

I am Sir, Your Obedient Servant:
U.S. Consular Activities in Port Hope, Ontario, 1882–1892

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U.S. Consular Office and Agents in Port Hope, Ontario, 1882–1892*

Abstract

This paper explores the activities of the U.S. consular office in Port Hope, Ontario, during the years 1882–1892. The paper begins with an overview of the U.S. Consular Service and the organization of its offices in Ontario. Thereafter, brief biographical sketches of selected consular appointees to the Port Hope Consular District are presented, followed by an examination of the District's official correspondence. The paper specifically addresses the following questions: (1) What were the primary official duties of the consular officers at Port Hope? (2) How much freedom were the officers given by their superiors in Washington, DC, to make decisions on their own? (3) What types of formal interactions did the officers have with their colleagues and superiors in Canada and in Washington, DC? and lastly, (4) What types of formal interactions did the officials have with their Canadian hosts (e.g., local residents, government officials)? This exploration of the Port Hope Commercial Agency's actions, principally via its official correspondence affords unique insights into the consular officers' daily activities, their interactions with colleagues and clientele, as well as the district where they worked and lived. From a wider perspective, the examination highlights a number of weaknesses in the organization, policies, and practices of the Consular offices in Ontario as well as the U.S. Consular Service as a whole.

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The latter half of the nineteenth century marked a period of unprecedented growth and change throughout North America. While railroads were opening up ever-larger expanses of territory for permanent settlement and cultivation, a dizzying array of other new inventions and technologies were revolutionizing commercial and domestic life across the continent.¹

Against this backdrop, this paper examines the activities of the U.S. Commercial Agency in Port Hope, Ontario, during the ten-year period, 1882–1892. The paper begins with an overview of the U.S. Consular Service and the organization of its offices in Ontario, followed by brief biographies of selected consular appointees to the Port Hope and nearby Belleville Consular Districts. Thereafter, official correspondence associated with the Port Hope Consular District is analyzed.² The paper specifically focuses upon the following questions: (1) What were the primary official duties of the consular officers at Port Hope? (2) How much freedom were the officers given by their superiors in Washington, DC, to make decisions on their own? (3) What types of formal interactions did the officers have with their colleagues and superiors in Canada and in Washington, DC? and finally, (4) What types of formal interactions did the officials have with their Canadian hosts (e.g., local residents, government officials)? This exploration of the Port Hope Commercial Agency's activities, principally via its official correspondence, offers unique insights into the consular officers' daily tasks, their interactions with colleagues and clientele, as well as the consular district where they worked and lived. From a wider perspective, the study also highlights a number of weaknesses in the organization, policies, and practices of the Consular offices in Ontario as well as the U.S. Consular Service as a whole.

¹ Mary Bellis, "19th Century Timeline: 19th Century—The Technology, Science and Inventions" (S.l.: About.com, 2011). http://inventors.about.com/od/timelines/a/Nineteenth_3.htm (accessed October 15, 2011). Between November 1889 and July 1890, no less than six western states joined the United States: North and South Dakota (November 2, 1889), Montana (November 8, 1889), Washington (November 11, 1889), Idaho (July 3, 1890), and last but not least, Wyoming (July 10, 1890).

² The correspondence comprises a portion of the General Records of the U.S. Department of State and is currently housed at the National Archives site in College Park, Maryland. It is also available in microform format from the National Archives.

The U.S. Consular Service

The concept of consuls and consular posts dates back to ancient times when commercial states began assigning “national agents” to foreign ports in order “to protect their citizens and their commercial interests.” The United States followed this custom and initiated a similar system to protect the interests of its commerce, merchants, and seamen abroad.³ In the late nineteenth century, the United States Consular Service consisted of “consuls-general, vice-consuls-general, deputy consuls-general, consuls, vice-consuls, deputy consuls, commercial agents, vice-commercial agents, consular agents, consular clerks, interpreters, marshals, and clerks at consulates.”⁴

The U.S. government used the inclusive term *consular officer* to denote “consuls-general, consuls, commercial agents, deputy consuls, vice-consuls, vice-commercial agents, and consular agents,” while the term *consul* referred to “any principal consular officer,” or in a broader sense, to “any consular officer.”⁵ Moreover, “consuls-general, consuls, and commercial agents” were deemed “full, principal, and permanent consular officers.” As the highest-ranking members of the Service, Consuls-general were charged “with the supervision of the consulates and commercial agencies, respectively, subordinate to them...so far as it can be exercised by correspondence.”⁶ No statutory distinction existed between consuls and commercial agents since their powers and duties were similar in nature; they differed from each other “only in rank or grade.”⁷

³ United States, Department of State, *Regulations Prescribed for the Use of the Consular Service of the United States* (Washington, DC: Government Printing Office, 1896), 1.

⁴ *Ibid.*, 3.

⁵ *Ibid.*, 3.

⁶ *Ibid.*, 4. In addition, the Department stipulated that Consul-generals “will see that the provisions of law and of these regulations are complied with, and that the preparation of the consular correspondence and inclosures is in accordance with the regulations relating thereto.” However, the Department stressed that “this supervisory jurisdiction...does not extend to accounts, consuls-general being in no sense auditing officers.”

⁷ *Ibid.*, 6. As the *Regulations Prescribed for the Use of the Consular Service of the United States* explain, “[Commercial agents] derive their functions from the same statutes as consuls-general and consuls, and are entitled

When the principal officer (i.e., the consul-general, consul, or commercial agent) was “present at his post,” the vice-consul or vice-commercial agent possessed “no functions or powers.” Conversely, when the principal officer was absent from his assigned district, the vice-consul or vice-commercial agent was granted authority to serve as “acting consul or commercial agent” (aka “principal consular officer”) until the principal officer resumed his duties or a new individual was appointed to the position.⁸

Classification of U.S. Consular Officers and Offices

As illustrated in Table 1, as of November 30, 1886, the Statutes of the United States classified consulates-general, consulates and commercial agencies into three categories based upon whether the incumbents received fixed salaries and/or were allowed to transact business.

Table 1. Classes of Consulates-general, Consulates and Commercial Agencies as of November 30, 1886⁹

Category	Salary	Business Transaction Guidelines
First class (covered under what was known as ‘Schedule B’)	Fixed salary	Not allowed to transact business
Second class (covered under what was known as ‘Schedule C’)	Fixed salary	Allowed to transact business
Third class	“[C]ompensated by the fees collected in their offices”	Allowed to transact business

The above-outlined classification system was further complicated by a variety of income caps and related limits as set forth in the *Register of the Department of State*:

[T]he compensation of salaried Consuls is limited to the amount of the salary, out of which the officer must defray the expenses of clerk-hire, except where clerk-hire is provided by law. The compensation of the fee Consuls is limited to \$2,500. If the fees exceed that sum such Consuls can pay clerk-hire from the fees received at the consulate when thereto specially authorized, but not otherwise...It is the usual practice for the agent, subject to agreement with the Consul, to retain one-half of the fees of the agency until the sum retained by him amounts to \$1,000. This rule is not universal as regards the

to enjoy all the powers, immunities, and privileges that under public law or otherwise are accorded to the consular office.”

⁸ Ibid., 3, 7.

⁹ U.S. Department of State, *Register of the Department of State, Corrected to November 30, 1886*, 14.

proportion, but the maximum of \$1,000 cannot be exceeded. The agent cannot, however, take precedence over the Consul in the division of the fees. The Consul is entitled to retain not more than \$1,000 a year in the aggregate from the agencies under his consulate.¹⁰

U.S. Consular Service Offices in Ontario

In the 1880s, the United States maintained two Canadian Consulate-generals: one in Halifax, Nova Scotia, and the other in Montreal, Quebec. Somewhat surprisingly, a U.S. Consulate-general was not established in the Canadian capital of Ottawa, Ontario, until the 1890s. Prior to the establishment of the Ottawa Consulate-general, the Consulate-general in Montreal supervised the Consular offices in both Ontario and Quebec. Thereafter, the Consul-general at Ottawa assumed “supervisory jurisdiction” over the Ontario consulates, while the consul-general at Montreal maintained supervisory control over the Quebec consular offices.¹¹

Appointees to U.S. Consular Offices

According to the U.S. Constitution and statutory law, “Consuls-general and consuls were appointed by the President, by and with the advice and consent of the Senate,” whereas “commercial agents were appointed directly by the President.”¹² All appointees needed to satisfy the following two qualifications for office: 1) taking a special oath provided by the U.S. Department of State, and 2) “executing a bond to the United States in the form prescribed by the Department.”¹³

Despite the seemingly straightforward prerequisites, appointees occasionally struggled to obtain the obligatory bond. For example, in early 1892, Norton McGiffin, an appointee to

¹⁰ Ibid., 15.

¹¹ Ibid., 5. As of 1896, the Consul-general at Halifax provided oversight for consulates situated in Nova Scotia, New Brunswick, and Prince Edward Island. Meanwhile, U.S. consulates in British Columbia, Manitoba, and Newfoundland were “excepted from the jurisdiction of any consul-general.”

¹² United States, Department of State, *Regulations Prescribed for the Use of the Consular Service of the United States* (Washington, DC: Government Printing Office, 1896), 13.

¹³ Ibid., 13.

the U.S. Commercial Agency at Port Hope, repeatedly failed to find a suitable individual to “certify to the sufficiency of his bond.” McGiffin certainly was not an unknown figure in his native United States, especially in western Pennsylvania. Prior to his consular appointment, McGiffin enjoyed a distinguished career in the U.S. military and the public sector. A veteran of both the Mexican and Civil Wars, McGiffin served as the sheriff of Washington County, Pennsylvania (1858–1861) and represented the County in the Pennsylvania House of Representatives for one term (1880–1882). Although, McGiffin eventually secured the required bond, the task necessitated substantial time and energy on McGiffin’s part to accomplish.¹⁴

Needless to say, the U.S. Consular Officer ranks included an eclectic array of male political appointees, with many individuals attaining positions solely by virtue of their political connections rather than via their expertise and experience. As a result, consular officers frequently possessed little or no knowledge of their assigned districts and/or were poorly versed in the statutes and regulations they vowed to uphold. To help compensate for the officers’ “knowledge gap” vis-à-vis their consular districts, Canadian and British citizens who were familiar with a specific district were often appointed to junior consular positions in the district.

The widely diverging competencies and capabilities of the U.S. consular corps is reflected in the personal histories of the consular agents who served in the Port Hope and nearby Belleville Consular Districts. As shown in Table 2, appointees to the Port Hope Commercial Agency included Jacob Conkling Dutcher (1820–1888), an ordained minister, published author, and orator of some repute. Prior to his appointment by Republican President Chester A. Arthur, Dutcher spent the previous 34 years of his life leading a number of church congregations in New

¹⁴ Boyd Crumrine, *The Courts of Justice Bench and Bar of Washington County, Pennsylvania...* (Chicago, IL: Lakeside Press), 1902, 271–272; Harriet Branton, “The McGiffins: Tales from Afar,” *Observer-Reporter* (Washington, PA), March 29, 1980; F. N. Knapp to James G. Blaine, Secretary of State, 8 February 1892, United States. Department of State. “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

Table 2. Consular Agents at Port Hope, Ontario: 1880–1892

Name	Dates of Service at Port Hope ^a	Position at Port Hope	Previous Occupation(s)	Birthplace	State Appointed	Note
Jacob Conkling Dutcher	1880–1887	Commercial Agent	Minister; Author	Near Irvington, New York (b. October 8, 1820; d. November 27, 1888)		Graduate of Rutgers College
Richard Moncure Conway	March 22, 1887–January 1888	Consul	Farmer; Raised livestock	Virginia		Genealogist; Confederate States Army veteran
John T. Montgomery	1883–ca. 1890	Vice and Deputy Commercial Agent		Canada or Great Britain		Temporarily assumed supervision of the Port Hope Agency following the death of James M. Conway.
William H. Robertson	January 31, 1888–December 1888	Commercial Agent	U.S. Commercial Agent (Consul), Moncton (1885–1886); Yarmouth (1886–1888)	Botetourt County, Virginia (June 26, 1863; d. November 16, 1950)	District of Columbia	Appointed Consul at St. Gall (Jan. 1889); Hamburg (June 1893); Consular Agent, Arnprior (1900); Appointed Consul at Gothenburg (August 1907)
Luther M. Shaffer	January 1889–ca. 1891	Commercial Agent	Attorney	Berkeley County Virginia (later West Virginia)	West Virginia	Earned \$1,500 salary as Commercial Agent ca. 1891 ; later served as consul at Stratford, Ont.
Henry White	August 4, 1890–ca. 1893	Vice and Deputy Commercial Agent	Barrister			President, Poultry Association of Ontario (1895); Mayor of Port Hope (as of 1903); Barrister; Police Magistrate of Port Hope (as of 1910)
Norton McGiffin	January 12, 1892–ca. 1893	Commercial Agent	Sheriff, Washington County, PA (1858-1861); Representative, PA House of Representatives (1880–1882) ¹⁵	Washington, Pennsylvania (January 23, 1824)	New York	Veteran of Mexican War; Lieutenant Colonel, Eighty-fifth PA Volunteers (Civil War); Formerly Commercial Agent at Port Rowan (until 1891)
Edward E. Dodds	October 13, 1892–ca. 1893	Consular Agent (Peterborough office)	Involved in newspaper and publishing-related enterprises	Port Hope, Ontario		

Sources: “[Henry White Appointed Police Magistrate],” *The Canadian Law News*, 30 (1910, c. 1911):701; Horace Edwin Hayden, *Virginia Genealogies: A Genealogy of the Glassell Family of Scotland and Virginia...* (Wilkes-Barre, PA: E. B. Yardy, Printer, 1891), 287; Marcus D. Raymond, comp., *Souvenir of the Revolutionary Soldiers' Monument Dedication at Tarrytown, N. Y., October 19th, 1894* (Tarrytown, NY: s.n., 1894), 98; United States, Department of State, *Register of the Department of State, July, 1908* (Washington, DC: U.S. G.P.O.), 1908, 77; Harriet Branton, “The McGiffins: Tales from Afar,” *Observer-Reporter* (Washington, PA): March 29, 1980; Boyd Crumrine, *The Courts of Justice Bench and Bar of Washington County, Pennsylvania...* (Chicago, IL: Lakeside Press), 1902, 271–272; United States, *Official Register of the United States...*, vol. 1 (Washington, DC: U.S. G.P.O.), 1892, 27. a. Date appointed–date resigned or otherwise vacated the position.

York City and nearby localities.¹⁶

Ironically, five years prior to Dutcher's appointment as a Commercial Agent, he publicly decried politics and the methods used to attain public office in a Thanksgiving sermon to his congregation:

Politics and honesty long-ago shook hands and parted; and in that slimy pool, there is nothing but corruption, and decay, and moral death. Look at it, as you find it to-day; a man wants an office, but as a general thing he cannot get it, unless he can command more money than his competitor; and to secure an office costs as much as the office is worth after it is obtained.¹⁷

Although it is not known what prompted Dutcher to pursue a midlife career change, his earlier sermon may have reflected the frustrations of a political aspirant who eventually discovered an expedient path to government office via a counselor appointment.

In contrast to Jacob Dutcher, Colonel John M. Strong, the U.S. Consul at the adjoining Belleville, Ontario, Consular District, was a Civil War veteran and career government employee, who held a variety of municipal posts in Syracuse and several other New York localities prior to his consular appointment.¹⁸ Strong even garnered notice in a 1908 *New York Times* article wherein he was depicted as "well known both socially and politically."¹⁹

¹⁶ Prior to his appointment as Consul in 1880, Dutcher was associated with the following church congregations: South Bound Brook Reformed Church (1868–1879 or 1880); a Congregational church in Somers, Connecticut (1867–1868); Market Street Church, New York, NY (1863–1866); Sixth Avenue Union Church, New York, NY (1859–1863); Seventh Avenue [Union Church?], New York, NY (1858–1859); First Coxsackie (1857–1858); Bergen Point (1847–1857); Bergen Neck (1850–1854); and the Reformed Dutch Church, Owasco, NY (1846–1850). Published works written by Jacob Dutcher include: "An Oration Delivered before the Order of United Americans, at Niblo's Theatre, New York, Feb, 22, 1862 on the Celebration of the 130th Anniversary of the Birth-day of Washington" (New York, NY: J. Craft, Printer, 1962); *The Prodigal Son* (New York, NY: E. B. Tripp, Printers and Stationers, 1870), a commentary on the Prodigal Son parable; and fictional work, *The Old Home by the River* (New York, NY: N. Tibbals & Sons, 1874), set in the Hudson River Valley. Harry M. Cleveland, "[Information on the New Jersey Dutcher Family,]" <http://www.witsend.org/gen/dutcher/harryc.htm>.

¹⁷ Jacob C. Dutcher, "America, Her Danger and Safety: A Thanksgiving Sermon Preached by the Reverend Jacob C. Dutcher, in Bound Brook, New Jersey, November 25th 1875" (New Brunswick, NJ: Terhune & Van Anglen's Press, 1875), 10.

¹⁸ Jeffrey D. Ollis, "The 149th New York State Volunteer Infantry: John M. Strong, Lt. Colonel," 1998-2001. http://www.149th-nysv.org/Roster/Field/strong_john_m.htm accessed July 31, 2008. Strong was commissioned as a Lieutenant Colonel in the U.S. Army during the Civil War. However, soon after receiving his commission, Strong suffered a serious illness which ultimately forced him to return home to New York and ultimately, resign from the Army on March 1, 1863.

Arguably one of the most noteworthy individuals associated with the Port Hope Commercial Agency was Edward E. Dodds, a Port Hope native and former U.S. Army officer who had been discharged from the service on July 29, 1865 “by reason loss of right arm and other wounds received at the battle of Winchester, Virginia.” In his letter of introduction, Dodds explained that after the war he became “engulfed in the newspaper and publishing business both in the United States + Canada.” Moreover, he professed “a fair knowledge of international law” and was “a Republican.”²⁰

Dodds’ letter was accompanied by a petition signed by a number of Port Hope residents who attested that Mr. Dodds was “well known” to the petitioners and “a gentleman in every way [and] well qualified to fill the position.” In addition, Dodds enclosed letters of recommendation signed by Charles Fitzsimons, Brevard Brigadier General, and Lewis W. Truesdell, Late Captain, both of Company C. New York Voluntary Cavalry. Both men recounted how then Sergeant Dodds had rescued his Captain from “rebel lines” during the Civil War battle at Ashby’s Gap, Virginia. Some years later, these two individuals’ testimonials would play an instrumental role in the U.S. Government’s decision to award Dodds the Congressional Medal of Honor, “the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States.”²¹

While it is unclear whether Dodds ever became a naturalized U.S. citizen, *it is known that*

¹⁹ Strong served as Salt Superintendent, Supervisor, and member of the Board of Education of Syracuse. He also served as a Supervisor in his hometown. "J. M. Strong Lost in Woods: Actor Left Friends' Camp on Canadian Border to Go Fishing," *New York Times*, August 12, 1908.

²⁰ Edward E. Dodds to Col. Norton McGiffin, U.S. Commercial Agent, Port Hope, Ontario, 6 September 1892, United States. Department of State. “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

²¹ Lewis W. Truesdell, “[Letter of Recommendation for Edward Dodds],” 25 February 1889; Charles Fitzsimons, “[Letter of Recommendation for Edward Dodds],” 3 February 1889, United States. Department of State. “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD; Congressional Medal of Honor Society, “CMOHS.org: Official Website of the Congressional Medal of Honor Society” (Mt. Pleasant, SC: Congressional Medal of Honor Society, 2011), <http://www.cmohs.org/> (accessed October 31, 2011).

John T. Montgomery, the Vice Commercial Agent at Port Hope, and George Joel Stephens, the Consular Agent at Cobourg during the late 1880s, remained British subjects throughout their tenures with the U.S. Consular Service.²²

Some consular officials such as Richard M. Conway, the U.S. Commercial Agent at Port Hope from April 1887 until January 1888, seemingly took exception to the custom of appointing individuals with local connections to consular posts. In a September 1887 dispatch to the U.S. Assistant Secretary of State, Conway made light of a recent Canadian appointee's "local ties" to the Port Hope district. "Without, in the slightest degree wishing to prejudice the State Department against Mr. Clark," Conway wrote, "I think it my duty to say I have been creditably informed that Mr. Clark 'is a native of Canada born a few miles from Cobourg where he now resides.'"²³

The Placement of U.S. Consular Offices and Residences within a Consular District

U.S. Consular regulations stipulated that Consular officers situate their offices in the town where they were appointed to serve, "at the most convenient central location that the sum allowed for office rent will permit" (i.e., limited to 20 per cent or less of the consular officer's salary). Likewise, the consular officers' private residences were to be located in the same town as the Consular office. It was the senior consular officer's responsibility to select an appropriate office and residence as well as to negotiate the rental agreements for them.²⁴

²² U. S. Commercial Agency, Port Hope, Ont. to James D. Porter, Assistant Secretary of State, 28 April 1887; R. M. Conway, U.S. Commercial Agent, Port Hope, to James D. Porter, Assistant Secretary of State, 21 June 1887, United States. Department of State. "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

²³ R. M. Conway, U.S. Commercial Agent, Port Hope, to James D. Porter, Assistant Secretary of State, 4 September 1887, United States. Department of State. "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

²⁴ United States, Department of State, *Regulations Prescribed for the Use of the Consular Service of the United States* (Washington, DC: Government Printing Office, 1896), 22.

With the exception of the aforementioned guidelines, consular officers enjoyed considerable leeway in selecting furnishings and other accouterments for their offices. Consequently, the exterior and interior features of individual office varied, sometimes markedly.²⁵ While some consular officers were mindful of the physical appearance of their offices and recognized the importance of projecting an image befitting an official office of the United States government, others paid relatively little attention to the state of their offices, either inside or out.

The differing attitudes of consular officers regarding office aesthetics is exemplified by a March 15, 1888, letter from William H. Robertson, a newly appointed Commercial Agent at Port Hope, to Assistant Secretary of State George L. Rives. In the missive, Robertson expressed decided dissatisfaction with his predecessor's rental office: "With no desire whatever for criticism," Robertson wrote, "I do not consider the present office of the United States Commercial Agency at this place either comfortable, conveniently arranged, or in any way such as one the Department would care to have one of its offices to occupy." According to Robertson, the office's assorted deficiencies included walls "darkened with dust and smoke," and a "rough and uneven," plank floor. Moreover, Robertson lamented that the room was "devoid of all furniture, the property of the government, save a small desk of two shallow drawers, and two chairs."²⁶

After critiquing the present accommodations, Robertson proposed an alternate site for the Port Hope Agency:

²⁵ Ibid.

²⁶ M. Henry Robertson, Commercial Agent, Port Hope to George L. Rives, Assistant Secretary of State, 15 March 1888, United States. Department of State. "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

I would prefer to submit for your approval my renting an adjoining room, neatly papered, partitioned so as to allow a private as well as public office for the consul, and already heated and partly carpeted. The annual cost of which will be \$150.00, or one half the amount of office here allowed Port Hope.²⁷

Robertson emphasized the practical and aesthetic benefits accruable from his proposed site. “The character of an office renting for \$60.00 per annum will, I think, at once impress the Department,” Robertson noted, “and I beg to hope that the increased attractiveness and dignity given the consular by the change in question will warrant the additional outlay.” In a further effort to promote his proposal, Robertson compared the envisioned Port Hope office to his former office in Yarmouth, Nova Scotia. Demonstrating a propensity for sycophancy, Robertson even managed to inject the Consul General into the discussion:

I take the liberty of saying that the office which I desire to obtain will, I think, be superior in no respect to the one occupied at my late post, Yarmouth, the cost of which I personally discharged. I am told by the Vice Commercial Agent that at the Consul General in Montreal when last there, was impressed with the unattractive features of the foremost office. I shall await your instructions before taking any action in the matter.

The Formal and Informal Duties of U.S. Consular Agents

Beyond office hunting and furnishing duties, U.S. Consular personnel performed a wide array of functions, with specific tasks varying based upon the geographic location of their post, the time of year, and sundry other factors. The compilation of reports, one of the earliest and most important responsibilities assigned to U.S. Consular officers, was derived from an August 1790 circular wherein Secretary of State Thomas Jefferson issued the following instructions to U.S. consular officers:

I must beg the favor of you to communicate to me every six months, a report of the vessels of the United States which enter at the ports of your district, specifying the name and burthen of each vessel, of what description she is, (to wit, ship, snow, brig, etc.) the names of the master and owners, and number of seamen, the port of the United States from which she cleared, places touched at, her cargo outward and inward, and the owners

²⁷ Ibid.

thereof, the port to which she is bound, and times of arrival and departure; the whole arranged in a table under different columns, and the reports closing on the last days of June and December.

We wish you to use your endeavors that no vessel enter as an American in the ports of your district, which shall not be truly such, and that none be sold under that name, which are not really of the United States.²⁸

On a more clandestine note, Jefferson also directed the agents to:

give to me, from time to time, information of all military preparations, and other indications of war which may take place in your ports; and when a war shall appear imminent, that you notify thereof the merchants and vessels of the United States within your district, that they may be duly on their guard; and in general, that you communicate to me such political and commercial intelligence, as you may think interesting to the United States.²⁹

Throughout the nineteenth century, U.S. consular officers' duties were significantly expanded to include functions such as:

- “Receiving protests from or against United States citizens”
- Assisting distressed U.S. seamen
- “Settling the estates of” U.S. “citizens who died abroad without a legal representative”
- Performing notary services
- Notifying U.S. authorities regarding disease outbreaks in their assigned districts
- Issuing bills of health to ships departing from ports in their district enroute to the United States
- Reviewing the names of emigrants destined for the United States that were listed on ships' passenger lists
- Verifying the invoices of goods to be shipped to the United States³⁰

Invoice certification was another critical task of consular offices and as Richard Werking contends, following the Civil War, it “was easily the single most important consular function.”³¹

²⁸ Thomas Jefferson, “Circular to the Consuls and Vice-Consuls of the United States.” In *The Writings of Thomas Jefferson...Containing His Autobiography, Notes on Virginia, Parliamentary Manual, Official Papers, Messages and Addresses, and Other Writings, Official and Private*, vol. VIII, edited by Albert Ellery Bergh. Definitive edition, 92. Washington, DC: Issued under the auspices of the Thomas Jefferson Memorial Association of the United States, 1907. <http://www.constitution.org/tj/jeff08.txt> (accessed September 17, 2008).

²⁹ *Ibid.*

³⁰ Richard Hume Werking, *The Master Architects: Building the United States Foreign Service, 1890–1913* (Lexington, KY: University Press of Kentucky, 1977), 2.

³¹ *Ibid.*, 2.

Then again, it was *also* one of the most contentious issues U.S. consular officers contended with on a daily basis.

The Department of State publication, *Regulations Prescribed for the Use of the Consular Service of the United States* provided official guidance on a multiplicity of matters related to the operation of consular offices and the issues consular officers may be required to address.³² Moreover, the *Regulations'* appendices included samples of many official forms used by the consular offices.

The above-described milieu provides the foundation for the analysis of dispatches transmitted from the U.S. consular office in Port Hope, Ontario, between 1882 and 1892 presented in the next section of the paper. The section will begin with a brief description of Port Hope and its surrounding area.

Port Hope, Ontario and Environs, Circa 1882

Port Hope, Ontario is situated on the North shore of Lake Ontario. The first permanent European settlers to the area were Loyalists who crossed the Lake from the United States during the Revolutionary War. From its earliest days, agriculture was the predominate pursuit of the families who settled in Port Hope's surrounding countryside. Port Hope's propinquity to Lake Ontario, likewise its relative proximity to Toronto (approximately 68 miles to the west) afforded it transportation advantages over many other towns of comparable size within the Province of Ontario. In a September 1884 dispatch to the U.S. Assistant Secretary of State, Jacob Dutcher offered the following assessment of Port Hope's transportation facilities:

As to Port Hope, it has confessedly the finest harbor along the Canadian section bordering on Lake Ontario; while its rail road accommodations are such, that for miles in the interim the products of the soil are readily transported to its capacious wharves for

³² A search of the title on OCLC WorldCat indicates that the publication began on or before 1870.

shipment. Touching the quantity of grain and lumber yearly to the United States, it is regarded in all respects, as one of the most important points on the border.³³

Port Hope engaged in a longstanding port rivalry with Cobourg, its slightly larger neighbor seven miles to the east, as both communities vied for Lake Ontario shipping.

The U.S. Consular Office at Port Hope

The U.S. Department of State classified the U.S. Commercial Agency at Port Hope as a “third class” commercial agency; therefore, the agency was authorized to transact business and its principal agent compensated via fees collected by the Agency.

Throughout most of the 1880s, the Port Hope Commercial Agency included only one subordinate office, located in Cobourg. Jacob Dutcher offered the following description of Cobourg and its consular office:

Cobourg, seven miles distant, is the only Agency belonging to this Consular district; and though its exportations are limited compared with Port Hope, still it is an important post, in that it fills a vacancy between this Consulate and that of Belleville; while its location being immediately on Lake Ontario, renders its facilities for shipping either by rail or water, excellent.”³⁴

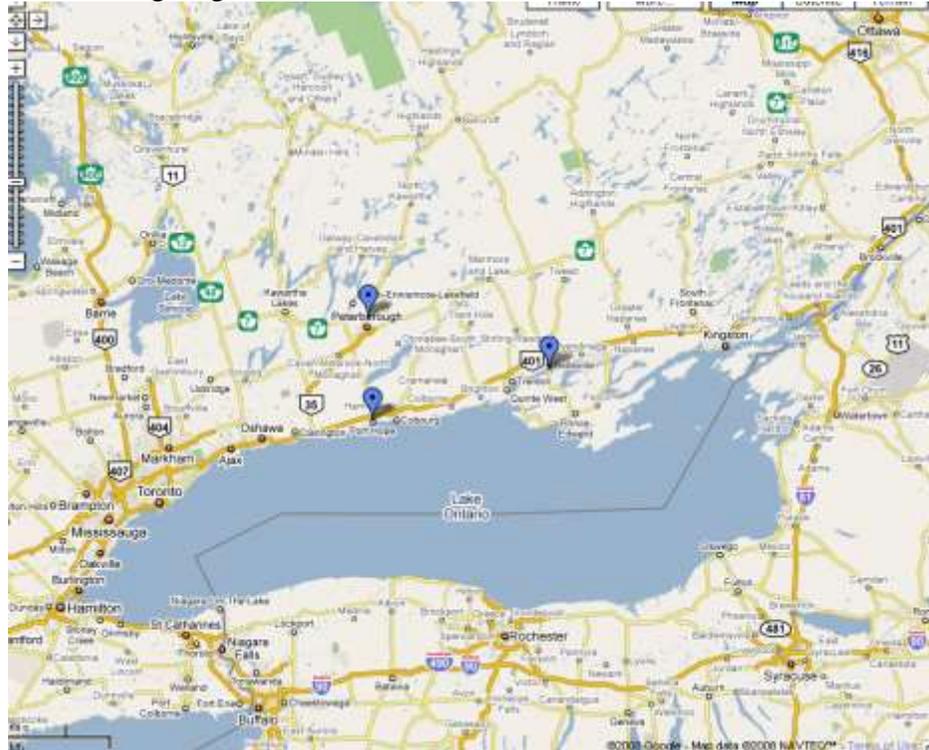
As illustrated in Figure 1, Port Hope and Cobourg represented two of many consular offices scattered throughout the province of Ontario. In the 1880s, other consular offices in the general vicinity of Port Hope included Peterborough, approximately 27 miles to the North and Belleville, approximately 52 miles to the east.³⁵

³³ Jacob C. Dutcher to John Davis, Assistant Secretary of State, 24 September 1884, United States. Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

³⁴ Ibid.

³⁵ Daniel Francis, “Belleville,” in *The Canadian Encyclopedia* (S.l.: Historica Foundation of Canada, 2008), <http://www.thecanadianencyclopedia.com> (accessed September 9, 2008).

Figure 1. Consular Offices in Port Hope, Ontario and the Surrounding Region



Dutcher characterized the activities of the Port Hope Commercial Agency in 1884 as routine and consistent with other consular offices of its classification:

As to the duties, they are such as are ordinarily in any Consulate of its kind. There is some notarial business done, more, however, at Cobourg than Port Hope, as the former is the County seat, and such business would naturally centre there. There is also something done in the way of pensions; indeed the processing? of these is quite a feature in the business, and it is the general sentiment that no government is as kind and liberal to its soldiers as is the government of the United States. There are also, during the course of the year, a considerable number of Canadians emigrating to the States, and almost without exception they are an intelligent and industrious class, greatly superior to those coming? In from Europe; and in conversation with them, I have found that the ??tations made by their friends already there, have greatly influenced them in wishing to find a home in our country. I know of no special ‘American interests’ here, sure those which would be included in the large shipments of grain, lumber &c to the United States, if indeed, they could possibly be called such.³⁶

³⁶ Jacob C. Dutcher to John Davis, Assistant Secretary of State, 24 September 1884, United States. Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

Mediums and Messages: Communications between the Port Hope Commercial Agency and the Department of State

Communications between consular offices and the U.S. Department of State in Washington, DC predominantly consisted of letters, documents, and other materials exchanged via conventional mail. Telegraph communications were usually reserved for urgent matters that required immediate attention. Mail service between Ontario and Washington, DC was fairly speedy, especially given the time period and distances involved. In fact, dispatches mailed from Port Hope were typically stamped “Department of State, Received” within three to four days after their initial mailing.

In quintessential bureaucratic fashion, an entire section of the *Regulations Prescribed for the Use of the Consular Service of the United States* was devoted to “Correspondence with the Department of State.” The section included an array of directives related to the content, format, and transmission of official consular correspondence. First and foremost, “all dispatches to the Department of State, as well as inclosures,” were to “be written in a fair, legible hand, or typewritten, on cap paper, on every page, leaving an inch margin on each side of the page.”

With rare exceptions, consular officers maintained a formal tone in written exchanges with their superiors in Washington, DC. Letters, reports, and other correspondence transmitted from the consular officers to the Assistant Secretary of State in Washington, DC, consistently began with the perfunctory “I have the honor to inform you” and closed with “I am Sir, Your Obedient Servant.”

“Circulars” served as the U.S. State Department’s primary means of communication with consular offices. The circulars frequently requested information and, on occasion, full reports, on a specific subject. When a circular arrived at the designated consular office(s), the consul or commercial agent sent a letter of acknowledgement back to the State Department in the form of a

sequentially numbered dispatch. Next, the consular office personnel gathered and compiled the requested information, or alternately, prepared a report. Thereafter, the prepared documents, occasionally supplemented by railroad advertisements, maps and other sundry materials, were forwarded to the State Department.

Between 1882 and 1892, correspondence between the Port Hope Commercial Agency and the Department of State covered a diversity of subjects, including:

- Agriculture
- Trade and commerce issues
 - The amount and types of exports from the Port Hope Consular District
 - Quarantining of cattle
- Requests for leaves of absence
- Requests for publications
- The forwarding of pension papers of U.S. citizens living in the Port Hope district or of Canadian citizens within the district who served in the U.S. military³⁷

The varied dispatches provided a wealth of up-to-date intelligence about economic, political, and social conditions within the district. For example, a report dated April 27, 1886, itemized the acreage allotted to growing spring and fall wheat; the size of farms; the machinery utilized on the farms; the average yield per acre; the average price at place of export; and other assorted agricultural statistics for the Port Hope Consular District. Yet another report, prepared four years later, detailed “the use of the American refrigerator in the Port Hope District.”³⁸

While it is difficult to ascertain the accuracy of the statistics stated in the reports, the facts and figures, even if sometimes suspect, represented a marked improvement from earlier years when virtually no formal channels for compiling and conveying statistics about foreign markets were available.³⁹

³⁸ S. M. Shaffer, Commercial Agent, Port Hope, Ontario to William F. Wharton, Assistant Secretary of State, 30 January 1890, United States. Department of State. “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; Record Group 59?; National Archives at College Park – Archives II, College Park, MD.

Although the “foreign intelligence” solicited by State Department officials was not generally of a sensitive nature, now and then, consular officials encountered varying degrees of resistance when attempting to obtain answers to Department queries. For example, in a belated report on woolen mills in the Port Hope Consular District, Jacob Dutcher noted:

I have the honor to transmit to the Department, the report called for by the Department Circular of July 15th 1885. I regret that I was delayed as long in sending it, but found it impossible to get the questions pertaining to the ‘woolen mill’ answered sooner. The Mill at Cobourg seemed rather reticent on the subject. I was therefore obliged to make several journeys to Peterboro (31 miles) before I could accomplish anything.⁴⁰

On another occasion, Dutcher was asked by his superiors to describe recent immigration trends in the Port Hope District and moreover, to ascertain whether Canadian government officials were maintaining immigration registers for the District. Dutcher subsequently responded that immigrants to the District were predominantly of English, Irish, or Scotch origin, albeit “very few” individuals of any nationality were apparently settling in the Port Hope area at the time. With respect to immigration registers, Dutcher explained, “I found it extremely difficult to get any information on the subject on registers being kept. The immigration agent and member of Parliament for this district both inform me that there were as few coming into this district that it was not deemed of sufficient importance to keep a register.”⁴¹ Interestingly, Dutcher’s reply also revealed his personal biases toward the District’s immigrants. “Ordinarily they are self supporting,” Dutcher noted, “but never any great addition to the community as they are generally uneducated and from the lowest classes.”⁴²

In 1887, the Port Hope Commercial Agency served as an intermediary in a somewhat

³⁹ Jacob C. Dutcher to James D. Porter, Assistant Secretary of State, 27 April 1886, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; Record Group; National Archives at College Park–Archives II, College Park, MD.

⁴⁰ Ibid.

⁴¹ Jacob C. Dutcher to James D. Porter, Assistant Secretary of State, 5 November 1886, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁴² Ibid.

unusual “international incident” involving Fred Hales, a Port Hope teenager who joined the U.S. Army and was subsequently charged with desertion by the Army. In addition to forwarding communications to Hales’ family about his physical condition, the Port Hope Agency also passed along various pieces of evidence provided by the family and Port Hope’s mayor to support their contention that Hales “was under age at the time of his enlistment.” Unfortunately, the dispatches do not reveal Hales’ ultimate fate.⁴³

Cooperation and Confrontation: Relations between Neighboring Consular Districts and Other Government Officials on both Sides of the Canada-U.S. Border

Trade and Tariffs

Although rising productivity frequently generated surpluses in the U.S. and Canadian domestic marketplaces throughout the 1880s and 1890s, the unfettered trading of goods—surplus or otherwise—between the two neighboring nations was not universally embraced. Opposition to free trade principally focused upon four factors, namely: 1) farmers on both sides of the border often raising similar crops and livestock, 2) the need to protect domestic non-agricultural jobs, 3) nationalist sentiment, and 4) the political influence of industrial and trade groups. Consequently, the United States and Canada remained mutually committed to maintaining substantial tariffs on an array of raw materials and finished products.

In 1883, the United States government revised its customs duties, thereby lowering tariffs on items such as pig iron and wool, while increasing duties on a number of other items.⁴⁴

Mounting protectionist sentiment in the United States reached its zenith in 1890 with the McKinley Tariff Act, which initiated the highest import duties in the nation’s history to date.⁴⁵

⁴³ E. W. M. Caskey to Mrs. Almira Wadleigh, 25 May 1887; R. M. Conway, U.S. Commercial Agent to U.S. Department of State, 13 June 1887; Richard M. Conway, U.S. Commercial Agency, Port Hope, Ont., To Jas. D. Porter, Asst. Secretary of State, Washington, DC, n.d., United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park—Archives II, College Park, MD.

⁴⁴ F. T. Taussig, “The McKinley Tariff Act,” *Economic Journal* 1, no. 2 (June 1891): 327–328.

Indeed, domestic discord over tariffs may have even played a decisive role in Republican President Benjamin Harrison's failed bid for reelection to the U.S. presidency in 1892.⁴⁶

Thwarting the \$100 Threshold

Although tariff rates influenced the flow of goods across the U.S.-Canadian border, they did not deter development of an extensive trade relationship, legal and otherwise, between the two nations. In fact, exporters and importers on both sides of the border devised a variety of methods to circumvent the sizeable tariffs levied upon a wide array of goods. Moreover, U.S. Consular officers played an important role in policing cross-border trade, since, as Richard Werking explains, "the consul certified to customs collectors at United States ports of entry that the value of the merchandise was stated correctly and not undervalued to secure a lower import duty."⁴⁷

The Port Hope Commercial Agency correspondence vividly illustrates the assorted disputes that arose from the \$100 valuation threshold placed upon individual shipments from Canada to the United States. The \$100 maximum was a frequent topic of Jacob Dutcher's letters to his colleagues in Canada as well as to his superiors in Washington, DC. For example, in a September 25, 1882, letter from Dutcher to John Davis, the Assistant Secretary of State, Dutcher alleges that Canadian shippers, in complicity with the collector of customs at Charlotte (the port of Rochester, NY), were deliberately evading U.S. tariff duties:

I had supposed, that shippers were obliged to procure Consular invoice certificates, though the value of the invoices were less than \$100. Yet this law is being continually disregarded. Parties make it a practice to ship to very nearly the specified amount,

⁴⁵ U.S. House of Representatives, Committee on Ways and Means, "William McKinley (R-OH)" (Washington, DC: U.S. House of Representatives, Committee on Ways and Means), n.d., <http://waysandmeans.house.gov/legacy/portraits/1789-1898/mckinley.htm>.

⁴⁶ Ohio Historical Society, "William McKinley, Jr.," in *Ohio History Central* (Columbus, OH: Ohio Historical Society), 2008.

⁴⁷ Richard Hume Werking, *The Master Architects: Building the United States Foreign Service, 1890-1913* (Lexington, KY: University Press of Kentucky, 1977), 2.

purposely to evade it. This has been done during the entire season. The collector of customs at Charlotte informed me, that he could not legally demand a certificate, where the amount of the invoice did not exceed \$100. And Consular Offices cannot oblige shippers to procure them, when Customs Officers do not demand them The Consular Agent at Cobourg, has made complaint to me on the subject.⁴⁸

A second missive from Dutcher to Davis dated June 9, 1883, indicates that the matter remained unresolved nearly nine months after Dutcher first brought it to Davis' attention. The wording of Dutcher's second letter also conveys his increasing frustration with both the shippers and the Customs Collector at Charlotte:

The Customs Collector at Charlotte...informs shippers that they do not require consular certificates, only in cases where the invoice exceeds \$100. He says, 'should the amount to \$99.99...a certificate is not required.' Now, this is most embarrassing for me and most unfortunate for the business; as many manage to make their shipments less than the specified amount. Will you kindly inform me of the course to be pursued, and may I be permitted to ask for an early reply, as shipments are being constantly made, without procuring consular certificates.⁴⁹

Dutcher's successors at the Port Hope office experienced similar difficulties with the \$100 threshold. On May 20, 1887, Commercial Agent Richard M. Conway requested guidance from the Assistant Secretary of State regarding multiple shipments of shingles from Port Hope to Charlotte "under one certificate." "I will be pardoned making the suggestion," Conway wrote, "that if I am to allow one invoice certificate cover two distinct shipments covering three days, I see no good reason why the parties...may not purchase several million bushels of peas obtain an invoice certificate for the whole and ship them as occasion served."⁵⁰

Later in the year, Conway expressed suspicions about a Port Hope area denizen's

⁴⁸ Jacob C. Dutcher to Assistant Secretary of State, 25 September 1882, United States, Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁴⁹ Jacob C. Dutcher to John Davis, Assistant Secretary of State, 9 June 1883, United States, Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁵⁰ Richard Conway, Port Hope to James D. Porter, Assistant Secretary of State, 20 May 1887, United States, Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

shipments of plums to his brother at the Port of Charlotte:

A few weeks since a person by the name of ‘Schanck’? called upon this Agency and obtained usual invoice certificate for plums, which he shipped to his brother at the Port of Charlotte. I observed his shipments, in value, never reached the sum of one hundred dollars (\$100.00) hence, his certificates only cost him a dollar each (\$1.00): this?, I thought at the time, was a little remarkable: Although he remained here, I observed he did not ship his fruit as usual: He told me that ‘Oke and Scott’ (very large suppliers of eggs to the United States) ‘would purchase and ship plums for him’ Thus not thoroughly satisfied with this and upon looking into the matter, I found that Oke and Scott had four or five times sent lots of plums to Cobourg (where I have an agent) and at each time they had been shipped per Steamer Norseman, to Schanck’s brother at the Port of Charlotte without a consular certificate of any sort whatever. [Words missing] oath, I feel it my duty to report all irregular matters affecting this Agency. There seems an impression with the officers of Customs at the Port of Charlotte—of many years standing—that any number of shipments may be made to that port of entry, always, provided that no single shipments amounts in value to the sum of one hundred dollars (\$100.00) without a certificate. This, I know, is not the case; and believe it will not be considered offensive when I say, a word from the proper authorities at Washington will promptly correct this great and growing ill, if sent to the Customs House at the Port of Charlotte New York.

I am Sir,
Your obedient servant

Richard M. Conway
United States Commercial Agent⁵¹

The Port Hope Commercial Agency’s unofficial “rogue’s list” included egg shippers, the crew of the Steamer Norseman, and Customs’ officials at the Port of Charlotte. From the Agency’s perspective, the three groups possessed a propensity to circumvent U.S. tariff regulations whenever possible.

Egg Wars

Eggs, or more precisely, the issuance of consular certificates for a series of egg shipments from Brighton, Ontario, to Boston, Massachusetts, “by way of St. Albans” sparked a years-long battle of words between the Port Hope Consular District and the neighboring Belleville Consular

⁵¹ Richard Conway, U.S. Commercial Agent, Port Hope to James D. Porter, Assistant Secretary of State, 17 September 1887, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park—Archives II, College Park, MD.

District.⁵²

In a May 25, 1887, dispatch to the Assistant U.S. Secretary of State, John T. Montgomery, the U.S. Vice Commercial Agent at Port Hope, recounted that the dispute originated with an agreement consummated by the Cobourg agent (at the time, Cobourg was an office within the Port Hope District) and John M. Strong's predecessor at Belleville regarding the issuance of consular certificates.⁵³ According to Montgomery, under the terms of the agreement, shippers conveying "merchandise...East from Colborne, Trenton, and Brighton" would obtain certificates at Belleville, while shippers transporting merchandise West would procure certificates at Cobourg.⁵⁴ The arrangement, consummated as a convenience for shippers, soon ignited discord between the Port Hope and Belleville Consular Districts.

In the May 25th dispatch, Montgomery also noted Strong's displeasure with the pact and more importantly, that he opted to disregard its strictures: "Col. Strong objected to and claimed the fees on all certificates from Brighton and vicinity," "Soon afterwards, we found that Col. Strong was issuing certificates for eggs shipped at Peterborough and made a claim for refund of the fees," Montgomery added. Interestingly, the same dispatch also revealed that Strong issued a counterclaim against Dutcher for refunds of fees for certificates allegedly supplied by the Consular Agent at Cobourg for Trenton, Brighton, and vicinity.⁵⁵

The earliest recorded evidence of the Port Hope–Belleville consular kerfuffle appeared in

⁵² Jacob C. Dutcher to J. M. Strong, U.S. Consul, Belleville, 15 June 1886, United States. Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁵³ Jacob C. Dutcher to Colonel John M. Strong, U.S. Consul, Belleville, 29 September 1886, United States. Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

⁵⁴ J. T. Montgomery, U.S. Commercial Agency, Port Hope to James D. Porter, Assistant Secretary of State, Washington, DC, 25 May 1887, United States. Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform]," General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁵⁵ Ibid.

a June 15, 1886, missive sent from Jacob Dutcher to John Strong. In the letter, Dutcher asked Strong “to refund to this office [i.e., the U.S. Commercial Agency at Port Hope] the fees for the following shipments of eggs by Osborn + Osborn of Peterborough.” Dutcher also provided a list of the dates in question.⁵⁶

Four days later, on June 19th, Dutcher sent a second letter to Strong, this time inquiring whether the Belleville Consul received Dutcher’s initial correspondence.⁵⁷ Six days later, Dutcher mailed a third letter to Strong but again, received no reply. Since Dutcher’s written entreaties to Strong were clearly proving ineffective, Dutcher next dispatched his deputy, John T. Montgomery, to Belleville to personally review Colonel Strong’s records.⁵⁸ During the last week of September, Dutcher obtained a sworn affidavit from George J. Stephens, U.S. Consular Agent at Cobourg, attesting to the fact that his office had not issued any certificates “for shipments of any goods or merchandise from the Port of Brighton.”

On February 5, 1887, the doggedly determined Dutcher next resorted to contacting his superior, Wendall A. Anderson, the U.S. Consul General at Montreal, in his continued quest to recover the \$30 in fees. Twenty-three days later, Anderson informed Dutcher that he “invited the attention of the Consul at Belleville to the matter.”⁵⁹ In a subsequent letter, Anderson admonished both Dutcher and his adversary, Colonel Strong, for certifying shipments for exports outside their respective jurisdictions:

⁵⁶ Jacob C. Dutcher to J. M. Strong, U.S. Consul, Belleville, 15 June 1886, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁵⁷ Jacob C. Dutcher to J. M. Strong, U.S. Consul, Belleville, 19 June 1886, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁵⁸ Wm Brundette, Agent of L. Ray to JC Dutcher, Port Hope, 9 August 1886, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

⁵⁹ Wendall A. Anderson, Consul General, to J. C. Dutcher, U.S. Commercial Agent, Port Hope, 28 February 1887, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

That a claim for a division office was made by the Commercial Agent at Port Hope and conditionally acknowledged by him without fully understanding the case, and that soon thereafter he learned that the agent at Cobourg was certifying shipments from Brighton, this taking more from Belleville Consulate than the amount claimed by Port Hope. I regret this difference which under Consulate regulations ought not to have occurred, and must that it may be satisfactorily arranged between you, at the same time urging upon you as well as the Consul at Belleville, the increase of care in not certifying invoices of merchandise shipped from the limits of the other Consular district.⁶⁰

Despite the intervention of Dutcher and Strong's superior in the dispute, the acrimony between the two men persisted. In fact, Dutcher continued to press Strong for the \$30 even after resigning his post in spring 1887. Following Dutcher's departure, Mr. Montgomery, the U.S. Vice Commercial Agent at Port Hope, continued the effort to recover the fees on Dutcher's behalf. Unfortunately, Montgomery's letters demanding repayment proved equally futile.⁶¹

On September 16th 1887, Strong launched a counterattack against the Port Hope, Agency, accusing it of continuing to issue certificates for Brighton. "I suppose you are aware of the fact, that shipments are constantly made from Brighton and vicinity for which shipments Certificates are issued at Cobourg being in possession of the Jacks?" Strong inquired sarcastically. Curiously, Strong addressed the letter to the already departed Dutcher, "U.S. Consul, Port Hope." While this addressing error may have merely represented an oversight on Strong's part, it also raises questions as to whether Strong ever bothered to read any of Dutcher's earlier written ultimatums.⁶²

⁶⁰ Wendall A. Anderson, Consul General, to J. C. Dutcher, U.S. Commercial Agent, Port Hope, 29 March 1887, United States, Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882-1906 [microform]," General Records of the Department of State; National Archives at College Park-Archives II, College Park, MD.

⁶¹ Wendell A. Anderson, Consul General, Montreal, to J. Montgomery, U.S. Vice Commercial Agent, Port Hope, 18 May 1887, United States, Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882-1906 [microform]," General Records of the Department of State; National Archives at College Park-Archives II, College Park, MD.

⁶² John M. Strong, Consul to J. C. Dutcher, U.S. Consul, Port Hope, 16 September 1887, United States, Department of State, "Despatches from United States Consuls in Port Hope, Canada, 1882-1906 [microform]," General Records of the Department of State; National Archives at College Park-Archives II, College Park, MD.

Breaches of Protocol and Other Transgressions

Consular agents who failed to adhere to established protocols or committed other sundry transgressions were subject to written reprimands, together with other possible sanctions, based upon the seriousness of the offenses. Several months after Richard M. Conway assumed the duties of the U.S. Commercial Agency at Port Hope in April 1887, he received a memorandum from Washington, DC, stating that he failed to follow the proper protocol when he assumed his duties at Port Hope. “I am sorry if I have done unlawfully in having acted as the Commercial Agent of the United States at Port Hope, Ont. without my knowing first received the proper papers from the Canadian Government,” a remorseful Conway wrote to his superior, James D. Porter, the Assistant Secretary of State. Conway also assured Porter, “I have in no case, officially signed myself as Consul except recently to some forms I have had printed.”⁶³

The “Prize Competition”

An 1891 “prize competition” sponsored by a Peterborough, Ontario, newspaper provides insights into a formal investigation involving alleged transgressions by a consular officer. The subject of the investigation, Mr. Young, the Consular Agent at Peterborough, agreed to “act as a judge” in a word competition sponsored by *The Canadian Agriculturalist*, a small, financially distressed newspaper in the town. Evidently, Mr. Robertson, the newspaper’s editor and a personal friend of Young, garnered considerable profits from the competition.”⁶⁴

The State Department initially learned of Young’s participation in the competition via a complaint it received from a Mr. Sherman of Baltimore, Maryland, who apparently received a

⁶³ Richard M. Conway to James D. Porter, Assistant Secretary of State, 18 July 1887, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁶⁴ Henry White, Vice + Deputy Commercial Agent, Port Hope, to L. M. Shaffer, U.S. Commercial Agent, Port Hope, 18 March 1891, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD. It is not currently known whether Mr. Robertson was a relative of William H. Robertson.

prize-related mailing by mistake. The Department subsequently asked the U.S. Commercial Agency at Port Hope to look into the matter. Luther M., Shaffer, the U.S. Commercial Agent at Port Hope, in turn, delegated the task to his Vice Deputy, Henry White, who reportedly had “business and personal acquaintances and connections” in Peterborough.

White reported the findings of his investigation in a March 18, 1891, letter to L. M. Shaffer. White concluded that Mr. Young was “somewhat indiscreet in permitting his name to be used officially in the affair.” White also noted that Young “disavowed any ulterior motive on this part other than a desire in his private capacity to assist Robertson by acting as one of the judges in the competition.”⁶⁵ Although Young eventually resigned his post on September 10, 1892, the dispatches do not specify whether the “prize competition” played a role in the resignation.⁶⁶

Reclassification Roulette

During the late 1880s, the Port Hope Commercial Agency faced an extended period of instability due to the departure of long-time Commercial Agent Jacob Dutcher and the State Department’s seemingly ever-changing reclassification schemes. A July 1887 letter from Richard Conway to James Porter illustrates the uncertainties surrounding Port Hope’s classification. The Agency’s designation was of special importance to Conway since the financial compensation of agents was based upon the office’s classification:

I was informed at the State Department that Port Hope, instead of remaining a Commercial Agency at a retention of fees to the amount of \$2500. per annum, would be upon July 1st 1887 closed? as a Consulate at a salary of \$1500 per annum. In fact, I have

⁶⁵ Ibid.

⁶⁶ Norton McGiffin, U.S. Commercial Agent, Port Hope, to William F. Wharton, Assistant Secretary of State, Washington, D.C., 10 September 1892, United States. Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

a circular from the Department so classing Port Hope: and even so early as the 25th of May 1887 the Honorable Assistant Secretary of State ?? to me as ‘Consul’.⁶⁷

As of September 4th, personnel at the Port Hope Agency were still waiting to hear whether they were actually working in a consular office or a commercial agency:

Being perfectly ignorant of my status here I beg respectfully to ask, am I to continue to receive and retain fees to the amount of two thousand five hundred dollars, as United States Commercial Agent at Port Hope Ont. ‘in lieu of a salary’ or am I to receive ‘one thousand five hundred dollars, together with the fees at Cobourg—less of course, the amt. paid the Consular Agent there?’⁶⁸

Unfortunately, Conway died of a “fit of apoplexy” in the midst of the “reclassification roulette.”⁶⁹ Conway’s untimely death left John T. Montgomery, the Vice Commercial Agent at Port Hope to represent the Agency’s interests.⁷⁰

To make matters worse, the Port Hope Agency also faced the unenviable prospect of contending with yet another new consular office in their neighborhood, this time at Lindsay, Ontario. The development of new iron ore mines in the vicinity of Lindsay apparently prompted the Department to consider establishing a new office there. Not surprisingly, John T. Montgomery was not an enthusiastic supporter of the idea. “[A]s to opening an Agency at Lindsay,” Montgomery wrote, “I do not consider it is necessary, at the present time, as the shippers from that district are promptly and well served from this office.”⁷¹

Unlike Conway and Montgomery, William Henry Robertson, and Luther M. Shaffer, the two men who later assumed the duties at the Port Hope Commercial Agency, expressed support

⁶⁷ Ibid.

⁶⁸ Richard M. Conway to James D. Porter, Assistant Secretary of State, 4 September 1887, United States. Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park – Archives II, College Park, MD.

⁶⁹ J. T. Montgomery, U.S. Commercial Agency, Port Hope, to Jas. L. Reeves, Assistant Secretary of State, Washington, D.C., 7 January 1888, United States. Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; Record Group 59?; National Archives at College Park – Archives II, College Park, MD.

⁷⁰ Ibid.

⁷¹ Ibid.

for the creation of a consular office at Lindsay. Their support was bolstered by a coalition of export shippers from Lindsay and environs who also urged the U.S. government to establish an office in their community. The group sent a signed petition to the Secretary of State expressing their “want of an United States Consular Agency at Lindsay, Ontario.” The shippers’ letter explained that they were “compelled to journey to Peterborough a distance of twenty five miles in order to purchase...certificates” which, they claimed, resulted in “delay and expenses.” The letter also noted that Lindsay’s export business had “been very large during the past two or three years” and moreover, was “rapidly increasing.”⁷²

In due course, the State Department opened a Lindsay office while at the same time, it shuttered the Cobourg Agency.⁷³ Although the State Department’s decisions understandably pleased the Lindsay businessmen, it correspondingly upset their counterparts in Cobourg. Writing on behalf of the citizens of Cobourg, Mr. Clarke, the Consular Agent formerly assigned to Cobourg, implored Washington “to restore to them (Cobourg) the Consular privileges they so long enjoyed prior to 30 of March 1889.” Clarke also noted that Cobourg was “an old university town...patronized largely by Americans during summer;” more importantly, a “yearly shipment of ten or twelve million ft of lumber per year” from the town’s port was soon likely, “in addition to other commerce.” In conclusion, Clarke urged his superiors that it would be in the best “interests of both countries and it would certainly be paralyzing to the people here if you would graciously consent to reopen the office.”⁷⁴

⁷² “[Petition from Lindsay Export Shippers to the Secretary of State, Washington, DC],” February 1889, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁷³ L. M. Shaffer, U.S. Commercial Agency, Port Hope, to George L. Rives, Assistant Secretary of State, Washington, D.C., 27 February 1889, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

Amazingly, only a few years later, the U.S. Department of State transferred the Lindsay Agency to the Collingwood District, a decision was opposed by the Port Hope Agency. On December 8, 1892, Luther M. Shaffer wrote that he had “received weekly numerous letters from parties living in that District, asking for information on shipping goods, +tc.” Shaffer also stressed that it took approximately “four days” for Collingwood to answer inquiries from Collingwood whereas Lindsay was able to “have an answer the same day, or sooner by telephone.” Shaffer also enclosed a map showing the Collingwood and Lindsay District in relation to Port Hope, and suggested, “I think it would be more convenient for all if the Lindsay Agency” was returned to Port Hope’s jurisdiction.⁷⁵

Symptoms of More Serious Ills

The assorted conundrums in which Jacob Dutcher and his consular colleagues periodically found themselves embroiled in were certainly not unique to the Port Hope Commercial Agency. Similar problems were plaguing consular districts across Ontario, and indeed, across the globe. As the Port Hope correspondence demonstrates, an assortment of structural and operational weaknesses within the Consular Service which helped trigger and/or exacerbate problems at the Port Hope Agency and elsewhere. These weaknesses included, among others:

- The close proximity of the U.S. consular offices in southern Ontario
- The U.S. Department of State’s practice of basing selected consular and commercial agents’ compensation upon the amount of fees collected by their offices in lieu of providing fixed salaries

⁷⁴ Mr. Clarke to Secretary of State, Washington, 2 October 1889. United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

⁷⁵ L. M. Shaffer, U.S. Commercial Agency, Port Hope, to William J. Wharton, Assistant Secretary of State, Washington, D.C., 8 December 1892, United States, Department of State, “Despatches from United States Consuls in Port Hope, Canada, 1882–1906 [microform],” General Records of the Department of State; National Archives at College Park–Archives II, College Park, MD.

- The lack of clear lines of authority among the U.S. governmental agencies with trade-related responsibilities
 - The lack of coordination between Customs Collectors, Consular Offices, and other U.S. government personnel
- Conflicting interpretations of U.S. Customs rules and regulations
- The U.S. Consul officers' lack of effective enforcement mechanisms
- The repeated reclassification or closure of individual consular offices
 - The lack of communications between the U.S. Department of State and the affected offices

Arguably, the Port Hope Agency's most pressing problems were attributable to two of the above-outlined factors, namely: 1) the Agency's close proximity to other U.S. consular offices in southern Ontario, and 2) the U.S. government's practice of basing selected consular officers' compensation upon the amount of fees their respective offices collected. Taken together, these factors not only fostered competition rather than collaboration among the Ontario consular offices, they also encouraged antagonism between the offices and other U.S. government agencies.

Undoubtedly, the distances separating the Ontario consular offices from their head office at Washington, DC also affected the oversight and operation of the disparate offices. Nonetheless, the manner and speed of communications between the field offices and Washington, DC, played a relatively inconsequential role in many of the issues cited above. Instead, the communications-related weaknesses were, for the most part, of an organizational communications nature; most notably, the lack of clear delineations of authority and operational coordination among the Consular Service and other U.S. government agencies. This was especially evident with respect to trade and tariff-related responsibilities. Moreover, the State Department also seemed somewhat remiss in keeping the consular officers in the Port Hope District apprised of proposed or pending measures that would directly affect it, such as planned changes of classification of offices within the District.

While a combination of macro and micro level forces shaped the Port Hope Commercial Agency's configuration and activities, the capabilities and personalities of the individual consular officers also profoundly influenced the Agency's actions and its overall efficiency. To be successful, an officer needed to maintain a delicate balance of savvy, diplomacy, bluster, moral suasion, and tenacity. It was also necessary for officers to ingratiate themselves with the denizens of their district, perform their assigned tasks, and maintain a professional demeanor.

Conclusion

As the above analysis demonstrates, the Port Hope Commercial Agency and its officers provided beneficial services to its varied clientele. Nevertheless, the positive aspects of the Agency were frequently overshadowed by jurisdictional and other disputes which consequently diminished its overall effectiveness.

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Consulates-General, Consulates and Commercial Agencies in Canada as of 1886

SCHEDULE B

I. Consulates-General

Halifax, Nova Scotia
Montreal, Quebec

II. Consulates

Amherstburg
Charlottetown (Prince Edward Island)
Fort Erie
Hamilton
Kingston (Ontario)
Port Sarnia
Quebec
Saint John (New Brunswick)
St. John's (Quebec)
Toronto
Windsor (Ontario)
Winnipeg (British North America)

III. Commercial Agencies

Goderich, Ontario
Ottawa, Ontario

SCHEDULE C

I. Consulates

Gaspe Basin
Windsor (Nova Scotia)

**CONSULATES AND COMMERCIAL AGENCIES NOT INCLUDED IN SCHEDULES B
OR C**

I. Consulates

Bathurst
Belleville, Ontario
Brunswick
Guelph, Ontario
Saint John's, Newfoundland
Sherbrooke
Three Rivers (Canada)

II. Commercial Agencies

Brockville, Ontario
Collingwood, Ontario
Hull
Moncton
Port Hope, Ontario
Port Rowan
Woodstock
Yarmouth, Nova Scotia

Selected Consular Officers in Ontario, 1882–1892

<i>Place/Name</i>	<i>Title</i>	<i>Place of Birth</i>	<i>State Appointed From</i>	<i>Date of Commission or Appointment</i>	<i>Salary</i>	<i>Fees for Year Ending June 30, 1886</i>
<i>Amhertsburg</i>						
Josiah Turner	Consul	Vermont	Michigan	March 22, 1882	1,500	1,294.50
William Johnston	Vice-Consul			March 26, 1883		
<i>Belleville (Office Authorized to Transact Business)</i>						
John M. Strong	Consul	New York	New York	May 9, 1885	Fees	1,508.00
William N. Ponton	Vice-Consul			April 11, 1885		
<i>Deseranto</i>						
Edward C. French	Agent			August 3, 1885		526.00
<i>Napanee</i>						
Walter S. Williams	Agent			October 21, 1882		553.00
<i>Picton</i>						
Robert Clapp	Agent			August 26, 1878		540.00
<i>Brockville (Office Authorized to Transact Business)</i>						
William Old	Commercial Agent		Virginia	August 4, 1885	Fees	2,241.00
W. Augustus Schofield	Vice Commercial Agent			October 14, 1885		
<i>Chatham (Office Authorized to Transact Business)</i>						
Jerome Eddy	Commercial Agent	New York	Michigan	December 5, 1885	Fees	2,892.50
Robert O. Smith	Vice Commercial Agent			October 15, 1881		
<i>Clifton</i>						
Amos A. Brown	Consul					

Appendix
Regulations Concerning the Precedence of Diplomatic Agents
Register of the Department of State, Corrected to November 30, 1886

The rules on this subject which have been prescribed by the Department are the same as those contained in the seven rules of the Congress of Vienna found in the protocol of the session of March 9, 1815 and in the supplementary or eighth rule of the Congress of Aix la Chapelle of November 21, 1818. They are as follows:

ARTICLE I. Diplomatic agents are divided into three classes: That of ambassadors, legates, or nuncios; that of envoys, ministers, or other persons accredited to sovereigns; that of charges d'affaires accredited to ministers for foreign affairs.

ART. II. Ambassadors, legates, or nuncios only have the representative character.

ART. III. Diplomatic agents on an extraordinary mission have not, on that account, any superiority of rank.

ART. IV. Diplomatic agents shall take precedence in their respective classes according to the date of the official notification of their arrival. The present regulations shall not cause any innovation with regard to the representatives of the Pope.

ART. V. A uniform mode shall be determined in each state for the reception of diplomatic agents of each class.

ART. VI. Relations of consanguinity or of family alliance between courts confer no precedence on their diplomatic agents. The same rule also applies to political alliances.

ART. VII. In acts or treaties between several powers which grant alternate precedence, the order which is to be observed in the signatures shall be decided by lot between the ministers.

ART. VIII. * * * It is agreed that ministers resident accredited to them shall form, with respect to their precedence, an intermediate class between ministers of the second class and charges d'affaires.

These rules have been formally or tacitly accepted by all Governments except the Ottoman Porte, which divides diplomatic representatives into three classes only ambassadors, ministers, and charges d'affaires.