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Anglo-American Relations During The Civil War: The Trent Affair

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ANGLO-AMERICAN RELATIONS DURING THE CIVIL WAR:
THE TRENT AFFAIR

BY

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A thesis submitted in partial fulfillment of the requirements for graduation in
HONORS

Approved:

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In the fall of 1861 the Confederacy decided to send a second diplomatic mission to Europe: James Mason to London and John Slidell to Paris. Mason and Slidell slipped through the Union blockade and booked passage from Havana to London on the Trent, a British mail packet. On November 8, 1861 Charles Wilkes, captain of the Union warship San Jacinto, stopped the Trent in the Bahama Channel. Instead of escorting the vessel to a Union prize court, which could legally judge who or what on board the British vessel constituted contraband, he seized the two emissaries and let the Trent resume its voyage. Wilkes became a hero in the North, but when news of the capture reached Britain, the English viewed it as a planned insult. British Foreign Minister Russell instructed Lord Lyons, the British ambassador to the United States, to demand an apology from Secretary of State Seward and the release of the Confederate diplomats. Anticipating a rejection of their ultimatum, Britain began war preparations and transported additional troops to Canada. After intensive Cabinet deliberations the Union agreed to free the envoys, explaining that Wilkes, acting without orders from Washington, had used improper procedures in making the capture. Mason and Slidell were released January 1, 1862 and eventually reached England on the twenty-ninth.

The Trent Affair involved many issues: Anglo-American political and economic relations, international law, and diplomatic efforts of the North and South during the Civil War. In the thesis I hope to explore the incident in the
context of these larger issues. I make no claim to have written a definitive study of the Trent Affair. Because of time and monetary restrictions my examination of archival material has been limited. The Seward Papers, microfilms of the Adams Papers, published collections of documents, and a few major newspapers constitute the primary sources I investigated. If the following pages bring the various facets of this critical event into clearer focus, my objectives will be satisfied.
ACKNOWLEDGMENTS

Without the kind assistance of the following persons this thesis would never have been completed. The encouragement, suggestions, and criticism of my advisor, Dr. Alder, who read successive drafts of the manuscript, were invaluable. Dr. Peterson inspected the final draft. Mr. Carl Kabelac, Assistant Librarian at the Rush-Reed Library of the University of Rochester, facilitated my use of the Seward and Weed Papers collections.
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THE TRENT AFFAIR: CHRONOLOGY

1860

Dec. 20 South Carolina secedes

1861

Feb. 1 Remaining Confederate states have seceded on or before this date
March 4 Lincoln inaugurated
April 12 Bombardment of Fort Sumter begins
19 Union begins blockading the Confederacy
29 First Confederate envoys: Mann, Rost, and Yancey arrive in England
May 13 Britain proclaims neutrality
July 21 Union defeated at the Battle of Bull Run
Sept. 23 Mason and Slidell appointed as ambassadors
Oct. 12 Mason and Slidell slip through the blockade surrounding Charleston, S.C.
Nov. 7 Mason and Slidell leave Havana, Cuba on board British Mail Steamer Trent
8 Mason and Slidell captured by Captain Wilkes in the Old Bahama Channel
15 The prisoners arrive at Fort Monroe, Virginia
16 News of the capture reaches Washington, D.C.
27 News of the capture reaches England
29 Mason and Slidell imprisoned at Fort Warren, Boston
Dec. 2 British government's demands sent to Ambassador Lyons
19 Lyons explains British demands to Seward
26 Official U.S. response communicated to Lyons

1862

Jan. 1 Mason and Slidell released
8 News of Mason and Slidell's release reaches England
29 Mason and Slidell arrive in England
I. ANGLO-AMERICAN RELATIONS

The Trent Affair re-ignited latent controversies and exposed the diplomatic issues and personalities of the Civil War. Neutral rights, impressment, slavery, free trade, self-determination, "King Cotton"--the incident embraced all of these. It severely tested the capacities of government leaders: Prime Minister Palmerston, Foreign Minister Russell, Ambassador Lyons, President Lincoln, Secretary of State Seward, and Ambassador Adams. Woven into this fabric the seemingly insignificant incident becomes meaningful.

In 1861 the Liberal Party, led by Prime Minister Lord John Palmerston, controlled the British government. Possessing extensive political experience, Palmerston was seventy-seven when the Trent Incident occurred. He had sat in the House of Commons almost continuously since 1807, had been Foreign Secretary on three separate occasions, and was serving for the second time as Prime Minister. He deplored Southern slavery, but viewed the North as a powerful commercial rival. An ardent nationalist, the term "Palmerstonian" became an adjective describing Englishmen who favored a chauvinistic foreign policy. In his second term, Palmerston concentrated on coordinating the activities of his cabinet, leaving Lord John Russell great freedom as Foreign Secretary. In Parliament and as Prime Minister (1846-52) the sixty-nine-year-old Russell had gained a reputation as an aristocrat who promoted some reforms. Cool, uncharismatic, and somewhat indecisive he adopted a careful stance toward the
American conflict. Although he abhorred slavery, Russell strived to protect British trade interests and to keep many options open.

Lord Lyons (Richard Bickerton Pemell), a forty-one-year-old bachelor, had been the British Minister to the United States since April 1859. He had joined the diplomatic corps in 1839, holding numerous minor posts in Europe. An industrious and painstaking worker, Lyons was honest, dutiful, and sensible. His calm temperament, cautiousness, and balanced judgment served him well during the Trent Crisis. Having friends in both factions, he reported events to Russell with insight and impartiality. Lyons felt that by utilizing a blend of caution and firmness he could protect British interests and avoid any serious difficulties between the two countries.

Many Englishmen initially saw the Civil War as a moral conflict over slavery. This became a major obstacle for Mason and Slidell, and later Confederate envoys. Britain had outlawed slavery throughout her Empire in 1833 and expected the Union to quickly do the same. However, to retain border state support Lincoln asserted in his March fourth inaugural address: "I have no purpose, directly or indirectly to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so."¹ The President did not issue the Emancipation Proclamation until September 22, 1862. On November 29, 1861 in the midst of the Affair, Lord Lyons wrote to London that a re-examination of the emancipation question would soon be forced on Lincoln. Even after Wilkes' insult many cabinet secretaries still felt uneasy about supporting the Southern slave-holding states against
the North. Some members of the ruling Liberal Party, notably Richard Cobden and John Bright, perceived the war as ultimately a struggle over the fate of slavery and democracy. Even English workingmen saw the Union as a symbol of free labor and believed a Northern victory would increase their chances of receiving the franchise. But following Mason and Slidell's capture, workers quickly forgot these sentiments, succumbing to the anti-Union hysteria that engulfed the country.

Economic self-interest as much as moral fervor determined British policy. Prior to the Civil War, English trade with the United States was second only to trade with her Empire. The British Ambassador in Washington sought to prevent any political obstacles from hindering this commerce. Some Englishmen believed neutrality served British interests best. They pointed to substantial wartime profits from trade with the North and the probability that Union warships would attack their merchant vessels if England chose to openly aid the South. Others interpreted the situation differently, regarding a united America as a more dangerous commercial rival than a divided America. They cited English dependence on Southern cotton and steep Union tariff barriers versus the free trade policy of the Confederacy. When the Trent Affair re-focused attention on British assistance to and recognition of the Confederacy, economic questions assumed great importance.

The Union blockade of the Confederacy beginning on April 19, 1861 became the paramount commercial issue in Anglo-American relations. The establishment of the blockade confirmed England's worst fears. On February 16, 1861 Russell had written to Lyons: "Above all things endeavour to prevent
a blockade of the Southern coast. It would produce misery, discord, and enmity incalculable. In her attempt to sever Southern supply lines the North hampered English trade. Britain challenged the legitimacy of the blockade since there were too few Union warships to cover the 3500 miles of coastline nominally included. Mason and Slidell had to slip through the blockade to leave Charleston and their capture prompted a re-consideration of British policy toward this barrier to trade.

How did official British policy toward American develop in 1861 prior to the Trent Incident? At each step in the intensifying struggle Lord Russell took a hopeful view. In the fall of 1860 before the secession crisis he hoped the conflict would be settled without a rupture. After all of the Southern states had seceded on February first he wished the North and South would accept a peaceful separation and not resort to arms. The bombardment of Fort Sumter on April twelfth dissolved this illusion. Nevertheless, Russell miscalculated again--believing the war would end quickly and result in a permanently independent Confederate nation. Although Lord Lyons took a more pessimistic view of the situation, most British officials continually underestimated the bitterness of the American struggle. The humiliating Union defeat at Bull Run on July 21, 1861 had a profound impact on British opinions regarding the Civil War. Pro-Southern factions solidified, initial expectations of a brief war diminished--what originally appeared as a noble crusade against slavery had turned into an internecine battle.

Neutrality became the official British policy during the Civil War. In late December 1860 Russell cautioned Lyons to avoid favoring one party over
the other and if asked for advice to merely urge a nonviolent solution of the dispute. Britain issued a formal Proclamation of Neutrality on May 13, 1861, ten days after the first Confederate diplomatic mission had met informally with Lord Russell and the very day Charles Francis Adams (the new U. S. Ambassador to England) arrived in London. It warned all British subjects against giving any assistance to either party—including supplying munitions, or conveying soldiers, dispatches, or arms. A major diplomatic triumph for the South, the Proclamation recognized the Confederacy's status as a belligerent power, thus acknowledging her right to outfit privateers. The Proclamation pronouncement also indirectly conceded the legitimacy of the Union blockade. Britain's official neutral status and the prohibition against transporting dispatches had major significance in the Trent controversy.

One critical issue the Trent Affair re-ignited stretched back sixty years to the turn of the century. Yankees saw in the past impressment of American sailors a precedent justifying the seizure of Mason and Slidell. During the wars of the French Revolution, English ship captains, ignoring American claims that U. S. ships constituted sovereign territory, repeatedly seized "British subjects" to man their ships. Among these so-called Englishment were approximately 9,000 genuine American citizens. Impressment, a common and legal procedure in England, technically could not be practiced on foreign soil or against Americans. Britain, calling U. S. sovereignty claims extravagant, disagreed and continued the seizures which became a major cause of the War of 1812. By 1861 impressment had ceased to be a source of tension between the two countries.
Because of many similarities to Wilkes' action the controversy re-emerged, this time with the roles reversed.
Footnotes - Chapter I


2 Ibid., p. 223.


5 E. D. Adams, p. 57.

6 Ibid., p. 53.

7 Ibid., p. 51.


II. UNION FOREIGN POLICY

When the Trent Crisis occurred, William Henry Seward, the United States Secretary of State, was sixty years old. A strong anti-slavery activist, he had served as governor of New York, U.S. Senator, and since 1856 as the acknowledged leader of the Republican Party. Perceiving the President as a simple-minded rural politician, he attempted to dominate Lincoln. Seward gathered the reins of power around himself, thinking he could dictate Union foreign policy. He initially hoped the country could avoid war, but gradually his attitudes hardened. Concerned that the President lacked a consistent policy for dealing with the rebellion, Seward formulated his own suggestions and sent them to Lincoln on April first. In the conflict's early stages the Secretary of State had vacillated between bellicosity and fear of foreign war. The April first document favored the former. He declared the Union should demand explanations of British, Russian, Spanish, and French policies toward intervention in the conflict. If satisfactory explanations were not received from Spain and France he recommended declaring war. In addition Seward urged sending U.S. agents to Canada, Mexico, and Central America to arouse a "vigorous spirit of independence" against European intervention. 1

Lincoln let these inflammatory proposals die, but their essence reached the ears of foreign ambassadors in Washington. In Britain fact augmented by rumor soon gave Seward a reputation for irresponsibility, recklessness, and
warmongering. In a letter to Seward on December 10, 1861 Thurlow Weed, a fellow politician and friend, reported a rumor, which illustrated the extent of British distrust. In a November 1860 dinner given by Edwin Morgan, the governor of New York, the Duke of Newcastle claimed Seward had declared he would become either Secretary of State or President and would proceed to provoke a quarrel by insulting the British government. Though Seward probably intended the remark as a joke, its widespread publicity hindered future relations with Britain when he became Secretary of State. Many Englishmen believed Seward ordered the seizure of Mason and Slidell to incite war between the two nations. Only after his prudent handling of the Affair did English suspicions of Seward diminish.

In contrast, from his arrival in London on May 13, 1861 Charles Francis Adams, the U.S. Ambassador to Britain, seemed to gain the trust and respect of the British government. His father, John Quincy Adams, and grandfather, John Adams had both been ambassadors to England. A graduate of Harvard and a lawyer by profession, Charles had received two years of formal schooling in England. He joined the Republican Party in 1856, was elected to Congress, and became a close friend of Seward. Even-tempered, patient, and cautious, Adam's personality suited his position.

After learning of Adams' appointment Lyons wrote to Lord Russell that this was a "very good appointment," indicating the United States would not pursue a vicious anti-British policy. A week after Adams' arrival Russell echoed these sentiments in a letter to Lyons: "Mr. Adams has made a very favourable impression on my mind as a calm and judicious man." The cool
dignified manner of the new ambassador seemed to harmonize with the similar temperament of Lord Russell. Ironically many of Adams' early difficulties resulted from his fellow American, Seward, rather than from his English hosts. Adams constantly strived to allay British suspicion of the Secretary of State. Seward made Adams' job even more difficult by failing to properly inform him about current U.S. positions. This lack of communication caused considerable strain during the Trent crisis.5

The principal aim of Union foreign policy was to prevent any European intervention that would tip the balance toward the Confederacy. While constructing a blockade to cut economic assistance, the North tried through diplomacy to forestall recognition of Southern independence by the nations of Europe. These objectives guided Seward and the Cabinet in their response to British demands following the seizure of Mason and Slidell.
Footnotes - Chapter II


III. CONFEDERATE FOREIGN POLICY

To counteract the moral appeal of the anti-slavery issues, the South developed their own ideological base for foreign policy. Self-determination and states' rights formed this foundation. Their emissaries explained to European statesmen that secession was not a revolutionary act. According to their interpretation of the U.S. Constitution, the states possessed sovereignty, having voluntarily let the federal government exercise certain authority. In seceding they had merely re-assumed that authority for themselves. Northern attempts to abolish slavery constituted an unjust invasion of state rights. The people of the South were simply demanding the historic right of self-determination.

The "Southern gentleman" theory composed a second element in the Confederacy's ideological platform. This theory postulated that as members of a landed oligarchy the Southern planters and the English aristocracy shared similar views, interests, and lifestyles. Therefore Britain should intervene to aid her "Southern kinsmen." The extent to which pro-Southern sentiment permeated the English gentry is uncertain. Furthermore, this sentiment may have resulted as much from disillusionment with the Union as from any particular affinity for the South. Prior to the Civil War, the North had gained a reputation among some Englishmen as a degenerate democracy ruled by a vulgar mob. The Union also lost its key moral edge when Lincoln refused to abolish slavery immediately. So as the North's reputation diminished, the South's increased. In the area of economics the "Southern gentleman theory" suffered from a major
flaw. The main commercial partners of the Southern planters were the English cotton manufacturers, not the landed gentry. In the uproar following the Trent Incident the British aristocracy generally viewed Mason and Slidell as gentlemen subjected to barbarous treatment by the Yankees. Ultimately the "Southern gentlemen theory" failed to convince Britain to assist the Confederacy.

Confederate envoys possessed fairly strong economic justifications to buttress their moral arguments. These centered around Confederate advocacy of free trade and British dependence on Southern cotton. Being an agricultural region the Southern states deplored any duties that would raise the cost of the manufactured goods they had to import. They charged that the high tariffs passed by the Northern majority in Congress were discriminatory products of sectionalism. As an independent nation the Confederacy promised free trade and elimination of protective tariffs. That was the carrot. Ironically, Southern cotton export policy became the stick. Nineteen percent of Britain's population depended on the cotton industry and in the years just before the Civil War an average of seventy-six percent of all British cotton imports came from the Southern states. The Confederacy could have used this dependency positively to encourage intervention by England or negatively, withholding cotton until assistance came. The South chose the latter policy. Though no law enforced compliance, planters voluntarily imposed an embargo on cotton exports to Europe. By the time of the Trent Affair this embargo was firmly in place and highly effective.

One objective of Mason and Slidell's mission was to enhance the Confederacy's prestige abroad. To achieve this they had to overcome the contempt
many Europeans had for their predecessors: A. Dudley Mann, Pierre Rost, and
William Yancey. Robert Bunch, the British Consul at Charleston, South
Carolina, knew nothing about Rost and described Mann as an individual of poor
character and the son of a bankrupt grocer. Bunch characterized Yancy (the
mission's leader) more favorably, calling him an able lawyer, yet was disturbed
about his extreme views which included wanting a renewal of the slave trade. 7
Whether justified or not Mann, Rost, and Yancey could take some credit for
Britain proclaiming neutrality on May thirteenth. Ten days before they had met
informally with Lord Russell. 8 The first mission to Europe achieved nothing
else of consequence and by November it became clear that the South needed new
advocates abroad.

The foremost goal of Confederate foreign policy was to attain recognition
as an independent sovereign nation. Upon reaching this status, Europe would
challenge the Union's blockade of Southern ports, opening the way for essential
manufactured goods. Such trade could lead to direct assistance and eventually
European intervention. Mann, Rost, and Yancey, and later Mason and Slidell
struggled to accomplish these objectives of recognition, trade, assistance, and
intervention in their discussions with European governments.
Footnotes - Chapter III


3 Owsley, pp. 54-55.

4 Ibid., p. 8.

5 Ibid., p. 3.

6 Ibid., p. 39.


8 Owsley, p. 56.
IV. MASON AND SLIDELL: THEIR MISSION, CAPTURE, AND IMPRISONMENT

By fall 1861 Mann, Rost, and Yancey had spent five months in Europe. Recognition and intervention, the Confederacy's primary diplomatic aims, had not been achieved. President Jefferson Davis decided to send a more prestigious pair of emissaries to England and France. On September 23 he officially designated James M. Mason of Virginia and John Slidell of Louisiana, ambassadors of the Confederate States of America to London and Paris respectively.

James Mason, the grandson of George Mason of revolutionary fame, had a moderate and amiable demeanor. Although his tobacco chewing and unkempt appearance repelled some persons, he possessed great charm. A former U.S. Senator and Chairman of the Foreign Relations Committee, he had led the fight for passage of the 1850 Fugitive Slave Act. After John Brown's raid on Harpers Ferry (October 1859) Mason called for an investigation to determine if a northern Republican Party conspiracy was responsible. One of the first advocating Virginia's secession, he discussed the upcoming state-wide election to decide the question in a May sixteenth letter to the Winchester Virginian:

If it be asked what those shall do who cannot in conscience vote to separate Virginia from the United States, the answer is simple and plain. Honor and duty alike require that they should not vote on the question, and if they retain such opinions they must leave the state.

John Slidell, a prosperous New Orleans attorney and businessman, began his political career in 1842 as a U.S. Representative. In 1845 President Polk sent him to Mexico in an unsuccessful attempt to resolve the disputes that
eventually ended in war. Later, as a U.S. Senator and member of the extreme Southern rights party, he gained a reputation for skillful and vigorous promotion of secession. Speaking in the Senate when Louisiana withdrew from the Union, Slidell bitterly declared:

This will be war and we (the South) shall meet it with different but equally efficient weapons. We will not permit the consumption or introduction of any of your manufactures; every sea will swarm with our volunteer militia of the ocean, . . .

Because of their zealous defense of slavery and secession, Mason and Slidell had already become anathemas in the North before their capture.

Termination of the Union blockade, recognition of Confederate independence, and intervention by Britain and France constituted the principal goals of Mason and Slidell's mission to Europe. Furthermore, they hoped to form commercial and friendship alliances with the European powers; procure foreign loans, weapons, and munitions; and neutralize diplomatic efforts by the North—a tremendous assignment indeed! To achieve these objectives Mason and Slidell planned to rely on the familiar state sovereignty, "King Cotton," and free trade arguments. They also intended to emphasize the Confederacy's military victories, in addition to her potential as a source of raw materials and a market for manufactured goods.

Britain knew about Mason and Slidell's mission prior to its departure from America. Palmerston assured Ambassador Adams that the delegation's presence "would scarcely make a difference in the action of the (British) government." However, Palmerston feared that a Trent-like incident might occur. Learning that a Union warship had anchored in Southhampton harbor, he consulted
the English advocate-general, who said the warship could legally haul a British vessel, carrying Confederate envoys, back to a United States' prize court. Adams reassured Palmerston that the Union vessel possessed no instructions to seize Mason and Slidell.

Embarking from Charleston, South Carolina, Mason and Slidell had to elude three Union steamers, a frigate, and a sloop of war which blockaded the harbor about six miles from shore. Employing a small fast steamer, the Theodora (re-named to confuse the blockaders) and choosing a dark rainy night, they slipped by the Union ships at a little past midnight on October 12, 1861. After a stop at Nassau in the Bahamas, Mason confidently wrote to his wife, "having run the blockade successfully everything else is plain sailing, because under any foreign flag we are safe from molestation." The Theodora reached the coast of Cuba the morning of October sixteenth and was escorted into Cardenas (100 miles down the coast from Havana) by a Spanish man-of-war. To their consternation, Mason and Slidell discovered they had missed the British mail packet bound for England and would have to wait three weeks for the next one. The two emissaries spent much of this time as honored guests of a Confederate supporter, who owned a sugar plantation located between Cardenas and Havana. They also visited the Captain-General of Cuba, who seemed to sympathize with the Southern cause. Having no fears of capture, Mason and Slidell did not attempt to conceal their mission. The ladies of Havana publicly presented a Confederate flag to them.

Mason and Slidell's departure came at a time when Union military defeats, recent British reinforcement of Canada, and the presence of an English fleet off
the east coast seemed to enhance prospects for the envoys' success. Northerners' anxieties grew when it became known that a British M.P. had visited Richmond shortly before the emissaries' departure. News received by the Union, concerning the diplomats' itinerary was delayed and inaccurate. Smarting from criticism of their porous blockade of the South, Navy officials sent three cruisers to pursue the Nashville, upon falsely hearing that the two ambassadors were on board. The seizure attempt failed. The U.S. Consulate in Havana learned of the Theodora's arrival on the day Mason and Slidell disembarked at Cardenas, but it took eight days for this intelligence to reach New York. On October thirtieth, Secretary of State Seward and Navy Secretary Gideon Welles learned that Mason and Slidell planned to leave on the British mail packet, the Trent; and that the Union warship, the San Jacinto, was nearing Cuba. Deciding to attempt to capture the envoys, Seward and Welles dispatched two vessels to Havana, but neither arrived in time to contact the San Jacinto. 13

Charles Wilkes, the sixty-two year-old U.S. Navy captain of the San Jacinto, was not a man who needed orders. A daring, independent, glory-seeker, he had led an expedition to Antarctica in 1838 and had had a giant area of that continent named Wilkes Land after himself. He developed an early dislike for Britain when an English naval officer used some of his findings on Antarctica without giving him credit. Wilkes' fame had faded and he was eager to re-establish his reputation in the War. Returning from a twenty-month patrol of the west coast of Africa, the San Jacinto reached the southern coast of Cuba on October twenty-third. 14 There Wilkes first head of Mason and Slidell's arrival and was ordered by the U.S. Consul to come to Havana immediately. Wilkes
discussed seizing the emissaries with the Consul (Robert W. Shufeldt), after arriving in Havana. Encountering no strong opposition to the plan, Wilkes left for Key West on November second. Unable to find any other vessels to reinforce his expedition, he left Key West two days later, without having bothered to consult Judge Marvin, an expert on maritime law.  

As with many historical events the Trent Incident has acquired its own conspiratorial aura. According to this theory Mason and Slidell met secretly in Havana with Wilkes, and arranged their capture. This assumes that Mason and Slidell, guessing the degree of English wrath caused by a minor violation of their neutrality, could believe their value would be greater as prisoners than as diplomats. It also supposes Captain Wilkes would eagerly betray the nation he had served so long. Mason admitted that two officers (Wilkes was not one of them) of the San Jacinto visited him in Havana while their steamer was being re-supplied. Mason claims he said nothing concerning the purpose of his voyage to England, but any account of the conversation is so far unknown. Curiously, Mason's daughter omits this discussion from her book because it "contains nothing of public interest or history." No conclusive evidence exists to prove or disprove this conspiracy theory. Though possible, such a collusion seems unlikely. It is clear that Captain Wilkes first learned about the emissaries while in Havana.

Mason and Slidell departed for England on November seventh on board the British Royal Mail Steamer Trent. They joined about eighty other passengers, most of whom were British. Meanwhile, the San Jacinto cruised to a narrow portion of the Old Bahama Channel through which the Trent would have to pass and
lay in wait. In taking this action Wilkes overruled D. M. Fairfax, his chief lieutenant, who urged prior consultation with the judge at Key West. In his official report Wilkes said he examined "numerous" international law books on board ship. Wilkes, in a unique application of seizure principles, called Mason and Slidell "embodiment of dispatches." Lacking expertise in international law and probably convinced this was his chance to become a national hero, Captain Wilkes neglected to consider the international consequences of his actions.

Around noon on November eighth the two ships sighted each other. The San Jacinto fired a warning shot when the Trent approached within a mile. She failed to slow down so the San Jacinto launched another shell across the Trent's bow from a distance of just 250 yards. Seeing armed men and exposed guns on the Union warship, Captain Moir stopped the Trent. Three cutters from the San Jacinto, led by Lieutenant Fairfax, pulled up alongside the Trent. Wilkes instructed his deputy to practice restraint and avoid force if possible in seizing the emissaries. Captain Moir refused to show his passenger list, but John Slidell voluntarily identified himself. The Royal Mails Officer declared the capture illegal and other passengers denounced the marines who boarded the ship:

Did you ever hear of such an outrage? They would not have dared to have done it if an English man-of-war had been in sight! These Yankees will have to pay for this. This is the best thing in the world for the South.

Fairfax allowed the two emissaries and their secretaries, George Eustis and James McFarland, to collect their baggage before being escorted to the San Jacinto. In an incident later dramatized in the London Times, Slidell's daughter defiantly barred bayonet-carrying Union marines from entering her father's
cabin room. Though appreciating his daughter's bravery, Slidell knew resistance was futile and returned to the deck through a window. Finally, the cutters returned to the San Jacinto with their four prisoners. The two ships parted at about 3:30 in the afternoon, about two hours after Lieutenant Fairfax had boarded the Trent. The seizure was accomplished without injuring anyone on either ship.

Captain Wilkes knew international law required him to take the entire vessel to the United States, where a prize court would determine whether the dispatches aboard were contraband. Yet to avoid further inconvenience for the Trent's other passengers he merely seized the two emissaries and their secretaries, and let the British ship resume its voyage to England. Surprisingly, Wilkes did not search for any dispatches. Mason and Slidell did possess dispatches, which they managed to lock in the Trent's mailroom. These were delivered to Confederate agents when the Trent reached London. By neglecting standard search and seizure procedures, Wilkes placed the Union government in an awkward position for dealing with the British.

The courteous treatment of the envoys continued after their capture. Confederate or Union prisoner-of-war would have gladly exchanged places with them. Captain Wilkes treated them as "cabin guests," housing them in his own state-room. The San Jacinto arrived at Fort Monroe, Virginia on November fifteenth, but when Secretary of State Seward heard the news he directed Wilkes to convey the prisoners to Fort Warren, built on an island in Boston harbor. Colonel Dimmick, the commanding officer, did not handle the four emissaries like other
prisoners at the Fort. They received mail daily, read newspapers, could order wine or other luxuries from Boston, and were provided with a servant.\textsuperscript{29} Mason and Slidell hoped their gentlemanly confinement would continue and provoke war between the Union and England.\textsuperscript{30}
Footnotes - Chapter IV


2 Thomas L. Harris, The Trent Affair (Indianapolis: Bowen-Merrill, 1896), pp. 80-81.

3 Ibid., pp. 82-83.


5 Owsley, p. 204.


9 Ibid., pp. 199-200.

10 Ibid., p. 201.


12 Ibid., p. 203.


15 Crook, pp. 103-104.


17 Ibid., p. 215.

19. Ibid., p. 329.

20. Ibid., p. 327.

21. Ibid., pp. 322-323.


23. Moore, p. 324.


25. Moore, p. 322.

26. Ibid., p. 329.

27. Mason, p. 216.


29. Ibid., pp. 229-230.

30. Ibid., p. 234.
V. THE INITIAL AMERICAN REACTION

When news of Mason and Slidell's capture reached America, spontaneous jubilation engulfed the North and South. The Confederacy, anticipating British entry into the war, celebrated the Union's rude violation of neutral rights. Latent Anglophobia surfaced in the North, where Wilkes became the hero who had twisted the tail of the British lion and frustrated Southern diplomatic efforts. Ignoring the international consequences of the seizure, many Northern Congressmen and Cabinet members praised the action. News of the capture disturbed President Lincoln, who pondered a variety of possible explanations to reassure Britain. Businessmen concerned about the consequences of angering England deluged Secretary of State Seward with letters filled with advice. The Trent Affair seemed estined to kindle the passions of every person in America.

The Confederate people, press, and leaders reacted joyously to the capture of their envoys. They hoped the North's blunder would provoke British intervention. Expecting the termination of diplomatic relations between Britain and the Union, Baltimore secessionists celebrated. The Richmond, Virginia Enquirer bubbled:

The ships of England are all that we want to fill the measure of our warlike appliances. The destruction of the blockade will give us supplies, and give us a market for our industry. We shall have social comforts, and we shall have the munitions of war. Nay, the blockaders will be blockaded! An English fleet in the Chesapeake, and in a month Fortress Monroe would be ours by starvation.
The South relished the thought of the Union entangling itself in war with England or Lincoln humiliating himself by having to release the two emissaries. Speculating on the North's options the Enquirer wrote:

Which Lincoln will fear most to offend--the English government or the Northern mob remains to be seen . . . it would be an agony to the North to be compelled to let our ministers go; nay to send them by a Government vessel, deliver them aboard a British ship, and salute the British flag. If they rejoice over Mr. Mason's capture with a special joy, as doubtless they do, his restoration would be to them a special humiliation. 3

Confederate rejoicing persisted until Seward's compromising reply to British demands was announced about a month and a half later.

Southerners thought the British government would not endure the insult to their flag without taking forceful action. The Confederate people envisioned an outraged English public demanding unconditional retribution. Yet some Southerners were a bit apprehensive. The New Orleans Crescent said the capture would "either arouse John Bull to the highest pitch of indignation or demonstrate that there has been an understanding between the two governments for a long time--that England has been and is assisting the abolition government to the detriment of the South." 4 Expressing the general optimism that overshadowed these mild anxieties the Richmond Enquirer remarked: "We confess, therefore, that we look with much interest and much hope to the next news from across the waters." 5

The Confederate government shared the excitement of its people. While Lincoln avoided public discussion of the incident, President Jefferson Davis offered his opinion regarding the legality of Wilkes' action in a message to the Confederate Congress on November eighteenth:
These gentlemen (Mason and Slidell) were as much under the jurisdiction of the British Government upon that ship and beneath its flag as if they had been on its soil, and claim on the part of the United States to seize them in the streets of London would have been as well founded as that to apprehend them where they were taken. ⁶

So the South rejoiced at the News of Mason and Slidell's capture, celebrating not the act itself, but its expected effect in England.

The North also celebrated, praising Captain Wilkes' courageous action, which thwarted Confederate diplomacy and gave Britain a "dose of her own medicine." The day after news of the capture reached New York, the Times commented: "We do not believe the American heart ever thrilled with more genuine delight than it did yesterday, at the intelligence of the capture of Messrs. Slidell and Mason ..." ⁷ A correspondent from the London Times viewed this genuine delight differently: "There is so much violence of spirit among the lower orders of the people, and they are so ignorant of everything except their own politics and passions, so saturated with pride and vanity, that any honorable concession, even in this hour of extremity, would prove fatal to its authors." ⁸ Northerners, stunned by early defeats in the war, finally had something to cheer about.

Charles Wilkes became an instant hero throughout the nation. The city of Boston hosted a banquet for Wilkes and the officers of the San Jacinto, with the Mayor, Governor, Chief Justice of the State Supreme Court, and 150 other guests attending. ⁹ Judge George Bigelow, evidently carried away in the euphoria of the moment, declared that, "Commodore Wilkes acted more from the noble instincts of his patriotic heart, than from any sentence he read from a
law book . . ." in such a situation ". . . a man does not want to ask counsel or to consult judges upon his duty; his heart, his instinct, tells him what he ought to do."¹⁰ Thus Union patriotism coalesced around this obscure navy captain.

Yet in the midst of the general satisfaction mild apprehensions began to emerge. Some questioned the legality of the capture. The Chicago Times warned that by endorsing Wilkes' act the United States would be justifying the past impressment of American sailors and other British violations of neutral rights.¹¹

How would England react? This too caused concern. Optimists believed Britain would merely ask for an apology, but others thought release of the emissaries would be demanded. The New York Times predicted a massive public outcry led by the Tories that would severely test the Liberal ministry.¹² Despite these fears, few Northerners anticipated the intensity of English outrage or the uncompromising nature of their demands, coupled with actual preparations for war.

Union businessmen constituted a unique group in their reaction to the Trent Affair. Possessing commercial vessels throughout the world vulnerable to British attack, merchants advocated compromise. Stock and commodity prices fell in December, reflecting economic uncertainty.¹³ Businessmen wrote Secretary of State Seward, warning that war with Britain would devastate the Northern economy. Pledging their loyalty regardless of the government's decision, the merchants nevertheless hoped for a peaceful settlement.¹⁴ Because Captain Wilkes endangered commercial interests, businessmen were among the few who questioned his wisdom.
The national euphoria penetrated the U.S. Congress. Charles Sumner, Chairman of the Senate Foreign Relations Committee, initially seemed to approve the capture. He wrote Seward on November seventeenth, listing two historical precedents justifying the action. On December second Congress capped the cascade of praise Wilkes received by passing a joint resolution:

Resolved, That the thanks of Congress are due, and hereby tendered, to Captain Wilkes, of the United States navy, for his brave, adroit and patriotic conduct in the arrest and detention of the traitors, James M. Mason and John Slidell.

Additional resolutions were approved requiring authorities to treat Mason and Slidell like convicted felons.

At first, most Cabinet members wholeheartedly commended Captain Wilkes' performance. Navy Secretary Gideon Welles sent Wilkes a letter on November thirtieth, using words he would later regret: "... Your conduct in seizing these public enemies was marked by intelligence, ability, decision, and firmness, and has the emphatic approval of the Department." Both Welles and Attorney General Edward Bates approved of Wilkes' procedure, except they maintained the Trent itself was also subject to seizure. Bates misinterpreted the legal issues of the case and underestimated the English reaction:

While the fact brings great and general satisfaction, some timid persons are alarmed lest Great Britain should take offence at the violation of her Flag. There is no danger on that score. The law of nations is clear on the point, and I have no doubt that, with a little time for examination, I could find it so settled by English authorities.

Believing that Wilkes had exceeded his legal authority and that an enraged England would use the insult as an excuse for war, Postmaster General Montgomery Blair was the sole Cabinet member to immediately condemn the
capture. In jest he suggested that Wilkes should personally transport Mason and Slidell to England to indicate the Union's utter contempt for the two envoys. Time, Britain's ultimatum, and Seward's arguments eventually persuaded the Cabinet to alter its original position.

Acting with discretion, President Lincoln did not even mention the Trent Affair in his annual message to Congress on December 3, 1861. The President lost sleep over the capture, anticipating a severe reaction in England. Some persons urged Lincoln to use the incident to force Great Britain to acknowledge specific rights of neutral nations. Others such as Senator Sumner advised employing a nonpartisan European power to arbitrate the Affair. Caution and flexibility characterized Lincoln's early handling of the incident.

From the beginning of the crisis, citizens inundated Secretary of State Seward with letters suggesting "proper" courses of action for the U.S. government. Surprisingly, most of the writers advised compromise rather than vociferous defense of Wilkes' actions. Former Secretary of State (1857-60) Lewis Cass said Mason and Slidell would be harmless in Europe and war with Britain would prevent restoration of the Confederate states to the Union. Another letter called those who wanted war with England, allies of the South. Defense of neutral rights constituted the best stance, since in future European wars the United States would probably be neutral. Writing from Europe, Seward's close friend Thurlow Weed explained the seriousness of British feelings. This correspondence may have prompted Seward to choose a more conciliatory reply to Britain than that favored by the public.
Deciding to wait for the official British response to the capture, Seward took few concrete actions besides reassuring Ambassador Adams. He did order Captain Wilkes to take Mason and Slidell from Fort Monroe, Virginia to Fort Warren in Boston harbor and placed Robert Murray on the San Jacinto as a State Department observer. 29 On November thirtieth Seward wrote a letter (received by Adams December seventeenth) which helped allay British suspicions and diminished fears of war. Complimenting Lord Lyons' calm handling of the incident, Seward said Wilkes acted entirely on his own and remarked, "This government has carefully avoided giving any cause of offence or irritation to Great Britain." 30 Shunning both vigorous defense of Wilkes' action and immediate compromise, the Secretary of State let Britain take the initiative in dealing with the Affair.
Footnotes - Chapter V

1 Rochester, New York, University of Rochester, Seward Papers, James Adams Dix to W. H. Seward, Nov. 16.

2 Enquirer (Richmond, Virginia), December 20, 1861, 2:2.

3 Ibid., November 22, 1861, 2:1.


5 Enquirer, December 17, 1861, 4:3.

6 Jefferson Davis, Jefferson Davis, Constitutionalist, His Letters, Papers, and Speeches, ed. Dunbar Rowland (Jackson, Mississippi: Mississippi Department of Archives and History, 1923), V, pp. 166-173.

7 New York Times, November 17, 1861, 4:3.

8 The Times (London), December, 1861, 8:3.


11 Harris, pp. 129-130.

12 New York Times, November 19, 1861, 4:3.


16 Harris, p. 122.


20 Harris, pp. 126-127.

21 J. G. Randall, Lincoln the President (New York: Dodd and Mead, 1945), II, p. 44.


29 Ibid., Robert Murray to W. H. Seward, Nov. 16.

30 Van Deusen, p. 313.
VI. THE BRITISH RESPONSE

Furious indignation ensued when news of Captain Wilkes’ action reached England on November twenty-seventh. One Englishman reported to Seward:

The people are frantic with rage, and were the country polled I fear that 999 men out of 1,000 would declare for immediate war. Lord Palmerston cannot resist the impulse if he would. If he submits to the insult to the flag his ministry is doomed--it would not last a fortnight.

The London Times declared: "It requires a strong effort of self-restraint to discuss with coolness the intelligence we publish today..." Uncertainty about future trade with the United States caused an abrupt drop in London stock prices.

Members of the Liverpool cotton exchange issued the following resolution, after a hastily-called meeting the afternoon of the twenty-seventh:

That this meeting, having heard with indignation that an American Federal ship of war has forcibly taken from a British mail steamer certain passengers who were proceeding peaceably under the shelter of our flag from one neutral port to another do earnestly call upon the Government to assert the dignity of the British flag.

The capture of Mason and Slidell confirmed Britain's worst suspicions about the Yankees. From the beginning of President Lincoln's administration in March, rumors had magnified facts to produce distrust of Secretary of State Seward. The seizure appeared to many Englishmen as another one of the Secretary's bellicose schemes. The London Times commented:

The splenetic mind of Mr. Seward has, indeed, been continually infusing his colleagues with a feeling of enmity to this country. It is this habit of unscrupulous partisanship, ingrained in the very nature of the Americans, which will be the chief obstacle to a friendly settlement.
Another charge was that the Union had taken advantage of Britain's peaceful demeanor:

They must by this time know us and our unwillingness to draw the sword against them, or to take any part in their unhappy quarrel. Indeed, our patience and long suffering have not improbably led to the series of insults of which the outrage on the Trent is the last and most offensive.  

Caught in the midst of this tempest, Northern emissaries in England found themselves in a precarious position. Lacking definite information on official Union policy, Charles Francis Adams, the U.S. Ambassador to London, was assaulted on all sides. On November twenty-ninth Adams wrote two letters to Seward. In the first he stated, "The excitement caused by the late news of the seizure of Messrs. Mason and Slidell is so great as to swallow up every other topic for the moment." In the second letter he said:

The pride of the British nation is deeply touched. The consequences for further usefulness in my present capacity threatens to be soon at an end . . . I confess that the turn things have taken has given me great anxiety for the fate of my unhappy country. But I shall await with resignation the instructions which will probably close my mission.  

At a meeting with Foreign Minister Russell the same day Adams confessed that he knew no more about the seizure or Union policy than anyone could learn from the English press. That night Adams lamented in his diary: "On the whole I can scarcely remember a day of greater strain in my life. Whether through oversight, lack of thoughtfulness, or indecision, Secretary of State Seward neglected to inform Adams regarding official Union policy in the Affair. Even so late as early January, Adams was still relying on the British newspapers for his information. Because Adams overcame these handicaps and retained
remarkable public poise, Lord Russell's respect for the U.S. Ambassador deepened during these difficult weeks.

Situated in Europe on a special diplomatic mission, Thurlow Weed, a shrewd politician and close friend of Seward, also came under fire. Weed traveled between London and Paris, striving to keep Seward well informed and to counteract anti-Union sentiment. On December seventh he wrote to Seward: "Surely this cannot be a time you choose for War with England, when all her People are with the Government, and when everything here is upon a War footing." As part of his efforts Weed wrote the London Times on December twelfth:

I confess to a strong "yearning" that the English Government, its press and its people may be disabused of an impression which has so generally obtained, that our Government seeks occasion for disagreement or cherishes other such feelings as belong to the relations of interest and amity that blend and bind us together.

Such tireless lobbying by Thurlow Weed did much to further the Northern cause.

After the initial frenzy cooled, some Englishmen began calling for restraint. A Manchester Guardian editorial reflected this trend:

There are a great many reckless men who would at once urge on a war to redress the alleged insult to the British flag; but this is by no means the general feeling, and among some of the leading merchants the first embullion of anger is giving place to anxiety lest the Government should too precipitately be disposed in favour of a resort to arms.

Most major English religious denominations issued pleas for peace. The press admitted that Seward may not have ordered the capture and that loose British interpretations of international law in the past were partly responsible. Englishmen viewed the U.S. Congress' congratulation of Wilkes with alarm, but
saw Lincoln's silence on the Affair in his annual message to Congress as an indication he might be contemplating peaceful compromise. Some Liberals, thinking it preposterous that such a tiny incident could ruin years of friendly relations, continued to praise the North's democracy and stand against slavery.

Secretary of State Seward had decided to let England make the first move in the Trent Affair negotiations. The British government had to determine the legality of the capture and then decide on an appropriate course of action. The English people freely expressed their opinion on both of these issues. Views ranged from accepting Wilkes' act, to declaring it totally illegal. Corresponding responses suggested ranged from acquiescence to issuance of an ultimatum, coupled with mobilization for a possible war.

After studying depositions by officers of the Trent, the Law Officers of the Crown concluded that Captain Wilkes had erred in not taking the entire vessel to a U.S. prize court, which could then legally decide if anything on board constituted contraband. By capturing Mason and Slidell on his own Wilkes usurped the role of a prize court judge. Emotional considerations aside, this legal opinion gradually became accepted by many factions in England. One pro-Union letter to the editor of the London Times went so far as to declare that since Wilkes violated only the "form," not "substance" of international law, Britain should merely demand an apology and not require release of the prisoners. Few Englishmen would have tolerated such a weak response. On November thirtieth, a London Times editorial maintained that even if the United States claimed Mason and Slidell as citizens their capture still violated the law of asylum.
discussion of legal technicalities, the English people's demand for forceful action by their government did not diminish.

Members of Parliament, newspaper editors, prominent individuals, and merchants eagerly proposed a variety of "proper" responses for the British government. The economist and pro-Union political leader Richard Cobden said Britain should demand release of the prisoners and lifting of the Northern blockade of the Southern coast (on all but war materials). Cobden also believed the incident provided an excellent opportunity to force the United States to ratify the 1846 Congress of Paris agreements, which granted greater freedom for neutral nations. The editor of the London Times suggested imposing an immediate embargo on shipments of war materials to the Union. Baron Brunnow, the Russian Ambassador to England, offered his services to help arbitrate the misunderstanding. The most popular course of action advocated consisted of demanding an apology and liberation of the prisoners, threatening war if the Union did not comply.

The British government, with Prime Minister Palmerston and Foreign Secretary Russell playing the leading roles, agreed on an official response just five days after news of the Trent incident reached England. Operating under intense pressure from the citizenry and Parliament, the Cabinet decided on a list of demands, which were sent to Lord Lyons, the British Ambassador in Washington, December second. Until he received this dispatch on December eighteenth, Lyons himself remained silent, making no comments whatsoever on the legality of Wilkes' action or on what the formal British response would be. Lyons wrote Russell privately on November nineteenth urging him not to be
"easy" on the U.S., but this letter reached London too late to have any effect on the Government's decision.

The British Cabinet first met to discuss the Trent incident on November twenty-ninth. Lord Russell began a draft of demands to be considered the next day. Prime Minister Palmerston advocated and convinced the other ministers to approve immediate and extensive preparations for a possible war with the Union. Arising from this decision mobilization of the army and navy continued through early January 1862. On November thirtieth the ministers discussed and approved Russell's dispatch to Lyons. This document condemned Wilkes' action, demanded the release of Mason and Slidell (and their secretaries George Eustis and James McFarland), and requested an apology from the United States government.

Russell's draft was sent to Windsor Castle that evening for the Queen's approval. She discussed the demands with Prince Albert. The Prince Consort, suffering since the end of autumn from severe catarrh and insomnia (symptoms of typhoid), labored through the night jotting down some suggestions to soften the tone of the document. These suggestions, which Russell incorporated in the final draft of the instructions, emphasized Britain's desire for continued friendly relations with the Union and expressed hope that the insult on the Trent was not deliberately intended. Prince Albert died December fourteenth, just two weeks after completing this service for his country.

Originally the instructions called for Ambassador Lyons to leave Washington if the United States did not comply within seven days. Russell further moderated the demands in his supplementary directions to Lyons. At his first meeting
with Secretary of State Seward, Lyons was to informally outline the British demands. At his second meeting Lyons was to read the dispatch in full. If Seward asked what the results of noncompliance would be, Lyons was to state that Britain did not desire to "menace" the U.S. Government. A special messenger, bearing the demands and supplementary directions, left Queenstown December second. 25

Determined to negotiate from a position of strength, the Cabinet took stiff measures to prepare for war. On December ninth they formed a special five-man war committee headed by Lord Granville. 26 The Queen issued a proclamation prohibiting export of gunpowder, saltpeter, and brimstone to the U.S. Admiral Milne placed his West India fleet on alert and began escorting all British mail packets in the area. 27 Between December twelfth and January fourth 11,000 regular troops, plus substantial arms, munitions, and other supplies were shipped to Canada. 28 Employees at the royal arsenals began working around the clock producing additional guns and ammunition for the troops in Canada. 29 The army and navy were readied for swift deployment in case hostilities erupted.

British newspapers reacted favorably to their Government's decisions. Some papers heightened their belligerent stance, demanding Seward's removal and destruction of the Union blockade of Southern ports. 30 Yet, gradually, many Englishmen began to realize the potential consequences of a war. A January first editorial reflected these views and the lingering English distaste for the North:
(If the United States agrees to our demands) we shall begin the New Year with a fitting subject of congratulation. Not only shall we have been spared a harassing and costly contest, and be able to remain neutral in a war which excites among us little sympathy on either side, we shall have given a check to habits of wantoness and lawlessness which were becoming instinctive in the American people. 

In this frame of mind the British awaited the United States' reply.
Footnotes - Chapter VI


2. The Times (London), November 28, 1861, 8:4.


4. The Times (London), November 28, 1861, 9:5.

5. The Times (London), December 2, 1861, 6:3.

6. Ibid., November 30, 1861, 8:3.


8. Ibid.


10. Ibid.


15. The Times (London), December 16, 1861, 9:2.

16. Ibid., November 29, 1861, 6:2.

17. Ibid., November 30, 1861, 9:5.

18. Ibid., November 30, 1861, 8:3.
19 Rochester, New York, University of Rochester, Seward Papers, Richard Cobden to General Winfield Scott, Dec. 6, 1861.

20 The Times (London), December 2, 1861, 6:3.


24 Ibid., pp. 812-813.


28 Bourne, p. 616.


31 The Times (London), January 1, 1862, 6:3.
VII. THE UNITED STATES' REPLY
TO THE BRITISH DEMANDS

Northern newspapers reported the British war preparations in great detail. Twisting the lion's tail had been exciting, but now that it had reacted with teeth bared, fear supplanted the initial thrill. Daily, the press carried stories about France and other European nations condemning Wilkes' act and pledging their support for Britain. News of Southern jubilation removed the spiteful glee from the North's celebrating. As Christmas approached glum circumspection had replaced the ecstasy of mid-November.

As a result of his extensive international correspondence, Secretary of State Seward, perhaps more than anyone else, sensed the growing precariousness of the Union's position. Adams, Thurlow Weed, John Bigelow (U.S. Consul-General at Paris) and others reported widespread European support for England. Acting on his own, Captain Wilkes did essentially what Seward had initially attempted to order him to do. Feedback from all sides prompted the Secretary of State to re-assess the wisdom of his earlier desires. Already before meeting with Ambassador Lyons, Seward had begun to consider compromise.

Ambassador Lyons received Lord Russell's dispatch at 11:30 the night of December eighteenth. Lyons met with Seward the next afternoon. When pressed, he "unofficially" gave Seward a copy of the dispatch; however, he
requested that it be shown to no one but the President. Lyons agreed to allow forty-eight hours for Seward to consult with Lincoln, before formally presenting the demands. This, plus the seven-day time limit in the dispatch itself, gave the U.S. Government a total of nine days to respond. Wasting no time, Seward immediately began a draft reply for consideration by the President and the Cabinet. After the meeting with Lyons, Seward told Henri Mercier, the French Ambassador, that no war with Britain would occur.

Despite his reputation for pugnacity, Seward became the advocate of prompt compliance. The President was one of those he had to persuade. Lincoln understood the seriousness of the capture, but thought room for negotiation existed. In a tentative reply to Britain, composed December tenth, he pointed to mitigating circumstances, such as the nature of Mason and Slidell's mission and the Trent Captain's full knowledge of this mission, and suggested a settlement through international arbitration. He concluded the draft, saying

... we too, as well as Great Britain, 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. The United States government and people, are still willing to make reparation upon such showing.

This dispatch was never sent. When Seward first explained the demands to Lincoln, the President rejected immediate compliance. Instead Lincoln decided to write a reply, resembling his earlier draft, which he would present to the Cabinet along with Seward's proposal. The Secretary of State met with Lyons for the second time Saturday the twenty-first and pleaded for more time, claiming he had not yet "mastered" the issue. No mail packets would leave for England until January first, so Lyons kindly agreed not to officially present the demands until Monday, December twenty-third.
Senator Charles Sumner of Massachusetts, Chairman of the Foreign Relations Committee, played a major role in the settlement of the Trent Affair. Though not a member of the Cabinet, he was invited to attend the meeting in which they discussed the reply to British demands. In November, Sumner suggested and almost persuaded Lincoln to approve a plan to submit the Affair to arbitration, with Prussia or another suitable nation making the judgment. Yet, when the Senator heard about Britain's reaction from U.S. newspapers and correspondence with his English friends, the prominent Liberals, John Bright and Richard Cobden, he began to favor any compromise that would avert war. Sumner warned Lincoln about the potential consequences of the latter: recognition by England and France of Confederate independence, a British blockade of the entire Union coast, attacks on U.S. merchant ships, and the ultimate establishment of the South as a nation. Senator Sumner joined Seward in urging acceptance of the British demands.

The Cabinet gathered at 10:00 a.m. Wednesday, December twenty-fifth to discuss Russell's dispatch. The President, having changed his mind since meeting with Seward, did not write an alternative proposal; therefore, the Secretary of State submitted his draft for consideration. It began with an account of the seizure, stressing the restraint displayed by Lieutenant Fairfax. After examining the legal questions it concluded that, even according to English authorities, Mason and Slidell, and the Trent itself were subject to seizure. Nevertheless, Captain Wilkes should have escorted the Trent to a Union port, where a prize court judge could have determined what on board constituted contraband. The draft ended: "The four persons in question are
now held in military custody at Fort Warren in the State of Massachusetts. They will be cheerfully liberated. Your lordship (Lord Lyons) will please indicate a time and place for receiving them." In rationalizing this decision Seward maintained the U.S. had chosen the "intrinsically right" course, rather than retaliating for past injuries (British impressment of American sailors).

When discussion of the draft reply commenced, only Seward, Senator Sumner, and Postmaster General Blair favored immediate release of the prisoners. The Senator reinforced his position, quoting passages from letters written by his English friends, which illustrated the magnitude of British indignation. Hearing these arguments, Attorney General Edward Bates also recommended compromise. He wrote in his diary that night: "... with such a civil war upon our hands, we cannot (sic) hope for success in a super added war with England, backed by the assent and countenance of France. We must evade it--with as little damage to our honor and pride as possible." The Cabinet adjourned at 2:00 p.m., with President Lincoln undecided and Treasury Secretary Salmon Chase still opposed to immediate release. After a night to re-assess their views, the Cabinet met the next day and unanimously approved Seward's reply, making just a few minor changes in phraseology. Chase complained that although technically right, the decision was "gall and wormwood" to him.

On December twenty-sixth, the same day the Cabinet reached its decision, John P. Hale of New Hampshire (Chairman of the Naval Affairs Committee) delivered a blistering speech in the Senate, condemning the rumored
release as a national disgrace. "Let our cities and villages be pillaged and
burned, but let our National honor be preserved," he stormed. Senator
Sumner calmly denounced Hale, declaring that the settlement was in good
hands. Attempting to gain mass approval, Seward made the Government's
reply public, immediately after informing Lord Lyons. The Secretary of State
was pleasantly surprised at the widespread expression of acceptance and re-
lief.

The Navy refused to supply a ship or any officers to accomplish the
release, so Seward sent E. D. Webster of the State Department, to hire a
private tug to convey the prisoners from Fort Warren to the British vessel,
waiting in the Province-town harbor at the tip of Cape Cod. Mason and
Slidell and their secretaries boarded the English warship Rinaldo around noon
on January 1, 1862. When a severe storm kept the Rinaldo from its intended
destination of Halifax, it went instead to St. Thomas by way of Bermuda.
Ironically, St. Thomas had been the Trent's original destination. Mason and
Slidell took another ship from St. Thomas, reaching Southampton on January
twenty-ninth.
Footnotes - Chapter VII


4 Crook, p. 153.


11 Crook, pp. 162-163.

12 Cohen, p. 213.

13 W. H. Seward, p. 192.

VIII. THE AFTERMATH

Immediately after the proclamation of their Government's demands on December second, the British public and press eagerly awaited a chance to take revenge for Wilkes' insult and to teach the rude Yankees a lesson. This angry belligerence soon moderated when Englishmen began to contemplate the grave consequences of war. On December twenty-second Ambassador Adams received a dispatch from Secretary of State Seward, which stated that Captain Wilkes had acted without orders and that the U.S. Government had sought no excuse to provoke war with Britain. When publicized, the contents and tone of this dispatch further diminished British hostility and suspicion. By late December Englishmen were hoping for a peaceful settlement.

News of the North's capitulation reached England January eighth. Cheers in theaters, a jump in stock prices, and an enormous sigh of relief followed the announcement in London. The Times commented the next day:

We draw a long breath and are thankful. The suspense which has endured so long, and has weighed so heavily upon our peaceful avocations, has at last terminated. . . . We have done nothing to wet up monuments to commemorate; we have only held our own in the great community of nations, and read a necessary lesson to an ill-mannered companion.

Englishmen were pleased with their Government's resolution and the Union's discretion. Even the Secretary of State received praise:

. . . Mr. Seward is, we will venture to say, the real author of their liberation. The accusers of that eminently able statesman and the defamers of the nation whose affairs he so wisely directs, will for some time be at a loss for materials of slander,
declared the Star and Dial. Believing neither Mason nor Slidell would present any new reasons for abandoning British neutrality, the Times suggested the envoys should be treated with a cold shoulder. The extreme pro-Southern press alone, failed to express warm satisfaction at the settlement. 4

In America, Ambassador Lyons also felt relieved. Having suppressed his personal views on Wilkes' action for over a month and after having granted Seward two postponements of the ultimatum's deadlines, Lyons was glad his forbearance had produced a harmonious result. He gave substantial credit to Secretary of State Seward: "I cannot say that my general opinion of Mr. Seward has undergone any change; but without inquiring into his motives, I must allow him the merit of having worked very hard and exposed his popularity to very great danger." 5 Lyons saw two main reasons for the Union's capitulation: economic self-interest and fear of war. Though relieved at the Affair's outcome, Lord Lyons remained wary, expecting the Union to find some way of retaliating for its humiliation. 6

Though agreeing with Palmerston's decision to mobilize for war, Foreign Minister Russell had favored further negotiations, even if the United States rejected the British ultimatum. 7 On January eighth Russell received a telegram from Lyons, announcing the U.S. Government's decision. Seward's official reply arrived the next day. Russell sent Lyons a dispatch on January tenth, accepting the reply, but the Foreign Minister disagreed with Seward's legal reasoning. "No writer of authority has ever suggested that an ambassador proceeding to a neutral state on board one of its merchant ships is contraband
of war," he commented. The swift Union capitulation cheered Russell, who had hoped to avoid additional tense negotiations that could have ended in war.

For Charles Francis Adams, January eighth concluded some of his most arduous weeks as Ambassador. He commented, "Looking back upon this critical business I cannot help a feeling of wonder as well as of thankfulness for our escape from the great variety of risks with which we were surrounded." But his perennial pessimism persisted: "So . . . the danger of war is for the present removed. I am to remain in this purgatory a while longer."

Actually, the British Government's estimation of Adams' character and ability grew substantially during the Affair. The Ambassador's communication problems with Seward continued. Adams first saw the full text of Seward's reply on January thirteenth in the newspapers. Eighteen days since the U.S. Cabinet's decision Adams' still had not received a copy from the Secretary of State! Nevertheless, Adams swallowed the insult, calling the reply "a very able paper," which exhausted the question.

Although it meant sacrificing a degree of national pride, Northerners, anxious to avoid war with Britain and eager to undercut Confederate glee, endorsed their Government's capitulation. The premium on gold dropped, stock prices resurged, and Army recruitment increased. A New York Times editorial summarized Northern sentiment:

We have honorably escaped the fearful perils of war with England, which, whatever might have been its ultimate issue, would have given a certain triumph to the Southern rebellion. The real disappointment at the pacific settlement of the question will be felt in the dominions of Jeff Davis."
In the midst of this satisfaction, Northerners still resented the British for over-reacting and taking advantage of the United States in a time of weakness. Secretary of State Seward had feared his popularity would plummet when he announced Mason and Slidell's release. In fact, he received many more complimentary than derogatory letters following the decision. Edward Everett (Unitarian minister, orator, and educator) wrote: "You have baffled them all; and will be deemed in the eyes of the impartial world, to have gained a much more enviable victory over them than they could have gained by iron-plated steamers and Armstrong guns." Those familiar with international law were less impressed, calling Seward's legal reasoning sloppy and lacking suitable precedents. Yet the scathing criticism of Hamilton Fish (New York Congressman, Governor, and Senator, who later became Secretary of State during the Grant Administration) was atypical:

In style it is verbose and egotistical; in argument, flimsy; and in its conception and general scope it is an abandonment of the high position we have occupied as a nation upon a great principle. We are humbled and disgraced not by the act of the surrender of four of our own citizens, but by the manner in which it has been done, and the absence of a sound principle upon which to rest and justify it . . . . We might and should have turned the affair vastly to our credit and advantage; it has been made the means of our humiliation.*

Overall, Seward emerged from the Trent Affair with enhanced domestic and international prestige.

President Lincoln, who had initially opposed immediate release of the envoys, had approved capitulation only after hearing please from Senator Sumner, Seward, and other Cabinet members. The President had found it
agonizing to accept the final decision, which was primarily a product of Seward's efforts. After the settlement Lincoln wrote:

We gave due consideration to the case, but at that critical period of the war it was soon decided to deliver up the prisoners. It was a pretty bitter pill to swallow, but I contented myself with believing that England's triumph in the matter would be short lived, and that after ending our war successfully we would be so powerful that we could call her to account for all the embarrassments she had inflicted on us.19

In perhaps the most publicized assessment of the Trent Affair, Senator Charles Sumner examined the legal issues involved on January 9, 1862. With some Cabinet members and nearly all foreign ambassadors except Lyons attending, he addressed the Senate for nearly two hours.20 Sumner agreed with the main British complaint that Wilkes should have brought the Trent into port, instead of acting as his own judicial officer. But the Senator reminded his audience that British captains had acted as judicial officers when they impressed American citizens into the Royal Navy during the War of 1812. Citing James Madison and treaties between the United States and other countries, Sumner asserted that a Union prize court would have freed the Trent because she could lawfully carry anyone not in the military service of a belligerent. Wilkes' action, though justified according to British precedents, violated American traditions. By accepting the release of Mason and Slidell, the British Government had endorsed American principles. England vehemently denied these charges, but Northern lawyers and newspapers commended Sumner's address, declaring he had shown scholarship in exposing Seward's error.21
What about the objects of this international turmoil--Mason and Slidell? Ambassador Lyons had instructed the commander of the Rinaldo to treat them as "private men of distinction" rather than as ambassadors of a foreign power. 22 Experiencing delays in their transatlantic voyage, the two emissaries arrived in England three weeks after news of their liberation had reached the country. By this time the British public had lost interest in them. When Mason unofficially met the Foreign Secretary on February tenth, Russell refused to read the envoy's credentials and curtly told him that the position of Britain remained unchanged. 23 After suffering more rebuffs and achieving few successes, Mason abruptly ended his English mission in September 1863 and joined Slidell in Paris. 24
Footnotes - Chapter VIII


2 The Times (London), January 9, 1861, 8:2.


9 C. F. Adams, Reel 77, Jan. 9.

10 Ibid., Jan. 8.

11 Ibid., Jan. 13.


15 F. W. Seward, p. 191.


20 C. Sumner, p. 55.


24 D. P. Crook, p. 330.
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