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Coy F. Cross, II. *Lincoln's Man in Liverpool: Consul Dudley and the Legal Battle to Stop Confederate Warships.* DeKalb: Northern Illinois University Press, 2007. x + 180 pp. $28.95 (cloth), ISBN 978-0-87580-373-9.

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Collecting Evidence in the Cause of Freedom

Thomas Haines Dudley's activities as U.S. consul at Liverpool in Great Britain have attracted much attention from Civil War historians over the years. Naval and diplomatic historians have noted his contributions to combating Confederate efforts to build and equip naval ships in European shipyards, and commented on his role in U.S. relations with Great Britain during the rebellion, which culminated in the international arbitration tribunal held in Switzerland in 1872. Political historians have recounted his part in Abraham Lincoln's 1860 Republican Party nomination for the presidency. Recently, Dudley has been grandiosely credited as being "Lincoln's Spymaster" for operating a small group of detectives who scoured the shipyards of Liverpool and other British ports searching for evidence of Confederate shipbuilding activity. In all, Dudley has a firm place in the literature on the American Civil War, no doubt owing much to historians' access to the extensive collection of his consular records at the Huntington Library in California.[1]

Historian Coy F. Cross II adds a narrative account of Thomas Dudley's consular service in Liverpool to demonstrate his role in providing the necessary evidence needed to document Great Britain's lax role in enforcing its laws concerning belligerent activities in that country. Cross suggests that Dudley played a vital role in the diplomacy between the United States and Great Britain, whose relations were strained nearly to the point of war. Cross, who holds a Ph.D. in diplomatic history, positions Dudley's contributions within the realm of diplomacy and argues that the consul and U.S. Minister to the Court of St. James, Charles Francis Adams, "meshed into a powerful team" (p. 7) in representing Washington to a British government unsympathetic to the Lincoln administration and the U.S. government.

Dudley, a Camden, New Jersey attorney and Republican Party operative, was appointed to the consulship at Liverpool in 1861 as a reward for his political activities in New Jersey in helping Lincoln reach the White House. Liverpool was Britain's major shipping and shipbuilding port at the time, and a consul there would be much occupied with sorting out the affairs of U.S. ships and seamen. Dudley was soon embroiled in efforts to counteract the activities of representatives of the Confederate government in Liverpool and other British ports to buy or build ships for Confederate service against the United States. Led by James D. Bulloch, representatives of the Confederate government (which lacked adequate shipbuilding facilities in the South) positioned themselves in British and continental shipbuilding centers and endeavored to buy fast and seaworthy ships to build a naval force to raid Northern sea ports, destroy Northern shipping and commerce, and break U.S. Navy blockades on Southern sea ports. Bulloch and the others were successful in contracting with numerous British bankers, brokers, builders, and armaments manufacturers to buy, build, and equip warships for the Confederate navy. They were effective in exploiting the weak language of the British Foreign Enlistment Act of 1819 to manipulate the British government's declaration of neutrality in the American Civil War, as well as the widespread sympathy with the South among many Britons.

Cross addresses Dudley's efforts to investigate and counteract Confederate activities in Liverpool and elsewhere in a case-by-case manner, devoting a chapter each to the major ships that the rebels succeeded in buying (or failed to build) and which occupied the consul's efforts to stop. Cross first looks at the case of the CSS *Florida*, showing how Bulloch worked with British businessmen to build and outfit the ship, while hiding their intention to make a warship for the Confederacy from both British and U.S. officials. However, Dudley and his staff soon learned of the Confederate effort and alerted British customs officers of their suspicions. The unarmed ship sailed out of Liverpool's harbor in March, 1862, with British officials unconvinced of its intentions as a warship. The *Florida* completed its armament outside British waters,

and proceeded to capture and destroy U.S. shipping until the fall of 1864. Cross writes that Dudley amassed evidence of the British government's laxness in enforcing the provisions of its laws. A similar chapter on the CSS *Alabama* follows, showing the British government to have been dilatory in acting on the evidence that Dudley and others collected on the ship being built in a Liverpool yard. Despite formal presentation of evidence from Adams, British officials delayed sufficiently for the ship to sail out of British waters and arm itself, and thereafter to begin a long career of raiding and destruction of American shipping.

Subsequent Confederate efforts to build ships in British yards met with less success. Cross devotes a chapter to the failed rebel effort to launch the *Alexandra* in 1863, which served as the legal test case of the Foreign Enlistment Act and prompted British Prime Minister Viscount Palmerston and Foreign Minister Earl Russell's decision to define the law regarding belligerents' rights and British neutrality. Cross writes, "Perhaps Dudley's evidence, Adams's persistence, and [Secretary of State William] Seward's belligerence prompted the two British leaders to reconsider their country's position" (p. 79). Cross's chapter on the ironclad rams under construction for the Confederate navy in the Liverpool Laird shipyard further highlights the change in British policy toward Confederate efforts to operate under the unclear British law. Dudley's detectives first reported on their construction in July, 1862, only a month after Bulloch had contracted for them. As construction continued, Dudley pursued intelligence on them, while, at the same time, the *Alexandra* matter came to the fore with British leaders. Bulloch and the other Confederate agents, seeing the writing on the wall with regards to the evolving position of the Palmerston government in the spring of 1863, attempted to place the rams under French ownership and other national flags. When this ruse appeared to be successful in the eyes of the Liverpool Collector of Customs, on whose reports Russell based his determination that the British government could not stop the rams from leaving port, Adams wrote on September 5, 1863, that if the British government did not stop the ships, "it would be superfluous in me to point out to your Lordship that this is war" (p. 108). According to Cross, however, Russell had already determined that the rams were warships and built for the Confederate navy. After receiving Adams's belligerent note, he let the American "stew a bit" (p. 111), but eventually informed him that the government would seize the ironclad rams in port.

After a chapter entitled "Other Cruisers and Ironclads," in which he discusses vessels built or bought for the Confederate government in yards in Scotland and France, Cross concludes with a short chapter, "The Days of Reckoning." Dudley's collection of reports, affidavits, intelligence, and other information (from dockworkers; seamen; builders; and owners of ships captured and destroyed by Confederate raiders built or bought in Great Britain) served as the main evidence for the United States's complaint and claim against Great Britain for damages caused by those rebel ships. Dudley remained as consul at Liverpool until shortly after the conclusion of an international arbitration tribunal in Switzerland voted, in September, 1872, to order Great Britain to pay the United States $15 million as recompense for damages to American shipping during the Civil War. Cross concludes that "Dudley's evidence undoubtedly contributed much to the tribunal's final decision" (p. 155).

Cross's attempt to place Dudley in the world of international diplomacy appears tenuous. While Dudley's information and evidence gathering was indispensable to the eventual U.S. claim against Great Britain, Cross does not show that Dudley played more than a ancillary role in relations between the two countries. Dudley provided Adams and Seward with intelligence on Confederate activities, reported on pro-Confederate sentiment in Liverpool, and advised them on legal matters regarding Confederate efforts to circumvent British customs law. The author does not distinguish between ministerial (or ambassadorial) duties and consular duties, which were much more limited and prosaic.[2] Cross succeeds in making the case for Dudley being more than just a "spymaster"; rather, he was "a lawyer determined to build a legal case strong enough to stop the Confederate ships" (p. ix). Like most other Victorians, Dudley viewed the detectives he hired (with money from his own pocket much of the time) as not "very esteemable men" (p. 39). If he was not a spymaster, he nevertheless was not a diplomat in the strictest sense. Evidence gathering is not diplomacy.

Cross's narrative, based on chapters focused on developments surrounding individual ships, functions best as a series of independent essays. Chronological overlaps–ships took several months to build and equip, and Bulloch and his colleagues were busy building several ships at any given moment–are inevitable, and the author necessarily repeats information provided in earlier chapters. The arrangement also tends to blur the outlines of the discourse between the United States and Great Britain, showing how the two governments communicated their positions, how those positions changed over time, and how their ultimate relationship emerged. Most importantly, Cross's account does not present any new information or impart a significant interpretive de-

parture over previous studies. While he cites Dudley's records at the Huntington Library and consular records at the National Archives extensively, so too does he cite the work of previous historians extensively. Douglas Maynard's 1951 dissertation and articles on Dudley's career are heavily cited. On the other side of the coin, Frank Merli's posthumous book on the law and diplomacy of the CSS *Alabama* case does not appear in Cross's bibliography.[3] In short, Cross's brief narrative serves as a useful introduction to the role of Thomas Dudley in gathering intelligence on the Confederate effort to build a navy in foreign ports, but the curious scholar will be best served to dig into other, existing secondary sources.

Notes

[1]. See the works of Douglas H. Maynard, including, "Thomas H. Dudley and Union Efforts to Thwart Confederate Activities in Great Britain" (Ph.D. diss., University of California-Los Angeles, 1951); "Plotting the Escape of the *Alabama*," *Journal of Southern History* 20 (1954): 197-209; "Union Efforts to Prevent the Escape of the *Alabama*," *Mississippi Valley Historical Review* 41 (1954): 41-60; "The Forbes-Aspinwall Mission," *Mississippi Valley Historical Review* 45 (1958): 67-89; "The Confederacy's Super-'*Alabama*,"' *Civil War History* 5 (1959): 80-95; and "Dudley of New Jersey and the Nomination of Lincoln," *Pennsylvania Magazine of History and Biography* 82 (1958): 100-108. Also see Brainerd Dyer, "Thomas H. Dudley," *Civil War History* 1 (1955): 401-413; Frank J. Merli, *Great Britain and the Confederate Navy* (Bloomington: Indiana University Press, 1970); William Gillette, *Jersey Blue: Civil War Politics in New Jersey, 1854-1865* (New Brunswick: Rutgers University Press, 1995); R. J. M. Blackett, *Divided Hearts: Britain and the American Civil War* (Baton Rouge: Louisiana State University Press, 2001); and David Hepburn Milton, *Lincoln's Spymaster: Thomas Haines Dudley and the Liverpool Network* (Mechanicsburg, Penn.: Stackpole, 2003).

[2]. For information on consular service reform and duties, see James A. Sturckler, "Union Consular Intelligence Collection on Confederate Operations in British North America during the American Civil War," (Ph.D. diss., State University of New York at Buffalo, 2005), 11-16.

[3]. See Frank J. Merli and David M. Fahey, *The Alabama, British Neutrality, and the American Civil War* (Bloomington: Indiana University Press, 2004).

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