

## Expanded Notes on the Background of the 54 40 Conflict

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1844 through 1846 is a time of crisis in four countries : Britain, the United States, Texas, and Mexico.

A battle over moderization is occurring in Britain. There the landowners support a set of laws that have been in place for decades: the corn laws. These set high tariffs on imported grains, allowing the British landowner to make good profits. But the Industrial revolution is under way, and industrialists, who employ large numbers of poor, want food prices to be lower for the simple reason that if bread is expensive, they have to pay their workers more. It is the old way versus the new, and the Conservative government of Robert Peel, although it has historically favoured the Corn Laws, decides that if it is to avoid popular unrest, it had better repeal them.

The independent republic of Texas, whose English-speaking populace revolted successfully against Mexico nine years ago in 1835, is petitioning to be admitted to the US as a state. For although the defeated Mexican general Santa Anna signed an armistice which granted Texas land all the way to the Rio Grande, subsequent Mexican governments have not always conceded this as the border, arguing that the border is at the Nueces River, farther north. Texas feels a little insecure, and its economy is not very strong. Joining the US looks like a good idea.

In the United States, it is an election year. Whereas the Whig party (Abraham Lincoln is a Whig Senator from Illinois) is for strengthening the country through industrialization, Democrats want to see the country expanded – to the Pacific if at all possible. The US at this point goes no further west than the Louisiana Purchase: it ends at the Rocky Mountains in the north (today's Montana and Wyoming) and at the border with Texas in the south (today's Louisiana, Arkansas and Missouri).

In the run-up to the 1844 election, admitting Texas to the Union is a key issue. Incumbent Democratic President Martin Van Buren, who is an abolitionist, is against it because Texas would be a new slave state. (The number of states supporting each side of this debate is roughly equal, and so both factions covet the addition of new states that will further their cause.) But southern Democrats block his nomination, and instead the lesser known James Polk, a southerner and slave-owner, is nominated. The Whig candidate, Henry Clay, who is also anti-slavery, senses that the majority of voters (only white men in the US at this time) are in favour of admitting Texas, and softens his opposition to it. This costs him the anti-slavery vote in his party, and therefore the election.

So, in November 1844 Polk wins. The expansionist party is in power, but the question remains which way to expand? Since cold climates do not support the kind of agriculture that uses slavery, abolitionist Democrats want to expand west and *north*. They have their eye on the vast Oregon Territory, which has been jointly occupied by the US and Britain since 1818. Southern Democrats, though, want to expand west and *south*. They have their eye on Texas, and the Mexican territories of Nuevo Mexico and Alta California. The problem with this is the Adams-Onis Treaty, signed with Spain in 1819, which requires the US to renounce all claims to Texas.

Mexico has been independent from Spain for twenty-three years, since 1821. It is a democracy but not a terribly stable one. Slavery was made illegal in Mexico's constitution in 1824. (In fact, the enforcement in 1829 of the outlawing of slavery in Texas was one of the problems that the Texans who revolted had with Mexican government.) Mexico has trouble administering its far-flung territory of

Alta California (today's California) and increasing numbers of Americans are moving there.

What transpires now is the Democrats simultaneously finding a way to permanently close the possibility of adding the northern part of the Oregon territory, while provoking war with Mexico to get the territory they want.

## **1845**

**January** Polk takes office

June President Polk sends General Zachary Taylor to Texas.

October. General Taylor has 3500 American troops at the Nueces. It may not sound like much but it is *one-half* the standing American army of the day.

November 10 Polk sends John Slidell, a secret representative, to Mexico City with an offer of \$25 million (\$671,538,462 today) for the Rio Grande border in Texas and Mexico's provinces of Alta California and Santa Fe de Nuevo México. His presence creates popular unrest, and when the President de Herrera considers receiving him, his government falls.

Dec 29: Congress votes to accept Texas as a state, but it's unclear where Texas *is* (i.e., the Rio Grande or the Nueces). Troops are dispatched to defend its borders.

## **1846**

**??? California:** Fremont expedition with a group of armed men enters California

**??? Britain:** Corn laws repealed

??? Texas: Polk orders General Taylor and his forces south to the Rio Grande

**April 23:** the US begins negotiating with Britain for the resolution of the Oregon Question

**April 25:** a 2,000-strong Mexican cavalry detachment attacked a 70-man U.S. patrol that had been sent into the contested territory north of the Rio Grande and south of the Nueces River. In what will later be called the *Thornton Affair*, the Mexican cavalry rout the patrol, killing 16 American soldiers.

May 13 US Congress declares war on Mexico

June 15: Oregon Treaty aka the Washington Treaty is signed by US and Britain; word of Mexican - American war reaches California where Fremont is marching around "en route" to Oregon.

June 24 Peel's government falls in the UK

July 7: Mexico declares war on the US

The **Russian** background on 54 40:

By a decree of Emperor Paul I known as the Ukase of 1799, the Russian Empire had in 1799 asserted ownership of the Pacific coast and adjoining lands of North America as far south as the 55th degree of latitude, with Novo-Arkhangelsk, today's Sitka, Alaska, founded shortly thereafter. In 1821, Emperor Alexander issued another ukase which extended the Russian claim south to 51 degrees north, also forbidding foreign vessels from approaching within 100 Italian miles of any Russian settlement. Other powers protested and the line was withdrawn to "the line of the Emperor Paul", 55 degrees north, with parallel treaties with the United States and Great Britain (in 1824 and 1825 respectively) adjusting that southwards slightly to 54 degrees 40 minutes north so as to include all of Prince of Wales Island within Russian territory.

The **Stikine Territory** was created [by James Douglas?] on July 19, 1862, and concluded July of the following year. It began at the Nass/Finlay and went up to 62° north, hence it was land *not* within the existing colony of BC. (New Caladonia having stopped at the Finlay)

Timeline of proposals conveyed by diplomatic channels concerning how to divide the Oregon Territory/Columbia Department

- 1818 US: In 1818, diplomats of the two countries attempted to negotiate a boundary between the rival claims. The Americans suggested dividing the Oregon Country along the 49th parallel, which was the border between the United States and British North America east of the Rocky Mountains. (Wikipedia "Oregon Boundary Dispute")
- 1824-26 US: proposes 49° straight across and through Vancouver Island
- 1825 Britain: John Pelly, governor of the HBC proposes that the border go south along the crest of the Rockies from 49° to where Lewis and Clark had crossed the mountains, and then along the Snake River and the south bank of the Columbia to the Pacific. (Hayes)
- 1826 Britain: proposes 49° to where it meets the Columbia, and then down that river to the Pacific
- 1837 Britain: Lord Aberdeen re-proposes Pelly's idea from 1825.
- 1840-42 Britain: Early in the 1840s, negotiations that produced the 1842 Webster-Ashburton Treaty (a border settlement in the east) addressed the Oregon question once again. British negotiators still pressed for the Columbia River boundary, which the Americans would not accept since it would deny the U.S. an easily accessible deep water port on the Pacific Ocean, and so no adjustment to the existing agreement was made. (Wikipedia "Oregon Boundary Dispute")
- 184? US: John Tyler offered the British unrestricted navigation on the Columbia River if they would accept a boundary along the 49th parallel. (Wikipedia "Oregon Boundary Dispute")
- 1844 Britain: A re-proposal as in 1826, plus the outer portion of the Olympic Peninsula to go to the US
- 1845 Britain: Aberdeen proposes as in 1826 but with free port facilities for the Americans on the Pacific coast north of the Columbia. (Hayes)

- 1845 US: the Polk administration renewed the proposal to divide Oregon along the 49th parallel, but this time without conceding navigation rights. Because this proposal fell short of the Tyler administration's earlier offer, Pakenham rejected the offer without first contacting London. Offended, Polk officially withdrew the proposal on August 30, 1845 and broke off negotiations. Aberdeen censured Pakenham for this diplomatic blunder, and attempted to renew the dialogue. By then, however, Polk was suspicious of British intentions, and under increasing political pressure not to compromise. He declined to reopen negotiations. (Wikipedia “Oregon Boundary Dispute”)
- 1846 US: April 23, 1846 in both houses of Congress a mild resolution [to terminate the Oregon joint occupancy] was approved, the text of which called on both governments to settle the matter amicably. The Polk administration then made it known that the British government should offer terms to settle the dispute. (Wikipedia “Oregon Boundary Dispute”)
- 1846 Britain: Aberdeen and Louis McLane, the American minister in the United Kingdom, quickly worked out a compromise [(49° straight across to the Pacific, all of Vancouver Island for Britain)] and sent it to the United States. There, Pakenham and U.S. Secretary of State James Buchanan drew up a formal treaty, known as the Oregon Treaty, which was ratified by the Senate on June 18, 1846 (Wikipedia “Oregon Boundary Dispute”) [Hayes says it was accepted by the Senate on 15 June]

Prime Minister Robert Peel's Foreign Secretary, the Earl of Aberdeen, also had no intention of going to war over a region that was of diminishing economic value to the United Kingdom. Furthermore, the United States was an important trading partner. With the onset of famine in Ireland, the United Kingdom faced a food crisis, and had an increasing need for American wheat. Aberdeen had already decided to accept the U.S. proposal for a boundary along the 49th parallel, and he instructed Richard Pakenham, his minister in the U.S., to keep negotiations open. (Wikipedia “Oregon Boundary Dispute”)

James Douglas did not think Britain would fight for the HBC's interests. He wrote after the treaty on 19 April 1847 to William Fraser Tolmie (Chief Factor at Fort Nisqually), “All things considered, the yielding mood of the British ministry and the concessions made, we have come off better than expected. I looked for nothing short of an utter sacrifice of our interests.”

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