

JAMES B.B. ESTCOURT AND THE AMERICAN
NORTH EAST BOUNDARY COMMISSION

by R.A. BULLOCK

James Bucknall Bucknall Estcourt was second son of Thomas G.B. Estcourt of Estcourt House, Shipton Moyne, and his wife Eleanor, niece of Henry Addington, 1st. Viscount Sidmouth. Born on January 12th, 1802, James rose to the rank of Major General and was Adjutant-General to the Army of the East in the Crimea, where he died of cholera on June 24th, 1855. A brief biography can be found in George Ryan's Lives of our Heroes of the Crimea (London: James Field and Co., 1856). He spent much of his military service in Ireland and overseas, being stationed first in Gibraltar, where the Earl of Chatham considered him "an excellent officer, full of zeal for his profession, to which, if he lives, and has the occasion, he will, I have no doubt, one day prove an ornament."¹ His qualities so commended him to his superiors that in 1834 he was appointed deputy leader of the Euphrates Expedition, an attempt to establish an overland mail route to India. In 1836 he purchased his majority (his² commission and promotions had now cost his father £5,200), and in 1837 he was appointed to a command on the Niagara frontier at a troubled time in Anglo-American relations. In 1839 he was gazetted Brevet Lieutenant Colonel in recognition of his services on the Euphrates. When the British government was seeking a colonel to serve as North East Boundary Commissioner in 1842, he was thus qualified not only by his personal qualities, but also by rank and experience. Among the Estcourt family papers in the Gloucestershire Record Office are many relating to the Colonel's life, and those of the period of the Boundary Commission, 1843-1848, appear most full (in D1571/F568-579). His journal and letters, particularly those to his father and to his brother-in-law, Henry U. Addington, permanent Under Secretary for Foreign Affairs, permit a detailed reconstruction of the work of the Commission. They also reveal much about the man himself, and his interests, particularly with reference to North American life and politics, though this short paper can treat only brief aspects of the man and his work. With respect to the Commission itself, the papers reveal not only the fears of the government and its Commissioner, but also their motives. They are complemented by the Commission's official papers in the Public Record Office (F.O.5/464-466).

The Boundary Commission was charged with the demarcation of the Canadian/United States boundary east of Lake Ontario, following the signing of the Webster-Ashburton Treaty (sometimes called the Treaty of Washington) on August 9th, 1842. Designed to settle a

variety of questions outstanding between the two governments, one of the more important stimuli for the agreement was the so-called Aroostook War, a skirmish between the lumbermen of Maine and New Brunswick in disputed territory on the Maine border. (An account of the boundary problems will be found in any standard text on North American history. e.g. S.E. Morrison, The Oxford history of the American people, London: Oxford University Press, 1965). Anxious to prevent an escalation of this conflict, both governments were keen to settle outstanding problems, particularly in the eastern part of the country, as it became more closely settled.

The British government in particular was anxious for a rapid demarcation and sought an officer capable of bringing this about. Recommended by his brother-in-law, Estcourt was considered "an excellent officer, a man of good temper and judgement, a perfect gentleman, and a man of the world; and entirely to be depended upon. His only defect is being my own brother-in-law ..."³ By implication, he was considered "of a rank and character, suited to cope with a United States Colonel; for Graham is of course the man who will be selected by the United States." Moreover, to appoint a scientific officer from England would lend "greater dignity" than if the matter were left "in the hands of a mere surveyor or adventurer from Canada or New Brunswick, who happens to have got hold of the ear of the Governor."³ Estcourt was also considered, and considered himself, unlikely to be deterred by "the awful life the wretched people employed in this service will have to lead for two or three years."⁴ By the end of the year, his appointment was decided upon: "It is a grand thing for me. Many thanks to you."⁵

The Commissioner was enjoined to conduct business with his United States counterparts on a basis of compromise, and to avoid as far as possible referring matters back to the Foreign Office; but in the event of American intransigence, he was to adhere to "the strict principle of right on both sides." He was to accelerate as much as possible the completion of the line of boundary "...", for there was already a fear that there might be delay on the American side. Obviously for military reasons, he was to ensure that the boundary did not approach the summits of the mountains overlooking the St. Lawrence valley more closely than seven miles on their eastern flank. On the 45th parallel, he was to trace the line now recognised as the boundary, though it was known to be astronomically inaccurate. "In addition to other duties, you will make military notes of any points you consider should be made known to the Commander in Chief."⁶ His military report was that only the boundary on the 45th parallel was vulnerable, and he recommended that British forces should concentrate there.⁷

The Commissioners' first official meeting was on May 1st, 1843. The potential of the environment to present difficulties was at once recognised, for the start of work was delayed for over a month by late snow and floods. Such difficulties were to be a constant recurrence, though as far as Estcourt was concerned, they were simply hardships to be borne. Even the summer season, regarded by local people as the only suitable period for the work in hand, had its difficulties, or to the heat and humidity were added the trials of the mosquito and black fly.⁸ Early snow, which for other men might have led to an early termination of work, simply imposed on these the added difficulty of working, as in the fall on 1844, thigh-deep in snow. Cloud cover obstructed astronomical observations, and fog interfered with visual communications between the various parties. The winter cold affected chronometers, and fires had to be maintained throughout the night. Dense undergrowth in the forests led the Commission to do as much as possible in the winter months when it had died back. Transport was also easier when the frozen and snow-covered marshes were accessible by sledge. At this time too, it was possible to ship in frozen fresh meat, cheaper than the salt pork used in other seasons.⁹ The most difficult period physically was during the spring thaw, and April tended to be the slackest month. Those who had to winter in the woods were threatened by shortage of supplies and were apt to develop scurvy.¹⁰

Apart from these difficulties, the Commissioner's most frequent complaint was of the slow work of the American Commission, particularly Major Graham, who was in charge of the technical side of the American effort, though not actually Commissioner. Among the local population, "To be attached to the Commission is said to be a good thing, and not to be expended too soon."¹¹ By July of the first year however, Estcourt's determination was making itself felt and work was progressing rapidly, "even, I believe, much more so than was expected by the world or than was expected or wished by my colleague."¹² He had also won the first dispute with Graham, confirming an old boundary, as he was instructed, rather than adopting a line surveyed by Graham which was more correct astronomically. Viewed from the British side, American delays were to be a recurring problem however. Estcourt recognised the financial difficulties on the American side, and largely absolved the American Commissioner, Albert Smith, on this score. One of the major difficulties between the two sides arose in 1844, when Congress delayed the appropriation for the American Commission so long that they were unable to take the field until August. The British, with 600 men in the field, were authorised to continue cutting with or without American agreement.¹³ Smith was agreeable, but only Estcourt's determination and his offer to pay the cost of any adjustments necessary to meet American objections when they checked it overcame Graham's objections.

There is no record of the relations between Smith and Graham in these papers, but there was perhaps reason for friction between them. In the first place, Graham was not Commissioner, as perhaps he, as well as the Foreign Office had expected. To this might have been added a resentment of Smith as a civilian, who from the American side might well have appeared too malleable in the hands of the British Colonel. Only the American records could be expected to clarify this; it is clear from these records only that Smith was unable to act independently, and that Graham was a continuing source of exasperation, on whom Estcourt heaped all blame, while he regarded Smith, if anything, as an ally. "If Major Graham has been the Commissioner we should not have finished in ten years. He is an excellent honourable man: but a terrible slow coach."¹⁴ Such complaints continued to the bitter end, Graham apparently opposing signature of the final report in 1847.¹⁵

It would be interesting to see the American appraisal of the British Commissioner, for they would have grounds to feel equally upset at his energy if they knew his motives. Early in the Commission, Estcourt had contemplated working through the winter, contrary to local advice and American wishes.¹⁶ His reasons were later confided to his father: "... our mode of conducting the observations was more likely to produce an accurate result than the American, and (I) also thought that if it were left to them, the operation would take no end of time. I do not wish my reasons to be repeated. The way to cut all short was to take the field so early that the American Commission would be unable to come up. They have had no money ... It was not difficult to obtain their consent; because independent of my private reasons for desiring to begin in March other reasons of season were manifestly in favour of it."¹⁷ In a later letter to Addington, he added "It has been all along a constant effort with me to devise reasons for doing work alone ..."¹⁸ In this objective he was largely successful and the paucity of disputes over the actual survey is a tribute to the competence of the surveyors on both sides; for to the extent that one side worked alone, so did the other. At the same time, of course, it is a testament to the general amity existing between the two Commissioners.

There can be no doubt that the speed with which this difficult survey was completed is entirely attributable to Colonel Estcourt, whose every effort was directed to this end; even to intercession with the United States Commission.¹⁹ Certainly it was in his nature to attack whatever task lay at hand with the utmost diligence, and to do all in his power to carry out the last letter of his orders. At the same time, he was subject to powerful personal and political motivations. Pride in his family and the desire to justify himself in the eyes of his father are clear throughout his correspondence. He was also keenly aware that only a job well done could justify his continued support by

his sponsors. As a staunch Tory and "Peelite" he was equally anxious that by his exertions he should enable the government to defend itself against Parliamentary criticism of the Commission's expenses. The Treaty of Washington had been severely criticised at the time, and Ashburton was subjected to considerable abuse in the House of Lords. In the closing turbulent years of the Peel ministry, the Commission was likewise a target, and though its great immediate expense was attributable to the large numbers of men engaged, Estcourt defended that as a long-run economy of scale.

For these reasons, he was prepared not only to deal firmly with his American counterparts, but to demand almost any exertion of his men, and to share their hardships. In the November of 1844, with two feet of snow on the ground, the astronomer Pipon was in dire straits, his supplies low, navigation on the river almost impossible, "... and yet he must go on because the observations are not yet complete ... We shall go in search of Pipon's skeleton when the river is frozen and will bear. Should he survive however, bright days will have come again."²⁰ (He did survive, but only just). Basically a humanitarian out of deep religious conviction, he was nevertheless a firm disciplinarian, demanding absolute loyalty; yet he was forgiving even of the most severe misconduct if he considered the occasion warranted it. So, for instance, when Broughton, whom he disliked intensely, submitted an unusually fine survey, Estcourt did not hesitate to seek withdrawal of his request for the man's removal, despite the fact that the work of the Commission had been threatened by disobedience.

The men under his command apparently responded to his qualities of leadership and were rewarded by a reciprocated loyalty. Most of the English surveyors and astronomers received substantial salary increases at his request during the Commission, and most also obtained preferment through his good offices on its termination. He was less successful himself, for he failed to attain his ambition of a post in the West Indies or the Governorship of the Cape or Mauritius.²¹ Yet as he remarked to Addington, "... in real truth, I have no wish within what would be considered reasonable limits. Kudos is really the reward I covet: to be selected for offices of responsibility on the ground of that kudos."²¹ Whether his election to Parliament in 1848, his appointment to Raglan's staff in 1854, and the posthumous gazetting of his knighthood would have satisfied that wish is not recorded.

References

Note: References in the series D1571 are to be found in the Gloucestershire Record Office; those in the series F.O.5 are in the Public Record Office, London.

1. Earl of Chatham to Viscount Sidmouth, January 13, 1823. D1571/F451
2. Estcourt to father, November 22, 1843. D1571/F470
3. Henry U. Addington to Viscount Canning, December 4, 1842. D1571/F471
4. Henry U. Addington to Viscount Canning, December 23, 1842. D1571/F471
5. Estcourttto Addington, January 4, 1843. D1571/F471
6. Instructions from Foreign Office, March 31, 1843, F.O.5/464
7. Estcourt to Earl of Aberdeen, November 29, 1845. F.O.5/465
8. Estcourt to Addington, June 25, 1843. D1571/F472
9. Estcourt to Addington, January 26, 1844. D1571/F474
10. Estcourt to Addington, November 8, 1843. D1571/F472
11. Estcourt to Addington, August 17, 1844. D1571/F474
11. Estcourt to father, May 12, 1843. D1571/F470
12. Estcourt to father, July 24, 1843. D1571/F470
13. Foreign Office to Estcourt, July 3, 1844. F O.5/464
14. Estcourt to Addington, August 5, 1844. D1571/F474
15. Estcourt to Addington, June 28, 1847. D1571/F477
16. Estcourt to Addington, July 23, 1843. D1571/F472
Estcourt to father, October 26, 1843. D1571/F470
17. Estcourt to father, May 11, 1844. D1571/F470
18. Estcourt to Addington, November 26, 1845. F.O.5/465
19. Estcourt to Addington, January 26, 1844. D1571/F474
20. Estcourt to Addington, November 8, 1844. D1571/F472
21. Estcourt to Addington, January 26, 1848. D1571/F477