

HAMILTON TO LIPSCOMB.<sup>a</sup>

(Confidential)

LONDON *Octr. 3rd. 1840*

DEAR SIR,

Lord Palmerston's constant occupation on the Eastern question, since my arrival in London on 27th September, has not allowed him yet sufficient time to have an interview with me. But I have strong belief that England will recognize and that our treaty will be the means of promptly securing the pacification between Mexico and Texas, and a speedy negotiation of our Loan. The auspices are very bright if not obscured by a war in Europe, and no invasion or hostile aggressions is made by Texas on Mexico. War between the two, would arrest my negotiations with England, and suspend all further hope of effecting our loan. As I know the President much prefers peace, and the establishment of your public Credit, to a war of acquisition, let me earnestly hope, until you hear definitely from us by Mr. Burnley in person (who will go out the moment we obtain a contract for our Loan, in whole or in part—or an advance on our bonds—you will keep quiet. I hope by the next packet to give you interesting accounts of my London negotiations—which I think, if no inauspicious event occurs may be made eminently conducive to our financial success. Pray make my most respectful and cordial salutations to the President, I remain Dear, Sir, with sincere esteem, Very respectfully and faithfully Your Obedient Servant.

J. HAMILTON

Hon

ABNER S LIPSCOMB.

LAMAR TO RUSSELL.<sup>b</sup>

To the

Right Hon. Lord JNO. RUSSELL,

*Relative to free persons of Color transferred to Texas by John Taylor.*REPUBLIC OF TEXAS  
EXECUTIVE DEPARTMENT.*City of Austin 12 Oct 1840.*

MY LORD

I have recently received a letter from John Taylor dated Barbadoes July 28. in which he informs me that he is under prosecution for having transferred certain Persons of Color in Texas to be held

<sup>a</sup> See Records of Department of State (Texas), Book 41, p. 420.<sup>b</sup> See Records of Department of State (Texas), Book 39, p. 203. A copy was inclosed with Waples to Barron of the same date.

as slaves and he alledges that "the foundation of this charge is the fact, that these transfers bear a later date than the declaration of Independence of Texas, and the presumption that this declaration had made slaves of all Colored persons in Texas at that time held by indenture." I have no knowledge of Mr. Taylor but it affords me gratification in Compliance with his request to testify to your Lordship the utter fallacy of this interpretation of our Institutions. Our declaration of Independence makes no allusion to the subject of domestic Slavery. The ninth article in the Schedule of our Constitution provides that "all persons of Color who are slaves for life previous to their emigration to Texas and who are now held in bondage shall remain in the like state of servitude provided the said slaves shall be the *bona fide* property of the persons so holding said slaves etc. It would be superfluous to suggest to your Lordship that under this provision (and we can have no law contravening it) it would be impossible to subject to absolute slavery any person indentured for years only or who was not a slave for life previous to his emigration to this Country. I am prompted to this communication by a desire to correct an opprobrious error in relation to our young institutions, and so far as the correction will go to vindicate the innocence of one of her Britanic Majesty's subjects. With great consideration I have the honor to be your Lordships most Obt. Servt.

MIRABEAU B LAMAR

To The Right Hon. Lord JOHN RUSSELL.  
*Secty. State for the Colonies*

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WAPLES TO BARRON.<sup>a</sup>

REPUBLIC OF TEXAS  
DEPARTMENT OF STATE  
*Austin Octr 12th 1840*

SIR

I am requested by his Excellency the President to transmit you the enclosed Copy of a communication to Lord John Russell relating to the affaires of your Client Mr John Taylor of Barbadoes. Mr Taylor has requested that a commission be instituted here to enquire whether certain persons of Color whose indentures were disposed of by him to gentlemen in Texas in the year 1836, were at any time during their stay in Texas held *de jure* or *de facto* for or as Slaves etc; etc. such an inquiry would be attended with some trouble and expense and the President does not consider it essential to the vindication of Mr

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<sup>a</sup> See Records of Department of State (Texas), Book 38, p. 154.

Taylor as the affirmative must be proved before he can be convicted of such a charge. No man can be reduced to Slavery in Texas who was not held in lawful Slavery on his arrival here

Very Respectfully etc.

JOS WAPLES  
*Acting Secty of State.*

To WM BARRON Esqr  
*4th Upper Charles Street  
West Minster  
London*

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PALMERSTON TO HAMILTON.<sup>a</sup>

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HAMILTON AND BURNLEY TO LAMAR.<sup>b</sup>

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HAMILTON TO LIPSCOMB.<sup>c</sup>

LONDON *Octr 19th 1840*

SIR,

Since the last dispatch which I had the honor to address to you, I have the pleasure to inform you that notwithstanding Lord Palmerston unceasing occupation on the eastern question, he has given me an interview and most favorable reception.

I submitted to him the project of a treaty between England and Texas, which he has promised me to lay before the Cabinet of Ministers, and promptly give me an answer. I think the prospect most auspicious which will ensure promptly our financial negotiation. In this operation we are strengthening ourselves daily. The moment the war panic subsides here, which will be the case in ten days, or a fortnight, (for we shall have no war,) I have no doubt of our doing something decisive with our Loan. In the mean time, let me entreat you, to suggest most respectfully to the President that no blockade of the Ports of Texas, or any hostile movements against Mexico, until the Government hear definitively from either Mr. Burnley or myself. It would be fatal to our negotiation. Pray say to the Secretary of the Treasury, that I will write him on the 1st. November by the Queen. That a National Bank on the plan of the first B. U. S.<sup>d</sup> is

<sup>a</sup> October 18, 1840. See Hamilton to Lipscomb, January 4, 1841.

<sup>b</sup> October 19, 1840. Written on behalf of Arthur Ikin, who appears to be in danger of losing certain colonizing privileges that he claims in Texas, and inclosed with a letter from Ikin to Lamar, October 31, 1840.

<sup>c</sup> See Records of Department of State (Texas), Book 41, p. 421.

<sup>d</sup> Bank of the United States.

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indispensable to the public credit of Texas, that I will send him the project of the same, modified by one of the best heads in this country. I hope the Government will go Zealously in favor of such an institution.

With our most respectful salutations to the President, I remain Dear Sir, with the greatest esteem, Very respectfully Your. Obt. Servt.

J. HAMILTON

The Hon.

ABNER S. LIPSCOMB.

*Secy of State*

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HAMILTON TO PALMERSTON.<sup>a</sup>

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MCINTOSH TO LAMAR.<sup>b</sup>

PARIS *October 22d, 1840*

To His Excellency MIRABEAU B. LAMAR  
*President of the Republic of Texas*

SIR

I have received a letter from Genl. Henderson, the contents of which have not a little surprized me; and which makes it necessary in explanation of two other letters which I have had heretofore the honor to address to your Excellency, to recapitulate the circumstances of my position for the last twelvemonth.

When Genl. Henderson left Europe last November, I remained in Paris as Chargé d'affaires *ad interim* under his assurance that he would use all his influence with the Government to procure the appointment for myself, but failing in that, he would see that some other person was sent without loss of time to fill the station left vacant by his retirement, and thereby enable me to return home. In the meantime I abstained from writing to you upon the subject, from motives of delicacy which I thought you would appreciate. Some months after the departure of Genl. Henderson, I saw my appointment announced in several of the United States journals. Fearing however the possibility of some mistake, I still abstained from writing until the month of April last, when I received a letter from Genl. Henderson dated February 18th, in which he stated, that in an interview which he had had with your Excellency a short time previous, you had *distinctly promised* me the appointment, and had actually in his presence, instructed the Secretary of State to make out for me the necessary authority to enable me to negotiate a com-

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<sup>a</sup> October 20, 1840. See Hamilton to Lipscomb, January 4, 1841.

<sup>b</sup> A. L. S.

mercial Treaty with the Govt. of Belgium. Upon the receipt of this letter, I hesitated no longer, but instantly wrote your Excellency expressive of my thanks for the confidence reposed in me etc. In the month of August last, having in the interim, not heard one word further upon the subject, I addressed another letter to your Excellency, urging the forwarding of my Commission and the other papers above alluded to, the nonreceipt of which I attributed entirely to some accidental omission or neglect.

I now learn by a letter from Genl. Henderson, that you had stated on a late occasion "that no Chargé d'affaires had been appointed to the Court of France, and that none would be appointed until Genl. Hamilton and Mr. Burnley had negotiated the loan." How this is to be reconciled with your previous *promise* made to Genl. Henderson, is for your Excellency, not for me, to determine. I will not conceal from you, that my first impulse on the receipt of the letter prompted me to leave Paris at once, and without ceremony to return home. After consideration however, together with the advice of Friends, convinced me that such a step would have an injurious effect upon the standing of our Country at this Court.

I now address your Excellency, not with any view of complaining, but *simply* to explain my two letters of April and of August last, and at the same time to resign into your Excellency's hands whatever office I may hold under the Government of Texas. My stay in Paris has been attended with some pecuniary sacrifices, which I made with cheerfulness, and under other circumstances, would have continued to make with cheerfulness. At present however I am unwilling to do so, and I must therefore request, and your Excellency will pardon me if I say that under the circumstances I have a right to *demand*, that my successor shall be sent out *without delay or loss of time*.

Having accomplished the object which induced me to address your Excellency, I have nothing further to add, but that I am

Your mt. obt. St.

GEO. S. MCINTOSH.

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DEPOSITION OF HARDIN AS TO NEGRO SUBJECTS OF GREAT BRITAIN HELD  
AS SLAVES IN TEXAS.<sup>a</sup>

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HAMILTON TO LIPSCOMB.<sup>b</sup>

LONDON *November 1st. 1840*

Sir,

Since I last had the honor to address you, I beg leave to report that I have concluded with the Belgian Government the project of

<sup>a</sup> October 31, 1840. See Lipscomb to Barron, November 18, 1840.

<sup>b</sup> See Records of Department of State (Texas), Book 41, pp. 421-422.

a treaty, which I shall leave this for Brussels on the 10th Inst to sign and execute. It has been concluded on the basis of the most perfect reciprocity, and I hope will in all respects be satisfactory to the Government of Texas. I have likewise the happiness to report that after repeated interviews with Lord Palmerston he has at last called upon me to submit the project of a treaty between Texas and Great Britain, which I have accordingly done, and which is now before the cabinet, for their decision. The Treaty comprehends the mediation of England for an immediate pacification between Texas and Mexico. Lord Palmerston has promised in the course of the present week to bring the project before the cabinet. He assures me that Lord Melbourne and Lord John Russell are decidedly in favor of recognizing provided we can agree on the terms of the Treaty, and I am quite sure of Lord Palmerston's own favorable disposition. Indeed during the intense anxiety and constant occupations, which the Eastern question must have occasioned, he has given me frequent interviews, and afforded me the most cordial facilities to get my business before Her Majesty's Government.

The point of success which I have reached, has surprised me, however slow and gradual that progress may have been. Considering the powerful interest I have had afforded to me, I cannot but attribute much of that success, to the firmness with which Lord Palmerston has approached a public question, environed with great difficulty from the state of the public feeling in Great Britain of a large and most influential party on the Slave question. I have likewise succeeded in conciliating the Mexican Bondholders, who have within themselves great influence. I hope therefore by the Great Western, not only to report to you that Texas has been formally recognized by England, but to send you the treaty or treaties for ratification. Mr. Burnley and myself have a prospect of doing something in relation to a credit on our bonds, which if he accomplishes, he will leave in the Great Western on the 7th. I will remain to complete if possible the financial negotiation.

The recognition of England renders the negotiation in question almost certain the moment the prospect of a European War ceases, and no War or disaster occurs in your relations with Mexico. I have only a moment to assure you of the great esteem, with which I am very respectfully your obedient Servant

J HAMILTON

Hon. ABNER S. LIPSCOMB  
*Secy of State.*

## HAMILTON TO PALMERSTON.\*

LONDON *Novr. 5th 1840*

MY LORD

As our communications relative to the proposed mediation of Her Majesty's Government, in procuring a pacification between Texas and Mexico, and the assumption by the former, of a portion of the public debt of the latter, have hitherto been entirely verbal, I beg leave to transmit you, this despatch, that the reasons and motives, which may influence the Republic of Texas in making this assumption may not be liable to any future misinterpretation.

In the first place, I must enter a *protestando* against the inference, that Texas is *bound* in any degree, for any portion of the said debt, on any principle of international law, or by any one obligation of private justice.

Mexico violated the Charters she had granted to Austin's Colonies, on the faith of which, the Anglo Americans had emigrated to Texas, and recovered its territory from the savage tribes, with whom Mexico was incapable of coping. These violations were accompanied by atrocities which rather belonged to the dark ages than the Era in which we live.

Texas consummated her independence in 1836. In 1837, after Mexico had lost all possession of, and sovereignty over Texas, she concluded a convention in London with the Mexican Bond-holders, and assigned certain portions of her public Lands in several of her provinces or Departments, as a security for the payment of the bonds. She was guilty of the absurd mockery of including in this Convention, those situate "in the Department of Texas" when She had neither a man nor a foot of Land, over which She exercised jurisdiction east of the Rio Grande.

I need not insist, I am sure with your Lordship upon the absolute nullity of this Convention, as far as Texas is concerned. But what I desire to do, is to do voluntarilly, as a concession to the benevolence and philanthropy of Her Majesty's Government, which have induced you to come forward and offer its intervention, in producing a pacification between the two countries honorable to both.

If therefore Mexico will consent, to a truce with Texas within thirty days, after the communication of any convention we may conclude on the subject, by Her Majesty's Minister at her Capital, and in six months after will conclude a Treaty of Amity and Commerce with Texas, which shall provide for a satisfactory and well defined boundary between the two countries, I will be quite willing

\* See Records of Department of State (Texas), Book 41, pp. 503-504; copy inclosed with Hamilton to Lipscomb, March 3, 1841, in Correspondence with France.

to come under stipulations, that Texas shall assume One Million Sterling of the public debt of Mexico, contracted by Mexico, prior to the year 1835, which is precisely the sum, the United States offered for the whole country in 1830. The value it has acquired since, has been conferred on it, by the enterprize heroism and intelligence of the Citizens of Texas themselves, and is a just and honorable acquisition of their own.

This I desire to be regarded as a voluntary concession. For I conceive Texas, no more bound to assume a portion of the public debt of Mexico, than the thirteen American Colonies which achieved their independence, were bound to assume a share of the National debt of Great Britain. Your Lordship however, in our conferences, never pressed this as a matter of right, altho' I have not failed to recognize the zealous attention and regard, you have paid to the interest of a class of Her Majesty's subjects, who have long suffered under the bad faith of Mexico and whom under a just equivalent to the citizens of Texas, I shall be gratified if they shall be instrumental in indemnifying.

In conclusion I have the honor to remain, with distinguished

Consideration and respect

Your Lordships most

Obt Servt.

J. HAMILTON.

The Right Hon.

Viscount PALMERSTON

*etc. etc.*

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PALMERSTON TO HAMILTON.<sup>a</sup>

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HAMILTON TO LAMAR.<sup>b</sup>

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HAMILTON TO JONES.<sup>c</sup>

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DEPOSITION OF GRIGSBY AS TO NEGRO SUBJECTS OF GREAT BRITAIN HELD  
AS SLAVES IN TEXAS.<sup>d</sup>

<sup>a</sup> November 5, 1840. See Calendar.

<sup>b</sup> A. L. S., November 6, 1840. See Calendar.

<sup>c</sup> November 8, 1840. See Calendar.

<sup>d</sup> November 13, 1840. See Lipscomb to Barron, November 18, 1840.