ALBERT GALLATIN: HIS POSITION IN AMERICAN LEGISLATION AND DIPLOMACY

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ALBERT GALLATIN: HIS POSITION IN AMERICAN LEGISLATION AND DIPLOMACY

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PREFACE

In presenting a study of a particular phase of the career of any great person, it often becomes necessary to examine also other experiences, other activities of that person. An introduction and an examination of the background of a prominent and influential figure is as important in many respects as are the attainments themselves. While many of the great figures of history are known for or by the evident accomplishments of their careers, many everyday occurrences have been very important and have passed unnoticed by all but a few.

While Albert Gallatin has been considered, and properly so, as a great American diplomatist, the popular impression of him has come from his great abilities as the Secretary of the Treasury of the United States, with a lesser reputation as a commissioner in the negotiations at the Treaty of Ghent. Gallatin's worth to his adopted country, upon study, is revealed to be much greater than is generally known, both of his activities at Ghent and during the other phases of his public service.

It shall be the purpose of this study to present an accounting of the career of public service of Gallatin as a legislator and as a diplomat, showing the great value of his service to the country of his adoption. The presentation
shall be divided into several sections, namely those of Gallatin's early experiences in America, his activities while Secretary of the Treasury, while a commissioner at the Treaty of Ghent, and that part of his period of public service following Ghent.
CHAPTER I

ACTIVITIES PRIOR TO 1801

Of all the leaders in the early legislative and diplomatic service of the United States, few men have made contributions equal to those of Albert Gallatin.

Abraham Alphonse Albert Gallatin was born at Geneva, Switzerland, on January 29, 1761. He was descended from a long line of military leaders in Europe and persons of great influence in the Swiss Republic. The influence of the Geneva of the eighteenth century was strong in molding the character of the young Albert, the small republic being the frequenting place for Rousseau, Voltaire, Mirabeau, as well as leading educators of Europe and the sons of prominent figures of every important country of Europe and of the United States.

While not an outstanding student himself, Albert Gallatin graduated from the Academy of Geneva, May, 1779, first in his class in mathematics, natural philosophy, and Latin translation. French, a language in general use in Geneva, was of course familiar to him. He also studied English and showed an accurate knowledge of history and a profound insight into its philosophy.¹

¹ John Austin Stevens, Albert Gallatin, p. 1.
C. C. Maconochie, an English journalist, states of Gallatin's forebears, in 1915,

Albert Gallatin was born in Geneva in 1761, of a family whose members had, to quote the words of Voltaire, 'shed their blood for us from father to son since the days of Henri Quatre,' and his distinguished lineage was not forgotten by the King when in after years he lived in Paris as American Minister at the Court of Louis XVIII. 2

In 1780, while the Hessian troops were in the employ of Great Britain against the revolutionary forces of the United States, Gallatin was offered a commission of lieutenant-colonel in the military service of the Landgrave of Hesse, a close friend of Albert's grandmother. This he refused, to his grandmother's disappointment, saying that he would never serve a tyrant. 3

On April 1, 1780, Gallatin and his friend Serre secretly left Geneva and journeyed to Nantes, on the coast of France, and on May 17 sailed for America, equipped with letters of introduction to prominent Americans. Among these letters was one from Benjamin Franklin—the then American Minister at the Court of Versailles—to his son-in-law, Richard Bache. 4

On July 14 the two young Genevans landed at Cape Ann on the

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4 Stevens, op. cit., p. 11.
American coast and shortly made their way to Boston. The winter of 1780-81 was passed in Maine on an ill-fated trading venture and in October of 1881 Gallatin and Serre returned to Boston. For about a year Gallatin occupied the position of tutor in French at Harvard and then travelled to Philadelphia by way of New York. From New York Serre went to Jamaica, where he died in 1784. At New York Gallatin and Savary de Valcoulon, a French merchant who had come to America to present claims for advances made to the State of Virginia during the war, entered into a partnership. Gallatin gladly accepted Savary's request to accompany him to Richmond from Philadelphia. "I stayed myself in Virginia with Mr. Savary till the spring of 1784, when I went to the Western country, sometimes called the Ohio country, and remained there two years, in locating and directing the surveys of a quantity of land for myself, Mr. Savary, and others." During this time, 1783-84, Gallatin and Savary made the acquaintance, in Gallatin's words "...of all the officers of the government and some of the most prominent members of the legislature." This period was spent in Richmond while waiting for the coming of good weather when they could investigate their holdings on the frontier. 6


6 Adams, Life, p. 27.
Richmond, Gallatin bought several thousand acres of land between the Monongahela and Kanawha rivers for himself.

Of his contacts in Richmond, Gallatin later stated:

... John Marshall, who though but a young lawyer in 1783, was almost at the head of the bar in 1786, offered to take me in his office without a fee, and assured me that I would become a distinguished lawyer. Patrick Henry advised me to go to the West, where I might study law if I chose; but predicted that I was intended for a statesman, and told me that this was the career which should be my aim. 7

The desire to hold claims free of reproach led Gallatin to personally investigate streams, identify landmarks, and prepare maps of the holdings. So well was this done that to this day natives of West Virginia refer to many boundaries as "Gallatin lines." 8

In 1785, at the October court of Monongalia County, Morgantown, Virginia, Albert Gallatin "took the oath of allegiance and fidelity to the Commonwealth of Virginia." 9 He had long considered himself an American citizen; this act merely fixed the place of citizenship.

Gallatin's principal holdings and his residence were in Fayette County, Pennsylvania, and in 1788 he was chosen

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7 Adams, Writings, II, 69.


to represent this county at a conference at Harrisburg, the capital of the state, called for the purpose of suggesting amendments to the federal constitution. During the years 1789-90 he was a delegate to the state convention for revising the Pennsylvania constitution. The next three years he spent as a member of the state legislature in which he was a member of thirty-five committees.

In 1790 Gallatin was elected by a two-thirds majority and in 1791 and 1792 he was re-elected without opposition.

Gallatin was of the opinion that the President of the United States was too powerful. Even in his most mature age he would probably have preferred a system more nearly resembling some of the present colonial governments of Great Britain.

In the national elections of 1793, Gallatin was elected to the United States Senate by the Pennsylvania legislature. In this position he was one of the minority, a Republican, favorable to France, in a Federalist legislature. He took his seat in the Senate on December 2, 1793, only to face immediately the presentation of a

10 Stevens, op. cit., p. 46.

11 Adams, Life, p. 79.
petition to deny him membership on the basis of the fact that he had not been a citizen of the United States for nine years, the required period of time. Short as was the period during which he held his seat, it was long enough for him to seriously annoy the Federalist leaders by calling for a resolution by which the Secretary of the Treasury would be required to present an itemized statement of the national debt on January 1, 1794.\textsuperscript{12}

Following his return from Philadelphia, Gallatin decided to dispose of that portion of his land holdings which lay in western Virginia. He found a buyer in Robert Morris, an extensive speculator of the time. To Morris he sold the lands but recovered them at a later date as Morris eventually ended up in debtors prison, caught in the net of his own speculations, bankrupt.\textsuperscript{13}

On July 15, 1794, occurred the outbreak of western Pennsylvanians against the impositions of the excise tax, since known as the Whiskey Rebellion. Gallatin was not involved in the early demonstrations but rapidly woke to the gravity of the situation when disorder spread even to his own section, Fayette County. As secretary of the faction opposing armed resistance to the tax collectors and the

\textsuperscript{12} Stevens, \textit{op. cit.}, p. 66.

\textsuperscript{13} Dater, \textit{op. cit.}, p. 85.
enforcement officers, Gallatin played a major role in quenching a possible active revolution against the federal government. "He saved the western counties of Pennsylvania from anarchy and civil war." For many years the Federalists exaggerated Gallatin's part in the Whiskey Rebellion, charging him with being an active participant in the formation of open insurrection against the government.

The first session of the fourth Congress of the United States began at Philadelphia on December 7, 1795. Albert Gallatin was a member, having been chosen as Representative from Washington and Allegheny counties, Pennsylvania. The House was nearly evenly divided between the Federalists and Republicans. Gallatin was of the latter party and was destined to become the most dangerous opponent of the Federalists. His first measure was the introduction of an act appointing a standing committee of finance to superintend the general operations of the treasury department, the beginning of the ways and means committee which soon became and has ever since continued to be the most important of the many committees in the House.

In the debate over the Jay Treaty, Gallatin defended the constitutional right of the House to consider treaties,


15 "Albert Gallatin," Fortune (author not given), XXVI (November 1942), 128.
admitting that the President and Senate had the right to make treaties, but maintaining that the House could refuse to pass the finances to carry them out. He was opposed to the treaty with England, objecting to the abandonment of the important principle that free ships make free goods. Perhaps the only individual in any branch of the government who was immediately and greatly benefited by the British treaty was Gallatin. He had by common consent distinguished himself in debate and in counsel. Bolder and more active than Mr. Madison, he was followed by his party with confidence. His leadership was now recognized by the entire country. 17

Gallatin, while he did not originate the idea, was as responsible as any single individual for the embodiment of the land-system of the United States into law. This applied only to the lands northwest of the Ohio River, in which the Indian titles had been extinguished, and provided for laying these out in townships six miles square, to be sold in sections, under certain restrictions. The land-system and the Cumberland Road testify to the breadth and accuracy of his views and were achievements of national importance. 18

16 Stevens, op. cit., p. 123.
17 Adams, Life, p. 166. 18 Ibid., p. 167.
In all the turmoil of debate over the Jay Treaty, the insults of the French Directory, the Alien and Sedition Acts, the naval and commercial policies, the war with France, and the election of 1800, Gallatin showed an unrivaled grasp of constitutional and international law, great power of argument, and a calmness of temper unruftled by the personal attacks of the New England Federalists, who sneered at his foreign birth and French accent.19

It was the belief of Thomas Jefferson that the Sedition bill was intended by the Federalists to drive Gallatin from office. In regard to the abuse directed toward him, in 1798 Gallatin wrote:

As to my political character, during these violent party times no man could expect the approbation of all. Mine is praised by some and abused by others. But you may perhaps remember that I am blessed with a very even temper; it has not been altered by time or politics, and I quietly pursue that line of conduct which to my weak judgment appears to be the best for the welfare of that country which has granted me a generous asylum and entrusted me with its most important concerns. 20

The greatest period of Gallatin's career in Congress was in 1798, when after the publication of the XYZ dispatches had inflamed the people against France and had given the Federalists control of the Government, he was attacked as a French agent. However, the strong measures


of the Federalists shocked the country and the Republicans carried the elections of 1800. Gallatin led his party in the contest in the House, which elected Jefferson over Burr. During the heated debates over checks and counter-checks in the government, Gallatin denied that each department had checks within itself, but none upon others. He claimed that the principle of checks is admitted in all mixed governments. Unlike Jefferson and the Virginians, Gallatin never hesitated to claim for government all the powers necessary for whatever object was at hand, but he agreed with them in checking the practical use of power.

When, on February 11, 1800, a bill was introduced into Congress to suspend commercial intercourse with France, the Republicans were divided. But Gallatin carried enough of his party with him to secure its passage. When, however, in November Napoleon, as First Consul of France, had adopted a more conciliatory attitude and had received the American envoys cordially, Gallatin opposed a measure proposed to continue the suspension.

A shy man in social relations, Gallatin was utterly fearless in debate. There was no mind in the House so

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21 Stevens, op. cit., p. 149.
23 Stevens, op. cit., p. 167.
well stocked with facts, and none with a broader vision or
deeper penetration. There was no one more masterful in
logic, more clear, downright incisive in statement, and
none more impervious to abuse. His was the dignity of a
superior mentality. If his foreign accent was still pro-
nounced, and members of the House, priding themselves on
their refinement and taste, sneered openly, he remained
the perfect gentleman, indifferent to such jeers. In the
midst of excitement, he was calm. When others were des-
mor-alized, he kept his head. A greater figure never stood
upon the floor of an American Congress than did Albert
Gallatin, forcing notable reforms in the fiscal system, and
challenging the Federalists to an intellectual combat that
would call forth their extreme exertions.

Gallatin's third congressional term closed in 1801
with the close of the second session of the sixth Congress.
In his first term he asserted his power and took his place
in the councils of the party. In his second, he became its
acknowledged leader. In the third, he directed its forces
to victory. But for his part in the management of the con-
tested presidential election, Thomas Jefferson might have
been second to Aaron Burr. Yet Gallatin's name is rarely
mentioned in history. Jefferson and Madison became Presidents

of the United States. They, with Gallatin, formed the triumvirate which ruled the country for sixteen years. Gallatin was the youngest of the three, by ten years. The Republican party lost its chief when Gallatin left the House.  

Gallatin was one of the best talkers in America, and perhaps the best-informed man in the country. His laborious mind had studied America with infinite care, and he retained so great an amount of knowledge of European affairs as to fit him equally for the State Department or the Treasury.

Undoubtedly his mind was one of rare power... a mind for which no principle was too broad and no detail too delicate....it was essentially a scientific and not a political mind....His power lay in courage, honesty of purpose, and thoroughness of study....

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27 Fortune, op. cit., p. 129.
CHAPTER II

THE ADMINISTRATIONS OF PRESIDENT JEFFERSON

On May 14, 1801, Albert Gallatin was appointed Secretary of the Treasury of the United States. He had, for a time, considered retiring from public life and entering the study of law in New York. Too, it was doubtful that the strong Federalist Senate would confirm Jefferson's choice of their foremost enemy to a position of such importance and power. Gallatin's own doubt of his confirmation is shown in a letter of February 19, 1801, written to his wife:

Amongst these nominations which, as communicated yesterday to me by Mr. Jefferson, are intended to be made, the most obnoxious to the other party, and the only one which I think will be rejected, is that of a certain friend of yours. That he should be fixed at the seat of government and should hold one of the great offices is pressed on him in such manner and considered as so extremely important by several of our friends, that he will do whatever is ordered. But I will not be sorry nor hurt in my feelings if his nomination should be rejected, for exclusively of the immense responsibility, labor, &c., &c., attached to the intended office, another plan which would be much more agreeable to him and to you has been suggested not by his political friends, but by his New York friends....

The new government was to be led by Jefferson, with Madison, Dearborn, Lincoln, and Robert Livingston as the

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1 Adams, Life, p. 263.
Secretaries of State and War, Attorney-General and minister to France, respectively, and Gallatin as the Secretary of the Treasury. What Hamilton was to Washington, Gallatin was to be to Jefferson. During eight years the country was to be governed by three men, Jefferson, Madison, and Gallatin, among whom Gallatin not only represented the whole political influence of the Middle States, not only held and effectively wielded the power of the purse, but also was avowedly charged with the task of carrying into effect the main principles on which the party had sought and attained power.  

An early important suggestion of Gallatin's resulted in the formation of the President's Cabinet, with regular times set for meetings and consultation by the Secretaries. A letter of November 9, 1801, to President Jefferson suggested this arrangement.

It seems to me that a general conference once a week, to which might be added private conferences of the President with each of the Secretaries respectively once a week is a necessary measure; but those conferences should be fixed on certain days and hours, otherwise they will be only occasional and, as we have already experienced, often omitted. Feeling as I do, the necessity of concert, I make no apology for the suggestion.  

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2 Ibid., p. 269.

3 Adams, Writings, I, 59.
In so far as it is not the intent of this study to present Gallatin's accomplishments as the financial leader of the government during his public career, it will suffice to report the statement of Edward Channing, who states: "The system established by Gallatin remains to this day, and is undoubtedly one of the most perfect organizations of a great financial machine which can be found anywhere in the world." 

Gallatin was sincerely and strongly imbued with the opinion that public offices should be distributed on the basis of merit, not patronage. True, when the abilities of men were found to be equal, he favored Republicans. Early in his new position of responsibility, on July 1, 1801, he prepared a circular in which he stated that the doors of public offices were no longer to be shut against any men because of their political opinions, but that integrity and capacity suitable to the station were to be the only qualifications required. He further declared that the President, considering freedom of opinion or freedom of suffrage at public elections imprescriptible rights of citizens, would regard any exercise of official influence to sustain or control the same rights in others as injurious to the

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public administration and practically destructive of the fundamental principles of a republican Constitution. 5

It was Gallatin who in February of 1802, suggested that in admitting the new state of Ohio into the Union, section number sixteen of every township sold should be granted to the inhabitants of such townships for the use of schools. In this way began the splendid provision for education in the states erected on the national domain. 6

In the difficulties with the Barbary powers, Gallatin strongly recommended the payment of annuities, bribes, to Tripoli, if necessary for peace. He considered it a mere matter of calculation whether the purchase of peace was not cheaper than the expense of war. 7

To Jefferson, August 16, 1802, he wrote:

I sincerely wish you could reconcile it to yourself to empower our negotiators to give, if necessary for peace, an annuity to Tripoli. I consider it no greater disgrace to pay them than Algiers. And indeed we share the dishonor of paying those barbarians with so many nations as powerful and interested as ourselves, that, in our present situation, I consider it a mere matter of calculation whether the purchase of peace is not cheaper than the expense of a war, which shall not even give us the free use of the Mediterranean trade. 8

5 Stevens, op. cit., p. 292.

6 Channing, op. cit., p. 34.

7 Stevens, op. cit., p. 294.

8 Adams, Writings, II, 60.
Each of President Jefferson's annual messages to the Congress came under the careful scrutiny of Gallatin, as well as his second inaugural address. Not only the subject of finance, as presented by the President, but all of the issues of the day were subject to the criticism and attention of his advisor and "obedient, affectionate servant."

Gallatin's counsel was sought, and his opinion deferred to, on subjects which did not fall directly within the scope of administration. Even on questions of fundamental constitutional law his judgment was not inferior to that of Madison himself. In 1803, when the acquisition of East Louisiana and West Florida was a cabinet question, Gallatin held that the United States as a nation possessed the right to acquire territory, and that, when acquisition is by treaty, the same constituted authorities in whom the treaty power is vested have a constitutional right to sanction the acquisition and that when the territory has been acquired Congress has the power either of admitting into the Union as a new state or of annexing to a state, with the consent of that state, or of making regulations for the government of the territory.  

9 Stevens, op. cit., p. 295.
Gallatin believed that the government should take active measures in the seizure of West Florida and East Louisiana and took an active part in the arrangements for taking possession of New Orleans, urging the dispatch of an imposing military force for this purpose. He declared that this action would add to the foreign opinion of the United States, its power, resources, and energy.

In 1803 Gallatin strongly urged the carrying out of plans for Captain Lewis to lead an expedition into the Missouri country.

The future destinies of the Missouri country are of vast importance to the United States, it being perhaps the only large tract of country, and certainly the first which, lying out of the boundaries of the Union, will be settled by the people of the United States.... The great object to ascertain is whether from its extent and fertility that country is susceptible of a large population in the same manner as the corresponding tract on the Ohio. 10

It is important to note that in the arrangements for carrying out the financial arrangements of the Louisiana Purchase from France, Gallatin personally made the payment contract with the English firm headed by Alexander Baring. In the years to come Gallatin's contacts with and acquaintance with Baring were to prove of inestimable value, namely, in the negotiations leading to the Treaty of Ghent.

10 Adams, Writings, I, 120-121.
The dispositions for the sale of lands in the western territory, the extinguishment of titles, and the surveys of lands fell under Gallatin's general supervision, and were the objects of his particular care. So also was the establishment of the authority of the United States in the Louisiana territory.

The direction of the public lands had come under his supervision in 1801. The state of Georgia had become the scene of a corrupt sale of certain lands, which sale was annulled by the state. The purchasers pressed their claims and Gallatin with his fellow-commissioners, James Madison and Levi Lincoln, recommended a compromise by which five million acres were to be reserved in order to make compensation for all claims. This was embodied into law by Congress. In 1805 John Randolph viciously attacked the work of the commissioners and Congress for its action. The attack was taken up by the opposition and matters became very serious for the administration. Even Gallatin became in danger of losing a great deal of his popularity in his home state, Pennsylvania. It was under the administration of the public lands that Gallatin provided the details for the settling of the Yazoo land dispute in Georgia. 11

11 Channing, op. cit., p. 133.
Jefferson wrote to Gallatin on October 3, 1803 as follows: "Th. Jefferson asks the favor of Mr. Gallatin to examine with rigor the enclosed project of the message to Congress, and to note on a separate paper the alterations he thinks advantageous." 12

In reply to the President, part of Gallatin's suggestions stated:

... Great Britain is not mentioned in the message, except by an allusion to her aggressions, which cannot well be omitted, but which, contrasted with what must be said of the French government respecting Louisiana, may be more displeasing to her than is necessary, and may also be misrepresented as giving, on the whole, an aspect of partiality to the message. For the purpose of removing any such impression or insinuation, ... might not the two conventions made with that power, by which our eastern and northwestern limits are fixed and every territorial subject of dispute with them is removed, be mentioned? 13

In some instances, the opinions of Gallatin and Madison as Secretary of State under President Jefferson, did not agree. It then became necessary for the President to make a choice between the two. On June 9, 1804, Jefferson wrote to Gallatin:

Will you give to the enclosed observation of Mr. Madison as careful a perusal as you can? I have always been in hopes that you and he would by discussion come to a common opinion. I suppose, however, this has not taken place, and the views of our Constitution

12 Adams, Writings, I, 154.

13 Ibid., p. 159.
in preferring a single Executive to a plurality having been to prevent the effect of divided opinions, and to insure an unity of purpose and action, I presume I must decide between the opinions, however reluctantly. 14

One of the most pressing questions of the day was that of trade with the West Indies, at the time in a state of rebellion against France. In a letter of January 3, 1805, to S. L. Mitchell, United States Senator, Gallatin gave his views on the status of trade to the French island of San Domingo.

... San Domingo is a French colony, recognized as such by the United States and by every European nation, a colony in a state of rebellion against the mother-country; and the question is whether any nation has a right to carry on commerce with a port, province, or colony in a state of rebellion against that country of which it has heretofore been acknowledged as a part. On that point there does not and there never has existed any doubt. Such trade is, by the common consent of all nations, as well as in conformity with the rules of common justice and common sense, altogether illegal, and will render parties concerned therein liable to capture, condemnation, and such other punishment as the aggrieved nation shall think proper by law to provide. 15

In his remarks on Jefferson's proposed inaugural speech of 1805, can be found a sage bit of advice and wisdom. Gallatin stated: "... the more that has been done shall in the speech be ascribed to others than the Executive, the less shall any imputation of self-applause attach to it." 16

14 Ibid., p. 196. 15 Ibid., p. 221. 16 Ibid., p. 228.
Gallatin's services to President Jefferson were of a much greater extent than those of his position as Secretary of the Treasury. Among his multifold duties were such as recommending persons for positions in the various departments of the government. Among those so recommended was, in 1804, William Pinkney, for minister to Spain. Pinkney was a Federalist, from Maryland. Another, also in 1804, was J. T. Mason, of Virginia, for the position of Attorney-General, with John Breckenridge, of Kentucky, as his second choice. Breckenridge was highly regarded by Gallatin and was in later years to be considered by him as his successor. He became Attorney-General.

In August, 1805, Jefferson asked Gallatin, as well as the other secretaries, for their views on the unsettled Spanish situation, that is, the disputed boundaries of Louisiana and spoliations. Gallatin answered that the present claims by the United States to boundaries were not self-evident, but constructive. His opinion was that the United States commissioners at the purchase of Louisiana had accepted the territory without descriptive boundaries, leaving no cause for a war with Spain over the differences in opinion. He also stated that: "...the word 'retrocede' is the only expression in the Treaty of San Ildefonso which countenances the construction of Spain. She insists that that expression confined hercession to so
much only as she had received from France." 17 In regard to spoliations, Gallatin declared:

... the conduct of Spain was not, however, at the time considered as a cause of war; and it may be said at this moment that, in the relation in which she then stood towards France, of alliance against an enemy, and of vassalage to that great power, her conduct was a natural consequence of our hostilities with that nation. 18

In regard to the disputed territory west of the Mississippi, he stated: "...the only proposition which appears practicable is that neither party should form any new military posts in advance of what they have, nor particularly between Matchitoches and San Antonio, leaving both at liberty to reinforce all existing military posts." 19

On December 4, 1805, the President wrote to Gallatin:

Enclosed is a revised edition of the Spanish resolutions, in which you will find most of your ideas conformed to. That respecting money is omitted; that it may be provided in the way you suggest. In the message, also, I have adopted all your amendments except the last, which respected merely the arrangement of the phrases, and could not be satisfactorily altered. 20

In further connection with the land system, Jefferson favored and Gallatin devised, an extensive plan of internal improvements. The route of the Cumberland Road from the Potomac to the Ohio was reported to Congress in

17 Ibid., p. 242. 18 Ibid., p. 244.
19 Ibid., p. 248. 20 Ibid., p. 281.
1807 and a coast survey was ordered. The first superintendent was a Swiss, Hassler, brought to the notice of the President by Gallatin. In 1808 a general plan of improvement was submitted to the Senate. This included a continuous line of inland navigation from the Hudson to Cape Fear, a turnpike from Maine to Georgia, the improvement of rivers to serve the Atlantic slope and the country west of the Mississippi, roads across the Appalachian range, canals connecting the Hudson with Lakes Champlain and Erie, and further canals at the falls of the Ohio and around Niagara Falls.

Following the incident of June 22, 1807, in which the British ship *Leopard* had attacked and seized the American *Chesapeake*, Jefferson issued a call to Congress to assemble on the fourth Monday in October. Gallatin was in favor of an immediate call and war with England. He said at the time: "We will be poorer both as a nation and as a government, our debt and taxes will increase, and our progress in every respect be interrupted; but all those evils are not only not to be put in competition with the independence and honor of the nation, they are moreover temporary and a very few years of peace will obliterate their effects." 22 By October Gallatin had cooled slightly,

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stating in a letter of the seventeenth, to Jefferson:

...We will be universally justified in the eyes of the world, and unanimously supported by the nation, if the grounds of war be England's refusal to disavow or to make satisfaction for the outrage on the Chesapeake....In every view I feel strongly impressed with the propriety of preparing to the utmost for war, and carrying it with vigor, if it cannot be honorably avoided; but in the mean while persevering in that caution of language and action which may give us some more time and is best calculated to preserve the remaining chance of peace and most consistent with the general system of your Administration. 23

For his part in the discussion of the Chesapeake affair, Gallatin was credited by George Henry Rose, Britain's envoy at the time, as being "...by far the ablest and best informed member" of Jefferson's administration. 24

When relations with Europe became strained and in December, 1807, Jefferson put into effect the embargo, Gallatin declared: "I prefer war to a permanent embargo," and reported that a continuous embargo would necessitate a loan while war would not. 25 He recognized the danger of government prohibitions, and thought that statesmen might well hesitate before they took the hazard of regulating the concerns of individuals. Gallatin's words to Jefferson

on December 18 were: "...Governmental prohibitions do always more mischief than had been calculated; and it is not without much hesitation that a statesman should hazard to regulate the concerns of individuals as if he could do it better than themselves." 26

Gallatin believed that, as long as the embargo was to be in effect and odious as he thought it was, the Executive should be invested with most arbitrary powers and sufficient force to carry it into effect. 27 He also preferred, in 1807, that the proposed embargo be limited in time. "The measure being of doubtful policy, and hastily adopted on the first view of our foreign intelligence, I think that we had better recommend it with modifications, and at first for such a limited time as will afford us all time for reconsideration, and if we think proper, for an alteration in our course without appearing to retract." 28

In December of 1808, Gallatin proposed the plan of substituting for complete embargo nonintercourse with Great Britain. He believed that this would eventually bring reconciliation with Great Britain and unite both countries against France. The suggestion was made known

26 Adams, Writings, I, 368.
27 Adams, History, IV, 262.
28 Adams, Writings, I, 368.
to Orchard Cook and relayed to John Quincy Adams in a letter of December 29, 1808. But Jefferson, Madison, and Gallatin entreated Congress to stand firm, to maintain their ground, to leave the embargo in effect until the following June. Against them were those who demanded repeal of the embargo, submission. Gallatin stated:

... that in the present situation of the world every effort should be attempted to preserve the peace of this nation cannot be doubted. But if the criminal party-rage of Federalists and Tories shall have so far succeeded as to defeat our endeavors to obtain that object by the only measure that could possibly have effected it, we must submit and prepare for war....

During the period of chaos in the White House, December, 1808, Gallatin prepared the declaration known as Campbell's Report, and presented by George W. Campbell, chairman of the Committee on Foreign Relations of the House of Representatives. Henry Adams states that this report has never been surpassed in the political literature of the United States. It stated, in part, "... there is no other alternative but war with both parties or a continuance of the present system." For war with one of the belligerents only would be submission to the edicts and will of the other; and a repeal, in whole or in part, of the embargo

29Samuel Flagg Bemis, John Quincy Adams and the Foundations of American Foreign Policy, p. 150.
30Adams, History, IV, 434.
31Adams, Writings, I, 399.
must necessarily be war or submission. The Report called for three resolutions on which all parties could take their stand, whether for war or embargo. The first declared that the United States could not, without a sacrifice of their rights, honor, and independence, submit to the edicts of Great Britain and France. The second declared the expediency of excluding from the United States the ships and the products of all powers which maintained these edicts in force. The third recommended immediate preparations for defense. All were adopted.

Later in the same month, Gallatin wrote to Joseph H. Nicholson,

... but a great confusion and perplexity reigns in Congress. Mr. Madison is, as I always knew him, slow in taking his ground, but firm when the storm arises. What I had foreseen has taken place. A majority will not adhere to the embargo much longer; and if war be not speedily determined on, submission will soon ensue. 33

At the close of his second term, President Jefferson became more than cautious, wishing to leave the decisions concerning such vital problems as the embargo and possible war to his successor. Gallatin, however, struggled to give a show of character to the government, with a plan for a non-intercourse act and for arming, to show both France

32 Adams, History, IV, 372.

33 Adams, Writings, I, 499.
and Great Britain that the United States was actually united and not in rebellion. Secretary Gallatin's importance to the administration of President Jefferson is weighed well in the statement of Henry Adams:

Jefferson and Madison, Dearborn and Robert Smith might do what they would so long as they left Gallatin free to control the results of their experiments; for Gallatin redeemed the mistakes of his party. Madison's foreign policy had brought only trouble to the government; Dearborn's army had shown itself to be more dangerous to the Union than to its enemies; Smith's gunboats were a laughing stock; but Gallatin never failed to cover every weak spot in the Administration. 35

In the defense of Jefferson, when charged of partiality by Erskine, envoy of Great Britain, Gallatin wrote to the National Intelligencer: "... Mr. Jefferson never had in that respect any other object but the protection of the rights of the United States against every foreign aggression or injury, from whatever nation it proceeded, and has in every instance observed toward all the belligerents the most strict justice and the most scrupulous impartiality." 36

34 Adams, History, IV, 369.
35 Adams, History, IV, 150.
36 Adams, Writings, I, 475.
CHAPTER III

THE FIRST ADMINISTRATION OF PRESIDENT MADISON

Upon the expiration of the second Jefferson administration, its old champion, John Randolph was left to chant: "Never has there been any administration which went out of office and left the nation in a state so deplorable and calamitous." Into the situation so left came the administration of President James Madison.

Madison had wished and intended to appoint Albert Gallatin to succeed himself in the Department of State, and proposed to transfer Robert Smith, who had been Secretary of the Navy under Jefferson, to the Treasury Department. He was not permitted to make this arrangement. It was made plain by the opposing faction in the Senate, that such appointments would be rejected. This faction, headed by General Samuel Smith and Senator William Branch Giles, was clearly against the will of the President and continued to harass and perplex the administration of James Madison throughout the period of the War of 1812. This

1 Adams, Life, p. 391.

2 Adams, History, IV, 429.
same faction was responsible for the appointment of Robert Smith as Secretary of State at a most critical period of foreign affairs, to the exclusion of a man eminently qualified for the office. "Had Mr. Gallatin been then appointed Secretary of State, it is highly probable that the war with Great Britain would not have taken place." 3

Updyke states:

The negotiations of three administrations failing to remove the causes of grievance of the United States against Great Britain, the war cloud which had long been upon the horizon now drifted nearer. If the United States, prior to the declaration of war, had been represented at the court of St. James by a minister plenipotentiary of the ability of Albert Gallatin,... it is possible that the war might have been averted. 4

Beirne reflects:

Smith, a Marylander and a man of limited intellect and talent, had been foisted upon Madison by a political clique that was jealous of Albert Gallatin who, by every measure of training and ability, should have had the post. As a result, Robert Smith was a figure-head while Madison performed the functions of Secretary of State as well as those of the chief executive. 5

In a report to Congress, dated February, 1809, and entitled, "Notes on the Political Situation," Gallatin presented a careful study of the advantages and inconveniences

3 Adams, Life, p. 391.
4 Frank A. Updyke, The Diplomacy of the War of 1812, p. 125.
5 Francis F. Beirne, The War of 1812, p. 47.
of embargo, non-intercourse, and letters of marque. It "...no doubt served as a brief for consultation with Madison upon his inaugural message, it being then understood that Gallatin was to be Secretary of State."  

The problem of greatest concern early in the administration of President Madison is stated in his own words in a letter of July 28, 1809, to Secretary Gallatin. Madison wrote: "The point of most urgency seems to be the effect of the failure of the arrangement on our commercial relations with Great Britain."  

David Montague Erskine, British envoy to the United States, had made an agreement with Secretary Smith, providing that the onerous British orders in council would be lifted upon the opening of American ports to British shipping. But with the advice of Erskine three months later, on July 31, that his Majesty had repudiated the agreement, Madison’s administration was once more in serious distress.

That Gallatin was present in the discussion of the arrangements between Great Britain and the United States is evidenced in his letter of August 13, 1809, written to Erskine. In this letter Gallatin discussed the

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6 Stevens, op. cit., p. 305.

7 Adams, Writings, I, 456.
stipulations for such an agreement. The British had maintained that one condition of an agreement between the two nations would be the revocation of American rights to colonial trade and acquiescence to the rule of 1756. Gallatin stated, in his letter to Erskine, that he never could have given countenance to an opinion that the United States would agree to or that it would be proper to make any arrangement whatever respecting the colonial trade a condition of the revocation of the orders in council. He regarded the two subjects as altogether unconnected and that such an arrangement could be effected only by treaty. The right to a trade between such colonies and the United States generally, never could be nor would be, in his opinion, abandoned or its exercise be suspended by the government of the United States.  

Albert Gallatin's knowledge of conditions in Europe and their effect on the United States is illustrated in a letter of September 11, 1809, to the President in which he states:

...It appears to me very clear that a peace there will immediately take place without the annihilation or any capital reduction of the power of Austria being made a condition of it. This is the most favorable possible result for us. There

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8 Updyke, op. cit., p. 108.

9 Adams, Writings, I, 460-1.
will still remain sufficient strength in the north of Europe to make it an object with Bonaparte, and even with England, to soothe those powers as far as consistent with their general system. And it is probable that if everything is and remains quiet on the continent of Europe, and if Spain is reduced, that England will be pushed so hard that they will be compelled to do us some justice. 10

It is doubtful that at any time during the history of the United States the difficulties of administration were ever more great than during the years 1809-11. The congressional session of 1808-09 had proven two facts: one, that the nation would not stand for the embargo; the other, that it could not be brought to the point of war. Adams states that as far as President Madison and his administration are concerned, it is safe to say that they would at any time have accepted any policy which would have united the country behind them. As for Gallatin, he had yielded to the embargo because it had the support of a great majority of Congress. He had done his utmost to support the only logical consequence of the embargo, that of war. Congress had rejected both embargo and war, and had fallen back on a system of non-intercourse which had most of the evils of embargo, much of the expense of war, and all the practical disgrace of submission. Gallatin could do nothing else than 11 make the best of this also.

10 Ibid., p. 462.  11 Adams, Life, p. 397.
Constantly under the attack of the opposition headed by General Smith and Senator Giles, Gallatin often considered resigning from public office. But his sense of duty and obligation overcame such consideration. In November of 1809 he wrote to Thomas Jefferson, "... the gratitude and duty I owe to the country which has received me and honored me beyond my deserts, the deep interest I feel in its future welfare and prosperity, the confidence placed by Mr. Madison in me, my personal and sincere attachment for him, the desire of honorably acquiring some share of reputation, every public and private motive, would induce me not to abandon my post, if I am permitted to retain it, and if my remaining in office can be of public utility."12 During the same trying times, Judge Nicholson wrote to Gallatin:

...Your retiring from office is a subject upon which I do not like to reflect, because I believe that you will be a great public loss. It will be a loss that Mr. Madison will feel immediately, but the public will not perceive it in its full extent for some years. 13

During the following May, Jefferson wrote that endeavors were being made to drive from the administration of Madison the ablest man, except the President, who ever

12 Adams, Writings, I, 464-5.

13 Adams, Life, p. 403.
was in it, and to beat down the President himself because he was in it, and to part with such a counsellor.  

Gallatin's decision, strengthened by the wishes of the President, was to remain in the office of Secretary of the Treasury and continue his work in behalf of the good interests of the country. In this capacity he remained until 1813.

The embargo having been discontinued, it became necessary to replace it with some means of retaliating against the acts of Great Britain and France. It fell to Gallatin to suggest some method to re-establish policy and to give the government solid ground to stand on. In his message, as to the condition of the Treasury, on December 8, 1809, he stated: "...it is incumbent to state that from the experience of the last two years a perfect conviction arises that either the system of restriction, partially abandoned, must be reinstated in all its parts and with all the provisions necessary for its strict and complete execution, or that all the restrictions, so far at least as they affect the commerce and navigation of the citizens of the United States, ought to be removed."  

14 Stevens, *op. cit.* p. 308.

15 Adams, *Life*, p. 413.
On December 19, Nathaniel Macon, from the committee on Foreign Relations, reported a bill which was understood to have come from the Treasury Department. Edward Channing, in The Jeffersonian System, states: "...the bill introduced by Senator Macon in 1809 excluding both British and French ships from American ports, was authored by Gallatin." Commonly known as Macon's Bill, No. 1, it contained provisions for excluding British warships and merchant vessels from American harvests. It restricted importations of British and French goods to American ships and limited these importations to goods only coming direct from England and France; the President was authorized to remove these restrictions whenever either England or France should remove theirs; it repealed the old non-intercourse act, and was limited to March 4, 1810. The bill passed the House but was defeated in the Senate by the opposition under General Smith and Senator Giles.

Macon's Bill No. 2, which offered Great Britain and France the guarantee that if either would repeal its edicts the United States would prohibit trade with the other, was passed over the protest of Gallatin and the President. Adams considers this act as the most disgraceful act on the American statute-book. It surrendered all resistance to

16 Channing, op. cit., p. 244. 17 Adams, Life, pp. 413-414.
the British and French orders and edicts. It repealed the non-importation law, left our shipping unprotected to the operation of foreign municipal laws; it offered "not even a protest against violence and robbery such as few nations had ever endured except at the edge of the sword."\(^{18}\)

However, Macon's bill did have a singular effect on the American foreign relations. Ever since the repeal of the embargo England had been in the position of the most favored nation. Now, on the 5th of August, Emperor Napoleon repealed his Berlin and Milan decrees, it being understood that England would revoke her orders in council and renounce her new principles of blockade, or that America should carry out the terms of the Macon bill. It is interesting to observe that Napoleon said nothing about the little known Rambouillet decree, under which France held possession of all American property in France.\(^{19}\)

It is further interesting to note that in 1821, while minister to France, Gallatin, quite by accident, discovered a Napoleonic decree, dated the same day as the revocation of the Berlin and Milan decrees. This decree, in retaliation for supposed American confiscations of French property, confiscated into the imperial treasury,

\(^{18}\) Ibid., p. 416.

\(^{19}\) Ibid., p. 421.
without trial or delay, all American property in France
and further provided that American ships should be allowed
to enter French ports but were not to be permitted to un-
load or depart, without the personal permission of the Em-
peror. This decree was never made known to the United
States until Gallatin's discovery.

On February 2, 1811, with Britain still refusing to
repeal the orders in council, the non-intercourse and non-
importation laws were revived against her. From July, 1811
to June, 1812, Secretary of State Monroe, having succeeded
Smith in April, 1811, carried on negotiations with the
British minister Foster, seeking a peaceful settlement of
the difficulties between the two countries. Each stated
the position and views of his country. On April 4,
1812, Congress passed its last hostile act short of war.
This was another embargo act, openly declared by its sup-
porters as preparatory to war. During this period of
a year, Gallatin was busied with arrangements of finance
necessary for the conduct of the approaching war, as well
as the other activities in the affairs of the administration.
On June 19, 1812, the President's recommendation for a
declaration of war was carried out after having been favor-
ably passed on by Congress.

Ibid., p. 422.  
Updyke, op. cit., p. 127.
Daily Albert Gallatin's position in the government became more irksome, until he at last abandoned all attempts to control the drift of the party. Unfortunately for the country, the Republican party knew neither how to prepare for war, nor how to keep the peace. Madison had none of the qualifications of a war president, neither had he executive ability, decision of character, nor yet that more important faculty, knowledge of men. In his attachment to Madison and in loyalty to what remained of the once proud triumvirate of talent and power, Gallatin supplied the deficiencies of his fellows as best he could.

As he had done several times in his public career, Gallatin again considered resigning his office, even to the extent of tendering his resignation. On one such occasion, Jefferson had attempted to dissuade him, writing:

"...We will never see another President and Secretary of the Treasury making all other objects subordinate to this. Were either of you to be lost to the public, that great hope is lost. I had always cherished the idea that you would fix on that object the measure of your fame and of the gratitude which our country will owe you."

Jefferson was speaking of the discharge of the debt, vital to the destinies of the government. He continued:

"...I hope, then, you will abandon entirely the idea you expressed to me, and that you will consider the eight years to come as essential to your political career. I should certainly consider any earlier day

22 Stevens, op. cit., p. 309.
of your retirement as the most inauspicious
day our new government has ever seen. 23

Again, in March of 1811, Gallatin wrote to the
President, Madison:

... I have long and seriously reflected on the
present state of things and on my personal situa-
tion. This has for some time been sufficiently un-
pleasant, and nothing but a sense of public duty
and attachment to yourself could have induced me
to retain it to this day. But I am convinced that
in neither respect can I be any longer useful un-
der existing circumstances... It appears to me that
not only capacity and talents in the Administra-
tion, but also a perfect heartfelt cordiality amongst
its members, are essentially necessary to command
the public confidence and to produce the requisite
union of views and action between the several branches
of government. In at least one of these points your
present Administration is defective... I hope that I
hardly need add any expressions of my respect and
attachment to you, of the regret I will feel on leav-
ing you at this critical time, and the grateful sense
I ever will retain of your kindness to me. 24

This letter produced a Cabinet crisis. Madison de-
clined to accept Gallatin's resignation, dismissed his
Secretary of State, Smith, and authorized Gallatin to
sound James Monroe, then Governor of Virginia, as to his
willingness to enter the Cabinet. Gallatin applied to
Senator Brent of Virginia for his opinion concerning the
possibility of Monroe's acceptance of the appointment.
Brent replied, "I have no doubt... that Colonel Monroe will
accept the office... he seems to be extremely anxious,

previous to his final decision, to have a personal inter-
view with the President." 25

Monroe stated in a letter to Brent,

...I have great sensibility to the proposition which
seems to be made to me through you as a mutual friend,
to come into the Department of State, and many strong
motives prompt me to accede to it... I am aware that
our public affairs are far from being in a tran-
quil and secure state.... I have no doubts from my
knowledge of the President and Mr. Gallatin, with
the former of whom I have been long and intimately
connected in friendship, and for both of whom, in
great and leading points of character, I have the
highest consideration and respect, that if I came
into the government the utmost cordiality would sub-
sist between us. 26

Monroe accepted the desired assurances, and assumed
the new office on the first of April, 1811. The change
in the State Department was a great relief to the Pres-
ident but became a source of great annoyance to Gallatin.
Smith and his followers put the blame of his dismissal
on Gallatin and it was the confidence of Madison and
Gallatin's own supereminent qualities which sustained
him. 27

Other Cabinet changes were imminent. William Eustis,
who had succeeded General Dearborn as Secretary of War,
was unequal to the growing responsibilities of the office.
The only conspicuous candidate for the position was General

25 Ibid., p. 497.  
26 Ibid., pp. 497-8.  
27 Adams, Life, p. 437.
Armstrong, who Gallatin had always disliked, and who cordially returned the sentiment. There could be no real harmony between Gallatin and General Armstrong. Justice Chase of the Supreme Court had died and when Duval, Madison's appointee resigned, William Pinkney, recently minister to England, took the post of Attorney-General.

Although Gallatin had lost his position of control in the House, he still preserved his influence with the Committee of Ways and Means. When it became clear, late in 1811, that war was imminent, the committee and its chairman, Ezekiel Bacon, requested Gallatin to appear before them to discuss the question of war taxes. This Gallatin did, stating in addition: "...I see not how we can now recede from our position with honor or safety. We must now go on and maintain that position with all the available means we can bring to bear on the enemy whom we have selected."

In 1812 there was in Congress a group who wished to use the embargo as a means of negotiation with Great Britain. Senator Worthington was a leader of this group who wished to send a commission to England, for negotiation. Had President Madison thrown himself into the arms of the peace party, had he but known of the disorganization in

\[\text{Ibid.}, \ p. \ 440.\]  
\[\text{Ibid.}, \ p. \ 450.\]
the British government at this time and of their intentions to repeal the odious orders in council, and had he but sent to Congress the nominations of James Bayard and James Monroe or Albert Gallatin as special commissioners to England, "the war could hardly have happened."

In regard to the situation at the time, on March 10, 1812, Gallatin wrote to Jefferson,

....You have seen from your retreat that our hopes and endeavors to preserve peace during the present European contest have at last been frustrated. I am satisfied that domestic faction has prevented that happy result. But I hope nevertheless that our internal enemies and the ambitious intriguers who still attempt to disunite will ultimately be equally disappointed.

The weight of government now fell almost wholly upon Monroe and Gallatin. It is believed that even the act of the organization of the army at the beginning of the war was drawn up by Gallatin.

In regard to Gallatin's part in the planning of the action of the navy, on June 1 Monroe wrote to Gallatin, "I am convinced that it is very important to attempt at present the maritime war only." On June 12 Gallatin wrote to President Madison:

To protect...our coasting vessels, whilst the British have still an inferior force on our coasts, appears to me of primary importance. I think that

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30 Ibid., p. 460.  
31 Adams, Writings, I, 517.  
32 Adams, Life, p. 462.
orders to that effect, ordering them to cruise accordingly, ought to have been sent yesterday, and that, at all events, not one day longer ought to be lost. 33

Two days later the order went to Commodore Rogers, "Your general cruising ground for the present will be from the Capes of the Chesapeake eastwardly. Commodore Decatur, ...having the same object in view, will, for the present, cruise from New York southwardly." 34

As late as January 5, 1813, the President requested of Gallatin: "...I wish your aid on many points, especially on all those that are connected with supplies and expenditures in every part of our military system." 35

While it is not directly in accord with the subject of this study, it is a vital fact to note of an arrangement made by Gallatin in 1812, on the eve of war. The treasury, on April 1, was empty. There were no funds to meet the requisitions of the Army and Navy. The crisis was serious and it was in this emergency that John Jacob Astor rendered Gallatin and the country essential aid. By his assistance Gallatin was enabled to make his terms with David Parish and Stephen Girard, and thus three foreigners

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33 Adams, Writings, I, 520-521.
34 Adams, Life, p. 465.
35 Adams, Writings, I, 531.
by birth, Gallatin himself being of foreign birth, saved the United States from bankruptcy, and "perhaps from evils far more fatal." From these three personal friends of Gallatin, the Treasury of the United States received timely loans of over ten million dollars.

One of the problems of the Administration in the last several years had been the Floridas. Both East Florida and West Florida had been considered as important to the interests of the country and Gallatin had taken an active part in the consideration and debate of their acquisition. On September 5, 1810, Gallatin wrote to Madison, stating that the law also which authorized the President to take possession of Louisiana would legally cover any other measures which policy might dictate in relation to that part of West Florida which lay between the Mississippi and the Perdido...."But what ground ought generally to be taken consistent with justice, the rights and interests of the United States, and the preservation of peace, is the difficult question."

When, after the show of intention by Russia to mediate between the United States and Great Britain, the President stated the rights of the United States to West Florida as

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36 Adams, Life, p. 477.

37 Adams, Writings, I, 487.
cession from France and to East Florida as an indemnity for spoliations from Spain, and of the intention to seize Mobile by force, Gallatin wrote:

...I do not very well understand the object of your letter respecting the Floridas. But it suggests two observations which I beg leave to submit to your consideration. 1st. Where is the importance of taking possession of Mobile this summer? We may do this whenever we please, and is it not better to delay every operation of minor importance which may have a tendency to impede our negotiations with Great Britain and Russia? You know that to take by force any place in possession of another nation, whatever our claim to that place may be, is war; and you must be aware that both Russia and Great Britain will feel disposed, if not to support the pretensions of Spain against us, at least to take part against the aggressor. 38

38 Ibid., p. 539.
CHAPTER IV

THE TREATY OF GHENT

The first indication of the willingness of Great Britain to settle the causes of dispute with the United States came shortly after the declaration of war. On June 23, 1812, the British orders in council were revoked because of the disastrous effect which they had upon English manufactures, not because of a desire to favor the United States. A condition of the revocation of the orders, however, was that the government of the United States should remove all restrictions upon the public and private vessels of Great Britain.

Admiral Warren, commanding the British fleet in American waters, was instructed to propose an armistice to the American government. This Warren did, to Secretary Monroe, who replied that the President would be very glad to make arrangements to terminate hostilities on conditions honorable to both nations. The conditions were those proposed earlier by Minister Russell at London, that the practice

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1 Updyke, op. cit., p. 139.

2 American State Papers, Foreign Relations, III, 591.

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of impressment should be discontinued simultaneously with
the prohibition of employment of British seamen in the navy
of the United States.

This proposal had been rejected by Castlereagh and was
insisted upon as the first condition to a cessation of
hostilities. "Experience has evinced," said Monroe, "that
no peace can be durable unless this object is provided
for." Admiral Warren refused to commit his Government to
the relinquishment of the alleged right of impressment and
the negotiations for an armistice ceased.

The next attempt to secure peace came from Russia a
year later. In a contest with so formidable a power as
Great Britain the United States had felt the need of the
friendship of the other European states. It had instructed
its various representatives at foreign courts to use their
best efforts to cultivate the friendship of the states to
which they were assigned. John Quincy Adams had done a good
job at the Court of St. Petersburg. The Russian Government,
upon learning of the declaration of war by the United States
upon Great Britain, offered informally to the ministers of
the United States and Great Britain a proposal of mediation
on the part of the Russian Emperor. Czar Alexander was an-
noyed that the United States chose to go to war with Great
Britain at this time. Russia, plagued by Napoleon's

3Ibid., III, 596-8.
Continental System, had welcomed the American trade that reached her shores and regretted the severance of this trade by her ally Great Britain. Too, Russia was anxious to secure in the United States a balance against the overwhelming dominion of England on the sea.

The knowledge of Russia's offer of mediation reached the Department of State on March 8, 1813. On the following day similar information was presented by Count Daschkoff, the Russian charge d'affaires at Washington, who, in a note to the Secretary of State, communicated officially the offer of the Emperor to act as a mediator between the United States and Great Britain.

Secretary Monroe replied to Daschkoff on March 11, announcing the acceptance of the offer of mediation. He stated the arrangements would be made at once to enable the Emperor to carry out his generous purpose. In keeping with the promise made to the Russian charge d'affaires, President Madison proceeded immediately to appoint John Quincy Adams, United States Minister Plenipotentiary at the Court of St. Petersburg, Albert Gallatin, Secretary of the Treasury, and James Bayard, United States Senator, as Envoys.

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Extraordinary and Ministers Plenipotentiary to meet with persons similarly appointed by Great Britain, at St. Petersburg under the mediation of the Russian Emperor.

The Diary of James Gallatin, for March 17, 1813, contains the following entry: "Mr. Madison told father to-day that there was nobody compared to him as a negotiator. It pleased him greatly. Mr. Bayard and J. Q. Adams, our Minister at St. Petersburg, form the commission."

Albert Gallatin was now freed of puzzling how to raise money for the war and faced the more, to him, congenial task of finding means for stopping the war. His genius for finance and the jealousy of the less distinguished members of his political party had consigned him to the Treasury when his real ambition was to be Secretary of State. Now, at last, his longing for diplomacy was to be gratified.

On May 6, 1813, the ship Neptune sailed from Newcastle with the American ministers aboard, bound for Europe. On May 10, James stated in his diary, "Head-winds. I am a bad sailor. I share father's cabin. He comes in now and then and looks at me gravely. He says he has no time to think of being sick." On June 24 the Neptune anchored in Copenhagen and on July 21, St. Petersburg, the destination of the ministers, was reached.

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Ibid., p. 2.
Of the commissioners appointed to treat for peace, Bayard and Adams were Federalists. Gallatin and Adams had the advantage of thorough acquaintance with European politics. To Gallatin the study of history was a passion. He was familiar with the facts and traditions of diplomacy. He knew the purpose, the details, and the result of every treaty made for centuries between the great powers. Adams was from youth familiar with courts and their ways. He was also the son of an American President, no small matter at that day. "The conjunction of these two men was rare." 9

In their natural characteristics, Adams and Gallatin were the opposite of one another. Stevens states:

Adams was impetuous, overbearing, impatient of contradiction or opposition. Gallatin was calm, self-controlled, persistent; not jealous of his opinions, but ready to yield or abandon his own methods, if those of others promised better success; never blinded by passion or prejudice, but holding the end always in view. 10

At the outset there appeared to be good cause for hope of an early agreement. European politics were at a critical point. England naturally desired to withhold her resources for a sudden emergency on the continent, to be prepared in the event of Napoleonic success in the campaign against Russia. But such success was not to be. By the

9 Stevens, op. cit., p. 313.

10 Ibid., p. 314.
time the American ministers reached St. Petersburg, Napoleon had been thrown back from Moscow and his armies were in retreat. The situation became daily more favourable to Great Britain. Mediation on the part of Russia had already been rejected by Castlereagh, the British Foreign Minister, before the American Envoys arrived in Europe.

In addition to British successes in America and French defeats in Europe, other causes led to the rejection by England of Russian mediation. A dispute with America was regarded by England almost as a domestic question in which foreign powers could have no concern. To begin negotiations for peace under Russian mediation might perhaps provide an opportunity to bring British maritime rights into discussion and British statesmen were determined to exclude them completely. Nor could Russia be regarded as a suitable mediator, since she had herself previously shown that she agreed with the position which the United States had taken up.

En route to St. Petersburg, Gallatin had written to Alexander Baring, with whom he had several years earlier made the financial arrangements for the Louisiana purchase. In his letter, written from Gottenburg on the twenty-second of June, Gallatin had stated: "...We will be thankful for any intelligence connected with our mission which you may

deem important and which you may feel at liberty to communicate. On July 22, the day after the commissioners' arrival in St. Petersburg, Baring wrote to Gallatin, stating:

...before this reaches you, you will have been informed that this mediation has been refused, with expressions of our desire to treat separately and directly. That we wish for a restoration of peace with you need not be argued...encourage you not to return to America without at least making an experiment in the manner most likely to lead to success. 13

Thus Gallatin received a valued opinion of the possibility of direct negotiations with Great Britain.

Meanwhile, back in the United States, President Madison had presented the names of the commissioners to the Senate for approval and ratification. The Senate approved of the action of the President in sending the commission and at once confirmed the appointment of Adams and Bayard. But the confirmation of Gallatin was disapproved on the technicality that Gallatin was still holding the office of Secretary of the Treasury, and that the duties of the Secretary of the Department of the Treasury and those of an Envoy Extraordinary to a Foreign Power, "...are so incompatible that they ought not to be and remain united in the same person." 14

12 Adams, Writings, I, 546. 13 Ibid., I, 546-552.

14 Updyke, op. cit., p. 148.
This news was not received by Gallatin and the commission until October 19 and was described by Gallatin's secretary, his son James, as a "thunderclap." 15

After receipt of the discouraging information, Gallatin considered the plan of going to London and unofficially taking his own course in the matter of opening negotiations directly with England. He was sure that the friendship of Sir Alexander Baring would prove to be of valuable aid in such a project. He applied to London for permission which he received the following March twenty-second, with the declaration from Baring:

...we are here resolved to abide by the principle of direct negotiation.... We wish for peace.... The pressure of the war upon our commerce and manufactures is over.... Our desire for peace, therefore, cannot be doubted, and you may quite rely upon it. 16

At about the same time the commission was informed of the desire of Lord Castlereagh for direct negotiations and of the appointment of Henry Clay and Jonathan Russell to the commission. Clay was a young and brilliant representative from Kentucky and Russell had been charge d'affaires at London at the outbreak of the war. Again Gallatin's name was left from the list, the thought in Washington being that he was returning to resume his duties of the Treasury.

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15 Gallatin, op. cit., p. 10.
16 Adams, Writings, I, 584-86.
When, however, it was discovered that he was remaining in Europe, he was replaced in the Treasury and confirmed as a commissioner, last on the list.

The willingness of Great Britain to negotiate directly with the United States was made known in a communication addressed by Lord Castlereagh, British Secretary of Foreign Affairs, to the Secretary of State of the United States, saying that the British Government was:

...willing to enter into discussion with the Government of America for the conciliatory adjustment of the differences subsisting between the two States, with an earnest desire on their part to bring them to a favorable issue, upon principles of perfect reciprocity, not inconsistent with the established maxims of public law, and with the maritime rights of the British Empire. 17

Gallatin's presence on the commission was extremely fortunate. Though at least two of the four Americans were men of the highest capacity, none of them possessed the knowledge of European habits of mind or the faculty for compromise which Gallatin had to the highest degree. 18

Adams, while possessing a thorough knowledge of constitutional and international law, a conscientious devotion to high ideals, and an ability as a writer of forceful English, had other and less commendable characteristics. He was

17 American State Papers, Foreign Relations, III, 621.

18 Ward and Gooch, on cit., p. 533.
easily provoked, rather ungracious in manner, lacking in sympathy with men of different character than himself, and utterly devoid of a sense of humor. Bayard's legal ability, sound reasoning, and good judgment, made him a leader in Congress, but his experience had been confined to Congress. Henry Clay, the youngest of the commissioners, had already for several years been a leading politician. He was brilliant, persuasive in speech and gracious in bearing, though strong in his enmities and impulsive in action. His position at the time of his appointment to the peace commission was that of a representative of the newer national life of the country, in contrast to the sectionalism of Adams' New England and the exclusiveness of Bayard's South. Jonathan Russell had had valuable experience in diplomatic negotiations, in both Paris and London and had been intrusted with power to arrange an armistice at the outbreak of the war and had been considered as minister to Sweden.\textsuperscript{19}

Albert Gallatin was perhaps the best equipped of all the commissioners. His tact and humor on more than one occasion prevented the breaking off of the negotiations. No less important was his influence in maintaining harmony among the members themselves. He refrained from that bitterness of feeling and intemperate language which was so commonly indulged in by public men of his day.

\textsuperscript{19} Updyke, \textit{op. cit.}, pp. 169-74.
Because of the late date of his appointment, Gallatin was the last named to the commission, although President Madison had intended him to be its head. C. C. Maconochie, of Blackwood's Magazine, stated that although Adams might have been the mouthpiece of the commission, Clay, Bayard, and Russell let him know that "Gallatin was their leader". Whether first or last in the commission, or whether omitted from it entirely, Gallatin continued to superintend all the diplomatic operations connected with the proposed peace.

On April 9, 1814, Gallatin and Bayard arrived in London. Lord Castlereagh indicated his desire to choose London as the meeting place of the two commissions and Gallatin concurred, believing the resulting nearness to Castlereagh would be of value in reaching agreements.

Bayard and Gallatin, upon the suggestion of Clay, recommended Ghent because of its proximity to England, believing that it would afford a means of prompt communication between the British commissioners and their government and thereby have the effect of facilitating and shortening the negotiations. Of all the British cabinet, Castlereagh was

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20 Stevens, op. cit., p. 324.
21 Maconochie, op. cit., p. 314.
22 Adams, Life, p. 505.
23 Adams, Writings, I, 617.
believed to be the best disposed to the United States. Clay and Russell shortly reached Europe and discussions were held as to the meeting place, with Ghent, in Holland, being chosen by the American Commissioners and acceded to by the British government.

In a letter to Clay, April 22, Gallatin, in regard to the approaching European peace, expressed his beliefs: "...a well-organized and large army is at once liberated from any European employment, and ready, together with a superabundant naval force, to act immediately against us."  

In a later letter to Secretary Monroe, Gallatin remarked that the objective of the British forces would be New Orleans. "...They know that it is our most distant and weakest point, and that if captured it could not be retaken without great difficulty."  

In June the situation had darkened somewhat for the hopes of peace on the part of the United States. The Treaty of Paris had been signed, ending the European conflict. English forces throughout Europe had been thus released for possible use in the war in America. The people of England were clamoring for greater action and the continuance of hostilities.

24 Stevens, op. cit., 325. 25 Adams, Writings, I., p. 607.
26 Ibid., I, 638.
27 Updyke, op. cit., p. 187.
Whether it was due to the friendly intercessions of the Emperor Alexander, Lafayette of France, and Baron Humbolt, the Prussian Minister at Paris, or whether the wishes of Castlereagh were the deciding factor, the British ministry informed Gallatin that British commissioners would proceed to Ghent on July 1, to begin the discussion of negotiations for peace.

The personnel of the British commission was quite inferior to that of the American, so much so that it appeared as if the British government did not attach much importance to the negotiations and wished them to fail. The first and head of the British mission, Lord Gambier, was skilled in naval knowledge and operations but ignorant in diplomatic proceedings; the second, Henry Goulburn, was perhaps the ablest of the group. He was the Under-secretary of State for War and Colonies and enjoyed most the confidence of the British Ministry. The third member of the commission was William Adams, a lawyer with a deep knowledge of maritime law, but in no sense a diplomat. Such men could not compare with any of the American commissioners. Gallatin had nothing to fear from them; singly or together he was as capable of dealing with them as Benjamin Franklin, under similar circumstances, had proved himself equal to dealing with their predecessors thirty years before. The British Government

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28 Adams, Writings, I, 519.
either possessed an extraordinary degree of confidence in the superiority of their position in any negotiation with the United States, or else they failed utterly to appreciate the character of the American statesmen.  

Alexander Baring, on the twenty-second of July, 1813, stated that he was quite sure that the intelligence of the American commission of British and American policies "...is more than a match for all our island can produce on the same subject."  

In the first interview, which took place on August 8 and was continued the next day, the British immediately stated that a *sine qua non* of any treaty would be the requirement of the United States that the whole Northwest Territory, the present states of Michigan, Wisconsin, and Illinois, most of Indiana, and part of Ohio, should be set apart forever for the Indian tribes. An Indian sovereignty should be constituted in the region under the guarantee of Great Britain, for the purpose of placing neutral territory between Canada and the United States and for curbing the progress of the latter. Gallatin suggested that there were probably one hundred thousand American citizens settled within that region. What was to become of them? The answer was, "... Undoubtedly they must shift for themselves." The path of the American commissioners was plain. There was no  

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29 Updyke, *op. cit.*, p.194.  
opportunity or reason to disagree on such an issue. Rejection to the *sine qua non* was the only answer.

The negotiation with the British commissioners was, however, at times more simple than was that between the American commissioners themselves. While John Quincy Adams was the nominal head of the commission, he had none of the capacity for pacifying strife that Albert Gallatin had. He was by nature as combative as Henry Clay and many times during the negotiations there were exciting moments of collision during which it became the duty of Gallatin to smooth over the incidents and conciliate the strife between the members. All of the Americans came to regard Gallatin as the actual leader. "Mr. Gallatin keeps and increases his influence over us all. It would be an irreparable loss to our country if it had been deprived of his talents in the negotiation." So wrote Adams to his wife. 32 At a later date Adams stated: "I have great satisfaction in saying that our harmony has been as great and constant as perhaps ever existed between five persons employed together upon so important a trust." 33 In this way Adams paid tribute to the leadership and tact of Gallatin. By the time the negotiation was closed all the commissioners were to be united behind Gallatin, who gradually

32 Bemis, op. cit., p. 192.

obtained ascendancy over his colleagues and by judicious conciliation at critical moments was able to prevent the negotiations from being broken off. 34

Secretary of State Monroe also seemed to be of the opinion that Gallatin was the leader and chief spokesman. He had, as early as June 27, written to Gallatin, "You may omit any stipulation on the subject of impressment if found indispensably necessary to terminate the War." This statement was in reply to a letter of Gallatin's, advising omission of the subject of impressment and neutral rights. 35

The first demands of the British, those in regard to the proposed Indian lands, were very irksome to Adams and he was willing to let the negotiation break off over this issue. It soon became perfectly evident that the commissioners regarded Adams as nominal chairman only. Henceforward it was Gallatin who was the chief draftsman and spokesman. He was looked to more and more for guidance in difficult situations and his moderating influence presided over the American commission. He not only prepared or revised the drafts on the most important points in dispute,

34 Ward and Gooch, op. cit., I, 537.


36 Bemis, op. cit., p. 205.
with great patience and skill wearing down the exorbitant demands of the British, but with even greater patience and skill, Gallatin maintained an attitude of harmony in the American commission itself.\textsuperscript{37}

The next demand of the British was that the United States should be entirely excluded from maintaining any naval force on the Great Lakes, the natural frontier between Canada and the United States, and that they should grant to the British a direct route from Halifax to Quebec, which meant extensive cessions of territory, and also provide the British access to the Mississippi from Lake Superior. In this, the British commissioners went much farther than the Cabinet had intended. Castlereagh disapproved of the tone adopted by his representatives and reprimanded Goulburn.\textsuperscript{38}

The reply of the American commissioners was chiefly drawn by Gallatin. It rejected the British proposals, pointing out that the intention of the Americans was that the Indians would be restored to the same conditions as before the war, and that boundary lines which could be shown to be undefined might be discussed.

On October 21, the British provided a new turn to the negotiations by an attempt to make the principle of uti


\textsuperscript{38} Ward and Gooch, op. cit., I, 537.
possidetis, territory gained by each country at the time of cessation of hostilities, the basis of territorial settlement. To this the Americans returned a decisive refusal. They would not go any farther than the basis of status quo ante bellum. The British considered this as conclusive and resolved upon a vigorous prosecution of the war. Lord Liverpool wrote to the Duke of Wellington, stating that he believed that the American attitude had ended the hopes of bringing the war to an end, and to Castlereagh he remarked that he saw "little prospect of our negotiations at Ghent ending in peace." He recommended renewed military activities in America.

The Duke of Wellington now entered upon the scene. When it was suggested, by Liverpool, that he take command of the proposed British offensive in America, he bluntly told Liverpool that the British had made a grave mistake in demanding territorial concessions: "...I confess that I think you have no right, from the state of the war, to demand any concession of territory from America." He also stated that the stipulation of uti possidetis was not

39 Stevens, op. cit., p. 333.

40 Adams, Life, p. 537.

41 Ibid., p. 538.
qualified and should not be pressed. On November 18, Liverpool informed Castlereagh that the government had decided not to continue the war for the purpose of obtaining any acquisition of territory.

The problems of the American rights to fisheries and the British demands for navigation of the Mississippi River were the next to be considered. Here Gallatin had as much difficulty with Adams and Clay as the American commission had in obtaining an agreement with the British. Adams, the easterner, was determined to save the fisheries; Clay, the westerner, would not hear of opening the river to British vessels. A compromise was reached by which it was agreed, at the suggestion of Gallatin, that the principle of status quo ante bellum should be applied to all the subjects of difference. The final arrangement was that the subjects of boundaries, fisheries, and the navigation of the Mississippi should be left to be settled by future negotiation. Adams was not in accord with this suggestion, but was overruled by the other commissioners, led by Gallatin.

It was during this critical period, in the month of November, 1814, that Wellington wrote a confidential letter to Gallatin, assuring him that peace was in view. The Duke

42 Adams, Life, p. 544.
asserted that Goulburn had made many grave errors and had been rebuked by Lord Castlereagh. He also stated, upon some unknown authority, that he understood that Madison and Monroe had given Gallatin power to act, without "even consulting your colleagues on points which you considered of importance." He continued:

...in you I have the greatest confidence. I hear on all sides that your moderation and sense of justice, together with your good common sense, places you above all the other delegates, not excepting ours. The Emperor Alexander has assured me of this. He says we can place absolute reliance on your word. I have always had the greatest admiration for the country of your birth. You are a foreigner, with all the traditions of one fighting for the peace and welfare of the country of your adoption. 44

On December 22, with all of the objections of both groups of commissioners removed, James Gallatin made the entry in his diary, "...father now sees the avowed wish of the English Government to make peace." 45

For the past several months, all negotiations had been carried on by correspondence. Now all objections could be met with and discussed personally. Further delay became out of the question and the treaty was signed on the day before Christmas, 1814. For the two nations, Lord Gambier

43Bemis, op. cit., p. 217.
44Maconochie, op. cit., p. 316.
45Gallatin, op. cit., p. 35.
expressed the hope that it be permanent and Adams that it would be the last treaty of peace between Great Britain and the United States. 46

Despite the fact that they had obtained no satisfaction for any of the grievances to avenge which they had fought the war, the American people felt that they had escaped a great danger by successfully resisting without allies the might of the British Empire at the height of its power and prestige. 47

Far more than contemporaries ever supposed or than is now imagined, the treaty of Ghent was the special work and the peculiar triumph of Albert Gallatin. There is cause to doubt whether the American commissioners could have been held together during the days of extreme trial without the controlling influence and extreme patience of Gallatin. Sooner or later peace must have come, but there is fair reason to believe that, without Gallatin, the United States must have fought another campaign. In moments of tension Gallatin would ease the situation with humorous comments, would soothe the tempers of Adams and Clay. With his

46 Updyke, op. cit., p. 356.
47 Ward and Gooch, op. cit., I, 542.
48 Adams, Life, p. 546.
European education and manner, he at times seemed nearer to the English than the men of their own race.

He played the major role at Ghent, harmonizing and uniting his colleagues. The American commissioners, including Adams, acknowledged his ascendancy, and their British opposites sensed it. But for the consummate tact and the authority of Gallatin, the commission would not seldom have been in danger of breaking up in heated controversy.

As Maconochie expressed it,

...it is admitted by all who have dealt with this important episode in the history of the two countries, that Great Britain and America owe it to Gallatin that the delegates were enabled to come to any decision at all which would terminate the war.

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50 Bemis, *op. cit.*, p. 244.


52 Maconochie, *op. cit.*, p. 316.
CHAPTER V

THE YEARS FOLLOWING GHENT

Following the many months of arduous activities in making the peace at Ghent, Albert Gallatin was determined to take his ease and visit Geneva, the scene of his birth and childhood. This he was able to do, but not for long. It was soon evident that his services were still in need and within four months he was on his way back to England, where he was to attempt, with John Quincy Adams, and Henry Clay, to make a commercial treaty with Great Britain.

En route to London, Gallatin and his son James stopped in Paris where he learned that President Madison had appointed him to the post of minister to France. He was disinclined to accept the appointment, wishing to return to America as soon as possible to rejoin his family and place his personal affairs in proper condition.

While in Paris, Gallatin witnessed the return of Napoleon from Elba. Shortly before leaving Paris for England, Gallatin was requested to appear before the restored Emperor. During the resultant interview Napoleon asked and received advice on important financial affairs, but when questioned in regard to Canada and about the slave trade, Gallatin answered:
"Sire, my position is such that on these subjects my lips are at present sealed... as an envoy from the United States to England I am not my own master." The Emperor turned his back upon Gallatin, walked to a window, and the interview was ended.  

Gallatin and Clay arrived in London early in April, 1815, and began negotiations with Lord Castlereagh. Adams, now minister to England, joined them in the following month. The American commissioners presented as subjects to be included for consideration in a commercial treaty, the following: (1) that the two states with respect to each other should be placed on the basis of the most favored nation; (2) the abolition of all discriminating duties on both imports and exports; (3) regulation of trade between America and the British Indies; (4) definition of intercourse between America and Canada; and (5) unrestricted trade between America and the British West Indies. The desire to provide also for the question of impressment and for a definition of blockade was expressed by the American negotiators.  

The British stated that they would receive favorably any proposition for the abolition of discriminating duties,

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1 Gallatin, op. cit., p. 68.

2 American State Papers, Foreign Relations, IV, 10.
trade with the East Indies might be conceded, but they refused to discuss the matters of impressment and of trade with the West Indies. Later, upon instructions of the English Cabinet, the British agreed to treat on the footing of the most favored nation, the trade with Canada, and the subject of conditions of trade where one state was at war.  

Counter projects were drawn up by both commissions with those subjects disagreeable to each side being dropped during the discussions. On June 30 the conditions were agreed to and on July 3, 1815, the treaty was signed. The treaty, as at last arranged, contained five articles. The first provided for freedom of intercourse between the United States and Great Britain's European possessions. Article two contained the agreement for the abolition of discriminating duties and the inclusion of the most favored nation clause between the two countries proper. The third article admitted American vessels to the East Indian trade, when such trade was direct and not coastwise. Article four provided for consular arrangements in the territories of the two nations. The last article contained provisions for ratification and the duration of the treaty, which was to be four years from the date of signing.  

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3 Ibid.  
4 Updyke, op. cit., pp. 394-5.
Upon the date of signature of the treaty, James Gallatin entered in his diary, "...the treaty signed today but not without difficulty. Mr. Adams at the last moment wished to make all sorts of alterations."

Though the British North American and West Indian trade was not provided for and impressment was omitted from the treaty, still upon the whole the treaty was regarded as quite favorable to the United States. Gallatin believed that it indicated a more friendly attitude toward America, on the part of England.

With the signing of the commercial treaty the duties of the American commissioners as a mission were ended. In July Gallatin and Clay left England, bound for home, arriving in America in September.

From New York, on September 4, Albert Gallatin wrote to President Madison, thanking him for the appointment as minister to France as an "...evidence of undiminished attachment and of public satisfaction for his services" but withheld his acceptance of the post until the following February. In April he was approached with the offer of again filling his old cabinet position, that of Secretary of the Treasury, but this he declined on the basis that his

5 Gallatin, op. cit., p. 77.
6 Adams, Writings, I, 652.
7 Adams, Life, p. 533.
arrangements to go to France were too"...far advanced to be changed at this last moment" and that "...an active young man can alone reinstate and direct properly that department." 8

On July 9, 1816, Gallatin arrived once more in Paris, now the United States Minister to France. This position he was to hold for the next seven years. He was warmly welcomed at the French court. To a compliment paid Gallatin on his command of the French language, the French King, Louis XVIII, added, "...but I still think my English is better than yours." 9

The seven years he was to spend in Paris were to be the most agreeable years of Gallatin's life. Far the best diplomatist in the service, Gallatin was indispensable to his government and was constantly employed in all its most difficult negotiations, so far as they could be brought within his reach. 10 The position of United States minister in Paris was one which was neither good nor bad, but was capable of becoming the one or the other, according to the man. By family, Gallatin was one of the French society, with aristocratic ties in several of the prominent families.

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8 Gallatin, op. cit., p. 85.

9 Stevens, op. cit., p. 344.

of Europe intimate in Parisian circles. Gallatin was never so happy and never so thoroughly in his proper sphere 11 as when he lived in Paris.

On July 17, 1817, Gallatin wrote to Thomas Jefferson of the European opinion of the United States,"...at no period has America stood on higher ground abroad than now, and every one who represents her may feel a just pride in the contrast between her situation and that of all other countries."12

Gallatin was far from idle during his seven years as minister to France. The wars in Europe had left many diplomatic disputes and the need for commercial treaties to protect American commerce. There were many claims to be settled, dating back to the time of the Berlin and Milan decrees, and the attempted settlement of these took up much of Gallatin's time, but to little avail. He also assisted William Bustis, the minister to the Netherlands, in the attempt to negotiate a commercial treaty with that government.

In June, 1818, Richard Rush was appointed to succeed John Quincy Adams at the Court of St. James. Adams had returned to the United States to assume the duties of Secretary of State in the cabinet of President Monroe. Gallatin was

11 Ibid., p. 564. 12 Ibid., p. 565.
commissioned with Rush to negotiate an agreement for the extension of the commercial provisions of the treaty of 1815 with Great Britain and for the adjustment of other differences which existed between the two states. One of the subjects they were expected to adjust was the claim of the United States for indemnity to the owners of slaves carried from the United States"...by British officers, after the ratification of the peace of Ghent, and contrary to a stipulation in the first article of that treaty." The General Convention of 1818 was arrived at, by which the commercial convention of 1815 was renewed for ten years, and later for an indefinite period. The general field of disputed points between Great Britain and the United States was again entered into. It included the questions of impressment, the fisheries, the boundaries, and the English claim to navigation of the Mississippi. The articles on maritime rights and impressment were set aside and the navigation of the Mississippi was finally disposed of. The subject of the indemnities for slaves was referred to the Emperor of Russia, who in April, 1822, rendered his decision in favor of the United States. Settlement was reached in regard to the

13 American State Papers, Foreign Relations, IV, 372.

14 Ward and Gooch, op. cit., II, 223.

15 Updyke, op. cit., p. 402.
fisheries, the boundary between the Lake of The Woods and the Rocky Mountains, and the joint use of the Columbia river. Gallatin obtained recognition of the permanent right to the fishing grounds of the open seas; the northwestern boundary to the Rockies was set as the forty-ninth parallel; the Oregon territory was open for joint use of the two countries, declared to be "...free and open, for the term of ten years, to the Vessels, Citizens, and Subjects of the two Powers."

Upon his return to France in October, 1818, Gallatin was confronted with another situation. Spain's colonies in America were in revolt and it was of extreme importance to the United States that none of the European powers should intervene in their struggle for independence in any way. Spain, abandoned by Europe in the Congress of Aix-la-Chapelle, was driven into a treaty with the United States for the sale of Florida. This treaty was made although its ratification was delayed until a new revolution in Spain brought about a change in Spanish policy. In the transactions regarding Florida Gallatin was deeply interested and his advice to the home government furnished much of its best information. In this circumstance he had also

16 Ward and Gooch, op. cit., II, 225.
17 Bemis, op. cit., p. 292.
18 Adams, Life, p. 573.
prepared in advance the nations of Europe for the recognition by the United States of the governments of the new South American republics, feeling that such an act should not be a surprise to them. 19

Of importance in the treaty with Spain for the cession of Florida, February, 1819, was the article by which the western boundary between Louisiana and Spanish territory was for the first time clearly defined. The forty-second parallel was fixed as the northernmost boundary of Spanish territory on the Pacific coast, and Great Britain and America were therefore left as the sole powers contesting the right of possession between that latitude and the southern boundary of Russian America. 20

Gallatin, in 1819, again took up the attempt for a commercial negotiation with France. Under the stress of a long period of war, the shipping of France had been virtually at a standstill. When it began to revive, many complaints were registered because of the discriminating duties and charges which became the burden of American shipping. Mere remonstrance to the French government on the part of Gallatin was of no avail, and he advised the President that retaliating duties must be charged French vessels. The

19 Gallatin, op. cit., p. 142.

20 Ward and Gooch, op. cit., II, 226.
resulting duty which the United States placed upon French shipping was even higher than Gallatin had suggested and brought forth strong expressions of resentment from de Neuville, the French minister in Washington. Responsibility was shifted from Washington to the American Embassy in Paris, where Gallatin refused to accept the blame for the situation, noting the failure of his government to adhere to his suggestions. Ultimately, in 1822, commercial relations were agreed upon between France and the United States in a treaty signed at Washington and the principle object of Gallatin's appointment to Paris was accomplished. This treaty remains in force today. Gallatin remained of his own accord in France until the following June.

In the United States, William H. Crawford was considered by the Republican party to be the logical choice as successor to Monroe as president. Crawford was anxious for Gallatin's early return to America in order that his influence in Pennsylvania on behalf of his nomination might be felt. At the same time Gallatin was offered the position of president of the Bank of the United States. Both offers he refused, choosing rather to remain in France where he thought his presence would be more desirable. Further, Gallatin had "...the fixed idea to lead an absolutely retired life when he returned to America."

21 Channing, op. cit., p. 456.  
22 Gallatin, op. cit., p. 196.
Finally, in February, 1823, Gallatin realized the futility of his remaining in France for the further settlement of any claims and requested his return to America. He was granted a leave of absence by Secretary of State Adams and, after requesting a replacement for himself as minister to France, sailed for New York in May, arriving on June 24.

During the next several years Gallatin attempted to lead a private life, but was not permitted this luxury. In the attempt to bolster Crawford's candidacy for the presidential nomination, Gallatin was named as the candidate for Vice-President. It became necessary, due to the spread of the popularity of Andrew Jackson, for the Crawford supporters to seek the western following of Henry Clay and Gallatin gratefully withdrew from the canvass. 23 John C. Calhoun was elected Vice-President by the electors and Adams was elected to the Presidency by the vote of the House of Representatives. Again Gallatin was offered the position of Secretary of the Treasury, again he refused.

In November of 1825, Clay, now Adams' Secretary of State, pressed upon Gallatin the post of representative of the United States at the proposed Congress of American Republics at Panama. But Gallatin's concern for his family and his own

23 He had objected from the beginning to his nomination, feeling reluctant toward again entering into public life. Adams, Life, p. 602.
plea of ignorance of the Spanish language were the causes of his refusing this important post.\textsuperscript{24}

In the spring of 1826 President Adams summoned Gallatin to Washington and there pressed upon him the post of minister to England. Rufus King, who had succeeded Rush at London, had fallen ill and his request for recall had been accepted by the President. Important negotiations were pending between Great Britain and the United States and Gallatin consented to take the mission if provided with powers to negotiate and with the liberty to return when the task was completed. The negotiation now to take place was perhaps the most complicated and arduous ever entrusted by the United States government in the hands of a single person. It embraced the commercial questions which had so often been discussed to no avail, the disputes of the extreme northeastern and northwestern boundaries, the settlement of the long outstanding claims for slaves carried away by British officers, and the continuance of the commercial convention negotiated by Gallatin in 1815 and extended for ten years in 1818 by Gallatin and Rush.

George Canning had succeeded Lord Castlereagh as the British Foreign Minister and was in no way friendly toward

\textsuperscript{24} Stevens, \textit{op. cit.}, p. 354.

\textsuperscript{25} Gallatin, \textit{op. cit.}, p. 255.
the United States or the doctrines as put forth by President Monroe in regard to the exclusion of Europe from further colonization of the Americas. Canning felt that the power of the United States was a danger and a threat to England. His ascendancy was unfortunate for Gallatin.

Instructions to Gallatin were prepared under the supervision of President Adams. Those in regard to the Oregon question were that the line of the forty-ninth parallel must be the limit of territorial concession, with the only departure being the possible right of the British to navigate the Columbia River to the sea. Gallatin reminded the President that he had been promised to be able to write his own instructions when he had accepted the mission. But Adams would not swerve from his demands for the parallel although he did permit Gallatin to moderate the tone of the colonization doctrine. Adams stated, in a letter of March 20, 1827, regarding the American doctrine, "...if the inference drawn from it of danger to existing colonies has any foundation, it can only be on

27 *American State Papers, Foreign Relations*, VI, 646.
29 *American State Papers, Foreign Relations*, VI, 653.
the contingency of a war, which we shall by all possible means avoid." 30

The settlement of the Oregon question was a continuance of the third article of the Convention of 1818, whereby joint occupation was to be continued for an indefinite period. The dispute of the northeastern boundary was decided to be left to the arbitration of the King of the Netherlands, whose decision in 1831 was not accepted by the United States. 31 In the debate over these boundary issues, Gallatin presented the case of the United States with a clarity and a cogency that had never been given it before, British offers of a quadrilateral of territory, comprising of the Olympic Peninsula, for American deviation below the forty-ninth parallel were refused by Gallatin, adhering to the instructions of President Adams. 32

Settlement was made for the sums to be paid by Great Britain for the slaves which had been carried away and the commercial convention of 1815, renewed in 1818, was agreed upon to be continued indefinitely. On August 6, 1827, the

30 Adams, Writings, II, 367.
31 Ward and Gooch, op. cit., II, 240.
32 Merk, op. cit., p. 67.
33 Ibid., p. 70.
convention was signed, after an eight-month period of bar-
gaining and labor.

The proceedings in London had exhibited Albert Gallat-
in in his characteristic role of peacemaker. While the
death of George Canning and the appointment to his post of
Lord Goderich, in August before the agreements were reached,
were favorable to the cause of the United States, the
steady influence of Gallatin's conciliatory course and his
strong arguments hastened the point of agreement. 34

His work completed, Gallatin set sail for home, arriv-
ing in New York on the thirtieth of November, where he re-
ceived the acclaim of President Adams and the American
public.

With this incident the account of Albert Gallatin's
public and diplomatic career may fitly close. He never
again returned to Europe and the election of 1828 termi-
nated the long sway of the old Republican party. Galla-
tin was convinced that his career and that of his party
had best close together. 35

34 Adams, Life, p. 626.

CHAPTER VI

CONCLUSION

While the period of direct connection with the legislation and diplomacy of his country was now ended for Albert Gallatin, he still provided much in the way of service for and attention to the affairs of the United States. During the years 1828 and 1829 Gallatin spent much of his time in the preparation of a statement of facts regarding the claims of the United States in the northeastern boundary dispute. This treatise was selected by the King of the Netherlands in his arbitration, the decision of which was refused by the United States. In 1839 Gallatin published a complete report of negotiations over the boundary question, including the Jay treaty and a series of maps pertinent to the controversy.

When Alexander Baring, now Lord Ashburton, came to America to negotiate the Webster-Ashburton Treaty, old acquaintances were revived by Baring and Gallatin. The two men whose lives had much in common, met in New York, where Ashburton had journeyed, as he stated, "...to draw a little wisdom from the best well." Albert Gallatin was

1Adams, Writings, II, 595.
now in his eighty-second year and Lord Ashburton in his sixty-eighth. It was a memorable meeting of two men who had done much for their countries, Gallatin for the United States and Baring for Great Britain. Under the terms of settlement as agreed upon in the Webster-Ashburton Treaty of 1842, the United States suffered the loss of navigation of the St. Lawrence River and of millions of acres of territory in the state of Maine. Had the United States accepted the proposal of the King of the Netherlands, based partially upon Gallatin's publication of 1829, this loss might have been averted. 2

In the year 1829 Gallatin attempted to carry out his old and favorite plan of the "establishment of a general system of rational and practical education fitted for all, and gratuitously open to all." 3 The culmination of his efforts was the establishment of New York University of which Gallatin became the first council president.

Gallatin was throughout his public career an advocate of free trade. In 1831 a convention favoring free trade was held in Philadelphia and a committee was delegated to prepare a memorial for presentation to Congress. Gallatin was chosen to be chairman of this committee. The action

2 Bemis, op. cit., p. 480.

3 Stevens, op. cit., p. 381.
brought down a bitter denunciation on the part of Henry Clay, then Secretary of State. Yet within twelve months following his criticism of the advocates of free trade, Clay assumed and even went beyond Gallatin's suggestions in abandoning the protective system.

In 1842 Gallatin and a number of colleagues of similar tastes founded the American Ethnological Society, for which Gallatin published, at his own expense, a number of volumes on the Indians of North America, Mexico, and Central America. Gallatin has often been referred to as the "Father of American Ethnology."5

In 1843, when Gallatin was eighty-two years of age, he was again offered the position of Secretary of the Treasury, this time by President John Tyler. Gallatin replied: "...I have only to say that I want no office, and that to accept at my age that of Secretary of the Treasury would be an act of insanity."6

In April of 1844 Gallatin spoke before a public gathering in New York City, called to protest the annexation of the Republic of Texas. He held that the resolution

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4 Adams, Life, pp. 640-42.
5 Stevens, op. cit., p. 394.
6 Adams, Life, p. 667.
of the House of Representatives for the purpose of annexation was a direct and undisguised usurpation of power and a violation of the Constitution. His final words were: 
"...I am highly gratified that the last public act of a long life should have been that of bearing testimony against this outrageous attempt...and in defense of liberty, of justice, and of our country."  

Gallatin rendered his last diplomatic service by the publication, in 1846, of a pamphlet on the Oregon question. This exposition, which put before the people as well as the negotiators the precise nature of the controversy, contributed heavily to the ultimate settlement of the long disputed problem.

In November of 1846, John Quincy Adams was invited to be the principal speaker at a dinner given by the New York Historical Society in honor of Albert Gallatin. Gallatin had been one of the founders of this organization and was now its president. While Gallatin and Adams had very often disagreed upon many important matters of state frequently to a very heated extent, on this occasion Adams paid tribute to Gallatin, stating:

7 Adams, Writings, II, 606.
8 Stevens, op. cit., p. 363.
...in the history of parties in this country there is no man from whom I have so widely differed as from him. But on other things we have harmonized; and now there is no man with whom I more thoroughly agree on all points than I do with him...among all the public men with whom I have been associated in the course of my political life, whether agreeing or differing in opinion with him, I have always found him to be an honest and an honorable man. 9

Gallatin was not in favor of the war with Mexico in 1846. Every moral conviction and every life-long hope of his was outraged by this act. With this view he wrote his pamphlets "Peace with Mexico" and "War Expenses," urging the conclusion of a peace on moral and equitable principles. His pamphlets were widely read and had their share in leading the government to accept the treaty of peace which was negotiated by Nicholas Trist, notwithstanding the instructions to Trist to leave Mexico, and signed by him at Guadalupe Hidalgo.

Of Albert Gallatin's many endeavors and accomplishments, perhaps those of the most importance and of the greatest value to his country were those performed in the field of diplomacy. In several periods of crisis his presence and activities marked the difference between failure and success of the negotiation. In the important

9 Adams, Life, p. 676.

10 Ibid., p. 677.
proceedings at Ghent Gallatin had his own way, not only because it was his own way, but because it was the best way and was so recognized by the majority of the American commission at every point of difference.  

Henry Adams states of Gallatin:

...he was not a man to boast of his exploits, and he never claimed peculiar credit in any of these transactions, but as he signed the treaty of Ghent he could fairly say that no one had done more than himself to serve his country, and no one had acted a more unselfish part.  

Alfred Ewerson, publisher of the English periodical, The Spectator, stated in December, 1915, "...the Treaty of Ghent, which was signed one hundred years ago last Christmas Eve, was mainly the work of Albert Gallatin, a Genevese who went to the United States in 1780."  

John A. Stevens, in speaking of the negotiation at Ghent, says: "...his masterly conduct of the Treaty of Ghent showed him to be the equal of the best of European statesmen on their own peculiar ground of diplomacy. No one of American birth has ever equaled him in this field."  

Of Gallatin's appointment as minister to France in 1816, Adams remarked: "...since the time of Dr. Franklin, the United States had never sent a minister abroad with

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11 Stevens, op. cit., p. 336.  
12 Adams, Life, p. 547.  
14 Stevens, op. cit., p. 337.
qualifications equal to his, and it will never be possible to find a minister to France who approaches more nearly the highest ideal."

Frederick Merk, in the introduction to his work, *Albert Gallatin and the Oregon Problem*, writes: "...in each of these crises a peacemaker happily appeared...to reduce fever and restore health...in the disturbance of the 1820's it was Albert Gallatin." Later Merk concludes:

...throughout the negotiation Gallatin had been trying to lead the two governments on the road to a real peace. He had been the reconciler, the seeker of compromise. He had been manifesting his conviction that the diplomatist is more than the advocate of national gain, that he is also the minister of peace. 17

Before a meeting of the New York Historical Society, the first held after Gallatin's death, Luther Bradish spoke of him in impressive words of praise. He remarked:

...the name of Albert Gallatin is emphatically a name of history. Few men have lived in any age whose biographies have been so intimately connected with the history of their country. ...Whether in legislation, in finance, or in diplomacy, he has been equally distinguished in all. In all or in either he has had few equals and still fewer superiors. 18


17 Ibid., p. 88.

Perhaps the most just and unintentional testimonial to the merit and ability of Albert Gallatin as a peace-maker, is that entry in The Annual Register, the official British document, published on December 26, 1815.

Mr. Baker arrived this afternoon at the Office, with a Treaty of Peace and Amity between his Majesty and the United States of America, signed at Ghent, on the 24th instant, by Admiral Lord Gambier, Henry Goulburn, Esq., and William Adams, Esq., D. D. L., Plenipotentiaries of his Majesty; and by John Quincy Adams, J. A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, Esqrs., Plenipotentiaries on the part of the said United States. 19

Albert Gallatin died at Astoria, Long Island, on Sunday, August 12, 1849, at the age of eighty-eight years. Fifteen years earlier he had written to an old friend, Jean Badollet, stating that: "...moral still more than intellectual education and habits are wanted. Had I another life before me, my faculties would be turned towards that object much rather than to political pursuits." He concluded his letter to his old friend, remarking, "...but all this is for posterity." 20

The contributions of Albert Gallatin to his country were many and diversified. Among them, the most important might be considered to have been those in the field of diplomatic relations with Great Britain. These were primarily,  

20 Adams, Life, p. 650.
the Treaty of Ghent, the commercial agreement of 1815, the Convention of 1818, and the renewal of the joint occupational agreement in regard to the region of Oregon.

Due to the conclusions reached in these negotiations, the boundary between the United States and Canada became and has remained the longest unfortified boundary line between any two nations in the entire world.

Due also to the work of Gallatin and his associates, a state of peace and harmony has existed between the United States and Great Britain for the past one hundred and thirty-five years, without the serious threat of an interruption. Gallatin, in his diplomatic proceedings, played a major role in laying the foundation for the pacific relations between these two major powers of the world.
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