

BARBEY TO SMITH.^aPROTOCOL OF CONFERENCE BETWEEN SMITH AND ABERDEEN.^bCERTIFICATE OF EXCHANGE OF RATIFICATIONS OF CONVENTION AS TO DEBT
BETWEEN TEXAS AND GREAT BRITAIN.^cCERTIFICATE OF EXCHANGE OF RATIFICATIONS OF TREATY OF COMMERCE
AND NAVIGATION BETWEEN TEXAS AND GREAT BRITAIN.^cCASTRO TO SMITH.^aABERDEEN TO SECRETARY OF STATE OF TEXAS [JONES].^d

FOREIGN OFFICE LONDON

June 28. 1842

SIR,

The Ratifications of the three Treaties concluded at London in November 1840, between Great Britain and the Republick of Texas, having been this day exchanged by me with Mr. Ashbel Smith, The Queen my Sovereign has been pleased to invest Captain Charles Elliot, Her Majesty's Consul General to the Republick of Texas, with the additional diplomattick Character of Her Chargé d' Affaires.

I am therefore to request that Your Excellency will be pleased to give entire Credence to whatever Captain Elliot shall communicate to you on Her Majesty's Part; more especially when he shall assure Your Excellency and your Government of the lively interest which Her Majesty takes in whatever may concern the Welfare, Happiness, and Independence of the Republick of Texas.

I have the honour to be, with high Consideration,

Sir,

Your Excellency's
most obedient
humble Servant

ABERDEEN

His Excellency
The Secretary of State
of the Republick of Texas
etc. etc. etc.

^a June 28, 1842. See Smith to Jones, July 11, 1842.

^b L. S., June 28, 1842. See Smith to Jones, July 11, 1842.

^c June 28, 1842. See Smith to Jones, July 11, 1842. The certificate of exchange of ratifications of the convention for the suppression of the slave trade, which took place at the same time, is not on file.

^d L. S.

HUME TO SMITH.^a

RATE TO SMITH.^a

MEMORANDUM.^b

PRINGLE TO SMITH.^c

MCINTOSH TO SMITH.^c

SMITH TO BARBEY.^d

RUSSELL TO SMITH.^d

KENNEDY TO SMITH.^e

SMITH TO ABERDEEN.^f

IKIN TO SMITH.^g

SMITH TO IKIN.^h

FOX, SONS & CO. TO SMITH.^h

^a June 20, 1842. See Smith to Jones, July 11, 1842.

^b Undated. See Rate to Smith, July 11, 1842.

^c June 20 (?), 1842. See Smith to Jones, July 11, 1842.

^d June 30, 1842. See Smith to Jones, July 11, 1842.

^e June 30, 1842. See Smith to Jones, July 11, 1842; extract in Smith to Jones, July 4, 1842.

^f July 1, 1842. See Smith to Jones, July 4, 1842.

^g July 1, 1842. See Smith to Jones, July 11, 1842.

^h July 2, 1842. See Smith to Jones, July 11, 1842.

SMITH TO JONES.*

LEGATION OF TEXAS, LONDON

July 3. 1842.

HON ANSON JONES

Secretary of State

SIR,

I have the satisfaction to announce to you that the Ratifications of the Three Treaties concluded between Texas and Great Britain, were exchanged on the 27th^b of June at 3 o'clock P. M. at the Foreign Office, by Ashbel Smith on the part of Texas, and the Earl of Aberdeen on the part of Great Britain. Mr. George K. Teulon will proceed to Texas with the Ratified Treaties by the earliest safe conveyance.

The progress of our affairs here and my conversations concerning them with the Earl of Aberdeen, at our several interviews, up to the 18th of June, have been communicated in my previous dispatches to your Department.

The hostile sentiments which I found on my arrival, prevailing here in regard to Texas, are manifestly giving place to more favorable feelings and a much better appreciation of our country. Texas has had to encounter opposition from various interests. Persons engaged in speculations of sending Emigrants to the British Colonial possessions, have regarded the superior advantages for emigration offered by Texas over the British Territories, as seriously conflicting with the profits of their schemes. The interest of the Mexican Bondholders has lead them to sustain actively the cause of Mexico as adverse to Texas. The diplomatic and consular agents of Mexico have spared no pains to mislead public opinion here in regard to the relations and respective conditions of Texas and Mexico. Mexico has recently made large remittances of specie to England, is a large and increasing consumer of British Manufactures, and has of late made important concessions and tariff regulations in favor of English Trade, all which naturally conciliates this Govt. and the merchants engaged in Mexican commerce. These mercantile and financial interests, as well as Mr Murphy, the Mexican Chargé, presented to the Earl of Aberdeen urgent remonstrances against the exchange of the ratified treaties and the observance of the Blockade. The British Govt which is always much influenced by its trading interests, and especially at this time of great depression and distress among its subjects, was induced to protract by official delays the exchange of ratifications until the 27th June, in deference to the opposing interests above mentioned. The Earl of Aberdeen remarked to me

* A. L. S. ; indorsed " Recvd Augt 10th 42 Despatches No 9 and 10."

^b The certificates of exchange are dated the 28th.

at our interview of the 18th June, that Mexico had behaved very well towards England, and that to have exchanged the ratifications on my arrival, immediately after the promulgation of our blockade, would have had the appearance of espousing the cause of Texas and of departing from the strict neutrality which England is determined to observe. Since the exchange however, the position of some parties is greatly changed. The Mexican Bondholders and persons engaged in Mexican trade, two important interests, are now decidedly in favor of establishing peace between Texas and Mexico.

The ratifications having been exchanged, I invited the Earl of Aberdeen's attention to the Convention for Mediation. He repeated what he had formerly stated to me;—that the subject had been frequently pressed on the consideration of the Mexican Govt. by Mr Pakenham, and by himself on Mr Murphy, Mexican Chargé d'affaires at this Court;—that the Mediation was positively declined;—that Mr Murphy assured him that on this subject, all persons in Mexico were agreed, and that no person or party there is strong enough to acknowledge the Independence of Texas;—though Mr Murphy himself seemed to regard its ultimate recognition as probably inevitable. *The Earl of Aberdeen could give me no hopes that the Mediation of England would be successful.*

The two Steamers of War built in England for the Mexican Government have not failed to command my very careful attention. In my several dispatches and in private letters to the head of the State Department and to His Excellency the President, I have presented this subject with earnestness, and have furnished important details concerning these vessels. As a further precaution against miscarriage of my official communications, I have written to the Hon James Reily, our Minister at Washington, to the Hon. Secretary of War and Navy, and to W. D. Miller Esq, his Excellency's private Secretary. On the 14th June I presented a Protest concerning these vessels to the Earl of Aberdeen, a copy of which protest was communicated in my dispatch No 7. to your Department. In my interview with the Earl of Aberdeen on the 18th June; he, mentioning the receipt of my Protest, *distinctly assured* me, as he had done on a former occasion, that the Government had no connection *whatever* with the building, etc. of these Steamers;—that the Mexican Consul Mr Lizardi had asked permission of him to arm and equip these vessels in British Ports, which permission, he, the Earl of Aberdeen, refused to grant. Lord Aberdeen proceeded to say to me, that vessels may be built and sold in England to any body, like other merchandize, and there is no preventing it;—that the purchase and export of arms is lawful and cannot be prohibited;—that sailors go where they please and enter what service they please, and the Govt. could not prevent them, but had found great difficulty in reclaiming its

seamen when it needed them;—but that on its Officers the Govt has a hold; and that any officer of the Queen entering a foreign service would do so at the risk of his Commission. Lord Aberdeen repeated the substance of the preceeding remarks, on the 27th June; and I then intimated to him that I would furnish him the names—as I doubted not, of being able to learn them—of the officers who were to go in command of the Mexican Steamers.

I was subsequently *assured on good authority*, that Captain Charlewood, Commander, Royal Navy, Capt. Cleaveland, Commander R. N. and Mr Wright, Master R. M. were the Officers of the Mexican Steamers. I also received from a *highly respectable source* the following statement.

[Here follows a transcript of a memorandum furnished Mr. Smith by Consul Rate.^a]

I immediately addressed a note to the Earl of Aberdeen, a Copy of which is appended to these dispatches.^b Your Department is assured that I did not present such grave matter to her Majesty's Government, without being fortified with *written* statements of *responsible* men. You will also perceive that after the *distinct* and *repeated assurances* of Lord Aberdeen that *his Govt. had no connection whatever with these Mexican Vessels*, I could not ask a formal explanation, and I have worded my note accordingly. His Lordship has not yet answered my last communication—which indeed does not require a formal reply immediately.

In addition to the very full details concerning the Mexican Steamers, furnished in my previous dispatches, I will state that—^c

The "Guadalupe" is expected to sail today—Sunday July 3d—from Liverpool, entered in 'Trade List' as a *Merchant Vessel*; but carrying two 68 pounders,—one fore and the other aft, on swivels—and commanded by Captain E. P. Charlewood Royal Navy; and *without the least doubt* proceeding to Mexico to be employed against Texas. She is regarded as an exceedingly efficient War Steamer.

The "Montezuma" is 1200 Tons burthen, has 2 Engines of 140 horse power each—will carry six carronades, and one Paixhan Gun of 10 inches—will draw 13 feet water—is getting in her Engines etc.,—and will sail from London on the 10th August or thereabouts—is to be commanded by Capt Cleveland, Commander R. N. She is a very stout powerful vessel of war.

I have not yet been able to learn with certainty when these vessels are to be paid for—that is at what moment they become *bona fide*

^a See Rate to Smith, June 29, 1842, in copies of correspondence inclosed with Smith to Jones, July 11, 1842.

^b To the dispatch of July 4, 1842. The note is dated July 1.

^c Cf. Pringle to Smith, [June 29(?), 1842] in copies of correspondence inclosed with Smith to Jones, July 11, 1842.

Mexican property. It is believed they are to be paid for out of the remittances of specie to London from Mexico.

I repeat that the destination and capabilities of these Mexican Steamers of war, admit of no doubt—that we can *expect no efficient interposition of the British Government*—that we must do our own fighting—and Texas has no time to lose in *tardy* preparations.

Permit me to submit for your consideration that the chargé d'Affaires of Texas in Europe be authorized under proper circumstances and restrictions to issue letters of marque etc. against Mexico. This course has been advised by some warm friends of Texas here.

Recent arrivals here from the West Indies, and Mexico assert 'there is nothing of the Texian Blockade';—and the Earl of Aberdeen said to me that the English Consul at Vera Cruz had written to the same effect. I learned through the New Orleans Newspapers, that the Sloop of War Austin was at New Orleans, and the San Bernard and San Antonio were at Mobile; that 'they had captured three Schooners, etc.; but I have been without any official information on these subjects. Lord Aberdeen said to me, that we must look most *carefully to our blockade*; that he was apprehensive of some misunderstanding growing out of it;—that the withdrawal of our forces even for a time, was a raising of the blockade, and would require a fresh notice of its renewal. I could not say whether any other of our ships were maintaining the Blockade or not, during the absence of the three vessels named above. I must request to be furnished with early and particular information on these subjects;—and if the Blockade be continued, *what* vessels have been maintaining it. It is the clear opinion of the friends of Texas in Europe that the war should be vigorously prosecuted, and the Blockade rigidly enforced against Mexico, until it shall recognize in ample form, our Independence;—that there would forthwith be a very large and desirable class of emigrants going to Texas.

Royal Mail Steamers.—In a former dispatch I communicated Lord Aberdeen's request that the "*Royal West India Mail Steamers*" touching at the Ports of Mexico should be exempted from the operation of our Blockade. These Steamers carry passengers and mails only, it will be remembered, and not merchandize. As this exemption was extended to these vessels by the French Fleet during their blockade of Mexico; Courtesy and policy appear to me strongly to advise, that an order to our Blockading Force be given accordingly and a copy of the order be furnished me to communicate to this Government. I suggested to Lord Aberdeen the mutual advantages of these Steamers touching at Galveston, and thus establishing a direct and frequent communication between Texas and Europe.

He expressed himself favorably disposed to adopt the suggestion and would recommend it to the notice of the proper persons. I think we may anticipate shortly an arrangement of this kind, which will prove highly beneficial to our country.

Bonds of Texas. Directly the ratifications were exchanged so that I could act with publickly recognized authority; my attention was directed to learn what liabilities of Texas are existing in Europe, in whose hands etc., they are. Mr. Shaw of the firm of Morrison Sons & Co informed me yesterday that their house holds an amount of Texas Bonds which have been hypothecated etc. We are to have an interview on this subject tomorrow which will be duly communicated to you. I have not been able to learn of any other Texas Bonds being out. An advertisement will appear in the Newspapers on Tuesday July 5, requiring all persons having Texas Bonds to exhibit them at the Texian Consulate.

Emigration to Texas. The number of persons in Great Britain, of moderate means, and as a class of very good character, who wish to emigrate is very numerous. Their attention is turned to Texas—but they are deterred for the moment by apprehension of the hostilities waged between Texas and Mexico, and by the misrepresentations concerning our country. I am now laboring to provide facilities for obtaining correct information. For this purpose the establishment of the Consulate, where *information to be relied on*, can at all times be obtained is very important. So that if any one be misled or defrauded in these matters, here, it shall be his own obvious folly for not making application at the *responsible* quarter. I shall make this the subject of my next dispatch on the Consular Establishment.

Spain, Belgium etc. It has not appeared to me advisable to touch on the subject of extending our diplomatic relations etc., to the Foreign Ministers at London, pending the exchange of our ratified Treaties with Great Britain. Neither has it seemed to me an auspicious moment to present this subject to Espartero, at the time of the dissolution of the Cabinet of Rull and the reorganization of the new Cabinet under General Rodil—especially as there has been the manifestation of some unkind feelings of Spain in regard to our blockade of Mexico. I shall shortly present this subject to Lord Aberdeen, agreeably to my instructions. Any negotiations with Belgium I am persuaded can be better done at Paris than at this Court. My attention will be given to this subject at an early moment after my arrival in France.

Library. I have received numerous valuable books and Parliamentary papers from Joseph Hume M. P. for the Library of the Republic of Texas, which will be forwarded by an early opportunity. It is

desirable to obtain for the Library of the House of Commons a set of our Laws and Congressional Documents in return. I expect to be able to procure valuable books for our Library of the Republic.

I shall leave London for Paris in a few days to enter on the discharge of my duties at that Court. The importance of our interests here appears to require me to remain at this place for a short period.

In France I shall learn with carefulness the dispositions entertained towards Texas—and see whether in the event of our needing Steamers of War, they could be obtained in France, and if so, on what terms. *I shall enter into no negotiations, nor in the slightest manner commit myself or my Government, without positive instructions.*

The hostility of France to England is regarded as favorably disposing the former country to Texas.

I have the honor to be

Very resy

Your obed servt

ASHBEL SMITH

SMITH TO JONES.^a

No. 10

LEGATION OF TEXAS, LONDON

July 4, 1842

The Hon ANSON JONES
Secretary of State

SIR,

I have the honor to present for your consideration the following extract of a letter addressed to me by William Kennedy Esq

[Here follows a transcript of an extract from Kennedy to Smith, June 30, 1842, beginning with "Having been tendered" and including the remainder of the letter.^b]

Very careful inquiries concerning Mr. Rate^c and the House of which he is a partner, fully confirm Mr Kennedy's high recommendation. His manners and social position are much in his favor, and his appointment appears to me a very eligible one for our Republic.

Seeing the very great necessity of having a respectable Consulate here where *accurate information* can be obtained at all times—and conferring with Mr Kennedy whose advice in matters concerning the Consulate, has great weight with me; I have sent Mr. Rate's name as "Consular Agent" *provisionally*, for official notice, to the Earl of Aberdeen. I shall await your instructions on this subject, for my future conduct.

^a A. L. S. See note e, p. 970.

^b See copies of correspondence inclosed with Smith to Jones, July 11, 1842.

^c Lachlin McIntosh Rate, Texan consul at London upon resignation of William Kennedy.

It has appeared to me that Mr Kennedy's commission of Consul General, authorized him, with the instructions from His Excellency the President, to appoint a Consular Agent, who is in fact *Vice* Consul.

I have the honor to be with great respect
Your obed. servant

ASHBEL SMITH

[Copy of Note to Earl of Aberdeen]

LEGATION OF TEXAS. LONDON

July 1. 1842.

The undersigned Chargé d' Affaires of the Republic of Texas, respectfully invites the attention of the Earl of Aberdeen to the following information which he has received concerning the Mexican armament against Texas now in preparation in the ports of London and Liverpool

The undersigned is informed that the war Steamer Montezuma is to be commanded by Captain Cleveland, holding the rank of Commander in the British Navy and that the war steamer Guadaloupe is to be commanded by Capt. Charlewood a British officer of the same rank with Mr. Wright Master R. N as a subordinate officer. The Guadaloupe is expected to sail from the river Mersey on Sunday next 3d. inst.

In connexion with this Subject the undersigned takes this occasion to submit to the Earl of Aberdeen a statement derived from so respectable a Source as to give to its details a character of some importance. These are the express words of the statement as it has been placed before the Undersigned

[Next is transcribed the statement referred to.*]

The undersigned though not insensible to the danger of permitting such statements as the foregoing, circulating on grave authority, to pass without authorized contradiction, feels that to request any explanation from the Earl of Aberdeen would be wholly inconsistent with the sentiments inspired by his intercourse with his Lordship and with the confident reliance which he has upon the good faith of her Majesty's Government. Against the employment however of British officers in an armament intended to act against Texas, a power in friendly relations with Great Britain, he is called upon respectfully to protest

The undersigned takes this occasion to present to the Earl of Aberdeen the assurances of his highest consideration.

(Signed) ASHBEL SMITH

* See under Rate to Smith, June 29, 1842, in the series of copies inclosed with Smith to Jones, July 11, 1842.