Papers, Library of Congress; "Treaty between the United States and Equator," British and Foreign State Papers, vol.29, pp.1296-1306.

14 Manning, Inter-American Affairs, vol.5, pp.354, 355-6, 358-9, 593, 627-8, 628-9, 636-7; "Treaty between the United States and New Granada," British and Foreign State Papers, vol.36, pp.994-1006; Polk, Diary, vol.2, p.363; Richardson, Messages and Papers, vol.4, pp.11-13; U.S. Congress, Journal of the Executive Proceedings of the Senate, 29 Congress, 2 session, vol.7, pp.193, 235; 30 Congress, 1 session, vol.7, p.424. The vote was 29:7, notable for a large number of abstentions or absences, and for its partisan nature, Democrats in favour of the treaty, Whigs against.

15 Manning, Inter-American Affairs, vol.1, pp.21, 22-3, 259, 371-2, 417-8, 476; vol.10, pp.29-31.

16 For relations with Greece, see James A. Field, America and the Mediterranean World, 1776-1882 (Princeton: Princeton University Press, 1969), p.188; Andrew Stevenson to John Forsyth, 4 May 1837, 22 September 1837, 27 December 1837, Department of State, Despatches from U.S. Ministers to Great Britain, National Archives; John Forsyth to Andrew Stevenson, 1 October 1837, 7 November 1837, Diplomatic Instructions of the Department of State, Great Britain, National Archives; Richardson, Messages and Papers, vol.3, p.322; "Treaty between the United States and Greece," British and Foreign State Papers, vol.25, pp.375-88; Senate, Executive Proceedings, 25 Congress, 2 session, vol.5, pp.94-5. For Sardinia, see John Forsyth to Nathaniel Niles, 2 May 1838, Diplomatic Instructions of the Department of State, Italy, National Archives; "Treaty between the United States and Sardinia," British and Foreign State Papers, vol.27, pp.1017-31; John C. Calhoun, "Correspondence of John C. Calhoun," edited by J. Franklin Jameson, Annual Report of the American Historical Association, 1899 (Washington: American Historical Association, 1900), pp.594-6.

17 Calhoun, "Correspondence," pp.594-6. See Table 4 for figures of Sardinian vessels doing business in U.S. ports.

18 Daniel Webster, The Papers of Daniel Webster; Series 1, Correspondence, edited by Charles Wiltse et al. (Hanover:

University Press of New England, 1974-86), vol.5, p.114; Charles Sumner to Caleb Cushing, 30 July 1841, Caleb Cushing Papers, Library of Congress; Sumner to Daniel Webster, 27 July 1842, The Papers of Daniel Webster, University Microfilm Ed.

19 "Treaty between the United States and the Kingdom of the Two Sicilies," British and Foreign State Papers, vol.35, pp.239-44; Polk, Diary, vol.1, pp.193, 197-8; Senate, Executive Proceedings, 29 Congress, 1 session, vol.7, pp.61-2; Ambrose Dudley Mann to John Clayton, 10 January 1850, Despatches from Special Agents of the Department of State, National Archives.

20 Ambrose Dudley Mann to John Clayton, 10 January 1850; Mann to James Buchanan, "Private," 18 November 1847, Despatches, Special Agents.

21 Samuel Flagg Bemis, John Quincy Adams and the Union (New York: Alfred Knopf, 1955), pp.484-6; Baxter, One and Inseparable, pp.365-6; Norma L. Peterson, The Presidencies of William Henry Harrison & John Tyler (Lawrence: University Press of Kansas, 1989), pp.141-3; Claude M. Fues, The Life of Caleb Cushing (New York: Harcourt, Brace & World, 1923), ch.10; U.S. Congress, House Journal, 26 Congress, 1 session, p.189; Caleb Cushing to John Tyler, 9 January 1840, Cushing Papers; Richardson, Messages and Papers, vol.4, pp.212-14, 358; Senate, Executive Proceedings, 28 Congress, 2 session, vol.6, pp.357, 385.

22 House Document, 22 Congress, 1 session, No.206, "Tonnage Duty on Vessels of Portugal"; Edward Livingston to Thomas Brent, 18 April 1833, Diplomatic Instructions of the Department of State, Portugal, National Archives; Thomas Brent to Louis McLane, 19 April 1834, Department of State, Despatches from U.S. Ministers to Portugal, National Archives; House Report, 24 Congress, 1 session, No.134, "Portugal--Discriminating Duties," p.3; U.S. Congress, Senate Report, 24 Congress, 1 session, No.303, "Portuguese Duties"; Richardson, Messages and Papers, vol.3, p.372.

23 For progress of negotiations, see John Forsyth to Edward Cavanagh, 7 January 1836, 30 May 1836, 7 October 1840, 11 December 1840, Instructions, Portugal; Edward Cavanagh to John Forsyth, 28 July 1835, 28 December 1835, 19 March 1836, 14 April 1836, Despatches, Portugal; Cavanagh to Forsyth, 3 February 1840, 22 June 1840, 11 July 1840, 31 August 1840, Foreign Relations File, (SEN 26B-B5), 26 Congress, Records of the United States Senate, Record Group 46, National Archives; "Treaty between the United States and Portugal," British and Foreign State

Papers, vol.29, pp.1306-12; Senate Executive Proceedings, 26 Congress, 2 session, vol.5, pp.324, 337.

24 Aaron Vail to Edward Livingston, 28 April 1832, Despatches, Great Britain: John Forsyth to Baron Behr, 9 February 1836, 31 December 1836, 10 January 1837: Forsyth to Belgian Consul in New York, 21 March 1837, Department of State, Notes to Foreign Legations in the U.S., Belgium, National Archives; Baron Behr to John Forsyth, 5 January 1837, Notes from the Legation of Belgium in the U.S. to the Department of State, National Archives.

25 Charles Serruys to Aaron Vail, 24 September 1839, Notes from Legation, Belgium; John Forsyth to Charles Serruys, 17 October 1839, Notes to Legations, Belgium; "Treaty between the United States and Belgium," British and Foreign State Papers, vol.29, pp.722-25; Senate, Executive Proceedings, 26 Congress, 2 session, vol.5, pp.319-20, 324; Virgil Maxcy to Secretary of State [Webster], 5 March 1841, 17 April 1841, Department of State, Despatches from U.S. Ministers to Belgium, National Archives.

26 Auguste Davezac to John Forsyth, 8 January 1836, 3 June 1836, Department of State, Despatches from U.S. Minister to the Netherlands, National Archives.

27 Chevalier Martini to John Forsyth, 6 June 1838, 14 July 1838, 2 January 1839, Notes from the Legation of the Netherlands in the U.S. to the Department of State, National Archives; John Forsyth to Chevalier Martini, 7 June 1838, 17 July 1838, 10 January 1839, Department of State, Notes to Foreign Legations in the U.S., Netherlands, National Archives; "Treaty between the United States and the Netherlands," British and Foreign State Papers, vol.27, pp.1031-5; Senate, Executive Proceedings, 25 Congress, 3 session, vol.5, pp.180, 190.

28 Henry Wheaton to Daniel Webster, 24 September 1841, Despatches, German States. For Dutch shipping figures, see Table 4. Christopher Hughes to Abel Upshur, 30 October 1843, Despatches, Netherlands.

29 Virgil Maxcy to Daniel Webster, 17 June 1842, Despatches, Belgium.

30 Andrew Stevenson to John Forsyth, 29 July 1837, Despatches, Britain; John Cuthbert to John Forsyth, 16 February 1835, Department of State, Despatches from U.S. Consuls in Hamburg, National Archives; Henry Wheaton to John Forsyth, 23 December 1835, 10 May 1837, Despatches, German States.

- 31 Henry Wheaton to John Forsyth, 16 December 1835, 11 October 1837, Despatches, German States; John Cuthbert to John Forsyth, 28 July 1837, Despatches, Hamburg; Andrew Stevenson to John Forsyth, 22 November 1837, Despatches, Britain; W.O. Henderson, The Zollverein (Cambridge: Cambridge University Press, 1939), pp.123-4.
- 32 John Forsyth to Henry Wheaton, 15 December 1837, Instructions, German States; Henry Wheaton to John Forsyth, 28 February 1838, Despatches, German States. For the negotiation, see Elizabeth F. Baker, Henry Wheaton 1785-1848 (Philadelphia: University of Pennsylvania Press, 1937), pp.169-76. This is a good summary of the negotiations, but it does not probe more deeply behind the various despatches into the context of the changing stance on direct/indirect trade reciprocity.
- 33 Andrew Stevenson to John Forsyth, 29 July 1837, Despatches, Britain; John Forsyth to Henry Wheaton, 15 December 1837, Instructions, German States.
- 34 Henry Wheaton to John Forsyth, 12 October 1839, Despatches, German States.
- 35 Henry Wheaton to John Forsyth, 21 March 1838, Despatches, German States; John Forsyth to Henry Wheaton, 10 May 1838, Instructions, German States; "Treaty between the United States and Hanover," British and Foreign State Papers, vol.29, pp.844-54.
- 36 John Cuthbert to Daniel Webster, 9 July 1841. Despatches, Hamburg; Andrew Stevenson to John Forsyth, 29 July 1837. Despatches, Britain.
- 37 Richardson, Messages and Papers, vol.3, p.594; Senate, Executive Proceedings, 26 Congress, 1 session, vol.5, pp.202-3; Henry Wheaton to William H. Harrison, 27 January 1841. Despatches, German States.
- 38 Senate, Executive Document, 27 Congress, 1 session, No.1, "Report of Secretary of State accompanying the President's Message," p.30.
- 39 Virgil Maxcy to Daniel Webster, 27 March 1842, 23 May 1842, 17 June 1842, Despatches, Belgium; Daniel Webster to Virgil Maxcy, 31 May 1842, Webster Papers, University Microfilm; Edward Everett to Daniel Webster, 15 April 1842. Despatches, Britain.
- 40 Henry Hilliard to Daniel Webster, 30 August 1842, 12 October 1842, 27 October 1842, Despatches, Belgium; Abel Upshur to Hilliard, 16 October 1843, Instructions, Belgium; Senate Document, 28 Congress, 1 session, No.339, "Report of Secretary of State"; Henry Wheaton to Hugh

Legaré, 14 June 1843, Despatches, German States; Abel Upshur to Henry Wheaton, 18 November 1843, Instructions, German States.

41 Christopher Hughes to Daniel Webster, 25 May 1841, Department of State, Despatches from U.S. Ministers to Norway and Sweden, National Archives; Henry Clay, The Private Correspondence of Henry Clay, edited by Calvin Colton (Boston: Frederick Parker, 1856), p.475; Baron De Roenne to Daniel Jenifer, 4 February 1841, in De Roenne to Caleb Cushing, 9 March 1841; De Roenne to Cushing, 23 March 1841, Cushing Papers. De Roenne aptly sums up the irony of the situation:

It would indeed furnish a strange spectacle to the world, if Americans, so famous all over the world for their skill in building and navigating vessels and for their spirit of enterprise, would ask for protection upon the ground that they could not compete with German vessels. The amount of German tonnage has increased not from any artificial cause, but on account of the great enterprise and activity of the German merchants.

42 Weser Zeitung, 21 February 1844, cited in Henry Wheaton to Abel Upshur, 21 December 1844, Despatches, German States.

43 Henry Wheaton to Daniel Webster, 15 July 1841, 26 October 1842, Despatches, German States.

44 Calhoun, Papers, vol.18, p.196.

## Notes to Chapter 6

- <sup>1</sup> John Forsyth to Henry Wheaton, 15 December 1837, Diplomatic Instructions of the Department of State, German States and Germany, National Archives; Andrew Stevenson to John Forsyth, 29 July 1837, Despatches from U.S. Ministers to Great Britain, National Archives; Henry Wheaton to John Forsyth, 11 October 1837, Department of State, Despatches from U.S. Ministers to German States and Germany, National Archives.
- <sup>2</sup> Henry Wheaton to John Forsyth, 12 October 1839, Despatches, German States.
- <sup>3</sup> For efforts on rice, see below, p.219. For wheat, see a memorial presented in February 1841, Congressional Globe, 26 Congress, 2 session, p.212. The tobacco lobby's efforts in Congress are too numerous to list. See especially U.S. Congress, House Report, 24 Congress, 2 session, No.239, "Tobacco"; U.S. Congress, Journal of the House of Representatives, 25 Congress, 1 session, p.76; House Journal, 25 Congress, 2 session, pp.528-9; House Report, 30 Congress, 1 session, No.810, "Tobacco Trade with Europe". For the appointment to Austria, see Daniel Webster, The Papers of Daniel Webster, Series 1: Correspondence, edited by Charles M. Wiltse et al. (Hanover: University Press of New England, 1974-86), vol.5, p.72. Biddle had earlier solicited the position: see Nicholas Biddle, The Correspondence of Nicholas Biddle dealing with National Affairs, 1807-1844, edited by Reginald C. McGrane (Boston: J.S. Carver, 1966; orig. pub., 1919). pp.338-9.
- <sup>4</sup> Charles Ingersoll to John Forsyth, 3 March 1837, The Martin Van Buren Papers, Library of Congress. For Duff Green and Everett, see Edward Everett to John Tyler, 17 May 1843; Edward Everett to Hugh Legaré, 1 July 1843, Edward Everett Papers, Massachusetts Historical Society.
- <sup>5</sup> Charles Ingersoll to John Forsyth, 3 March 1837, Van Buren Papers.
- <sup>6</sup> For calls for retaliation, see resolution by Daniel Jenifer, Congressional Globe, 26 Congress, 1 session, pp.54-7; and resolutions from the legislature of Maryland, U.S. Congress, Journal of the Senate, 27 Congress, 1 session, p.23. For the tariff, see Frank W. Taussig, The Tariff History of the United States (New York: G.P. Putnam's Sons, 1931; orig. pub., 1888); and Edward Stanwood, American Tariff Controversies in the Nineteenth Century (Westminster: Archibald Constable, 1904).



7 John C. Calhoun, The Papers of John C. Calhoun, edited by Robert L. Meriwether et al. (Columbia: University of South Carolina Press, 1959- ), vol.15, p.473. Walker's Report of 1845 is printed in Stanwood, American Tariff Controversies, vol.2, pp.45-57, quotation from p.48.

8 Stanwood, American Tariff Controversies, vol.2, p.53.

9 Merrill D. Peterson, Olive Branch and Sword--The Compromise of 1833 (Baton Rouge: Louisiana State University Press, 1982); William W. Freenling, Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836 (New York: Harper & Row, 1965).

10 House Report, 21 Congress, 1 session, No.165, "Commerce and Navigation," pp.18, 35. Benton's Resolutions were originally set out in February 1831, but were repeated on several other occasions throughout the 1830s, and beyond: For example, in February 1840; U.S. Congress, Senate Document, 26 Congress, 1 session, No. 162, "Motions submitted by Mr. Benton."

11 For Webster, see his speech at Baltimore, in Daniel Webster, The Writings and Speeches of Daniel Webster, edited by James W. McIntyre (New York: National Edition, 1903), vol.13, pp.155-60. He was one of the few Whigs who did not condemn the 1844 Convention with the Zollverein out of hand; John C. Calhoun, "Correspondence of John C. Calhoun," edited by J. Franklin Jameson, Annual Report of the American Historical Association, 1899 (Washington: American Historical Association, 1900), p.1027. See also Kinley J. Brauer, Cotton versus Conscience: Massachusetts Whig Politics and Southwestern Expansion, 1843-1848 (Lexington: University of Kentucky Press, 1967), pp.32-4; and Maurice G. Baxter, One and Inseparable: Daniel Webster and the Union (Cambridge: Harvard University Press, 1984), p.368.

12 For the debate over the coincidence between the reform of the Corn Laws and the U.S. Tariff of 1846, see T.P. Martin, "The Upper Mississippi Valley in Anglo-American Anti-Slavery and Free Trade Relations: 1837-1842," Mississippi Valley Historical Review, 15 (1928-9), pp.204-20; and Frederick Merk, The Oregon Question: Essays in Anglo-American Diplomacy and Politics (Cambridge: Harvard University Press, 1967), pp.309-36. Senate Document, 26 Congress, 1 session, No. 162, p.3.

13 U.S. Congress, Senate Executive Document, 27 Congress, 1 session, No.1, "Report of Secretary of State," pp.26-7; Daniel Webster, The Papers of Daniel Webster: Diplomatic Papers, edited by Kenneth E. Shewmaker et al. (Hanover: University Press of New England, 1983), vol.1, pp. 265-72; Senate Document, 28 Congress, 1 session, No.1, "Report of

Secretary of State." pp.20-1; Calhoun, "Correspondence," p.611.

14 Joshua Dodge to Daniel Jenifer, 3 February 1837, printed in House Report, 24 Congress, 2 session, No.239, p.12.

15 Henry Wheaton to John Forsyth, 2 August 1835. Despatches, German States; House Journal, 25 Congress, 2 session, pp.1065-6; Henry Wheaton to John Forsyth, 2 October 1839. Despatches, German States.

16 House Report, 24 Congress, 2 session, No.239, pp.4-6. 13.

17 House Report, 24 Congress, 2 session, No.239, p.13; Henry Wheaton to John Forsyth, 9 August 1837. Despatches, German States.

18 Frederick Mensch to Churchill Cambreleng, 23 February 1830; Cambreleng, "Notes," Van Buren Papers; Aaron Vail to Edward Livingston, 14 January 1833. Despatches, Great Britain.

19 Henry Wheaton to John Forsyth, 16 December 1835. Despatches, German States; John Cuthbert to John Forsyth, 28 July 1837. Department of State, Despatches from U.S. Consuls in Hamburg, National Archives; Andrew Stevenson to John Forsyth, 22 November 1837. Despatches, Great Britain; W.O. Henderson. The Zollverein (Cambridge: Cambridge University Press, 1939), pp.123-4.

20 John Adami to Henry Wheaton, 3 January 1843, Despatches, German States; Henry Clay. The Papers of Henry Clay, edited by James F. Hopkins et al. (Lexington: University of Kentucky Press. 1959- ), vol.6, p.517.

21 Francis Grund to Daniel Webster, 24 December 1841: Francis Grund to Caleb Cushing, March 1842. Caleb Cushing Papers, Library of Congress.

22 Arthur M. Schlesinger and Fred Israel (eds.), The State of the Union Messages of the Presidents. 1790-1966 (New York: Chelsea House. 1966), vol.1, p.601.

23 Henry Wheaton to Abel Upshur, 11 October 1843, Despatches, German States; Abel Upshur to Henry Wheaton, 10 November 1843. 1 December 1843. 2 January 1844. Instructions, German States.

24 Senate Document, 28 Congress, 1 session, No.1, pp.17-20.

25 The Convention is printed in full in Elizabeth F. Baker, Henry Wheaton, 1785-1848 (Philadelphia: University of Pennsylvania Press, 1937), pp.325-8. Baker's is a good secondary account of the negotiation, pp.226-34. See also Henry Wheaton to John Tyler, 27 March 1844. The John Tyler Papers, Library of Congress: Calhoun, Papers, vol.18, pp.193-5; W.W.Irwin to Abel Upshur, 1 March 1844, Department of State, Despatches from U.S. Ministers to Denmark, National Archives.

26 Henry Wheaton to James Buchanan, 27 March 1844, James Buchanan Papers, Historical Society of Pennsylvania; James D. Richardson (comp.), Messages and Papers of the Presidents (New York: Bureau of National Literature and Art, 1897), vol.4, p.314; U.S. Congress, Journal of the Executive Proceedings of the Senate, 28 Congress, 1 session, vol.6, p.302.

27 Senate, Executive Proceedings, 28 Congress, 1 session, vol.6, p.333-6.

28 Calhoun, Papers, vol.18, pp.535, 676-7; Senate, Executive Proceedings, 28 Congress, 1 session, vol.6, p.347; John Calhoun to Henry Wheaton, 28 June 1844, Despatches, German States: Lyon G. Tyler, The Life and Times of the Tylers (New York: Da Capo Press, 1970; orig. pub., 1884-96), vol.3, p.149; Thomas Clemson to John Calhoun, 17 October 1844, Department of State, Despatches from U.S. Ministers to Belgium, National Archives. For partisan actions, see Oscar D. Lambert, Presidential Politics in the United States, 1841-1844 (Durham: Duke University Press, 1936); Robert J. Morgan, A Whig Embattled: The Presidency under John Tyler (Lincoln: University of Nebraska Press, 1954); Sylvia H. Kesilman, "John Tyler and the Presidency: Old School Republicanism, Partisan Realignment, and Support for his Administration." Ph.D. Dissertation, Ohio State University, 1973. Norma L. Peterson, The Presidencies of William Henry Harrison & John Tyler (Lawrence: University Press of Kansas, 1989), pp.231-3, briefly considers the domestic battle for the Convention, while for a fuller account, see Baker, Henry Wheaton, pp. 235-74. Diplomatic histories of this period barely mention this convention. For example, J.S. Reeves, American Diplomacy under Tyler and Polk (Gloucester: Peter Smith, 1967; orig. pub., 1907), dismisses it in one sentence.

29 Schlesinger, State of the Union, vol.1, p.618; Senate, Executive Proceedings, 29 Congress, 1 session, vol.6, pp.406-10.

30 Calhoun, "Correspondence," p.1027; Senate, Executive Proceedings, 29 Congress, 1 session, vol.6, pp.428, 445; 29 Congress, 2 session, vol.7, pp.167, 237-8; James

Buchanan to Henry Wheaton. 29 September 1845, The James K. Polk Papers, Library of Congress.

31 Stanwood, Tariff Controversies, vol.2. p.54.

32 Calhoun, "Correspondence," p.1064-5: Louis Mark to Andrew J. Donelson, 27 July 1846, 23 August 1846, The Papers of Andrew J. Donelson, Library of Congress.

## Notes to Chapter 7

- 1 Francis Grund to James Buchanan, 1 December 1845, James Buchanan Papers, Historical Society of Pennsylvania.
- 2 Thomas Clemson to James Buchanan, 28 December 1845, Buchanan Papers.
- 3 Abel Upshur to H.W. Hilliard, 16 October 1843, Diplomatic Instructions of the Department of State, Belgium, National Archives; H.W. Hilliard to John Tyler, 19 June 1844, The John Tyler Papers, Library of Congress; U.S. Congress, Senate Document, 28 Congress, 1 session, No.339, "Report from the Secretary of State," p.24; Hugh Legaré to John Forsyth, 3 February 1835: H.W. Hilliard to John Calhoun, 13 June 1844, 25 July 1844, Department of State, Despatches from U.S. Ministers to Belgium, National Archives; John C. Calhoun, The Papers of John C. Calhoun, edited by Robert L. Meriwether et al. (Columbia: University of South Carolina Press, 1959- ), vol.18, pp.336-7; Arthur M. Schlesinger and Fred Israel (eds.), The State of the Union Messages of the Presidents, 1790-1966 (New York: Chelsea House, 1966), vol.1, p.618. For the improvement in U.S. shipping figures, see Thomas Clemson to James Buchanan, 29 January 1846, Despatches, Belgium: arrivals at Antwerp--in 1844, 26 vessels; in 1845, 81 vessels.
- 4 Thomas Clemson to James Buchanan, 13 March [April] 1845, Despatches, Belgium; Clemson to Buchanan, "Private," 28 April 1845, Buchanan Papers; Buchanan to Clemson, 17 September 1845, Instructions, Belgium.
- 5 "Treaty between the United States and Belgium," British and Foreign State Papers, vol.35, pp.235-39, Article 7.
- 6 "Treaty," British and Foreign State Papers, vol.35, pp.235-39, Article 12: Francis Grund to James Buchanan, 1 December 1845, Buchanan Papers.
- 7 "Treaty," British and Foreign State Papers, vol.35, pp.235-39, Article 8.
- 8 Ambrose Dudley Mann to James Buchanan, 7 December 1847, Despatches from Special Agents of the Department of State, National Archives; Mann to Buchanan, 4 July 1848, Buchanan Papers; Thomas Clemson to James Buchanan, 13 March [April] 1845, with encl. Belgium Ministry of Foreign Affairs to Clemson, 30 March 1845, Clemson to Buchanan, 14 November 1845, Despatches, Belgium.
- 9 "Treaty," British and Foreign State Papers, vol.35, pp.235-39, Articles 4,5,18; Ministry of Foreign Affairs to Thomas Clemson, 30 March 1845, Despatches, Belgium; U.S.

Congress, Journal of the Executive Proceedings of the Senate, 29 Congress, 1 session, vol.7, pp.42, 55-6, 57.

10 Dictionary of American Biography, vol.12, pp.239-40. For Southern economic independence, see Clement Eaton, Growth of Southern Civilization 1790-1860 (New York: Harper and Row, 1961), Chapter 9, esp. p.204-5; and William R. Brock, Parties and Political Conscience: American Dilemmas, 1840-1850 (Millwood, NY: KTO Press, 1979), p.235.

11 Ambrose Dudley Mann to John M. Clayton, 10 May 1849, 15 October 1849, 10 January 1850; Mann to James Buchanan, 18 November 1847. Despatches, Special Agents.

12 "Ordinance of the King of Hanover." British and Foreign State Papers, vol.32, pp.868-9; James Buchanan to Edward Steuklen, 6 December 1845, Department of State, Notes to Foreign Legations in the U.S., German States and Germany, National Archives; James K. Polk, The Diary of James K. Polk during his Presidency, 1845-1849, edited by Milo M. Quaife (New York: Kraus Reprint Co., 1970; orig. pub., 1910), vol.1, pp.205, 304-5.

13 Henry Wheaton to John Forsyth, 10 May 1837, Department of State, Despatches from U.S. Ministers to German States and Germany, National Archives; Edward Everett to Daniel Webster, 15 April 1842, Department of State, Despatches from U.S. Ministers to Great Britain, National Archives; James Buchanan to Ambrose Dudley Mann, 27 March 1846, Diplomatic Instructions of the Department of State, Special Missions. National Archives.

14 James Buchanan to Ambrose Dudley Mann, 27 March 1846, Instructions, Special Missions.

15 Ambrose Dudley Mann to James Buchanan, 15 May 1846, 30 May 1846, Despatches, Special Agents.

16 "Treaty between the United States and Hanover," British and Foreign State Papers, vol.35, pp.245-51; Ambrose Dudley Mann to James Buchanan, "Private," 18 June 1846, Buchanan Papers.

17 James Buchanan to Ambrose Dudley Mann, 12 August 1846, Instructions, Special Missions; Senate, Executive Proceedings, 29 Congress, 1 session, vol.7, pp.115, 118.

18 Ambrose Dudley Mann to James Buchanan, "Private," 16 September 1846, "Private," 10 November 1846, Despatches, Special Agents.

19 Senate, Executive Proceedings, 29 Congress, 2 session, vol.7, pp.157, 166, 167 175-6. See Appendix 1 for roll

calls. A comparison of the vote on this treaty with that on the Zollverein convention reveals some interesting changes of stance. Most of the Southern Whigs still in the Senate who now voted in favour of the Hanover treaty had opposed the earlier convention, revealing either a greater willingness to sacrifice the interests of shipping than to damage protection and the principle of Congressional responsibility for tariff making; or, more likely, a weakening of party allegiance as time went by.

20 U.S. Congress, House Document, 82 Congress, 2 session, No.540, "Inaugural Addresses of the Presidents of the United States . . .," p.90; Schlesinger, State of the Union, vol.1, p.661. Walker's Tariff report is printed in full in Edward Stanwood, American Tariff Controversies in the Nineteenth Century (Westminster: Archibold Constable, 1904), vol.2, pp.45-57.

21 Congressional Globe, 29 Congress, 1 session, pp.996-9, 1041-2, 1073-4, 1075-6. The debate continued throughout July, until passage in the first week of August. Schlesinger, State of the Union, vol.1, p.722; Charles Sellers, James K. Polk: Continentalist, 1843-1846 (Princeton: Princeton University Press, 1966), pp.470-71.

22 Walker's letter on the Annexation of Texas is printed in Frederick Merk, Fruits of Propaganda in the Tyler Administration (Cambridge: Harvard University Press, 1971), pp.221-52. William R. Manning (ed.), Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860 (Washington: Carnegie Endowment for International Peace, 1932), vol.8, pp.180-1; James D. Richardson (comp.), Messages and Papers of the Presidents (New York: Bureau of National Literature and Art, 1897), vol.4, pp.588-9.

23 Norman A. Graebner, Empire on the Pacific: A Study in American Continental Expansion (New York: Ronald Press, 1955), especially pp.3, 27-30, 97, 126-31, 218.

24 Graebner, Empire, p.126-8; Thomas R. Hietala, Manifest Design: Anxious Aggrandizement in Late Jacksonian America (Ithaca: Cornell University Press, 1985), pp.55-94, with quotation from p.88. Hietala's analysis is an extension of the ideas attributed to the Republicans, and especially to James Madison, by Drew McCoy in The Elusive Republic: Political Economy in Jeffersonian America (Chapel Hill: University of North Carolina Press, 1980).

25 Schlesinger, State of the Union, vol.1, pp.660-1.

26 For the Cabinet see Glyndon Van Deusen, The Jacksonian Era, 1828-1848 (New York: Harper & Row, 1959), pp.194-5. Historians have identified a similar southerly leaning in

the Polk administration, or at least accusations thereof, in relation to other issues. For one example see Eric Foner, "The Wilmot Proviso Revisited," Journal of American History, 56 (1969), pp.262-79. Of course, the more cynical interpretation can be applied equally to the Republican forbears of the Jacksonians, who were also Southern slave-owners, rather than small-scale farmers. See Richard Hofstadter, The American Political Tradition (New York: Alfred Knopf, 1948), ch.2.

27 James Buchanan to Ambrose Dudley Mann, 27 March 1846, Instructions, Special Missions. For Buchanan, see essay in Samuel Flagg Bemis (ed.), The American Secretaries of State and their Diplomacy (New York: Cooper Square Publishers, 1963; orig. pub., 1928), vol.5.; Philip S. Klein, President James Buchanan: A Biography (University Park: Pennsylvania State University Press, 1962). For the tariff responsibilities of a Pennsylvanian politician see Malcolm R. Eiselen, The Rise of Pennsylvania Protectionism (Philadelphia: Porcupine Press, 1974; orig. pub., 1932). The disagreement over the Tariff almost led to an embarrassing rift in the Cabinet. Polk came down on Walker's side, exacerbating a split which had led Buchanan to request appointment to the Supreme Court, in place of his position in the State department. Sellers, James K. Polk, pp.327-8. Elizabeth F. Baker in Henry Wheaton, 1785-1848 (Philadelphia: University of Pennsylvania Press, 1937), is especially harsh on Buchanan for his opposition to the Zollverein convention, unduly so in light of constituency pressures and his later efforts toward duty reduction by other means.

28 Table 4 gives the figures for Hanoverian involvement in trade in U.S. ports. James Buchanan to Henry Ellsworth, 13 May 1847, Diplomatic Instructions of the Department of State, Sweden, National Archives; Buchanan to Andrew J. Donelson, 13 May 1847, Diplomatic Instructions of the Department of State, German States and Germany, National Archives.

29 Ambrose Dudley Mann to James Buchanan, 15 May 1846, Despatches, Special Agents; Polk, Diary, vol.4, pp.152-4; Buchanan to Robert Fleniken, Diplomatic Instructions of the Department of State, Denmark, National Archives.

30 William W. Irwin to James Buchanan, 15 February 1846, 12 March 1846, 1 June 1846; Robert Fleniken to Buchanan, 8 September 1848, Department of State, Despatches from U.S. Ministers to Denmark, National Archives; Ambrose Dudley Mann to James Buchanan, 15 May 1846, Despatches, Special Agents; Mann to Buchanan, 18 June 1846, Buchanan Papers. Of interest are some of Irwin's early despatches to Secretary of State Calhoun, in which he, like Wheaton, hints that revocation of treaties might be an effective



way of prising out commercial favours. Irwin to Calhoun, 10 February 1844, 1 December 1844, Despatches, Denmark.

31 Polk, Diary, vol.4, pp.152-4; James Buchanan to Robert Fleniken, 14 October 1848, Instructions, Denmark.

32 Robert Fleniken to James Buchanan, 17 November 1848, 11 December 1848, 20 December 1848; Fleniken to John M. Clayton, 1 August 1849, Despatches, Denmark.

33 Henry Ellsworth to James Buchanan, 9 January 1847, Department of State, Despatches from U.S. Ministers to Sweden, National Archives; Buchanan to Ellsworth, 13 May 1847, Instructions, Sweden.

34 Henry Ellsworth to James Buchanan, 9 January 1847, 30 January 1848, 2 February 1848, 26 January 1847, Despatches, Sweden.

35 James Buchanan to Henry Ellsworth, 13 May 1847, Instructions, Sweden.

36 Henry Ellsworth to James Buchanan, 30 January 1848, 2 February 1848, 10 August 1848, 31 December 1848, 24 January 1849, Despatches, Sweden; Buchanan to Ellsworth, 29 June 1848, Instructions, Sweden.

## Notes to Chapter 8

- 1 James Buchanan to Andrew J. Donelson, "Private," 13 May 1847, Papers of Andrew J. Donelson, Library of Congress; Ambrose Dudley Mann to Buchanan, "Private," 18 June 1846, James Buchanan Papers, Historical Society of Pennsylvania; Mann to Buchanan, 30 August 1847, Despatches from Special Agents of the Department of State, National Archives.
- 2 James Buchanan to Ambrose Dudley Mann, 27 March 1846, Diplomatic Instructions of the Department of State, Special Missions, National Archives.
- 3 Ambrose Dudley Mann to James Buchanan, 17 June 1846, Despatches, Special Agents; Buchanan to Mann, 9 January 1847, Instructions, Special Missions; "Accession of Oldenburg to Hanover Treaty," British and Foreign State Papers, vol.35, pp.251-2.
- 4 James Buchanan to Ambrose Dudley Mann, 9 January 1847, Instructions, Special Missions; Mann to Buchanan, 17 June 1847, 28 October 1847, "Private," 28 October 1847, 7 December 1847, Despatches, Special Agents; Mann to Buchanan, "Private," 8 December 1847, Buchanan Papers; "Treaty between the United States and Mecklenburg-Schwerin," British and Foreign State Papers, vol.39, pp.32-39. The duties were as follows: 1 thaler 22 schillings per 100 lb. tobacco; 25 schillings per 100 lb. rice; 12½ schillings per 100 lb. whale oil. The treaty was ratified by a vote of 20-1 in May 1848; U.S. Congress, Journal of the Executive Proceedings of the Senate, 30 Congress, 1 session, vol.7, p.414.
- 5 Andrew J. Donelson to James Buchanan, 8 April 1847, Department of State, Despatches from U.S. Ministers to German States and Germany, National Archives.
- 6 Ambrose Dudley Mann to James Buchanan, 15 May 1846; Schmitt to Mann, 9 March 1847; Mann to Buchanan, 30 August 1847, Despatches, Special Agents.
- 7 Ambrose Dudley Mann to James Buchanan, 8 December 1847, Buchanan Papers.
- 8 James K. Polk, The Diary of James K. Polk during his Presidency, 1845 to 1849, edited by Milo M. Quaife (New York: Kraus Reprint Co., 1970; orig. pub., 1910), vol.1, pp.230-33; James Buchanan to Baron von Gerolt, 25 February 1846, Department of State, Notes to Foreign Legations in the U.S., German States and Germany, National Archives.
- 9 Ambrose Dudley Mann to James Buchanan, 15 May 1846, 30 May 1846, 27 June 1846, Despatches, Special Agents.

- 10 Ambrose Dudley Mann to James Buchanan, 18 June 1846, Buchanan Papers; Andrew J. Donelson to De Roenne, 4 February 1849, Donelson Papers; Donelson to Buchanan, 8 April 1847, Despatches, German States.
- 11 James Buchanan to Andrew J. Donelson, 13 May 1847; Buchanan to Ambrose Dudley Mann, 26 June 1847, Diplomatic Instructions of the Department of State, German States, National Archives.
- 12 Andrew J. Donelson to James Buchanan, 8 July 1847, Despatches, German States; Donelson to Charles Graebe, 22 November 1846, Donelson Papers; Donelson to James K. Polk, 13 May 1847, James K. Polk Papers, Library of Congress.
- 13 James Buchanan to Andrew J. Donelson, 7 August 1847, Instructions, German States; Buchanan to James K. Polk, 9 August 1847, Polk Papers. Remember that Buchanan had been absent from the original votes on the Zollverein convention.
- 14 Andrew J. Donelson to James Buchanan, 20 October 1847, Despatches, German States.
- 15 Andrew J. Donelson to James Buchanan, 29 January 1848, Despatches, German States; Donelson to James K. Polk, 22 February 1848, Polk Papers.
- 16 James K. Polk to Andrew J. Donelson, 2 April 1848, Polk Papers; Donelson to James Buchanan, 26 February 1848, Despatches, German States.
- 17 H.W. Böhme (for William H. Robertson) to James Buchanan, 17 March 1848, 14 July 1848, 21 August 1848, 14 September 1848, 12 April 1849, Department of State, Despatches from U.S. Consuls in Bremen, National Archives.
- 18 W.O. Henderson, The Zollverein (Cambridge: Cambridge University Press, 1939), ch.6; Ralph Flenley, Modern German History (London: J.M. Dent, 1968 ed.), pp.136-268; Geoffrey Barraclough, The Origins of Modern Germany (Oxford: Basil Blackwell, 1962), pp.406-24; Agatha Ramm, Germany 1789-1919: A Political History (London: Methuen, 1967), pp.134-211.
- 19 W.O. Henderson, The Rise of German Industrial Power, 1834-1914 (London: Temple Smith, 1975), p.95.
- 20 Ambrose Dudley Mann to James Buchanan, 3 August 1848, Despatches, Special Agents; Andrew J. Donelson to Buchanan, 5 November 1848, Buchanan Papers.

- 21 Andrew J. Donelson to James Buchanan, 5 November 1848, 26 November 1848, Buchanan Papers.
- 22 U.S. Congress, Journal of the House of Representatives, 30 Congress, 1 session, p.1261; Congressional Globe, 30 Congress, 1 session, p.1068; Polk, Diary, vol.4, pp.47-8, 56-7, 369.
- 23 Polk, Diary, pp.170-71, 338; James Buchanan to Andrew J. Donelson, 30 October 1848; John M. Clayton to Donelson, 19 March 1849, Instructions, German States.
- 24 James Buchanan to Andrew J. Donelson, 7 August 1848, 6 November 1848, Instructions, German States; Polk, Diary, vol.4, pp.178-80. The Cabinet session recorded by Polk in this entry reveals the difficulties faced by shipping in the light of the opinions of the most fervent of free-trade thinkers. Robert Walker objected to the inclusion in a treaty with Germany of any article limiting reciprocity to vessels built in the respective states, a clause "designed to protect American Navigation against unequal competition"; although the specific terms of the treaty were acceptable to Walker, he denied that they should be justified on the grounds of protection, because, as Polk revealed, "it was the protective principle to which Mr. Walker objected, or rather to the argument which asserted it, and not to the terms of the Treaty which were proposed"; Buchanan and Attorney General Isaac Toucey held firm to the view that foreign-built vessels be prevented from claiming the treatment accorded to national vessels of treaty partners, and their view prevailed. Buchanan's instructions to Donelson noted that the United States would be "very unwilling" to surrender this.
- 25 Andrew J. Donelson to James Buchanan, "Private," 7 March 1849, Buchanan Papers.
- 26 Andrew J. Donelson to James Buchanan, 15 January 1849, Despatches, German States; Donelson to Buchanan, 7 March 1849, Buchanan Papers; Donelson to De Roenne, 4 February 1849, Donelson Papers.
- 27 Ambrose Dudley Mann to John M. Clayton, 10 May 1849, Despatches, Special Agents.
- 28 Ambrose Dudley Mann to James Buchanan, 3 August 1848, "Private," 28 October 1847, Despatches, Special Agents; Buchanan to Andrew J. Donelson, 15 August 1848, Instructions, German States.
- 29 Andrew J. Donelson to James Buchanan, 8 April 1847, Despatches, German States; Ambrose Dudley Mann to John M. Clayton, 10 May 1849, Despatches, Special Agents.

30 Ambrose Dudley Mann to John M. Clayton, 10 May 1849; Mann to James Buchanan, 28 October 1847, "Private," 28 October 1847, 7 December 1847, Despatches, Special Agents.

31 For Wheaton, see above, Chapter 5, p.201. James Buchanan to Andrew J. Donelson, "Private," 13 May 1847, Donelson Papers.

32 Buchanan reminded Mann that this could be a useful weapon in commercial diplomacy, since those countries which would lose their privileges by legislation and those seeking to extend or renew them could do so "only by means of a Treaty." James Buchanan to Ambrose Dudley Mann, 9 January 1847, Instructions, Special Missions; U.S. Congress, Journal of the Senate, 30 Congress, 2 session, pp.76, 93-4, 98.

33 Ambrose Dudley Mann to John M. Clayton, 10 May 1849, 24 September 1849, Despatches, Special Agents.

## Notes to Chapter 9

<sup>1</sup> Ambrose Dudley Mann to John M. Clayton, 13 December 1849, Despatches from Special Agents of the Department of State, National Archives.

<sup>2</sup> J.H. Clapham, "The Last Years of the Navigation Acts," English Historical Review, 25 (1910), pp.480-501, 688-707; Bernard Holland, The Fall of Protection, 1840-1850 (London: Edward Arnold, 1913); Judith B. Williams, British Commercial Policy and Trade Expansion, 1750-1850 (Oxford: Oxford University Press, 1972).

<sup>3</sup> Philip Hone, The Diary of Philip Hone, 1828-51, edited by Allan Nevins (New York: Kraus Reprint Co., 1969; orig. pub., 1927), pp.833-4.

<sup>4</sup> Andrews' consular report is printed in U.S. Congress, Senate Executive Document, 31 Congress, 2 session, No.23, "Report of the Secretary of the Treasury on trade, commerce and resources of the British North American colonies . . .," pp.9-10.

<sup>5</sup> Edward Everett to Caleb Cushing, 18 May 1842, Caleb Cushing Papers, Library of Congress; Everett to Daniel Webster, 18 November 1842, Department of State, Despatches from U.S. Ministers to Great Britain, National Archives.

<sup>6</sup> Richard Rush to Caleb Cushing, 16 June 1842, Cushing Papers. For the failure of appropriation, see above Chapter 4, p.161; Edward Everett to Daniel Webster, 2 January 1843, Edward Everett Papers, Massachusetts Historical Society; John Q. Adams, The Memoirs of John Quincy Adams, edited by Charles F. Adams (Freeport, N.Y.: Books for Libraries Press, 1969; orig. pub., 1874-7), vol.11, p.347.

<sup>7</sup> Daniel Webster to Edward Everett, 28 November 1842, The Papers of Daniel Webster, University Microfilm edition; Everett to Webster, 2 January 1843; Everett to Hugh Legaré, 1 July 1843, Everett to Abel Upshur, 30 August 1843, Everett Papers.

<sup>8</sup> Donald Creighton, Empire of the St. Lawrence (Toronto: Macmillan Company of Canada, 1956), pp.345-47; Gilbert Tucker, Canadian Commercial Revolution, 1845-51 (New Haven: Yale University Press, 1936), pp.88-9. Creighton states: "Great Britain . . . practically abandoned the attempt to force the provision trade of the West Indies through the British North American provinces;" within a few years "the Canadian trade with the islands . . . came virtually to an end."

<sup>9</sup> Lorenzo Sabine et al. to Thomas Lamb, 12 December 1842, Lamb Family Papers, Massachusetts Historical Society; Hugh Legaré to Everett, 13 June 1843, Diplomatic Instructions of the Department of State, Great Britain, National Archives; Everett to Abel Upshur, 2 March 1844, Everett Papers. The trade developed despite the high duties on American products entering Canada.

<sup>10</sup> U.S. Congress, Journal of the House of Representatives, 28 Congress, 1 session, pp.239-40; U.S. Congress, Journal of the Senate, 28 Congress, 1 session, p.202.

<sup>11</sup> See above Chapter 4, passim; Congressional Globe, 28 Congress, 1 session, p.600. Charles Ingersoll presented his resolutions to Congress calling for "such a modification of that [treaty] with Great Britain as will open the trade between her colonies and the United States as with Great Britain." Edward Everett to Daniel Webster, 2 January 1843, Everett Papers.

<sup>12</sup> House Journal, 28 Congress, 1 session, pp.239-40; "Memorial of New York Chamber of Commerce," 28 July 1844, James F. Simmons Papers, Library of Congress; Congressional Globe, 28 Congress, 2 session, p.390; House Journal, 29 Congress, 1 session, p.1262.

<sup>13</sup> Congressional Globe, 30 Congress, 2 session, p.130; Richard Rush to James Buchanan, 18 August 1846, James Buchanan Papers, Historical Society of Pennsylvania.

<sup>14</sup> George Bancroft to James Buchanan, 3 February 1847, 3 March 1847, Despatches, Great Britain; Buchanan to Bancroft, 29 September 1849, Instructions, Great Britain.

<sup>15</sup> George Bancroft to Lord Palmerston, 3 November 1847, printed in U.S. Congress, Senate Executive Document, 30 Congress, 1 session, No. 57, "Reciprocity in Trade and Shipping," p.2.

<sup>16</sup> Ambrose Dudley Mann to James Buchanan, 14 July 1848, 3 August 1848; Mann to John M. Clayton, 10 May 1849, Despatches, Special Agents; Mann to Clayton, 25 October 1849, The Papers of John M. Clayton, Library of Congress.

<sup>17</sup> George Bancroft to James Buchanan, 18 August 1847, 28 July 1848, Despatches, Great Britain; Buchanan to Bancroft, 29 September 1847, Instructions, Great Britain; Buchanan to Henry Ellsworth, 13 May 1847, Diplomatic Instructions of the Department of State, Sweden, National Archives.

<sup>18</sup> Ambrose Dudley Mann to James Buchanan, 3 August 1848, Despatches, Special Agents; George Bancroft to Secretary of State, 9 March 1849; Henry Labouchere to Bancroft,

9 March 1849; Bancroft to Secretary of State, 23 March 1849, 31 March 1849, Despatches, Great Britain; Congressional Globe, 30 Congress, 2 session, Appendix, p.332; Henry Lytton Bulwer to John M. Clayton, 1 January 1850, Notes from the British Legation in the U.S. to the Department of State, National Archives; Clayton to Bulwer, 14 January 1850, Notes to Foreign Legations in the U.S. from the Department of State, Great Britain, National Archives.

19 Ambrose Dudley Mann to James Buchanan, 3 August 1848, Despatches, Special Agents; George Bancroft to Buchanan, 18 November 1847, Buchanan Papers; Circular Instructions to Collectors, 15 October 1849, Secretary of the Treasury, Circular Letters, National Archives. An interesting footnote to this matter came when the British minister in Washington, Henry Lytton Bulwer, asked when the United States would reciprocate by allowing British-built vessels to be registered as American! They did not do so in this era. Bulwer to Clayton, 14 January 1850, Notes from British Legation.

20 George Bancroft to James K. Polk, 23 February 1847, The James K. Polk Papers, Library of Congress; James Buchanan to Bancroft, 29 September 1847, Instructions, Great Britain; Ambrose Dudley Mann to Buchanan, 3 August 1848; Mann to John M. Clayton, 22 November 1849, Despatches, Special Agents.

21 George Bancroft to James Buchanan, 3 November 1847, 5 May 1848, 29 January 1849, Despatches, Great Britain; Lord Palmerston to Bancroft, 17 November 1847, printed in Senate Executive Document, 30 Congress, 1 session, No. 57, p.2.; Ambrose Dudley Mann to Buchanan, 12 March 1848, 10 June 1848, 14 July 1848, Despatches, Special Agents; Mann to Buchanan, "Private," 4 July 1848, "Private," 14 July 1848, Buchanan Papers; Buchanan to Bancroft, 28 July 1848, Instructions, Great Britain; John Crampton to Buchanan, 17 January 1849, Notes from British Legation; Buchanan to Richard Pakenham, 9 February 1849, Notes to British Legation.

22 George Bancroft to James Buchanan, 30 December 1848, 8 June 1849, Buchanan Papers; Bancroft to Buchanan, 8 February 1849; Bancroft to Secretary of State, 23 February 1849, 9 March 1849, Despatches, Great Britain; John M. Clayton to Bancroft, 15 March 1849, Clayton Papers.

23 George Bancroft to John M. Clayton, 5 April 1849, 11 May 1849, 25 May 1849, 27 June 1849, Despatches, Great Britain.



24 John M. Clayton to George Bancroft, 30 July 1849, Instructions, Great Britain.

25 George Bancroft to John M. Clayton, 25 May 1849, Despatches, Great Britain; Ambrose Dudley Mann to Clayton, 10 May 1849, 22 November 1849, Despatches, Special Agents; Mann to Clayton, 25 October 1849, Clayton Papers; Bancroft to James Buchanan, "Private," 14 September 1849, 8 August 1849, 24 August 1849; Buchanan to Bancroft, 29 June 1849, Buchanan Papers; Bancroft to Clayton, 21 July 1849, 31 August 1849, Despatches, Great Britain; Circular Instruction to Collectors, 15 October 1849, Circular Letters.

26 George Bancroft to Secretary of State, 9 March 1849, Despatches, Great Britain; Bancroft to James Buchanan, 14 September 1849, Buchanan Papers; typed version of note, dated only 1850, Circular Letters.

27 Arthur M. Schlesinger and Fred Israel (eds.), The State of the Union Messages of the Presidents, 1790-1966 (New York: Chelsea House, 1966), vol.1, pp.774-5; Abbott Lawrence to John M. Clayton, 2 November 1849, Despatches, Great Britain.

28 Abbott Lawrence to John M. Clayton, 2 November 1849, Despatches, Great Britain.

29 Ambrose Dudley Mann to John M. Clayton, 25 October 1849, Clayton Papers; Mann to Clayton, 22 November 1849, Despatches, Special Agents.

30 U.S. Congress, House Report, 27 Congress, 2 session, No.835, "Commerce and Navigation," pp.28, 32. Kennedy cited an article from Blackwood's Magazine of September 1838, arguing against Britain's extension of reciprocity to other countries on the grounds that their shipping was more efficient than Britain's, whereas American shipping was not:

The reciprocity system has proved of advantage to the British shipping in the intercourse with America, because labor and all the articles employed in the building of ships are so much dearer in America than in Great Britain, that the British ship owners can carry on the trade at a cheaper rate than the American; and therefore, under an equal system of duties, the British shipping has gained the advantage.(pp.31-2)

31 John M. Clayton to George Bancroft, 30 July 1849, Instructions, Great Britain. See also Tables 3:1 and 4. Of course it is difficult to attribute all these changes to the relaxation of British restrictions and to the

existing reciprocity treaties with European countries. The Mexican War might also have been partly responsible for the apparent shift in the balance of carrying between American and foreign vessels.

32 Congressional Globe, 30 Congress, 1 session, p.438; Senate Journal, 30 Congress, 2 session, pp.76, 93-4, 98; Congressional Globe, 30 Congress, 2 session, pp.130, 143-4.

33 George Bancroft to John M. Clayton, 4 May 1849, Despatches, Great Britain; Ambrose Dudley Mann to Clayton, 25 October 1849, Clayton Papers.

34 For shifting power relations within Germany, see W.O. Henderson, The Zollverein (Cambridge: Cambridge University Press, 1939), p.215, and his The Rise of German Industrial Power, 1834-1914 (London: Temple Smith, 1975), pp.97-105. U.S. ministers were virtual spectators of these events but commented on the knock-on effects for American interests. See Theodore Fay to John M. Clayton, 18 February 1850, 23 April 1850; Fay to Daniel Webster, 16 September 1851, 10 May 1852, 26 May 1852; Daniel Barnard to Webster, 4 February 1851, 14 October 1851, 4 November 1851, 1 March 1853, 12 April 1853, Department of State, Despatches from U.S. Ministers to German States and Germany, National Archives.

35 Auguste Davezac to John M. Clayton, 15 January 1850, 15 September 1850; George Folsom to William Derrick (Acting Secretary), 14 October 1851, Department of State, Despatches from U.S. Ministers to the Netherlands, National Archives; Chevalier Testa to Daniel Webster, 13 September 1850, 5 December 1850, 14 March 1851, 5 November 1851, 13 April 1852, Notes from the Legation of the Netherlands in the U.S. to the State Department, National Archives; Webster to Testa, 15 January 1852, Notes to the Foreign Legations in the U.S. from the Department of State, The Netherlands, National Archives; "Supplementary Convention between the U.S. and the Netherlands," British and Foreign State Papers, vol.42, pp.755-8.

36 Ambrose Dudley Mann to John M. Clayton, 24 September 1849, Despatches, Special Agents.

37 The political and sectional background is provided by David M. Potter, The Impending Crisis, 1848-1861 (New York: Harper & Row, 1976); Kinley J. Brauer, Cotton versus Conscience: Massachusetts Whig Politics and Southwestern Expansion, 1843-1848 (Lexington: University of Kentucky Press, 1967); William R. Brock, Parties and Political Conscience: American Dilemmas, 1840-1850 (Millwood: K.T.O. Press, 1979); Chaplain W. Morrison, Democratic Politics

and Sectionalism: The Wilmot Proviso Controversy (Chapel Hill: University of North Carolina Press, 1967); James C.N. Paul, Rift in the Democracy (Philadelphia: University of Pennsylvania Press, 1951).

38 For statistics, see Tables 2,3,4. Boston Atlas cited in London Times, 16 July 1850. Henderson, Zollverein, pp.258-9, refers to continuing problems with Denmark over the Sound dues. For the sectional preoccupations of American merchants, see Philip Foner, Business & Slavery: The New York Merchants & the Irrepressible Conflict (New York: Russell & Russell, 1941). For new maritime issues, see John G.B. Hutchins, The American Maritime Industries and Public Policy, 1789-1914: An Economic History (Cambridge: Harvard University Press, 1941), ch.10. For historical interpretations of the decline of American shipping, see Jeffrey Safford, "The Decline of the American Merchant Marine, 1850-1914: A Historiographical Appraisal," in Change and Adaptation in Maritime History: The North Atlantic Fleets in the Nineteenth Century, Proceedings of the Sixth Conference of the Atlantic Canada Shipping Project, April 1982 (St. John's: Memorial University of Newfoundland, 1985), pp.51-86.

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