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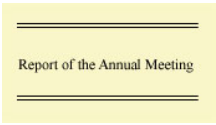

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SIR CHARLES BAGOT AND CANADIAN BOUNDARY QUESTIONS

By THE REV. WM. ORR MULLIGAN

When Sir Charles Bagot decided to admit French-Canadian representatives into his cabinet for the carrying out of proper representative government, he became immediately the object of a series of bitter criticisms in Canada and even in England which traduced him and his work so much that his reputation has suffered most undeservedly and severely ever since. English-speaking Canadians have been more disposed to follow the rancourous, partisan and unjust criticisms of Major Richardson,[1] than the discerning, sympathetic and judicious appreciations of Dr. Ryerson.[2] The detractors of Bagot, past and present, make much of his sympathy with the French Canadians. They consider him so partial to their claims and so indifferent to other Canadian and imperial interests as to have endangered the British connection. A curious commentary on this attitude may be seen in the nomenclature of the streets of the city of Montreal. In the centre of that great and busy city in the English district there are the names of Stanley, Peel, Metcalfe, Mansfield, all close together, but no Bagot. Only in the east end and in a solid French quarter is his name to be found. Quebec province has named a county in his honour. The Canadian National Railway has its Bagotville—but English-speaking Montreal and Quebec have ignored him.

The aim of this paper is to correct an obvious misinterpretation of the work of Bagot after re-considering a number of the factors and some of the material on which he has been judged. Of the five governors, Durham, Sydenham, Bagot, Metcalfe and Elgin, whose abilities, industry, leadership, and advocacy, gave us our modern Canada, I hope to show that Bagot occupies a more important place than that usually given him, and that our estimate of him and his work should be reconstructed on a different basis. For the present occasion I shall deal only with Bagot considered as an authority on American-Canadian boundary questions. Of the five governors who came to us he was the best informed on Canadian questions of importance at his time—the north east coast, and the north west coast boundary questions. He was quite familiar with American usages and methods. During his ministry at the Hague he had much to do with the difficult Belgium and Holland division of territory and thus became conversant with the bearing and importance of questions of religion and language on political policies. He thus brought a rich and varied experience to bear upon the problems which confronted him as governor-general of Canada and in dealing with them he had the courage to do what he deemed right rather than expedient or politic. But at the time of his appointment Canadian affairs were seriously complicated with American ones especially in the frequent occurrence of "border incidents" and the rights of parties concerned. In dealing with the issues involved in

[1]Major Richardson, *Eight Years in Canada* (Montreal, 1847), 200 f.

[2]The Rev. Dr. Ryerson, *Some Remarks upon Sir Charles Bagot's Canadian Government* (Kingston, 1843); Ryerson, *The New Canadian Dominion* (n.p. [Toronto ?], 1867).

American-Canadian boundary questions there has been a marked disposition on the part of Canadian writers to ignore entirely, or at most to treat very cursorily the social and political conditions prevailing in Britain, Europe and the United States at the different times these boundary problems required settlement. These conditions should have more attention than our own historians have been disposed to give them, because they not only exercised considerable influence on the procedures adopted in dealing with American-Canadian questions but they had also, in consequence of these procedures much to do with the results which followed.

Were not the appointments of Sir Charles Bagot to Canada and of Lord Ashburton to the United States influenced as much, if not more, by the British, American, and European social and political condition of affairs than by the purely local Canadian conditions? A brief survey of these will convince the doubter that they were.

In Britain a new government under Sir Robert Peel had taken office in September 1841. Immediately it was compelled to deal not only with a series of grave problems in foreign politics world wide in extent, but also with others as grave in nearly every part of the empire as then constituted. Gravest of all and most distressing were the social and economic conditions existing in Great Britain at that time.

The Peel government had to face a foreign situation full of dangers and uncertainties. In Europe almost every country was seething with discontent which broke out in frequent uprisings and rebellions against the rulers and governments then in power. The year 1848 is synonymous in European history with "revolution". Previous to 1848 the factors which make that year a sign-post of social and political upheaval had been gathering force not only in Europe but in Britain and her colonies. Foreign affairs demanded their best efforts to avoid war with France. A collision of interests in far-off Tahiti in the South Sea Islands furnished the war mongers with the necessary casus belli. Had not both governments been able to hold them in check, war seemed inevitable. Britain was already engaged in the far east in a long drawn unpopular war with China which was not terminated until the signing of the Treaty of Nankin in 1842.[3]

Bad as was the state of affairs in Europe those within the Empire were worse. There were the humiliations, ignominies and problems arising out of the disgraceful and disastrous Afghan War.[4] As a direct outcome of the Afghan troubles India became unsettled and two wars with Indian peoples followed in quick succession. South Africa was also the cause of serious concern, both to the British leaders there and in London. "The great trek to the north" by the Boers took place in 1838-1840 and brought them into collision, not only with new tribes of warlike natives, but also with the British settlers in Natal. In 1841 antagonisms between the whites and the natives and Briton and Boer became so acute that preparations for war were made by the British authorities.[5] In the West Indies there was

[3]Hansard, *Parliamentary Debates,* LIX, Aug.-Oct., 1841, 523-603, 758-802; A. J. Grant and Harold Temperley, *Europe in the 19th Century 1789-1914* (London, 1913); R. B. Mowat, in *Cambridge History of British Foreign Policy* (Cambridge, 1923), II, 182-185. This work will be referred to under the initials C.H.B.F.P. G. P. Moriarty, C.H.B.F.P., II, chap. 5, 215-219.

[4]C.H.B.F.P., II, 203-209.

[5]W. P. Morrell, *British Colonial Policy in the Age of Peel and Russell* (Oxford, 1930), 132-149; Jan H. Hofmyer, *South Africa* (London, 1931), 64-82; Eric A.

much suffering and dissatisfaction. Business in general in these islands was ruined consequent on the abolition of slavery in 1833 and the agricultural, commercial, political and social readjustments occasioned by such a profound change in the status and outlook of the great majority of the inhabitants made such slow and dubious progress that the confidence of many of those directly interested in the welfare of the Islands and their inhabitants gave way to despair and conditions bordering on anarchy began to prevail.[6] Canada was also a centre of discontent. The bitterness engendered by the rebellion of 1837 still remained.[7] "The fires of insurrection had been put out, but the ashes were still hot."

Worst of all, far more distressing, and fraught with almost revolutionary dangers were the conditions at home in Britain. They furnished a fitting introduction to the "hungry forties". "The winter of 1841-42 was one of the worst in an industrial and economic sense through which this country has ever passed." The facts amply justify this conclusion. Food prices were high, wages unbelievably low, unemployment widespread in country, village, town and city. A succession of bad harvests combined with the corn laws made bread very dear—10d to 1/2d being paid for the quartern loaf. In the factory towns and cities of Lancashire and in the industrial centres of Yorkshire tens of thousands of workers earned less than a shilling a week. "In Leeds there were 20,000 persons whose average earnings were under 1/-, and in Stockport many people earned less than 10d." Living conditions were appalling. Trade was depressed. Agriculture did not pay. Artisans could not get work. The mass of the people could not get sufficient food. Deaths from starvation occurred in several towns and cities. The government could not give any direct assistance because the necessary legislative and social machinery did not exist. Moreover the national revenues were falling; deficits were increasing; the treasury was well nigh empty.[8]

The miseries of their own people, the industrial and commercial distress, the state of affairs in many parts of the empire as well as in other countries urgently required the removal of all causes opposed to peace, progress, and prosperity. Peel and Aberdeen were for the settlement of all issues that were causing trouble and unnecessary national anxiety and expenditures.[9] The first of these to which both these statesmen gave their attention was that involving Britain, the United States and Canada. The circumstances were appropriate and the need was very great. The United States was having troubles enough of its own.

The American social and political outlook too was a serious one. "The presidential campaign of 1840 was the most extraordinary that the country

Walker, *A History of South Africa* (London, 1928), 202-241; Kenneth N. Bell and W. P. Morrell, *Select Documents on British Colonial Policy, 1830-1860* (Oxford, 1928), 449-502.

[6]Bell and Morrell, *Select Documents,* 370-444.

[7]W. P. M. Kennedy, *Statutes, Treaties and Documents of the Canadian Constitution, 1713-1929* (Toronto, 1930), 453-454.

[8]Hansard, Speeches on "Distress of the Country", LIX, Aug.-Oct. 1841, 523-603, 734, 758-802; *Ibid.,* Dr. Bowring, "Distress at Bolton", 1017-1043; A. E. Bland, P. A. Brown and R. H. Tawney, *English Economic History, Select Documents* (London, 1914), 516-521; J. A. R. Marriott, *England since Waterloo* (London, 1923), 161.

[9]Hansard, LIX, Aug.-Oct. 1841, 523-603; A. A. W. Ramsay, *Sir Robert Peel* (New York, 1928), 254.

has ever known." Harrison was elected and took office in March 1841, but died a month later, and John Tyler succeeded him. The commercial and financial affairs of the country when he came into power were in a grave state of confusion and uncertainty. On both boundaries, north and south, the young republic found animosities increasing in number and bitterness. Canada was resentful over the claims of American citizens to what they deemed was Canadian territory. Mexicans and Texans and Americans were practically at war in the south.[10] Dangers and opposition without her borders, turmoil and uncertainty within them and divided counsels among the leaders of state were not sources of optimism and encouragement to the men who had the real welfare of the United States at heart. Notwithstanding the battle cries of the politicians there was a large body of opinion desirous for peace and stability.[11] The adjustment of controversial and provocative issues with other countries was a *sine qua non* for such stability. The gravest of all these issues were those between Great Britain and the United States, some of them of long standing, and all pressing for settlement.

Several of these concerned Canada; the north eastern boundary question; "The *Caroline* affair" and its consequent McLeod case; and the north western boundary. Not only Britain desired peace, and the removal of all causes that disturbed it; the United States was also anxious for peace.

The settlement of the differences with the United States was thus one of the first objects to which Peel and Aberdeen gave themselves.[12] Leaders in both countries realized the urgency. It was the task of each country to appoint the men who would ably and satisfactorily secure the final adjustment of the controversial and irritating problems that caused so much bitterness and misunderstanding. This was not any easy matter. True and effective diplomacy requires that ambassadors to foreign countries or representatives to important commissions shall be acceptable to the governments to which they are accredited. Should they be otherwise, suspicions are aroused and the successful accomplishment of their tasks is imperilled. It is important that they be personae gratae to those with whom they are to deal. It is even more important that they should have the courage and steadfastness which come from a judicious and competent knowledge of the issues to come before them.[13] The strong desires of both Peel and Aberdeen were to have men acceptable to the Americans. Sir Charles Bagot, they appointed governor-general of Canada; Lord Ashburton to the United States.

Both these appointments were deemed good on many grounds. Ashburton as a young man had spent several years in the United States. He had listened to debates in the house of congress when Jay's treaty was under discussion. His business connections with the Americans were many, as were also his social relations. While resident in the United States he had married the daughter of William Bingham, a senator for Penn-

[10]James D. Richardson, *Messages and Papers of the Presidents* (Washington, 1897), IV, 36, 72, 73, 112-150, 162-177; A. P. Newton, C.H.B.F.P., II, 220-247, 253-261, 247-253.

[11]Richardson, *op. cit.*, III, 585; IV, 36, 72, 73, 392-397; R. G. Adams, *A History of the Foreign Policy of the United States* (New York, 1925), 212-222.

[12]*The Greville Memoirs*, V, 73; Ramsay, *Sir Robert Peel*, 254.

[13]A. F. Whyte, *The Practice of Diplomacy, an English rendering of François de Callieres's "De la maniere de negocier avec les souverains"* (London, 1919).

sylvania. He had travelled in northern Maine where his father-in-law owned land and had visited the territory which was afterwards in dispute.[14]

Bagot was also acceptable and competent. President John Quincy Adams, never too well disposed to British representatives, expresses in his diary his personal opinion of Bagot and his work at Washington—"He has resided here three years, and though coming immediately after a war in which the national feelings here were highly exasperated against his country, he made himself universally acceptable. No English Minister has ever been so popular".[15]

Apparently the important issue for Peel and his government was the settlement of relations with the United States. The popularity Bagot enjoyed when British minister at Washington had therefore much to do with his appointment as governor-general of Canada. The evidence for this is quite clear. Buller, writing to Peel on the Canadian appointment, expresses his conviction thus:

> "He must have no prejudices against the Government and people of the United States. It is essential on the contrary that he should be inclined to conciliate both, for the Governor General of Canada will, in fact, among his duties have in a general measure those of Ambassador to the United States."[16]

Peel too was of the opinion that:

> "Bagot's influence in the United States was an important qualification in the eyes of Stanley."[17]

This was also the opinion of a member of Bagot's own family. His daughter-in-law, Mrs. Charles Bagot, writes:

> "Owing to his popularity with the United States government, he was urged to accept the Governor-Generalship of Canada at the commencement of the difficulties arising in connection with the Canadian Boundary question."[18]

Two relevant extracts from the instructions issued by Stanley to Bagot show clearly that the international situation between Britain, America and Canada and the political atmosphere of the time had as important a bearing on his appointment to Canada as the local situation in Canada itself had. These extracts state:

> "In reference to the relations between this country and the United States, I need not urge upon you the necessity of doing everything in your power to allay irritation, and to maintain upon the frontier a mutual good understanding between Her Majesty's subjects and those of the United States, and while you will be prepared promptly and efficiently to repel any unauthorized intrusion or aggression on the part of American Citizens, you will take effectual measures for preventing Her Majesty's subjects from affording by their conduct any just causes of complaint on the part of the United States.
>
> "You will communicate confidentially and directly whenever you

[14] *Dictionary of National Biography*, (Lond., 1885), III, 190-191; Dudley A. Mills, "British Diplomacy in Canada", (*United Empire*, II), 683-712.

[15] Allan Nevins, *The Diary of John Quincy Adams, 1794-1845*, 201.

[16] G. P. de T. Glazebrook, *Sir Charles Bagot in Canada* (Oxford, 1929), chap. 1, 1-17. Extract from the "Buller-Peel Correspondence", by Paul Knapland.

[17] *Ibid.*, Peel to Stanley.

[18] Mrs. Charles Bagot, *Links with the Past*, (London, 1901), 95.

> may deem it necessary with Her Majesty's Minister at Washington, of course, keeping me informed of all that passes, and generally with questions which may arise of the Relations with the United States Government and People. You will consider yourself as acting under the same instructions, and vested with the same discretionary authority as have from time to time been conveyed to your predecessor."[19]

In the *Colonial Gazette* of February 16th, 1842, on the same page and in the same column are three news items referring to Bagot, Ashburton and Elgin, which indicate much activity at the colonial office.[20] The new government in Britain was setting its affairs abroad in order after its own fashion. It is worth noting that Lord Sydenham had asked as a successor a man who had training as a practical politician. Stanley sent a trained diplomat.

In the diplomatic field, Bagot had taken part in some very important international events with credit to himself and advantage to his country. In two of his most important positions, those at Washington and St. Petersburg, he had to deal with American and Canadian boundary questions of far-reaching importance. These experiences had fitted him eminently for the governor-generalship of Canada and its implications in 1841. During his American ambassadorship, twenty-five years previously, he had to deal with such a variety of boundary problems, incidents and issues that of sheer necessity he became familiar with the whole frontier of Canada.

Briefly considered they show that: Bagot arrived in Washington on March 21, 1816, and in less than three months had to deal with his first American-Canadian boundary question in the issues arising out of the disputed ownership of the islands in Passamaquoddy Bay, off the coast of Maine. He writes to Sir J. C. Sherbrooke, governor of Canada, that he has received a communication from the American secretary of state, in which certain Americans ask their own government to assist them in securing possession of lands situated on these islands, which, they state, were still being held by the British government and alleging this to be in violation of the 8th article of the Treaty of Ghent. He asks Sherbrooke to acquaint him (Bagot) with "the real situation of the property in question and whether any and what objection exists to its being restored".[21]

Eighteen months later he again wrote Sherbrooke on this matter and not until an additional five months had passed was he able to direct the governor general in Canada on the authority of Her Majesty's secretary of state for foreign affairs that possession of the islands was to be given the Americans.[22]

A troublesome issue in American-Canadian relations was that of the rights of Americans in Canadian fisheries. In the treaty of 1783 and in the Treaty of Ghent these rights were not clearly defined. Small wonder then that difficulties arose which frequently threatened to become dangerous, and Bagot was apparently busy preserving peace, at the same time

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[19]Public Records Office, London, C.O.42/481, Stanley to Bagot.

[20]British Museum, Newspaper Library, Colindale, *The Colonial Gazette*, Wednesday, Jan. 19, 1842.

[21]Public Archives of Canada, Bagot Papers, I, Canadian Correspondence, 1816-1819. Bagot to Sherbrooke, June 14, 1816.

[22]*Ibid.*, Bagot to Sherbrooke, May 13, 1818.

protecting the rights of his fellow subjects. Despatches to Admiral Griffiths, Vice Admiral Pickmore, Vice Admiral Sir C. Hamilton, Sir David Milne, Sir John C. Sherbrooke and others show Bagot had full powers in the fisheries agreement, but did not want any high-handed acts to spoil the success of the discussions. However, he is not going to be hoodwinked, or is he going to permit the Americans to take full advantage of his generosity. Neither did he tie the hands of his co-workers indefinitely.[23]

Bagot was thus brought into touch with maritime boundary problems in Nova Scotia, New Brunswick and Newfoundland.

Other boundary questions had arisen in the meantime. In a despatch to Sherbrooke dated November 3rd, 1817, we have Bagot's first recorded contact with the boundary issues connected with the north west coast of America. He had heard "A rumour that the U.S. Sloop of war Ontario which has recently sailed from New York is believed to be destined for the Pacific Ocean, and has instructions to proceed to the mouth of the Columbia River on the North West Coast of America". Should Sherbrooke think proper he "may privately put the North West Company upon their guard against any design which may possibly be in contemplation to re-establish the settlement which the American Government formerly attempted to make at the mouth of that river, and which they endeavored to claim the restoration soon after the war under the 1st Article of the Treaty of Ghent".[24]

Is there any truth in the rumour? Bagot wanted certainty, so he wrote Simon McGillivray, Esq., New York, of the North West Fur Company, to find out, and McGillivray assured him the rumour was correct, but he would not give the source of his information. Bagot soon after saw Adams, and got official confirmation of the sloop's departure, and the assurance that there would be no disturbing in any way the trade of the North West Company.[25]

"Border incidents" were numerous enough to give Bagot several opportunities to acquire a wider knowledge of the lines that separated the United States from Canada. On the 29th April 1816, the American government had passed an act "to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers". Bagot wrote Lt. General Sir Gordon Drummond, drawing his attention to the provisions of the act, "all intercourse for the purposes of trade with the Indians within the territorial limits of the United States is interdicted under very severe penalties, and that all other intercourse is placed under such restraints as amount in fact to a total exclusion of British subjects from the territories in question". His Majesty's subjects are to be warned of the dangers they are exposed to by any violation of this act.[26]

From Canada came a complaint by the Duke of Richmond: "You will see by a despatch that I have thought it proper to represent through Bagot an outrage committed by the American Officer commanding at Rouse Point Lake Champlain."[27]

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[23]*Ibid.*, 17, 19, 35, 40, 54-60, 76, 100, 121.
[24]*Ibid.*, Bagot to Sherbrooke, Nov. 3, 1817.
[25]*Ibid.*, Bagot to Sherbrooke, Dec. 1, 1817.
[26]*Ibid.*, Bagot to Drummond, June 1, 1816.
[27]Historical Manuscripts Commission: Report on the Manuscripts of Earl

From "border incidents" to boundaries, his activities swing again. We read that Adams had met Calhoun, who asked him (Adams) "to enquire of Mr. Bagot whether he had any authority to agree to a temporary line between the British territories and ours to the North West, and said he was establishing a line of posts in that direction to cover our frontier, and prevent the British Traders from crossing the line to trade with the Indians within our boundaries. I called afterwards at Calhoun's office, where he showed upon the map the positions where the new posts are to be established."[28]

Two momentous arrangements effecting the boundaries of Canada and the United States were made during Bagot's term of office at Washington,—the Convention of 1818 and the Rush-Bagot Agreement. With the first, Bagot was only indirectly concerned; he was not one of the negotiators. But among its provisions it fixed the boundary between the British possessions in North America and the United States at the forty-ninth parallel of latitude, running from a point south of the Lake-of-the-Woods to the Rocky Mountains. The Oregon country boundary was left open for later consideration. With the second arrangement—Bagot's name with that of Rush goes down in history, "The Rush-Bagot Agreement", as an example of what nations can do for peace and goodwill by the limitations of armaments on their borders. It is, however, with the boundary aspect of these agreements we are dealing. Bagot was continually allaying the friction caused by clashes on the borders because of wilful or unwitting invasion of territories. The armed forces on the great lakes were not of the type to rest in idleness. They were too desirous of justifying their calling and occupation.[29] An unauthorized stepping over the line, and troubles ensued. Bagot learnt, or had to learn, where the lines on land, or river or lake ran, and where there were doubts had to have the doubts removed.

In the light of later developments, the work, direct or indirect, required in these negotiations gave him not only a valuable training and experience and wide knowledge of the two countries but also an insight into the workings of American diplomacy and an understanding of the American mind. It is also to be observed that he was jealous for the rights of his countrymen and sought to safeguard them in every legitimate way.[30]

From Washington, Bagot went to St. Petersburg. Even there American-Canadian boundary questions followed him. On September 4th, 1821, Czar Alexander the First issued his historic ukase in which he declared Behring's Bay a *mare clausum,* the practical purpose of this declaration prohibiting American, British and other seamen and traders doing any business, on the whole north west coast of the continent. Britain and the United States promptly protested. Both countries denied the right

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Bathurst, preserved at Cirencester Park (London, 1923), 454. Richmond to Bathurst, 21st Aug., 1818.

[28]*Diary of John Quincy Adams,* 201.

[29]Bagot Papers, I, Bagot to Commodore Owen, Aug. 14, 1816; Bagot to Sherbrooke, Aug. 14, 1816; Bagot to Sir Robert Hall, Dec. 5, 1816; Admiral Sir Robert Hall to Bagot, June 4, 1817.

[30]*Ibid.,* Bagot to Sherbrooke, July 6, 1816; Bagot to Griffith, Aug. 20, 1816; Bagot to Sherbrooke, Jan. 10, 1817; Bagot to Milne, June 30, 1817.

of the Russian emperor to exclude their nationals from the seas and shores which he had declared closed.[31]

Nothing, however, was done immediately. European affairs were occupying the emperor's attention rather closely at the time. However, on October 5th, 1823, Bagot wrote Canning in part that he had had one or two preparatory and informal conversations with the Russian minister, Mr. Poletica, upon the north west coast business, but that they were delaying matters pending the arrival of Mr. Hughes, the American chargé d'affaires at Stockholm, who was to bring instructions from Washington to Mr. Middleton, their representative at St. Petersburg. He proceeds to give his own views on the matters at issue.

> "I have half a mind to exceed my instructions and try if I cannot get a degree of longitude instead of latitude for our line of demarcation. It appears to me that if we take a degree of latitude we leave Russia with undefined pretentions to the Eastward and in the interior of the continent, whereas a degree of longitude would describe both the boundary on the coast and within the continent at the same time. I do not know whether Russia would listen to such a proposition but it would I think be a great point if we could get somewhere about the 139th degree of West Longitude as the line. . . . This would make the latitude of our boundary about 59½ North instead of 57 with which you say you would be contented. If I am to secure 57 it may, at all events, be as well to begin by claiming something more and I have some notion of bringing forward the idea."[32]

In a later despatch he informs Canning in part that he knows the object of the United States is to obtain a boundary which shall give them both banks and the exclusive navigation of the Columbia River from its mouth to the Stoney Mountains "and to secure this they would desire a line drawn from about Widbeg's Harbour in something more than 46 N. latitude . . . to the most northern bend of the river in something more than 51 N. latitude."[33]

Bagot proceeds with the discussions and negotiations but between American claims and Russian pretentions nothing satisfactory was done. He expresses the opinion that the adjourned question of the Columbia had only 4 or 5 years more to sleep and if his suggestions were acted upon "would be thus quietly and finally disposed of in a general agreement". Meantime the Russian emperor has shown an "invincible reluctance" to renounce any part of the Russian claims based on those advanced by the Emperor Paul in 1799. These set the Russian boundary at 55 N. latitude.[34]

The Russian correspondence of Bagot reveals the mind of a keen and competent negotiator who felt the limitations of his instructions and who

[31]H. W. V. Temperley, "The Foreign Policy of Canning, 1820-1827", C.H.B.F.P., II, 66; H. W. V. Temperley, *The Foreign Policy of Canning, 1822-1827* (London, 1925), 104-107, 492; Temperley, "Correspondence of the Russian Ministers in Washington, 1818-1825" (*American Historical Review*, Oct. 1912, Jan. 1913), 309-345, 537-562; Josceline Bagot, *George Canning and His Friends* (London, 1909), II, 220-221.

[32]Bagot Papers, Vols. 18 ff., The Russian Correspondence, 1820-1824, Bagot to Canning, Oct. 5, 1823.

[33]*Ibid.*, Bagot to Canning, Oct. 29, 1823.

[34]*Ibid.*, Bagot to Canning, Feb. 27/Mar. 10, 1824.

frequently exceeded them, and that, on occasion, he ran no small risk of having his work disapproved by the foreign secretary at London.[35]

If the final results of the Alaskan boundary commission have not been very satisfactory to present day Canadians, no blame can attach to the British minister at St. Petersburg who was later a governor-general of Canada. He, at least, would not and did not concede everything to the Russians and Americans.

On August 4th, 1824, Bagot informs Canning that Poletica thought the case for a Russian settlement was hopeless and the whole matter, so far as Bagot was concerned, fell through. He felt the failure keenly.

> "I regret it greatly on public grounds also, as I should like very much to have been the person to sign a Treaty of such magnitude and importance, and I should have ended my days handsomely by so doing. But diis aliter visum est, and I cannot at all see what is to be done."[36]

To his friend Sir Arthur Wellesley he wrote in part:

> "I sent a messenger last night to England to acquaint Canning with my failure in bringing this Government to any reasonable arrangement respecting the N. W. Coasts of America, about which I have been long in negotiation. Our Government may come into the Russian terms if they please, but I will not. The more I examine the Russian pretentions the less founded and more preposterous I find them. I have exceeded my utmost instructions, in the hope of making an arrangement, and I should very much doubt whether this Government will ever get such offers again."[37]

Professor Temperley in his comprehensive and thorough "Foreign Policy of Canning" gives small credit to Bagot in the Russian negotiations. He seems to have studied the Canning side from Canning's despatches and not to have paid just attention to Bagot's despatches. It is difficult to escape the feeling, after making all allowances for the situation in international affairs, that Bagot was "let down" in some degree by Canning.[38]

Soon after he left St. Petersburg to go to the Hague, and doubtless felt, that, so far as he was concerned, boundary questions on any of the American coasts would trouble him no more.

In the succeeding years Canadian affairs had been gradually assuming large proportions of international interest and a disquieting aspect as well. Internally there were the dissensions and bitterness attendant on rebellion. Relations with the neighboring republic were very unsatisfactory, even to the point of being politically dangerous.

The British government under Peel, as we have seen, had resolved on a settlement of the controversial and unsettling issues outstanding between them and the United States and which vitally concerned Canada. Bagot's appointment to Canada was influenced by this policy and it is a fair contention was linked up with the Ashburton negotiations. In at least one part of Ashburton's work Bagot could be an immense help.

It is very frequently overlooked that in Lord Ashburton's instructions

[35] *Ibid.*, Bagot to Canning, Oct. 29, 1823; Feb. 28, 1824; March 10, 1824.
[36] *Ibid.*, Aug. 24, 1824.
[37] *Ibid.*, Bagot to Wellesley, March 30, 1824.
[38] Temperley, *Foreign Policy of Canning*, 491-493.

he had to deal with other matters besides those of the north east boundary question, surrender of criminals, remedial justice, etc. There was the problem of the Oregon territory on the north west coast of America. A despatch by the Earl of Aberdeen to G. H. Fox, Esq., the British minister at Washington dated October 18th, 1842, is rather revealing.

Aberdeen is of the opinion that the time is now opportune for making arrangements to adjust the only remaining subject of territorial differences "the line of boundary west of the Rocky Mountains".

"You are aware that Lord Ashburton was furnished with specific and detailed instructions to the treatment of this point of difference between the Governments, in the general negotiations with which he was intrusted, and which he has brought to a satisfactory issue."

"For reasons which it is not necessary here to state at length, that point after having been made the subject of Conference with the American Secretary of State, was not farther pressed."

> "The main ground alleged by his Lordship for abstaining from proposing to carry on the discussion with respect to the North Western Boundary, was the apprehension, lest by so doing, the settlement of the far more important matter of the North Eastern Boundary should be impeded or exceeded to the hazard of failure."[39]

Ashburton therefore dropped the Oregon dispute. Bagot was of a different opinion. He was very shortly settled in Kingston—scarcely two months—when he sent his despatch to Stanley with information "relative to the boundaries in dispute between the United States and Great Britain." He expresses his lack of confidence in his own opinions on the north eastern boundary issue but he does not hesitate to write with conviction on the question which concerns the other side of the continent, which was also a part of Ashburton's commission to settle. In this despatch Bagot writes:

"In regard to the North Western Boundary, I can scarcely exaggerate my sense of the importance of taking some action upon it immediately. American settlements are rapidly increasing on the Western side of the Rocky Mountains, and if Great Britain delays only a few years to plant there a population connected with herself and attached to her institutions, she will find herself completely extruded from the country by her more active competitors. This is a result very much to be deprecated. Independently of the fertility of the country and the opening which it would afford for our population, the advantages of such a port on the Pacific as the Mouth of the Columbia are incalculable. The matter is just beginning to excite interest in the United States, and I would therefore recommend that Her Majesty's Government should at once decide on the course to be pursued by them and act on it without delay, and thus anticipate the pretensions which will otherwise be put forward by the United States."[40]

These surely are not the words of a man indifferent to the territorial rights of his countrymen or of one who cared less for the British con-

[39]Imperial Blue Books on Affairs relating to Canada Boundaries, 1842-1846. Correspondence relative to the Negotiations of Disputed Right to the Oregon Territory on the North West Coast of America subsequent to the Treaty of Washington of August 9, 1842. Presented to both Houses of Parliament by Command of Her Majesty, London, 1846. Earl of Aberdeen to Mr. Fox, Oct. 18, 1842.

[40]Bagot Papers, I, Canadian Correspondence, Bagot to Stanley, March 4, 1842.

nection than he did for the solution of a racial religious linguistic governmental difficulty in the country of which he was governor-general. A quarter of a century previously, when British minister at Washington, he had written Sir John C. Sherbrooke to take measures to protect British interests in the north west. But the North West Company was a trifle over-cautious and perhaps a little afraid. From St. Petersburg, Bagot had written Canning in 1823, that the adjourned question of the Columbia River had only four or five years more to sleep and "could be quietly and finally disposed of in a general agreement." But Bagot was not listened to, either in Canada or in Britain, and the whole matter drifted on—to the final disadvantage of both.

In Canada as in the despatch to Stanley he urges the colonization of the Oregon district. It is the opinion of some competent American judges that the decision on the Oregon boundary question in favour of the United States hung finally on the fact of colonization. Bagot perceived this before the issue came up for settlement, but his suggestions were ignored. Yet here was a man who kept before him in his three great positions in America, Russia and Canada, the need of his country for a port on the Pacific. Vancouver this summer celebrates its jubilee as a city and as the Canadian seaport on that coast. Temperley has well written "The Canadian steamers and captains that now plough the sea from Vancouver to China, do so all unconscious of the man who maintained their rights and foresaw their future a century ago." A deserved tribute to Canning. But long after Canning was dead his friend Bagot had in mind another outlet on the Pacific Coast: that of the Columbia River. Had he been supported by the interested parties in Canada in 1817 and by Lord Stanley in 1842, the case for Britain would have been far stronger than it was in the final settlement of 1846, and Canada to-day it is reasonable to assume, would have had a longer coast line on the Pacific to the south, a larger Province of British Columbia in area, and another port besides Vancouver and Prince Rupert.[41]

A man of wide experience, and with first hand knowledge of the American mind at home and of American methods in negotiation, Bagot was not the type of diplomat likely to give foolish and unrealizable suggestions to his government. "Fifty Four Forty or Fight" for him would have been only what it was: not the battle cry of a nation maintaining its rights, but rather a party election cry designed to catch votes. He would have valued it accordingly.

Among the many complaints about the sacrifice of Canadian interests

[41]Frederick Merk, "The Oregon Pioneers and the Boundary", (*American Historical Review,* XXIX), 681-699; M. L. Wardell, "Oregon Immigration Prior to 1846", (*The Quarterly of the Oregon Historical Society,* XXVII), 41-64; Henry Commager, "England and Oregon Treaty of 1846", (*Oregon Historical Quarterly,* XXVIII), 18-38; Leslie M. Scott, "Influence of American Settlement upon the Oregon Boundary Treaty of 1846", (*Oregon Historical Quarterly,* XXIX), 1-19; Katherine B. Judson, "The British Side of the Restoration of Fort Astoria", (*The Quarterly of the Oregon Historical Society,* XX), 243-260; 305-330; *Ibid.,* "Polk and Oregon, with a Pakenham Letter", 301-302; Richardson, *Messages and Papers of the Presidents,* IV, 392-397; Joseph Schafer, "The British Attitude Toward the Oregon Question, 1815-1846", (*American Historical Review,* XVI), 273-299; James White, "Boundary Disputes and Treaties", *Canada and its Provinces,* VIII, 917-927; Willis Fletcher Johnson, *American Foreign Relations,* I, 403-429; C.H.B.F.P., II, 253-261; Herbert C. F. Bell, *Lord Palmerston,* (London, 1936), I, 369-370.

to American selfishness and aggressiveness and British expediency, at least one of Canada's great pro-consuls, Sir Charles Bagot, has the good record of having done his utmost to maintain and extend the boundaries of British North America, on the several occasions he was called upon to help define them. That others failed to support him should not detract from the honour to which he is entitled.