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Article

“A Shrewd Man of Business”:
Frederick Jenkins and
the Oppert Incident*

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Introduction

The Oppert Incident, in which a German adventurer from the free city of Hamburg and a French priest led an expedition to steal the bones of King Gojong's grandfather (Yi Gu, 1788-1836) to hold hostage to force the Korean government to open the country to trade and Christian missionary work, is well-known. What is not as well-known is the fact that an American citizen, Frederick Jenkins, played a key role in providing the financial support and weapons necessary for the expedition to take place, and that after its failure, he was tried by the American consul of Shanghai in an unsuccessful attempt to punish him, in part because of the damage he had done to future Korea-US relations. That Jenkins would play such a role becomes all the more surprising in light of the fact that he was the son of a pioneering Methodist missionary and had previously served honorably as interpreter for the American consul in Shanghai.¹ However, English-language materials covering the diplomacy of this time period typically provide only a cursory examination of the Oppert Incident and make little or no mention of Jenkins.² This paper will therefore seek to explain Frederick Jenkins' role in the expedition and why he was willing and able to play his part in it, as well as show how non-government actors could shape diplomacy, by first examining his family background, particularly that of his father and brothers, his career trajectory in China, and the characteristics of the economy and politics of Shanghai, followed by an analysis of the English-language documents produced by the Shanghai consulate regarding the Oppert Incident itself. In so doing, this paper will argue that Jenkins, through his knowledge of Chinese language and culture and willingness and ability to exploit ambiguities in law and legal jurisdiction, was able to enrich himself,

creating the ideal financial backer for Oppert's expedition. This article will also shed further light on our understanding of the early relationship between the United States government, American citizens, and Korea, revealing that the comparative weakness of American diplomatic officials prevented them from restraining the problematic behavior of US citizens such as Jenkins.

Frederick Jenkins' Family Background

Frederick Jenkins' father Benjamin was born in Newfoundland Canada in 1814 (Baker 1947, 42-43; Crum 1945; Harmon 1974, 453-54), and later immigrated to Bermuda where he became an apprentice printer at a newspaper. He later became a Methodist and married a fellow member of that church in 1838. Shortly after that, his search for economic opportunity led him to move to Charleston, South Carolina, where he would ply his trade, eventually taking charge of the printing of the *Southern Christian Advocate*, a Methodist newspaper, in 1843. That job must have been agreeable and have sufficiently supported his growing family (his wife would give birth to two sons in South Carolina, Frederick Jenkins³ and M. Andrew Jenkins), as Benjamin would continue with it until 1847, when he would resign to become a missionary to China, one of the first from the Methodist Episcopal Church, South.

Despite high hopes, the mission to Shanghai met with only moderate success, though Benjamin did become well known for his command of spoken and written Chinese, a skill that his son Frederick would emulate. Personal tragedy struck when Benjamin's infant son died in 1851, with his wife following shortly thereafter. Moreover, economic difficulties led Benjamin to become an interpreter for the American consulate in Shanghai (*List of Diplomatic and Consular Officers* 1868, 28), a position his son, Frederick, had served in formerly. He would fall ill and die on March 13, 1871, at around the age of fifty-seven, and was remembered with respect both by the American government and by other missionaries (Betts 1952, 286-87;

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1. The English-language study that does devote a good deal of attention to Frederick Jenkins is Strand 2002.
2. For examples of the treatment of the Oppert Incident in English-language sources, as well as some references to Jenkins' role within it, see Cho 2017; Choi 1972, 114-20; Chung 1995, 40; Kim 2001, 70-73; Kim 1980; Kim 2004; Larsen 2008, 54-55; Larsen 2016, 27-42; Van Lieu 2016, 43-61; Neff and Cheong 2009, 63-64; No 2014.

3. Unfortunately, it is not clear when Frederick Jenkins was born. Since he would be serving as an interpreter for the American consul of Shanghai by 1857, he was likely born in either 1839 or 1840, which would have put him in his late teens by that time. It should also be noted that in newspapers he was at times referred to as "Frederick H. B. Jenkins."

North China Herald, April 21, 1871).

Frederick Jenkins and the *Wandering Jew* Incident

Little is known of Frederick Jenkins' early life, but like his father, he proved adept at learning Chinese and was financially ambitious. Unlike his father, he does not appear to have been particularly religious or to have ever served in any sort of official missionary capacity. The first substantive mention of Frederick Jenkins in the historical record is when he served as interpreter for the American consul of Shanghai during the *Wandering Jew*⁴ Incident, which occurred in the winter of 1857 and 1858. That incident involved the attempt by Captain Carlton, an American citizen, to illegally acquire Chinese subjects and take them as "coolie" laborers to the sugar plantations of Cuba (Kennedy 2015, 116; Yen 1985).⁵ In a letter dated November 29, 1857, a Chinese government official identified as, "Intendant of the Soo, Sung, and Tae circuit" and "Taoutae"⁶ informed the American consul of Shanghai, William Knapp, of Carlton's activities. In his response dated November 29, 1857, Knapp stated that he had warned American merchants not to engage in "the shipping of coolies" and suggested that the inspectors of customs be told not to give port clearance to any ships suspected of engaging in such illegal activities (*The Executive Documents* 1860, 80). On December 11, the Chinese official reported to Knapp that the *Wandering Jew*, though an American ship, had been chartered by a British merchant named Andrew Connolly and that, as Knapp had advised, he would not allow them to leave the port. The Chinese official also requested that Knapp "immediately order the captain of said *Wandering Jew* [*sic*] to deliver to the custom-house officers all the Chinese subjects he may have on board; while, on the other hand, examine into the reasons why the said captain is infringing the

treaty, and according to your honorable country's laws, punish him severely, as an example to others" (ibid. 80-81).

Knapp informed the Chinese official in a letter dated December 16, 1857 that he had investigated the matter and, after interviewing the captain, was convinced that the ship was actually taking the Chinese subjects to another part of China, not to Cuba, and therefore should be given port clearance. Moreover, Knapp stated that Connolly and the captain were both willing to provide a monetary bond to prove their good conduct (*The Executive Documents* 1860, 80). The Chinese official seems to have not accepted this explanation and still refused to grant clearance, prompting Knapp in a letter dated December 23 to protest and demand that the ship be allowed to leave, and that if permission was not granted, then the consul would permit the captain to leave the port himself (ibid. 82). These materials were forwarded by Frederick Jenkins to the consulate in a letter dated January 6, one day after he was appointed acting vice-consul, a position he would hold until January 23, 1858, when Albert Freeman, a merchant like Knapp, would replace him (Griffin 1973, 364).

Albert Freeman reported in a letter dated January 26 to William Reed, the American ambassador to China, that he had just received a letter dated January 15, 1858 requesting further investigation into the *Wandering Jew*, which had been allowed to go with Knapp's permission, and had engaged again in seeking out Chinese laborers. Moreover, it would seem that no bond or other guarantee had been left, as Knapp had implied. Thus, Freeman stated that he would investigate immediately (*The Executive Documents* 1860, 190-92). Then, in a letter to Reed dated February 6, Freeman explained that on January 27, 1858, when he attempted to leave on a ship with Frederick Jenkins, a Western customs official prevented them from doing so for unstated reasons (ibid. 193-96). Freeman consequently requested the Chinese government to allow them to use another ship.⁷ Permission was granted, and on January 28, the consul, along with Frederick Jenkins, a United States marshal, and an unnamed Chinese official "sent by the Taoutae," went to find the *Wandering Jew*. They discovered the ship and could see that it was preparing to sail away, making one wonder if there had not been corruption that had led the foreign customs official to prevent the departure of their ship or that someone had informed the crew of

4. The "Wandering Jew" is a story in which a Jewish man taunts Jesus on his way to be crucified and was cursed to live as a wanderer until the Second Coming of Christ. It reveals a sad Christian tradition of hostility towards Jewish people.

5. Demand for cheap labor in such places as Australia, Cuba, and Peru led to the aggressive recruitment of "coolies" (a term meaning "bitter labor") in China. Chinese men were often tricked or even kidnapped, leading to popular social disorder in China. For instance, only about two years after the *Wandering Jew* Incident, Chinese resentment over the coolie "trade" in Shanghai led to attacks on foreigners and a temporary near-shutdown of trade (Yen 1985, 81).

6. Unfortunately, I have not been able to obtain further information about this official.

7. It is unclear from Freeman's letter why changing to a different ship would have made it possible to leave the port.

the *Wandering Jew* of their coming.

Though described in dry, diplomatic language, one can imagine that the confrontation between Freeman, Jenkins, and the US marshal with the crew of the *Wandering Jew* must have been tense, particularly as the latter would likely have been well armed to prevent any violent attempts by the Chinese laborers to regain their freedom and would have been unhappy that they had been thwarted in their attempt to escape with their human cargo. Unlike Knapp, Freeman was convinced that the ship was not simply going to be transporting Chinese laborers to another part of China and "that illegal means had been used in procuring these coolies." There appears to have been a tense exchange with Carlton, who according to Freeman informed him of his "intention to take in more coolies and proceed to Amoy, for the purpose of completing the number required by the charter-party." Freeman responded that should the captain "take another cooly [*sic*] on board at this port, I should demand his papers and hold them until your excellency (Reed) could be heard from in this matter." Carlton and Connolly were not sure what they should do, but decided not to test Freeman, and stated that they would not "take any more coolies on board at this port, and should proceed to sea on the following morning." Despite this, Freeman stated that he believed the captain would go to Amoy, which was outside of his own jurisdiction, to round up more laborers. He went on to note that the Carlton categorically denied having left any sort of bond.

A sort of compromise was worked out in which those Chinese who wanted to leave the ship would be allowed to do so. Frederick Jenkins was given the responsibility of interviewing the more than 200 Chinese on board, doing so on his own, as the unnamed Chinese official, for unclear reasons, refused to assist. Jenkins found that many of the Chinese had been offered three dollars to convince them to board the ship and that almost none of them knew that they would be taken overseas, most believing that they would go to Shanghai to serve as soldiers in the Chinese military. Of the Chinese laborers, 117 asked to be released, while the remainder, who were in an economically desperate situation, agreed to go overseas. One could therefore say that Jenkins, who was likely no more than nineteen years of age at this time, performed his job bravely and in an exemplary manner, particularly considering the tenseness of the situation. This can be seen clearly in the documents he prepared regarding the incident, particularly his careful translation of those in Chinese. And while these documents were typically dry, we can see something of Frederick Jenkins as a

young man in his description of his interviews of the Chinese laborers:

After questioning seventy or eighty, one old man got down on his knees and begged to be taken on shore, as he had a wife and three children at home who were almost starving; he said that he had been enticed on board by the payment of three dollars, and if they would let him go, he would get some of his friends to refund the money. (*The Executive Documents* 1860, 200)

Clearly, Jenkins was moved by this pitiful sight of a man who, in an effort to provide for his hungry family, was kidnapped and in danger of being taken far way to a foreign country.

Jenkins actions thus showed him to be competent, brave, and skilled in written and spoken Chinese—just the sort of man Oppert would need. But why would Jenkins leave government service and be amenable to Oppert's proposal? Again, Jenkins' experience in the *Wandering Jew* Incident can provide a partial answer. First, as lamented by George Seward (1867, 6; 21-22; 50-53) and Dr. Samuel Wells Williams, who would serve as an American diplomat and missionary in China and was a noted Sinologist, the consul had difficulty retaining interpreters because the position offered no room for advancement and paid little. Thus, a man of talent with any sort of ambition would not stay in that position long, and Jenkins would appear to be such a man. Moreover, Jenkins must have been struck by the weakness, and perhaps even corruption he had seen in the government operatives in China at the time: Knapp was either incompetent or corrupt, and Chinese officials could be weak, with foreign inspectors (perhaps persuaded by a bribe?) being able to prevent their ships from sailing should they so desire, and even Freeman and Reed, who appear to have been active, competent, and honest, were in the end, unable to do more than inconvenience Carlton and Connolly, neither of whom appears to have been punished for their actions. In particular, the complexity of legal jurisdiction between different Western powers and the Chinese government left gaps that clever people could safely exploit. Jenkins had learned from the *Wandering Jew* Incident that if he were careful he could engage in activities of doubtful legality and profit from them should he so desire. Moreover, by the time he met Oppert, he would have known of how figures such as Frederick Ward and Henry Burge had earned fame and fortune by aiding the Qing in putting down the Taiping Rebellion (1850-1864). Clearly, a small group of armed Westerners

seemed able to work wonders at this time, making Oppert's proposal likely seem all the more promising (Bickers 2011; Carr 1992; Teng 1971).

Frederick Jenkins: 1858 to 1868

Because of the relative lack of records, it is difficult to put together a complete narrative of the life of Frederick Jenkins following the *Wandering Jew* Incident. However, a rough chronology will give us some idea of who he was and how and why he became involved in the Oppert Incident. Jenkins likely remained as interpreter to the American consul until at least 1860, the year of the last reference I could find of him serving in that capacity ("H.B.M. Consular Court, Shanghai," *North China Herald*, June 9, 1860). It is not clear why, but in March of 1861, an announcement appeared stating that Frederick's household furniture and other goods would be sold at public auction ("Public Auction," *North China Herald*, March 2, 1861). This might indicate a serious financial problem or might have been an effort to raise money to try his hand in business, as in 1865 Frederick stated in a court case that he had purchased land in 1861 (*North China Herald*, October 21, 1865). Similarly, he was involved in other financial transactions in May and June of 1861 and served as a broker in business dealings between Westerners and Chinese (H.B.M. Consular Court, Shanghai" columns in the *North China Herald* for May 25 and June 15, 1861).

Even if Jenkins had faced a financial setback forcing him to sell his moveable property at auction, it does not seem to have harmed his reputation in business, as it was publicly announced that he could act as a representative of Howard & Co. in November of 1861 ("Notice," *North China Herald*, March 2, 1861). He must have done his job well, as in 1865, he is listed as a partner in that firm (*Chronicle and Directory for China, Japan and the Philippines* 1865, 74). In addition, he continued to act as an intermediary, using his knowledge of Chinese to help broker financial deals between Westerners and Chinese people ("Before Sir. Henry Parks," *North China Herald*, May 13, 1865). He was successful enough that he married and had at least one daughter, and despite suffering significant injuries to his legs in a steamship explosion in 1861, participated in the horse races popular among Westerners in China ("Frightful Steam-Boat Explosion and Loss of Life," *North China Herald*, June 21, 1861). Moreover, despite his business activities, Jenkins still maintained government connections. For instance, he was asked by the Mixed Court to investigate the

death of a Chinese prisoner and was part of a subsequent discussion about how to prevent such deaths ("No. 217. H. E. the Taotai, to H. M. Consul," *North China Herald*, December 2, 1865).

Frederick Jenkins had thus become by 1868 at least a moderately successful businessman who was well-connected with the Chinese and American governments, had strong ties with the Chinese community, and was skilled in both spoken and written Chinese. Such a man would have naturally appealed to Oppert as an ideal supporter for his expedition. Moreover, it would seem that Jenkins was looking to expand his fortune, even if it meant engaging in shady business dealings. For instance, in 1866 an unnamed Japanese buyer had sought to purchase gunpowder through Allen, Crawford, and Co. Their broker, Mr. Russel, subsequently bought 250 kegs of gunpowder from Jenkins at the rate of 20 *taels* per *picul*. However, it was later learned that Jenkins had not actually owned the gunpowder at the time he had sold it. Instead, knowing he could sell it for 20 *taels* per *picul*, he purchased it from another company at the cost of 13 *taels* per *picul*, making a rather large profit from the transaction. Allen, Crawford, and Co. learned of this and refused to pay the full price of 1,250 *taels*, so Jenkins sued them. To the chagrin of both an editorialist in *The London and China Telegraph*, and a commentator quoted in that paper from the *North China Herald*, Jenkins won the suit ("China.Shanghai," *The London and China Telegraph*, February 4, 1867). Though his behavior was morally questionable, what he had done was not technically illegal. Jenkins thus knew how to turn a profit on an international stage trading in arms by exploiting weaknesses in the law.

George Seward and the American Consul

In order to better understand Frederick Jenkins' role in the Oppert Incident it is necessary to briefly examine the life of George Seward, the American consul who would put him on trial, and the situation he faced in China. Seward was born in 1840, and so was approximately the same age as Jenkins. However, unlike Jenkins, he was born into a wealthy and powerful family. For instance, he was educated at the "Seward Institute," which his grandfather had founded (Anderson 1985, 90-114). He entered Union College, located in New York, at the age of fifteen, but left without graduating to take care of family business. In 1861, he was appointed American consul to Shanghai and reported to his uncle, William Seward, who served in President Abraham Lincoln's cabinet as secretary

of state. He would serve as consul until 1876, when he was appointed America's minister to China. Historical judgments on George Seward are mixed, though in this author's opinion, probably the most fair is that of Charles Kennedy (2015, 146-47) who wrote that "For almost fifteen years Seward performed credibly as consul."

One reason for the mixed view of Seward is the fact that he is a transitional figure. It was not until the late nineteenth and early twentieth centuries that the United States became a world power. Thus, before the American Civil War (1861-1865) the sections of the State Department that focused on diplomacy were disorganized and underfunded. The position of consul was typically held by merchants who served in a part-time capacity, as seen above. Often the consul was not paid a regular salary and instead had to support himself through fees. Consuls therefore often had to be creative in order to raise the funds necessary to fulfill their duties of protecting American citizens (and keeping them from causing trouble) while advancing the interests of American trade, which could easily lead to corruption. Moreover, the lack of strong leadership in directing American foreign policy meant that consuls easily found themselves having to formulate and carry out American diplomacy (Kennedy 2015, 101-26).

These issues naturally impacted the Shanghai consul (Griffin 1973, 256-73; Scully 2001, 66-71). For instance, in 1854, the US commissioner to China (the top American diplomat in the country at that time) complained: "In Shanghai, the new consul, with not enough money to hire an office, was forced to live and work in a seamen's boarding house. He was also dependent on the British consulate or merchants to lend him an interpreter" (Kennedy 2015, 113). Shortly after Seward arrived as consul, he rectified the first issue by renting a part of a house with its own entrance for those on official business, but the second problem remained, with one American official complaining to William Seward that unless interpreters were paid more and given opportunities for promotion they would utilize their linguistic abilities in more lucrative occupations (Seward 1867, 44-51). Moreover, as seen in the *Wandering Jew* Incident, the consul had difficulty preventing Americans from behaving badly. This in fact became an embarrassment for the United States, as opium smugglers sought to hide their activities under the US flag and the American section of Shanghai gained a reputation as a haven for criminals. Seward, armed with the strong judicial powers granted to consuls in 1858, sought to deal with this situation decisively. For instance, he sentenced three Americans to death

for murder: the first escaped from prison, the second committed suicide while in custody, but the third was successfully hung (Kennedy 2015, 147-48; Scully 2001, 68-69).

George Seward, as a full-time political consul, took his position seriously, and despite the difficult situation he faced, sought to carry out his duties. Of particular interest to Seward was resolving the *General Sherman* Incident, which involved the destruction of an American ship that had encroached upon Korean waters in 1866. As seen in a letter likely drafted in 1867 by William Seward, there was pressure on the secretary of state to find out what had happened to the ship and its crew (some of whom were believed to still be alive) and to punish those who were guilty of the "murder" of US citizens (it was not clear to the Americans at the time whether citizens of the United States had been killed on the authority of the Korean government or not).⁸ Seward therefore requested that China or even Japan be approached in hopes of using their "good offices" to determine what had happened and to request that "such indemnities shall be paid for the use of the families and relatives of the persons murdered as will be sufficient in some degree to compensate for their great loss and will at the same time afford satisfactory reason to expect that the atrocious crime will not hereafter be repeated." In addition, it was also hoped that Korea would sign a "treaty substantially similar to our treaties with Japan or China" (that is, an unequal one in favor of the United States). The letter also instructed its recipient to work with the European powers if necessary. Of particular interest is that, in discussing what to do should the Korean government refuse to comply with these demands, William Seward originally wrote "the U.S. will resort to such measures of reprisal as are warranted by the laws of nations and the exigencies of the case" but then revised the letter to "the U.S. will then consider what measures of reprisal..." In other words, William Seward made the American response weaker, revising his meaning from the government definitely taking action to it merely considering the possibility of doing something. Thus, George Seward and other American officials in China were under pressure to determine

8. This letter is referred to as the "Diplomatic Dispatch about the Destruction of the *General Sherman*," and can be found in the William Henry Seward papers located in Rare Books, Special Collections & Preservation, University of Rochester. It is undated and unsigned, and the page is missing that would show who the letter was addressed to. As the content is consistent with what William Seward would have written to the consul in Shanghai at this time and the document was found among his papers, and the text itself has corrections, it was likely a rough draft and as such reveals his thoughts on the issue.

what had happened to the *General Sherman*, take an appropriate response based on what they learned, and pursue the opening of diplomatic and commercial relations, all while lacking the actual power to do much of anything and therefore having to rely on the assistance of China, Japan, or other Western powers.

There is one other issue of particular importance that this letter touches upon that connects directly with Frederick Jenkins' role in the Oppert Incident. William Seward wrote that "The subject is at the same time embarrassed by the reported fact that the vessel was employed in violation of the laws of the U.S. + of international law, in supplying the Coreans with contraband articles of commerce to be used in their defense against the naval expedition undertaken by France as a just visitation provoked by the murder of twelve unoffending French missionaries in the peninsula."⁹ In other words, it was believed by the US government that American citizens were involved in illegally smuggling weapons and that thus far, they had been able to do little to prevent it. As we shall see, one of Jenkins' key roles in the Oppert Incident was in supplying weapons to the expedition, and he had international connections in this regard, as seen in the case regarding the gunpowder described above.

Frederick Jenkins and the Oppert Incident

The Meeting between Frederick Jenkins and George Seward before the Incident Took Place

The first direct evidence for Jenkins' role in the Oppert Incident can be found in a report written on April 24, 1868 by George Seward to William Seward, according to which Frederick Jenkins, identified as having served earlier as interpreter, visited the consul (United States Department of State 1870-1871, no. 281, p. 336). During the interview, Jenkins reported that in Shanghai there were "four Coreans and a bishop for Corea, of the Romish Church" who had been sent by the Korean government in order to determine how foreign powers regarded "the alleged murder of French priests and of the crew of the American

schooner *General Sherman* [*sic*], with a view to determine whether it will be wise for the Korean government to send an embassy to America and Europe to explain those occurrences, and to make desired treaties of amity and commerce." Jenkins then explained that he would in a few days travel "with those persons" to Korea and that he would return with ambassadors from that country, as well as some of the missing crew of the *General Sherman*, and that an embassy to the West would soon be arranged.

Seward apparently questioned Jenkins rather closely during this interview and included his answers in the report. The importance of foreign affairs can be seen in the fact that Seward prioritized asking Jenkins about the fate of the French priests who had been executed (Jenkins stated that they were killed as "punishment for schemes of theirs at court") and about the *General Sherman* (it had been attacked after an altercation between Korean people and the ship's crew which ended with the former destroying the ship and killing some of its crew, though some still remained alive). Jenkins stated that this information was known only to "the ambassadors" (by this Jenkins seems to mean the four Koreans and the "bishop," though in fact Father Stanislas Féron did not hold that office) and to a "Jewish merchant" (Oppert) who had visited Korea several times, as well as to someone with whom a steamer could be chartered. Moreover, the former interpreter explained that he had been "approached" because the Korean government believed that the Americans would be most favorably disposed towards them and because he was "familiar with the Chinese language, which is the written language of Corea."

This report has a rather ambiguous ending on two counts. First, Seward noted that Jenkins was unable to explain why the Korean government had turned to a Catholic bishop "one of a class they have so severely treated" to act in a diplomatic capacity. There is no record of Jenkins' response. Second, Seward related that the American ship, the *Shenandoah*, had just sailed to Korea to attempt to determine what had happened to the crew of the *General Sherman*, which would seemingly make the expedition Jenkins was proposing unnecessary. Jenkins responded that according to the Koreans he knew "the visit will be useless." Unfortunately, Jenkins' explanation of why this was the case was not reported. What is clear is that Jenkins, who knew well the role and goals of the consul, was essentially promising Seward that the embassy would accomplish everything he could have wanted—rectification of the *General Sherman* issue and a treaty opening Korea to commerce—at very little cost.

9. Seward's supposition here is somewhat surprising, as there is no other evidence the author knows of that supports the idea that Americans were selling weapons to Koreans, and such sales would seem highly unlikely considering the Korean government's policies towards Western trade.

Jenkins appears to have hoped for some sort of official US government backing that would have at the very least given the expedition more legitimacy in its dealing with the Korean government, and at best, would have led to him being provided with assistance from the US Navy. Seward, however, as revealed by the critical tone of his report, remained doubtful about this approach, and offered no assistance. And yet, in a letter from George Seward to William Seward accompanying the aforementioned report, the consul was much more hopeful (United States Department of State, 1870-1871, no. 282, pp. 336-37). In it, George Seward, referring to the embassy proposed by Jenkins, stated that the search for information on the destruction of the *General Sherman* "is a subject for congratulation that it is likely to be satisfactorily explained and any necessity for hostile action averted" and in the consul's opinion, it was unnecessary "to use force, or even the show of force, to procure a commercial treaty with the Koreans." He then went on to state that should the embassy not work, he would like to request a small squadron to visit Korea to ask for "an official explanation of the Sherman affair and to negotiate if possible, a treaty of amity and commerce similar to those now existing with China and Japan, or such other lesser treaty as may be expedient without the exercise or show of force." Thus, George Seward did not give official support to Jenkins' proposal, but at the same time, believed it had a reasonably good chance for success, and only proposed an American expedition should it fail.¹⁰ The United States could therefore reap the benefits if the expedition Jenkins proposed succeeded, but would not suffer much if it failed. Such a stance is consistent with American diplomacy during this time, which typically sought to allow other, more powerful countries, particularly Great Britain and France, to push for increased rights and privileges for their nationals, and once the hard work was done, obtain those benefits for US citizens (Anderson 2001, 9-11).

The Trial of Frederick Jenkins

Both Frederick Jenkins and the *Shenandoah* returned from Korea to Shanghai without accomplishing their goals. Seward's optimism regarding the easy opening of Korea and settlement of the *General Sherman* issue had disappeared, and he reported on May 25, 1868 that he now believed that "no negotiations [with the Korean government], unsupported by a considerable show of force, would likely to be successful" (United States Department of State 1870-1871, no. 292, p. 337). George Seward would soon face another difficulty. Just a few weeks later, in July of that year, the consul reported to William Seward that he had "become aware that the party with which Mr. Jenkins proceeded to Corea had been engaged in an attempt to take from their tombs the remains of one or more sovereigns of that country for the purpose, it would seem, of holding them for ransom" (United States Department of State 1870-1871, no. 294, p. 337). Seward continued to write that, after having investigated the matter to see if he should prosecute Jenkins, "I regret to inform you that the information gathered by me has convinced me that it is my duty to do so." The consul, deeply embarrassed both that an American citizen would engage in such deplorable actions by an American citizen and that he had failed to prevent them, promised that he would submit the full minutes to the secretary of state.

The trial minutes submitted by Consul Seward, together with two enclosures and a statement, likely a newspaper clipping from a Chinese English-language newspaper, are sources key for our understanding of Frederick Jenkins' role in the Oppert Incident (United States Department of State 1868-1869, no. 18, pp. 547-57; hereafter I will refer to this source as "Trial"). In this trial, held in July of 1868, George Seward acted as judge, and a Mr. Eames served as prosecutor, with two lawyers, Mr. Hannen and Mr. Harwood, defending Jenkins, who did not appear at the trial, likely to avoid having to testify and be cross-examined, as well as to make it easier to escape punishment should he be found guilty. Central to understanding the trial and its outcome is the indictment, which charged Jenkins with "preparing an unlawful and scandalous expedition, having for its object the exhuming of the remains of a dead sovereign, or of some other person or persons in the Corea [*sic*]" (Trial 549). Thus, Jenkins was not on trial for what he had done in Korea, but for taking part in a conspiracy that had been planned in China to steal the body of the

10. It must be stressed that after the return of the *Shenandoah* in May of 1868, as well as further communications with Frederick Jenkins, Seward was convinced that a show of force was necessary to convince Korea to negotiate. See United States Department of State 1870-1871, no. 292, p. 337. Moreover, Seward was informed in a letter sent him on July 31, 1868 that it had been learned from a Korean official visiting Beijing as part of a tribute mission that all members of the crew of the *General Sherman* crew had been killed and that it was likely "that they invoked their sad fate by some rash or violent action towards the natives." See United States Department of State 1868-1869, no. 18, pp. 547-57.

Korean king's grandfather.¹¹

Jenkins' defense lawyers were well chosen—they were active throughout the trial and constantly challenged the prosecutor's case. For instance, at the very beginning of the trial, Mr. Hannen (who is recorded as giving most of the verbal defense for Jenkins), challenged the indictment against Jenkins, arguing that since it was not a crime to exhume mummies in Egypt, it could not be assumed that it was necessarily a crime to exhume a body in Korea. Therefore the indictment should have been drawn up based upon Korean law, but of course, since the Americans did not know what laws were in force in Korea, the implication was that no indictment could then be brought and thus Jenkins could not be charged with a crime.¹² Moreover, even if that argument was not accepted, Hannen contended that it could not be held that the exhumation of a body in Korea somehow harmed the "peace and dignity of the United States," and therefore an American court could not claim jurisdiction. Finally, returning to the first argument and the issue of conspiracy, Hannen contended that it was not illegal to conspire to commit an act even if it was illegal in one's own country so long as it was legal in the country in which it was to be carried out. For instance, an American could not be prosecuted for helping, while in the United States, to arrange a polygamous marriage of a Turkish Muslim that would take place within the Ottoman Empire, since even though plural marriage was a crime in the United States, it was not a crime in the Ottoman Empire.

Eames, arguing for the prosecution, responded by pointing out that a misdemeanor was an act "contrary to or injurious to the public morals" and that incitement to engage in such an act itself also constituted a misdemeanor. He contended that the exhumation was "contrary to everybody's idea of right, and to be such an invasion of the feelings of the relatives of the deceased, that it did not require any proof to show that it was contrary to public morals." Hannen then challenged Eames, and the two went back and forth until Seward, who was serving as judge, stated that, "it was sufficient if it were shown that the offense was contrary to the laws of the United States." Seward went on to say, perhaps revealing his animus against Jenkins and the whole expedition itself, that "If the

defendant were [*sic*] shown to have gone away in such a manner as proved that he anticipated a necessity to resort to force, or danger, the attempt might result in loss of life; it could hardly be possible to urge that the expedition could be for a lawful purpose" (Trial 550).

Eames then preceded to make his case. After noting that he was "not an officially appointed government prosecutor" the court reporter summarized Eames' statement that what the court "had to consider was whether the act of the defendant was opposed to public morality; and he [Eames] thought that their feelings of propriety could not [but] be shocked by an attempt such as had been made to exhume a body." Eames then went on to state:

the steamer *China* was chartered, and a smaller one as well; that they went to Nagasaki, supplied themselves with arms and ammunitions; went up the country armed, and after an eight hours' march went to a grave and set to digging, giving up the attempt only when stopped by some stones. There was some show of fight, although it seemed only pretended, but still showing the inimical nature of the acts; and that those engaged in them knew them to be illegal and opposed to the Korean's sense of propriety as much as they would be to that of Englishmen or Americans. (Trial 550-51)

Eames continued on to note that if the United States could not punish someone for taking actions "contrary to good morals," then "there would be no means of preventing expeditions for smuggling and aiding in the civil war in Japan being organized there" (*ibid.* 551). Perhaps this particular point was made by Eames because of Jenkins' history of arms running. Moreover, Eames noted that the exhumation attempt had harmed US relations with Korea: "We look to ultimately obtaining friendly intercourse with the Coreia; and actions such as this must strengthen their ill-will against us, and confirm them in the opinion that we are barbarians." Thus, Eames argued that Jenkins had been part of a conspiracy planned in China that, with malice aforethought, had launched an armed invasion of Korea and in doing so, not only committed a heinous crime, but also had harmed the interests of the United States.

While Eames was correct that such an expedition had taken place, that it had justifiably upset the Korean state, and that it had harmed the interests of the United States, proving that there had existed a conspiracy or that Jenkins had been a part of it turned to be extraordinarily difficult. One key issue was there was no physical evidence, such as a letter or journal, which clearly proved

11. For another analysis of the trial with a focus on Jenkin's role in the Oppert expedition, see Pak 1970.

12. Pak Ilgeun in fact shows that such an exhumation of a body was against the law in Korea. See Pak 1970, 261n31.

a conspiracy. Instead, the prosecutor had to rely on the testimony of witnesses, none of whom were cooperative. For instance, Eames attempted to have an unnamed banker testify as a witness to the conspiracy, but the man refused to do so, thinking it "improper to state the circumstances except under compulsion" (Trial 551). The prosecutor thus had to make incredibly weak conjectures, for instance, implying that because Jenkins had promised to take care of a man injured during the expedition that was somehow proof that he was part of a conspiracy. The best that Eames could do was to show that Frederick Jenkins might have been in the room when Ernst Oppert used the money Jenkins had loaned him to charter the ship (implying that it was really Jenkins who had chartered the ship) and that Jenkins would never have invested in the expedition without knowing what it planned to do.

Particularly damaging to the prosecution's case was the testimony of Ernst Oppert himself. Oppert stated that he had indeed borrowed 5,000 *taels* of silver from Jenkins, but it had been a private loan and Jenkins "had nothing to do with getting up the expedition," that Jenkins had gone along because he wanted a trip and therefore had done so as a passenger (a passenger ticket had even been prepared and presented as evidence), that he never went on shore or gave orders that would make him a part of the expedition, and that he knew only that the "purpose was to conclude treaties and get an embassy sent" and nothing more (Trial 551).¹³ Under cross-examination, Oppert did admit that Jenkins had also sold him guns at Nagasaki, Japan, that he would obtain a share in the profits of trade arising from the expedition, and that he brought him along as he needed someone who could read Chinese, all of which challenged the idea that Jenkins had been a simple passenger. However, Oppert did not break on the stand, and maintained his basic story that Jenkins had merely been a passenger who had no role in planning the expedition.¹⁴ A host of witnesses, including both Chinese and Westerners, confirmed this basic story (ibid. 552).

Despite these difficulties, Eames still worked hard to try and make his case. In his closing statement, he attempted to circumvent the lack of hard evidence

by giving the judge a stark choice:

If the court could believe that Mr. Jenkins had been imposed upon; that he lent Mr. Oppert the 5,000 *taels* and trusted him with the 10 cases of arms without security, and was not concerned and interested in the expedition, then it was their duty to acquit him; but if he had aided and abetted in the preparation of an expedition having for its object the carrying out of an act against good morals, the fact that the act was committed beyond the jurisdiction of the court had nothing to do with the question, the act itself being proven only to show the intent with which the preparations and preliminaries were entered into. (Trial 554-55)

In response, Hannen simply argued that not only was the evidence insufficient to convict Jenkins, "while there was no direct testimony of a conspiracy, there was direct testimony that none existed." Moreover, the defense turned even the circumstantial case made by the prosecution that Jenkins would not have supported the expedition financially without knowing more about it on its head by arguing:

Mr. Jenkins was a shrewd man of business, and was it likely, if this was the object, he would have embarked upon such a wild goose chase, and would have made such miserable preparation for removing a sarcophagus as merely taking a few shovels? The hypothesis was certainly highly improbable. If such had been the object, better preparations would have been made. (ibid. 556)

The defense was concluded by arguing that the case had to be judged in accordance with the law and not feelings. Seward did so, by acquitting the accused—there simply was not sufficient evidence to prove that Jenkins had been part of a China-based conspiracy. Moreover, even if Jenkins had been found guilty, he likely would have been able to appeal based on the issues of jurisdiction Hannen had so carefully raised. In addition, in the United States at this time, criminal exhumation of a body was generally punished as a misdemeanor, resulting in a fine and not more than one year imprisonment. Thus, while a heinous crime from the perspective of Korean law, and deeply offensive to Westerners, legally speaking, it was not very serious, and it is doubtful that an American government strained for resources as noted above would have invested much more in trying to bring Jenkins to justice (Sappol

13. Oppert was himself careful not to admit anything regarding the issue of tomb robbing, doubtless out of a desire to avoid incriminating himself.

14. Oppert (1880, 303) only made a passing reference to Jenkins in his published account, writing, "there was an American gentleman, Mr. I—, on board, who had rendered me most valuable assistance, and who, speaking Chinese almost better than a Chinaman, had been permitted to accompany us." No mention is made of him disembarking from the ship.

2002, 101-02).

George Seward submitted a report with the trial transcript to Samuel Wells Williams, the United States Chargé d' Affaires (Trial 548-49). After describing how Jenkins visited him following his return from Korea but before the trial and admitted to the failed attempt at tomb raiding while denying that he had any foreknowledge of the plan, the consul explained why he had rendered the verdict of "simple acquittal" (equivalent to the "Scotch verdict *not proven*") rather than "honorable acquittal" since Jenkins had "left an unfavorable impression on my mind" because he had been a part of the expedition, provided a large amount of money and weapons, failed to protest when he learned about the plan to engage in grave robbing, and chose to rely on the weakness of the prosecution's case rather than trying to make a positive argument in defense of his own innocence (Seward 1864, 12). At the same time, Seward did believe that the "French priest" and Oppert were the ones who were the true leaders of the expedition. Seward then lamented that "the persons who set on foot this disgraceful expedition will all go clear, and an offense which must be ranked in the opinions of the Chinese and of Coreans, who have, I believe, common ideas of the sacredness of burial places, one which might have resulted in severe loss of life, and which cannot but grievously interfere with efforts to open relations with Corea, will remain unredressed" (Trial 547-48).

Samuel Wells forwarded the consul's report and the trial transcript on to William Seward. Wells sought to put the best face on the consul's failure to punish Frederick Jenkins he could, writing, "I deem the effort of the consul general to bring him [Jenkins] to punishment worthy of particular commendation, and the publicity thereby given to this violent outrage on the Coreans will doubtless serve as a warning to those who may be tempted to repeat it" (Trial 547). What appears to be a newspaper editorial from July 11, 1868 was also included, essentially supporting this interpretation of the trial, stating that "As a matter of law, no other decision [than simple acquittal] could have been arrived at," though it was also critical of the wording of the indictment and wondered whether a stronger one could have been drawn up. Thus, the editorial opined:

...on another indictment, a little more artistically drawn, and on evidence a little more carefully sifted, a very different conclusion may be possible be come to. At any rate, filibustering expeditions of all kinds, whether to

annex territory, to force trade, or to inquire into the contents of tombs, are *prima facie* contrary, if not in all cases to the letter of the law, to the spirit of modern legislature both in the United States and in all European countries; and being undeniably wrong and immoral in themselves, few people, we think, will care to risk their personal liberty and probably their lives on the chance of an indictment being drawn with sufficient precision and particularity [*sic*] to hit off the particular offense that may be laid to their charge. Murder, piracy, and robbery are capable too often of very easy proof, and the act is too frequently held by juries to be evidence of intent, to make it worth one's while to put his neck in a noose from which there is but one escape. (ibid. 556-57)

Though it is arguable as to the cause, the editorial was correct in that private adventurers would not be likely to attempt such actions in Korea again—it would be the forces of the American, French, and Japanese governments that would launch incursions into Korean territory.

Conclusion and Aftermath

Frederick Jenkins went from being the son of a missionary, to the interpreter for the American consul in Shanghai, to a "shrewd man of business," and to a fixer who successfully used his knowledge of spoken and written Chinese and politics to exploit the gaps between government jurisdictions as well as the weakness of Chinese and American officials. Jenkins was able to do this so well that he had the wealth and connections to both finance much of Oppert's expedition and to supply it with arms in Japan. Such was Jenkins power and influence that other members of the expedition were willing to testify on his behalf, perhaps even perjuring themselves. In fact, not only was Jenkins acquitted, his actions do not seem to have caused him any serious harm—even when the incident was described critically in the *North China Herald* he was not referred to directly ("Retrospect of Events in China during 1868," *North China Herald*, January 9, 1869). He would remain in Shanghai and continue to race horses until at least 1891.¹⁵ Jenkins would even rely upon George Seward in his

15. See for instance, "Meeting on June 9th," *North China Herald*, June 27, 1874; *North China Herald*, March 9, 1876; "Amoy Races," *North China Herald*, January 30, 1891.

capacity as consul to help him to secure land he had purchased but the previous owners had refused to give up ("In the Court of the United States Consulate General, Shanghai," *North China Herald*, May 6, 1875). A particularly powerful testament to the continued position of influence he held in Shanghai is the fact that he was named by the Chinese government as a commissioner in charge of adjudicating claims made by Chinese to recover the money they spent to help defend Shanghai against the Taiping rebels ("Mixed Court," *North China Herald*, January 14 and 21, 1875). Perhaps, though fitting for someone who lived as much in the shadows as Jenkins, not only could I find no obituary celebrating his life, I could not even find any reference to his death, so it is unclear when he died. Thus, while he may have excelled his father Benjamin in wealth and power, he did not do so in respect.

Frederick Jenkins thus had the material resources and personal characteristics necessary to support the Oppert expedition. Moreover, he correctly calculated that there was little risk in it: he was in the end acquitted and did not suffer serious financial or social repercussions from the role he played. But why, when approached by Oppert, did he agree to support his plan? On this matter, we can only speculate. Growing up, Frederick Jenkins experienced the wandering life of his father and his attempt to rise, which met with some success. And judging by the trajectory of his own life, he himself was ambitious. The 1850s and 60s were a time when Western adventurers could aspire to wealth, power, and influence, but the best opportunities in Shanghai had largely gone to others. But, if he could help "open" Korea, he would be in a position to play a leading role in the development of international trade in that country and reap enormous profits. In the end then, the risk was low and the potential for profit great, and being a "shrewd man of business," Jenkins decided to take the gamble.

What role did Oppert and Féron expect Frederick Jenkins to play? Did Jenkins know of Oppert's plan to ransack the tomb of the Korean king's grandfather? Did he even disembark from the ship and set foot onto Korean soil? Answers to these questions can be formulated based on what we know about Jenkins before the trial and on what was actually said during it. It is clear from Oppert's statement at trial that Jenkins provided the money and weapons needed for the expedition, and had serious negotiations been entered into, his skill in Chinese would have been utilized. Considering that Jenkins was careful to act within the law even when engaging in shady dealings, and generally

prudent and shrewd, he likely did not disembark and enter Korea—there was no profit in such a move until negotiations actually began, and his presence would not be needed until that point anyway. It must be stressed that he had learned from the *Wandering Jew* Incident that consuls were relatively weak and that the issue of jurisdiction in particular limited their power, a gap in authority he could exploit by not disembarking.

Regarding the last question as to what Jenkins knew, at his trial, both the prosecutor's argument that he would never have invested money in the expedition without knowing more about it and the defense's argument that had he known he would have made sure that the expedition was better prepared for that purpose are plausible. It would seem to this author, based on the interview Jenkins had with Seward before he departed on the expedition, that it was likely the case that he did not know about the plan to engage in grave robbing, instead believing that the Korean government was truly interested in opening its doors to trade, but that it would not hurt to come armed, as a hedge against the unexpected and for the reason it is always best to negotiate from a position of power. It would seem that Jenkins' desire to be in on the ground floor at the opening of Korea to Western trade, which would provide both wealth and fame, made him too ready to accept Oppert's optimistic predictions.¹⁶ But, while Jenkins does not seem to have known of the plan to engage in grave robbing before the expedition set off, he did not protest at the time, nor is there any record of remorse. Sadly, it would seem that the young man who had bravely entered the *Wandering Jew* to help liberate kidnapped Chinese laborers and who was moved by the pleas of a poor old man had been swallowed up by greed and ambition.¹⁷

16. It is possible that Jenkins might have been interested in grave robbing in order to simply acquire the wealth that might have been buried in the tomb. However, I believe that is unlikely as Jenkins had a tendency to prefer legal, albeit shady, means of making money, and thus, would be more likely to pursue a scheme for opening Korea to trade than theft.

17. This article is certainly not intended to be the final chapter on studies of Frederick Jenkins. While there seems to be no mention of him in Korean sources, an investigation of Chinese archives might find more information. Moreover, pursuing a deeper understanding of his place within the broader context of Western and East Asian relations, particularly the opening of Korea, would I believe be a fruitful direction for future research.

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Abstract

The Oppert Incident, in which a German adventurer and French priest helped lead an expedition to steal the bones of King Gojong's grandfather to hold hostage to force the Korean government to open the country to trade and cease the persecution of Catholics, is well-known. What is not as well-known is the fact that an American citizen, Frederick Jenkins, played a key role in providing the financial support and weapons necessary for the expedition to take place, and that after its failure, he was tried by the American consul of Shanghai in an unsuccessful attempt to punish him, in part because of the damage he had done to future Korea-US relations. However, there is little in English on the Oppert Incident in general or the role Jenkins played within it. This paper will therefore examine Frederick Jenkins' role in the expedition and why he participated in it. In so doing, this paper will shed light on our understanding of the early relationship between the United States government, American citizens, and Korea, revealing that the comparative weakness of American diplomatic officials prevented them from restraining the problematic behavior of US citizens such as Jenkins.

Keywords: Oppert Incident, Ernst Oppert, Frederick Jenkins, the *General Sherman*, George Seward, US-Korea relations

