Lincoln Lore

Bulletin of the Louis A. Warren Lincoln Library and Museum. Mark E. Neely, Jr., Editor.
Ruth E. Cook, Editorial Assistant. Published each month by the
Lincoln National Life Insurance Company, Fort Wayne, Indiana 46801.

Number 1801 March, 1989

A CHRONOLOGY OF THE *TRENT* AFFAIR (Part II)

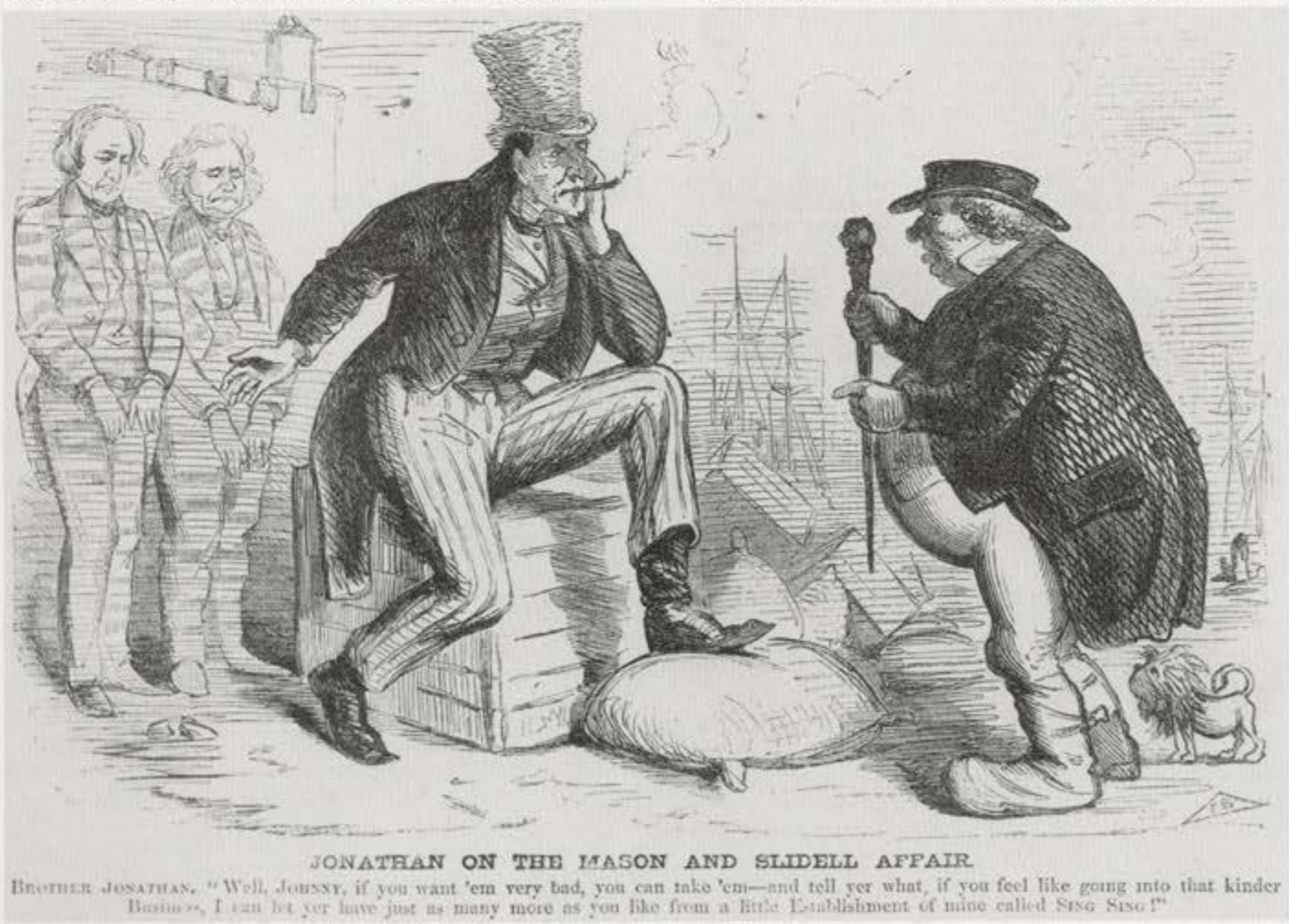
by Sarah McNair Vosmeier

Between December 1 and December 18, the mail steamer *Europa* crossed the Atlantic between England and the United States, carrying the dispatch written by British Foreign Secretary, Lord John Russell, and modified by the rest of the British cabinet and by the Prince Consort, Albert. In the dispatch's final form, the British government demanded an apology and the release of James Mason and John Slidell, the Confederate envoys who had been captured from the *Trent*, a British mail steamer.

Because the trans-Atlantic telegraphic cable was not working in 1861, the Americans could not know about British reaction to the *Trent* affair until more than two weeks after the fact. Thus, during the first part of December American journalists were puzzled over how the British could possibly think the American government wanted war with England (as Lord Lyons, the British minister in Washington, believed).

Lincoln was scheduled to give the Annual Message to Congress on December 3, and Lord Lyons and other English citizens were concerned about what he might say about the *Trent* affair. In England, a British leader complained,

> unhappily that vile fellow Seward and that imbecile Lincoln will have made their address before our despatches arrive & so may have committed themselves in subserviency to their agent, the mob, which will make it more difficult for them



JONATHAN ON THE MASON AND SLIDELL AFFAIR.

BROTHER JONATHAN. "Well, JOHNNY, if you want 'em very bad, you can take 'em—and tell yer what, if you feel like going into that kinder Business, I can let yer have just as many more as you like from a little Establishment of mine called SING SING!"

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FIGURE 1. ***Harper's Weekly*****, January 11, 1862. Releasing Mason and Slidell was made palatable to the American public by William H. Seward's argument (suggested by Charles Francis Adams) that releasing them forced the British to accept traditional American demands for freedom of the seas, or by this humorous suggestion that they were not valuable anyway.**

to get right (Former Lord Chancellor Henry Brougham, December 10 1861).

Lyons and others were relieved when Lincoln made no mention of the *Trent* affair at all.

However, several general comments could be construed as references to it, suggesting that the Lincoln administration intended to be firm in protecting American rights, but fair in recognizing the rights of England. First Lincoln expressed a hope that the government had "averted causes of irritation" in foreign powers, while "with firmness, maintaining our own rights and honor." In the next paragraph, he suggested that Congress make provisions for defending the coast line, and "also, in the same connexion, ask the attention of Congress to our great lakes . . ." This brief mention of defending the Great Lakes might seem like an afterthought, but it must have had great meaning to the British, who were sensitive about the possibility that the United States might invade Canada. Like the previous paragraph, this "aside" reflected the administration's resolve to be firm in defending American rights.

A few paragraphs later, though, Lincoln introduced an issue that illustrated the way the United States could be conciliatory when fairness or justice required it. An English ship had been mistakenly detained, and Lincoln recommended that "as justice requires that we should commit no belligerent act not founded in strict right, as sanctioned by public law," the government should compensate the owner of the ship.

On December 9, the major Northern newspapers reprinted a story from an Edinburgh newspaper describing British legal opinion on the *Trent* affair. (The British legal experts had decided that although seizing the *Trent* and taking her to a prize court for arbitration might have been appropriate, Wilkes' arbitrarily removing passengers from the ship was not.) American journalists misinterpreted the emphasis. They focused on the first part of the decision as justifying Wilkes' behavior, rather than the decision as a whole, which allowed England to demand reparations.

The next day, when Senator Orville Browning met Lincoln at a wedding they both were attending, he asked about the *Trent* affair. Lincoln appeared unconcerned. Having just been told by Henri Mercier, the French Minister in Washington, that the British legal experts *supported* Wilkes' right to arrest Mason and Slidell, he thought "there would probably be no trouble about it." In fact, the president preferred to talk about another issue. A eulogy for Lincoln's close friend Edward D. Baker was being delivered the next day in the Senate and Lincoln wanted to attend, but was not sure if it would be proper. Browning told him that, "I could see no impropriety and thought it would be eminently proper."

This apparent unconcern could not last long, though, as the *Europa* moved closer to the American shores. On Friday, December 13, the first news of British anger over the affair, and the first suggestion that it might cause an international crisis appeared in American newspapers.

On Sunday, December 15, more bad news arrived from England. That afternoon Seward learned that the British cabinet had decided that the arrest of Mason and Slidell was a violation of international law, and that they would demand an apology and the return of the prisoners. Seward could not have known on Sunday how serious the British threat would be because a letter arriving in Washington on December 15 had to have been written before the final dispatch was composed.[1] However, news of the British cabinet's decision to make the two demands had spread very quickly in London; a Confederate agent there maintained that he had heard about it only hours after the fact. Thus Seward's informant could have written a letter describing the cabinet's decision to make demands, and put it on a steamer bound for the United States *before* the cabinet actually decided on the nature of the demands or the wording of the ultimatum.

Although Seward could not know the specifics of the decision, he hurried over to the White House, interrupting Lincoln's tea with Senator Orville Browning and two other men, to show him the dispatches. Browning could not believe that England would insist on an apology and the return of the diplomats, but he vowed, "if she is determined to fight a war with us, why so be it. We will fight her to the death."

By Monday, the newspapers were writing about the "imminent prospect of war," and American common stock prices fell rapidly. On Wednesday Lincoln called a cabinet meeting to discuss the new information from England. Until this time Lincoln had been fairly quiet about his views of the subject, especially publicly, and in any case, he did not make any rash statements that he might have to disavow later. For example, when a Canadian visitor expressed concern about possible hostilities between England and the United States, Lincoln shifted the conversation away from controversial subjects with the dismissive comment, "Oh, that'll be got along with." Even at the wedding party, with Orville Browning, a friend from Illinois, Lincoln had shifted the topic away from the *Trent* affair to more personal matters.

Thus, he might have been surprised to see himself quoted, in the *New York Herald*, as having "declared emphatically" after the Wednesday cabinet meeting that Mason and Slidell "should not be surrendered by this government, even if their detention should cost a war with Great Britain." In fact, although he might have been annoyed at the misquote, he was probably not surprised: the editor of the *New York Herald* was notoriously hostile to England, and advocated "wresting Canada from the power of England." Thus the *Herald* reporter would have been predisposed to interpret Lincoln's ambiguous and noncommittal statements to fit his employer's idea that the *Trent* affair was the perfect opportunity for war with England and for annexing Canada.[2] In comparison, a *New York Times* reporter, who also described the mood of the cabinet meeting, wrote that he had "the best authority for saying the demands of England will be met in a spirit of conciliation," and that

There was but one sentiment prevalent [in the cabinet], and

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FIGURE 2. Lord Lyons, British minister in Washington.

that was that no quarrel with England must be permitted to interfere at this moment to stay the reduction of the Southern rebels. . . . [The government] believes it has no right to give new life to the rebellion by entering another and vaster quarrel (December 19, 1861).

Much later in the evening of the 18th, long after the cabinet meeting had concluded, a messenger from the *Europa* finally arrived at Lyons' home to deliver the packet of dispatches which included the ultimatum. Following Russell's instructions, Lyons went to Seward's office the next day to make an oral delivery of the ultimatum, preparing Seward for its official delivery. Echoing the language Prince Albert had inserted in the dispatch, Lyons told Seward that he assumed the American government would want to make reparations voluntarily and that he wanted to avoid "the slightest appearance of menace." When Seward asked him if he could have an "unofficial" copy of the dispatch to discuss with the president, Lyons willingly agreed, and he also agreed to give Seward until Saturday, the 21st, before delivering the official copy. Nevertheless, when Seward asked him if there was a time limit, Lyons firmly insisted that the British government required a response within seven days of Seward's official receipt of the document.

When Lyons then arrived at Seward's office that Saturday to deliver the official document, Seward complained that he had been too busy to attend to the dispatch properly and begged to have another two days to work on it before presenting the issue to the full cabinet. Since Lyons was convinced that Seward had had a change of heart and that he honestly intended to dissuade the president and the rest of the cabinet from war, he agreed to another delay.

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FIGURE 3. Charles Francis Adams, American minister in London.

These extra days gave Lincoln more time to consider the situation and to discuss it with his advisers. For example, Charles Sumner told one of his friends that he discussed the issue with the president "daily." Sumner corresponded regularly with prominent English leaders, and he showed their letters to Lincoln. According to Sumner, Lincoln was "much moved and astonished" by the news of the British reaction. As Sumner explained to his British friends, "[Lincoln] is essentially honest and pacific in disposition, with a natural slowness," and the British need not fear his encouraging war. In fact Sumner quoted Lincoln as having said, "there will be no war unless England is bent upon having one." Also, Lincoln would keep Seward under control: "The President himself will apply his own mind carefully to every word of the answer, so that it will be essentially his; and he hopes for peace," (December 23, 1861, to John Bright) In fact, Sumner said, Lincoln was so disturbed by the English misunderstanding that he offered to visit Lord Lyons himself, insisting that "I could show him in five minutes that I am heartily for peace." Advising against this breach of diplomatic protocol, Sumner advocated submitting the whole issue to arbitration.

Influenced by Sumner's suggestions, Lincoln drafted a dispatch for Seward to sign. In the draft he wrote that if the case was, in fact, as the British stated it, reparation "would be justly due, and should be promptly made." However, he alluded to the political price for his administration's giving in to the English demands too easily. Wilkes had not acted under orders, Lincoln explained, but

> being done, it was no longer left to [his administration] to consider whether we might not, to avoid a controversy, waive an unimportant, though strict right; because we too, as well as Great Brittain, have a people justly jealous of their rights, and in whose presence our government could undo the act complained of, only upon a fair showing that it was wrong, or, at least, very questionable.

Finally, he suggested either that the matter be submitted to arbitration, or that, at least, the British listen to the American side of the story before they began making demands.[3]

Meanwhile, Seward was also working on his draft of the response, shutting out all visitors to spend an uninterrupted day on it. About this time, Seward received a letter from Charles Francis Adams (the American Minister to England) suggesting a way of making peace with the English without appearing to sacrifice American rights or honor. Adams pointed out that Americans had previously been in the position of having England capturing men from their ships, and had always fought for the rights of neutrals. Thus, giving up Mason and Slidell could be an opportunity to support freedom of the seas. Seward incorporated Adams' ideas in his draft answer: although he was initially a little embarrassed about seeming to support the British position, he said,

> I am relieved from all embarrassment [about appearing to support the British position, because] . . . I discovered that I was really defending and maintaining not an exclusively British interest, but an old, honoured, and cherished American cause, resting not upon British authorities but on principles . . . laid down for us in 1804, by James Madison. . . . The ground he assumed then was the same I now occupy, and the arguments by which he sustained himself upon it have been an inspiration to me in preparing this reply.

On December 23, Lyons made the official delivery of the ultimatum, insisting that no more delays would be allowed. If he did not receive a satisfactory answer by the 30th, he would close the legation.

Finally, then, on Christmas morning at 10:00 a.m., Lincoln assembled the cabinet to discuss how to respond to the ultimatum. By this time, it was becoming obvious that there would be no time to ask for arbitration. Sumner was invited to attend the meeting so that he could read the letters from England. As one of the cabinet members noted, "these letters tend to show that in England there is . . . one feeling — all against us."

Also, during the course of the discussions Frederick Seward, Seward's son and the Assistant Secretary of State, broke into the meeting to deliver dispatches from France. Henri Mercier

had been waiting for weeks for instructions from his government, and they had just arrived, ordering him to support Lyons in condemning the illegality of Wilkes' actions. The dramatic last-minute arrival of this news from France further convinced the cabinet members of the seriousness of the problem confronting them.

As Edward Bates, Lincoln's Attorney General, described the cabinet meeting,

> In such a crisis, with such a civil war upon our hands, we cannat hope for success in a super added war with England, backed by the assent and countenance of France. . . . There was great reluctance on the part of some of the members of the cabinet — and even the President himself — to acknowledge these obvious truths: but all yielded to the necessity, and unanimously concured in Mr. Sewards letter to Ld. Lyons, after some verbal and formal amendments. The main fear I believe, was the displeasure of our own people — lest they should accuse us of timidly truckling to the power of England.

Although the cabinet was substantially in agreement, they decided to postpone making a final decision until the next day. According to Seward, Lincoln told him to

> go on, of course, preparing your answer, which, as I understand, will state the reasons why they ought to be given up. Now I have a mind to try my hand at stating the reasons why they ought not to be given up. We will compare the point on each side.

Nevertheless, at the Lincolns' Christmas party that night, Browning talked to Lincoln about the affair, and Lincoln was able to state definitively that "there would be no war with England."

When the cabinet met again the next day, they all agreed to adopt Seward's draft. When Seward asked Lincoln why he had not attempted to play the devil's advocate, Lincoln replied with a smile, "I found I could not make an argument that would satisfy my own mind, and that proved to me your ground was the right one." Seward's clerks worked through the night preparing an official copy of his draft, and Seward invited Lyons to his office in the morning of December 27, 1861 to present the American response to him (three days before the ultimatum would take effect) and to make arrangements for the transfer of Mason and Slidell to the British.

The *Trent* affair was the most serious diplomatic crisis of the Civil War, and although it did not mark the end of Anglo-American tensions, it was the last time the two countries seriously considered going to war with each other. Some historians have dismissed the *Trent* affair as an overpublicized incident, insisting that, in the end, England would never have gone to war over the action of one insubordinate ship captain. (For example, one popular college history text, *The National Experience*, does not mention it.) However, the *Trent* affair has attracted the attention of historians and others who focus on the dangerous possibility of war erupting over misunderstanding and the unauthorized actions of individuals. For Lincoln scholars, the affair is especially significant because it shows Lincoln, new to the powers of the presidency and inexperienced in foreign affairs, working through one of the most significant crises of his administration.[4]

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FIGURE 4. William H. Seward, in 1861.

FOOTNOTES

1. The letter Seward received on the 15th was probably written on November 29 (the day of the first cabinet meeting) or November 28 (one day after news of the capture reached England). Mail ships apparently took about 17 days to cross the Atlantic that December. For example, the *America* left England on December 7, and arrived in the United States on December 24. The *Europa* left England on the 1st and arrived in the United States on the 18th. Prevailing winds made the return trip (United States to England) longer. For example, the Slidell family left Cuba on November 7, and arrived in England (minus John Slidell) on the 27th.

2. Norman Ferris, in *The Trent Affair*, complains that "most of Lincoln's biographers have exhibited little critical discrimination in treating the president's attitude towards the *Trent* affair." Nevertheless, he describes the *Herald* article as "probably more reliable than assertions to the contrary that appeared many years later." Ferris, himself, describes the editor of the *Herald* (James Gordon Bennett) as "violently anti-British" and explains how Bennett "consistently maintained that turning Mason and Slidell over to the British was 'altogether out of the question.'" Ferris also points out that Bennett was the only influential journalist who seriously "advocated fighting England rather than relinquishing the captured commissioners." Although historians may quibble about how willing Lincoln was to sacrifice American honor over the *possibility* of war with England, I am unconvinced by Ferris' suggestion that the issue of Lincoln's being "adamant about clinging to Mason and Slidell" is "open to question." Lincoln may have been reluctant to release them, but surely he never advocated going to war over keeping them.

3. This draft is dated December 10, 1861 by Basler, who based his date on Nicolay and Hay's *Complete Works*. As the draft refers to the ultimatum, it could not have been written before December 19. Similarly, it must have been written before the evening of December 21, because Browning "had a long private interview" with Lincoln after tea that day to discuss the *Trent* affair, and Lincoln showed him the draft.

4. The best two books on the *Trent* affair are Norman Ferris' *The Trent Affair: A Diplomatic Crisis* (Knoxville: University of Tennessee Press, 1977) and Gordon H. Warren's *Fountain of Discontent: The Trent Affair and Freedom of the Seas* (Boston: Northeastern University Press, 1981). Warren is especially good in his descriptions of the characters involved and his dramatic prose. Ferris also writes well, but is more scholarly. A biographer of Seward, Ferris gives Seward "much of the credit for the preservation of peace."