William Kennedy – Friend of Texas

Joseph L. Lauer

College of Saint Benedict/Saint John's University

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WILLIAM KENNEDY--FRIEND OF TEXAS

BY

JOSEPH J. LAUER

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PREFACE

This is a study of the work of William Kennedy in and for Texas, especially his work as British consul. I use the biographical method because I believe that is the only logical way to approach the subject. However much I would like to make this such, this is not a biography. To write a biography of William Kennedy, it would not only be necessary to do research in England, but also to have a background in literary evaluation, for Kennedy was a writer of some note before he became a diplomat. The author is wanting in both particulars. In this study, the emphasis will be on Kennedy's work as a diplomatic agent. Other aspects of his life are treated in summary fashion and only insofar as they are necessary to fill out the main theme.

My research was limited to libraries in the State of Minnesota. I used the Minnesota Historical Society Reference Library, the Minneapolis Public Library, the University of Minnesota Library, the St. Paul Public Library, the James J. Hill Reference Library, and the St. John's University Library, in approximately that order of importance. Due to various restrictions, I was unable to make much use of the inter-library loan
facilities, but I would like to thank Fr. Ronald Roloff, OSB, for obtaining several important theses. I should also acknowledge the assistance of various friends, without whose help I would have experienced considerable difficulty in obtaining library loans.

I must also acknowledge the cooperation of my parents, who made it possible for me to complete most of my research during the summer. In conclusion, I would like to thank my advisor, Dr. Joseph Heininger, as well as other members of the History Department, for their guidance and helpful suggestions.
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CHAPTER I

INTRODUCTION

William Kennedy, British writer and public servant, was born near Dublin in 1799, the son of an Ayrshire manufacturer. William studied at Belfast and at Glasgow, where he displayed especial ability in mathematics and the study of the classics.\(^1\) Afterwards he spent some time traveling on the continent, living off the small fortune left him by a rich uncle. Financial distress finally forced him to return to England, and after teaching for a time, he obtained a job with the \textit{Paisley Advertiser}, a Tory newspaper. This was the beginning of a noteworthy literary career.\(^2\) He wrote a number of short works and was highly regarded in certain circles.\(^3\) He also worked as a reporter and/or editor for various other publications.


\(^2\)Kennedy's works are listed in the appendix.

As many another cultured Englishman of the nineteenth century, Kennedy entered public service. His work both as sheriff of Hull and as editor of the Hull Advertiser attracted the attention of Lord Durham. Kennedy worked with Durham in the election of 1834 and was associated with Parkes, Durham's friend, in municipal reform. Durham, aware of Kennedy's knowledge of municipal institutions, rewarded him for his services by selecting him to work with Adam Thom in the investigation of local government in Canada. Their findings, included within the Appendix of Durham's Report, were the basis for future reforms.

After completing his Report on Canada (December 1838), Kennedy traveled through the United States and satisfied his desire to study at first hand the operations of the municipal governments there. After journeying through New York, Washington, D. C., and the Southern states, he visited his brother Hugh in New Orleans and then went on to Texas.

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4 Bollaert, p. 387.


7 Bollaert, p. 387; Kennedy, Texas, I, xxxv-xxxix.
In 1839, Texas was a growing country with abundant opportunities and a rather rough reputation. The predominantly American population had established Texan independence in 1836, with the battle of San Jacinto, but operating an independent national government proved to be more difficult than creating one. Compounding the normal problems facing any new nation was the uncertain future for her newly won sovereignty. Mexico refused to admit that she had ever lost her former province, and Mexican politicians frequently cried for reconquest. In reality, the condition of Mexico prevented any real action in this direction before 1842, but even the fear of invasion was enough to force Texas to remain alert. It was with difficulty that Houston managed to curb plans for an invasion of Mexico, and Texans were inclined to view Indian deprivations as Mexican-inspired. On the other hand, the United States, while grudgingly granting recognition (March 3, 1837), refused to consider annexation—the desire of most Texans.

Texas politics was stamped with the rugged individualism that marked the American pioneer. The Texas Congress was inclined to be unruly and irresponsible,

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8In the United States, missing debtors were assumed to have "g.t.," i.e., gone to Texas.

9Hostilities with France and federalist agitation kept Mexico in turmoil in the years after San Jacinto.

10See George P. Garrison, "The First Stage of the Movement for the Annexation of Texas," American Historical Review, X (October, 1904), 72-96.
and campaigning for office could expose the candidate to the worst slanders. After San Jacinto, Houston emerged as the only giant in Texas politics, but a constitutional provision prevented him from succeeding himself as President. Thus Mirabeau Buonaparte Lamar became President in December, 1838, bringing a radical change in policy.

Fear of alienating Mexico had caused the United States to delay recognition, and the European nations were even more hesitant. Both Great Britain and France had large investments in Mexico, and they feared that recognition of Texas would place these in jeopardy. Besides, they felt that Texas would soon lose her independence, either through reconquest or through annexation, and recognition was therefore unnecessary. But recognition was necessary to the Texans both for encouraging trade and for obtaining loans. In addition, it would dispel United States complacency concerning Texas.

At the time of Kennedy's visit to Texas, trade between Great Britain and Texas was conducted on the same terms as that between Great Britain and Mexico, with Texas being considered a part of Mexico. Such an arrangement satisfied neither Texas nor Mexico and could not last. The need for a foreign loan was even more acute than the need for trade. Throughout its independent existence, the government of Texas was plagued by a lack of revenue and forced to resort to the most desperate remedies to provide for even elementary needs. The national debt rose steadily and got completely out of hand during
the extravagant Lamar Administration. By 1845, the debt had reached a figure in excess of $10 million, and this was undoubtedly a factor in Texas' acceptance of annexation. Negotiations for loans formed a major part of the story of Texas diplomacy.

During Houston's First Administration only the United States had recognized Texas, but the succeeding Administration was to be more successful. Lamar rejected the idea of annexation and presented plans for a strong independent nation. European nations, sensing a chance to block United States expansion and to extend their own influence, took notice and became more willing to negotiate. Thus, Kennedy's arrival in Texas coincided with the rise of both Texas' interest in Europeans and of the Europeans' interest in Texas.
CHAPTER II

KENNEDY'S WRITINGS ON TEXAS

Kennedy's interest in Texas dated from the time of the Texas Revolution, when the Texan victory against overwhelming odds had aroused his curiosity. Already acquainted with the United States and its spirit, he was attracted by this rather unusual manifestation of American expansionism. What Kennedy saw upon his arrival in Texas was so vastly different from the reports circulating in England and the United States that he determined to write an account that would correct the slanders against Texas and Texans. He apparently communicated his intention to the Texan Government, because with the help of Lamar and his Cabinet, Kennedy succeeded in collecting a number of documents as well as other materials. He studied the soil and general resources of the country as well as the government, religion, and customs of the people. The scissors was his chief research tool, and

1Kennedy, Texas, I, xiii-xiv.
2Ibid., I, xxxix.
3Ibid., I, xxxix-xl.
4Ibid., I, xxxix-xl.
5Ibid., I, xxxix.
at least one Texan complained about the inconsiderateness of Kennedy in gathering material. 6

By September, 1839, Kennedy was back in England, preparing his work for publication. He intended his book to lend support to those individuals in the British Government who sought to bring about the recognition of Texas. 7 However, for reasons not entirely clear, publication was delayed for over a year. 8 The Rise, Progress, and Prospects of the Republic of Texas, published by Longman, Orme, Brown, and Longmans, finally appeared in 1841. Its popularity was so great that a second edition, identical with the first, was put out by R. Hastings later in the same year. 9

Kennedy's two-volume work was divided into three books, with an introductory narrative of some fifty pages. The first 200 pages (after the introduction) were devoted

6Bollaert, p. 106; Alex. Dienst, "The New Orleans Newspaper Files of the Texas Revolutionary Period," Quarterly of the Texas State Historical Association, IV (October, 1900), 144.

7Papers of Lamar, III, 114.

8Kennedy might have been kept busy defending Texas in the press and elsewhere, but his marriage to the daughter of one of the proprietors of the Hull Advertiser with the consequent necessity to attend to his duties as editor of that paper, at some distance from London, was the more probable reason.

9The R. Hastings edition lists the title as Texas: The Rise, Progress . . . . All references to Kennedy's history will refer to this edition, since the earlier edition is not even carried by the Library of Congress. Kennedy's history has been a popular enough source to be reprinted in one volume in 1925 by the Molyneaux Craftsmen, Inc., Fort Worth, Texas.
to a description of the land and natural features of Texas. The next 400 pages traced events in Texas from the first European settlement to the establishment of the Republic. Book III (about 200 pages) covered the trials and difficulties of Texas in the few years since San Jacinto. The work closed with an appendix of important documents.

Kennedy's *The Rise, Progress, and Prospects of the Republic of Texas* was an outstanding reference book in its day. Although lacking a bibliography, it did have numerous footnotes which indicates his sources. Much of the material was gathered through first-hand observation, but a few months in Texas was hardly enough time to see and check on everything; thus, Kennedy had to accept many second-hand reports, which were held accountable for any errors.\(^{10}\) In addition, he consulted newspapers, official documents of both the United States and Texas, and numerous secondary works, including a few written in Spanish. Kennedy often quoted lengthy passages from letters and official reports without citing the source, but this was a characteristic of many writers of his day.

The outstanding weakness of Kennedy's book is his bias in favor of the Texans and/or against the Mexicans. Kennedy had hardly one good thing to say about the Mexicans, or the Spanish before them, and even otherwise

favorable contemporary reviewers were forced to admit that he was flattering the Texans.\textsuperscript{11} Preaching his own brand of Manifest Destiny,\textsuperscript{12} Kennedy regarded the English-speaking peoples as superior to all others, although he was not too sure about the Americans. At a time when Anglo-American relations were something less than cordial, he regarded war between the two great English-speaking nations as the worst possible disaster.\textsuperscript{13} On the other hand, Kennedy had nothing but scorn for Spanish and Mexican policy in Texas. To him only "the free, hardy, and undaunted pioneer of Anglo-American civilization" was able to accomplish anything worthwhile.\textsuperscript{14} The Spaniard, in Kennedy's view, was only interested in gold and other means of self-enrichment. The Indians were dismissed as

\textsuperscript{11}Review of Kennedy's Texas, Athenaeum, No. 708 (May 22, 1841), 397; Times (London), June 12, 1841, p. 7. This is not the first time Kennedy's Anglo-Saxon Protestant bias was apparent in his writing. In his report on the municipal institutions of Canada, the French people came out second best. Not only did Kennedy look down upon the French government and the French peasant, but he was also hostile toward Catholic missionary endeavors. (The "only progressive movement had been from monastic rule to military despotism." Durham's Report, III, 140.) His view of the Spanish missionaries in California was similar, and he called their dominace an "unmo-lested patrimony." Times (London), June 18, 1841, p. 11. His religious bias even extended to the Irish Catholics, whom he contrasted unfavorably with the Irish Protestants and others in the United States. Kennedy, Texas, I, xlvi.

\textsuperscript{12}Kennedy, Texas, I, 206.

\textsuperscript{13}Ibid., I, xxix, xlvi.

\textsuperscript{14}Ibid., I, 223.
savages possessing few virtues and many vices. The Indian was even denied the right to the land he occupied. All in all, the cultural bigotry is amazing for a man of Kennedy's education. However, it must be remembered that his biases, while heavy by our standards, were less glaring than those of some of his contemporaries.

The influence or effect of this book is difficult to assess. It was written to support British recognition of Texas, but the treaties of recognition had already been signed. The work no doubt made Texas better known in England, but to what extent and with what results is questionable. In considering the effect on the British people, it must be kept in mind that Britain was deluged (1837-1847) by books on Texas. Many of these were second or third rate, and most were written by authors with an axe to grind. The arguments over the virtues and vices of Texas and Texans carried over into the press. With all the conflicting testimony, it is not surprising that the average Briton--be he prospective emigrant, investor, or philanthropist--was confused and did not know what to

15 Ibid., I, 344-351.
16 Ibid., I, 355.
17 Henry Stuart Foote's Texas and Texans (2 volumes; Philadelphia: Thomas, Cowperthwait and Co., 1841), is a good example.
believe. Kennedy's was undoubtedly the most complete book available on the events in Texas, but it would be an exaggeration to give it credit for significantly increasing trade and emigration to Texas.

The British trade with Texas, although neither "brisk nor lively," increased steadily from its beginning in the spring of 1839. However, this was due more to the growing supply of cotton than to Kennedy's book, although Kennedy might be credited with publicizing Texas' cotton-producing potential. The number of British emigrants to Texas was not great at any time and dropped sharply after 1843. Kennedy's book had little influence in Britain, but it did attain some popularity among prospective emigrants in other lands. Not only was

19 Ibid., p. 193.

Stafford asserts that as a result of Kennedy's book, trade between Texas and Europe was "immediately stimulated" and emigration to Texas was "greatly increased." Vernon Stafford, "The Diplomatic Service of William Kennedy to Texas" (unpublished M.A. dissertation, Dept. of History, Texas Technological College, 1950), p. 8. Stafford fails to back up this statement, but it reflects his general thesis that Kennedy made substantial contributions to the cause of Texas.

20 Spence, 123.

21 Power to Peel (Galveston, 20 June 1842), British Diplomatic Correspondence Concerning the Republic of Texas, 1836-1846, ed. Ephraim Douglass Adams (Austin: Texas State Historical Association, 1917?), pp. 70-77. This volume is henceforth referred to as BDC.

22 Louis J. Wortham, A History of Texas (5 volumes; Fort Worth: Wortham-Molyneaux Co., 1924), V, 120-123.

23 Spence, pp. 101-102; Kennedy to Aberdeen (Galveston, 9 September 1844), BDC, p. 356.
it translated into German,\(^{25}\) and highly regarded by German emigration leaders,\(^{26}\) but in addition, the first part, a description of the resources of Texas, was reprinted in the United States.\(^{27}\) However, the work as a whole was too long and detailed for the general reader.\(^{28}\)

Perhaps the most important result of the book was the personal fame and popularity it brought William Kennedy. After the printing of his history, Texas officialdom took special notice of him. The Texas House of Representatives passed a resolution of thanks, and both houses invited him within the bar.\(^{29}\) Such indications of appreciation and respect were important factors in his future diplomatic career. Unfortunately for Mr. Kennedy, the British Government could not express the same satisfaction with his work, partly because the politically important abolitionists forced them to take either a

\(^{25}\)Geographie, Naturgeschichte und Topographie von Texas, trans. Otto von Czarnowsky (Frankfurt am Main: J. D. Sauerländer, 1845).


\(^{27}\)Texas: Its Geography, Natural History and Topography (New York: Benjamin and Young, 1944).

\(^{28}\)In fact, Arthur Ikin's Texas: Its History, Topography, Agriculture, Commerce and General Statistics (London: Sherwood, Gilbert, and Piper, 1841) and Carl Solms-Braunfels' Texas were smaller works designed for the reader who did not have time for Kennedy's book.

\(^{29}\)Texas (Republic), Congress, Journals of the Sixth Congress of the Republic of Texas, 1841-1842, ed. Harriet Smither (3 volumes; Austin: Von Boeckmann-Jones, 1940-1945), I, 258, and II, 70, 408.
neutral or anti-Texas stand, and partly because diplomats were not supposed to take sides in such a dispute.

In 1842, Kennedy was considering writing another book on Texas. He even asked Lord Aberdeen if he might dedicate such a work to him, but Aberdeen declined the compliment.\textsuperscript{30} "The political aim of the contemplated work was to be the establishment of peace between Texas and Mexico."\textsuperscript{31} This probably meant that Kennedy planned to tell the world of the greatness of Houston and of his efforts to make peace with Mexico.\textsuperscript{32} However, Kennedy was unable to get to work on this projected book. Ashbel Smith\textsuperscript{33} asked Pringle\textsuperscript{34} to "urge Kennedy to set about his Narrative of Journey in Texas," and Pringle promised

\textsuperscript{30}Spence, p. 178, citing Kennedy to Aberdeen (London, 25 June 1842) and Aberdeen to Kennedy (29 June 1842), British Museum, Add. MS. 43, 126.

\textsuperscript{31}Kennedy to Aberdeen (Haymarket, 2 July 1842), \textit{BDC}, p. 87.

\textsuperscript{32}Hamilton to Aberdeen (Charleston, 25 March 1942), \textit{BDC}, pp. 59-60.

\textsuperscript{33}Ashbel Smith (1805-1886), originally a doctor in Connecticut, had lived for a time in North Carolina, where he became involved in the nullification movement. He settled in Texas in 1837 and was soon appointed surgeon-general of the Army. Resigning the job in 1838, he practiced medicine in Galveston until his appointment (1842) as chargé to England and France. He became Secretary of State in 1844, and his later life was distinguished by his leadership in the field of education. Harriet Smither, "Ashbel Smith," \textit{Handbook of Texas}, ed. Walter P. Webb and H. Bailey Carroll (2 volumes; Austin: Texas State Historical Association, 1952), II, 620-621.

\textsuperscript{34}William Pringle, a friend and associate of Kennedy, worked with Ashbel Smith in promoting the interests of Texas.
to call in the aid of Mrs. Kennedy to second his exhortations, but the book never appeared. Kennedy was daily expecting an appointment that would take him out of England, and prudence advised against writing without the blessing of his prospective superior, Aberdeen.

In the interval between his arrival in England in the fall of 1839 and his return to Texas in the fall of 1841, Kennedy wrote a number of newspaper articles in defense of Texas. His principal antagonist, in the beginning at least, was Daniel O'Connell. This fiery leader of the Irish bloc, which held the balance of power in the House of Commons, was known for his readiness to defend his views with more enthusiasm than good sense. This was especially true with such an emotional issue as slavery.

Shortly after Kennedy's return from Texas, O'Connell suggested, in an open letter to Joseph Sturge, that the English should unseat any British Government that dared to recognize Texas without Mexican consent and that Britain should establish in Texas a colony for British subjects of color. Kennedy, addressing both

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35Spence, p. 179, citing Smith to Pringle (Paris, 22 July 1942) and Pringle to Smith (n.d.--pencil date 1842), Letterbook, A. Smith Papers.


37Spence, pp. 13-14, citing Colonial Gazette, 28 August 1839.
O'Connell and Sturge, pointed out O'Connell's ignorance regarding the conditions in Texas, disputed his estimate of Santa Anna's character, argued the commercial advantages of prompt recognition, and suggested that British emigration rather than abolitionist schemes was a better way to promote emancipation. Sturge responded by rejecting the idea of recognition for the "home of the slave" and defending the effectiveness of the efforts of the abolitionists.

Kennedy, in an unsigned article copied by the Morning Chronicle from the Hull Observer, ridiculed Sturge's suggestion that the United States would allow the British promotion of abolition in Texas, and he re-emphasized the commercial advantages of recognition. A few weeks later, a lengthy letter to the editor repeated the above arguments and defended the character of the Texans. In the meantime, the Hull Advertiser and Exchange Gazette, of which Kennedy was one of the editors and proprietors, carried an article on the possibility of using Texas as a base for contraband trade with the United States.

38 Ibid., p. 15, citing Colonial Gazette, 11 September 1839.
39 Morning Chronicle (London), 21 September 1839, p. 3.
40 Ibid., 3 October 1839, p. 2.
41 Ibid., 21 October 1839, p. 3.
42 Spence, p. 109, citing Hull Advertiser and Exchange Gazette, 11 October 1839.
O'Connell, feeling once more the need to arouse the people against the slave-holding Republic of Texas, now expressed the belief that between 10,000 and 15,000 slaves had been imported into Texas in 1837 and 1838 from regions other than the United States. Kennedy questioned his figures and asserted that slavery existed in Mexico in the form of Indian labor under the Franciscan friars of California, who were of the same religious faith as O'Connell.

After this, the record on Kennedy is barren for the next year and a half. Perhaps there was some conflict with his employers, the owners of the Hull Advertiser, concerning his views on Texas. In any event, while the British and Foreign Anti-Slavery Society took up the fight against the recognition of Texas, both O'Connell and Kennedy busied themselves with other matters.

In June, 1841, shortly after the publication of his book, Kennedy returned to the newspaper battle with an article giving reasons why Britain should move into California. Richard Hartnel promptly attacked him as a notorious advocate of Texas who did not know what

43 Morning Chronicle (London), 22 October 1839, p. 3.
44 Spence, p. 20, citing The Hull Advertiser . . ., 8 November 1839.
45 The Times (London) 18 June 1841, p. 11.
46 Nothing is known about Hartnel except that he was an Englishman who gathered some of his views from a cousin living in California. The Times (London), 29 July 1841, p. 6.
he was talking about. Kennedy sneered at the accusations, denied that he had any intention to promote a loan or land sale, and claimed to be rendering justice to a calumniated people. In his reply, Hartnel mentioned that Kennedy wished to have their correspondence published so that the public might see both sides and decide the truth for themselves. This was later done in a pamphlet entitled Texas and California. Soon afterwards Kennedy was sent on a special mission to Texas and was thus obliged to break off active participation in the dispute.

What were the results of Kennedy's letters to the press? Although they might have had something to do with Kennedy's appointment as agent to Texas, they had little effect on Foreign Office thinking. However, they were important as public answers to O'Connell's slanders against Texas, and they helped to balance the people's pro-Mexican leanings.

47 Ibid.
48 Ibid., 12 August 1841, p. 3.
49 Ibid., 20 August 1841, p. 5.
50 London: W. Tyler, 1841.
CHAPTER III

SPECIAL MISSION TO TEXAS

As early as June, 1837, the Texas Government had sought the recognition of Great Britain. However, Palmerston had rejected the application since annexation by the United States appeared imminent. There were other obstacles as well. The existence of the Republic of Texas threatened to jeopardize British investments in Mexico, and the Melbourne Government was anxious to avoid any possible controversy over the recognition of a slave-holding nation. Staggering from one crisis to another, threatened with being overthrown at any moment, the Whigs had managed to stay in office since 1835, but only with the unreliable support of the Radicals and the Irish.¹ Desire to remain in power stifled initiative, and O'Connell threatened to withdraw his support if the slave-holding Republic of Texas was recognized.

Despite all the objections, the arguments for recognition finally proved to be too strong. The Texas diplomats, after being balked in London, had directed their efforts elsewhere in Europe. France had signed

¹The Whigs actually resigned in 1839, only to sneak back in after the infamous Bedchamber Dispute.
a treaty of recognition on September 25, 1839, and the Netherlands followed on September 18, 1840. If the British Government waited much longer, Great Britain would lose any possible commercial advantages she might gain in Texas. Besides, the prospect of maintaining a buffer state between the expanding United States and a weak Mexico demanded that something be done to support that buffer state before it was forced into annexation. An independent Texas could also supply England with a secondary source of cotton, a low tariff market for manufactured goods, and possibly even a wedge against slavery in the United States. Of course, all this depended upon the Texans' desire to maintain their independence, but by November, 1840, Palmerston apparently believed that they had this and that there was no immediate danger of annexation.2

In November, 1840, General Hamilton3 and Lord


3 James Hamilton (1786-1857), a former governor of South Carolina, had retired from active politics after leading his state in the nullification dispute. Because he was a prominent and active sympathizer with the cause of Texas, he was voted a perpetual citizen of the Republic and offered the command of the Texas army. Lamar made him commissioner of loans in 1838 and sent him to Europe as a diplomatic agent in 1839. His work in Europe substantially improved the position of Texas in Europe, but Houston discredited him and Texas failed to reimburse him for his services. J. G. deR. Hamilton, "James Hamilton," Dictionary of American Biography, ed. Allen Johnson (New York: Charles Scribner's Sons, 1928-1936), VII, 187-188.
Palmerston negotiated a series of treaties. The first (signed November 13) was a standard treaty of commerce and navigation. The second (November 14) was a convention making arrangements for the transfer of part of the Mexican debt to Texas if Britain was successful in mediating peace between Mexico and Texas within six months after informing Mexico that the treaties were in force.

The third treaty (November 16) provided for the suppression of the African slave trade. This last treaty was a part of the continuing and controversial British drive to unite the Western world behind the battle against the transoceanic slave trade. The key provision was permitting the warships of one nation to stop and search vessels flying the flag of another nation. The United States had refused to permit this, saying that it would make them subservient to the British navy. France had signed the necessary convention but failed to ratify it, partly because of the work of American agents. Thus Great Britain wished to obtain the cooperation of Texas so that she might have a lever against the United States reluctance. Since Palmerston made the Slave Trade Treaty a sine qua non, Hamilton had no choice but to accept, even though he had no authorization to sign such a treaty.

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^4For the contents of these treaties, see Hertslet's Commercial Treaties, comp. Lewis Hertslet (London: Stationery Office, 1845), VI, 807-828.

^5By the time ratifications were exchanged, Great Britain had given up hope of obtaining Mexican agreement to anything. See Adams, British Interests, pp. 105ff.
Unfortunately the establishment of diplomatic relations between Great Britain and Texas was delayed by irregularities in the Texan ratification process. Hamilton delayed in sending the third treaty, so that when it arrived in Texas, Congress had already adjourned after ratifying the first two without knowing about the third. The British Government, under pressure from the anti-Texas abolitionists and suspecting that Texas wished to avoid ratifying the Slave Trade Treaty, refused to exchange ratifications until all three treaties were ratified. The situation remained in this state of affairs through 1841.

After successive defeats in Parliament and at the polls, Melbourne finally resigned on August 28, 1841. Peel, the Tory leader, quickly formed a government with Lord Aberdeen as foreign minister. Aberdeen brought a change from the aggressive, intermeddling policies of Palmerston. The maintenance of peace was the new foreign minister's primary objective. In his policy toward Texas, he was cautious and hesitant, being slow in getting the feel of his office, anxious to be just, and desirous of avoiding any rupture with Mexico. He was not going to

6 Adams (British Interests, pp. 67-68) goes into more detail concerning this delay.

7 Aberdeen's principal achievement was the establishment and maintenance of friendly relations with France. Sir Arthur Gordon (Earl of Stanmore), The Earl of Aberdeen (New York: Harper and Brothers, 1895), p. 153.

8 Adams, British Interests, p. 79.
undo Palmerston's work, but he showed no immediate desire to endorse it.

At this point, when the delay in the exchange of ratifications was proving to be rather embarrassing for Texan officials in England, and the British people were beginning to wonder about Texas, William Kennedy re-entered the picture. At an interview with Aberdeen on October 11, Kennedy suggested that an agent go to Texas and report on "the progress of Affairs there, and such Matters as may have an important bearing on British interests . . . ." However, Kennedy was not the first to make such a suggestion to the British Foreign Office and he was not to be the first British agent sent to Texas on such a mission. As early as 1837 an agent had been sent to investigate. Mr. Crawford, British consul in Mexico and later at New Orleans, had stood at the head of the line beside President Houston during the celebration on the anniversary of San Jacinto. His report recommended recognition, but nothing was done at the time.

A few years later, Francis C. Sheridan was sent to Texas by Sir Evan John Murray MacGregor, the Governor

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9Kennedy to Aberdeen (Strand, 12 October 1841), BDC, pp. 43-44.


11Crawford to Pakenham (New Orleans, 26 May 1837), BDC, pp. 12-16.
of the Windward Islands.\footnote{12} Sheridan reported that if recognition was contemplated, a "competent person" should be sent to Texas to examine and report on the situation, check the land frauds, and assist British emigration.\footnote{13} Then James Hook, a merchant, came forward with a lengthy letter on Texas which ended with a plea for a British agent or consul in Texas to protect British interests.\footnote{14} Hook obviously hoped to be the agent, and he actually applied for the job later in the year.\footnote{15} In the meantime, Palmerston anticipated the establishment of regular diplomatic relations by selecting Captain Charles Elliot.\footnote{16}

\footnotetext{12}{Francis C. Sheridan, Galveston Island Or, a Few Months Off the Coast of Texas, ed. William Pratt (Austin: University of Texas Press, 1954), pp. vii-viii.}

\footnotetext{13}{Sheridan to Garraway (Barbados, 12 July 1840), BDC, pp. 23-25.}

\footnotetext{14}{Hook to Palmerston (n.p., 30 April 1841), BDC, pp. 23-29.}

\footnotetext{15}{Philip C. Sturges, "Great Britain and the Annexation of Texas" (unpublished Ph.D. dissertation, Dept. of History, University of Utah, 1951), p. 69, citing Hook to Aberdeen (10 November 1841), F.O. 75/2, 172-188.}

\footnotetext{16}{Sir Charles Elliot (1801-1875), the son of Right Hon. Hugh Elliot, served in the British navy from 1815 to 1828, when he was put on the retired list. In the next forty years he worked for the foreign and colonial offices in various capacities. He served as protector of slaves in Guiana (1830-1833) and went to China with a minor position in 1834. In June, 1836, he became chief superintendent of trade and plenipotentiary in Canton, but the uproar over his handling of the opium crisis led to his removal in 1841. After serving as chargé to Texas (1842-1846), he was governor of Bermuda (1846-1854), of Trinidad (1854-1856), and of St. Helena (1863-1869). Clagette Blake, Charles Elliot, R.N., 1801-1875 (London: Cleaver-Hume Press, Ltd., 1960); Sir John Knox Laughton, "Sir Charles Elliot," Dictionary of National Biography, VI, 669.}
to be consul-general to the Republic of Texas, with the
post of chargé d'affaires to be added once ratifications
were exchanged. ¹⁷

Shortly after becoming foreign minister, Aberdeen
called Kennedy in for an interview, presumably to ques-
tion him concerning Texas. Aberdeen must have known of
Kennedy's book, although it is doubtful that he had the
time or interest to read the lengthy work. The proceed-
ings of their meeting (October 11) are unknown except for
what Kennedy reports, ¹⁸ but Kennedy was not slow in taking
advantage of the opportunity. In a letter addressed to
Aberdeen on the following day, Kennedy recommended him-
self, "as an Englishman possessing some popularity in
Texas," for the post of agent to Texas. ¹⁹ In this capac-
ity he would (1) counteract French influence; (2) push
the ratification of the Slave Trade Treaty; and (3) help
Texas abolish slavery. ²⁰ For the time being at least,
Aberdeen ignored his appeals. Two more letters, reiter-
ating the need for an agent and his qualifications for
the job, ²¹ and almost a month passed before Aberdeen

¹⁷ Palmerston to Elliot (Foreign Office, 4 August
1841), BDC, pp. 42-43.

¹⁸ Kennedy to Aberdeen (Strand, 12 October 1841),
BDC, pp. 43-44.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Kennedy to Aberdeen (Strand, 20 October 1841),
BDC, pp. 45-46; Kennedy to Aberdeen (Haymarket, 6 Novem-
ber 1841), BDC, pp. 46-47.
granted him another interview. 22

It was during the second encounter (November 11) that Kennedy obtained the post of special agent to Texas. 23 This was the beginning of his special mission to Texas, but because the ratification procedures had not yet been completed, he was necessarily unaccredited.

Unfortunately, Aberdeen’s instructions to Kennedy have not been found so the objective of Kennedy’s mission is not definitely known. However, the evidence indicates that the primary purpose was to gather information. In the fall of 1841, Aberdeen had not yet decided on his policy towards Texas. Other agents had already visited Texas, but that had been when Palmerston was in control, and it was necessary to bring the data up to date. While a partisan supporter of Texas might not be the most objective observer, Kennedy had demonstrated in his book that he could gather a considerable amount of information within a short time. The fact that Kennedy reported on conditions in the new republic and made a trip to Western Texas supports the fact-gathering theory. 24 He also mentions a report, on the political and economic situation

22 Kennedy to Aberdeen (Haymarket, 9 November 1841), BDC, p. 48.
23 Kennedy to Aberdeen (Haymarket, 12 November 1841), BDC, pp. 48-49.
24 Kennedy to Aberdeen (Galveston, 10 January 1842), BDC, p. 52; same to same (Austin, 28 January 1842), BDC, p. 56.
in Texas, which he planned to write.\textsuperscript{25} A second possibility is that Kennedy was sent to promote the ratification of the Slave Trade Treaty.\textsuperscript{26} Kennedy himself had advanced this idea as one of the purposes for such a mission, and he was careful to give himself credit for helping to bring about Texas' acceptance of the treaty.\textsuperscript{27} Such an explanation would account for Kennedy's hurried departure,\textsuperscript{28} for he would have to get to Texas before Congress adjourned for the year. However, other conditions indicate that this was most likely not the primary objective. Texas had more to gain through ratification than Britain, and there is no real reason why Aberdeen should be anxious to push the recognition proceedings. Besides, Kennedy's despatches previous to his arrival in Austin contain only one reference to the Slave Trade Treaty,\textsuperscript{29} and they give no indication of the arguments he intended to employ, or afterwards did use,

\textsuperscript{25} Kennedy to Aberdeen (Hornsea, 13 November 1841), \textit{BDC}, pp. 49-50.

\textsuperscript{26} Staffford called this the primary purpose for the mission. Staffford, pp. 10, 17, 21. However, both Adams and Sturges believed that this was secondary to the main objective--gathering information. Adams, \textit{British Interests}, p. 78; Sturges, pp. 68-71.

\textsuperscript{27} Kennedy to Aberdeen (Austin, 28 January 1842), \textit{BDC}, pp. 55-57.

\textsuperscript{28} Kennedy to Aberdeen (Haymarket, 12 November 1841), \textit{BDC}, pp. 48-49.

\textsuperscript{29} Kennedy to Aberdeen (Houston, 12 January 1842), \textit{BDC}, p. 54.
in urging ratification. This purpose, while probably present, was secondary.

Other minor reasons might also have motivated the mission. Before his appointment, Kennedy had suggested that he would be able to further the cause of abolition in Texas. However, Aberdeen was not so naive as to accept or so intermeddling as to attempt this. Besides, there is nothing to indicate that he was anxious, in the fall of 1841, to see the abolition of slavery in Texas, and there is no mention of this idea after Kennedy's appointment.

In his letters before his engagement, Kennedy had also expressed concern over the extent of French influence in Texas. However, even if he shared this concern, Aberdeen would never have asked Kennedy to take any countermeasures. The only further mention Kennedy was to make concerning the French was to report that the Franco-Texienne Bill, about which he had expressed all the

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30 On the other hand, Hamilton's correspondence with Aberdeen suggests that Kennedy attempted to discredit the Texas diplomat in an effort to speed up ratification. Spence, p. 90, citing Hamilton to Aberdeen (Village of Industry, Texas, 10 February 1842), Aberdeen Papers; same to same (Charleston, 25 March 1842), BDC, pp. 59-60.

31 According to the terms of this proposal, three million acres, distributed among a number of choice locations along the rivers of Texas, was to be granted to a company of Frenchmen, provided that they would introduce 8000 families. The grant was to be semi-autonomous for a period of twenty years. The bill was approved by the House (23 January 1841), but the Senate dropped the measure because of the threatened veto of acting-President Burnet. Curtis Bishop, "Franco-Texienne Bill," Handbook of Texas, I, 64. The supporters of this scheme introduced a modified form of this bill in January 1842.
alarm, was likely to be defeated.\textsuperscript{32}

Kennedy's persistence in pressing for the job was also a factor in the creation of the special mission. His obvious partisanship might seem to disqualify him as an objective observer, but he stressed his good-standing with the Texan Government and insisted that his talents be put to use by the British Government.

The facts of Kennedy's trip can be briefly stated. He left Liverpool on November 19, 1841, and arrived in Texas in January of the next year. He reached Austin (the temporary capital of the Republic) on January 17, 1842, and spent several weeks there. Afterwards he traveled through Western Texas, returned to Galveston (March 7, 1842), and from thence to New Orleans and England (April, 1842).\textsuperscript{33}

What this mission accomplished is not as easy to state. Houston gives Kennedy credit for causing the ratification of the Slave Trade Treaty,\textsuperscript{34} but the facts of the case do not permit a full acceptance of this view. Kennedy's presence might have accounted for the unanimous vote, but Houston's decision to introduce the treaty without waiting for Hamilton to come and explain was made

\textsuperscript{32}Kennedy to Aberdeen (Houston, 12 January 1842), \textit{BDC}, pp. 53-54.

\textsuperscript{33}Kennedy to Aberdeen (13 November 1841-20 April 1842), \textit{BDC}, pp. 49-62.

\textsuperscript{34}Houston to Kennedy (Austin, 28 January 1842), \textit{BDC}, p. 57.
and implemented before Kennedy arrived. Furthermore, there is no record of any prior communication between Houston and Kennedy.

Since there is no extant copy of Kennedy's report, its value is uncertain. He may have decided to withhold the information until he was interviewed by Aberdeen.

His letters would naturally help the Foreign Office in assessing the situation, although they unfortunately indicate that only desperation would cause the Texan people to prefer annexation. Another important function which he no doubt performed was that of an advance agent preparing the way for a full diplomatic exchange. Judging from his letters, he was friendly with the Texas officials in Austin.

In summing up, this mission did not produce any spectacular results nor was it totally useless. The mission was short and the main objectives were accomplished. Its generally successful character opened up possibilities for Kennedy's future employment as consul. Perhaps the special mission can best be described as a furtherance of British interests.

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35He may have decided to withhold the information until he was interviewed by Aberdeen.

36Kennedy to Aberdeen (Galveston, 10 January 1842), BDC, p. 53.


38Kennedy to Aberdeen (Austin, 28 January 1842), BDC, p. 55.
CHAPTER IV

KENNEDY AS CONSUL

Kennedy's special mission coincided with the first months of Houston's second term as President. At this time, Houston was making the usual changes which a new administration deems necessary, and Kennedy made himself available for a post in England.\(^1\) Thus, on February 3, 1842, Houston nominated him for the position of Texas consul-general in England.\(^2\) There were no objections from Congress since Kennedy was popular in Texas and he had created an impression of possessing some influence in England. In addition, the fact that he was a native of England, who would be returning at the expense of the British Government, was more than an insignificant factor for the financially weak Texas Government.

The practice of employing consuls had originated in the twelfth century among the commercially-minded states

\(^1\)Jones to Smith (Galveston, 9 March 1842), Texas (Republic), Department of State, Diplomatic Correspondence of the Republic of Texas, ed. George F. Garrison (3 volumes; Washington: Government Printing Office, 1908-1911), III, 949. This publication will hereafter be referred to as TDC.

of Italy. From there it spread slowly and unevenly. In
the nineteenth century, the appointment, functions, and
compensation for this position were still rather loosely
defined.

In general, a consul was an agent authorized by
a sovereign state to look after its commercial interests
in foreign ports. In order to perform the functions spe-
cified in his commission, the consul must first obtain
an *exequatur*, or official written recognition and author-
ization, from the country to which he was accredited.
The consular duties and rights, sometimes detailed in
treaties and sometimes left up to general usage, almost
always included the following: collecting and forwarding
information concerning trade conditions, issuing various
certificates and invoices, working for a just solution
of the problems and claims of his country's citizens,
and promoting the image of the country he represented.
Diplomatic functions, as such, were usually outside the
sphere of consular activities.

The caliber and qualifications of consular offi-
cials depended upon the nation's commercial interests
and financial position. If possible, a country would
make citizenship a requirement. However, in many cases
this proved to be impractical and a government would
accept any respectable applicant. A common solution
was to appoint merchants, of recognized integrity, who
were already doing business in the consulate area.
The consular service of Texas was begun in November, 1835, with nothing more than a series of ideas and suggestions. Some order was introduced when the consular system of the United States was adopted, with modifications, in 1838, but the service continued to be a greatly neglected branch of the Texas Government. Although nominally under the control of the Secretary of State, the individual consuls were usually left on their own after their appointments. The pay often failed to cover the costs of the office, but the job was eagerly sought, especially in Europe, because of the title, privileges, and immunities it conferred.

In the treaties between Great Britain and Texas, the consular privileges and duties were subject to general usage. On February 4, 1841, Texas made the first move by appointing Arthur Ikin as consul to London. Unfortunately, the delay in ratifications prevented him from obtaining his exequatur, and he was replaced in January, 1842. After this, Kennedy's appointment as

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5 Ibid., p. 203.

6 Arthur Ikin, a London financier interested in the promotion of emigration to Texas, had carried the treaty of commerce and the public debt convention to Texas. Wilbur S. Shepperson, British Emigration to North America (Minneapolis: University of Minnesota Press, 1957), p. 168.

7 Brown, p. 304.
consul-general completely overshadowed the London consulate, if it did not supercede it.\(^8\)

The records on Kennedy's work as consul-general are scanty. After directing Kennedy to call upon Ikin for all the "books, papers, and property of the Consulate at London"\(^9\) and forwarding his commission with Ashbel Smith,\(^{10}\) Secretary of State Jones acted as if he had forgotten his consul. In addition, Kennedy could not have obtained an exequatur before the end of June. Despite all this, Kennedy entered upon his new duties with "characteristic zeal and energy" and looked forward to working with Smith.\(^{11}\)

The only outstanding event during his brief period of service was the Guadalupe and Montezuma affair.\(^{12}\) Kennedy was aware of this threat to the Texan navy even before Smith arrived in London. On May 6, 1842, he wrote

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\(^{8}\)Ibid.  

\(^{9}\)Ibid., citing Secretary of State to Kennedy (28 February 1842), Consular Correspondence, 1838-1844, Archives, Texas State Library.  

\(^{10}\)Jones to Smith (Galveston, 9 March 1842), TDC, III, 950.  


\(^{12}\)Murphy, the Mexican minister to Great Britain, had contracted with the Lizardi Co. for the building of two iron war-ships for Mexico. One vessel, the Guadalupe, was being built at Liverpool; the other, the Montezuma, at London. These ships were to be armed and manned in Britain. Despite Smith's protests, the Guadalupe sailed in June, 1842, and the Montezuma, in September. Adams, British Interests, pp. 83ff. Scholars differ as to why
to John Brower, the Texas consul at New York, on the subject of the Guadalupe. After Smith arrived (May 10), Kennedy cooperated with him in protesting to the British Government. Kennedy even wrote to Aberdeen, expressing concern over the effect the appearance of these two Mexican warships would have on the excitable population of the American Southwest. In addition, in an article to the Morning Chronicle Kennedy displayed a list of the Texas navy over the signature of "Pax." Kennedy made no complaints about Jones' failure to communicate, but he was clearly annoyed with the negligence of the State Department in the matter of supplying her consuls with an up-to-date copy of the laws and tariffs of Texas. One of his last acts as consul-general was to send a copy of these to each of the men whom he had recommended for consular posts. In the letter to Smith informing him of this action, Kennedy declared

Aberdeen let these ships sail. Adams (British Interests, p. 93) sees it as a sign of the foreign minister's pro-Mexico leanings, but Sturges (pp. 73-74) believes that Aberdeen was merely abstaining from interference into what was considered private business.

13 Stafford, p. 30, citing Kennedy to Brower (6 May 1842), Consular Correspondence, Archives, Texas State Library. Brower acted as a clearing house on information from England, especially on matters relating to the Mexican navy. Brown, pp. 220-221.


that such information should be sent to all consuls. 16

Kennedy also expanded the Texas consular service. Smith forwarded Kennedy's recommendations of various men for posts in England, 17 and these were accepted by the Texas Government. In at least the case of Rate, whom Kennedy nominated as his successor, his nominee proved to be an excellent choice.

Although his performance was satisfactory to the Government of Texas, there can be little doubt that Kennedy regarded this post as merely an interim job. He was not back in England until April, 1842, and he sent in his resignation on June 30, when he felt assured of a position in the British consular service. He continued to serve through the summer of 1842, but this was due to the difficulties and delays he experienced in his dealings with Aberdeen.

By the summer of 1842, Kennedy had been trying for over two years to get a job in the British foreign service. He thought that a post in Texas would be a suitable reward for his services in Canada, 18 and in the normal course of events, his friendship with Lord Durham should have enabled him to obtain the desired

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16Brown, p. 312, citing Kennedy to Smith (27 September 1842), Smith Papers, Archives, Texas University Library.

17Smith to Jones (London, 8 September 1842), TDC, III, 1511.

18Kennedy to Aberdeen (Haymarket, 6 November 1841), BDC, p. 47.
position. Unfortunately, Durham was at odds with the Whig Party leaders, and Palmerston ignored him, even though he restricted his application to the post of consul at Galveston. After Aberdeen became foreign minister, Kennedy had managed to get a temporary job as a special agent to Texas, but he was still frustrated in his ambition to get a more permanent post.

Nineteenth century Britain, as the world's leading trade center, realized the importance of her consular service in ensuring an even flow of commerce. In the years after Waterloo, this service tended to become better organized and more efficient. In 1825, the consular service was organized as a branch of the civil service. Fixed salaries replaced the fee system, and new appointees were forbidden to engage in trade. However, the first general instructions were not issued until 1846, and appointments were still made the way the foreign minister saw fit.

In August, 1841, Palmerston appointed Elliot as

19Ibid. Richard Hartnel, in an allusion to Kennedy's ambitions, wrote that a partisan of Texas was hardly suitable to serve as consul there. The Times (London), 28 July 1841.

20Hamilton quoted Kennedy as accusing Aberdeen of "an implied breach of faith and injustice." Hamilton to Aberdeen (Charleston, South Carolina, 25 March 1842), BDC, p. 60.


22Ibid., p. 165.
consul-general to Texas with a promise of the post of chargé d'affaires, but since Elliot would have to spend most of his time at the capital of Texas, Washington-on-the-Brazos, it was thought necessary to have someone to look after British interests in Galveston, the chief port in Texas. This was just the position that Kennedy wanted, and he probably mentioned his desire to Aberdeen before going on his special mission to Texas. Houston and Hamilton wrote letters of recommendation, but Aberdeen procrastinated, partly because ratifications had not yet been exchanged.

On June 6, 1842, Aberdeen finally offered Kennedy the post at Galveston and sent him to Bidwell, a permanent under-official in the Foreign Office, to work out the details. At their interview on June 7, they discussed the salary for the position, but as Bidwell appeared to lack the authority to give Kennedy the desired salary, Kennedy again appealed to Aberdeen. And there was more waiting. In the meantime, Kennedy busied himself

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23 Palmerston to Elliot (Foreign Office, 4 August 1841), BDC, pp. 42-43.

24 Houston to Kennedy (Austin, 28 January 1842), BDC, p. 57; Hamilton to Aberdeen (Galveston, 20 February 1842), BDC, p. 58.

25 Kennedy to Aberdeen (London, 6 June 1842) and Kennedy to Bidwell (Foreign Office, 7 June 1842), BDC, p. 66.

26 Kennedy to Aberdeen (Haymarket, 8 June 1842), BDC, p. 67.
by forwarding news from Texas and working on the Montezuma and Guadalupe case. On June 28 ratifications were finally exchanged, and Texas was formally recognized by Great Britain. Despite the tentative nature of his appointment, Kennedy was confident enough at this time to resign his position as Texan consul-general and recommend Rate as his successor.

Although he wrote at least once to Aberdeen requesting action, Kennedy did not receive any more attention until July 6, when he learned from Bidwell that Aberdeen had recommended him for the post of vice consul at Galveston. Kennedy immediately protested, stating that the situation at Galveston demanded an agent holding consular rank, that this was not what he had been led to expect, and that he would wait for his commission before making any further preparations. However, the Foreign Office was not to be hurried by Kennedy's demands, and another month and a half passed before the appointment was made definite. Kennedy learned of his appoint-

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27 Kennedy to Aberdeen (Haymarket, 15 June 1842) and same to same (Haymarket, 2 July 1842), BDC, pp. 69, 86.

28 Kennedy to Smith (London, 30 June 1842), TDC, III, 991.


30 Kennedy to Aberdeen (Haymarket, 7 July 1842), BDC, p. 89.

31 Ibid.; Kennedy to Bidwell (Haymarket, 6 July 1842), BDC, pp. 87-88.
ment through the August 19 issue of the London Gazette, but Aberdeen did not send his commission until September 29. In the end the Foreign Office agreed to Kennedy's requests for the title of consul with a salary of £500 a year, but pension privileges were denied and Kennedy was explicitly instructed to limit himself to his consular duties and not become involved in government affairs.

Aberdeen's handling of the entire affair indicated that he did not quite trust Kennedy, but he felt obliged to appoint him as consul. He had good reasons for making this appointment. In his letters to the press and elsewhere, Kennedy had emerged as a self-appointed critic of British policy regarding Texas. Aberdeen did not relish the thought of being criticized from both sides, especially when he could easily silence the principal advocate of Texan interests by tucking him safely away in the British consular service. Of course Aberdeen was putting Kennedy in a post where he would almost certainly exceed instructions, but the foreign minister had no choice. Kennedy would accept no other post, and to attempt to send him elsewhere would be contrary to the expressed wishes and expectations of Texas officials. Besides, Aberdeen could easily ignore the suggestions which Kennedy might pass along, despite instructions to

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32 Kennedy to Aberdeen (Harrogate, 25 August 1842), BDC, p. 95.
33 Aberdeen to Kennedy (Foreign Office, 29 September 1842), BDC, pp. 109-110.
the contrary, but he could not ignore the cries of a mass of Britons stirred up by a critic's pen.

After spending some time arranging his affairs and familiarizing himself with his official duties, Kennedy finally sailed from Liverpool on November 16, 1842. He arrived in Galveston on February 5, 1843, and immediately forwarded his commission to Elliot, who had been there since August 23 of the previous year. By the end of the month his commission was recognized by the Texas Government, and Kennedy embarked upon his new duties.

In his first instructions to Kennedy as consul, Aberdeen admonished him to be punctual with the required returns and requested him to forward "any further useful or interesting information" on commerce, navigation, and other things.\footnote{Ibid.} Kennedy performed this duty with as much accuracy and thoroughness as possible, and there was no complaint from Aberdeen on this score. However, due to the frequent absences of his superior, Elliot, Kennedy also had to report the news from Texas. He had been accustomed to forwarding such information as items of general interest, but the instructions sent with his consular commission indicated that he was no longer to do this. Now he was called upon to exceed his normal duties. As Elliot's absences became more frequent and prolonged,\footnote{The record on Elliot's absences is as follows: gone for about a month (May) in 1843 when he went to} Kennedy's dispatches took on the appearance
of a chronicle of events in Texas. As an ex-newspaper reporter, Kennedy took pride in his ability to report the situation accurately and in advance of others. Naturally, he was expected to discontinue such communications once Elliot returned, and his failure to do so on certain occasions led to further difficulties.

Aberdeen denied Kennedy the right to communicate with Texas officials, but the newspaper was a prime source of information. At the time of his move to Galveston, Texas already had a vigorous press, led by the Telegraph and Texas Register, edited by Dr. Francis Moore, and the semi-official Galveston Civilian. There was also a thriving press in New Orleans, the outside world's chief source for information on Texas.

Many of these newspapers were available to Kennedy. He copied statistical information for his commercial reports, and he cut out, and included in his dispatches, articles of interest. These clippings could serve many purposes. Soon after he arrived, Kennedy sent back an article (from The Texian and Brazos Farmer, February 18,

Havana to meet his wife; gone on sick leave for a whole year (December, 1843-December, 1844), with the exception of a short visit to Texas (end of March to the beginning of April, 1844); gone on a secret trip to Mexico (April-May, 1845); left Texas on June 15, 1845, at the height of the annexation crisis; and departed for good within a month after his return to Texas in February, 1846.

Vernon Stafford, by incorporating every item which Kennedy reported, gave his thesis the appearance of a history of Texas from Kennedy's viewpoint.
1843) showing Houston’s attitude toward his appointment.\textsuperscript{37} Kennedy rarely passed up an opportunity to show the value of his work. Press reports and editorials were also used to demonstrate the prejudice against Britain, to report events in Texas, and to illustrate Texan and American feelings regarding annexation.

Unfortunately, newspapers were not only a source of information. They were also a harassment, and diplomatic secrecy was never safe from their prying reporters.\textsuperscript{38} The New Orleans \textit{Picayune} regarded Elliot as the archenemy of annexation and delighted in exposing his plans. The peak was reached when they identified Elliot, on his secret trip to Mexico City in 1845, as "the man with the white hat."\textsuperscript{39}

Another important source of information was the often-mentioned "reliable," "trustworthy," and "confidential" private informant. Kennedy probably attended many of the social gatherings in Galveston, and he kept in contact with many well-placed individuals both in Texas and abroad.\textsuperscript{40} Thus Kennedy kept himself informed of the general feelings of the people and the gossip

\textsuperscript{38}Kennedy forwarded a clipping from the Galveston \textit{Civilian}, June 8, 1844, showing that even correspondence between Elliot and the Secretary of State was not safe from the spying eyes of the press. Kennedy to Aberdeen (Galveston, 8 July 1844), \textit{BDC}, p. 346.


\textsuperscript{40}Kennedy mentioned an agent in New Orleans. Kennedy to Aberdeen (Galveston, 14 June 1844), \textit{BDC}, p. 336.
about various individuals, in addition to the rumors of various political moves.

Kennedy also received some of his material direct from government officials, even though he was not supposed to correspond with them. He believed that the need for an accurate copy of the laws of Texas outweighed instructions to the contrary.\footnote{Kennedy to Elliot (Galveston, 27 May 1844), BDC, pp. 328-330. It is peculiar that as British consul, Kennedy was still concerned about the Texas tariff laws and rarely mentioned those of Great Britain. There are three possible explanations: (1) Texan shippers carried on little trade with Britain, (2) British tariff regulations were sent to her consuls as a matter of course, and (3) Kennedy was more concerned with British interests than with Texan interests.}

As British consul, Kennedy promoted trade between Texas and Britain in a variety of ways. First, he tried to reassure British merchants by seeing to it that an accurate copy of the most recent tariff laws was always available to them. Then he attempted to obtain an accurate chart of the coast of Texas. Bollaert provided the necessary information,\footnote{Bollaert, p. 388fn.} and Kennedy forwarded it, at the request of the Hydrographic Office of the Admiralty (autumn, 1842), through Captain Beaufort. The map was published on August 20, 1844, in London,\footnote{James M. Day and Ann B. Dunlap, "Map Collection of Texas State Archives, 1527-1845," Southwestern Historical Quarterly, LXV (January, 1962), 399.} and Kennedy
sent a copy to the Secretary of State.\footnote{Allen to Kennedy (Washington, Texas, 23 December 1844), TDC, III, 1169.}

In addition to defective charts, shippers also had to content with a lack of landmarks. This was especially serious at Galveston, where the lack of a beacon plus the fact that the city was on a low-lying island made navigation difficult. The frequent occurrence of strong currents and gales had caused a number of shipwrecks. For some reason British ships had more trouble than those of other nations, since four of their vessels were lost on the Texas coast, and this had an unfortunate effect on insurance rates.\footnote{Kennedy to Bidwell (Galveston, 5 January 1844), BDC, pp. 293-295.} In 1844, Kennedy, moved by the 10 per cent cost of insurance and the damaging of the brig \textit{Leviathan} during the fall, wrote to the Secretary of State, asking that a beacon be set up on Galveston Island in order to encourage more shipping.\footnote{Stafford, pp. 69-70, citing Kennedy to Jones (9 December 1844), Consular Correspondence, Texas State Library, Archives.} The necessary legislation was passed, but the approach of annexation caused the postponement of any action.\footnote{Kennedy to Aberdeen (Galveston, 28 July 1845), BDC, p. 522.}

One of the functions of a consul was to look after the interests of the citizens living abroad. Unfortunately, most of this work is routine and hence not recorded in permanent records. Since the number of
British citizens in Galveston, or in Texas as a whole, was small, what Kennedy did for them was usually done for other Europeans as well. He was always interested in the welfare of any European immigrants, British or otherwise. He forwarded their requests for action against annexation, and he was concerned about their future under the United States. However, the few British citizens who lived in Texas were often a source of trouble for Kennedy. Perhaps the cause of the difficulty was the consul's excessive zeal in performing his duties. At any rate, Kennedy claimed that his only difficulties with the enforcement of the Slave Trade Treaty came from British citizens, and he was especially angered by their actions during his illness. When Kennedy felt wronged, he did not hesitate in letting others know about his feelings. Unfortunately, there were others who sometimes believed that Kennedy acted unfairly in his dealings with them.

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48 Kennedy to Aberdeen (Galveston, 8 July 1845), BDC, p. 522.

49 Kennedy to Aberdeen (Galveston, 14 August 1844), BDC, p. 354.

50 Kennedy to Aberdeen (Galveston, 29 May 1844), BDC, p. 333.
CHAPTER V

KENNEDY AND THE OFFICIALS
OF BRITAIN AND TEXAS

As consul, Kennedy was supposed to cooperate with his superior, Elliot, in promoting British interests. Unfortunately, in contrast to the relations between Smith and Kennedy in England, Kennedy and Elliot did not inspire mutual respect and trust. The crux of the problem lay in Elliot's determination to be the British agent in Texas, and he succeeded to such an extent that he completely overshadowed Kennedy in the story of British diplomacy in Texas. However, for a man who wanted to keep things in his own hands, Elliot not only had a poor grasp of the situation in Texas, but he was also absent much too often. The log on his travels has already been recorded, but it will be necessary to point out his assessment of the Texas scene.

Always the political dreamer, Elliot believed that Texans could easily be induced to give up slavery and that they would prefer independence to annexation if peace with Mexico could be attained. He persisted in maintaining this position even when the opposite became obvious, and this reports were responsible for
much of Aberdeen's misunderstanding concerning the situation.

Compounding his ignorance was Elliot's refusal to accept Kennedy's advice. Although not always completely objective and accurate, Kennedy did have a much more comprehensive knowledge of Texas and Texans. However, Elliot realized that accepting his subordinate's advice would give Kennedy an opportunity to outshine him, and Texan leaders might then approach Britain via her consul. Elliot had been discredited by his opponents in China, and he was not going to take chances in his new assignment.

When Aberdeen appointed Kennedy as consul, he stressed the fact that Elliot was to handle all diplomatic matters, and Kennedy was to follow the chargé's directions. At the time Kennedy accepted these instructions, saying that he looked forward to cooperating with Elliot. However, the fact that Kennedy quickly took up a position of strict compliance with directions indicates that all was not well. In May, 1843, Kennedy displayed reluctance in opening a packet sent to Elliot, while the latter was in New Orleans, and he carefully forwarded copies of his correspondence with Elliot. Since Kennedy's record was not that of an excessively cautious individual,

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1 Kennedy to Aberdeen (Galveston, 11 February 1843), BDC, p. 165.

2 Kennedy to Elliot (Galveston, 15 May 1843), BDC, p. 191.
one can only conclude that there had already been some difficulties. Of course, by forwarding his correspondence, Kennedy was also giving himself an opportunity to inform Aberdeen of the situation from his point of view. Kennedy would obey the letter of the law but not the spirit, for the spirit was too much opposed to his nature.

When Kennedy did adhere to instructions, it was sometimes to the detriment of the British image in Texas. For instance, on June 17, 1843, Elliot told his consul never to display the flag except when an enemy of the Republic of Texas approached. Consequently, Kennedy felt unable to display the flag at the death of Judge Eve, the United States minister to Texas, when all the other consuls in Galveston lowered their flags, or on the birthday of Queen Victoria. Overcoming the resultant misunderstandings and ill-will required all of Kennedy's skill and tact.

On May 20, 1844, Elliot sent Kennedy another message demanding that he stick to his work as consul. Kennedy replied that he had been doing so, but that he would continue to correspond with the Texas Government.

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3Kennedy to Elliot (Galveston, 25 May 1844), BDC, p. 327.

4Ibid., pp. 327-328.

so long as he believed his duties required it. Kennedy also implied that he had to fill the void caused by Elliot's absence. On June 14, 1844, he appealed to Aberdeen and pointed out the need for a British agent in the Texas capital. He realized the advantage which American agents enjoyed with the absence of the European diplomat, but his suggestions were ignored. A few weeks later, Kennedy received permission to go on sick leave, but he felt obliged to continue at his work and obtain as much information as possible during Elliot's absence.

The annexation crisis caused Kennedy to seriously overstep his bounds in 1844. Kennedy even admitted that his activities were not "exactly and altogether germane" to his post, but he believed that the situation warranted his actions. He urged Aberdeen to take action.

6Kennedy to Elliot (Galveston, 27 May 1844), BDC, pp. 328-330.

7Ibid. Kennedy was perhaps a little bitter toward his superior, because Elliot had gone to the United States on sick-leave, while Kennedy, never in the best of health and actually sick during the early months of 1844, remained at his post and picked up the slack.

8Kennedy to Aberdeen (Galveston, 14 June 1844), BDC, p. 338. There was some misunderstanding within the Foreign Office as to Elliot's plans in May of 1844. They told Kennedy that Elliot was returning to England, and this appeal might have been made to stress the need for either a replacement or interim arrangements.

9Kennedy to Aberdeen (Galveston, 8 July 1844), BDC, p. 343.

10Kennedy to Aberdeen (Galveston, 8 May 1844), BDC, p. 321.
to prevent the expansion of the United States,¹¹ and he pointed out the unfortunate results of Britain's peace policy.¹² Although explicitly ordered to refrain from communicating with Texas officials on matters of foreign policy,¹³ Kennedy did not hide his personal contact with Terrell, the Attorney General, whom he warmly recommended as a true foe of annexation.¹⁴ He also reiterated the need for a British representative at Washington-on-the-Brazos.¹⁵ These suggestions, together with the reports on the situation in Texas, were sent to Aberdeen in dispatches marked "Private" and ostensibly written in fulfillment of Elliot's directive to communicate matters of public interest and importance.¹⁶ Even after Elliot returned, Kennedy still managed to get around the letter of the law by forwarding a letter from Solms-Braunfels,¹⁷

¹¹Spence, pp. 216-217, citing Kennedy to Aberdeen (Galveston, 10 May 1844), Aberdeen Papers.

¹²Kennedy to Aberdeen (Galveston, 12 November 1844), BDC, p. 378.

¹³Elliot to Aberdeen (New Orleans, 20 May 1844), BDC, p. 325.

¹⁴Kennedy to Aberdeen (Galveston, 31 May 1844), BDC, p. 335; same to same (Galveston, 30 September 1844), BDC, p. 369. Terrell was nominated to be Smith's successor as chargé to England, but his nomination was rejected by Congress because of his known anti-annexation tendencies.

¹⁵Kennedy to Aberdeen (Galveston, 12 November 1844), BDC, p. 378.

¹⁶Kennedy to Aberdeen (Galveston, 31 May 1844), BDC, pp. 333-334.

¹⁷A relative of Queen Victoria, Prince Carl Solms-Braunfels established a community of German immigrants in Texas. R. L. Biesele, "Prince Solms's Trip to Texas,
who recommended European immigration to prevent annexation.18 Aberdeen was annoyed with these evasions of instructions and later reproved Kennedy.19

In the spring of 1845, the relations between the two British diplomats reached a crisis. Elliot charged Kennedy with insubordination and demanded his removal.20 A real quarrel could have developed, but Aberdeen, as usual trying to be fair, reprimanded Elliot for his

1844-1845," Southwestern Historical Quarterly, XL (July, 1936), 1-25.

18 Prince of Solms to Kennedy (Galveston Bay, 3 December 1844), BDC, pp. 389-390.

19 Adams, British Interests, p. 180, citing Foreign Office, Texas, 10.

20 Aberdeen to Elliot (Foreign Office, 3 June 1845), BDC, pp. 493-494. There is some mystery surrounding the nature and timing of Elliot's original letter. Aberdeen's reply quoted Elliot as saying that Kennedy acted with a disrespect and imprudence that warranted his immediate recall, but since the letter of accusation and the accompanying correspondence were withdrawn by the Foreign Office censors, the exact nature of the charges is unknown. Adams, BDC, p. 493fn.

As for the timing, there is some discrepancy concerning the date of Elliot's letter. On June 3, Aberdeen wrote that he received the letter of accusation in the dispatch of May 4 marked "Separate," but he later wrote that he had not received any dispatch since that of April 2. Aberdeen to Elliot (Foreign Office, 3 July 1845), BDC, p. 508. Aberdeen might have distinguished between consular and diplomatic correspondence, but it is more likely that there was some error concerning dates since it usually took at least six weeks for the mail to go between Texas and England. In his June 3 letter Aberdeen might have meant April 4 instead of May 4, which would have placed the original letter at about the time when Elliot was making frantic preparations for his departure to Mexico. This would explain why Elliot failed to document his charges.
intemperate letter and demanded further details. The matter was dropped after Elliot partially withdrew his charges.

This was not the end of the ill-feeling between the two. In 1846, Elliot implied that Kennedy was a babbler and attention-seeker who could not be trusted to keep a secret unless communications sent to him were marked "Confidential." Elliot also sent his subordinate a lengthy, and rather unnecessary, memorandum on the procedure to follow in protesting "violations" of the Texas-British trade treaty of 1840. The point at issue was academic, and Elliot was only revealing his bitterness in insisting on Britain's "rights." As soon as he learned of it, Aberdeen ruled out the detailed protest for fear of controversy with the United States.

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21 Aberdeen to Elliot (Foreign Office, 3 June 1845), BDC, pp. 493-494.
22 Same to same (Foreign Office, 17 September 1845), BDC, pp. 551-552.
23 Elliot to Aberdeen (Galveston, 15 February 1846), BDC, p. 594.
24 Elliot to Kennedy (Galveston, 15 February 1846), BDC, pp. 594-596.
25 Elliot maintained that despite annexation Texas was still bound by the trade treaty of 1840. Attorney General Allen replied that after the organization of the State of Texas, all questions concerning her relations with foreign powers must be referred to the Government of the United States. Allen to Elliot (Austin, 4 February 1846), TDC, III, 1204-1205.
26 Aberdeen to Elliot (Foreign Office 3 April 1846), p. 611.
Soon afterwards the two went their separate ways. Elliot, the man with connections, was able to get a job as governor of Bermuda; but Kennedy, broken in health, was forced into semi-retirement.

In general Kennedy got along quite well with Texas officials. He knew how to flatter those who were in power, and he did not waste time over those who were not. If Kennedy's contacts with these leaders appear to be infrequent and formal, it is only because he was not supposed to deal with them in his work as consul.

It was only natural that Kennedy should get along with President Lamar, since both were writers and Lamar was openly hostile to annexation. However, their friendship, begun during Kennedy's initial trip to Texas, was not lasting. When Kennedy returned on his special mission, Lamar was no longer president. Although still generally defensive concerning the Lamar record, Kennedy now felt free to criticize his Santa Fé expedition.  

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27 Kennedy to Aberdeen (Houston, 12 January 1842), BDC, p. 54. The controversial Santa Fé expedition was proposed by Lamar for the purpose of obtaining the lucrative trade of New Mexico and "liberating" territory which Texas claimed to be within her boundary. Both the House and the Senate passed bills providing for the expedition, but they failed to reach a compromise on their different versions. Lamar, feeling that the idea of the project was approved, sent the expedition anyway. Unfortunately, it was ill-equipped for such a trip, and the entire party was betrayed in the hands of the Mexicans. William Campbell Binkley, The Expansionist Movement in Texas, 1836-1850 (Berkeley: University of California Press, 1925), pp. 68-95; Noel M. Loomis, The Texan-Santa Fé Pioneers (Norman: University of Oklahoma Press, 1958).
Kennedy's feelings toward Houston varied. Lamar was clearly opposed to annexation, but Houston's position was, and is, a mystery. Because of his early friendship with Lamar, Kennedy was at first suspicious of Houston--Lamar's archenemy. In the fall of 1841, Kennedy described Houston as the leading advocate of French interests in Texas and as an adherent of the cause of union with the United States. 28 This view soon changed, and they evidently reached some sort of rapport while Kennedy was in Texas on his special mission. Despite Hamilton's accusations, 29 it is not certain that Kennedy flattered Houston. However, Kennedy was not above such a move, and there can be no doubt concerning Houston's willingness to flatter Kennedy. The Texan president not only gave the British agent credit for effecting the ratification of the Slave Trade Treaty, but he also described Kennedy's appointment as consul to Galveston as a furthering of British interests in Texas. 30

Actually Houston was not interested in the British for their own sake but for the jealousy that they might arouse in the United States. In order to calm the British fears and quicken the American desire, Houston, president

28 Kennedy to Aberdeen (Strand, 20 October 1841), BDC, p. 45; same to same (Haymarket, 9 November 1841), BDC, p. 48.

29 Hamilton to Aberdeen (Charleston, South Carolina, 25 March 1842), BDC, p. 59.

30 Houston to Kennedy (Austin, 28 January 1842), BDC, p. 57; Kennedy to Aberdeen (Galveston, 29 March 1843), BDC, pp. 170-171.
in 1836-1838 and 1841-1844, played the game of having annexation forced on him. He fooled Elliot, among others, but Kennedy was more cautious. Since Kennedy was better informed, he knew of the rumors that Houston favored annexation. 31 However, when Houston paid him a visit and implied that he opposed annexation, Kennedy refrained from questioning him, partly because Elliot had told him to avoid involvement in diplomatic and political affairs. 32

Because of their faith in Houston's opposition to annexation, the British were greatly disappointed when Houston failed to block the measure. Houston's "coquetting" speech only made matters worse, and his failure to deny the implications led Kennedy to refuse to attend a dinner in the Texan's honor. 33 However, Kennedy denied any ill-will. Since he had never really fallen for Houston's game, Kennedy, unlike Elliot, was not bitter when the truth became apparent.

Kennedy had become acquainted with Anson Jones, the Secretary of State (1841-1844) and President (1844-1845), and they had infrequently corresponded there-

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31 Kennedy to Aberdeen (Galveston, 31 May 1844), BDC, pp. 334-335.

32 Ibid.

33 Kennedy to Aberdeen (Galveston, 8 December 1845), BDC, p. 564. For a report of Houston's speech, see Miller to Stewart (New Orleans, 9 May 1845), BDC, p. 486. Also, Spence, p. 210; Llerena Friend, Sam Houston, The Great Designer (Austin: University of Texas Press, 1954), pp. 155-156.
after. Their communications were a mixture of personal greetings and official information. As the latter was contrary to instructions, protests from Elliot, who was also on friendly terms with Jones, might have been responsible for the cessation of this correspondence after June of 1844. However, Jones' involvement in the presidential campaign and the annexation issue is a more likely cause.

Kennedy's relations with Texas diplomats, especially with General Hamilton, varied. In 1839, Lamar gave Kennedy a letter of introduction to Hamilton, and their relationship at this time was mutually satisfactory. Hamilton wrote to Palmerston recommending Kennedy for a position in Texas, and Kennedy spoke quite highly of Hamilton in his history of Texas.35

While Kennedy was in Texas on his special mission, the two came to a parting of ways. The apparent cause of the dispute was Kennedy's talks with Houston before Hamilton's return.36 Kennedy realized that Hamilton was out of favor with the new government, but there were still some Congressmen who wished to hear Hamilton before ratifying the slave trade treaty. Kennedy, in his desire to see the treaty speedily ratified, may have insinuated that

34 Unfortunately only the letters from Kennedy to Jones are available.

35 Stafford, p. 10; Kennedy, I, xlili, and II, 281, 347.

36 Hamilton's letters are the chief source of information on this subject. See BDC, pp. 58-60, and Spence, p. 90.
the reasons for Hamilton's delay were something less than honorable. It also seems that Kennedy accused Hamilton of associating with the abolitionists in England.\footnote{Spence, p. 90, citing Hamilton to Aberdeen (Village of Industry, Texas, 10 February 1842), Aberdeen Papers; Hamilton to Aberdeen (Charleston, South Carolina, 25 March 1842), BDC, p. 59. Although Hamilton heatedly denied everything, there seems to have been some truth to such charges. In an effort to quiet the abolitionists' agitation against Texas, Hamilton had been instrumental in the formation of the Texan Land and Emigration Board, with headquarters at Exeter Hall, the famous abolitionists' center in London. The avowed purpose of this board was to procure emancipation by introducing free labor into Texas, thus making slavery unprofitable. Spence, pp. 86-89.}

Actually, what Kennedy said was not too important since Houston had already decided to remove Hamilton.\footnote{Kennedy to Aberdeen (Houston, 12 January 1842), BDC, p. 54.}

Nevertheless, Hamilton was convinced that Kennedy was the cause of his repudiation, and he wrote several letters to Aberdeen, withdrawing his recommendations and generally seeking to discredit his former friend. Hamilton even asked Aberdeen to refuse to recognize Kennedy as the Texas consul-general.\footnote{Hamilton to Aberdeen (Charleston, South Carolina, 25 March 1842), BDC, p. 60.} At about the same time, Hamilton sent Kennedy a letter which could be interpreted as a
challenge to a duel, but the latter chose to ignore him.  

This dispute was more than just a personal feud. It involved the larger issues of colonization as well as slavery. Kennedy later said that his opposition to Hamilton's emigration project had caused the animosity. Kennedy implied that he had been protecting the British people from possible disillusionment, but his opposition may have been the result of conflicting plans for the colonization of Texas. At any rate, Hamilton had already returned the insult by calling Kennedy's project a trap for the unwary.

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40 Hamilton to Kennedy (New Orleans, 5 March 1842), BDC, p. 58. Hamilton was an experienced duellist.

41 Spence, p. 89, citing Kennedy to Aberdeen (Galveston, 10 May 1844), Aberdeen Papers.

42 Spence, p. 89.

43 Hamilton to Aberdeen (Charleston, South Carolina, 25 March 1842), BDC, p. 60.
CHAPTER VI

COLONIZATION, SLAVERY, AND ANNEXATION

The Republic of Texas was a growing, sparsely settled country which needed and could absorb many immigrants if it was to prosper as an independent nation. Much of the descriptive contemporary literature was written to encourage the colonization of the new republic.\(^1\) However, despite Texas' desire for immigrants and the European desire to emigrate, there were many serious obstacles to settlement in Texas.

The continued hostilities with Mexico, the constant threat of Indian deprecations, and the hot Texas summer were all factors operating against the cause of Texas. Abolitionists' propaganda, the delay in the ratification of the slave trade treaty, and land frauds had also hurt the image of the republic in England. The existence of slavery in Texas made the European laborer think twice before coming, and the return of prosperity in late 1843, after a five-year depression, washed away the pressure for emigration.\(^2\) In addition to these

\(^1\)There were also a number of books written to discourage settlement in Texas. See Spence, pp. 167-194.

\(^2\)Shepperson, British Emigration, p. 169.
factors, the Texans themselves were not always to be trusted. When the number of European immigrants rose in 1845, the Texas Congress introduced and passed (January, 1844), over Houston’s veto,

An Act to repeal all laws now in force authorizing the President to form colonization contracts, and to forfeit such as have already been made, where the conditions have not been strictly complied with.  

Besides, the Texans threatened to surrender their independence at any moment, and no one could foretell what annexation might bring.

Kennedy’s role in this picture had many aspects. As British consul, his chief concern was to look after the interests of the immigrants, especially those from Great Britain, but at one time he obtained a contract for bringing settlers, and he tended to encourage immigration to Texas.

Kennedy’s involvement began with his book, *The Rise, Progress and Prospects of the Republic of Texas*. Although written primarily to dispel false information on Texas, it also described Texas as a land with a future. Colonization there was presented as a challenge to the hardy. However, it must not be thought that Kennedy put the settlement of this new nation above all else. Although he sincerely believed that Texas was a good place to live, he also realized that a few disappointed

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colonists could easily ruin the image of Texas. He always cautioned the ill-equipped against emigrating.

Kennedy's closest connection with the cause of colonization was the land grant which Houston gave him while he was on his special mission to Texas. The contract, which Kennedy and Pringle signed on February 15, 1842, gave them four and one-half million acres, located west of San Antonio and on both sides of the Nueces River, on the condition that they settle 600 families, or single men over 17 years, within three years. Kennedy planned to fulfill the terms of this contract, but when he was appointed consul at Galveston, he began to have doubts concerning the propriety of a British agent holding a land grant. After consulting with Bidwell, Kennedy decided that it was unobjectionable, but to avoid any possible insinuations, he transferred his interest to Pringle and Grieve and acted as their agent. Because of the American fears of British influence in Texas, this proved to be a wise move on Kennedy's part.

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5 Kennedy to Aberdeen (Strand, 24 October 1842), BDC, p. 120.

6 Pringle and Grieve signed a new contract (1 November 1843), with almost identical terms as the original one. See Hollow, Bollaert's Texas, pp. 380-384.

7 Kennedy to Addington (Galveston, 24 September 1844), BDC, p. 368.
Kennedy's role in other colonization schemes was that of a watchdog. While quite solicitous about the contract of his associates, he also defended the interests of most other groups. Notes on immigration were included in his reports to Aberdeen, and he was quite explicit concerning the type of individual who could succeed in Texas.

While promoting the colonization of Texas, Kennedy might have had more than just the interests of the colonists at heart. He forwarded the suggestion of Solms-Braunfels that the country be filled with Europeans in order to prevent annexation, and at one time he suggested that an abundant supply of free labor might lead to the abolition of slavery in Texas. Both of these ideas were popular in certain circles. However, Kennedy did not attach much faith in the efficacy of either.

Kennedy's opposition to slavery was based more upon practical than theoretical grounds. He was by no means an active abolitionist, but he did support emancipation in the British Empire, and he entertained vague hopes of seeing this movement spread to other areas in the future. In his history of Texas, Kennedy is rather

8Kennedy to Aberdeen (Galveston, 6 December 1844), BDC, pp. 385-386.
9Kennedy, Texas, II, 384, 388.
10Morning Chronicle (London), 21 October 1839, p. 3.
defensive about slavery in Texas, and in the American South as a whole, but he actually regarded it as a backward institution.

Although sympathizing with their goal of universal emancipation, Kennedy abhorred the abolitionists, whether in Texas, the United States or England, as disturbers of the peace. Their humanitarian efforts only weakened the British position in Texas. According to Kennedy, it was Andrews' visit to Houston (March, 1843), rather than the remarks in the House of Lords that caused the fear of abolition in the American South.11

Unlike Elliot, Kennedy never entertained any hopes of effecting abolition in order to obtain Mexican recognition of Texas. He realized that there was no abolition party in the infant republic, and he opposed Andrews' schemes. Nevertheless, in 1843, Aberdeen at the insistence of the British abolitionists, stated that, although he had no intention of interfering in the internal affairs of another country, he would like to see the abolition of slavery in Texas as elsewhere. This incautious statement was twisted by certain Americans, Calhoun in particular, into a demand for emancipation in Texas, and the British

11Kennedy to Aberdeen (Galveston, 16 October 1845), BDC, p. 557. Stephen Pearl Andrews (1812-1886), a native of Massachusetts, practiced law in Texas and was very unpopular because of his fearless opposition to slavery. His letters to British abolitionists had resulted in the mistaken belief that an abolition party existed in Texas. In 1843, he went to England in an unsuccessful effort to get the British to buy, with a loan, the freedom of the slaves in Texas. Dictionary of American Biography, I, 298.
interests there suffered irreparable damage.\textsuperscript{12}

Kennedy was genuinely opposed to the slave trade. As special agent Kennedy had played a part in the ratification of the Slave Trade Treaty, and as British consul, aiding in the enforcement of this treaty was among his duties. This obligation entailed distributing copies of the regulations, obtaining warrants for naval officers to engage in the suppression of the slave trade, and watching the activities of British citizens. Kennedy reported that his only difficulties in this matter were with the British citizens.\textsuperscript{13} He tried to institute proceedings against the British firm of Frankland Jones & Co., but Aberdeen and Elliot failed to support him.\textsuperscript{14} Later Aberdeen appointed Macdougall, a slave holder with lax views on the slave trade, as vice consul, and it was only Kennedy's vehement opposition that prevented him from taking his post.\textsuperscript{15}

\textsuperscript{12}Then, as now, Americans regarded adjacent areas as their sphere of influence and resented any European efforts to interfere and/or dictate.

\textsuperscript{13}Kennedy to Aberdeen (Galveston, 29 May 1844), \textit{BDC}, p. 333.

\textsuperscript{14}Frankland and Company owned a plantation on the Brazos River and ran a passage boat between New Orleans and Galveston. Since the vessel carried slaves as well as free persons, they were accused of engaging in the slave trade. Neither Elliot nor Aberdeen believed that Kennedy had a valid case. Spence, p. 130, citing Elliot to Aberdeen (17 June 1843) and Kennedy to Aberdeen (6 July 1843), F.O., 84/479.

\textsuperscript{15}Kennedy to Aberdeen (Galveston, 29 May 1844), \textit{BDC}, pp. 330-333.
The single most important issue in the Republic of Texas was annexation. Immediately after their independence, the people of Texas had voted overwhelmingly in favor of union with the United States. However, the United States had refused to consider the measure, and Texas was forced to function as an independent nation. As has already been shown, it was to the advantage of Great Britain, and to a lesser extent of France and the other European nations as well, to keep the young republic from becoming a part of the United States. However, France was content to follow British policy in this matter, and Aberdeen was reluctant to take any action which might provoke the United States. The cooperation of Mexico would have definitely strengthened an anti-annexation policy, but the leaders of that country could not, or would not, consider the recognition of their former province.

Kennedy was so concerned about this issue that he, as Bollaert put it, "even outstepped... his province of Consul in his anxiety to inform his Government of the true state of affairs and the coquetting of Sam Houston."16 Personally convinced of the harm that annexation would do to British interests, Kennedy repeatedly tried, in both unofficial and official capacities, to warn of the danger and the need for action to prevent the move.

The policy which the British foreign ministers

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16Bollaert, p. 388.
adopted toward Texas depended to a large extent upon the reports of their agents in the field. Unfortunately, both Palmerston and Aberdeen considered annexation as a possibility much more remote than it really was, and they shaped their policies, which turned out to be almost the worst possible for the situation, according to the facts as they saw them. The important question is: To what extent are the reports of William Kennedy responsible? Did Kennedy see and report the situation accurately or did he fool himself about the real state of affairs?

It is often difficult to determine Kennedy's position in this matter, since he frequently reported what came to him second hand, and one cannot be sure that he believed all the rumors he recorded. However, Kennedy was very much aware of the expansive spirit of the United States, and although he did not offer an explanation for the delay in annexation, he did not doubt that the United States, in following her best interests, would annex Texas if such were readily possible. He also knew that many Americans, in their desire to expand, were willing to go to war with England.

In regard to the attitudes in Texas, Kennedy began by suggesting that Texans had lost some of their desire for annexation because of the anti-Texas feelings within

17Kennedy to Aberdeen (Galveston, 31 May 1844), BDC, p. 334.
the United States. Then Houston became president, and Kennedy at first believed that he favored union with the United States.

While on his special mission, Kennedy sent conflicting reports. First, he said that only financial disaster, induced by continued war with Mexico, would bring annexation, but in the same letter he wrote that the effect of the struggle with Mexico was yet to be determined. Two days later he reported a tendency toward annexation. At the end of the month, the tendency was still toward union with the United States, but when he arrived back in England, he reported that he had allayed the desire for immediate annexation. However, he admitted that this desire prevailed when he arrived in Texas, and one wonders how many Texans were willing to wait "until the dispositions of Great

18 Kennedy, Texas, II, 304.
19 Kennedy to Aberdeen (Haymarket, 9 November 1841), BDC, p. 48.
20 Kennedy to Aberdeen (Galveston, 10 January 1842), BDC, p. 55.
21 Kennedy to Aberdeen (Houston, 12 January 1842), BDC, p. 54. Kennedy wrote "with the Mexican Union," but he obviously must have meant "with the American Union." Smith failed to notice this slip and, thus, reversed the meaning of the sentence. It is interesting to consider what this sentence meant to Aberdeen. Smith believed it relaxed his fears of United States expansion. Smith, p. 83.
22 Kennedy to Aberdeen (Austin, 28 January 1842), BDC, p. 56.
23 Kennedy to Aberdeen (Liverpool, 20 April 1842), BDC, p. 62.
Britain could be known."24

For a long time afterwards Kennedy said nothing on this subject. This was beyond his duties as consul, but by 1844 the course of events forced him to speak out. Although still acting mainly as a news reporter, Kennedy interjected his own opinions in his dispatches. In May he pointed out the military importance of Texas,25 and he noted that the Europeans in Galveston expected some action by the European powers.26 Kennedy reported what Houston told him, and although he did not confront Houston with the conflicting reports, it was apparent that he no longer trusted Houston's anti-annexation statements.27 On June 18, he wrote of the efforts of two Texan diplomats opposed to annexation, but he advised against any connection with their group.28

Despite the rejection of the treaty in the United States Senate (8 June 1844), Kennedy realized that annexation remained a burning issue.29 His reporting at this time left no doubt concerning the activity of the United

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24 Ibid.
25 Kennedy to Aberdeen (Galveston, 8 May 1844), BDC, p. 321.
26 Kennedy to Elliot (Galveston, 6 May 1844), BDC, p. 322.
27 Kennedy to Aberdeen (Galveston, 31 May 1844), BDC, p. 335.
28 Kennedy to Aberdeen (Galveston, 18 June 1844), BDC, pp. 339-341.
29 Kennedy to Aberdeen (Galveston, 8 July 1844), BDC, pp. 346-347.
States in promoting annexation, and Kennedy carefully noted the result of Britain's failure to take a determined stand.\textsuperscript{30} On December 18, he reported that only a Texan refusal could prevent annexation, and in a postscript (December 21), he added that a meeting in favor of the measure was held at Matagorda.\textsuperscript{31} His report of February 25, 1845, showed that even the Texas Congress favored annexation,\textsuperscript{32} and a month later he wrote that the move was regarded as inevitable by both Texans and Americans.\textsuperscript{33} Realizing that most Texans favored annexation, Kennedy fell back on the device of implying that this was the result of unreasoning popular impulse.\textsuperscript{34} However, Kennedy did not persist, as Elliot did, in thinking that there were substantial anti-annexation groups which could defeat the measure if only their leaders would speak out.\textsuperscript{35} Having lost any reasonable hope of seeing Texas remain independent, Kennedy simply went about his duties with as little bitterness as possible.

\textsuperscript{30} Kennedy to Aberdeen (Galveston, 12 November 1844), \textit{BDC}, p. 378.

\textsuperscript{31} Kennedy to Aberdeen (Galveston, 18-21 December 1844), \textit{BDC}, pp. 384-385.

\textsuperscript{32} Kennedy to Aberdeen (Galveston, 25 February 1845), \textit{BDC}, pp. 450-451.

\textsuperscript{33} Kennedy to Aberdeen (Galveston, 25 April 1845), \textit{BDC}, p. 479.

\textsuperscript{34} Kennedy to Aberdeen (Galveston, 6 September 1845), \textit{BDC}, p. 549.

\textsuperscript{35} Elliot to Aberdeen (New York, 12 August 1845); Galveston, 18 January 1846), \textit{BDC}, pp. 529, 584.
Although Kennedy was often a bit too optimistic, especially in 1842, the guilt for the creation of the misconceptions in the mind of Aberdeen must be sought elsewhere, either in the reports of Elliot or in Foreign Office dreaming. While in Galveston, Kennedy did not even report on the situation until the crisis was reached. He was not supposed to be concerned, and he was not asked to report. Nobody cared until there was a crisis, and then it was too late.

Kennedy’s remedial recommendations can be broken down into one main and several minor themes. First and foremost, he recommended that Great Britain take a strong stand in support of a stable, independent Texas. This involved several steps. The first was recognition, early recognition before Texans had given up all hope of aid from Great Britain. Then Britain should seek to bring an end to the hostilities between Texas and Mexico, which were sapping the strength of both nations and were driving Texas into the arms of the United States.

In addition, Kennedy stated that it would be desirable to have an agent at the seat of the Texas government to represent British interests and refute any loose talk. He also warned against antagonizing the United States.

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36 Kennedy to Aberdeen (Galveston, 12 November 1844), BDC, p. 378.

Unfortunately, a combination of circumstances seriously weakened the British position in Texas. Recognition was delayed by irregularities in the dispatch of the Slave Trade Treaty, and the British influence in Mexico was not strong enough to overcome Mexican inertia. Aberdeen’s chief objective was the maintenance of peace, but the abolitionists forced him into statements which ruined any hopes of success through a policy of caution. Polk’s election was a heavy blow, and the annexation issue thereafter was strictly up to the Americans and Texans.

In reading Kennedy’s letters for his last few years at Galveston, one catches that sense of frustration and helplessness which he must have felt as Texas was swept under the tide of expansionism. There was probably nothing anyone could have done to prevent what a nation (Texas) desired, but Kennedy could not be convinced. He blamed Aberdeen for doing nothing. While in retirement, in 1847, he wrote "We might have prevented Annexation ... without a war."38

What was Kennedy’s reaction when annexation became a fact? By that time he was too exhausted to do anything drastic. He only wanted to keep up the image and fulfill his obligations.

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38Kennedy to Palmerston (Paris, 27 March 1847), BDC, p. 622.
Kennedy left Texas on sick leave shortly after annexation was completed. His health had not been the best when he came and the combination of Texas sun and Galveston swamp had not improved matters. Although he escaped most of the yellow fever epidemics in Galveston, he was sick during the first part of 1844. At this time Kennedy obtained permission to leave, but the developing crisis and continued absence of Elliot had caused him to stay on until September 18, 1846. He formally resigned as consul in 1850.

Kennedy's last years were rather sad. His health did not improve upon his return to England. He spent some time in Glasgow amusing himself with literary work, but his productive years had passed. By 1849, he was "under care," probably in an insane asylum, and his wife had returned to Hull. A few years later, he was moved to Paris, where a married sister lived. He died in 1871.

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39 Kennedy was taking water treatments at Harrogate when he learned of his appointment. Kennedy to Aberdeen (Harrogate, 25 August 1842), BDC, p. 95.

40 Stafford, p. 98.

41 Bollaert, p. 389. No records are available since in those days mental illness was family disgrace. This would explain why much information on Kennedy's life was allowed to disappear. Stafford, pp. 99, 105.

42 Their short life together must have been something less than idyllic. Mrs. Kennedy had followed her husband to Texas, but the climate was as hard on her as it was on him. There is no record of any children. Bollaert, p. 389.

43 Kennedy probably never got the pension which many writers said that he retired on. Aberdeen had denied him such rights when he sent him his commission as consul, and Bollaert noted (1849) that the government had cut off Kennedy's pay. Bollaert, p. 389.
CHAPTER VII

CONCLUSIONS

William Kennedy was an intelligent, hardworking, and well-educated gentleman, who could no longer be called a young man at the time of his appointment as consul. He had served in a public and semi-public capacity for many years, and he had an innate ability for getting along with high officials. He also possessed a well-developed sense of self-esteem, and he was quick to take credit and/or point out his service.

Kennedy had the good fortune to obtain a job with the Durham Commission, and this led him to seek public service on a more permanent basis. In following up an interest, he had become acquainted with Texas, and the next few years of his life were spent in promoting Texas and British interests in Texas.

In many ways Kennedy deserved to be called a "friend of Texas."¹ He wrote a history of the infant nation in order to rectify the image of Texas in Britain, he promoted the new republic through personal contacts and correspondence, and he even served in the Texas

¹Smith to Jones (London, 8 June 1842), Memoranda and Official Correspondence, ed. Jones, p. 183.
consular service. However, Kennedy was more a friend of Britain than of Texas, for the interests of the British merchant and the British colonizer always came first. His attitude toward annexation reflected this position, although he was undoubtedly sincere in believing independence to be to the advantage of Texas.

Kennedy's work as British consul at Galveston was mostly routine. He performed his duties adequately, but he was not allowed to really enter into the larger issues. It may appear surprising that Kennedy would have accepted a post with such disagreeable restrictions, but he did not have much choice. He was no longer young and he was no longer single. He preferred to remain in public service rather than return to the newspaper business, and a job in the British consular service was much more stable and remunerative than one in the Texas consular service. Besides, he undoubtedly welcomed the opportunity to return to Texas, and he had always shown a desire to travel.² He could not expect anything better, and he would not have figured on a superior like Elliot.

So William Kennedy, the man who probably did more for and knew more about Texas than any other contemporary European, was actually an exile, helpless while Elliot and Aberdeen proceeded to neglect Texan affairs until it was too late. Kennedy's talents were wasted while Britain proceeded to squander her opportunities in Texas. For a

²See Bollaert, pp. 385-386.
man with such high hopes, this must have been heart-breaking, as well as health-breaking, but there was nothing he could do.

Actually, Britain never had much of a chance in the new republic. Her agents were merely minor figures looking after secondary interests. British diplomacy in Texas was another episode in the history of Britain's failure to halt nineteenth-century American expansionism.
APPENDIX I

WORKS BY WILLIAM KENNEDY

Fitful Fancies. Edinburgh and London, 1827

The Siege of Antwerp. A historical play in five acts.
London, 1838.


APPENDIX II

REVIEWS OF KENNEDY’S TEXAS: THE RISE, PROGRESS AND PROSPECTS OF THE REPUBLIC OF TEXAS


Edinburgh Review or Critical Journal, LXXIII (April, 1841), 241-271.


The Times (London), June 12, 1841, p. 7.

BIBLIOGRAPHY

I. PRIMARY SOURCES

A. Public Documents


Appendix C of this volume contains Kennedy's report on the municipal institutions of Lower Canada.


This very valuable volume contains the letters of Kennedy and Elliot which are now in the Public Record Office, London. It is a reprint from a series in the Southwestern Historical Quarterly.


These volumes, which were printed as part of the Annual Report of the American Historical Association for 1907 and 1908, contain only those documents not previously published.
B. Private Documents

Jones, Anson. Memoranda and Official Correspondence Relating to the Republic of Texas, its History and Annexation. New York: D. Appleton and Company, 1859. This bitter account by one of Texas' leading statesmen includes four letters from Kennedy.


C. Books


D. Newspapers

Morning Chronicle (London). 1839.

The Times (London). 1839-1842.
II. SECONDARY SOURCES

A. Manuscripts


This thesis is valuable for its information on the activities of British citizens. The author did much of her research in England, and she had access to the important Aberdeen Papers in the British Museum.


The author, who attempts to show the importance of Kennedy, gathered almost all of his information from readily available sources.


This study is valuable because the author had access to microfilm copies of the diplomatic records of both Great Britain and France.

B. Books


This monograph, written for the Albert Shaw Lectures on Diplomatic History, 1909, is based primarily on documents in the Public Record Office, London. It concentrates on the actions and objectives of the British government and its agents.


J. J. Platfield wrote the chapters on Texas. Quarterly of the Texas State Historical Association, VIII, 87-88.


In this book, written by a Texan who did research in Texas, Washington, D. C., and Britain, the chapter on Elliot's years in Texas is by far the best.


New, in this scholarly biography, acknowledges the role of Kennedy in Canadian history.


Reeves, Jesse S. American Diplomacy Under Tyler and Polk. Baltimore: Johns Hopkins Press, 1907.


Schmitz relates Texas' efforts to obtain recognition and assistance.


C. Periodicals


Dienst, Alex. "The New Orleans Newspaper Files of the Texas Revolutionary Period," Quarterly of the Texas State Historical Association, IV (October, 1900), 140-151.

