

“In the Name of Common Sense, Had Not Gentlemen Got Enough?”

The Moral and Constitutional Objections
to Manifest Destiny, 1803-1848

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A Thesis

in

The Department of History

Presented in Partial Fulfillment of the Requirements

for the Degree of Master of Arts (History) at

Concordia University

Montreal, Quebec, Canada

March 2013

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CONCORDIA UNIVERSITY

School of Graduate Studies

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Master of Arts (History)

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ABSTRACT

“In the Name of Common Sense, Had Not Gentlemen Got Enough?”

The Moral and Constitutional Objections to Manifest Destiny, 1803-1848

Mark Olsson

In the first half of the nineteenth century, the United States extended its territory westward from the original border along the Mississippi River until it possessed all the territory north of the Rio Grande and south of 49° N, all the way to the Pacific Ocean. The majority of Americans approved of this expansion, which came to be termed Manifest Destiny. Concerning those American citizens who opposed Manifest Destiny, historians have constructed models that generally describe the dissent as motivated by economic self-interest, sectional friction, partisan politics, or by a lack of the technological capacity necessary to efficiently govern distant regions. These models are very useful, but do not paint a complete picture. In some cases, opposition to territorial expansion was based on a conviction that the actions being taken violated the Constitution of the United States. For some, their dissent was rooted in a sense of morality and the belief that the United States was acting in a manner dangerous to republican ideals, and a stain on the nation’s character and reputation. This thesis will examine this form of opposition as it pertains to the Louisiana Purchase, the seizing of West Florida, the War of 1812, the annexation of Oregon and Texas, and the Mexican-American War. It will present the voices of those who denied that Americans had a constitutional or moral right to grasp land held by others, not because it wasn’t in their best interests, but because they believed it was fundamentally unjust.

This thesis is dedicated to my wife, Susana Olsson Moreno
and my daughter, Kahla Olsson Moreno.

Without them, none of this would be possible.

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Chapter 1: Introduction

The first half of the nineteenth century saw the United States expand from a nation bordered on the east by the Atlantic Ocean and in the west by the Mississippi River, to one that spanned the North American continent all the way to the Pacific Ocean. While popular American culture tends to view this expansion as a “Manifest Destiny” unanimously admired by Americans of that era, historians know this not to be true. From the beginning there were voices of dissent to the rapid growth of territory. But even most historians have looked at the opposition to territorial expansion as a by-product of large-scale economic and political dynamics that were affecting the nation. What is overlooked in this perspective is the human aspect, the beliefs and opinions of individuals who, while affected by the large-scale factors, were also strongly motivated by personal morality and concern over the threats expansion held for the republican ideals upon which the country had, at least in theory, been constructed. Often missing in the historical analysis is the importance of the moral and constitutional objections to the various waves of territorial expansion that occurred. This thesis seeks to redress that absence, to show that at least a small minority of Americans opposed the charge across the continent for reasons that were not merely partisan or economically self-serving, but were an appeal to the nobler attributes of Americans and the nation they lived in.

Most histories of Manifest Destiny gloss over all but the most prominent displays of resistance to territorial expansion. Generally, the opposition to the Louisiana Purchase and the seizure of West Florida, as well as the debates over Oregon in the 1820s are given little attention since the conflicts were minor in comparison to the hostility raised by the

War of 1812, Texas annexation, or the Mexican-American War. When dissent is explored in any of the nineteenth century examples, it is almost invariably characterized as a product of sectional struggles, conflicting economic interests, or partisan skirmishes. And for most individuals of the era, these characterizations are probably correct. These assessments, however, do not tell the full story. Historical models and theories often dismiss the individual as without real agency, his or her actions inconsequential to the sweep of historical narrative. Even when historians focus on individuals in micro-historical analyses, the focus is on how culture and society affected the person, not the other way around. The individual is by and large viewed as a mirror to the society.

This approach, while illuminating and worthwhile, loses sight of the fact that society consists of individuals, no two exactly alike. One of the great joys of history is how it allows us to hear the voice, not just of “the people,” but also of the person. History is a virtually limitless trove of individual’s stories, waiting for us to find them and enjoy them in their own right. A person does not have to have a profound effect on society, or be a reflection of the culture, to have a life and perspective worthy of investigating. The choices these individuals make are their own, and they tell us about those who did not always follow the lead of the society. Or their words and actions may show that while they held most of the cultural beliefs of their time, they also were influenced by other values that were significant to them, if not their sole motivations.

This thesis looks at the American citizens who protested against westward expansion and the very concept of an American “Manifest Destiny,” not simply (or only) for reasons of political party or economic outlook, but for reasons of morality and constitutional interpretation. That they were an exceedingly small assemblage is not

doubted; that this makes their contribution to the debate unimportant is. The attempt in these pages is to rescue them from what E.P. Thompson famously referred to as “the enormous condescension of posterity.”¹ They were the losers of the political battles, and a minority among the defeated; but their words leave us with a fuller appreciation of them as people and, yes, a fuller understanding of their society. They undermine the view of nineteenth century Americans as universally acquisitive, and show that there was no “destiny” in Manifest Destiny.

It is important to define certain terms that will appear in this thesis. It was not until 1845 that John O’Sullivan first used the term Manifest Destiny in the *Democratic Review*. O’Sullivan decried the debates over Texas and Oregon, declaring it was the United States’ “manifest destiny to overspread the continent allotted by Providence for the free development of our yearly multiplying millions.”² Although the term was not coined until 1845, for the purposes of this essay it may be used interchangeably with other terms such as territorial expansion. The term is not very important in and of itself, but what it describes is a belief that stretches back at least to 1803 and the commencement of Lewis and Clark’s Expedition of Discovery. If Thomas Jefferson had publicized the term, it would no doubt have become as well known during his presidency as it became decades later.

The terms “constitutional objections” and “moral objections” also need clarification. Constitutional objections are those based on what is, and what is not, written in the Constitution of the United States. Practically before the document was printed, there were differences of opinion over what certain clauses meant, and what powers

¹ E.P. Thompson, *The Making of the English Working Class* (New York: Vintage Books, 1966 edition), 12.

² O’Sullivan quoted in Daniel Howe Walker, *What Hath God Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007), 703.

could or could not be inferred from it. These conflicting interpretations, especially those concerning the separation of powers and the right to create new states, are at the heart of many of the debates examined here. Historians have addressed moral objections based on religious beliefs and on opposition to slavery in great detail, and so this thesis does not examine these themes. Instead, it concentrates on moral objections that are either based on perspectives of rightful and wrongful acts taken by nations (especially republics), or objections based on the substantive threats to a republican form of government that may follow a particular course of action.

It is important when addressing these concepts of constitutional and moral objections to clarify that such terms are not meant to indicate the moral or intellectual superiority of one side over the other, nor to indicate that those who supported expansion did not also have moral and constitutional foundations for their beliefs. Indeed, as pointed out by Gordon Wood and later by Robert Shalhope, the two main antagonists in early American politics, the Federalists and the anti-federalists, both based their positions on a concept that has come to be defined by historians as republicanism. The belief common to both sides was that “what either made republics great or ultimately destroyed them was not force of arms, but the character and spirit of the people. Public virtue became preeminent.”³ And both factions held as axiomatic that the United States would be a new form of republican empire; unlike Rome, but rather dedicated to the spread of liberty. The

³ Robert E. Shalhope, “Toward a Republican Synthesis: The Emergence of an Understanding of Republicanism in American Historiography,” *The William and Mary Quarterly*, 3rd Ser., Vol. 29, No. 1. (Jan., 1972), 70.

conflict among this supposed new breed of republicans was over what constituted virtue, and what constituted liberty.⁴

But the mere fact that both Federalists and anti-federalists attributed their perspectives on republicanism to a conception of virtue does not mean that they agreed on what the term meant. Geoff Kennedy demonstrates that the two camps had very different views on what republican virtue consisted of. Thomas Jefferson believed in “a ‘virtuous’ agrarian political economy characterized by hard work and improvement as opposed to a mercantile dominated trans-Atlantic commerce that would buttress the political institutions of metropolitan domination and exploitation.” Alexander Hamilton, however, held that “a strong federal state would be necessary for the creation of a republican empire whose greatness... would be based upon the dynamism of American manufacturing and commerce; but this commerce would be organized in a way that in no way inhibited the development of the institutions of extensive self-government.”⁵

Kennedy also establishes how these different perspectives are involved in the opposition to Manifest Destiny. Jefferson could see no moral objection to westward expansion, “because it merely entailed the westward expansion of a politically and juridically free petty-commodity producing citizenry. Expansion did not entail the aggrandizement of lordly power over a dependent peasantry,” and free trade would protect Americans from any return to pseudo-monarchy by the commercial elite. Hamilton and those opposed to territorial enlargement instead saw that the “larger the territory of the union became the more fragmented it would become, because citizens’

⁴ *Ibid.*, 72; Geoff Kennedy, “Republican Discourses and Imperial Projects: Liberty and Empire in American Political Discourse,” *Spectrum: Journal of Global Politics* Vol. 1, No. 1 (2009), 70.

⁵ Kennedy, 82-83.

first loyalty would be to that of their own particular state.”⁶ The differing outlooks on republican virtue were central to whether or not a particular American supported or opposed the acquisition of new territory, as they played a significant role in the interpretation of what was or was not constitutional. As will be seen, other anti-expansionists used the republican ideals of virtue to object on the more stringent grounds of morality; to them, virtue meant that there were actions a republic, empire or not, simply should not take.

Finally, there will be references to the Doctrine of Discovery, especially as concerns Oregon and Texas. The Doctrine was based on the concept of *terra nullius*, that any land not occupied by a European country or not being used in a manner that Europeans would consider productive, was considered waste or abandoned, and thus free to be claimed by the nation whose explorers had first come across it.⁷ The rationale for the colonization of the Americas, and later of Manifest Destiny, was based on the Doctrine of Discovery, and it is still enshrined in American law today via the authority the federal government has over the Native American population. In light of the topic being explored in this thesis, it is interesting to note that even in the early colonial days there were doubts concerning the rights of Europeans to the land: Robert Miller quotes a chaplain of the Virginia Company as wondering, “By what right or warrant can we enter into the land of the Savages [and] take away their rightful inheritance?”⁸ But in the main, the British, like the Spanish, Portuguese, French, and many others before them, simply

⁶ *Ibid.*

⁷ Robert J. Miller, *Native America, Discovered and Conquered: Thomas Jefferson, Lewis & Clark, and Manifest Destiny* (Westport, Ct: Praeger, 2006), 21.

⁸ *Ibid.*, 1-3, 27, 42-45.

discounted the rights of the Native Americans to their land. Upon independence, the United States followed suit.

In the first half of the nineteenth century, the United States added almost two-thirds of its present territory. “No federation before or since has enlarged itself by the almost routine sequential addition of so many territorial units.”⁹ The analysis that follows attempts to make clear that there was an attempt, on grounds that were not merely selfish or politically antagonistic, to put a halt to such additions. The voices of those who thought America could and should be better than that deserve to be heard.

⁹ D.W. Meinig, *The Shaping of America: A Geographical Perspective on 500 Years of History; Volume 2: Continental America 1800-1867*, (New Haven and London: Yale University Press, 1993), 431.

Chapter 2: Historiography of Manifest Destiny

The historical examination of American westward expansion has given rise to a number of different models regarding the cause of the phenomenon. After the western frontier became recognized as a major issue in American history with the work of Frederick Jackson Turner, historians began to develop a wide variety of templates to explain the rapid and relentless movement of American settlement and territorial annexation in the first half of the 19th century. These analyses approach the subject from a variety of perspectives: cultural, political, intellectual, social, economic, and technological. While these approaches usually concentrate on the territorial expansion itself, in doing so they have, by default, something to say about opposition to Manifest Destiny. This chapter will focus on the evolution of historiographical analyses of the issue, how these models explain the resistance among some Americans to the tide of territorial annexation, and the weaknesses of these models in explaining this defiance.

Recognizing the Importance of the West: Frederick Jackson Turner

In 1893 Frederick Jackson Turner published his groundbreaking paper, *The Significance of the Frontier in American History*. Turner contemplated the relentless westward movement of the American population during the eighteenth and nineteenth centuries, and declared that, “American history has been in a large degree the history of the colonization of the Great West.”¹⁰ In looking at the successive waves of expansion, he described a constantly repeating process of migrant subsistence farmers moving into new

¹⁰ Martin Ridge, ed., *History, Frontier, and Section: Three Essays by Frederick Jackson Turner* (Albuquerque: University of New Mexico Press, 1993), 59.

territory, quickly followed by the arrival of more sedentary agriculture and eventually capital, leading to a renewed emigration of frontier settlers to more unsettled lands farther west. The understanding of this self-replicating process and of “the men who grew up under these conditions, and the political, economic and social results of it, is to study the really American part of our history.”¹¹

Turner considered the westward movement to be the primary historical force culturally, socially, and politically in America. He saw a culture inquisitive yet coarse, lacking artistry but full of energy, and credited frontier life for it. As immigrants arrived in the United States, many passed beyond the coastal cities in search of their own piece of land; most were of non-English stock, and Turner saw this as being responsible for the polyglot population of the nation. Politically, he considered “The legislation which most developed the powers of the national government, and played the largest part in its activity, was conditioned on the frontier”, as well as “the legislation with regard to land, tariff, and internal improvements”. Indeed, Americans owed the strength and vitality of their democracy to the influence of the frontier.¹² For Turner, no other factor played as important a role in American history as the westward movement.

Interestingly, Turner never mentioned Manifest Destiny. He was not interested in the political propaganda behind expansion, but only on the process itself and its consequences for the United States. But parts of his thesis, including his later work *The Importance of the Section in American History*, indicate the perspectives he likely would have promoted, had he addressed the issue. Certainly he seemed to believe that the steady spread of Americans across the continent was inevitable and unstoppable until the Pacific

¹¹ *Ibid.*, 62-63, 72-75.

¹² *Ibid.*, 75-79, 82-84, 87-88.

coast was reached. He also considered the conflict between the West and the East (which he deemed far more important than the North-South divide) to be economically driven: the western frontier farmer desiring cheap and abundant land versus the eastern businessman concerned over devalued land prices and the shortage of labour.¹³ It is fairly easy to extrapolate from this analysis and apply the same perspective to the debate over Manifest Destiny. In such an interpretation, opposition to expansionism would come from eastern commercial concerns.

Turner's model is weak on many counts, of course, and is generally discredited by historians (although it is embraced by American popular culture in "almost mythic dimensions"). He brushed aside slavery and the Civil War as incidental.¹⁴ As well, his thesis envisioned a continent barren of any other players; he mentioned Native Americans, but only in passing, and only as obstacles quickly overcome by the United States army. There was no mention of Russia, France, Spain, Mexico, or Great Britain, all of which played significant roles in the history of American expansion. And his description of opposition to expansion was too simplistic; in fact, it was barely addressed at all. While we can look at Turner as the historian who opened the West to historical significance, he is not particularly useful as a guide to the resistance to Manifest Destiny.

Political Analysis: Frederick Merk

Frederick Merk's 1963 exploration of westward expansion, *Manifest Destiny and Mission in American History*, takes an approach that is in some ways akin to that of this thesis. He concerns himself with causation, not simply process. As opposed to Turner,

¹³ *Ibid.*, 63, 95-98.

¹⁴ *Ibid.*, 1, 15.

Merk's concentration on why expansion occurred presupposes the belief that the development was not inevitable, but rather the result of a series of choices made by American policymakers. The course of westward and overseas territorial extension is viewed as evolving in nature and origin, not merely a replication of cycles of expansion.

Merk concerns himself with the political conflicts that occurred over expansion, using congressional debates, speeches, and publications to investigate the motivations of both expansionists and anti-expansionists. While he states at the outset that his book is “a study in public opinion,” he recognizes that the “attraction of such a concept [as Manifest Destiny] to a national public is not easy to measure, since ordinary gauges of measurement are not usable.” As a result, he depends not only on publications for insight into popular opinion, but also on political pronouncements: “politicians, no less than editors, are the voice of the people.”¹⁵ He concentrates on the era from the mid-1840s to the end of the nineteenth century, and in particular upon the Mexican-American War. His focus is on the political philosophies that produced both Manifest Destiny and what he refers to as Mission, which represents primarily the opposition to expansion.

Merk describes in detail the rationalization for Manifest Destiny. He makes the case that proponents of American expansion were moved by the desire to spread democracy and liberty, to improve the land, and to “regenerate the backwards people of the continent.”¹⁶ He examines the variety of expressions of Manifest Destiny, from its early incarnation as a continentalist, even hemispheric, vision, to the All-Mexico school popular during the Mexican-American War, to the post-war formulation of a sea-to-sea republic satisfied with its contiguous boundaries. In all cases he provides moral and

¹⁵ Frederick Merk, *Manifest Destiny and Mission in American History: A Reinterpretation* (New York: Alfred A Knopf, 1963), vii, 34-35, 149.

¹⁶ *Ibid.*, 24-34.

political motivations for expansionism. Later in the book he examines the expansionism of the 1890s and proclaims it to be imperialism, not Manifest Destiny. Explaining the difference, Merk declares that the American grasp for possessions in the Pacific was “the antithesis of Manifest Destiny. Manifest Destiny was continentalism...Expansion in 1899... involved the reduction of distant peoples to a state of colonialism.”¹⁷

In many ways, Merk sets a honourable face on Manifest Destiny, undoubtedly in part due to the era in which he was writing. He asserts that the doctrine of Manifest Destiny required that annexation be voluntary: “A people made application for entrance... A forced entrance was unthinkable; it would be a violation of American freedom” He refers to the “lofty spirit of the All Mexico crusade and... its altruism of regenerating a benighted people and lifting them to the heights of American citizenship.”¹⁸

At the same time he believes the doctrine was never compatible with American values. Even though expansionism was extraordinarily successful, particularly in the 1840s, Merk asserts, “continentalist and imperialist doctrines were never true expressions of the national spirit.” As evidence, he cites the 1844 presidential election, making a good argument that anti-expansionist forces were stronger than expansionists, but their divided party loyalty allowed James K. Polk to wing with a minority of the vote. Even though he considers the Polk administration to be the high-water mark of the doctrine, Merk does not see Manifest Destiny as a truly national principle.¹⁹

Merk provides many examples of opposition to expansion and attempts to provide rationales for them. For the most part, they fall into three categories: party philosophy,

¹⁷ *Ibid.*, 256-257.

¹⁸ *Ibid.*, 107, 194, 209.

¹⁹ *Ibid.*, 41, 215-217, 261.

opposition to slavery, and racism. Regarding party affiliation, Merk attests that “Whigs, as a party, were fearful of spreading out too widely. They adhered to the philosophy of concentration of national authority in a limited area, as contrasted with the Democratic philosophy of dispersion of authority over wide spaces.”²⁰ He cites the overwhelmingly Whig opposition to the All-Mexico movement and the 1847 “no territory” resolution put forward by Whig Senator Berrien of Georgia (for which every Whig in the Senate save one voted in favour) as proof of party opposition to expansion.²¹ Merk recognizes Democratic opposition, especially in the 1890s, but as concerns the mid-century debates he gives no reason for it in terms of party philosophy.

Equally important to Merk in explaining anti-expansionism is hostility towards slavery and the attempt to block its spread. In a case of seeming mutual exclusivity with his examination of party philosophies, he regards the bipartisan anti-slavery sentiment in the North as vital to understanding the opposition to Manifest Destiny, at least as far as Mexico is concerned. He examines Secretary of State James Buchanan’s early reluctance to support territorial acquisition in the war and the introduction in Congress of the anti-slavery Wilmot Proviso, sponsored by its namesake David Wilmot, a Democrat from Pennsylvania. Also observed is the split between Northern and Southern Whigs over whether new territory acquired from Mexico would become slave or free states. In the final analysis, Merk believes that the fight over slavery was a powerful impediment to the doctrine of Manifest Destiny.²²

²⁰ *Ibid.*, 40.

²¹ *Ibid.*, 104, 110, 153.

²² *Ibid.*, 166-170, 215.

Clearly the most significant motivation for opposing Manifest Destiny, in Merk's view, was Whig racism. "Absorption of eight millions of a mixed race, obliteration of a republic of foreign tongue, retention of a subjugate province for the indefinite future—these were prospects from which a democracy shrank." Indeed, Merk goes so far as to say that the Whig opponents of expansion were even more racist than the Democratic proponents of Manifest Destiny.²³ He portrays the expansionists as willing to incorporate the Mexicans into the United States, even going so far as to ask, as Sidney Breese did, "Were we to exclude men from the blessings of free institutions merely because of a difference in the color of skin?" To this he contrasts John Calhoun, who asserted in opposing the taking of Mexican territory that Americans "have never dreamt of incorporating into our Union any but the Caucasian race". Merk makes the suggestion that the more an individual was in favour of territorial annexation, the more likely he was to think it would be only a short time before the Mexicans could be 'regenerated' to the point of being ready for American liberty.²⁴

The final chapter of Merk's book is dedicated to what he terms Mission. He describes Mission as "idealistic, self-denying, hopeful of divine favor for national aspirations, though not sure of it." He considers Mission to be a truer reflection of American national values than Manifest Destiny.²⁵ Mission was the conscience of the United States, the origin of the resistance "that fought to curb expansionism of the aggressive variety." It is curious that Merk waits until the end of his work to introduce the concept instead of presenting it at the start and incorporating it throughout the book.

²³ *Ibid.*, 121, 237.

²⁴ *Ibid.*, 161-162, 164.

²⁵ *Ibid.*, 261.

In many ways the concept of Mission reflects this present thesis' later examinations of moral objections to territorial expansionism, in that Merk considers it to be "the torch held aloft by at its gate."²⁶

In many ways the final chapter is indicative of the problems and weaknesses of Merk's thesis. A major omission is any clear definition of Mission. As described by Merk, and in light of his relatively positive view of the motives of the expansionists, there seems no reason the term should be applied primarily to the anti-expansionist side. Merk seems to realize this, noting that "Manifest Destiny was sometimes mixed with a form of Mission all its own."²⁷ Additionally, his contention that the expansionism of the 1890s was not Manifest Destiny, but rather a fundamentally different process, lacks a strong rationale. The geography of the expansion is not a strong enough foundation for such a classification. And Merk's insistence that the doctrine of Manifest Destiny was dependent on voluntary annexation disregards the calls for conquering Canada in 1812, as well as the territorial acquisitions resulting from the Mexican-American War.

Merk's decision to choose the 1840s as the beginning of Manifest Destiny is also problematic. The doctrine did not suddenly appear in that decade, and in fact Merk himself notes similar terms used earlier. It was certainly not, as he insists, "novel in name, appeal, and theory."²⁸ As will be seen in later chapters of this thesis, the idea of a pan-continental United States existed from the beginning of the nineteenth century. As well, Merk's descriptions of the rationales for opposition to expansion, while foreshadowing the work of Reginald Horsman, are simplistic and general. They are

²⁶ *Ibid.*, 262, 266.

²⁷ *Ibid.*, 264.

²⁸ *Ibid.*, 24.

occasionally incongruent with each other, as with party philosophies and opposition to slavery, and are rarely gone into with any depth. Finally, with regard to this thesis, Merk does not note any rejection of territorial aggrandisement for reasons beyond party, slavery, or race. This leaves a gap in our understanding of those opposed to Manifest Destiny.

Social Analysis and Race: Reginald Horsman

Reginald Horsman's study of American territorial expansion, *Race and Manifest Destiny*, effectively illustrates the connections between conceptions of race and the propensity of the United States to extend its territorial holdings. The belief held in American intellectual circles and popular culture of Anglo-Saxon racial superiority, according to Horsman, helped drive expansion: first, in the assumption that the Anglo-Saxons were the vanguard of progress and civilization; and second, in the belief that they had (in the words of newspaper publisher James D. Nourse), "received from Providence a fee-simple conveyance of this planet, with the appurtenances thereunto belonging."²⁹ The American intelligentsia generally thought of the country as an inheritor of the Anglo-Saxon civilization and bloodline. According to this outlook, the Germanic tribes of Europe had shown their superiority over the corrupt and degenerate Romans. The Angles and Saxons were viewed as the most advanced of the Germanic tribes, living under natural laws like those the American politicians claimed as the basis of the Union. The occupation and transformation of England by the Anglo-Saxons eventually led to Great Britain's dominance in the nineteenth century world. The United States, as the newest

²⁹ Reginald Horsman, *Race and Manifest Destiny* (Cambridge: Harvard University Press, 1981), 82-84, 170.

extension of Anglo-Saxon culture, was considered the next level in a lineage that would spearhead the final triumph of Western civilization.³⁰

According to Horsman, Manifest Destiny was justified by Americans as a natural consequence of the racial inferiority of any other claimants to the land, with the possible exception of the British.³¹ As American thought shifted in the early nineteenth century from the influences of the Enlightenment to those of Romanticism, the belief that Native Americans could be assimilated into American culture and society faded. Governmental policy turned from the promotion of permanent settled occupation of the land by Native Americans to a program of Indian removal as a result of this philosophical transformation. Regarding the conquest and annexation of a large portion of Mexico in the Mexican-American War, Horsman demonstrates how the belief in the inherent racial superiority of American Anglo-Saxon culture was used to absolve the United States of its military aggression and forcible appropriation of territory. The Mexicans were portrayed as a “mongrel race” that, like the Indians, were not capable of making proper use of the land.³²

Horsman frames opposition to westward expansion as coloured by race, as well. He describes in detail the rise of the eighteenth century European and American scientific theories of polygenesis and post-monogenesis degeneration as explanations of the perceived inferiority of aboriginal peoples around the globe. After Sir Charles Lyell established the geological ancientness of the planet, these assumptions were supplanted

³⁰ *Ibid.*, 18-20, 62-63, 93.

³¹ *Ibid.*, 221-222. Even the British were considered inferior to the ‘new’ American Anglo-Saxons. During the 1840s, many Americans believed that the British, while Anglo-Saxon, had lost the vigor of their ancestors; at the least, the ‘old’ Anglo-Saxons could not defeat their racial descendants, forged in the crucible of republicanism and the New World.

³² *Ibid.*, 114-115, 158-165, 210-211.

by the emergence of phrenology to support the belief in European, and especially Anglo-Saxon, racial superiority. So widespread was this belief, according to Horsman, that even the opponents of Manifest Destiny embraced it. He mentions public figures such as novelist William Gilmore Simms and minister Theodore Parker and relates how, while on the surface sympathetic to the plight of the Native Americans, they viewed the Indians as inferior people to be conquered and perhaps exterminated.³³ He further argues that opponents of the annexation of Mexican lands were driven to a large extent by a fear of incorporating the Mexican population into the United States: “the Whigs also felt that the American political system would be ruined by the participation of millions of “inferior” Mexican citizens.” This fear, Horsman believes, was more important to the opponents of Manifest Destiny than the moral repugnancy of aggression, conquest, and colonialism.³⁴

Horsman also ties the hostility toward territorial expansion to perceptions of race by noting that Whig resistance to the Mexican-American War was often expressed as a matter of the moral superiority of Anglo-Saxons. While opponents of the war and the Polk administration’s territorial demands considered them immoral, unworthy of the nation, and a danger to the United States’ republican form of government, Horsman sees at the base of these beliefs a faith in the moral supremacy of “the unique qualities of the Germanic-Anglo-Saxon-American people” and their destiny to lead the world to civilization by example, not conquest.³⁵ Indeed, he considers this idea of racial

³³ *Ibid.*, 44-59, 165-168.

³⁴ *Ibid.*, 230-231, 237-238, 250.

³⁵ *Ibid.*, 175-176, 237-239, 257.

superiority a major factor in why the United States did not go to war with Great Britain over Oregon while provoking armed conflict with Mexico.³⁶

Certainly, Horsman credits other factors contributing to the opposition to territorial annexation. In *Race and Manifest Destiny*, and in later writings, he also attributes opposition to territorial aggrandisement in the Mexican-American War to Whig moral hostility towards wars of aggression, fears of dangers to the republic from attempting to govern too large a population, sectionalism, and in some rare cases the questioning of American racial superiority, at least as regards the Native American population. He specifically addresses the rejection by Albert Gallatin of the notion of Indian and Mexican racial inferiority.³⁷ Additionally, Horsman has addressed the constitutional concerns of expansion's challengers, although primarily in other writings, not so much in *Race and Manifest Destiny*. He touches on the debate over whether the Constitution allowed for the en masse admission of foreign populations into the Union. Even Thomas Jefferson believed that the Louisiana Purchase was unconstitutional and saw the desirability of a constitutional amendment to make legitimate what he had already done. And Horsman refers to Delaware Senator Outerbridge Horsey's concern that President James Madison had overstepped his constitutional authority by annexing West Florida via presidential proclamation; Madison apparently had some misgivings himself.³⁸

The problem with Horsman's analysis isn't that it is wrong or misguided. On the contrary, his model is of crucial importance in illustrating the effects of racial theories on

³⁶ *Ibid.*, 220, 224.

³⁷ *Ibid.*, 257, 269-270; Reginald Horsemann, "The Dimensions of an "Empire for Liberty": Expansionism and Republicanism, 1775-1825," *Journal of the Early Republic* Vol. 9, No. 1 (Spring, 1989), 1-2, 4-8, 11, 15, 18-19.

³⁸ Horsemann, "Empire for Liberty," 7-9, 12, 17.

American expansionist policies over a long interval of time. *Race and Manifest Destiny* provides a framework by which certain American values affected governmental territorial programs. To deny the importance of this approach as one that ignores “class, group, party and other interests served by chauvinism and jingoism,” as some of Horsman’s critics have, misses the point of his analysis.³⁹ He is merely presenting the expansionist policies of the United States government as a reflection of the prevailing American racial and cultural beliefs. In actuality, the biggest flaw in Horsman’s model is that he gives short shrift to the sources of opposition to those policies. Aside from one chapter in *Race and Manifest Destiny*, there is little examination of resistance to territorial annexation. What examination there is, naturally enough, is primarily concerned with racial beliefs. But the complexity and variety of opposition is overlooked, to the detriment of a fuller understanding of the American debate over Manifest Destiny. Horsman’s analysis is crucial to comprehending the expansionist policies of the nineteenth century, but is by its nature limited in scope.

Economic analysis: Charles Sellers

In his book *The Market Revolution: Jacksonian America 1815-1846*, Charles Sellers develops a thesis in which the evolution of the United States during the first half of the nineteenth century is shaped by a battle for the character of America between the republican yeoman and subsistence farmer of the South and Southwest, and the commercial interests of New England and the northern Atlantic states. In the conflict

³⁹ George Rehin, “Race and Manifest Destiny by Reginald Horseman; The Free Black in Urban America, 1800- 1850 by Leonard P. Curry; There Is a River by Vincent Harding,” review of *Race and Manifest Destiny*, by Reginald Horseman, *Journal of American Studies* Vol. 17, No. 1 (Apr., 1983), 121. This review is representative of similar critical reviews of Horseman’s book.

between land and the capitalist market, Sellers sees the creation of “ourselves and most of the world we know.”⁴⁰ He asserts that as the opportunities afforded by international trade in the years after the War of 1812 led to the spread of the market into the American hinterlands, the Republican Party, while embracing the new market possibilities, also attempted to preserve the concept of republican equality espoused by Jefferson and Madison against Northeastern elitist commercial forces. Among other things he examines Virginia Senator John Taylor’s 1814 analysis of labour versus capital as freedom against tyranny to support this idea.⁴¹

In regard to Manifest Destiny, Sellers also describes its sources as economic. In particular, he sees the drive for westward expansion coming from the Democrat-Republicans, both before and after the victory of market forces. In the earliest years of the Union, Sellers depicts population migration into the Old Southwest as a result of subsistence farmers needing new land in order to maintain their way of life; as the manufacturing market began to dominate more of the national economy after the 1820s, these farmers pushed ever farther West to escape its influence. Later, the National Republican movement coopted the market drive by encouraging westward settlement as “a continental base for the most extensive free market the world had yet seen.”⁴²

Indeed, Sellers sees the progression of American westward expansion as satisfying more than just market needs, but also the desires of the capitalist system to control the working class. In explaining the popularity of territorial annexation in the 1840s, he declares:

⁴⁰ Charles Sellers, *The Market Revolution: Jacksonian America 1815-1846* (New York, Oxford: Oxford University Press, 1991), 4-5.

⁴¹ *Ibid.*, 38-40, 119-122.

⁴² *Ibid.*, 15-19, 90.

This historic upwelling of a new American jingoism satisfied many needs. In a painfully fractured society, it conferred civic dignity and social inclusion on patriotic working people. For the bourgeoisie, it quelled the class conflict of labor militancy and Bank War... Democrats were its main inciters because it muted the mounting native/Irish conflict in their working-class constituency.⁴³

In Sellers' analysis sectional conflict, while clearly playing a part in the drive for western territory, was also merely an extension of market rivalries. Manifest Destiny became a combat between "the rival capitalisms of slave-labor and free-labor exploitation". The annexation of Texas and the northern territories of Mexico were the work of the former; the demand for Oregon that of the latter.⁴⁴ Economics, and specifically the shift from smallholder agriculture to nineteenth-century capitalism, is considered the root of Manifest Destiny.

Opposition to Manifest Destiny is rarely addressed in *The Market Revolution*, but when it is, it is attributed primarily to sectionalism, and by extension the commercial elite. The hostility of Federalists to expansionist actions by Democrat-Republicans is considered by Sellers to be little more than reaction to their fear of republican egalitarianism and its possible damaging effects on the European trade, and Whig opposition to the annexation of Texas a result of the conflict between slave-labour and free-labour capitalism.⁴⁵

Seller's analysis is open to criticism at many points, including the definition of a market economy, the inconsistent actions of the commercial interests, and his dependence on a relatively simplistic republican/agrarian versus elitist/commercial dichotomy. He has also been criticized for his insistence on the very existence of a market revolution. It has

⁴³ *Ibid.*, 414.

⁴⁴ *Ibid.*, 407, 410-412.

⁴⁵ *Ibid.*, 90, 410-412.

been pointed out that subsistence farmers were already simultaneously involved in local barter and an international commercial economy early on in the nineteenth century, and even welcomed the chance to participate in a larger market.⁴⁶ For the purposes of this essay, however, what is more critical is his failure to examine the opponents of Manifest Destiny in any detail. His references to resistance to territorial aggrandizement are rare and one-dimensional. When one considers that the debates over the annexation of Oregon went on for over twenty years, and that Texas annexation and the Mexican-American War were hotly contested subjects, it would be useful if Sellers had concentrated more effort in explaining how such longstanding opposition fits in his model.

Social and Technological analysis: Daniel Walker Howe

Daniel Walker Howe examines the same period that Sellers does, from after the War of 1812 up to the late 1840s. But unlike Sellers, he views the changes that occurred during those years as a result of technological progress, not economic conflict. In *What Hath God Wrought: The Transformation of America, 1815-1848*, he asserts that the westward drive of the United States after 1815 was primarily a result of a communications and transportation revolution. While Howe believes that economics played a role in Manifest Destiny, his view is that technological changes such as canals, the railroad, the steamboat, and the telegraph gave the interior of the United States the opportunity to be a major part of a domestic and international trade network. This knitted the country together economically and politically, while at the same time encouraging westward expansion by making the transportation of goods back and forth across the

⁴⁶ Howe, *What Hath God Wrought*, 5, 33-36, 42.

nation feasible, and erasing doubts about the ability of far-off states and territories to participate in national affairs.⁴⁷

Howe rarely addresses directly the issue of opposition to territorial expansion, aside from the Whig rejection of Texas annexation and the Mexican-American War. The reader can deduce some of the motives for dissenters in his accounts of the popular perspective regarding the importance of technological advancements. For instance, he cites the *New York Herald* as crediting the telegraph with making it possible for the United States to practicably gain sovereignty over the North American continent.⁴⁸ This indicates that distance was considered by some to be a hindrance to the ability of America to reasonably govern a great territory. It is left to the reader to look further to find these arguments in contemporaneous sources.

As noted, however, Howe does deal with opposition to the matter of Texas annexation and war with Mexico. In general, he sees this as resistance against armed aggression, but not against expansion- at the very least, not cultural expansion. Whig politicians either objected to the extension of slavery that would accompany annexation, or simply felt that “America’s national mission should be one of democratic example rather than conquest”. That the United States should not seek to dominate the continent or spread its culture throughout it seems not to have been considered at all, in Howe’s analysis. He pays no attention to most of the moral or constitutional issues involved.⁴⁹

Like Horsman and Sellers, Howe presents an overarching narrative to illustrate how a single dynamic can have a revolutionary impact on history. But like the others, he

⁴⁷ *Ibid.*, 5, 84, 116-120, 216-226, 556-559, 697-698, 714.

⁴⁸ *Ibid.*, 697-698.

⁴⁹ *Ibid.*, 6, 705-707, 762-764, 768.

falls into the trap of disregarding other factors that may have played a part. The influence of evolving technology is seen as the primary agent that transforms the United States in the first half of the nineteenth century. Technology, however, is a tool, not causation. It certainly did help make territorial expansion possible, but it is difficult to see technology as the reason behind the desire to expand and annex territory, nor the lack of it as the only basis for opposition to territorial enlargement. The underlying causes must be found elsewhere. Howe provides a powerful engine for Manifest Destiny, but not the driver.

The analytical models examined in this chapter, especially those provided by Merk, Horsman, Sellers, and Howe, are certainly instructive for looking at the phenomenon of Manifest Destiny in the first half of the nineteenth century. They give sweeping interpretations of a tremendously transformative period. But like many models, their insistence on perceiving this era through the lens of a particular perspective is in some ways deterministic and narrowly focused. The forces they see acting on the time period, whether racial, economic, or technological, often fail to sufficiently illuminate the more fundamental causes of Manifest Destiny. More importantly for this essay, they fail to adequately address the ethical foundations of the various motives of those Americans who opposed the territorial expansion of the United States. This is not surprising, as the subject is usually dealt with in at most a perfunctory manner. If one wants a deeper understanding of the question, one must look at what individuals had to say about their rejection of Manifest Destiny, not just generally, but also in specific to the cases with which they were taking exception.

That is exactly what this essay attempts to accomplish. While on the surface it is, like Merk's, a political history, it is hardly a return to the "Great Man" school of political history. Nor is it a social history, in the sense that the larger social underpinnings that play major roles in the actions of individuals are not central to it. The choice was made to avoid theoretical approaches to the issues surrounding Manifest Destiny, as they tend to describe sweeping, grand models of human behavior. Rather, the focus is on individuals and their beliefs. It is a political history, which has admittedly fallen into disfavor among historians, but is also informed by the modern emphasis on microhistory, in that it is less concerned with historical processes and the aggregate human social or cultural response to them, and is more centered around the specific words and motivations of individual persons.

Additionally, this thesis is concerned with those individuals who might otherwise fall through the cracks of historical analysis. That is why a conscious choice was made to disregard opposition to expansion that focuses on religious beliefs or opposition to slavery. Those rationales are well explored in the historiography, and their inclusion in this narrative is primarily a way to show that there are other individuals who objected to expansion, whose moral doubts went beyond those two areas. By concentrating on individuals who espoused disagreement with Manifest Destiny based on constitutional and more narrowly defined moral grounds, the expectation is that a small but fascinating component of anti-expansionism will be brought to light, one that is commonly overlooked by larger-scale historical models. Even the more marginal players in history deserve to have their stories told, and it is hoped that this thesis goes some way to accomplishing that.

Chapter 3: The Louisiana Purchase

In 1803, the first concrete step toward the westward expansion of the United States occurred with the purchase from France of the territory of Louisiana. This purchase effectively doubled the size of the nation while also giving it control of the strategically important Mississippi and Missouri Rivers. The original objective of the American delegation to France was to secure the transfer of New Orleans to the United States so as to ensure an undisturbed passage of American goods from the western territories down to the Gulf of Mexico. Instead, as a result of the debacle for French troops in the Caribbean and Napoleon's focus on European domination rather than on a possible transatlantic empire, for a bargain price of \$15,000,000 the whole of Louisiana from the mouth of the Mississippi to the border of Canada was now in the possession of the United States.⁵⁰

Unexpected as it was, the Louisiana Purchase was greeted with enthusiasm by the Jefferson administration and by the majority of Americans. Nevertheless, the zeal was not universal.⁵¹ While the Senate debates over the treaty itself are not recorded, it is worth noting that seven out of thirty-one senators voted against it. In votes on raising the necessary funds to finance the purchase, five senators and twenty-five representatives came out against the measures.⁵² The negative votes were not based upon the amount of

⁵⁰ Colin Elman, "Extending Offensive Realism: The Louisiana Purchase and America's Rise to Regional Hegemony," *The American Political Science Review* Vol. 98, No. 4 (Nov. 2004), 572-4.

⁵¹ David B. Mattern, et al., ed., *The Papers of James Madison: Secretary of State Series, Volume 5, 16 May-31 October 1803*, (Charlottesville and London: University Press of Virginia, 2000), 28, 449; Horsman, "Empire for Liberty," 7.

⁵² *Senate Exec. Journal*, 8th Cong., 1st sess., 450; *Annals of Congress*, 8th Cong., 1st sess., 73, 488.

money to be raised or the method of raising it; they were objections to the purchase itself. At the root of these objections were the perceived constitutional issues involved.

The Constitution of the United States was ratified in 1789, and the document was open to conflicting readings from the start. The disagreement over the Louisiana Purchase stemmed in large part from a lack of precedent in interpretation, the Constitution having only been in force for fourteen years. The constitutional issues revolved principally around concerns about the addition to the Union of territory and population beyond its original borders, the separation of powers and the responsibilities of Congress, the commercial clauses in the treaty with France, and the legitimacy of the treaty itself. The arguments given against the acquisition of the vast new territory sound quaint today in light of the power of the modern presidency; but for a nation still struggling with the idea of a strong federal government, the questions raised were of vital importance to the very concept of a confederated republic.

In Congress, the most common objection was to the third article of the treaty, which guaranteed that:

The inhabitants of the ceded territory shall be incorporated into the Union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States...⁵³

Reginald Horsman makes the argument that this resistance was in part based on American distrust of the heterogeneous population of Louisiana: the inhabitants were a mix of French, Spanish, and Native American.⁵⁴ There is no doubt that many warnings were sounded against the “increase (of) difficulties arising from a want of ... similarities

⁵³ *American State Papers, Foreign Relations 2:507.*

⁵⁴ Horsman, “Empire for Liberty,” 9.

of customs, habits, and manners,” but these warnings did not apply only to the incorporation of foreign peoples, but also to the possibility that American migrants to the new territory would themselves drift apart from a commonality with their countrymen.⁵⁵ In actuality, the chief foundation of the opposition to this clause of the treaty was the questionable constitutionality of incorporation itself, both of the population and the territory.

The way the government of the United States functioned at the beginning of the nineteenth century was vastly different than today. In 1803 the separation of powers among the three branches of the federal government were not precisely defined, and the workings of Congress itself were far simpler: there were no standing committees, for instance. Presidents rarely exercised veto power for mere political reasons, and the Supreme Court had only declared itself the final arbiter of constitutional issues that same year.⁵⁶ In this state of affairs, it is not surprising that many in Congress doubted the power of the President to negotiate, and the Senate to ratify, the treaty acquiring Louisiana. There was no mention in the Constitution of increasing American territory beyond the borders established in 1789, nor of any mechanism other than naturalization by which individuals could become United States citizens. A strict constructionist perspective would disallow to the federal government any power not specifically granted to it by the Constitution, or not necessary for it to fulfill its functions. It was difficult for proponents of the treaty to define the acquisition of so vast a territory as necessary for any role or task within the purview of the federal government.

⁵⁵ *Annals of Congress*, 8th Cong., 1st sess., 34, 433.

⁵⁶ Sean M. Theriault, “Party Politics During the Louisiana Purchase,” *Social Science History* Vol. 30, No. 2 (Summer 2006), 294.

Even Thomas Jefferson had his doubts about the treaty's constitutionality. He went back and forth on the question of whether Louisiana could be acquired without a constitutional amendment. Even as he agreed with his Treasury Secretary, Albert Gallatin, that the United States had an inherent right to acquire new territory and admit that territory to the Union as states, he also foresaw the need to address the constitutional questions. He even began to see his own actions as exceeding these bounds, writing to Senator John Dickinson that "The Executive in seizing the fugitive occurrence which so much advances the good of their country, have done an act beyond the Constitution."⁵⁷ Jefferson went so far as to develop two drafts of a constitutional amendment, the second of which read:

Louisiana, as ceded by France to the United States, is made a part of the United States, its white inhabitants shall be citizens, and stand, as to their rights and obligations, on the same footing with other citizens of the United States in analogous situations. Save only that as to the portion thereof lying north of an east and west line drawn through the mouth of the Arkansas river, no new state shall be established, nor any grants of land made, other than to Indians, in exchange for equivalent portions of land occupied by them, until an amendment of the Constitution shall be made for these purposes.⁵⁸

Secretary of State James Madison drafted an amendment that also granted Congress the right to annex new territory, so as to avoid the necessity of facing this question again.

Jefferson ultimately decided against seeking an amendment, for reasons of necessity: as the treaty had only a six-month window for ratification and there was no hope of passing an amendment through Congress and obtaining the required approval

⁵⁷ Dumas Malone, *Jefferson and His Time, Volume Four: Jefferson the President First Term, 1801-1805* (Boston: Little, Brown & Co., 1970), 312-313.

⁵⁸ Thomas Jefferson to Levi Lincoln August 30, 1803, in Richard Skolnik, *1803: Jefferson's Decision; The United States Purchases Louisiana* (New York: Chelsea House, 1969), 167-168. A second section was included which extended the same conditions to Florida.

from three-fourths of the states within that time frame. Nevertheless, he clearly recognized that in acquiring Louisiana and its inhabitants from France, he had deviated from his own principles of constitutional constructionism by not requiring the introduction of an enabling amendment, even if after the fact. Even a supporter of annexation and an ardent expansionist, John Quincy Adams, admitted that the treaty did “contain engagements placing us in a dilemma, from which I see no possible mode of extracting ourselves but by an amendment, or rather an addition to the Constitution.”⁵⁹

If Jefferson himself held such scruples, it is easy to see how his opponents also understood the constitutional difficulties inherent in the treaty with France. The expansionists of the Democratic-Republican Party pointed to Article 4, Section 3 of the Constitution to contend that the President and the Senate had the right to acquire Louisiana. This clause says “New States may be admitted by Congress into this Union... The Congress shall have the power to dispose of and make all needful rules and regulations, respecting the territory or other property belonging to the United States”.⁶⁰ The Federalists arguing against annexation referenced the same clause. Using a strict constructionist approach, they argued that this section of the Constitution did not specifically address the issue of obtaining territory beyond the borders of the United States at the time of its adoption, nor did the framers of the document mention the possibility of such expansion. The fact that it was not forbidden by the Constitution did not matter; the federal government could not exercise such powers as the treaty called

⁵⁹ *Annals of Congress*, 8th Congress, 1st sess., 67; Mattern, et al., 156; Malone, 317-319; Thomas J. Farnham, “The Federal-State Issue and the Louisiana Purchase,” *Louisiana History: The Journal of the Louisiana Historical Association*, Vol. 6, No.1 (Winter 1965), 8.

⁶⁰ The Library of Congress, American Memory, “Documents from the Continental Congress and the Constitutional Convention, 1774-1789,” retrieved October 23, 2012, [http://memory.loc.gov/cgi-bin/query/r?ammem/bdsdcc:@field\(DOCID+@lit\(bdsdccc0802\)\)](http://memory.loc.gov/cgi-bin/query/r?ammem/bdsdcc:@field(DOCID+@lit(bdsdccc0802))).

for, since the Constitution did not bestow them. It was also asserted that if the proponents' logic on the constitutionality of transferring ownership of Louisiana from France to the United States held, it could lead to Congress at a future point alienating American territory, perhaps even states.⁶¹

Beyond territorial concerns, the question of incorporating a foreign population by treaty was even more constitutionally objectionable to the opponents of the Louisiana Purchase. Gaylord Griswold of New York proclaimed that to incorporate into the Union “a foreign nation who, from interest or ambition, may wish to become a member of our Government” would be a violation of the very principles from which the Constitution sprang, while Senator Thomas Pickering insisted that such an incorporation “could not be affected without an amendment to the Constitution”. The senator asserted that the annexation was so outside the intentions of the Constitution’s framers that such an amendment needed to be assented to by every state instead of the constitutionally required three-fourths of them. Samuel Dana of Connecticut declared that incorporating the inhabitants of Louisiana as citizens of the United States violated the nation’s naturalization laws.⁶²

Another constitutional issue arose concerning the separation of powers. Senator Tracy pointed out that Article 4, Section 3 of the Constitution gave Congress the power to add states to the Union, and that a treaty negotiated by the Executive and assented to by the Senate was insufficient to meet that criterion, as the House of Representatives had no constitutional authority to approve a treaty. Louisiana, therefore, could not be incorporated into the United States through a treaty, for the reason that both houses of

⁶¹ Speeches by Senator Tracy and Reps. Gaylord Griswold and Samuel Thatcher, *Annals of Congress*, 8th Cong., 1st sess., 54, 432-433, 455, 462.

⁶² *Ibid.*, 44-45, 461, 486.

Congress could not give their assent. Representative Samuel Thatcher also argued, “if this article of the Constitution authorizes the exercise of power under this treaty, it must reside with the Legislature, and not with the President and the Senate.” There was a fierce institutional loyalty among members of Congress that made them very protective of the Legislature’s prerogatives.⁶³

Another constitutional issue relating to the acquiring of Louisiana was how it would be governed. There was a strong conviction among many Americans that a republic should not have colonies, which were reminiscent of empires and tyranny. Instead of colonies, the United States had territories that could eventually become states enjoying equal status with other states; there were no colonial subjects, only citizens. Opponents of the Louisiana Purchase contended, however, that even if territory could be added to the United States, “neither the conquest nor the purchase can incorporate them into the Union. They must remain in the condition of colonies, and be governed accordingly.” Since the treaty with France required that Louisiana be treated as the other territories of the nation, this perspective regarded the purchase as unconstitutional. Americans considered their country to be devoted to the spread of republican liberty; colonies seemed antithetical to the republican ideal, and not everybody was comfortable with them.⁶⁴

With so large a territory and so few American settlers living in it, applying the methods used to govern the Northwest and Southwest Territories to Louisiana was impractical. Instead, the bill authorizing the governance of the new territory created a

⁶³ *Ibid.*, 56, 454-455; Theriault, 295.

⁶⁴ *Ibid.*, 463; Horsman, “Empire for Liberty,” 9; Meinig, 23; Gray H. Whaley, “Oregon, Illahee, and the Empire Republic: A Case Study of American Colonialism, 1843-1858,” *The Western Historical Quarterly* Vol. 36, No. 2 (Summer, 2005), 158. While Whaley is writing specifically of Oregon in the mid-nineteenth century, his analysis is pertinent to the argument over colonialism concerning Louisiana.

system that gave the president much more power over the territorial government than the executive branch had previously held:

“... until the expiration of the present session of Congress, or unless provision be sooner made for the temporary government of the said territories, all the military, civil, and judicial powers exercised by the officers of the existing Government of the same, shall be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct...”⁶⁵

To opponents of the Louisiana Purchase, it was clearly “despotism,” and “repugnant to the Constitution” to grant the president that much power.⁶⁶

The state-making clause was not the only article of the Constitution that the treaty violated, according to the dissenters. Article 1, Section 9 of the Constitution declares that, “No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another”. However, Article 7 of the treaty provided that the ships of France and Spain, loaded with goods from their colonies or mother countries, would pay no more tariffs than American ships in Louisiana ports for twelve years following the transfer of the territory. In addition, “During the space of time above mentioned, no other nation shall have the right to the same privileges in the ports of the ceded territory.”⁶⁷ As the ports of other states did not give this preferential treatment to French and Spanish ships, this seemed to violate Article 1, Section 9. Connecticut Senator Uriah Tracy argued that the treaty gave “a commercial preference to those ports over the other ports of the United States,” while Virginia’s Representatives Joseph Lewis and Thomas Griffin considered the treaty’s tariff clause an unambiguous violation of Article 1. The solution

⁶⁵ *Annals of Congress*, 8th Cong., 1st sess., 545.

⁶⁶ *Ibid.*, 501, 505.

⁶⁷ The Library of Congress, “Documents from the Continental Congress and the Constitutional Convention, 1774-1789”; *American State Papers, Foreign Relations* 2:507.

offered by the Democrat-Republicans was that Congress should remove the tariffs on French and Spanish ships visiting any American port. An elegant solution, to be sure, but one that sidestepped the constitutional qualms. Additionally, the question of the separation of powers was again raised. Griffin noted that the section of the treaty dealing with the Louisiana ports was a commercial clause, and such matters were Congress' purview; the executive branch should have no part in its origins.⁶⁸

The opponents of the Louisiana Purchase raised one more constitutional objection. When Spain ceded the territory to France in 1802, it secured an agreement from Napoleon not to transfer it to any other power. Spain let it be known to the American government as early as September 1803 that they objected to the sale of Louisiana to the United States on the basis of that agreement.⁶⁹ Spain's objections made strategic sense. They had long feared American expansion into Texas and Mexico, and were concerned enough not only to insist that Napoleon never alienate Louisiana, but even to send a military mission on a futile endeavor to stop Lewis and Clark's expedition.⁷⁰

Congressional opponents of territorial expansion were well aware of Spain's opposition, and questioned whether it invalidated the sale of Louisiana to the United States, and by extension the treaty with France itself. Samuel White of Delaware told the Senate, "it is now a well known fact, that Spain considers herself injured by this treaty, and if it should be in her power to prevent it, will not agree to the cession of New Orleans

⁶⁸ *Annals of Congress*, 8th Cong., 1st sess., 57, 433-434, 440-443, 456-457.

⁶⁹ *American State Papers, Foreign Relations* 2:568-570.

⁷⁰ Meinig, 60; Frank L. Owsley, Jr. and Gene A. Smith, *Filibusters and Expansionists: Jeffersonian Manifest Destiny, 1800-1821* (Tuscaloosa: University of Alabama Press, 1997), 33-34; James P. Ronda, "A Moment in Time: The West- September 1806," *Montana: The Magazine of Western History* Vol. 44, No. 4 (Autumn, 1994), 9.

and Louisiana to the United States.” Delaware’s other senator, William Wells, worried that Spanish officials still in New Orleans would refuse the French Prefect’s order to hand over the territory, leaving the Americans with “possession by the twig of a tree or the knob of a door,” forcing the United States to fight to gain what they had already paid for.⁷¹ It was far from clear to these men that the French could rightfully sell Louisiana to the Americans, or whether the treaty was null and void to begin with. In the end, Spain dropped its objections to the sale. While the official reason for this decision was the desire of the Spanish king to remain on friendly terms with both France and the United States, it is likely that international power politics were the driving force behind it. Spain was in a weak position in relation to France, and realized it could not afford to risk war with the Americans for fear of losing the Floridas.⁷² However, Spain did not acquiesce until February of 1804; at the time of the debates over the Louisiana Purchase, their official position was that France had no right to sell the territory.

There were arguments above and beyond constitutional ones, however. There were moral and theoretical objections, as well. A long-standing view, most popularly expressed by the Baron de Montesquieu, was that republics had to be small in order to survive uncorrupted. Some Americans believed that the nation had reached such limits of size. This was a recurring idea in American politics throughout the early nineteenth century.⁷³ The hazards to the Union from enlargement were two: the risk of disintegration of the Union and the threat to republican ideals and institutions.

⁷¹ *Annals of Congress*, 8th Cong., 1st sess., 32, 37.

⁷² *American State Papers, Foreign Relations* 2:583; Elman, 573.

⁷³ Horsman, “Empire for Liberty,” 1-2; Anders Stephanson, *Manifest Destiny: American Expansion and the Empire of Right* (New York: Hill and Wang, 1995), 16-17.

That the United States could become too large to remain confederated was a concern expressed in the debates over the Louisiana Purchase. Certainly, sectionalism and the fear among the northeastern states of the balance of national power shifting to the South and West were behind a great deal of this apprehension. But it must be kept in mind that Montesquieu's ideas still had adherents into the middle of the nineteenth century. While Jefferson and others could remain unruffled by the possibility that the land he had acquired might eventually break off into sister republics, others like Senator White considered the incorporation of Louisiana as "the greatest curse which could at present befall us". White foresaw the distances between the new settlements that would inevitably develop and the capital as too great for them to share political interests with the older part of the country. Eventually the Louisiana region would separate from the United States, and take with them the territories on the eastern bank of the Mississippi River. The nation would be reduced, not enlarged: "I fear our bounds will be fixed nearer to our houses than the waters of the Mississippi."⁷⁴

In the nineteenth century, it was assumed that a republic needed a culturally homogenous population in order to survive. Opponents of territorial enlargement pointed out the inherent dangers to a society's commonality that would come with expansion. Gaylord Griswold spoke of his apprehension that "as you extend your limits, you increase the difficulties arising from a want of similarities of customs, habits, and manners".⁷⁵ He feared this threat to societal cohesion could easily lead to the disintegration of the Union. Of concern, as well, were the possible economic effects of doubling the size of the nation. There was little doubt that settlement of the area by American settlers would begin

⁷⁴ Horsman, "Empire For Liberty," 10, and *Race and Manifest Destiny*, 87, 89-92; *Annals of Congress*, 8th Cong., 1st sess., 33-34.

⁷⁵ *Annals of Congress*, 8th Cong., 1st sess., 433.

immediately, regardless of government policy regarding settlement; past experience with trans-Allegheny migration supported this assertion. This would cause a labour shortage in the East, with a corresponding increase in the cost of labour, as well as a depression of land prices as the new lands beckoned immigrants.⁷⁶

In the early years of the Republic, the fear of a reversion to a tyrannical form of government was not uncommon; such fears had been voiced during the process of ratifying the Constitution and had certainly been raised during the Adams administration. Now they were raised again in reference to westward expansion, albeit by those Federalists against whom such charges had been earlier laid. Thomas Griffin believed that “This acquisition of distant territory... will involve the necessity of a considerable standing army, so justly an object of terror.” As noted earlier, the consolidation of governing power in Louisiana under the presidency was seen as borderline tyrannical; William Plumer insisted that, had the Federalists proposed such a scheme, the Democrat-Republicans would have condemned it as monarchical.⁷⁷ With American independence less than a generation old, it is small wonder that fears of a return to the perceived tyranny of the pre-Revolution years could be provoked.

Historians have generally been less than willing to grant opponents of the Louisiana Purchase the benefit of the doubt regarding their motivations. While the constitutional concerns are noted, they are usually considered as either less important than, or camouflage for, more partisan, sectional, or economic objectives. Charles Sellers, as previously noted, sees American politics in the early nineteenth century as conflict between a Federalist nationalism in the Northeast focused on commercial trade with

⁷⁶ *Ibid.*, 34, 443; Horsman, “Empire For Liberty,” 9-10.

⁷⁷ *Annals of Congress*, 8th Cong., 1st sess., 456; Plumer quoted in Horsman, “Empire For Liberty,” 9.

Britain against a Southern Democrat-Republican populism based on agriculture and domestic trade.⁷⁸ Historians have a tendency to view the actions of individuals as a puzzle to be solved. Reality is rarely what lies on the surface, and hidden meanings and purposes need to be brought to light. This approach is understandable, and necessary for thorough historical inquiry. But in the zeal to unearth the concealed, historians often dismiss the rationales declared by the historical figures themselves. In doing so, it is quite possible to neglect actual motivations in the search for obscured ones.

To be sure, sectionalism played some part in the opposition to the Louisiana Purchase. Several congressional opponents of the measure denounced the shift in the balance of power among the Republic's regions that would come with the introduction of states from the territory, and warned of dire consequences to the Union as a result.⁷⁹ It is also true that two-thirds of the votes in the House of Representatives against funding the occupation of Louisiana were from the New England delegations.⁸⁰ The argument can also be made that concerns over labour costs and land values resonated more in the heavily populated and economically commercial northeast. However, that is just one element of the opposition to annexation, and presents only a partial picture.

To present New England as a monolithic voting bloc hostile to the Louisiana Purchase is to ignore the actions of congressional delegations both from that region, and those from other regions. For instance, Senators Ellery and Potter of Rhode Island both voted for acquiring Louisiana and in favour of the bill funding the purchase; likewise,

⁷⁸ Sellers, 15, 19-22, 38-40, 90.

⁷⁹ *Annals of Congress*, 8th Cong., 1st sess., 433, 462; Horsman, "Empire For Liberty," 7-8, 10; also a letter from Alexander Hamilton in the *New-York Evening Post*, July 5, 1803 that raises the same points is quoted in John R. Van Atta, "'A Lawless Rabble': Henry Clay and the Cultural Politics of Squatters' Rights, 1832-1841," *Journal of the Early Republic*, Volume 28, Number 3 (Fall 2008), 343.

⁸⁰ *Annals of Congress*, 8th Cong., 1st sess., 488.

while Massachusetts Senator John Quincy Adams did not vote on the treaty itself, he supported it and voted in favour of the funding bill. On the other side, Delaware's senators voted against both measures, while four Virginia congressmen voted against the funding bill.⁸¹ If the balance of sectional power was the moving force behind New England's actions, why would senators from the state with the region's smallest representation in Congress vote in favor of territorial expansion? If opposition to expansion were primarily a Northeastern concern, why would a state that straddled the Atlantic and Southern regions vote against such expansion, and why would representatives from the most populous state in the South oppose it? Clearly the sectional interests, while powerful, were not the only considerations in play.

An examination of the speeches given by some of those opposed to the Louisiana Purchase can be illuminating. Certainly some opposition was based on the perception that such an enlargement of territory would strip the Northeastern states of power: Gaylord Griswold emphasized that fear as much as he did the constitutional concerns.⁸² But others showed themselves far less troubled by that eventuality than by more fundamental apprehensions. While there are no records of the Senate debate over ratification of the treaty with France, there are records of the debate on funding the purchase. Opposition Senators White, Wells, and Pickering do not raise the issue of the regional balance of power at all, and Uriah Tracy only mentions it in passing. In the debates over the same bill in the House of Representatives, Virginians Lewis and Griffin never mention regional interests at all, and Massachusetts's Samuel Thatcher only mentions Eastern interests in regards to the treaty's perceived violation of the trade clauses in Article 1, Section 9 of

⁸¹ *Ibid.*, 67, 73; *Senate Exec. Journal*, 8th Cong., 1st sess., 450.

⁸² *Annals of Congress*, 8th Cong., 1st sess., 461-462, 465.

the Constitution.⁸³ Without further evidence of other, unmentioned rationales among these men, there is no strong reason to assume that their opposition was motivated by anything more than constitutional trepidations or concerns over the nation's republican institutions.

One overall factor does seem to have played a large element in the voting patterns concerning the Louisiana Purchase. Divisions in both the Senate and the House concerning the issue were consistently along party lines. All seven senators voting against the treaty were Federalists, as well as the five that voted against the creation of the stock to fund the purchase. While there were some Federalists who voted in favour of the Louisiana Purchase and its supporting bills, no Democrat-Republicans in either house opposed the measures.⁸⁴ The argument has been made, with justification, that to some extent both parties reversed their philosophical positions for purely political reasons, with the Democrat-Republicans suddenly advocating a strong federal principle and the Federalists contending that the central government's power was limited.⁸⁵

This argument is not without challenges, however. To the Jeffersonian Democrat-Republicans, it was clear that the majority of the American population supported the acquisition of the vast new territory;⁸⁶ from this perspective, the Louisiana Purchase was clearly an action well grounded in the will of the people. It is evident that strong among the Federalist objections was the sanctity of the Constitution, the very heart of the central government they held as necessary and vital for the nation's well-being. Even beyond

⁸³ *Ibid.*, 31-37, 44-47, 56, 58.

⁸⁴ *Ibid.*, 73, 488; *Senate Exec. Journal*, 8th Cong., 1st sess., 450; Theriault, 311.

⁸⁵ Farnham, 9; Christian B. Keller, "Philanthropy Betrayed: Thomas Jefferson, the Louisiana Purchase, and the Origins of Federal Indian Removal Policy," *Proceedings of the American Philosophical Society*, Vol. 144, No. 1 (March 2000), 65.

⁸⁶ Horsman, "Empire For Liberty," 7.

Federalist party philosophies, there was the factor of institutional loyalty. It has been noted that members of Congress often cast their votes in favor of the institutional interests of the legislative branch rather than the positions taken by their party;⁸⁷ this can explain many of the Federalist objections raised during the Louisiana congressional debates.

The Louisiana Purchase is usually viewed as an action greeted, as James Madison put it, by “universal approbation.”⁸⁸ Clearly, this was not the case. Nor was the opposition to it merely a matter of sectionalism, economics, or partisanship. A strong vein of constitutional and moral objection runs through the challenge to such a vast expansion of American territory. Indeed, these protestations arise again and again throughout the first half of the nineteenth century, although often arising from different fears. And it was less than a decade before the conflict arose again, as American territorial ambition turned to the south and north.

⁸⁷ Theriault, 295.

⁸⁸ Quoted in Horsman, “Empire For Liberty,” 7.

Chapter 3: West Florida and the War of 1812

With Louisiana securely in American possession, expansionists temporarily looked elsewhere on the nation's borders for new territorial acquisitions. At first, their eyes turned south, toward the Spanish possessions of the Floridas and Cuba. Within two years of the Louisiana Purchase, Jefferson tried to buy the Floridas, and others wished to wrest Cuba from a weakened Spain. Jefferson and his supporters believed that the security of New Orleans and its trade depended on American control of the waters between Florida and Cuba. American interest in Cuba was so strong that the British navy patrolled Cuban waters for pirates, so as not to allow the United States an excuse to invade the island.⁸⁹ When James Madison became president, the opportunity arose to make some advances in this region when an uprising occurred in Baton Rouge in West Florida. Despite the question of whether or not the Executive had the power to act in this case, Madison issued a proclamation annexing the Spanish territory all the way to the Perdido River and sent in the military to enforce it.⁹⁰

Not everyone approved of Madison's actions. Outerbridge Horsey argued in the Senate that the President's proclamation was unconstitutional because it was both an act of war (in sending the United States Army to occupy the territory) and of legislation (in that it created a government for the territory); only Congress had the authority to act in either of those matters.⁹¹ Nevertheless, Madison's proclamation was overwhelmingly

⁸⁹ Meinig, 33-34.

⁹⁰ Horsman, "Empire For Liberty," 10-13.

⁹¹ *Annals of Congress*, 11th Cong., 3rd sess., 44-45.

supported as being a true interpretation of the Louisiana Purchase, although the border dispute was not formally settled with Spain until 1819.

Of much more profound consequence, however, was the drift towards war between the United States and Great Britain. Unresolved issues from the Revolutionary War, the British Orders in Council requiring all neutral ships sailing to France or its allies stop in British ports and pay the Crown a tariff, plus the impressment by the British Navy of sailors on American ships all angered the Americans. Many in the newer states from the Old Northwest believed the British were stirring up the Native Americans against them, and believed it was in the United States' best security interests to fight the British in the North.⁹² This quickly evolved into a demand among many not simply to protect the frontier, but to conquer Canada and kick the British completely out of North America.⁹³

Canada had been coveted by the United States since independence. In the first American constitution, the Articles of Confederation, it was specifically declared in Article XI that, "Canada, acceding to this confederation, shall be admitted into, and entitled to, all the advantages of this union," with no vote by Congress necessary.⁹⁴ There were many Americans who believed that Canadians would leap at a chance to join the United States, or at least be free of British rule. If nothing else, the taking of Canada would be retribution for the perceived wrongs committed by the British. Massachusetts's congressman Samuel Taggart wrote in the *Alexandria Gazette*, accurately mocking the pro-war faction, "At all events, Canada must be ours; and this is to be the sovereign balm,

⁹² Taylor Allen, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, & Indian Allies* (New York: Alfred A Knopf, 2010), 116-118, 128, 131, 137.

⁹³ *Annals of Congress*, 12th Cong., 1st sess., 416; Horsman, "Empire for Liberty," 13.

⁹⁴ Library of Congress, *Articles of Confederation: Primary Documents of American History* (Virtual Programs and Services), image 4, <http://memory.loc.gov/cgi-bin/ampage?collId=rbpe&fileName=rbpe17/rbpe178/17802600/rbpe17802600.db&recNum=3>.

the universal panacea, which is to heal all wounds we have received either in our honor, interest, or reputation.”⁹⁵

But not everyone was craving a conflict with Great Britain. As the demands for war increased among the Republicans (formerly the Democrat-Republicans), so did the resistance to them by the Federalists- and some Republicans- mostly in New England, New Jersey, and New York. If the Louisiana Purchase aroused opposition, the War of 1812 unleashed a flood of discontent. Some of it was economic in origin; the New England merchants who traded with Europe were willing to accept the loss of some ships and sailors as the price of doing an otherwise profitable business. Others felt that the United States was woefully unprepared for a war with Britain and that the results would be devastating for the country, especially for the port cities that would be left undefended if the war was to be fought in Canada rather than at sea.⁹⁶

Sectional interests most definitely played a part in the debate over war. Tables 1 and 2 show the South voting overwhelmingly in favour of the declaration of war against the British. But in New England, the new Western states of Ohio, Kentucky, and Tennessee, and especially in the Atlantic States, it is not as easy to declare as strong a regional pattern. In the Senate the West and Atlantic states were essentially evenly divided, and a third of the New England senators voted in favour of war. In the House of Representatives, both the South and the West voted nearly unanimously for war, while again New England divided one-third for peace, and the Atlantic states were almost evenly split.

⁹⁵ Taylor, 412-413; *Annals of Congress*, 12th Cong., 1st sess., 457, 1662-1663; Murray Polner and Thomas E. Woods, *We Who Dared to Say No to War: American Antiwar Writing from 1812 to Now* (New York: Basic Books, 2008). Taggart published his speech in the *Alexandria Gazette* because the vote to declare war was held behind closed doors, closed to the public. He later had it printed in the *Annals of Congress*.

⁹⁶ Taylor, 118, 128, 133; *Annals of Congress*, 12th Cong., 1st sess., 271-275.

Table 1: Senate⁹⁷

Section	Yea	Nay
New England	3	6
Atlantic	5	5
South	8	0
West	3	2
Total	19	13

Table 2: House of Representatives⁹⁸

Section	Yea	Nay
New England	12	20
Atlantic	26	21
South	32	8
West	9	0
Total	79	49

More important to understanding the voting patterns are party affiliations. Table 3 shows that not a single Federalist voted in favour of war in either house.

Table 3:⁹⁹

Party Votes	Yea	Nay
Senate		
Republican	19	7
Federalist	0	6
Total	19	13
Party Votes	Yea	Nay
House		
Republican	79	15
Federalist	0	34
Total	79	49

⁹⁷ *Biographical Directory of the United States Congress*, Office of the Clerk of the U.S. House of Representatives, <http://bioguide.congress.gov/biosearch/biosearch.asp>; *US Senate Journal*, 12th Cong., 1st sess., 297.

⁹⁸ *Biographical Directory of the United States Congress; Annals of Congress*, 12th Cong., 1st sess., Appendix, 1637.

⁹⁹ *Ibid.*, *US Senate Journal*, 12th Cong., 1st sess., 297.

Even the few Federalists in the South voted against the declaration of war. But there were still some Republicans, especially those in New York and New Jersey, who voted in opposition to their party.

However, party was not the sole reason for all the opposition. Beyond partisan bias, there were those who took a stand against the war for moral reasons. The main concern of these individuals was the proposed invasion and annexation of Canada. Opponents lamented that the planned invasion had clearly become a blueprint for annexation. Virginia's John Randolph noted, "since the report of the Committee on Foreign Relations came into the House, we heard but one word- like the whip-poor-will, but one eternal monotonous tone- Canada! Canada! Canada!" He viewed such a war not as "a war for our homes and firesides... but, a war of rapine, of privateering, a scuffle and scramble for plunder".¹⁰⁰ Samuel Taggart wrote in the *Alexandria Gazette*, "We contemplate the invasion of a foreign territory, to which no one pretends we have any right, unless one be acquired by conquest."¹⁰¹ And what of the Canadians themselves? Opponents of the war pointed out that it made no sense to bring war to the "unoffending Canadians", when it was the British who were the enemy; for, though the Canadians were British subjects, that affiliation was quite loose for many of them and attachment to the Crown was often more a matter of cheap land and low taxes.¹⁰² The conquest of Canada and its attachment to the United States could not be morally justified.

If the United States were to invade and conquer Canada, would that be the end of it? Richard Stanford questioned, if Canada were to fall to the Americans, what would be

¹⁰⁰ *Annals of Congress*, 12th Cong., 1st sess., 533, 543-544.

¹⁰¹ Polner and Woods, 11.

¹⁰² *Annals of Congress*, 12th Cong., 1st sess., Appendix, 1640, and 13th Cong., 2nd sess., 1818; Horsman, "Empire for Liberty", 14; Taylor, 6-8, 58; Meinig, 44.

next: “afterwards, as the gentleman from New Hampshire (Mr. HARPER) tells us, we are to turn our attention to the Bahama Islands, and conquer them also... when and where is this spirit of conquest and dominion to end?”¹⁰³ If the President were allowed, as many in the war party wished, to use the state militias as troops in the invasion of Canada, they could be sent anywhere, “to Chili or Paraguay.” The war’s opponents doubted both the morality and the constitutionality of such possibilities.¹⁰⁴

There were other qualms regarding dangers to the Republic that would come with an attack on Canada. John Randolph questioned the constitutionality of waging offensive war, and warned of the peril of creating a standing army. His compatriot Hugh Nelson “did not believe that the framers of our Constitution had any idea of providing the means of extending the territory of this country by foreign war.”¹⁰⁵ Even if the United States should conquer Canada, Artemus Ward warned that a military leader could emerge from the war or from a military occupation, so strong that he would become “a future Caesar, or present Bonaparte, [who] may overturn the government of our country.”¹⁰⁶ Freedom of the press was imperilled as well. The antiwar paper *Federal Republican* was attacked by a Republican mob, causing many Federalists to voice concern over the national spirit becoming “arbitrary and despotic.”¹⁰⁷ Opponents of annexation envisioned great danger to the institutions of American government should Canada be conquered.

Many who lived in the western and northern frontiers feared that the British were encouraging the Native Americans to attack American settlers. Of particular concern was

¹⁰³ *Annals of Congress*, 12th Cong., 1st sess., 673.

¹⁰⁴ *Ibid.*, 740, 750-756.

¹⁰⁵ *Ibid.*, 422, 450, 543, 790.

¹⁰⁶ *Ibid.*, 13th Cong., 2nd sess., 1819.

¹⁰⁷ Taylor, 177-179.

the alliance between the British and Tecumseh.¹⁰⁸ That Tecumseh caused great difficulty for the Americans in the Northwest was undoubted, but not everybody laid the blame squarely on the British. Obadiah German of New York believed the Americans themselves were to blame. They had made no effort to negotiate with the Native Americans in the region, instead marching an army out to intimidate Tecumseh and his brother “The Prophet”, who led the Indian alliance.

“And had not the Prophet and his party sufficient reason to believe that everything dear to them was at stake?... And I must ask, Mr. President, if anyone can blame the Indians for fighting under such circumstances? No, sir. I conceive if they had not fought they would have debased human nature itself.¹⁰⁹

Individuals like Senator German were unwilling to allow American settlers, not to mention politicians, escape responsibility for the dangerous situation on the frontier.

The war ended in 1815, the settlement being essentially a return to the *status quo ante*. Almost to the end, the American government still tried to acquire Canada. Even after the military failed to take Canada, President Madison tried to convince Great Britain to trade away Canada. He made the mistake many Americans did, which was to assume that the Canadians wanted independence from Britain. Eventually, he believed, the British would have to give the colony up, so why not deal with the United States for it? But the Canadians were not looking to become Americans, and the British were not interested in enlarging the United States. The Federalists viewed the British peace terms a fitting end to an unjust war. In the end little had changed, except that the Americans came to accept, with a few exceptions, that the presence of British Canada was unavoidable;

¹⁰⁸ Meinig, 46.

¹⁰⁹ *Annals of Congress*, 12th Cong., 2nd sess., 275-276.

they would have to coexist.¹¹⁰ Never again was it an official policy of the United States to seek to bring Canada into the Union. This did not, however, mean that there was not to continue a demand by many for further territorial extensions of the nation.

¹¹⁰ Taylor, 91, 412-414, 439.

Chapter 5: The Oregon Territory

After the War of 1812 effectively ended any genuine initiative to incorporate Canada into the Union, American expansionists once again turned their gaze westward. The one section of the continent contiguous to the United States that was not clearly in the possession of a particular European nation was the area of the Pacific Northwest known as Oregon. This situation was different than those of previous expansions, as the lack of unmistakable title to the territory allowed for easier claims by competing international players, including the United States. But while the drumbeat for annexation was popular among many Americans, there were loud voices of opposition. Much of that opposition was based on practical concerns; but just as in earlier debates over what would come to be called Manifest Destiny, there were constitutional and moral objectives, as well.

A thorough explanation of the basis for the various claims to Oregon is required in order to understand the political debates concerning the movement for American annexation that began during the 1820s. The Oregon Territory was the last large section of the North American continent whose possession, as defined by the Doctrine of Discovery, was disputed. There were no formalized boundaries, but it was usually considered to be west of the Rocky Mountains between the latitudes of 42°N and 59°N, an area that roughly encompasses the modern states of Oregon and Washington, the province of British Columbia, and southern coastal Alaska. Three European countries and the United States made claims to the area. Spain's claim was based on the Doctrine of Discovery. As early as 1542 Rodríguez Cabrillo is believed to have reached a point near

or beyond the modern California-Oregon border.¹¹¹ In 1775 the Spanish explorer Bruno de Hezeta attempted to enter the mouth the Columbia River, then continued north as far as 57°, 20'. That same year, Juan Perez sailed to Vancouver Island, laying claim to Nootka Sound. These voyages provided Spain with a strong footing for a claim of sovereignty.¹¹²

Three years later British Captain James Cook explored Nootka Sound, claiming it and areas north for Great Britain. To sort out the conflicting claims to Nootka Sound, Juan Francisco de la Bodega y Quadra met there with British Captain George Vancouver in 1792. While in the end they referred settlement of the matter to their governments, it proved to be the last attempt by Spain to gain a foothold north of California.¹¹³ The Spanish might have had stronger claims to the Pacific Northwest had they publicly announced many of their early discoveries in the region. In failing to do so, they lost out in the colonial rivalry.¹¹⁴ With Spanish power growing weaker in both Europe and the Americas, they focused their attention in North America on California and Texas. Nevertheless, Spain would not give up its territorial claim to Oregon for another 27 years.

Russia also claimed the Oregon country, as an extension of its commercial colony in Alaska. They had built trading posts in the Aleutian Islands as early as the 1740s, and later established more on the coastal mainland itself. By 1806 the Russians began to explore down the Pacific Northwest coast to extend their commercial interests and to

¹¹¹ Iris H. W. Engstrand, "Seekers of the "Northern Mystery": European Exploration of California and the Pacific," *California History* Vol. 76, No. 2/3 (Summer-Fall, 1997), 86.

¹¹² *Ibid.*, 94-95.

¹¹³ *Ibid.*, 96, 101.

¹¹⁴ Miller, 67.

create a supply network.¹¹⁵ In 1821 Tsar Alexander issued a *ukase* declaring Russian sovereignty as far south as 51°.

By the end of the 18th century, Great Britain's claim to the Oregon region was perhaps the strongest of the European contenders. The 1792 Nootka Sound crisis had led to recognition by Spain of Britain's right to the use of the Strait of Juan de Fuca and the surrounding harbours. An expedition a hundred miles up the Columbia River by British Lt. William Broughton in October 1792, and his mapping of the river, gave a significant boost to Great Britain's title to the territory. Broughton's naming of landmarks along the river after powerful Britons symbolically helped to solidify the British claim to the area: Mt. Hood, Mt. St. Helens, Call's River, etc. Broughton considered the naming of specific locations a form of claiming discovery.¹¹⁶ Many of these names remain today.

Another British exploration the next year solidified their claim to sovereignty in Oregon. Venturing overland in 1793, the Canadian North West Company agent Alexander Mackenzie reached the Pacific Coast of modern British Columbia at 52°, 22' north. Even among many Americans that expedition gave the British at least partial title.¹¹⁷ Mackenzie himself believed he had reached the headwaters of the Columbia River in 1801, but in that he was mistaken; the waterway was in actuality the Fraser River.¹¹⁸

The final player in the colonial rivalry over the Pacific Northwest was the United States. The Americans came to lay claim to Oregon with more fervency than the other countries. The basis of the American claim was threefold: the exploration of the

¹¹⁵ Ronda, "A Moment in Time" 6, 13-14.

¹¹⁶ Jim Mockford, "Before Lewis and Clark, Lt. Broughton's River of Names: The Columbia River Exploration of 1792," *Oregon Historical Quarterly* Vol. 106, No. 4 (Winter 2005), 548-549, 564.

¹¹⁷ *Annals of Congress*, 16th Cong., 2nd sess., 952-953.

¹¹⁸ Meinig, 59.

Columbia River by Captain Robert Gray in March of 1792, the expedition of Lewis and Clark from 1803 to 1806, and the founding of the Astoria trading post on the Columbia River in 1810.¹¹⁹ The Gray expedition was probably the weakest assertion to sovereignty; it could be contended, as Lt. Broughton did, that Gray had merely entered a bay that the river emptied into, not the river itself. In that case, the British claim via Broughton's exploration would be stronger than the Americans'. However, British Captain Vancouver believed that Gray had indeed discovered the river, which supported American claims.¹²⁰

Astoria was an attempt to establish an American trade base in Oregon. American businessman John Jacob Astor built a fort at the mouth of the Columbia River with the intention of dominating the Pacific Northwest fur trade. He was less interested in bringing the furs back east to the trade centers of the United States than he was in selling the furs to the Chinese. A cross-Pacific trade would allow him to import Chinese goods, which could then be moved eastward across the continent.¹²¹ In 1812 his men blazed a path over the Rocky Mountains at South Pass, which would have made such a trade network possible. But the War of 1812 intervened, and Astor sold his fort to the British who renamed it Fort George. By the time the war was over and Astoria was returned to American hands, the momentum for a transoceanic, transcontinental trade network had been broken. However, the route Astor's men found across the mountains eventually became a vital part of the Oregon Trail.¹²²

The other important component of the American claim to the Oregon country was Lewis and Clark's Expedition of Discovery. Begun even before the Louisiana Purchase,

¹¹⁹ *Annals of Congress*, 16th Cong., 2nd sess. 949-951.

¹²⁰ Mockford, 564.

¹²¹ Meinig, 66-67.

¹²² *Ibid.*, 67.

the expedition was Thomas Jefferson's attempt to use the Doctrine of Discovery to claim the Pacific Northwest for the United States. In 1821 a congressional committee report declared that Lewis and Clark's exploration of the Columbia River and the establishment of Fort Clatsop at its mouth gave the United States sovereignty over the coast from Spanish California at least up to 53° north, and possibly up to 60°. ¹²³ Fort Clatsop was abandoned when the expedition returned to St. Louis, but coupled with the establishment of Astoria a few years later it helped form the basis for American claims on Oregon.

By 1824, the international competition for the Oregon country was reduced to two countries: Great Britain and the United States. Credit for this new state of affairs goes to American diplomat John Quincy Adams. He was a fervent expansionist and as one of the American negotiators of the Treaty of Ghent, Adams refused to acknowledge any British claims to the Pacific Northwest. ¹²⁴ As James Monroe's Secretary of State, he arranged the end of the Spanish and Russian claims. American incursions into Florida had led Spain to recognize its inability to defend that colony. Adams entered into negotiations with Spain to not only cede Florida to the United States, but to also settle the remaining border disputes between the two countries. The Adams-Onís Treaty of 1819 transferred almost 100,000 square miles of American territory along the periphery of Texas for Florida and a border with Spanish Mexico at 42° all the way to the Pacific coast. ¹²⁵ Thus the United States not only finally achieved its desire for possession of the entirety of Florida but, just as importantly, solidified its claims to Oregon with Spain's recognition of American title to Pacific coastal territory north of 42°. The Senate, with no objections,

¹²³ *American State Papers: Miscellaneous* 2: 631.

¹²⁴ Howard Jones and Donald A Rakestraw, *Prologue to Manifest Destiny: Anglo-American Relations in the 1840s* (Wilmington, DE: Scholarly Resources, Inc., 1997), 155-156.

¹²⁵ *American State Papers: Foreign Relations* 4: 623; Neilson J. Barry, "Oregon Boundaries," *Oregon Historical Quarterly* Vol. 13, No. 3 (Sep. 1932), 262.

ratified the treaty two days after the instruments signed by the Spanish government were received in Washington.¹²⁶

Adams then turned his attention to the Russian claims. He disputed the tsar's *ukase*: "The right of *discovery*, on this continent, claimable by Russia, is reduced to the probability that, in 1741, Captain Tchirikoff saw from the sea the mountain called St. Elias, in about the 59th degree of north latitude." That was as far south as Adams was willing to consider the Russians having a legitimate claim. Adams informed the Russians through his representative in London that the British government would similarly protest the *ukase*.¹²⁷ By 1824 the Russians had reached agreements with both the United States and Britain to set the boundary of Russian America at 55°. These accords left the two English-speaking nations to vie for possession of the Oregon country.

In the 1820s a series of motions were introduced in Congress to move the American claim to Oregon from theory to actual occupation. In the House of Representatives John Floyd of Virginia introduced bills in the 16th, 17th, 18th, and 20th Congresses, each authorizing military occupation of the area around the mouth of the Columbia River and the encouragement and assistance of settlements. Senate leadership of the pro-Oregon forces fell primarily to Missouri's Thomas Hart Benton. He not only won passage of a Senate resolution in favour of military occupation in 1823, but also tried unsuccessfully to shepherd Floyd's bill through the Senate in 1825.¹²⁸ The establishment of, at minimum, a military post on the Columbia was also supported by

¹²⁶ *Senate Exec. Journal*, 15th Cong., 2nd sess., 178.

¹²⁷ *American State Papers: Foreign Relations*: 5: 446-447.

¹²⁸ *Annals of Congress*, 17th Cong., 2nd sess., 246-251; *Register of Debates*, 18th Cong., 2nd sess., 687-695.

President James Madison; Adams, his Secretary of State and successor as President in 1825; and John C. Calhoun, Monroe's Secretary of War and Adams' Vice-President.¹²⁹

Floyd's bills were all similar: they called for a military outpost at the mouth of the Columbia River, extinguishment of Indian title to the land, provisions for land to be distributed among settlers, American customs houses at the river's egress to the sea, and some sort of government and justice system.¹³⁰ Monroe recommended to Congress that they pass a bill authorizing a military post at either the Columbia River or the Straits of Juan de Fuca.¹³¹ In the 1820s there was strong support in both houses of Congress and in both the Madison and Adams administrations for a physical American presence in Oregon.

Despite the best efforts of Floyd, Benton, and their allies, none of the legislative attempts to authorize the settlement of Oregon were successful in the 1820s. A resolution by Benton was passed in 1823, but no money was appropriated and the measure faded to obscurity.¹³² In the 18th Congress, H.R. 67 passed the House of Representatives but was tabled in the Senate, ensuring its demise. No other bill got even that far. Even with the support of Madison, Adams, and Calhoun, the expansionists failed in their attempts.

Sectionalism has often been cited as a reason for the failure, as it has been for the opposition to both the Louisiana Purchase and the War of 1812. As has been stated earlier, certainly many in New England and the North feared that the balance of power

¹²⁹ LaFeber, Walter, ed., *John Quincy Adams and American Continental Empire*, (Chicago: Quadrangle Books, 1965), 37-38.

¹³⁰ U.S. *House Journal*, 16th Cong., 2nd sess., H.R. 222; 18th Cong., 1st sess., H.R. 67; 20th Cong., 2nd sess., H.R. 12. It has been noted that the provisions for settlement and government in the bills developed over the course of the years into a system based on Territorial status: Cloud, Barbara. "Oregon in the 1820s: The Congressional Perspective" *The Western Historical Quarterly* Vol. 12, no. 2 (April 1981), 149-150. However, the changes are minor and have little effect on the intent of the legislation.

¹³¹ LaFeber, 37-38.

¹³² Cloud, 150.

would swing towards any new states in the West. Economic sectionalism has been argued, as well; while the New England states looked to Europe for markets, the Southern states looked westward for their markets.¹³³

However, an examination of voting patterns in the relevant Congresses does not support the centrality of sectionalism as regards the debates over Oregon. Table 4 shows the roll call of the 1824 vote for H.R. 67, which passed the House but languished in the Senate. Table 5 shows the 1829 results for H.R. 12, which was defeated.

Table 4:¹³⁴

	Yea	Nay	% in favour
New England	21	13	62%
Atlantic States	41	19	68%
South	20	15	57%
Southwest	17	5	77%
Northwest	12	6	67%
Total	111	58	66%

Table 5:¹³⁵

	Yea	Nay	% in favour
New England	15	19	44%
Atlantic	24	36	40%
South	18	23	44%
Southwest	12	12	50%
Northwest	6	9	40%
Total	75	99	43%

The voting patterns show that there was little difference in support or opposition for the bills among the different sections of the country. The 1824 vote shows more support from

¹³³ Sellers, 90

¹³⁴ *Biographical Directory of the United States Congress*; U.S. *House Journal*, 18th Cong., 2nd sess., 78. An interesting side note: the *Register of Debates* lists the vote count as 113-57, and all references in books and articles that I have seen use that count; however, the *House Journal*, which is the official record of the House of Representatives, lists the count I have used and includes the roll call.

¹³⁵ *Biographical Directory of the United States Congress*; U.S. *House Journal*, 20th Cong., 2nd sess., 140.

the Southwest than other sections, but this is balanced out by the Southern states, their supposed allies according to the sectionalist perspective. In reality, sectionalism played no significance part in the Oregon question in the decade of the 1820s.

As for economic sectionalism, the case is as weak as that of political sectionalism. Historians have suggested that New England commercial interests were at the heart of the push for Oregon. The whaling industry and sea otter fur trade was a major component of the eastern economy, and the Pacific Northwest was being recognized as an area to exploit.¹³⁶ However, though some New England politicians supported annexation,¹³⁷ there was not significantly more support than in other regions of the country that had no whaling industry. Indeed, George Tucker of Virginia pointed out that there were no petitions from whalers or the fur traders for a post at the Columbia River, or for any help at all from Congress: “At all events, those who are concerned in the trade have not complained of this inconvenience, and until they do, I am not for inviting a settlement...”¹³⁸ If Northeastern commercial interests were driving the impulse for annexation of the Pacific Northwest, it would be expected that they would have exerted more pressure and influence than it seems they did.

Party politics have also traditionally been deemed a key factor in the decision not to pursue occupation of Oregon in the 1820s. According to this line of reasoning, the successors to the Federalists, the Adams-Clay Republicans, opposed the Oregon bills because they had qualms about the speed and extent of the nation’s growth weakening federal power, or at least their control of it. The successors of the Democrat-Republicans,

¹³⁶ Miller, 128, 140.

¹³⁷ Specifically, support for the industry was employed as a rationale for annexation by John Floyd of Virginia and Francis Baylies of Massachusetts. *Annals of Congress*, 17th Cong., 2nd sess., 400-401, 414-416.

¹³⁸ *Annals of Congress*, 17th Cong., 2nd sess., 424.

the Jacksonian Republicans, would support the bills, believing that increasing the supply of cheap land would be a bulwark against the increasing emphasis on Eastern commerce in the American economy.¹³⁹ But it must be remembered that the political party system was in a state of turmoil in 1824, and did not settle into a new equilibrium until well into Andrew Jackson’s presidency in the 1830s. After the Monroe administration, when virtually all elected federal officials considered themselves Republicans, the system broke down into loose political associations. They are commonly referred to as the Adams-Clay Republicans, the Jacksonian Republicans, and the Crawford Republicans. Table 6 indicates the party votes for H.R. 67. There were no serious differences among the different parties in support or opposition to the bill. The Adams-Clay Republicans were less likely, and the Jacksonians more likely, to support the measure, but a clear majority of all factions voted yea.

Table 6:¹⁴⁰

	Yea	Nay	% in favour
Adams-Clay	39	26	60%
Jacksonian	36	15	70%
Crawford Republicans	18	11	62%
Unaffiliated/Other	18	6	75%
Total	111	58	66%

By 1829 the parties had narrowed to two major factions: the supporters of the Adams administration, who would soon evolve into the Whigs, and the supporters of Andrew Jackson, soon to be called the Democratic Party. That year’s vote on H.R. 12 presented a more skewed result (Table 7).

¹³⁹ Horseman, “Empire of Liberty,” 2, 7-10.

¹⁴⁰ *Biographical Directory of the United States Congress*; U.S. *House Journal*, 18th Cong., 2nd sess., 78.

Table 7:¹⁴¹

	Yea	Nay	% in favour
Adams	25	48	34%
Jackson	46	41	52%
Unaffiliated/Other	4	10	29%
Total	75	99	43%

While there was much more support among the Jacksonians, nevertheless almost half voted against the bill. The voting patterns unmistakably show that party affiliation played only a minor role in the deliberations on settlement of Oregon during this period.

Yet opposition clearly existed. Of all the attempts during the 1820s to make good on American claims to Oregon, only Floyd’s 1824 bill gathered any traction. If the resistance to occupying the Pacific Northwest cannot be adequately explained by sectional or partisan factors, other motivations must be investigated.

Most of the opposition to a physical American presence in Oregon was practical. First, it was clear that there was no reliable information on the actual conditions to be found there, and some reports indicated that the area was far less than ideal for settlement; as such, some in Congress were hesitant to authorize settlement without more solid information.¹⁴² Nor did there seem a pressing need to occupy Oregon. As has been noted, the whaling industry was not clamouring for it; additionally, the fur trade had declined in the area due to excessive trapping by the British, making the probable monetary gains in that market minimal.¹⁴³ And there was no pressing need for new land to settle, either. New Jersey Senator Mahlon Dickerson declared there were, “hundreds of

¹⁴¹ *Biographical Directory of the United States Congress*; U.S. *House Journal*, 20th Cong., 2nd sess., 140.

¹⁴² Albert Tracy of New York in *Annals of Congress*, 17th Cong., 2nd sess., 590-593; Daniel Cook of Illinois in *Register of Debates*, 18th Cong., 2nd sess., 26-27.

¹⁴³ Cameron Addis, “The Whitman Massacre: Religion and Manifest Destiny on the Columbia Plateau, 1809-1858,” *Journal of the Early Republic*, Vol. 25, No. 2 (Summer 2005), 236; *Register of Debates*, 20th Cong., 2nd sess., 128.

millions of acres of fertile lands, within the boundaries of our present States and Territories, that remain unoccupied for want of a population to take possession of them.”¹⁴⁴ There was an abundance of land in the Southwest at this time, where auction prices of land for new settlement seldom exceeded the minimum price.¹⁴⁵ The supposed economic benefits of Oregon were not convincing for many Congressmen.

Just as important were the difficulties raised by the distance of Oregon from the rest of the nation. Senator White had worried about it in 1804 regarding the Louisiana Purchase, and there were those in the 1820s who repeated that argument regarding Oregon. They did not see how the United States could incorporate a territory so far away. Stagecoaches traveled at an average speed of only six to eight miles an hour and there was no clear overland path to the Pacific Northwest.¹⁴⁶ Concerns were raised over how so distant a state or territory could practicably be represented in Washington, how communication and supervision from Washington could be of sufficient swiftness and efficiency, and how settlers could be protected.¹⁴⁷

The issue of distance created a reaction against occupation that was concerned with the values of the republic. Here we see that once again territorial expansion was opposed by some Americans as unconstitutional and immoral. There were those in Congress who felt that, as Oregon was so far away, the only method by which it could be governed would be as a colony. The debate recalled the similar dispute over the Louisiana Purchase. As earlier, it was argued that colonies were a violation of the Constitution and all that the American Revolution had been fought for. New York’s

¹⁴⁴ *Register of Debates*, 18th Cong., 2nd sess., 692.

¹⁴⁵ Howe, *What Hath God Wrought*, 368.

¹⁴⁶ *Ibid.*, 211.

¹⁴⁷ *Annals of Congress*, 17th Cong., 2nd sess., 423; *Register of Debates*, 18th Cong., 2nd sess., 691-692; Cloud, 158-159.

Albert Tracey declared that Oregon would be “governed by an Executive which it has no influence in creating, and controlled by acts of a Legislature, in whose councils it cannot participate”¹⁴⁸. This echoed the complaints Americans had towards Britain in the 1770s. Tracy also warned that the creation of colonies would lead to the destruction of liberty for the whole country. George Tucker of Virginia believed colonies to be “uncongenial to our Republican institutions”, and had “no wish to see introduced among us those distant prætorships whose effects were so pernicious in the Roman Empire.”¹⁴⁹ Perhaps the strongest denunciation of annexation was from James Breckinridge of Kentucky:

In what part of the Constitution of the United States do you find your authority for doing this? You may institute territorial governments preparatory to their admission into the Union. But the spirit of your Constitution forbids a system of colonization; and, if you had the power, in mercy to yourselves and your citizens, you should not exercise it. The history of colonial governments, from the earliest period up to the present, presents one unvaried scene of wrongs and outrages on one side, and of suffering and revolt on the other.¹⁵⁰

Even supporters of occupation such as James Barbour voiced concerns: “I will not disguise that I look with the deepest anxiety on this vast expansion of our empire, as to its possible effects on our political institutions.”¹⁵¹

There were also those who argued against the very legitimacy of the American claims to Oregon, or at least their superiority to the British claims. Henry Tanner, who created a world atlas that gave special attention to North America, was one of the few American mapmakers of his time to represent the border between the United States and British North America factually, stopping at the Rocky Mountains. For Tanner it was a

¹⁴⁸ *Annals of Congress*, 17th Cong., 2nd sess., 597.

¹⁴⁹ *Ibid.*, 423, 597.

¹⁵⁰ *Ibid.*, 693.

¹⁵¹ *Register of Debates*, 18th Cong., 2nd sess., 689

matter of principle, “with the view of exposing the impropriety of representing the northern boundary as if it extended to the Pacific Ocean. In this particular, all our most approved maps are false.”¹⁵² These arguments remained alive even into the mid-1840s, with Tennessee Representative Edwin Ewing declaring that the Nootka Sound convention’s return of already existing British settlements proved the older, and thus superior, claim of Great Britain. From South Carolina, Isaac Holmes denied, “*in toto*, any right, any claim to that territory, or to any part or parcel thereof, that does not appertain with equal force and efficiency to the Power of Great Britain.”¹⁵³ If American title was not superior to Great Britain’s, it was beyond the right of the United States to claim and settle the region.

Reginald Horsman demonstrates that the leaders of the pro-Oregon party looked at annexation as part of a Christian, Caucasian thrust to bring Anglo-Saxon/American civilization to the whole continent, then onward towards Asia.¹⁵⁴ And indeed, the 1820s also saw the forced removal of Native Americans to lands west of the Mississippi River, for the purpose of allowing white settlement on Indian lands east of it. But the belief in a natural right of white Americans to disregard the Indians was certainly not universal, and the callous abrogation of treaties and cruel treatment of Native populations had a moral impact on some opponents of expansion across the Rocky Mountains. To those who claimed that Great Britain would not go to war over Oregon, Albert Tracey pointed out that while that may have been true, the Northwest Indians certainly would fight. While

¹⁵² “A New American Atlas, Containing Maps of the Several States of the North American Union, Projected and Drawn on a Uniform Scale, from Documents Found in the Public Offices of the United States and State Governments, and Other Original and Authentic Information by Henry S. Tanner; A General Atlas, Containing Distinct Maps of All the Known Countries in the World; Constructed from the Latest Authorities,” *The North American Review*, Vol. 18, No. 43 (Apr., 1824), 385-386.

¹⁵³ *Congressional Globe*, 29th Cong., 1st sess., 165, 192.

¹⁵⁴ Horsman, *Race and Manifest Destiny*, 82-85, 89-92.

confident the United States would be victorious in such a conflict, he thought it would lead to the extermination of the Indians in the area: “And a conquest, under such circumstances, would redound but little to the glory of this nation.”¹⁵⁵ Senator Mahlon Dickerson declared his belief that both the Americans and the British should leave Oregon alone. Regarding H.R. 67,

Had the object been to protect the native owners of the soil from the encroachments of a white population, a civilized population, an exterminating population, it would have been in the highest degree honorable to the contracting parties. Would to heaven there was a perpetual decree, that should forever secure to the aboriginals of that soil, the quiet possession of that country they now enjoy.¹⁵⁶

There were those, even in the halls of Congress, who believed that America’s mission was to be an example of democracy, not one of conquest.¹⁵⁷

By the mid-1840s the situation had changed. The annexation of Texas and the election of James Polk to the presidency brought the Oregon issue to the forefront. For many Democrats, Polk’s support for abrogation of the Oregon agreement between the United States and Great Britain, and his demand for American occupation of the whole of the Oregon Territory up to 54° 40’, was a clarion call. Even if it meant war with the British, national honour was at stake.¹⁵⁸ For many (but not all) Whigs, the question was less one of the superiority of the American claim, but more one of avoiding war.¹⁵⁹ Oregon could also balance out Texas in the ever-more contentious conflicts between slave- and free-states. Additionally, the opening up of the Oregon Trail had led to a large-

¹⁵⁵ *Annals of Congress*, 17th Cong., 2nd sess., 596

¹⁵⁶ *Register of Debates*, 18th Cong., 2nd sess., 693.

¹⁵⁷ Howe, *What Hath God Wrought*, 6.

¹⁵⁸ *Congressional Globe*, 29th Cong., 1st sess., 45.

¹⁵⁹ “The Oregon Question: War and Peace,” *The American Whig Review* Vol. 3, Issue 2 (February 1846), pp. 113-129.

scale migration of Americans into the region. In 1838 there were only about 40 Americans living in Oregon; by 1843 there were over 1,000. Over the next several years the numbers grew rapidly, and by 1845 more than 5,000 had emigrated there.¹⁶⁰ As Daniel Walker Howe has pointed out, to a large degree this was due to improvements in transportation and communication technologies, specifically the knowledge that railroads and the telegraph would soon eliminate the problems of distance that had previously been an issue.¹⁶¹

As in the 1820s, sectionalism or party played only minor roles in the debate. It is true that senators from the Southwest voted overwhelmingly in favour of ratifying the Oregon Treaty (which settled for a division of the region between the two nations along the 49th parallel), but so did virtually all sections of the country, with the exception of the Northwest states (Table 8).

Table 8¹⁶²

	Yea	Nay	% in favour
New England	9	3	75%
Atlantic	7	3	70%
South	9	1	90%
Southwest	14	1	93%
Northwest	2	6	25%
Total	41	14	75%

Similarly, Table 9 shows that all Whig senators, as well as the majority of Democrats, voted for ratification.

¹⁶⁰ Meinig, 101, 108; Howe, 711-714.

¹⁶¹ Howe, *What Hath God Wrought*, 563-569.

¹⁶² *Biographical Directory of the United States Congress*; U.S. *Senate Journal*. 29th Cong., 1st sess., 554-555. Northwest states opposed the treaty because it retreated from their demands for a boundary at 54° 40'.

Table 9¹⁶³

	Yea	Nay	% in favour
Whig	23	0	100%
Democrat	18	14	56%
Total	41	14	75%

Neither sectionalism nor party affiliations were overwhelming factors in the decision to ratify the Oregon Treaty.

But even at this late date, there were still those with objections to annexation. Most, it is true, were based on the fear of war with Great Britain, and most opponents believed that Oregon would eventually become part of the United States in due time. However, some Americans objected on grounds similar to those of the 1820s. As noted earlier, there were still doubts about the strength and justice of American claims. The *North American Review* believed “that this title at the best is imperfect, that it does not empower us peremptorily to demand the whole of Oregon, and the assertion that it is “clear and unquestionable” is an empty vaunt, a mere rhetorical flourish.” The superiority of the American “claim to the whole of Oregon cannot be supported, even in appearance, otherwise than by an appeal to the right of the strongest.”¹⁶⁴

Distance was still considered problematic, and some believed that, “these remote possessions, incapable of union, not to be retained except as dependencies, to be as such

¹⁶³ *Biographical Directory of the United States Congress*; U.S. *Senate Journal*. 29th Cong., 1st sess., 554-555. It is generally acknowledged that most of the Democrats who voted against the treaty did so to allow the post-Texas annexation balance of power to remain in the South’s favour.

¹⁶⁴ “The History of Oregon and California, and the Other Territories on the Northwest Coast of North America; Accompanied by a Geographical View and Map of Those Countries, and a Number of Documents as Proofs and Illustrations of the History by Robert Greenhow; The Oregon Question; Or, a Statement of the British Claims to the Oregon Territory, in Opposition to the Pretensions of the Government of the United States of America ...” *The North American Review*, Vol. 62, No. 130 (Jan., 1846), 218, 240.

defended at great cost, can never be a proper part [of the United States].”¹⁶⁵ There also still existed the belief that a province so far away would eventually declare its independence, making all the American effort for naught in the end.¹⁶⁶

Beyond these more practical concerns, however, there were still moral matters to contend with. There was a feeling among some Americans that the seemingly insatiable appetite for territory was a tremendous failing in the nation’s character. Ellery Channing wrote to Henry Clay in 1837 criticizing the idea that the United States was destined to span the continent: “To spread, to supplant others, to cover a boundless space, this seems our ambition, no matter what influences we spread with us. Why cannot we rise to noble conceptions of destiny?”¹⁶⁷ Washington Hunt of New York told the House of Representatives, “If we can conquer our own rapacity, and restrain the lust of territorial acquisition, we will achieve a moral victory more glorious than the trophies of war.” Even some supporters of annexation understood the moral dilemmas; Kentuckian Joshua Bell admitted that Manifest Destiny, while perhaps inevitable, “is not always right, for it sometimes the “manifest destiny” of nations to do wrong.”¹⁶⁸

In the end, neither the moral nor the practical objections were enough. Polk came to an agreement with the British to divide Oregon between them, and the president threw the matter to the Senate to provide himself cover for backing away from claiming the whole of the territory; they readily did so. For there was another, even larger conflict looming over which the expansionists and their opponents would do battle. War with

¹⁶⁵ *Richmond Whig*, January 21, 1845.

¹⁶⁶ *Congressional Globe*, 29th Congress, 1st sess., 72; Meinig, 159-160.

¹⁶⁷ Stephanson, 50-51.

¹⁶⁸ *Congressional Globe*, 29th Congress, 1st sess., 269, 935.

Mexico over Texas had been declared by the United States Congress, a month before the Oregon treaty with Great Britain was ratified.

Chapter 6: Texas Annexation and the Mexican-American War

Almost as soon as the ink was dry on the Louisiana Purchase, many Americans contemplated expanding even farther southwest, to the Spanish province of Texas. As early as 1804, Thomas Jefferson was contending that the western border of Louisiana was, in fact, the Rio Grande. The initial French explorers of Louisiana had believed it to be, and Louis XIV had claimed it. Even though the Spanish had occupied it since 1712, Jefferson decided that was irrelevant, as Louisiana itself had passed back and forth between France and Spain.¹⁶⁹ However, in 1819 the Adams-Onís Treaty set the border at the Sabine River, leaving Texas officially in Spanish hands.

As previously noted, the United States Senate ratified the treaty unanimously; but that did not mean all Americans approved of it. There were loud voices of disappointment and dissent over the willingness of the Monroe Administration to sacrifice rights to Texas in exchange for Florida and the claims to the Pacific Northwest.¹⁷⁰ Immediately, attempts were made by filibusters and their private military companies to infiltrate Texas and obtain it for the United States. There is evidence that the administration at least tacitly supported these forays, although they publicly disavowed them. Indeed, the Spanish delayed ratification of the treaty for many months, one of the issues being their suspicion that the American government was supporting filibusters in the territory.¹⁷¹ Eventually, the treaty was enacted and the new borders were official.

¹⁶⁹ Ed Bradley, "Fighting for Texas: Filibuster James Long, the Adams-Onís Treaty, and the Monroe Administration," *The Southwestern Historical Quarterly* Vol. 102, No. 3 (Jan. 1999), 325.

¹⁷⁰ *Ibid.*, 325-326; *Niles Register*, April 17, 1819.

¹⁷¹ Bradley, 326-332.

Almost immediately, however, the regional situation changed dramatically. In 1821, Mexico gained its independence from Spain. American immigrants quickly began to settle in Texas. By 1824 there were 1,500 Americans living in Texas, and within ten years of Mexico's liberty, they outnumbered Mexicans in the province two to one. In March of 1836, now outnumbering Mexicans ten to one, the mostly Americans inhabitants of the territory proclaimed the Republic of Texas.¹⁷² After defeating the Mexican dictator Santa Anna, the new government sought a union with the United States. The administration of President Martin Van Buren was willing to negotiate until John Quincy Adams, upon hearing of these negotiations, brought them up on the floor of the House of Representatives, declaring such a move unconstitutional and demanding the House receive any correspondence between the two governments.¹⁷³ However, the notion of bringing Texas into the Union being unpopular in the North, Van Buren's Secretary of State had already communicated to the Texans that the United States might not consider the move at the moment because Texas and Mexico were presently at war. Additionally, there were constitutional questions involved with incorporating a self-proclaimed sovereign nation. Within a few months there were attempts in the Senate to annex Texas, but these gathered no traction.¹⁷⁴ No major action towards appropriation took place for another nine years.

In 1844, the United States was in a politically chaotic state. With the ascendancy of John Tyler to the presidency upon the death of William Henry Harrison, and his expulsion from his own party mere months later, there were three partisan factions vying

¹⁷² Howe, *What Hath God Wrought*, 658-660.

¹⁷³ *Ibid.*, 670-671; *Register of Debates*, 25th Cong., 1st sess., 606-607, 628.

¹⁷⁴ *Register of Debates* 25th Cong., 1st sess., Appendix, 121-122; *Congressional Globe*, 25th Cong., 2nd sess., 76, 555.

for control and popularity: the Whigs, the Democrats, and Tyler. In an effort to shore up his chances for a second term, in 1844 Tyler made a calculated appeal to the South and Southwest states by reviving Texas annexation. On April 22 of that year he sent the Senate a treaty between the United States and the Republic of Texas that would allow Texas to join the Union. He gave as his rationales the fertility and climate of the region, the fact that most Texan citizens were former Americans, and the economic and security benefits to the nation. But he made clear his primary reasons were that Texas, a “sovereign power” wished annexation, and that America had a right to Texas through the Louisiana Purchase.¹⁷⁵ In reality, the proposed treaty was seen as a purely political ploy, “a plan, with which John Tyler intends, if he can, to bamboozle the American people in the approaching presidential election.”¹⁷⁶

In the end, the treaty failed to pass the Senate. Most senators were unwilling to give Tyler any kind of victory. Additionally, the Whigs dominated the institution, and were traditionally unenthusiastic about territorial expansion, for both economic and moral reasons. Economically, there was little to gain and much to lose from the likely war with Mexico that would follow a treaty with Texas, and as with the Louisiana Purchase it was argued that a rapid settlement further and further West would likely draw off manufacturing labour, hurting American trade with Europe¹⁷⁷; the Whigs moral opposition will be gone into in detail shortly. Many Democrats opposed the measure, as well. As Table 10 indicates, almost one-third of Democrats voted against the treaty.

¹⁷⁵ *Senate Exec. Journal*, 28th Cong., 1st sess., 257-261.

¹⁷⁶ Speech by Senator Jarnagin (TN) in *Congressional Globe*, 28th Cong., 1st sess., Appendix, 685.

¹⁷⁷ Daniel Walker Howe, *The Political Culture of the American Whig* (Chicago: University of Chicago Press, 1979), 138-143.

Table 10¹⁷⁸

By Party	Yea	Nay	% in favour
Democrat	15	7	68%
Whig	1	27	4%
Ind.	0	1	0%

Additionally, with the exception of the South, senators from regions all across the country opposed ratification.

Table 11¹⁷⁹

By Region	Yea	Nay	% in favour
New England	1	11	8%
Atlantic	2	8	20%
South	6	4	60%
Southwest	5	7	42%
Northwest	2	5	29%
Total	16	35	31%

But there were many who opposed the treaty who still supported making Texas a state. Within two days of the treaty's defeat in the Senate, Thomas Hart Benton proposed a bill to annex Texas as a state through the legislative process, rather than using the treaty-making power of the Senate and Executive. Benton believed that only Congress as a whole could sanction the acquisition of Texas; this even though Louisiana and Florida had been admitted as United States territories through treaties, and Oregon would also be within two years. Eventually, a series of Joint Resolutions were introduced in both the

¹⁷⁸ *Biographical Directory of the United States Congress; Senate Exec. Journal*, 28th Cong., 1st sess., 312.

¹⁷⁹ *Ibid.*

House and Senate, first to annex Texas as a territory, but quickly evolving into incorporating it as a state.¹⁸⁰

The primary argument given by proponents of annexation was that, as Jefferson had believed, Texas was part of the Louisiana territory and therefore the United States had gained the right to it with the Louisiana Purchase. In this view, the Adams-Onís Treaty that had set the American southwest border at the Sabine River was illegitimate. Benton certainly thought so, and even Tyler, in his appeal to the Senate for treaty ratification, had referred to the Senate’s opportunity “in reclaiming a territory which formerly constituted a portion, as it is confidently believed, of its domain, under the treaty of session of 1803, by France to the United States.”¹⁸¹ Another fear was that if the United States did not act quickly, Texas would form an alliance with some other power—Great Britain, most likely. This was actually considered by some Texans, especially if such aid could help them extend their borders to the Pacific Ocean, and it was alarming to many Americans. James Polk believed that, “the combined efforts of the *British, French, and Mexican* authorities” would try to scuttle any possibility of the United States acquiring Texas.¹⁸² Additionally, there was a clear appeal to Southern states in the idea of bringing Texas into the Union, as Texas allowed slavery; the balance of power in the nation would shift in their favour. Some Southerners played to the hopes and fears of the North to encourage acceptance of annexation. They asserted it would diffuse slavery, eventually leading to its demise and freedom for the slaves; without an American border with Mexico for the former slaves to migrate south, they would have to move to the

¹⁸⁰ *Congressional Globe*, 28th Cong., 1st sess., 653-654; 2nd sess., 16, 19, 26, 65-66, 76, 81, 99, 107, 113, 127, 134, 140.

¹⁸¹ *Ibid.*, 653, 655-657; *Senate Exec. Journal*, 28th Cong., 1st sess., 257.

¹⁸² Howe, *What Hath God Wrought*, 671-672; Wayne Cutler, ed., *Correspondence of James K. Polk*, Vol. 9 (Knoxville: University of Tennessee, 1996), 408.

northern states.¹⁸³ The North having its share of racism, the thought was not a welcome one. In the end, the forces of expansion won the vote, but it was relatively close.

Despite all the arguments for appropriating Texas, opposition remained strong. Undoubtedly, much of it had to do with the issue of slavery. When the House of Representatives voted on their version of the Joint Resolution to annex Texas, the votes broke down along predictable regional lines.

Table 12¹⁸⁴

Section	Yea	Nay	% in favour
New England	7	23	23%
Atlantic	22	45	33%
South	31	7	82%
Southwest	36	5	86%
Northwest	24	17	59%
Total	120	98	55%

In the Senate, however, only the Western states had a majority in favour of the resolution.

Table 13¹⁸⁵

Section	Yea	Nay	% in favour
New England	4	8	33%
Atlantic	5	5	50%
South	4	4	50%
Southwest	9	5	64%
Northwest	5	3	63%
Total	27	25	52%

¹⁸³ Howe, *What Hath God Wrought*, 684-685.

¹⁸⁴ *Biographical Directory of the United States Congress; US House Journal*, 28th Cong., 2nd sess., 264-265. The Northwest states likely voted in favour for reasons of land speculation and the expectation that the South and Southwest would vote similarly on Oregon.

¹⁸⁵ *Biographical Directory of the United States Congress; US Senate Journal*, 28th Cong., 2nd sess., 220.

The curiosity of this result is made clearer, however, by looking at an analysis of party voting patterns. Whigs were generally against the expansion of slavery, while Democrats were either in favour of it (if from the South and Southwest) or tended to be more amenable to Southern sensibilities on the issue. As Table 11 shows, Senate Democrats were unanimous in their support of the Joint Resolution, while Whigs overwhelmingly opposed it; the only Whig senators to vote yea were from slaveholding states. Even Southwestern Whigs opposed annexation; Henry Clay of Kentucky considered using Texas to strengthen the South wrongheaded, and Spencer Jarnagin of Tennessee denied any desire to see slavery expanded. Even Louisiana's Alexander Barrow thought acquiring Texas was detrimental to the South.

Table 14

By Party	Yea	Nay	% in favour
Democrat	24	0	100%
Whig	3	24	11%
Ind.	0	1	0%

The House voting pattern was very similar, with only 21% of Democrats opposed, all from New England, the Atlantic states, and a few from the Northwest.¹⁸⁶

While it is clear that slavery, sectionalism, and party were the predominant factors in the clash over Texas annexation, it does not mean all other rationales given by foes of expansion should be dismissed as irrelevant or insincere. Human beings are quite complex, both social animals and individuals, capable of holding many principles within the intricacies of their beliefs. Simply because an individual may have believed that the

¹⁸⁶ *Ibid.*; *US House Journal*, 28th Cong., 2nd sess., 264-265, 233; Melba Porter Hay, ed., *The Papers of Henry Clay*, Vol. 10 (Lexington: The University Press of Kentucky, 1991), 44; *Congressional Globe*, 28th Cong., 1st sess., Appendix, 686.

extension of slavery was an evil which needed obstruction, or that economic considerations influenced their opinions, does not mean that other values they had were less fundamental. It is crucial for the historian to accept as important the multiplicity of motivations that guide human actions. So, even though the case of Texas may conform well to popular historical models of Manifest Destiny, it is incumbent upon us to investigate what other reasons the Americans of 1844 and 1845 gave for disputing the annexation of Texas.

As was the case in most of the previous instances of expansion, constitutional issues fed resistance. The primary argument was that whether by treaty or by legislation, it was beyond the limits of the Constitution to admit Texas into the Union. For some, it was a matter of the limits placed upon the Executive. Senator Jarnagin believed, “The Constitution has given, and could give, no authority as that now assumed by the treaty-making power.” Benton himself believed the same. Similarly, if the treaty were ratified, war with Mexico would inevitably ensue: the Mexican government had never acknowledged Texas’ independence, and would undoubtedly consider annexation an act of war. As the power to declare war lay with Congress as a whole, the President and Senate would be violating the Constitution by ratifying a treaty that would put the United States at war. The Joint Resolution was, likewise, unconstitutional. The measure was the House’s way of trying to “veto the veto of the Senate” when it rejected the treaty.¹⁸⁷ The power to annex Texas was explicitly beyond those allowed by the Constitution.

As in the case of the Louisiana Purchase, some opponents of Manifest Destiny pointed out that the Constitution was silent about adding territory beyond its original

¹⁸⁷ *Congressional Globe*, 28th Cong., 1st sess., 653-654, Appendix, 682, 685; *Congressional Globe*, 28th Cong., 2nd sess., 124.

borders. While recognizing that such occurrences had happened in the past, they pointed out Jefferson's doubts concerning the constitutionality of obtaining Louisiana.¹⁸⁸

Incorporating a self-declared sovereign state was an even more egregious act than merely incorporating a foreign territory. Whigs across the country considered it the same as if the nation were contemplating the annexation of France, England, or China. Citing this argument, John M. Botts wrote, "I... deny the constitutional power of Congress... or any department of the Government... to annex this Government of Texas or Texas to it..."¹⁸⁹

The idea that the right to acquire foreign territory could be construed through Article 4, Section 3 of the Constitution was still an area of contention, as it had been in 1804.

Kentucky Senator John Crittenden wondered how,

...if it had been contemplated by framers of that instrument to authorize the admission of foreign States or foreign territories by act of legislation,... they would have left such a vast and important power indefinite and hidden in mysterious expressions, wholly dependent upon construction and interpolation?¹⁹⁰

After 40 years, the same disputes continued to arise in the way of America's supposed Manifest Destiny. But now, many felt these conflicts could tear the nation asunder; politicians from both North and South had threatened secession over Texas, and those against annexation feared it would be "the last suicidal act in the drama which shall manifest to our own citizens and to the world that the Federal Constitution... is worthless parchment merely, and of no controlling force".¹⁹¹

¹⁸⁸ *Congressional Globe*, 28th Cong., 2nd sess., 280-281;

¹⁸⁹ "Mr. Clay- The Texas Question," *American Whig Review* Vol. 1, Issue 1 (Jan. 1845), 77; John M. Botts, *Richmond Whig*, January 3, 1845.

¹⁹⁰ *Congressional Globe*, 28th Cong., 2nd sess., 358.

¹⁹¹ "Annexation," *American Whig Review* Vol. 2, Issue 5 (Nov. 1845), 457; Meinig, 142.

Other constitutional concerns were raised concerning naturalization and residency. While these issues, too, were raised in the Louisiana debates, this time there were key differences. Unlike the earlier case, Texas was to be admitted into the Union as a state, not a territory. Her naturalization laws allowed residents to become citizens after six months, years sooner than United States law allowed. Additionally, Texans would immediately be sending senators and representatives to Washington; how could they meet the congressional residency requirements of seven years residence in the United States?¹⁹² Allowing Texas federal representation would violate the congressional qualifications clauses of the Constitution.

There were other legal issues beyond those concerning the Constitution. The legislature of the Republic of Texas had issued a request for annexation in 1836, but it was the Texas Executive that negotiated the 1844 treaty. Many in Congress thought there needed to be a new expression of the will of the Texan population and called for a plebiscite there before proceeding any further towards annexation.¹⁹³ Others insisted that Mexico would also have to agree. Clay believed to do otherwise would be “compromising the national character.”¹⁹⁴

The opponents of acquiring Texas were extremely concerned about the national character. They felt that insatiable hunger for land had led to land speculation in Texas by Americans, and that was at the root of Manifest Destiny. But, “No true-hearted American will stop to calculate the possible value of mortgaged lands in the wilderness, while there exists any danger that their acquisition will bring disgrace upon the character of the

¹⁹² *Congressional Globe*, 28th Cong., 2nd sess., 126, 188, 332-333.

¹⁹³ *Congressional Globe*, 28th Cong., 1st sess., Appendix, 654, 694.

¹⁹⁴ *Ibid.*, 703; Polner and Woods, 24. The quote is from Clay’s letter to the *National Intelligencer*, April 17, 1844.

nation”.¹⁹⁵ The “unquenchable thirst” for territory revealed America to the world as a ravenous and conquering nation, an Imperial Rome fallen from her republican ideals. The anti-annexation forces used the Roman analogy often, as it seemed to them fitting for the aggression they saw the nation initiating. The United States was at peace with Mexico, and to take from it territory considered theirs was a “palpable violation of the public faith and national honor”, that broke agreements between the two nations and profaned what was praiseworthy in the Republic.¹⁹⁶

In annexing Texas, the United States not only besmirched its reputation, the moral argument went, but also broke it’s faith with Mexico by violating the Adams-Onís Treaty. The treaty had alienated American claims to Texas. To annex Texas would break that treaty and prove the United States false to its word. When proponents of annexation claimed they were merely resuming a title that was originally American, their foes scorned the argument as “perfectly idle and ridiculous... dishonourable,” and “an act of unjust legislation”.¹⁹⁷ William Archer of Virginia stood on the Senate floor and laid out the logic of violating the 1819 treaty:

We had received, too, Florida, and held Florida in compensation of our transfer of Texas. If we are to reach out one hand for the reclamation of Texas, must we not extend the other at the same moment for the surrender of Florida?... Or were we to recognize a standard of political competence peculiar to ourselves, which equally put it out of our ability to permit the validity of concessions we had made, or to restore the equivalents we had received for them?¹⁹⁸

¹⁹⁵ “The Positions of Parties,” *American Whig Review* Vol. 1, Issue 1 (Jan. 1845), 20; *Congressional Globe*, 28th Cong., 1st sess., Appendix, 687.

¹⁹⁶ Clay, in Polner and Woods, 24; *Congressional Globe* 28th Cong., 1st sess., Appendix, 702-703; 2nd sess., 188, 279, 351.

¹⁹⁷ Porter, 42; *Richmond Whig*, January 10, 1845; Charles Sumner in Boston, July 4, 1845, in Polner and Woods, 25.

¹⁹⁸ *Congressional Globe*, 28th Cong., 1st sess., Appendix, 693.

Those who pursued Texas sought to have their state and Florida, too. Their adversaries were not willing to allow them that without a fight.

But the arguments were not enough; in the end, as has been seen, the expansionists won. By the time James Polk was sworn in as President on March 4, 1845, Texas was a member of the United States of America. The American army was quickly dispatched to Texas. Not everyone believed that action necessary: “the whole movement looks much more like one of aggression than of defence- more in the nature of defiance of Mexico, a throwing down of the gauntlet, than of a reluctant and imperative preparation against impending attack.”¹⁹⁹ That hostilities would happen next was expected by all.

That war did not followed immediately upon annexation was likely due to the fact that Mexico was in political upheaval. Polk took advantage of the situation and he ordered General Zachary Taylor to move his troops from the Nueces River in Texas to the Rio Grande, which he and others claimed as the actual Texas-Mexico border. There was no way around this provoking the Mexicans. On April 24, 1846, an altercation occurred between the armies of the two countries, and Polk took this as an act of war on the part of Mexico. On May 11, he asked Congress for a declaration of war, defending his actions and accusing Mexico of initiating hostilities. The House of Representatives did as he requested that same day, and the Senate followed suit on the next.²⁰⁰

It is deceiving to examine the congressional votes for war with Mexico. If one takes them at face value, it appears that Congress was near unanimous in favouring war.

¹⁹⁹ “Will There Be War with Mexico?” *American Whig Review* Vol. 2, Issue 3 (Sept. 1845), 222.

²⁰⁰ *Congressional Globe*, 29th Cong., 1st sess. 782-783 (Polk’s message to Congress), 795, 804.

Table 15 (Senate)

By Party	Yea	Nay	% in favour
Democrat	26	0	100%
Whig	14	2	88%

Table 16 (House of Representatives)²⁰¹

By Party	Yea	Nay	% in favour
Democrat	119	0	100%
Whig	49	14	78%
Ind.	6	0	100%

In reality, the situation was muddier. Part of the problem was how Polk had worded his message to Congress: “As war exists... by the act of Mexico herself, we are called upon, by every consideration of duty and patriotism, to vindicate, with decision, the honor, the rights, and the interests of our country.” The wording allowed Democrats, already dominating both houses of Congress, to pressure Whigs to vote in favour of war, lest they be accused of abandoning the army and refusing to defend the nation. The preamble to the Joint Resolution declaring war was changed to say, “Whereas, by the act of the Republic of Mexico, a state of war exists between that Government and the United States”, and the bill itself was entitled, “An act providing for the prosecution of the existing war between the United States and the Republic of Mexico.” By itself, the wording made it difficult to stand against the tide of war.²⁰²

Many of those who voted for the declaration of war continued to object to it afterward. Most of them were Whigs, but even some Democrats had doubts about the

²⁰¹ *Biographical Directory of the United States Congress: Congressional Globe*, 29th Cong., 1st sess., 804; US House Journal, 29th Cong., 1st sess., 796-797.

²⁰² *Congressional Globe*, 29th Cong., 1st sess., 783-804.

war, especially as it soon became apparent that the President was intent on gaining Mexican territory as an indemnity in any peace to follow. There was also opposition based on the issue of slavery; Texas was, after all, a slave state and it was assumed that most land added from Mexico would similarly allow it. To give credit to the work of Reginald Horsman, much of the resistance was linked to perceptions of race. He has pointed out that the fear of incorporating a large Mexican population played a significant part in the resistance to the annexation of new lands as a result of the war.²⁰³ But there were also voices of dissent that questioned such attitudes. Albert Gallatin, who had encouraged expansion as Jefferson's and Madison's Secretary of the Treasury, declared in a popular pamphlet that the idea of American racial superiority "is but a pretext for covering and justifying unjust usurpation and unbounded ambition." For him, the United States represented a superiority of institutions, not race, and so the war against Mexico was unjust.²⁰⁴

Just as when Texas had been annexed, constitutional objections surfaced. To many, President Polk had involved the United States in a war without the requisite congressional authorization. In essence, he had violated the Constitution and presented the Congress with a *fait accompli*.²⁰⁵ Even beyond that, he had created this war by acting under false pretences. The action that had precipitated the clash between the American and Mexican armies was the march, ordered by Polk, of General Taylor to the Rio Grande. Opponents dismissed the government claim that the Rio Grande was the border with Mexico. They pointed out that when Texas was a Mexican province, the provincial

²⁰³ Horsman, *Race and Manifest Destiny*, 230-231.

²⁰⁴ James Ferguson, ed., *Selected Writings of Albert Gallatin* (Indianapolis and New York: The Bobbs-Merrill Company, Inc., 1967), 481-483, 488.

²⁰⁵ *Congressional Globe*, 29th Congress, 1st sess., Appendix, 1115.

boundary was the Nueces River. James Young's 1835 map of Texas, based on Stephen Austin's map of 1830, clearly showed the Nueces as the border. In the early debates over annexation, even Thomas Hart Benton had agreed, calling the Rio Grande "a Mexican river by position and possession, and to the Mexicans may it always belong."²⁰⁶ While the Republic of Texas may have claimed the more southern river as its border, it never did anything to exercise jurisdiction, while there were Mexican villages in the region between the Nueces and the Rio Grande. The Texan claim proved nothing, while the fact that Mexicans actually inhabited the area was a *de facto* support for Mexican possession. Therefore, the act of moving American troops into the region was an act of aggression. Many of those who voted for the declaration of war felt as Garret Davis of Kentucky did when he declared on the floor of the House, "I am for fighting Mexico on our soil, everywhere, until we drive her across the Rio Grande... I am then for withdrawing our army to the east side of the Nueces, and then settling by treaty all our points of dispute".²⁰⁷ It was not Mexico that had initiated hostilities, but rather the United States.

The moral arguments against the war and the aggrandisement of territory that was sure to follow were in some ways similar to those used during the War of 1812. Mexico, like Canada before, was a weak country that had done no wrong to the United States, and it was beneath Americans to fight them and take their land. When pro-war publications denounced the Mexicans as unfit to govern themselves, Luther Severance of Maine compared the situation to Russia, Austria, and Prussia dividing up Poland, or Great Britain overthrowing Indian princes: "Such pretexts have always been found for unjust

²⁰⁶ Meinig, 136; *Congressional Globe*, 28th Cong., 1st sess., 654.

²⁰⁷ Ferguson, 482; *Congressional Globe*, 29th Cong., 1st sess., 795; Appendix, 1116.

aggression, but I protest against following such examples.” In 1874 the abolitionist Theodore Parker called the war “a great boy fighting a little one”.²⁰⁸

That the war was one of aggression was beyond doubt to many Americans. That the Polk Administration and its allies tried to paint it otherwise infuriated these individuals, and continued to do so as the war advanced. “If you wish this plunder, this dismemberment of a sister Republic, let us stand forth like other conquerors, and plainly declare our purposes and desires”, demanded New York’s William Duer.²⁰⁹ There was a fear that the new provinces to be gotten from Mexico would have to be governed as colonies. Once again the Roman example was alluded to, as Severance wondered if the United States would need to rule Mexico as “a colony or province, and govern it by a deputy like a Roman proconsul, bringing a large tribute home to Washington annually?”²¹⁰ Such a policy of governance would threaten the very foundations of the Republic, bringing an acceptance of corruption and militarism to the nation. It could well bring about America’s fall, in the eyes of the anti-expansionists.

Eventually, the war was won by the United States in 1848, and if Polk did not get all he wanted, he certainly got most of it. The Treaty of Guadalupe Hildago ceded to the Americans all the areas claimed by Texas, and the Mexican provinces of New Mexico and Alta California were “purchased” by the United States for \$15,000,000. The treaty was ratified by a margin of 38-14.²¹¹ The continental expansion was virtually complete. In the space of two years, the division of Oregon and the victory over Mexico had added

²⁰⁸ *Congressional Globe*, 29th Cong., 1st sess., Appendix, 686; Murray and Woods, 28.

²⁰⁹ *Congressional Globe*, 30th Cong., 1st sess., 347.

²¹⁰ *Congressional Globe*, 29th Cong., 1st sess., Appendix, 687, 809; Horsman, *Race and Manifest Destiny*, 237-238.

²¹¹ *Senate Exec. Journal*, 30th Cong., 1st sess., 339-340.

287,000 square miles to the United States, and increased its size by 64%.²¹² With the exception of the Gadsden Purchase in 1854 and the acquisition of Alaska in 1867, the first stage of Manifest Destiny was complete. It would be almost another fifty years before the United States reached out again for territory, the next time in the Caribbean and the Pacific Ocean.

²¹² Meinig, 159.

Chapter 7: Conclusion

The concept of Manifest Destiny holds a special place in American culture. The idea that God had given a major portion of the North American continent to the United States, and in such a short time, has helped build the American belief that their nation is a shining example to the world. This belief has, in turn, encouraged the country to involve itself in the affairs of much of the world. But were Americans to search deeper into their history, and hear the voices of those among them that found their society's expansionist tendencies- whether territorial, political, or economic- as profoundly immoral and in opposition to the ideals on which the nation was founded, they might well find themselves wondering if perhaps those voices contained lessons that could be applied today.

They were voices that repeated again and again the concern that one or another branch of the federal government was exceeding its allotted power, whether in incorporating the foreign territories of Louisiana and Texas, or in bringing on war with Mexico without congressional approval. They were voices that saw a threat to the very foundations of the Republic in the avaricious and militaristic attitudes during the War of 1812 and the Oregon crisis in the 1840s. And they were the voices that loudly cautioned against the stain on the national character that came from preying on the weak and innocent, whether Canadian, Mexican, or Native American. Finally, they were the voices of sensible moderation that asked, as James Morehead of Kentucky asked the United States Senate in 1845, "In the name of common sense, had not gentleman got enough?"²¹³

²¹³ *Congressional Globe*, 28th Cong., 2nd sess., Appendix, 282.

If the American people could learn from those voices, so might scholars of American history. The desire historians have to present grand constructions of past events can get in the way of the small, but interesting and illuminating sidelights that bring a human face to earlier eras. There are so many stories that fall between the cracks of theories and models that are fascinating, if for no other reason than that they tell us of living, breathing individuals who, like us today, had strong beliefs and participated in the issues of their day. They may not have had much influence, and they may not have been representative of their culture. Nor may they have been heroic or pure in their motives. But they were individuals with voices that had something of interest and importance to say, even though they might not have been representative of their time, or of ours. It is essential that history listen to them.

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