

SMITH TO ABERDEEN.^a

SMITH TO JONES.^b

SMITH TO ABERDEEN.^c

BARON DE CETTO TO SMITH.^d

ELLIOT TO JONES.^e

GALVESTON *August 17th 1843.*

The undersigned Her Britannic Majesty's Chargé d' Affaires to the Republic of Texas has the honor to request the renewed attention of Mr Jones to the several claims of British subjects which it has been his duty from time to time to press upon this Governmt.

In a despatch to the Earl of Aberdeen written subsequently to the conversation which the Undersigned had the pleasure to have with Mr. Jones in the early part of May last He did not fail to convey to His Lordship renewed assurances of the solicitude of this Government to adjust the claims for the "Eliza Russell" and to explain that it was only owing to the provisions of a recent supply Bill respecting the disposal of balances, that the vote of Congress of 1840^f was not already carried out.

He may also take this occasion of mentioning that He was so sensible of the President's wishes in respect to the satisfaction of this claim, and so conscious of the need for relieving Mr. Russell without further lapse of time that He had already ventured to move Her Majesty's Government to make the advance at once in London.

The detention of the "Eliza Russell" took place so long back as 1837, and the vote in satisfaction of the damage is of 1840, and the case has been pressed so frequently, and in such urgent terms, that the Undersigned must trust Mr. Jones will be able to afford him the satisfaction of assuring Her Majesty's Government that the payment shall not be protracted beyond the next Session of Congress.

Agreeably to Mr. Jones's wish the Undersigned mentioned to the Earl of Aberdeen with respect to the case of the "Little Pen" that all that the Government of Texas required in that matter, was specific

^a August 1, 1843. See Smith to Jones, September 20, 1843; same to same, November 29, 1843.

^b August 2, 1843. See Calendar.

^c August 10, 1843. See Smith to Jones, September 20, 1843.

^d August 15, 1843. See Smith to Jones, August 22, 1843.

^e A. L. S.

^f Passing the act approved January 25. The supply bill referred to has not been identified with certainty.

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^g The inclost
referred to are
Jones, July 24,

proof that the goods taken on board the Mexican schooner "Abispa" (employed in saving the cargo of the "Little Pen") were shipped for account of parties settled in England, and not for Don Pedro Sastro^a settled in Mexico, that is proof of the kind required by the Admiralty Court in England, in similar cases. But in making that communication the Undersigned also thought it right to himself to observe that He had remarked to Mr. Jones He could not concede the necessity for further proof, thinking that the papers already transmitted plainly established that the goods were shipped for parties settled in England; And that therefore, till He was differently instructed, He must rest the demand for the acknowledgment and settlement of the claim upon the statement of the case which He had the honor to make Mr. Terrell in a note dated on the 14th.^b December last.

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ELLIOT TO JONES.^d

ELLIOT TO JONES.^e

JONES TO SMITH.^f

DEPARTMENT OF STATE,

Washington, [Texas,] Aug. 20th. 1843

To the HON. ASHBEL SMITH
Chargé d' Affaires of Texas
etc. etc. etc.

SIR,

Enclosed, I have the honor to forward for your information copies of certain correspondence between H. B. M. Chargé d' affaires, and this Department on the subject of Armistice recently established between this Government and Mexico.^g

Your last communication received at this Department was of the date of 16th. June last.

I have the honor to be,

With the highest respect,

Your obt. Servt.

ANSON JONES.

^a In Jones to Elliot, September 16, 1843, this name appears as "Sastre."

^b Properly the 13th.

^c For the paragraphs omitted see Calendar under the title of this letter.

^d August 17, 1843 (extract). See Calendar.

^e August 17, 1843 (private). See Calendar.

^f See Records of Department of State (Texas), Book 44, p. 167.

^g The inclosures are now here enumerated. It is probable, however, that the letters referred to are Elliot to Jones, June 10, 1843, Jones to Elliot, June 15, 1843, Elliot to Jones, July 24, 1843, and Jones to Elliot, July 30, 1843.

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AN ACT FOR MORE EFFECTUAL SUPPRESSION OF THE SLAVE TRADE.^aSMITH TO DE CETTO.^bSMITH TO JONES.^c

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LEGATION OF TEXAS, PARIS
August 22, 1843HON ANSON JONES
Secretary of State

SIR,

The annexed copies of a note from Baron de Cetto, the Bavarian Minister at London, and of my answer thereto explain themselves sufficiently. I doubt not but that your department will obtain the information and transmit the certificate thereof as desired by the Baron de Cetto.

I forwarded from London by Mr E. L. Barnard some weeks since a legal document received from the Baron de Cetto with the request that the same should be served on the person named in it, a native of Bavaria now resident in Texas, and that notice of said service be transmitted to the Baron de Cetto.

I have the honor to be
very respectfully
your most obed Servant

ASHBEL SMITH

Baron de Cetto, Bavarian Minister, to Ashbel Smith.

Baron de Cetto presents his compliments to Mr Ashbel Smith, and takes the liberty of again applying to him for the purpose of obtaining a certificate of the death of one Peter Ehrhard a native of Bavaria who is stated to have died at Bastrop in the Republic of Texas on the 14th of November 1839.

Baron de Cetto would feel much obliged if Mr Ashbel Smith would apply to his Government for the document in question which the relatives of the deceased are interested in obtaining and which they have requested Baron de Cetto to procure for them.

He avails himself of this opportunity to renew to Mr Ashbel Smith the assurances of his high consideration.

3 Hill Street, Berkley Square

August 15, 1843.

ASHBEL SMITH Esq

etc. etc. etc.^a [August 21, 1843]. See *Morning Star*, August 3, 1844.^b August 21, 1843. See Smith to Jones, August 22, 1843.^c A. L. S.Mr Ashbel
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Ashbel Smith to Baron de Cetto.

Mr Ashbel Smith. presents his compliments to His Excellency Baron de Cetto and has the honor to acknowledge the receipt of his communication of the 15th Instant.

Mr Ashbel Smith will forthwith write to his Government and request that the death of Peter Ehrhard stated to have died in Bastrop in Texas be ascertained and a certificate thereof be transmitted to His Excellency for the relatives of the deceased. He thinks it scarcely necessary to intimate to Baron de Cetto that from the great distance of Texas considerable time must unavoidably elapse before an answer can be had.

Mr Ashbel Smith embraces this opportunity to renew to Baron de Cetto assurances of his distinguished consideration

3 St James's Street

Aug. 21st 1843.

His Excellency

BARON DE CETTO

etc. etc. etc.

ELLIOT TO JONES.^a

ELLIOT TO JONES.^b

GALVESTON August 28th. 1843.

The Undersigned etc. etc. etc. has the honor to acquaint Mr. Jones that He has this day received a despatch from Her Majesty's Chargé d'affaires dated on the 15th. Inst.

Agreeably to the wish of the President of Texas communicated in the despatch of the Undersigned to Mr. Doyle of the 2d. Inst. that Gentleman requested the President of Mexico to release all the Texian prisoners remaining in that Country. General Santa Aña said that there were still some Mexican prisoners in the hands of the Texians, some of whom were captured at San Jacinto, that they were fewer in number than the Texian prisoners held in Mexico. But General Santa Aña requested Mr. Doyle to state to the Undersigned for the information of this Government that He would "at once" "consent to the release of all the Prisoners, whatever may be the" "difference in the numbers, upon the Mexicans still kept prisoners" "in Texas, being sent to the Head Quarters of General Woll." Mr. Doyle adds that He consented to write to the Undersigned at once on this subject "as it is one, both on the score of humanity, as well" "as for the sake of bringing about a good understanding, which"

^a August 28, 1843. See Calendar.

^b A. L. S.

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"ought to be settled with as little delay as possible." Mr. Doyle also remarks, that the details of this measure and all the responsibility attending it will of course be settled by the parties interested; But He suggests that an arrangement would be desirable for the removal of the prisoners from Mexico to Texas, either by vessels chartered for that purpose or otherwise, and a mutual allowance for their support to the Coast on the one hand, and to General Wolls Head Quarters on the other, so as to avoid some difficulties in the respect of expenses, which took place on the last occasion of the return of prisoners.

The exigencies of the public service will not enable the Undersigned to detain the "Scylla" till He can have the honor of hearing from Mr. Jones in reply to this communication; but He entertains the belief that He shall be acting in conformity with the President's wishes, and anxiety for the release of the Prisoners in saying to Mr. Doyle that He sees no reason to doubt that General Houston will accede to the arrangement proposed by General Santa Aña. He will also mention that He believes all the Mexican prisoners in Texas are at large, and many of them engaged in profitable employments, and that thereupon it may be possible that some of them would desire to remain by their property

The Undersigned hopes that this proof of the friendly dispositions of the President of Mexico will be satisfactory to this Government, and He avails himself of this occasion to renew to Mr. Jones the sentiments of highest consideration with which He has the honor to remain

His Most faithful Servant

CHARLES ELLIOT.

The Hon

ANON JONES,
etc. etc. etc.

Washington on the Brazos.

KENNEDY TO JONES.^a

JONES TO ELLIOT.

DEPARTMENT OF STATE

Washington Sept. 4th 1843

The Undersigned Secretary of State of the Republic of Texas has the honor to acknowledge the receipt of the note addressed him on the 17th Ult. by Capt. Charles Elliot H. B. M Chargé d' Affaires to

^a September 4, 1843. See Calendar. No copy of this letter has been found in the archives.

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Texas, in further reference to claims of certain British subjects which have been heretofore presented to the consideration of this government.

The claim of Mr Joseph Russell for damages sustained by him in the capture and detention of the "Eliza Russell" having been of so long standing, and having been acknowledged by Congress, in an act passed by that body so long ago as 1840,^a and the amount appropriated for his payment, the undersigned has felt particularly anxious that he should receive the same, and has lost no time in presenting the suggestions of Capt Elliot in reference to this subject to the attention of his Excellency the President, who has always entertained a strong desire to satisfy the just demands of Mr. Russell. Circumstances however connected with the peculiar situation of the country and its finances, of which Capt. Elliot is aware and which the undersigned is extremely happy to know have been duly considered by him, have hitherto prevented the accomplishment of this desire. These circumstances having in some degree happily changed the President has felt justified in making provision for the payment of this claim, and the Undersigned has now the pleasure to enclose herewith a draft drawn by the acting Secretary of the Treasury on James H. Cocke Esq. Collector of Customs for the Port of Galveston, at 90 days date in favor of Capt Elliot for Three Thousand Eight Hundred and forty 60/100 (\$3840.60) Dollars, being the amount appropriated by Congress for this purpose by the act of Jan. 25th 1840^b

The Undersigned claims the indulgence of Capt Elliot for a few days when he hopes to have the pleasure of replying to the other subjects embraced in Capt Elliotts note. Ill health and the consequent accumulation of business in this Department, will it is hoped afford a sufficient apology for this delay

The Undersigned embraces the present occasion to renew to H. B. M Chargé d' affaires assurances of the high consideration and respect with which he has the honor to remain

His Most Obt Svt

Signed ANSON JONES

To Capt. CHARLES ELLIOT
H. B. M. Chargé d' affaires
etc. etc. etc.

JONES TO ELLIOT.

DEPARTMENT OF STATE

Washington Sept. 4th 1843

The Undersigned etc. etc. etc. has the pleasure to acknowledge the receipt of the communication which Capt Charles Elliot H B M.

^a Approved January 25 of that year. See Gammel, *Laws of Texas*, II, 246-247.

^b A copy of this draft is on file.

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Chargé d' Affaires did him the honor of addressing him on the 28th. Ultio. informing this government of the very satisfactory dispositions evinced by the President of Mexico Gen Santa Anna in promptly acceding to the request of Gen Houston conveyed through the representatives of Great Britain to the two countries for the release of the Texian Prisoners in Mexico upon the condition that the Mexican prisoners in Texas should be sent to the Head Quarters of Gen Woll.

Although the President is not aware that there is a single Mexican prisoner in Texas, except those who have voluntarily chosen to remain in this country, since orders were issued in 1837 and subsequently for their release and restoration to entire liberty, still that no doubt might remain on this subject and perfectly willing to accede to the arrangement proposed by Gen Santa Anna he has deemed it proper to issue a proclamation under the present date, declaring all Mexicans taken prisoners by the forces of Texas at any time since the commencement of the war, in which the two countries have been engaged, at liberty and free from all and every species of restraint, and offering to all such as may choose to return, and who shall report themselves on or before the 20th of Octr next to Col. J. C. Hays at San Antonio de Bexar, a safe conduct at the expense of this Government to the Head Quarters of Gen. Wooll. An authenticated copy of this Proclamation is herewith enclosed.

An early opportunity will be embraced to apprise Gen Woll of the steps taken by this Govt. in relation to this matter and to arrange the details of the exchange of prisoners, and a vessel will be sent to Vera Cruz for the purpose of removing our prisoners from Mexico so soon as the same may seem adviseable.

The undersigned hopes he will not be trespassing too far upon the kindness of Capt Elliot in requesting that he will as he may have opportunity communicate to Mr. Doyle, the substance of this note for the information of the Mexican Govt. and in tendering to Capt Elliot as he is instructed to do the thanks of his Excellency the President for the very prompt and efficient interposition of his good offices in the attainment of an object so anxiously desired by his Excellency as the release of our unfortunate prisoners in Mexico, he avails himself of the occasion to renew the assurances of the high consideration and respect with which he has the honor to be

His Most Obt
and faithful Servant

(Signed) ANSON JONES

Capt CHARLES ELLIOT
H B M Chargé d' Affaires
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