

CHAPTER XVIII.

War with the United States.—Federal government.—States composing the Federal Union.—The Democratic Party.—War declared.—Remonstrance of Massachusetts.—Popular violence.—Extravagant hopes.—Effects of the War upon American commerce.—Cotton.—Two invasions of Canada defeated.—Employment of Indians by the British.—Naval successes of the Americans.—Larger build of the American frigates.—The single combat of the Shannon and the Chesapeake.—Campaigns in Canada.—Barbarous system of warfare.—American difficulties.—Threats of secession by New England States.—Prophetic fears of Jefferson.—Peninsular troops sent to America.—Attack upon Washington.—Non-warlike buildings destroyed.—Failure of sir John Prevost at Plattsburg.—Sir Edward Pakenham's attack on New Orleans. His defeat and death.—Retreat of the British.—The War ended by the news of the Peace of Ghent.

THE Diary of Mr. Abbot, the Speaker, for the month of March, 1815, contains brief but remarkable entries which may suggest some notion of the agitation of the public mind when the news came of two most unexpected and untoward events.

"March 8th.—News arrived this day of the failure of the attack on New Orleans; and the loss of general Pakenham, general Gibbs, and 2500 men killed and wounded."

"March 10th.—News arrived of Bonaparte having escaped from Elba, and landing at Antibes, with 1000 men."

The second startling piece of intelligence, following so close upon the announcement of a great defeat of the British army in America, might have suggested to many a belief that the treaty of peace and amity between Great Britain and the United States, signed at Ghent on the 24th of December, had not been ratified; that the escape of Bonaparte had been anticipated by his democratic friends in America; and that a war in both hemispheres would make the peace as perishable as "The Temple of Concord," splendid with lamps and fireworks for a few hours, upon which the people had gazed in the Green Park on the night of the 1st of August. The Peace of Ghent had nevertheless been duly ratified. In the days before steam communication, news from Europe did not reach the United States in less than seven or eight weeks. Fort Mobile, at one of the mouths of the Mississippi, had been surrendered to the British on the 11th of February. The news of the conclusion of peace between the plenipoten-

tiaries at Ghent was received in the States on the 14th of February.

We now propose, as intimated in our previous volume, to review the progress of this unhappy war with the United States.* To render this narrative more intelligible, we shall take a brief view of the position of the Union at the period of the rupture with Great Britain, in June, 1812.

The Federal government as then constituted, and as still subsisting, entered upon its functions in 1789. On the 21st of February, 1787, Congress had declared that it was unable to conduct the government under the articles of the first confederation of 1777. Each of the thirteen States had then its separate legislature, each being, in fact, an independent republic assuming an absolute sovereignty. There was no sufficient central authority to act for the whole of the States as composing one nation. An assembly of fifty-five members, with Washington as its president, framed the second constitution, by which the authority is divided between the Federal government and the States. The object aimed at was, that each State should continue to govern itself in whatever concerned its internal affairs, but that the Union should represent one compact body, providing for the general exigencies of the people. The Constitution did not attempt to prescribe the government of the separate States, each of which had its own constitution. The nature and duties of the Federal government were defined with an exactness which shows how comprehensive was the prevision of the able men who drew up the articles which during a very long period maintained so many conflicting interests in tolerable harmony. The Federal government was endowed with legislative, executive, and judicial powers. All legislative authority was vested in a Congress of the United States, consisting of a Senate and a House of Representatives. The Senate was composed of two members from each State, whether large or small. The House of Representatives was composed of a varying number from each State, according to the amount of population. With the Congress abided the power of raising an army and navy, of declaring war, of making peace, of levying taxes for the common defence and welfare of the United States. The executive power was vested in an elective President of the United States, who, in some particulars, was to act under the advice and with the consent of the Senate. The judicial power of the Federal government was vested in one supreme court, in district courts, and in circuit courts.

The sovereignty of the people, which had been nurtured

* *Ante*, p. 326.

amongst the original settlers, became the guiding principle of the revolution which established the independence of America. The most conspicuous leaders of that revolution were men of old family and of competent fortunes; but the democratic element, progressively increasing in power, gradually weakened and finally destroyed the influence derived from property and from ancient associations. The English laws of entail enabled estates, especially in Virginia, to be transmitted from generation to generation. Estates tail were abolished in Virginia in 1776: in other States the English entail laws were wholly suppressed; and in others were greatly modified. The desire for free circulation of property, in accordance with the general principles of equality which pervaded the American government, caused the rejection of the English laws respecting descent. "If a man dies intestate, his property goes to his heirs in a direct line. If he has but one heir or heiress, he or she succeeds to the whole. If there are several heirs of the same degree, they divide the inheritance equally amongst them, without distinction of sex."*

In 1790 the Federal Union comprised the New England States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut; the Middle States of New York, New Jersey, Pennsylvania, Delaware, Maryland; the Southern States of Virginia, North Carolina, South Carolina, and Georgia. Vermont had been added to the original Federation of thirteen States—indicated by the stripes of the American flag. These States, with about 100,000 settlers in Tennessee and Kentucky, had, in 1790, according to the census, a population of about 4 millions; in 1800 the population was nearly $5\frac{1}{2}$ millions; in 1810 it was nearly $7\frac{1}{2}$ millions. The rate of increase in twenty years was very large in the States composing the Union in 1790; but a million of people had been added in 1810 by the families that had penetrated into the wilds of the West and South-West. Communities rose up, in regions almost unknown to the founders of the American republic, to claim their place in the Union as independent States, having a sufficient amount of population to entitle them to that distinction. Kentucky was admitted to the Union in 1792; Tennessee in 1796; Ohio in 1803. Louisiana, which had been purchased from France in 1803, became a member of the Federation in 1812. These States added largely to the democratic element in the government. In 1790 there were nearly 700,000 slaves in the Union; in 1800 they approached 900,000; in 1810 they amounted to nearly 1,200,000.

* Kent's "Commentaries," quoted in De Tocqueville, "Democracy in America," vol. i. p. 283.

Of the old States, the four Southern, with Maryland, contained, almost exclusively, the Slave Population. The coloured race were soon abundantly found amongst the swarms of the new Western States, particularly in Kentucky and Tennessee. In the ratio of Representatives to Population, three-fifths of the slaves were added to the whole number of free persons in each State. The slaves, uncared for by legislation, augmented the legislative power of the slave-owners. Universal Suffrage had one exception—"Blacks excluded."

Such was the community that, in 1812, declared war against Great Britain.

John Adams, the second President of the United States, was elected upon the retirement of Washington after his eight years' service, at the end of 1796. According to the American constitution, the President might be once re-elected on the expiration of his first term of four years. Adams was not so re-elected, although he had filled the office of Vice-President for eight years under Washington. Each of these eminent men was opposed to the extreme Democratic party, of which Jefferson was the most distinguished representative. The contest between the Federalists and the Democrats was the most violent that the Union had beheld; and it ended by the election of Jefferson as President by a majority of one vote of the electoral body. Jefferson himself described this event of 1801 as a pacific revolution, as real as that of 1776—a revolution not in the form of the powers, but in the principles, of the government, which had compelled the vessel of the state to float out of the monarchical current in which a faction, as if possessed—a faction composed of Anglicised Royalists and Aristocrats—had detained it during the sleep of the people. The revolution of 1801, he held, had carried the vessel of the state into its natural course—the Republican and Democratic course.*

During the Presidency of Washington it was with great difficulty that he could prevent the sympathies of the people with Republican France from plunging America into war with England. There had been a French and an English party since the Union of the States in 1789. It is pointed out as remarkable, that most of the veterans who bore arms against England during the Revolution had become of the English party. This party included the majority of the wealthy and the educated. But the universality of suffrage more and more compelled every candidate for power to become the partisan of France.† When the Democratic party

* Cornelis de Wit, "Thomas Jefferson, Etude Historique." Paris 1861.

† Simond, "Tour in Great Britain," vol. i. p. 329.

became supreme under Jefferson from 1801 to 1809, and afterwards under James Madison, although it might have been conceived that the despotism of the Consulate and the Empire would have revolted the genuine friends of liberty, the commercial derangements arising out of Bonaparte's Milan and Berlin decrees were tenderly dealt with, whilst the results of the counter measures of the British Orders in Council created in the majority an exclusive bitterness of feeling against this country.* The injuries inflicted upon American commerce by the decrees of Napoleon called forth no warlike manifestation of American resentment. The Orders in Council of England, in connection with the assertion of our claim to a right of search for British sailors in American trading vessels, produced a hostile Message to Congress of the American President on the 1st of June, 1812. This was the prologue to the Act of the 18th of June of the Senate and House of Representatives, by which war was declared "to exist between the United Kingdom of Great Britain and Ireland and the dependencies thereof and the United States of America and their territories." Five days after the date of this declaration of war, and before the Message of Madison could have been known in England, our government had unconditionally suspended the Orders in Council as regarded America. A conditional revocation of the Orders appeared in the "London Gazette" of the 3rd of April. This holding out the hand of fellowship did not produce a corresponding demonstration. The great Democratic party were bent upon war.†

To attempt to arrive at an impartial estimate of facts from the counterpleas of two parties in a civil cause, is a very difficult and unsatisfactory task. To judge between two angry nations by the accusations and recriminations of their manifestoes, would be an attempt still more embarrassing to the historian. The Message of the American President of the 1st of June is such an ex-parte manifesto; ‡ the Declaration of the Prince Regent, relative to the causes and origin of the war with America, of the 9th of January, 1813, is a state paper of a similar character.§ There is, however, a very remarkable document of American origin, which, although coming from a community whose interests were deeply opposed to the war, may furnish some evidence to test the value of the rival pleas of the two belligerent governments.¶ On the 14th of June, 1813, the Legislature of the State of Massachusetts addressed a Remonstrance to the Senate and Representatives of the United

* *Ante*, p. 264.

† "Annual Register" for 1812, p. 424.

‡ "Annual Register," 1813, p. 409 (State Papers).

§ *Ante*, p. 326.

¶ Hansard, vol. xxiv. p. 363.

States in Congress assembled, in which it was contended that, "the promptness with which Great Britain hastened to repeal her Orders, before the declaration of war by the United States was made known to her, and the restoration of an immense amount of property, then within her power, can leave but little doubt that the war, on our part, was premature; and still less, that the perseverance in it, after that repeal was known, was improper, impolitic, and unjust." The Legislature of Massachusetts maintained that the United States had never induced Great Britain to believe that the impressment of her own seamen on board of American ships was a reasonable ground of war. It held that the evil of impressment had been grossly exaggerated; * and that an honest and fair proposal to exclude the subjects of Great Britain from the American service would have produced an honourable and advantageous arrangement of the whole question. The Prince Regent, in his Declaration, avers, that the complete subserviency of the government of the United States to the ruler of France was the real cause of the war; "that from their common origin, from their common interests, and from their professed principles of freedom and independence, the United States was the last power in which Great Britain could have expected to find a willing instrument and abettor of French tyranny." The Remonstrance of the Legislature of Massachusetts echoes this charge in words of glowing eloquence: "If war must have been the portion of these United States; if they were destined by Providence to march the downward road to slavery, through foreign conquest and military usurpation, your remonstrants regret that such a moment and such an occasion should have been chosen for the experiment; that while the oppressed nations of Europe are making a magnanimous and glorious effort against the common enemy of free states, we alone, the descendants of the pilgrims, sworn foes to civil and religious slavery, should voluntarily co-operate with the oppressor to bind other nations in his chains."

The policy of Jefferson during the eight years of his Presidency, and that of Madison during the first three years of his tenure of office, was not to draw the sword against either of the two great belligerents who interfered with the peaceful course of American commerce by their decrees and counter-decrees. Their weapons were embargoes and tariffs. Gradually the war-party in the States

* Simond says that one half of the crews of American ships were British seamen, having false protections, and yet not one in a hundred was impressed. He himself owned twenty-four American vessels, and had not ten sailors impressed out of them during the war, although a great number were British-born. ("Tour," vol. ii. p. 334.)

became irresistible. Six months only were wanting to the completion of the term of Madison's Presidency; he would not be re-elected if he did not yield to the popular voice, whose passionate expression, in the Slave States especially, was no evidence against its real strength. In a mixed government the violence of the multitude has a counterpoise in the sagacity and prudence of the more educated classes. In America, when two generals, friends of Washington, who had advocated peace, were conveyed to prison to shelter them from the mob, and when the mob broke open the prison, fractured the skull of one, and killed another on the spot, the lesson was very intelligible to waverers between war and peace. Jefferson himself dreaded going to war, because "the licentious and lying character of our journals, but more than this, the marvellous credulity with which the members of Congress received every current lie," would produce constant embarrassment to the government in the conduct of the war. The newspapers had become a new power in the Federation, "indispensable to the existence of freedom, and nearly incompatible with the maintenance of public order."* Yet their rapid and excessive multiplication had neutralized their influence. In 1775 there were 37 newspapers in the thirteen States; in 1810 there were 358 in the Union. Jefferson, however "quaker" was his general policy, looked upon the probable issue of the war of 1812 with an almost childish confidence. The United States had only to create a marine to free the seas from the ascendancy of Great Britain. Upon American ground they would be irresistible. The invasion of Canada would be only a march. To carry Halifax would be merely an affair of a few months. New York might be burnt by the British fleet, but could not the government of the Union, in its turn, cause London to be burnt by English mercenaries, easily recruited from a starving corrupt population? No truce, no intermission, before Canada was obtained as an indemnity for a thousand ships seized by British cruisers, and for six thousand seamen carried off by impressment. No sheathing the sword before full security for the future was obtained for every man sailing under the American flag. All this accomplished,—peace with Great Britain, and war with France. Such were the dreams of the man who drew the first Declaration of Independence, and who believed that nothing was beyond the power of a democratic government.† The warlike impulses of this de-

* De Tocqueville, vol. ii. p. 20.

† These opinions are supported by a reference to five letters of Jefferson, of January, June, and August, 1812, to be found in "Works of Jefferson," vol. vi. See De Wit, "Thomas Jefferson," p. 356.

mocracy were sensibly mitigated by the sudden pressure of taxation for the general purposes of the Federal government, in addition to the local taxation of each State. In the four years ended 1811, the expenditure upon the Military and Naval Establishments was about 24 millions of dollars. In the four years ended 1815, they had reached 102 millions of dollars. The Public Debt had been more than doubled between 1813 and 1816, as compared with the four previous years.

The injurious effects to the commerce of both countries which resulted from the British Orders in Council, the American Embargo Acts, and the war, are manifest in the returns of exports of British produce to the United States, and of the total exports from American ports to all countries. In 1807 the United States imported nearly twenty-nine millions of pounds' worth of foreign merchandise, and exported twenty-two millions and a half of home and foreign produce. In 1811 the imports and the exports were less by one half. In 1814 the total imports from all parts of the world amounted only to 2,700,000*l.*, and the total exports to 1,440,000*l.* The internal resources of America were indeed very great, in her unlimited amount of territory, in the adventurous industry of her people, and in the rapid multiplication of the communications between the several States. In 1790 there were under 2000 miles of Post Routes, with 75 Post-offices. In 1815 there were nearly 44,000 miles of Post Routes, with 3000 Post-Offices. But the American population would never have quadrupled in half a century without the stimulus of foreign commerce. The great Cotton cultivation of the Southern States was at the period of this war very imperfectly developed, and their slave population was consequently less identified with the ruthless tyranny of the demand for labour than with the milder servitude under the original planters. It might have been supposed that the interruption of our cotton supply by the war of 1812 would have produced an essential derangement of that great branch of our manufacturing industry which had enabled us in a considerable degree to support the pressure of the continental war. But at that period the imports of American cotton were comparatively trifling. The first arrival of cotton wool from America was one bag from Charleston delivered at Liverpool in 1785. In 1791 only 2,000,000 lbs. of cotton were grown in the United States; in 1801 the crop was about 40,000,000 lbs.; in 1811 the crop was estimated at 80,000,000 lbs. The exports of cotton, which had been 62,000,000 lbs. in 1811, were reduced to 28,000,000 lbs. in 1812, and to 19,000,000 lbs. in 1813. When we compare these figures with the 961,707,264 lbs. of raw cotton imported into the United King-

dom from the United States in the year ending 31st of December, 1859, we may estimate the danger and difficulty of a diminished supply now, as compared with the period when the commercial intercourse of the two countries was wholly suspended, except through the extensive operation of that contraband trade which no blockade or embargo could prevent.* It is a singular fact, as showing the notions of commercial policy which prevailed at that period in the legislative mind, that Earl Darnley, in the House of Lords on May 14, 1813, complained that "American cotton, on a system that could not be too severely reprobated, had, until lately, been allowed to be imported, to the great detriment of our own colonies and to the great advantage of the territory of our enemies. † The cotton-spinners of York at the time addressed a petition to the House of Commons, in which they said, that having learnt that petitions had been presented to the House in favour of a prohibition on the exportation of cotton-wool, the growth of America, they prayed the House not to adopt any measures which would assist the efforts of foreign nations to supplant our cotton manufacture, and which would prove the entire ruin of the trade of the petitioners. ‡

In the Remonstrance of Massachusetts the Congress is asked, "Must we add another example to the catalogue of republics which have been ruined by a spirit of foreign conquests. . . . Were not the territories of the United States sufficiently extensive before the annexation of Louisiana, the projected reduction of Canada, and the seizure of West Florida?" Within a fortnight after the declaration of war, the American general Hull set out for the invasion of Canada with a force of 2800 men. On the 12th of July he crossed the river Detroit, and captured the small open town of Sandwich. From this place he issued a proclamation threatening a war of extermination if the savages were employed in resisting his advance. The English commander, major-general Brock, had, however, collected a force of 700 British regulars and militia, and 600 Indians, with which he repulsed Hull in three attempts against Fort Amherstburg, and compelled him to recross the river to Detroit. On the 16th of August Hull capitulated with 2500 men to Brock and his little army. A second attempt to invade Upper Canada was made by the American general Wadsworth, who, on the 13th of

* For the preceding statistical facts regarding the United States at the time of the War, we have consulted "Geography of America," published by the Society for Diffusion of Useful Knowledge; Porter's "Progress of the Nation;" Macgregor's "Commercial Statistics," vol. iii.; the "English Cyclopaedia," art. United States; and the "American Almanac," for 1864.

† Hansard, vol. xxvi. col. 180. ‡ *Ibid.*, p. 203.

October, carried Queenstown, with a large force. In the defence of Queenstown, general Brock, the gallant English commander, fell; but reinforcements of English troops having arrived, Wadsworth was totally defeated, and surrendered with 900 men. At the time of Hull's capitulation to Brock, the American fort in the small island in Michillimackinac was taken by a force of English, of Canadians, and of Indians.

The employment of Indians in the first American war, had aroused the eloquent wrath of Chatham, when he exclaimed, "Who is the man who will dare to authorize and associate to our arms the tomahawk and scalping knife of the savage?" Not only American but English writers denounce their employment in the war of 1812, as a stain upon our national reputation. Certainly it is to be apprehended that whenever the Indians were acting in detached bodies, as allies of the British and Canadians, their warfare was marked by the reckless destruction of life and property, and by their accustomed cruelty to the vanquished enemy. It is not clear, however, that the charge is unexceptionably just that the British brought into the conflict "savages of too low an order to be under military command."* It is but fair to state that in the last despatch of general Brock, addressed to sir George Prevost, Governor in chief of the British provinces of North America, he says, that many of the Indian nations had been engaged in active warfare with the United States, notwithstanding the constant endeavours of the British government to dissuade them from it; that from the breaking out of the war, they took a most active part; and that they were led in an attack upon Hull at Detroit by an English colonel and an English captain. "Nothing," adds general Brock, "could exceed their order and steadiness. A few prisoners were taken by them during the advance, whom they treated with every humanity. Such was their forbearance and attention to what was required of them, that the enemy sustained no other loss in men than what was occasioned by the fire of our battery." † This might have been an exceptional case, in which the common ferocity of Indian warfare might have been controlled by one of the most honourable and the most lamented of the British officers in America. The savages fighting under him cannot be described as of "too low an order to be under military command." The British authorities undoubtedly put arms into the hands of the Indian chiefs when the war broke out. The crime was not in arming these daring warriors, with the intent to bring them under the common subjection of the soldier to

* H. Martineau, "Introduction to History of the Peace."

† London Gazette, October 6th, 1812, in "Annual Register."

his officer; but in leaving them when they were armed to their own uncontrolled action, in which "forbearance" would have been accounted by them weakness and not virtue.

The early successes of our land forces could scarcely have been expected. The number of regular British troops in Canada was about 4500 men; the militia of the two provinces was not more in number. The American regular army was equally small. But the prowess of the American militia had been capable in the former war of gaining victories over the disciplined troops of Burgoyne and Cornwallis. The politicians of London were surprised at the victories of 1812. They saw a great host of the militia of the Northern States ready to fight with the warlike enthusiasm of democratic populations. They were unacquainted with the philosophical demonstration, "that when a democratic people engages in a war after a long peace, it incurs much more risk of defeat than any other nation." The first successes of our armies in America begat a confidence that the duration of the war would be attended with similar triumphs. There was surprise when our troops in Canada were beaten. There was universal indignation when, in the last year of the war, the choicest of the Peninsular troops were routed at New Orleans. It was not understood that the chances of success for the army of a democratic people are necessarily increased by a prolonged war; and that such an army, if not ruined at first, would become the victors.*

At the commencement of the war of 1812, the naval force of the United States consisted of four frigates and eight sloops, manned by 6000 seamen. The British navy comprised, of ships in commission for sea service, a total of 621; of these, 102 were ships of the line; of frigates, from 44 guns to 32, there were 111; of smaller frigates, sloops, gun-brigs, and cutters, there were more than 300. † What, thought the people of this country, could the petty American navy effect against such a force? The London Gazette, of the 6th of October, announced the capture of Detroit and the capitulation of Hull. The London Gazette, of the 10th of October, contains a despatch from vice-admiral Sawyer, enclosing "a letter from captain Dacres, of his Majesty's *late* ship *Guerrière*, giving an account of his having sustained a close action of near two hours, on the 19th ult., with the American frigate *Constitution*, of very superior force both in guns and men (of the latter almost double), when the *Guerrière*, being totally dismasted, she rolled so deep as to render all further efforts at the guns unavailing, and it became

* See De Tocqueville, vol. iv. chap. xxiv.

† See Tables to James's "Naval History."

a duty to spare the lives of the remaining part of her valuable crew by hauling down her colours." The American frigate *Constitution*, which captured the *Guerrière*, was of 1533 tons, whilst the English frigate was of 1092 tons. On the 16th of October the American brig *Wasp* captured the British sloop *Frolic*, each being of 18 guns, but the American vessel much superior in tonnage. Both these small vessels were captured soon after the action by the British ship of the line *Poictiers*. Another disaster quickly followed the loss of the *Guerrière*. The British frigate *Macedonian*, after a most gallant fight, was captured by the American frigate *United States*. As in the case of the *Guerrière*, the tonnage of the *Macedonian* was nearly a third less than the tonnage of the enemy's frigate. Again, on the 29th of December, the *Java*, of 1092 tons, was captured by the *Constitution*. The British sloop *Peacock*, which struck to the American brig *Hornet* on the 14th of February, 1813, was the fifth ship of our navy, numbering 621 vessels in commission for sea service, which had hauled down its colours in engagements with four ships of that navy which comprised only four frigates and eight sloops. The people of this country were in astonishment, and almost in despair, at this unexpected result. The glory of our navy had departed. "The charm of its invincibility had now been broken; its consecrated standard no longer floated victorious on the main." * France and other nations rejoiced, saying that England's maritime tyranny was at an end. The Admiralty was assailed by denunciations of its incapacity and neglect. It was answered that our naval force on the American stations at the commencement of the war was in no degree insufficient; that from Halifax to the West Indies there were stationed ships seven times more powerful than the whole of the American navy. Our government was evidently ignorant of the great inequality in the comparative size of what were called American frigates. The *Constitution*, the *United States*, and the *President*, were intended for line-of-battle ships. Although only single-decked vessels, they had the same tonnage and capacity for carrying men as the greater number of British two-deckers. They were ships of the line in disguise. The Americans no doubt knew that the captain of a British 32-gun frigate was bound to fight any single-decked ship, and that he would be liable to a court-martial if he shrank from such an engagement. Our government, which prescribed the rule, shut its eyes to the inevitable danger. Scarcely a frigate of our navy in the Atlantic was sailing with a consort. As in the outset of every other war, and too often during its continuance, the British Admiralty was

* Earl Darnley in the House of Lords, May 14, 1813—(Hansard, vol. xxiv. col. 182.)