

RICHARD MACALLAN

## Richard Charlton: A Reassessment

IN THE EARLY HISTORY of European settlement in Hawai'i the name of Richard Charlton looms large. The first British consul to Hawai'i, appointed in 1824, has usually been portrayed as a troublemaker who blighted everything he touched and alienated everyone who crossed his path. Charlton was named by contemporaries as an enemy of the church, the Hawaiian government, and the man responsible for its overthrow during the British occupation of the Hawaiian Islands in 1842. Historian Gavan Daws offers us the generally accepted portrait of the consul:

He was rough, obtuse, foul-mouthed, and choleric; he advocated temperance and drank to excess; he was a fornicator; he was chronically litigious; he menaced white men with pistols or had his bully boys beat them; he lassoed a Hawaiian and dragged him along the ground for a mile behind his horse; he threatened other natives with flogging or beheading; he spoke wildly of killing Kaahumanu [Hawaiian queen regent] and tearing down the fort at Honolulu; he gratuitously and publicly accused a British merchant of sodomy, and when he was convicted of slander he broadened the accusation to include the jurymen; he horsewhipped a newspaper editor; he slaughtered trespassing cows and chickens without mercy. For two decades he laid about him savagely and clumsily at Honolulu, and from the wreckage of his personal life he constructed huge and baseless diplomatic causes. The strange thing was that the British Foreign Office allowed him to go on like this

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for so long. When at last the Hawaiian government succeeded in having him removed he departed leaving his consular archives in shambles, his illegitimate offspring unprovided for, and in the courts of Honolulu a major case of land litigation, one of the most involved and acrimonious in all Hawaiian history.<sup>1</sup>

This is a long and infamous list of crimes, but how many of these charges are true? The accusations that Charlton dragged a Hawaiian through the streets and that he fathered illegitimate children are flatly denied by his contemporary, Stephen Reynolds, a reliable observer of Hawaiian society. Charlton was not removed from his post by the Hawaiian government as Daws states. He left for London in September 1842 to present a list of grievances in person before the British government, and it withdrew his consulship for leaving his post without permission.<sup>2</sup> The other charges, which can be substantiated, demand closer study of this merchant seaman turned diplomat who emerged from shadowy beginnings to build a controversial career and then return to the shadows in disgrace. Indeed, the British consul became marginalized with the quickening pace of American activity in Hawai'i. In this light it is easy to underestimate his importance in the evolution of a system of laws and property ownership.

Little is known about Charlton's early life. The earliest record is of his baptism on December 30, 1791, at St. Anthony-in-Roseland parish church in Cornwall, England. The fourth child of Robert and Christian Charlton, he grew up in a sparsely populated rural region that subsisted on farming, fishing, and coastal trade. He went to sea at an early age; reports show him trading for an agency of the English East India Company in the Pacific as early as 1821, and a British naval commander referred to his graduating from the position of cabin boy to command his own vessel.<sup>3</sup>

One of those who supported Richard Charlton's appointment as consul was W. Horsley Palmer, the owner of the firm for which he worked. Charlton impressed his superiors with the cargoes of pearl shell, cocoa, and *bêche-de-mer* he collected around the Pacific. Palmer was keen to interest the British Foreign Office in the possibility of trans-Pacific trade in cargoes from China to the growing settlements on the North American coast and in the establishment of a diplomatic post that would further trade in the region. With his trad-

ing experience, Charlton seemed the ideal candidate to promote that expansion, and he was duly appointed by the Foreign Office in July 1824. He was instructed to protect the interests of Britons residing in the Hawaiian and Society Islands, act as a commercial agent to further the expansion of British trade between the west coast of North America and the Orient, and to prevent any other power from gaining control of the islands under his office. He was also ordered to cultivate the loyalty of the local populations and to further political links that had existed since the time of Kamehameha I.<sup>4</sup> To see how well he carried out these tasks we shall examine in turn his conduct of diplomacy, his commercial and other relations with the inhabitants of Hawai'i, and his land claims.

#### DIPLOMACY

Charlton's arrival in 1825 formalized ties between the British and Hawaiian crowns which had grown stronger since the time of Captain Cook's visit in 1788. Captain George Vancouver signed an agreement with Kamehameha and the principal chiefs of the island of Hawai'i in February 1794 assuring them of Britain's protection. This was reaffirmed in a letter written by Kamehameha to King George III in 1810, stating his desire for closer relations in exchange for any material aid that Great Britain could provide. The foreign secretary of the time, the Earl of Liverpool, assured the Hawaiian monarch that British ships would call regularly if the Hawaiians could assist Britons choosing to trade and reside there.<sup>5</sup> Mariners such as Archibald Campbell, Isaac Davis, and John Young had already assisted Kamehameha in his campaigns to unite the Hawaiian Islands, acting as translators and armorers, and lending their technical expertise to the cause. All the while, they acted as unofficial ambassadors, acquainting the Hawaiian people with their homeland and urging closer ties. Interest had grown sufficiently by 1823 for Kamehameha's son and successor, Liholiho, to plan a sea voyage to pay a personal visit on King George IV.

The mission proved to be a disaster, with Liholiho and Queen Kamāmalu falling victim to the measles, a disease against which they possessed no natural immunity. According to historian Ralph S. Kuy-

kendall, Charlton knew Liholiho in Hawai'i and assisted the king in England. The royal couple had captivated London society, and Foreign Secretary George Canning was deeply embarrassed by their deaths. He ordered that the warship H.M.S. *Blonde* be specially fitted to carry their bodies back to Hawai'i for a full state funeral, which would also serve to introduce Hawai'i to the new British consul.<sup>6</sup>

When Charlton reached the Hawaiian Islands on April 25, 1825, aboard his brig *Active* from Valparaiso, he brought to Hawai'i the first news of the *Blonde's* imminent arrival. He, his wife Betsy, her sister, and the Charltons' young daughter Elizabeth were swept up in a tide of public grief and preparations for the funeral, and Charlton joined naval personnel in the funeral procession.

Charlton spent many hours with the *Blonde's* commander, George Anson Byron, Prime Minister Kalanimōkū, and the American missionaries in hammering out the first written code of laws for the kingdom. This simple set of eight principles affirmed the supreme authority of the Hawaiian crown and its power to tax both natives and foreigners. The meetings also highlighted the growing competition between mercantile and missionary factions for the favors of Hawai'i's rulers, a rivalry that began with the landing of the first missionaries from Boston in 1820. In June 1825 Kamehameha's widow, Ka'ahumanu, was baptized along with large numbers of Hawaiians who flocked to join the Congregationalist church. While lauding the creation of a new Christian community, Byron and Charlton were not convinced by Congregational cleric Hiram Bingham's assurances that he had no desire to meddle in politics. Bingham's resentment at being barred by the British from Liholiho's funeral procession was only the beginning of a split between the two groups that would widen in the 1830s with international rivalries.

As the nineteenth century progressed and the volume of shipping passing through Hawai'i increased, foreigners living in the Islands turned to their respective governments for assistance and protection. Armed vessels called with increasing frequency and were used by the foreign consuls to mediate disputes that could not be resolved between settlers and native Hawaiians, and armed intervention was employed to obtain special trading privileges. In 1826 the U.S. naval captain Thomas ap Catesby Jones reached Honolulu aboard the

U.S.S. *Peacock* to establish trading relations, while the French sent men-of-war annually from 1836 through 1839 to secure the importation of wine in defiance of local prohibitions and the practice of Catholicism.

Though baptized in the Church of England, Charlton supported the introduction of Catholicism into Hawai'i. He saw freedom of religion as a prerequisite for the expansion of trade and settlement among the islands of the Pacific, and the enforced removal of the Catholic priests Alexis Bachelot and Patrick Short under Ka'ahu-manu's orders in 1831 widened the rift between Charlton and the Congregationalist church. As a British subject, Short had appealed to the local consul for assistance, but Charlton discovered that nothing could be done to prevent the expulsion.<sup>7</sup> This apparent religious intolerance only increased Charlton's distrust of the local authorities and led him to turn increasingly to his own government for help. After the expulsion of the two priests, Charlton suggested to his superiors in London that all cases between British subjects and Hawaiians be referred to the Admiralty courts in London. These had the power to conduct legal tribunals on matters involving Britons residing beyond imperial jurisdiction. Charlton believed that the agreement by Kamehameha I to cede authority for the protection of the kingdom to Britain had never been revoked, and therefore the Admiralty courts might have jurisdiction in Hawai'i.<sup>8</sup>

The consul was unable to have cases involving British subjects in Hawai'i transferred to London, but he achieved the same end by appealing to London for warships to sort out many of the same difficulties. In 1836 the foreign secretary, Lord Palmerston, responded to Charlton's request to send a ship to investigate the detention of two British merchants in the Honolulu fort and arrange the return of their property seized by the Hawaiian government over a disputed debt.<sup>9</sup> The commander dispatched to Hawai'i, Edward Russell of H.M.S. *Actaeon*, going beyond simply securing the release of the prisoners Chapman and Lawlor, negotiated an agreement at gunpoint allowing Britons to settle on land purchased or obtained with the king's consent. This weakened the original 1825 agreement that upheld the Hawaiian monarch's traditional absolute control over the dispersal of land, and Britons were granted the right to buy property

and settle in Hawai'i.<sup>10</sup> The pact Russell reached with the Hawaiian government in 1836 was used the following year by Sir Edward Belcher, commanding H.M.S. *Sulphur*, and the French Captain (later admiral) Abel Dupetit-Thouars to permit two Catholic priests finally to open a parish in Hawai'i.<sup>11</sup> The religious freedom Charlton fought for had finally come to pass but at the price of his standing with the Hawaiian government.

As the British residents of Honolulu scanned their out-of-date newspapers and listened to the scuttlebutt from arriving passengers, their anxiety was heightened by word of unrest occurring around the Pacific. In 1839 the Chinese had finally risen up against the opium monopoly run by the English East India Company. Before the weight of British naval power forced China to reopen her ports, cede Hong Kong, and restore the opium trade in the Treaty of Nanking in 1842, one of Hawai'i's principal markets was closed. This directly affected a trading community that was founded on the export of sandalwood logged in Hawai'i and the transshipment to the Orient of furs that had been collected on the coast of North America.

Added to the concerns about interruptions in trade in distant ports were political rivalries closer to home. A region of singular importance was Tahiti and the Society Islands, whose ownership was hotly contested by Britain and France. Though trade in these islands was conducted principally with New South Wales, Charlton acted as its consular representative until 1837, when a separate consular post was established by a former British missionary, George Pritchard. Charlton was thus in a position to observe with what ease French warships had imposed a protectorate on the islands in 1839 and deposed the clerics of the London Missionary Society, who had been the chief foreign influence there for fifty years. He could not help but wish that a British warship would similarly resolve his own difficulties.<sup>12</sup>

Appeals by the reigning queen of Tahiti, Pomare, for the archipelago to be placed under British protection were rejected by Foreign Secretary Lord Aberdeen, who was willing to concede the islands to France since he believed that Pomare had formally signed away her power, albeit at gunpoint. Crucially, his predecessor, Lord Palmerston, had held to the position Britain had taken in Hawai'i since Charlton became consul, not to involve himself in Tahiti but to stand

ready to offer British assistance should her kingdom be threatened by any other power. France had already proven the hollowness of that guarantee, and Charlton could only despair when comparing this inertia to Palmerston's willingness to break the Chinese resistance to the opium trade or reinforce British claims to Oregon, prospects that demanded a far greater commitment of arms than would have been necessary to attach Tahiti or Hawai'i to Great Britain.<sup>13</sup>

While Charlton was observing British policy being played out around the Pacific, he had to contend at the same time with the effects of diplomacy conducted on Britain's behalf through the offices of the Hudson's Bay Company. Since 1829 this firm had operated an agency in Honolulu, shipping timber, salmon, and flour to Hawai'i in exchange for salt, molasses, coffee, and other goods being transhipped elsewhere. Unlike the British commercial agents who survived individually or in partnerships by buying or selling whatever cargo they could procure, the Hudson's Bay Company relied upon its vast North American fur-trading network to stock its post in Honolulu. When decisions had to be made, its operatives were obliged to turn to the company's headquarters in London and Montreal for instructions and seldom relied upon local merchants for supplies. This created resentment among the British trading community, which saw the Hudson's Bay Company as an oversized and aloof competitor.<sup>14</sup> With close ties to the British government, this ancient trading company was ideally placed to dabble in diplomacy that would advance its corporate interests.

Charlton was excluded from negotiations between the company's North American governor-in-chief, Sir George Simpson, and Kamehameha III and his ministers in 1842, which resulted in the Hudson's Bay Company's underwriting a mission to the United States, Great Britain, and France to gain diplomatic recognition for the kingdom.<sup>15</sup> Simpson's friendliness toward the Hawaiian government infuriated those who believed that their future would only be secure when Hawai'i was brought into the British orbit. These discussions came at a time when a number of ambitious schemes were being launched by American rivals. In November 1841 Peter Brinsmade had obtained permission for the leading sugar producer, Ladd and Company, to cultivate all unoccupied lands in the kingdom. The

king would act as principal subscriber and outside investors would be invited to participate. One clause in the contract stipulated that it would come into force only if Hawaiian independence was recognized. By the 1840s a plantation culture had developed, and its owners grown wealthy in the process. Just one example was Henry A. Pierce, who in fifteen years built a fortune of \$100,000 on the proceeds of agriculture in Hawai'i. Such economic clout would eventually displace the waterfront economy Charlton championed, and his loss of influence followed this change from a transient maritime way of life to a more settled, agrarian existence.<sup>16</sup>

#### CHARLTON'S RELATIONS WITH THE HAWAIIAN COMMUNITY

In the early years of the nineteenth century the foreign community was a collection of closely knit groups of merchants and seafarers, far from home and dependent upon each other for their survival. Charlton, a seasoned mariner, supplemented his diplomatic salary of £500 a year with what he could garner on his own. At the time of his appointment, he was shipping sealskins and lumber from Peru, and his brig sailed regularly to Waialua on the northwest shore of O'ahu for sandalwood. He was often joined on these journeys by the U.S. consular agent, John Coffin Jones, and Boki, a prominent *ali'i* (chief) and governor of O'ahu, who supported any measures that would expand the opportunity for trade and who opposed anyone who blocked their path to greater prosperity.<sup>17</sup> In December 1827, Charlton and a group of foreign merchants got the Hawaiian authorities to enact laws outlawing murder, theft, and adultery, but managed to block missionary pressures to outlaw prostitution, gambling, and the sale of alcohol. Merchants feared that such restrictions would greatly reduce the attractiveness of Hawai'i as a place for ships to refit and refresh their crews after months at sea, and those who had financial interests in taverns as well as warehouses, such as Charlton and Boki, were especially worried.

Charlton rode and hunted with Liholiho's successor, the young Kauikeaouli (later Kamehameha III), who shared the consul's desire for a more liberal regime than that championed by the queen regent, Ka'ahumanu. Charlton became acquainted with the conflict



between the rough world of maritime commerce and the pious vision of missionaries soon after he took office. In 1825 he was thrown into the midst of a raging battle between the skipper of the whaleship *Daniel* and the inhabitants of Lahaina. The Reverend William Richards was placed under arrest when the ship's crew could not obtain the drink or the number of women that they desired in the town. Bloodshed was averted when a council of local chiefs secured the missionary's release by threatening to seize the vessel. Two years later, Richards accused the ship's master, William Buckle, of purchasing a Hawaiian woman and taking her on board his vessel. To Buckle and Charlton, this was a severe charge, tantamount to being labeled a slave trader and a pirate. Charlton demanded that Richards substantiate his charges against Buckle, which had been published in a New York newspaper, but Richards denied being the author. A council of chiefs on Maui rejected Charlton's representations on behalf of the whaling captain but never decided the main issue under review, namely, whether the woman in question had boarded the *Daniel* willingly or by force.<sup>18</sup>

Charlton quickly learned that it was pointless to placate the religious community and their Hawaiian allies and retreated with vigor to the company of the young Kauikeaouli and his circle. They often traveled together in the 1820s to Waialua and Waimea on O'ahu to escape the restrictions of life in Honolulu. Charlton also spent much time with his partner in trade, Boki, who had accompanied Liholiho on his trip to London. Boki had been impressed with European technology and social customs, and he became the leading voice for the expansion of trade and a liberalization of Hawaiian laws and customs to accommodate the changing society. He supported whatever turned a dollar, including activities the missionaries deemed sinful.<sup>19</sup> As Boki put it on one occasion:

Gambling is not wrong, King George gambles, Mr. Canning [the British foreign secretary] gambles. I will also gamble and so will the King. . . . 'tis not forbidden . . . you [missionaries] prohibit us from everything in which we delight."<sup>20</sup>

Boki's death at sea in 1830 robbed Charlton of a business partner and someone whose access to the highest councils of the Hawaiian

government was irreplaceable. The consul's opposition to the authorities grew as he became increasingly a stranger along the corridors of power. He joined the united chorus of foreign diplomats that denounced the king's Congregationalist advisers. U.S. Consular Agent John Coffin Jones called them "bloodsuckers of the community" and criticized them for teaching Hawaiians that all foreign merchants were out to cheat them. French Consul Jules Dudoit was angered at the Congregationalists' refusal to allow Catholicism into the Islands, which he interpreted as a means of denying non-American commerce access to the kingdom.<sup>21</sup>

Though most of this criticism was overblown and self-defeating, the polarization of society did produce a minor landmark. Stephen Reynolds, perhaps the most successful merchant active in Honolulu during the 1820s, joined with Charlton in 1832 in founding the non-denominational Oahu Charity School. Charlton acted as its first president and served on its board until 1838, while his wife and her sister busied themselves in finding supplies and clothing for the pupils.<sup>22</sup> School records in Stephen Reynolds's journal show Charlton's young son Robert winning a scholastic medal at the institution in 1844.<sup>23</sup> The school offered a liberal education, featuring subjects such as dance and art with the Bible being the only religious work allowed into class.

In the end, however, Charlton's quick temper and undiplomatic urge to rush to judgment overshadowed any good works he performed. In 1829 a dispute over his cattle straying onto public land highlighted the differences between Hawaiian and European concepts of property ownership. The animal had wandered onto a parcel of land on which a *kapu* (taboo) had been placed by a local chief. It had been chased off the land and shot at by local residents before being recovered by the British consul. The consul alleged that the beast had been shot while grazing on the common pasture. The issue might have died had Charlton not widened it by organizing a group of sixty-one Britons to petition the king for protection of their property. Kauikeaouli questioned their motives, asking in his printed reply why, if these foreigners were so concerned about the defense of their property, had they shown such disrespect for the *kapu* placed on the king's land and allowed their beasts to graze with impunity on

the crops grown there. The king could not help wonder whether, if the situation had been reversed, Hawaiians would have received exactly the same punishment.<sup>24</sup> The incident illustrated the complete inability of each side to appreciate the other's system of values. Boundary fences were alien to the Hawaiian farmer, as was the thought of owning land without demarcation or title to the European. To meet this challenge, the new queen regent issued a proclamation in June 1832, alerting foreign speculators and native chiefs who might wish to challenge the king's authority. Kina'u wrote:

The tabus of the King and the law of God are with me, and also the laws of the King. To hear or be consulted in public transactions belong to me. . . . I make known to you; according to the law [or for violations of the law] shall be the loss or dispossession of the land.<sup>25</sup>

The "cow incident" proved to be Charlton's first challenge of the royal prerogative and the beginnings of a dispute over property which we shall look at more closely in the next section.

Though the cow incident damaged Charlton's standing with Hawai'i's rulers, his relations with the Hawaiian people were irreparably ruptured in 1834 when he persuaded Kauikeaouli to permit two Hawaiian mutineers to be hanged from the yardarm of a brig in Honolulu harbor. The two sailors, Kahinau and Napalae, were executed for their part in seizing the British merchant vessel *William Little* off the California coast and throwing its captain overboard in the night. Four Hawaiians from the vessel were captured at Fanning Island, returned to the Honolulu fort, and put in irons.

When two of the prisoners escaped, Charlton flew into a rage over the seeming lack of effort shown by Kuakini, governor of O'ahu, to see them recaptured. To the British consul, the fugitives not only represented a failure of justice but also demonstrated a lack of resolve in confronting the serious problems of theft and piracy at sea. To Charlton and his mercantile associates, anything that threatened sea traffic and encouraged transient seamen to cause trouble aboard ships had to be dealt with swiftly and severely. Charlton was particularly worried about deserters from whaleships and escapees from the penal colonies in Australia who had spread throughout the Pacific and gathered where law enforcement was lax.<sup>26</sup>

Unfortunately, Charlton made no distinction between foreign troublemakers and native Hawaiian miscreants, and his dogged pursuit of the mutineers on the *William Little* made him appear simply vindictive. When the British Foreign Office informed Charlton in January 1834 that it would be preferable to hold the trial in Hawai'i rather than London, Charlton pressed Kauikeaouli to capture the two escapees as a warning to the Hawaiian people about committing crimes at sea. When the two finally gave themselves up, the British consul expressed satisfaction and stated that their execution would prevent other Hawaiian sailors from contemplating similar crimes.<sup>27</sup> Though it was clear that justice had been done in this case, it was unclear whether this would curb piracy, and the verdict lingered as a violation of Hawaiian sovereignty. Charlton would serve as consul for another eight years, but he would never again enjoy the easy friendships he had experienced before this incident. From this point onward, Hawaiian officials turned elsewhere for advice, and Charlton steadily withdrew in his business dealings and was spurned by most of the Honolulu community.

The consul fell back upon the small tradesmen and sailors living in Honolulu who always backed him in his personal quarrels and battles with the local authorities. He dedicated himself to representing their interests, and he remained ready to extend a warm welcome to seafarers who called upon him. As someone who had worked his way up the ranks as a merchant seaman himself, he was familiar with the many trials of that occupation. Sailors who had endured bad food and harsh discipline for months at sea were preyed upon once they reached port. There were few medical facilities to treat their many ailments, little cheap lodging, and only too many people in the taverns and alleys willing to strip them of their scanty wages. Charlton wrote the British Treasury in 1834 to recommend the construction of a hospital on land promised by the king for destitute seamen and those stranded in Hawai'i. The Treasury department rejected the request, stating that it could not extend funds for such a project, and suggested that ill seamen be shipped fifteen hundred miles to the naval hospital in Valparaiso. Treasury Undersecretary John Bidwell noted in his reply to Charlton that the consul had made unauthorized expenditures from his consular funds for this purpose and ordered

that this be stopped except in the "most urgent" cases.<sup>28</sup> To his credit, Charlton continued to extend aid to any sailors who sought his help, sometimes putting them up in his own consular residence.

The consul often went to extraordinary lengths to assist British citizens within his jurisdiction. In the spring of 1838, for example, he purchased the schooner *True Blue* with his own funds from the American merchant William French to rescue the survivors of the British whaler *Gledstones*, which had run aground on Ocean Island, fifteen hundred miles northwest of Honolulu. Charlton refused to transport the injured to the South American coast, as his superiors wished, because it was impractical. Sailings of available ships were few, and most ships' masters spurned such duty as an imposition on their time and livelihoods. Even British-registered vessels that sailed between South America and Honolulu at least once a year, such as the Hudson's Bay Company ship *Columbia*, could not be convinced to take ill seamen aboard under any circumstances. Charlton was censured for his expenditure of £636 to rescue the survivors of the *Gledstones*, and though this was not a hardship on his purse, it undermined his confidence in the support he could expect from London, increasing his sense of isolation.<sup>29</sup>

Large issues preyed upon the consul's mind, as Charlton realized that there was little likelihood that he could excite the Foreign Office to take greater interest in Hawai'i. He felt compelled to couch his despatches in dire tones in order to elicit help from his superiors. Charlton's correspondence is filled with tales of injustices visited upon British citizens in Hawai'i, from having their servants commandeered to work on the roads without pay to an endless litany of legal strife. Whether trivial or profound, obstacles thrown in his way by the Hawaiian government, in his eyes, were all part of an overall plan to discourage non-American settlement and investment from reaching Hawai'i. The British mercantile community generally felt threatened by the growth of trade between the United States and Hawai'i. By the late 1840s timber from Oregon had begun to replace supplies brought in by the Hudson's Bay Company, and the Islands became a conduit for supplies shipped from Hawai'i and the Orient to service the California gold rush. The number of barrels of whale oil carried by American ships and the tonnage of cargoes arriving at

Honolulu always outstripped those transported by British counterparts between 1828 and 1841 by a ratio of four to one. Trade records forwarded by Charlton to London show an even greater differential in the tonnage carried by commercial vessels during the same period. To give but one example, as early as 1828, only three years after Charlton had taken up his consular post, eighteen U.S. ships reached Honolulu carrying 4,274 tons of cargo compared to only five British vessels arriving during the year bearing 929 tons of trade goods. The difference in the volumes of cargo carried never fell below two to one in favor of U.S. commerce and reached ratios of four to one up to 1841.<sup>30</sup> Charlton's angry responses were those of a man who realized that his own country was not destined to shape the future of Hawai'i, and that by 1842 his own position had become untenable.

#### LAND AND PROPERTY DISPUTES

Ultimately, it was not the tide of events turning against him and his growing unpopularity that forced Charlton to leave Hawai'i in September 1842, but disputes over the ownership of his land and property. In this he was to leave perhaps his most enduring legacy as litigation to settle his various claims to land hastened the adoption of Western systems of land ownership. Of all the issues that threatened to destroy the early goodwill that had been fostered by Vancouver and Byron, it was land and property disputes that drew British warships to investigate and led directly to the seizure of the Hawaiian Islands by the Royal Navy ship *Carysfort* in 1843.

When Charlton left London in 1824 to take up his diplomatic post, he was given a letter by Boki directing the premier, Kalanimōkū, to allow the new consul to choose a land (the term then used to denote a specific parcel of land). Before he died, King Liholiho had made known to Charlton that he should be allowed to choose a site for his consular residence when he returned to Hawai'i. Soon after he reached Honolulu, Charlton selected a site for a consulate on the outskirts of town that gave the street its current name, Bere-*tania*. In November 1826 Charlton sought another piece of land near the Honolulu waterfront where he could build a wharf and trade with other merchants who were active there. Wary of constructing sub-

stantial warehousing without legal safeguards, Charlton sought title to prime frontage situated between wharves owned by Kalanimōkū and Stephen Reynolds. With the Spaniard Francisco de Paula Marin acting as witness and interpreter, Kalanimōkū granted Charlton his harborfront land, known locally as Pulaholaho, on a 299-year lease.<sup>31</sup> Unfortunately for Charlton, part of the land Kalanimoku gave him may have belonged to the queen regent, Ka'ahumanu, and therefore it was not within Kalanimōkū's power to transfer it to Charlton. The parcel of land was certainly claimed by her successor, Kīna'u, when she attempted to construct a wharf on the same site in 1836.

It grew clear during negotiations held after Charlton left Hawai'i in 1842 that determining who actually had title to the property would be a difficult task. Not only was Kalanimōkū's power to grant the land questioned, but the boundaries and even the genuineness of the signatures on the original lease were challenged.<sup>32</sup> Charlton admitted to the Foreign Office after his return to London that he allowed Ka'ahumanu's descendants to use the property and build grass houses upon it, but warned them that if he ever wanted to enclose it, these dwellings would have to be removed. Besides allowing Hawaiians the freedom to settle there, he rented out a warehouse there to several colleagues, including William French, who stored sandalwood and other commodities he traded with Charlton.<sup>33</sup>

In 1840 Charlton decided to formalize his claim after Kīna'u had thrown its ownership into question. This attempt to settle the status of his holdings only provoked a blizzard of litigation and accusations that dragged on for years and a series of enquiries producing volumes of testimony. Set against the history of his worsening relations with the Hawaiian government, the claim he presented in 1840 amounted to a final attempt to clear his name and salvage his official reputation. The Hawaiian government refused to hear his case because it was suspicious of his motives and did not wish to give the consul a platform from which to launch his public attacks. William Richards, who had resigned from the Protestant mission to become, first, translator to the king and, after 1846, a leading minister in the Hawaiian government, agreed with its attorney general, John Ricord, that Charlton's case should not be heard because it was groundless.<sup>34</sup> It was inevitable, therefore, that Charlton's claim would lead him to

seek outside assistance, and so on September 27, 1842, he secretly departed Honolulu for London.

Stephen Reynolds noted in his journal how neatly Charlton had evaded impending legal action but also observed that, "His object no doubt, will be for the British government to take possession forthwith."<sup>35</sup> The ensuing chain of events would lead one to believe that Charlton was the leading force behind the subsequent takeover of Hawai'i, but there exists no direct evidence to this effect. It is clear, however, that he believed in the effectiveness of naval intervention as a means of sustaining his consulship. A plan was conceived in two parts: Charlton would sail for London to publicize his difficulties and contact the Royal Navy on the Mexican coast while en route. Meanwhile, the acting consul, Alexander Simpson, would do what he could to draw naval assistance and organize British citizens in Honolulu to support their actions. Charlton met with George Paulet, commanding H.M.S. *Carysfort*, at San Blas to discuss the situation in Hawai'i and the recent arrival of the French warship *Embuscade*, sent to investigate the progress of Catholicism in the Islands.<sup>36</sup> Alexander Simpson busied himself with his consular duties, even though his appointment was not recognized by the governor of O'ahu, Mataio Kekūānao'a. Simpson championed the grievances of British residents in letters he fired off to the Foreign Office and the *Times* of London, stressing the strategic and economic potential of the Hawaiian Islands and the need for the British government to uphold its promise to protect British subjects living there.<sup>37</sup>

Contributing to Charlton's sudden departure and the ensuing British occupation of Hawai'i was the slander suit launched by the Hudson's Bay Company agent in Honolulu, George Pelly, against the consul. This had its genesis in a loan Charlton had advanced to a British merchant for a cargo of goods to be shipped from Valparaiso for sale in Honolulu. In 1838 Pelly was retained as an attorney by the firm Sewell and Patrickson to recover monies they had allegedly never received for the goods Charlton had been contracted to sell on their behalf. The affair was further muddied by Charlton's attempt to regain land he had sold to British merchant F. J. Greenway for \$4,500 in 1838, but which was confiscated after Greenway was declared bankrupt in July 1841. The Hudson's Bay Company agent



at the same time launched an action to recover \$13,000 for Charlton's public accusation that Pelly was fond of boys. The outcome of the first trial for slander held in Hawai'i was a guilty verdict against the consul. Appeals by his wife and by Henry Skinner after Charlton had left the Islands were not successful and he was obliged to pay \$9,907.47. When the British foreign secretary, Lord Aberdeen, received a copy of Pelly's correspondence with Hudson's Bay headquarters in London, he noted that the agent referred to Charlton's conviction by a jury composed entirely of Americans, many of whom were trading rivals and bitter foes of the consul. Aberdeen also observed that Pelly had chosen to press his case after Charlton had left Hawai'i and could not defend himself in court.<sup>38</sup>

At the same time, the foreign secretary received a strident petition signed by thirty-four British residents of Honolulu, including Alexander Simpson and Henry Skinner, citing the £70,000 (\$350,000) worth of investments they owned in Hawai'i and calling for immediate protection.<sup>39</sup> Their wish came true on February 10, 1843, when H.M.S. *Carysfort* anchored off Honolulu harbor, beginning a six-month occupation of the Islands and the suspension of all usual judicial and political processes against foreigners. Land-related concerns were among the first matters dealt with by the new military commission. Paulet ordered the destruction of the homes of 156 Hawaiians living on Charlton's property. With the restoration of Hawaiian sovereignty on July 31, 1843, Rear Admiral Richard Thomas, as commander of Britain's Pacific fleet, tried to atone for the harm that had resulted from his approval of Paulet's visit to Hawai'i. Charlton cannot bear the burden for Paulet's sailing orders, which upheld Britain's long-standing policy of intervening in Hawai'i's domestic affairs. This was confirmed in the convention signed in 1843 between Britain and Hawai'i, guaranteeing that Britons would enjoy rights equal to those of other foreign nationals. On signing it, Lord Aberdeen told the Hawaiian commissioners, William Richards and Timothy Ha'alilio, that he did so on the understanding that Britain would reserve the right to intervene if her interests were threatened and that he rejected their claims for damages caused by Paulet's action. By ceding authority to Paulet without a struggle, said Aberdeen, the Hawaiians had forfeited any claim to compensation.<sup>40</sup>

The British foreign secretary instructed Charlton's successor, Consul-General William Miller, to settle the former consul's claim once and for all, with the aim of obtaining those portions of property that Charlton had not built upon.<sup>41</sup> Miller believed that he could bully the Hawaiian government into a settlement by a vigorous demonstration of will, backed by the weight of diplomacy. He met his match in the Hawaiian attorney general, American lawyer John Ricord, who delighted in humbling the imperial power through a series of inquiries stretching over three years, while piling up volumes of testimony about Charlton's land claim that became progressively more petty and conflicting.<sup>42</sup>

Charlton, who had been sacked for leaving his consular post without permission, was allowed to return to Honolulu in 1844 to wind up his affairs and rejoin his family. He quietly sold Pūlaholaho to fellow Englishman R. C. Janion (who immediately resold it) and leased the remainder to William Miller. The following year, Charlton sold his grazing land on the island of Kaua'i to Jules Dudoit but retained portions of land on O'ahu that were held by mortgages until 1865, thirteen years after his death and five years after his wife's.<sup>43</sup> In 1846 Charlton gathered his family and sailed without notice, never to return to the Hawaiian Islands. He settled comfortably on an annual pension of £80 in Falmouth, only a few miles from where he had grown up and left Cornwall to seek his fortune in the Pacific. He died on December 31, 1852, leaving his property to his widow and a £10 annuity to be paid annually to Betsy Charlton and her sister, Mrs. Taylor.<sup>44</sup>

## CONCLUSION

It is obvious that Richard Charlton was a more complex figure than the caricature villain that has come down to us. Although many of his troubles stemmed from a violent temper, he could also be extremely generous. His loyalty to the seamen and merchants he consorted with and represented was reciprocated by the support they routinely gave to the petitions Charlton forwarded to London. Although he alienated many in Hawai'i by his strong advocacy of British rights and his outspoken denunciation of those who backed the Hawaiian gov-

ernment, this didn't prevent many Hawaiian officials from attending lu'au at his country estate in Mānoa valley or accompanying him on excursions to the Pearl River or into the valleys behind Honolulu. Stephen Reynolds frequently described the good times he had experienced at Charlton's place, where members of the foreign community, the king, and prominent *ali'i* were treated to lavish entertainments.<sup>45</sup> A French sea captain who collected sandalwood with Charlton at Waialua praised the consul as a man of liberal values who was a true friend and host to foreign visitors. Jacobus Boelens, the Dutch skipper of the *Wilhelmenia and Maria*, which called at Honolulu in 1828, noted the hostility of U.S. Consular Agent Jones, Reynolds, and Charlton toward the missionaries—in sharp contrast to the warm welcome they extended to seafaring guests.<sup>46</sup>

The truth about Charlton's life lies somewhere between the impressions of passing travelers who were taken by the exotic spectacles and gracious charm he offered and those of his detractors, who condemned him as a corrupter of the Hawaiian people and an imperialist. Charlton, in short, is not a study for those who prefer their history cast in stark shades of good and evil or black and white. His outlook was not that of a seasoned diplomat but of someone who shared the strengths and weaknesses of his kind: an obligation to help his fellows in distress, distrust of authority, and a preference to handle justice in his own blunt way. By 1836, reports of Charlton's altercations with Hawaiians, both physical and political, had reached Foreign Secretary Lord Palmerston, leading the Admiralty to send Lieutenant Robert Elliot to Hawai'i with orders to report on Britain's representative. It is significant that Elliot commented not only on the consul's many personal shortcomings but that these were occurring against a backdrop of "petty and severe regulations" designed to reduce his usefulness and secure his removal. Most of Charlton's troubles, reasoned Elliot, sprang from an excess of zeal in his efforts to further British interests in Hawai'i, which clashed with those of the missionaries and other foreigners eager to gain influence for themselves and their own nations.<sup>47</sup>

Charlton was really only a more strident variation of the dozens of foreigners who were staking their claims on Hawai'i for reasons either high- or low-minded. The real reason for Charlton's downfall

lay in his believing that the British government would actually make good on its long-standing promise not to allow any other power to gain control of the Islands and to ensure that Britons could settle in Hawai'i and would be protected there. This seemed a logical extension of the protectorate agreement with Kamehameha I, a naval pact that made the need for outright annexation unnecessary. The consul had no indication that his government was altering its official position, though in practice whole years would pass without a naval visit, which would only occur after repeated requests to settle at gunpoint some petty dispute that had grown into an international crisis. Always hindering communication were the months it took for despatches to reach Europe or America by ship.<sup>48</sup>

During Charlton's tumultuous consulship, the Foreign Office was preoccupied with events on other Pacific shores: in China, South America, and on the western coast of North America. Warships calling at Hawai'i were usually en route elsewhere. The ease with which the French captured Tahiti, the Society Islands, and the Marquesas did not encourage the British to do likewise. This lack of interest in Hawai'i frustrated Charlton no end, and he only discovered the true extent to which his government accepted American hegemony over Hawai'i after he had left the Islands in 1842 to plead his own case.

In the end, Charlton left two important legacies to Hawai'i. First, as an undiplomatic diplomat, his behavior and squabbling helped to squander much of the goodwill that had been established by Vancouver and Byron. Though Britain's assistance in gaining the recognition of Hawaiian independence in 1843 is to be applauded, the Islands needed a strong protector of their sovereignty. That Britain relinquished that role amounted to a *de facto* acceptance of American control and the drift toward eventual annexation. Both Charlton and the British Foreign Office, in their own ways, denied Hawai'i a counterbalancing force that might have prolonged her independence. Second, before Charlton, the sale of land had been a casual practice. After his land claim had passed through the Hawaiian courts, the need for land reform would become a pressing issue. He can be condemned as a troublemaker, but he cannot be dismissed as insignificant.

## NOTES

- <sup>1</sup> Gavan Daws, *Shoal of Time, A History of the Hawaiian Islands* (Honolulu: UP of Hawai'i, 1968) 77.
- <sup>2</sup> Stephen Reynolds Journal, vol. 4, 11 Oct. 1837, 532, HHS; Aberdeen to Charlton, 9 Mar. 1843, London, FO 58/17, fol. 49–51. All Foreign Office (FO) and Admiralty (Adm) documents cited are held in the Public Record Office, London.
- <sup>3</sup> R. Elliot, commander of H.M. sloop *Fly*, to Rear Admiral Ross (confidential), 13 Nov. 1838, FO 58/11, fol. 88.
- <sup>4</sup> W. Horsley Palmer to Frederick Byng (Foreign Office undersecretary), 16 June 1824, London, FO 58/3, fol. 30–33.
- <sup>5</sup> Earl of Liverpool to Tamaahmah [Kamehameha I], King of the Sandwich Islands, 30 Apr. 1812, AH, quoted in Rhoda E. A. Hackler, "Alliance or Cession? Missing Letter from Kamehameha I to King George III of England Casts Light on 1794 Agreement," *HJH* 20 (1986): 10.
- <sup>6</sup> C. W. Croker, secretary of the Admiralty, to George Anson Byron, commander of H.M.S. *Blonde*, 15 Sept. 1824, FO 58/3, fol. 115–16; Adm. 2/1693, fol. 241–45; Ralph S. Kuykendall, *The Hawaiian Kingdom, 1778–1854: Foundation and Transformation* (Honolulu: U of Hawai'i P, 1948) 80.
- <sup>7</sup> P. Short to Charlton, 10 Dec. 1831, FO 58/6, fol. 24–25; J. A. A. Bachelot to Charlton, undated, FO 58/6, fol. 26–27 (copy).
- <sup>8</sup> Charlton to Aberdeen, 20 Dec. 1831, FO 58/6, fol. 29.
- <sup>9</sup> Palmerston to commander of H.M. ships in the Pacific, memorandum (no date), FO 58/8, fol. 62–63; Charlton to Palmerston, 23 Jan. 1836, FO 58/8, fol. 71–72.
- <sup>10</sup> Copy of Articles Agreed at Honolulu, 10 Nov. 1836, between Kamehameha III and Edward Russell, FO 58/8, fol. 93; Kamehameha III to William IV, Honolulu, 16 Nov. 1836; P 6 Mar. 1841, 155; Kuykendall, *The Hawaiian Kingdom* 148.
- <sup>11</sup> Treaty signed by Abel Dupetit-Thouars and Kamehameha III, 24 July 1837; Dupetit-Thouars to minister of the navy and colonies, Honolulu, 12 July, 20 July, 24 July 1837. Archive de la Marine, Archives Nationales, Paris, BB4 1005; Sir Edward Belcher, *Narrative of a Voyage Round the World in H.M.S. Sulphur, 1836–42*, vol. 1 (London: Henry Colburn, 1843) 53–64.
- <sup>12</sup> Charlton to John Bidwell (Treasury undersecretary), 24 May 1840, FO 58/12, fol. 7.
- <sup>13</sup> Palmerston to George Pritchard, 9 Sept. 1839; Aberdeen to Pritchard, London, 25 Sept. 1843; sailing orders, Richard Thomas (commander of the British Pacific fleet, 1841–1844) to Captain J. Tucker, Honolulu, 22 Aug. 1843, all in Captain Tucker Papers, National Maritime Museum, London.
- <sup>14</sup> Petition signed by thirty-four British residents (all but two British males living on O'ahu), Honolulu, 24 Sept. 1842, asking for the British government to

- deny further assistance to the Hudson's Bay Company's aims in Hawai'i, enclosure in Alexander Simpson to Aberdeen, 10 Oct. 1842, FO 58/13, fol. 72-76.
- 15 Sir George Simpson to Sir J. H. Pelly (H.B.C. governor in London), Maui, 24 Mar. 1842, Joseph Shafer, ed., "The Letters of Sir George Simpson, 1842-1843," *American Historical Review* 14 (October 1908 to July 1909): 93. For details of Sir George Simpson's visit to Hawai'i, see Richard MacAllan, "Sir George Simpson and the Mission for Hawaiian Independence," *HJH* 20 (1986): 67-82; Glyndwr Williams, ed., *London Correspondence Inward from Sir George Simpson, 1841-1842* (London: Hudson's Bay Record Society, 1973) 156-58.
- 16 Harold W. Bradley, *The American Frontier in Hawaii, The Pioneers, 1789-1843* (Stanford: Stanford UP, 1942) 234.
- 17 *The Journal of Stephen Reynolds*, vol. 1, 1823-1829, ed. Pauline King (Salem: Peabody Museum of Salem, 1989), 27 May 1827, 182.
- 18 Charlton to William Richards, O'ahu, 13 Nov., 14 Nov. 1827, Council of World Missions Archive, London, South Seas, box 6, folder 8; Levi Chamberlain Journal, HMCS, vol. 7, 19 Nov. 1827, 30.
- 19 Levi Chamberlain Journal, vol. 7, 27 Apr. 1827, 30.
- 20 Rufus Anderson to secretary, London Missionary Society Archive, South Seas, box 5, folder 10, fol. 9, 10, 13.
- 21 Dudoit to minister of the navy and colonies, O'ahu, 21 Nov. 1837, Archive de la Marine, Paris, BB4 1008, fol. 95.
- 22 Stephen Reynolds Journal, vol. 3, 1 Aug. 1832, 277-78.
- 23 Stephen Reynolds Journal, vol. 4, 26 Apr. 1838, 804.
- 24 Charlton to Aberdeen, 20 Oct. 1829, FO 58/5, fol. 63-66; letter signed by sixty-one British residents in Hawai'i, 5 Oct. 1829; printed notice by Kamehameha III, O'ahu, 2 Oct. 1829, fol. 60, enclosures in Charlton to Aberdeen, 28 Oct. 1829, FO 58/5, fol. 70.
- 25 Proclamation in Hawaiian and English, signed by Kina'u and Kauikeaouli (Kamehameha III), O'ahu, 5 July 1832, enclosure in Charlton to Palmerston, Honolulu, 28 Sept. 1832, FO 58/6, fol. 84.
- 26 Charlton to Palmerston, 8 Mar. 1834, fol. 69; 26 Mar. 1834, fol. 100, 28 July 1834, fol. 102, all FO 58/7.
- 27 Charlton to Palmerston, 28 July 1834, fol. 100; Stephen Reynolds Journal, vol. 4, 29 July, 1834, 147.
- 28 Charlton to lord commissioners of the Treasury, 31 Dec. 1834, FO 58/7, fol. 159; John Bidwell to Charlton, London, 19 Aug. 1836, fol. 60.
- 29 Charlton to Palmerston, 3 Jan. 1838, 7 Jan. 1838, FO 58/10, fol. 7, 9.
- 30 British and foreign trade records compiled by Richard Charlton of merchant shipping arriving at and departing the port of Honolulu during the year 1828, FO 58/5, fol. 8.
- 31 Lease of lend to Richard Charlton witnessed by John J. King, Boki, Francisco de Paula Marin, 5 Oct. 1826, Land Index, Interior Department, AH; Kuykendall, *The Hawaiian Kingdom* 80.

- <sup>32</sup> During the investigation in 1846 all witnesses were asked whether the signatures on the lease document were authentic. All the U.S. citizens swore they were false while all the Britons testifying vouched for the document's authenticity. *Second Supplement to the Investigation at the Palace by Command of the King and Premier at the Hawaiian Islands* (Honolulu: Government Press, 1847).
- <sup>33</sup> H. U. Addington (Foreign Office undersecretary) to Charlton, London, 23 Sept. 1843, FO 58/17, fol. 120; Charlton to Addington, London, 26 Sept. 1843, fol. 134.
- <sup>34</sup> William Richards to Aberdeen, London, 2 Feb. 1844, FO 58/30, fol. 69.
- <sup>35</sup> Stephen Reynolds Journal, vol. 6, 27 Sept. 1842, 79, HHS.
- <sup>36</sup> Alexander Simpson, *The Sandwich Islands. Progress of Events since their Discovery by Captain Cook. Their Value and Importance* (London: Smith and Elder, 1843) 101, 104.
- <sup>37</sup> Kekūānoa'a to Simpson, 30 Sept. 1842, in Simpson, *The Sandwich Islands* 59.
- <sup>38</sup> George Pelly and George Traill Allen (H.B.C. Honolulu agents) to deputy governor and committee of the Hudson's Bay Company, Honolulu, 12 Mar. 1843 (copy; original in H.B.C. Company Archive, Winnipeg), FO 58/19, fol. 58–63.
- <sup>39</sup> Resolution in support of Alexander Simpson signed by thirty-four British residents, Honolulu, 24 Sept. 1843, enclosure in Simpson to Aberdeen, 10 Oct. 1843, FO 58/13, fol. 57.
- <sup>40</sup> Richard Thomas to Paulet, San Blas, 18 Jan. 1843, Adm. 1/5531; Aberdeen to Ha'alilio and Richards, London, 15 Nov. 1843, FO 58/18, fol. 234–35, printed in *Correspondence on the on the Subject of Richard Charlton's Claim to Land*, Hawaiian government publication, Honolulu, 1845, 44–45; Aberdeen to Richards, 13 Mar. 1844, FO 58/18, fol. 38–39.
- <sup>41</sup> Aberdeen to Miller, London, 25 Sept. 1843, FO 58/21, fol. 36.
- <sup>42</sup> *Correspondence on the Subject of Richard Charlton's Claim to Land; Investigation by Command of the King and Premier of the Hawaiian Islands, in vindication of the course pursued by His Majesty, impugned by H.B.M's Consul General who demanded and took possession of land in Honolulu claimed by Richard Charlton* (Honolulu: Government Press, 1846); *Supplement to the Investigation at the Palace by Command of the King and Premier of the Hawaiian Islands* (Honolulu: Government Press, 1846); *Second Supplement to Investigation at the Palace by Command of the King and Premier at the Hawaiian Islands* (Honolulu: Government Press, 1847).
- <sup>43</sup> Sale of land to Janion, 2 Dec. 1845, Liber 3: 227, Land Index, Interior Department, AH; sale of land to Miller, 7 Mar. 1851, Liber 5: 20–21; Stephen Reynolds Journal, vol. 7, 6 Dec. 1845, 59, and 6 June 1846, 158; sale of land to Miller, 11 Jan. 1855, Liber 6: 552; mortgage for \$6,000 paid for Betsy Charlton by William Miller acting as her attorney, 31 Dec. 1855, Liber 7: 215; mortgage on Lualualei (Wai'anae) and Waimānalo (Ko'olau Poko), 6 May 1858, Liber 10: 404; mortgage granted as payment for a promissory note, drawn by Kamehameha IV in favor of Betsy Charlton for \$6,000 and mortgage canceled in Honolulu on 28 Aug. 1865, Liber 10: 404.

- <sup>44</sup> Charlton's Will. Proved at the Prerogative Court of Canterbury, 11 Feb. 1853, witnessed by Betsy Charlton, PRO PROB/11, 91, 1316 (microfilm), Public Record Office, London.
- <sup>45</sup> Stephen Reynolds Journal, vol. 3, 17 June 1830, 69, 7 Jan., 120, and 30 Nov. 1831, 216; vol. 4, 1 Jan. 1834, 73; vol. 5, 7 Jan. 1839, 12 June 1840, 280.
- <sup>46</sup> Alfons L. Korn, "Shadows of Destiny: A French Navigator's View of the Hawaiian Kingdom and its Government in 1828," *HJH* 17 (1983): 1-39; Frank J. A. Broeze, *A Merchant's Perspective: Captain Jacobus Boelen's Narrative of his visit to Hawaii in 1828* (Honolulu: HHS, 1988) 61.
- <sup>47</sup> Palmerston, memorandum, 20 Aug. 1836; R. Elliot, commander of H.M. Sloop *Fly*, to Rear Admiral Ross (confidential), 13 Nov. 1838, FO 58/11, fol. 88-91.
- <sup>48</sup> Charlton to Aberdeen, London, 13 Mar. 1843, FO 58/17, fol. 54. Stopping at Mazatlan, Mexico, while on his way back to London in 1842, Charlton discovered two despatches lying in the post office there. He had never received them, though they were dated 1829 and 1835.