

AN UNEXPECTED
NIGHTMARE:
CHARLES S. TODD
AND UNITED STATES
DIPLOMACY IN
SOUTH AMERICA, 1820-1824

SHERRY KEITH JELSMAN



It began innocently enough. President James Monroe appointed Colonel Charles Stewart Todd, a political friend and son-in-law of former Kentucky governor Isaac Shelby, to a government post in South America in 1820. The four-year appointment with an annual salary would certainly help the financially strapped Todd. What had seemed to him a splendid investment in a Frankfort warehouse had turned disastrous when his partner, who was to manage the business, suddenly died, leaving Todd with huge debt.¹ To Charles Todd and his young family, who were definite statistics in the financial crash of 1819, the diplomatic income seemed a godsend.

Except for the warehouse, things had gone perfectly for Charles Todd to this point. The colonel-to-be-diplomat was the product of

SHERRY KEITH JELSMAN holds a B.A. in English from Harvard/Radcliffe and an M.A. in English from New York University. She was elected three times to the Jefferson County Board of Education and served four years as Secretary of Education, Arts, and Humanities for the state of Kentucky. She and her husband restored, and now reside in, the former home of Charles Stewart Todd in Shelby County.

¹G.W. Griffin, *Memoir of Col. Chas. S. Todd* (Philadelphia, 1872), 33.

an excellent education in the classics and law. Born in Lincoln County, Kentucky, in 1790, he began his education at age five with home tutors, and then at age seven he attended schools held in Kentucky homes. At sixteen, he attended Transylvania University. After graduation from the College of William and Mary, Charles completed his formal education with the study of law in the school of Judge James Gould and Judge Tapping Reeves in Litchfield, Connecticut.² He made a pleasing attorney: "above . . . the medium height . . . compactly built. His complexion was fair, and his eyes were of a dark hazel and of a singular brilliancy of expression. His bearing and manners were dignified and elegant in the extreme."³ He wore his hair in the fashion of the day, brushed forward in the style of Napoleon. His charm was legendary and, while at William and Mary, his popularity caused Charles to write his sister, "The last week or two my attention has been so completely monopolized by the Ladies that I had entirely forgotten the object of my mission here." Stern letters were immediately written to Charles from his father.⁴

Thomas Jefferson had appointed Thomas Todd, Charles's father, to the United States Supreme Court in 1807; he was the first justice from Kentucky. Elizabeth Harris Todd, Charles's mother, died after several years of illness, and Justice Todd married Lucy Payne Washington, the widow of George Washington's nephew and also Dolly Madison's sister, on 31 March 1812. Their wedding was the first in the White House; President Madison gave away the bride.⁵ Charles's

²C.S. Todd, *The Early Life of Charles Stewart Todd* (1832), 1. Manuscript collection, Swem Library, College of William and Mary, Williamsburg, Virginia.

³Griffin, *Memoir*, 130-31.

⁴Thomas Todd to Charles S. Todd, 23 August 1808, Todd Collection, Filson Historical Society, Louisville, Kentucky, department of special collections, folder 2 (hereafter Todd Collection).

⁵Rita Mae Brown, *Dolley* (New York: Bantam Books, 1944), 38-39; see also Noel B. Gerson, *The Velvet Glove: A Life of Dolly Madison* (New York: Thomas Nelson Inc., 1975), 206-207.

father was not only well connected but well respected by statesmen in both Frankfort and Washington; therefore, much was expected of Charles. Law studies completed, he established his practice in Lexington before volunteering for the War of 1812. During that conflict, he made strong political friends, quickly moved up the ranks, and gained a reputation as a brave and competent soldier. He served as judge advocate, inspector general, aide to General William Henry Harrison, and he was brevetted colonel in the cavalry.⁶ When he returned to Kentucky, he fell in love with Letitia, Governor Isaac Shelby's youngest daughter. Governor Shelby disapproved of Todd because of his poor business record and tried to discourage the match, even intercepting a love letter from Charles to Letitia.⁷ However, his favorite daughter's pleas softened the old warrior, and the two lovers married in the Governor's Mansion on 18 June 1816.⁸ That same year Todd was appointed secretary of state of Kentucky by Governor George Madison. When Madison died five weeks later, Todd followed protocol and resigned. He then ran successfully for state representative from Franklin County in 1817 and 1818.⁹

Todd's political career was thriving, but the economic situation in Kentucky and his own financial condition went from bad to worse. Justice Todd was horrified at Charles's financial state, and Charles was desperate to increase his income. After the disastrous failure of his venture in the Frankfort warehouse, Todd had tried to find income by securing a government contract for beef and pork. Governor Shelby, as a political favor, had been awarded a government contract, but he did not choose to fulfill it. When Charles asked

⁶Griffin, *Memoir*, 21-28.

⁷Sylvia Wrobel and George Grider, *Isaac Shelby, Kentucky's First Governor and Hero of Three Wars* (Danville: Cumberland Press, 1974), 140.

⁸Griffin, *Memoir*, 34.

⁹Under the constitution of 1799, representatives to the General Assembly served one-year terms.



Letitia Shelby Todd
by Henry Davenport,
1827
McDowell House
Museum, Danville,
Kentucky

if he might fulfill this contract, his father-in-law warned him vigorously of the perils and pitfalls of accepting it since he would reap only trouble for himself if he could not fulfill its terms.¹⁰ In the end, Todd was underbid and did not win the contract. Henry Clay, a family friend, wrote Secretary of War John C. Calhoun recommending Todd for a “contract to furnish military supplies.”¹¹

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¹⁰Isaac Shelby to Charles S. Todd, 19 August 1819, Todd Collection, folder 4.

¹¹ James F. Hopkins and Mary W.M. Hargreaves, eds., *The Papers of Henry Clay*, vol 2, *The Rising Statesman, 1815-1820* (Lexington: University Press of Kentucky, 1961), 712-13.



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an appointment to the office of Register, Receiver of Public Money or Commission to settle land claims," wrote Crittenden, and he cited Todd's record in the War of 1812 as well as his father and father-in-law as proof of his "capacity and integrity."¹² Three months later, President Monroe wrote, probably at Charles's request, to Colonel Richard Johnson, asking him to include Todd in Johnson's share of a government contract.¹³ We have no records to document exactly why Todd finally received the government mission to South America, but we do know that Monroe was a personal friend and was actively helping secure a government contract for him. It seems to follow that when Monroe learned that the South American position of United States agent for commerce and seamen was still available, he offered it to Todd.¹⁴

The relief and excitement generated by the news of Charles's appointment in March 1820, with its guaranteed salary, can well be understood. Letitia wrote optimistically to her bother Alfred that since the United States had recognized the independence of Spanish America, Todd would be a minister and receive nine thousand dollars a year which would "in a few years entirely relieve him from embarrassment and release him beyond the reach of the malicious and petty lies of the world."¹⁵ On 4 March 1820, after receiving the documentation of his appointment from Secretary of State John Quincy Adams, Todd wrote from Kentucky, "I shall without delay

¹²John J. Crittenden to James Monroe, 13 August 1819, Todd Collection, folder 3.

¹³James Monroe to Richard M. Johnson, 3 November 1819, *ibid.*, folder 3.

¹⁴The post had been vacant since Oliver Hazard Perry's death from yellow fever on 13 August 1819. He died aboard the schooner *Nonsuch* at Trinidad while returning from his diplomatic mission to Venezuela. Jack Sweetman, *American Naval History* (Annapolis: Naval Institute Press, 1991), 40.

¹⁵Letitia Shelby to Alfred Shelby, 26 May 1820, John Warren Grigsby Collection, department of special collections, Filson Historical Society, box 2 (hereafter Grigsby Collection).

commence the arrangement of my private affairs and . . . reach Washington by the latter part of April.”¹⁶ This meant closing his law practice in Frankfort and settling his pregnant wife, their two-year-old daughter Elizabeth, and four-month-old son Isaac Shelby with her parents at Travelers Rest. Colonel Todd was accredited to New Granada (now Colombia and Panama) and Venezuela. He was to “complete the negotiations begun by Oliver Hazard Perry” and to remain as “confidential agent with the pay of *Chargé de affaires*.”¹⁷ He was a “confidential” agent because the United States had not officially recognized New Granada or Venezuela as nations and, therefore, could not engage in formal diplomatic relations with them. His mission was to “obtain indemnity for citizens of the US, obtain correct information concerning the country, [and] promote and maintain good will.”¹⁸

After he arrived in Baltimore, Todd waited to receive his certificate and final instructions from the president before he set sail. These documents arrived 8 June 1820 but failed to satisfy attorney Todd as to the extent of his authority. He wrote Adams that though the certificate designated him “Agent for Commerce and Seamen [it seemed] to authorize me to discharge informally the function of consul General.”¹⁹ No clarifying documents ever arrived, however, and Todd was plagued with his lack of legal authority to perform the tasks assigned to him for the entire four-year term of service. Although Todd recognized this immediately, he could not have known how very

¹⁶C.S. Todd to John Quincy Adams, 14 March 1820, National Archives and Records Administration, Washington, D.C., microcopy, T33, Roll 1, 1820-1821, Roll 2, 1822-1824, containing diplomatic dispatches, some numbered, from Todd to John Quincy Adams, including letters, newspaper clippings, and notes (hereafter Dispatch).

¹⁷Griffin, *Memoir*, 35; see also Dumas Malone, ed., *A Dictionary of American Biography* (20 vols.; New York: Charles Scribner’s Sons, 1943), 18: 70.

¹⁸Dispatch, 8 June 1820.

¹⁹*Ibid.*

much he would need that authority to deal with the chaos and violence he was to encounter.

In December 1819, just six months before Todd landed, General Simón Bolívar, the leader of the wars of independence in northern South America and the figure whose will, actions, and dreams would color Todd's mission, had formed the Republic of Gran Colombia. As president, he carved the new republic into three departments: Venezuela, Cundinamarca (formerly New Granada, which included Colombia), and Quito (now Ecuador), even though it remained under Spanish control.²⁰ Five-foot-six-inches tall, dark and handsome, Bolívar was a Creole, a person of European heritage but born in South America. His family had been of the wealthy and renowned in Caracas since the founding of the city in the sixteenth century. Owning twelve houses as well as mines, cattle ranches, and plantations for indigo and sugar, his father had been a leading citizen. As Creoles, the Bolívars shared control of society and the economy with the peninsular Spaniards. Both groups considered themselves superior to the other inhabitants: the *mestizo* plainsmen or *llaneros*,²¹ the Negroes along the Caribbean coast, and the Indians throughout the region.²²

Bolívar was orphaned at an early age, and at seventeen he was sent to Madrid to be educated at court. The concept of liberty espoused by Jean Jacques Rousseau influenced young Bolívar, and

²⁰Gerhard Masur, *Bolívar* (Albuquerque: University of New Mexico Press, 1948), 401; William Duane, *A Visit to Colombia in the Years 1822-1823* (Philadelphia, 1826), 623-25.

²¹*Llaneros* were the primitive plainsmen of mixed Indian, Negro, and European blood who lived on the plains of the Orinoco River. Sharpened lances were their weapons and their main diet was raw meat, kept under their saddles as they rode, to be cured by the salt of the horses' sweat. Anne Merriman Peck, *The Pageant of South American History* (New York, 1926), 239.

²²Donald E. Worcester, *Bolívar* (Boston: Little Brown and Company, 1977), 9-10; see also Masur, *Bolívar*, 28-30.

although tutored in languages, music, and manners, he focused his life on his passion for liberty. Bolívar married at nineteen and brought his bride, María Teresa del Toro, to Caracas. One year later she died of fever, and the heartbroken young man vowed never to remarry. He returned to Europe and immersed himself in the cause of independence. His admiration of Napoleon and his burning desire to bring liberty to his homeland brought the twenty-two-year-old Bolívar to swear to all from a hill in Rome in 1805 that he would free South America from Spain. He was a true *machismo*, “a combination of Casanova, *torero* [bullfighter] and *gaucho* [cowboy].”²³

Todd was eight years younger than Bolívar. Both had fine lineage, a classical education, and a patriotic nationalism. Both exemplified the legacy of the conquistadors: honor, courage, and dignity. Though both had also served their countries in war, Todd had worn a uniform and often sat at a desk, while Bolívar had worn whatever he had and was usually found leading a ragtag army, suffering cold, heat, and disease. Bolívar was consumed with the idea of freeing his country from Spain and would take any risk for that end. For one victory, he traveled four months and seven hundred and fifty miles across the Andes in horrifying conditions to make a surprise attack on Spanish troops at Boyocá on 7 August 1819. His troops endured weeks of tropical rain, wading in waist-high water for seven days and through the swollen rivers filled with alligators and man-eating fish. They crossed the jungles and then faced icy winds and treacherous mountain terrain as they ascended and descended the Andes. Hundreds of men and horses were lost from exposure, disease, and exhaustion in the journey to the battle. Led by Bolívar, this exhausted group did defeat the enemy; only fifty Spanish soldiers survived to go to Bogotá with news of their defeat. This one daring battle for Boyocá

²³Worcester, *Bolívar*, 35.

brought freedom from Spain to New Granada.²⁴

Bolívar's escapades with women were legendary; it was said he fought two hundred battles and had two hundred lovers. He drank for the republic; he fought for the republic; his every strategy was to attain freedom for his country. He cared nothing for rules; he made his own. Todd, on the other hand, was a lawyer with a formal college education. His war, the War of 1812, was fought in a predictable manner; American generals fought British generals within the rules of war. Even the Indians' style of fighting was known and thus predictable to the Kentuckians. The war in South America, the "struggle upon the Spanish Main" as Todd called it in his Dispatch of 18 July 1820, was wild, chaotic, and unpredictable, laced with mutinies, switching allegiances, pirates, and sweeping disease that claimed hundreds each summer. It was a war to the death. No prisoners were taken; they were shot. The black flag was raised, meaning there was no surrender.²⁵ Todd and his superiors, President James Monroe and Secretary of State John Quincy Adams, moved in a world of written rules and social mores that framed their lives. Todd felt a responsibility to pay debts, to keep promises, to act in good faith, to not lie, and to be honest in attaining his goals. To Bolívar and his foreign minister Pedro Gual, the end justified the means while to Todd and the groups to which he belonged, it did not.

Though the culture of the countries was different, the root of the war, to gain freedom from a monarchy, reminded both Spanish-American and United States leaders of the war the North American colonies had waged against Britain. The cause of the war for independence by the Spanish-American colonies soon became popular in the United States, and Henry Clay was irritating Adams by singing Bolívar's praises in Congress. Actions by Spain to retake their South

²⁴John Lynch, *The Spanish American Revolutions, 1808-1826* (New York: W.W. Norton, 1973), 139-40; see also Peck, *Pageant*, 246-49.

²⁵Worcester, *Bolívar*, 256.

American colonies provoked Clay in April 1820 to offer a successful resolution in Congress “to provide outfit for a Minister to South America.”²⁶ Adams, however, advised Monroe to wait until the Spanish colonies of East and West Florida were formally ceded to the United States before annoying Spain by recognizing the new republics. Clay’s resolution was not funded. The government had mixed feelings about this war for independence. Though the public was sympathetic to the revolutionaries, the administration did not want to alienate the British or any other European power, all of whom were needed for trade for both the northern and southern states. So Todd would be walking a fine line.

In this atmosphere, Todd, “much enfeebled by a continued sea sickness,” landed on the island of St. Thomas after a voyage of almost six weeks on the stormy seas.²⁷ He immediately began to sort out unfinished business. The first problem he tackled involved the demand for restitution for two American ships, *Liberty* and *Tiger* of Salem, Massachusetts, and their cargos, seized by Bolívar’s sailors. Baptis Irvine, a politician from Baltimore, had been sent by the government to Angostura in 1819 to settle the claim, but he had failed completely. Then Commodore Oliver Hazard Perry, Navy hero of the War of 1812, was sent; he sailed up the Orinoco River to General Bolívar’s camp to demand redress. Bolívar was away at battle, and Dr. Francisco Antonio Zea, his acting officer, agreed to Perry’s demands. However, when Bolívar returned, he was furious at this development and provided no restitution. Nevertheless in 1820, ever the politician, Irvine joined Clay in hailing Bolívar as the Washington of South

²⁶An “outfit” refers to the amount of money the government allocated to a position for all necessary supplies to support that mission or post. Harry Ammon, *James Monroe, The Quest for National Identity* (Charlottesville: University Press of Virginia, 1990), 445.

²⁷Dispatch, 8 July 1820.

America. Meanwhile, Todd inherited the case.²⁸

The situation had arisen when the two American ships had sailed to Angostura with arms to sell to the Spanish army. They were surprised as they entered the harbor by one of Bolívar's naval officers, Admiral Luis Bríon, whose sailors seized both ships. The American captains quickly agreed to sell the arms to Bríon. Suddenly, the Spanish navy appeared in the harbor to receive the arms as originally planned. Admiral Bríon scuttled the two American ships rather than let the Spaniards have them.²⁹ Consequently, the United States demanded that the republic pay for the ships and cargo. Bolívar did not want to lose United States support for independence but had no intention of paying for the lost ships. Dr. Zea argued that Angostura was in a state of blockade and therefore could conscript goods; Todd strongly disagreed. By 1823 Todd had obtained Vice President Francisco Paula de Santander's agreement to pay restitution, and both Bolívar and Dr. Juan German Roscio, his former vice president, admitted that it should be paid. However, no evidence has been uncovered that indicates any payment to the United States.³⁰ The dispute continued for the duration of Todd's term.

A key part of Todd's mission was to stop acts of piracy against American ships, cargo, or sailors. With the chaos on land and sea bubbling from mercenaries on both sides, as well as pirates, revolutionaries, royalists, and privateers, this proved a formidable task. On 2 August 1820, Todd wrote Dr. Roscio, introduced himself as a

²⁸Salvador de Madariaga, *Bolívar* (London: Hollis and Carter, 1952), 351-52.

²⁹Waldo Frank, *Birth of a World: Bolívar in Terms of his People* (Boston: Houghton-Mifflin, 1951), 167-68.

³⁰Dispatch, 11 July 1820 contains a confidential letter from Charles S. Todd to F. Hill, late master of the *Liberty* to address this claim. See also Dispatch 48, 5 April 1823 and Dispatch 54, 14 June 1823. The latter dispatch contains a letter from Santander to Todd ratifying the promise of compensation in the amount of \$17,719 for both the *Liberty* and *Tiger*.

United States agent, and reiterated his country's policy on these issues:

It is not the intention of the United States to capture or molest any of the Cruizers of Columbia duly commissioned and authorized to wear its flag [however, we hold that] no privateer can legally hold commissions from two States or sail under two different flags at the same time. It has been found essentially necessary for the experiences of all maritime nations to place all privateers navigating by their authority under rigorous restrictions to prevent them from degenerating into pirates.³¹

It was common practice for both pirates, who traditionally flew the "Jolly Roger," a black flag with skull and crossed bones, and privateers, who legally served one nation, to carry several flags on board and raise the appropriate flag as the situation demanded. As if this duplicity were not enough for the principled Todd, the savagery and cold-hearted cruelty common on the seas also turned Todd against the South Americans.

He persisted, however, in trying to inform Roscio of the laws that would bring order to this wild situation. The ship's master and two-thirds of his crew, Todd stated, should be subjects or citizens of the country issuing the commission to sail and fly the flag of Columbia; pledges of good conduct from ship master and crew were required, and rules and regulations for the governance of privateers and tribunals for their trials must conform to the "laws of Nations." This was the only way, said Todd, to "trace the line . . . between freebooters and lawful belligerents." Todd referred to the act of Congress on 3 March 1819 that dealt with punishment of piracy and said,

³¹Dispatch, 2 August 1820.

“Numerous convictions have already taken place and several of the criminals have paid the forfeit of their life. The trials have . . . disclosed scenes from which one turns with abhorrence; but which are natural and unavoidable consequences of privateering by the people of one Nation under the banners of another.”³²

He asked in 1820, as had his predecessor Commodore Perry in 1819, for the Spanish Regulations of letters of Marque and Privateers, which Venezuela had adopted, and the list of armed ships and privateers legally sailing under the flag of the republic.³³ Todd then advised Roscio that Columbia should discontinue giving its flag to foreigners, set up an admiralty court to deal with piracy as other nations did, and subject “owners and commanders of Privateers to effective bonds” to guard against abuse.³⁴ This was to little avail, and piracy was common throughout the struggle for independence. Todd simply had to keep pushing for regulations, reporting offenses, and dealing case by case with abuses on the seas. He requested that the United States immediately send a ship of war to the West Indies to deal with piracy.

His 2 August 1820 dispatch informed Adams that the Spanish and Portuguese were commissioning privateers to engage in slave trading. This unlawful but very lucrative practice was causing American citizens to engage privateers for this purpose and Spanish and Portuguese pirates to seize American ships to increase slave-trading capacity. Bolívar and his patriots hated the slave trade. The republican congress of Gran Colombia in 1821 “prohibited African slave trade in Negro slaves and provided for the gradual abolition of slav-

³²Ibid.

³³This list was finally received and sent to Adams in Dispatch, 20 December 1820.

³⁴Dispatch, 2 August 1820.

ery in Colombia."³⁵ Although the United States and Britain had laws against the slave trade, citizens of both countries were financing privateers, and once a privateer was on the sea he often engaged in illegal practices. Ending the slave trade appealed to the British middle class and to the United States government; Bolívar said the patriot revolution could accomplish this.³⁶

It was difficult to deal diplomatically and legally with slave-trading and piracy, but Todd persisted. He wrote Adams on 29 August 1820 that the ship *La Criolla*, commanded by Captain José Rastique and sailing under the flag of the republic, brought a prize into port. It was a schooner which Todd believed to be the *Alligator* of New York, a revenue cutter. Rastique, a privateer, said he seized the schooner and put the captain and crew adrift in a long boat because the captain had no proper papers. Immediately, Todd entered the protest in the United States admiralty court, informed the American vice consul in St. Thomas, and asked that a letter from the State Department be sent to the New York owners of the *Alligator* informing them of this affair. Todd further stated that he had fulfilled his authority as agent by formally demanding a suspension of all proceedings by the republican government of Colombia until the owners had the opportunity to reclaim their property. Further efforts required the authority of a consul, which Todd did not have. Again, Todd's determination was evident. He wrote to Dr. Roscio on 1 September 1820 that his formal protest had been returned twice because it was written in English. Todd asserted that he "must, nevertheless, claim the unquestioned right to use the language of my nation and Government" and sent the protest back again to Roscio for the third time. This time it was

³⁵John A. Crow, *The Epic of Latin America* (Berkeley: University of California Press, 1922), 245.

³⁶R.A. Humphreys and John Lynch, eds., *The Origins of the Latin American Revolutions, 1808-1826* (New York: Alfred A. Knopf, 1966), 75-83.

accepted.³⁷

Besides dealing with the pirates and privateers on the seas, Todd was to inform his government as to the war's progress and, in particular, as to the progress of the patriots. To try to do this with accuracy, since communication was usually hearsay from men on horseback or from sea captains coming into the harbor, was quite a trick. Letters were not reliable as they were often stolen en route or simply not delivered. As it was not easy to find reliable ship captains, Charles's dispatches were often months in delivery. In his dispatch of 12 July 1820, Todd estimated the royalist army of General José María Morales to be about twenty-five hundred and that of the republicans (including Irish, British, guerillas, and cavalry) to be about 23,470, "who are represented to be armed and disciplined, a circumstance of new and singular importance to them." Four months later, Todd wrote Adams from St. Thomas that the war was raging and out of control. A Spanish general, Pablo Morillo, ordered "arbitrary execution of unarmed citizens."³⁸ His justification was that someone had attempted to poison him; however, most believed that the executions resulted from his hatred of the newly adopted Constitution of 1819, which created the Republic of Gran Colombia. Spanish savagery was legendary. One Spanish general placed captured republicans back to back, speared them, and had them thrown into the river.³⁹ Six years earlier, General José Tomás Boves, a Spanish smuggler who led the *llaneros*, cut off a patriot general's head, had it fried in oil to preserve it and placed it on a spike in the plaza at Caracas. Bolívar said of Boves, the "Beast," "He was not nourished with mothers' milk but with the blood of tigers."⁴⁰ Mass executions were ordered not only by

³⁷Dispatch, 1 September 1820.

³⁸Dispatch, 12 July 1820.

³⁹Madariaga, *Bolívar*, 418.

⁴⁰Dennis Wepman, *Simón Bolívar* (New York: Chelsea House Publishers, 1985), 81.

the Spanish; the patriot officers were equally brutal. Fighting in Bogotá, patriot General Francisco Paula de Santander quickly and very publicly in the town square, executed thirty-nine Creole officers he had taken prisoner.⁴¹

Patriot and royalist troops were difficult to manage, and mutiny in both armies remained common. Todd wrote that although patriot General John Devereux took Rio de la Hacha on 13 March he had “subsequently abandoned it, in consequence, it is believed, of a Mutiny among the Irish troops, who in vain demanded pay and better ration.” Receiving no pay, the Irish demanded to sack the city. The Spanish general forbade it, which incited the mutiny. When the Irish were ultimately disarmed, they were taken to the island of Jamaica and abandoned.⁴² Creole supporters were deserting the Spanish in great numbers. For example, Todd recounted to Adams the tragedy of a Danish vessel captured by Spanish-employed Creoles. When the captured vessel was approached by the Spanish navy ship, the Creole crew refused to raise the Spanish flag; instead, they fought and “slaughtered” the Spanish. Then the captured Danish crew had a future of slavery or death, whichever the Creoles chose.⁴³

The Spaniards in Venezuela believed the Cortes⁴⁴ in Spain would not send men to replace Creole deserters; Spain would not continue support for the royalists in South America. However, the Spanish Venezuelans reasoned that if Bolívar and Zea were elected to the Cortes in Spain, an opportunity would be created to make the new republics a part of the Spanish empire. Todd did not think this plan had any chance of success; he did not believe the republics would want anything to do with being a part of Spain. He knew that Bolívar

⁴¹Masur, *Bolívar*, 404; Frank, *Birth of a World*, 198-99.

⁴²Dispatch, 12 July 1820.

⁴³Dispatch, 19 August 1820.

⁴⁴The Cortes was the parliament set up in Cadiz by Spaniards to guide the country in the war with Napoleon. Peck, *Pageant*, 227.

focused on an independent republic and openly called King Ferdinand VII the "imbecile tyrant."⁴⁵ Certainly, Ferdinand was anything but a model for encouraging monarchy. He "combined . . . hopeless incompetence, gross ingratitude and revolting cruelty."⁴⁶ Confusion was king in this war, caused by the many factions in South America, the lack of loyalty to one country, and just plain greed. In fact, this was both a civil war, neighbor against neighbor, and a war for independence. Through the jumble, however, it seemed the patriots were winning.

In the dispatch of 12 July, Todd informed Adams that "a Brig under American colors arrived [at Margarita] chartered as a Flag of Truce" and had brought General Morillo's commissioners to "treat with the Independent Government at Angostura." One group was to treat with General José Antonio Páez who became leader of the *llaneros* after General Boves was killed in battle. Another deputation had gone to Gen. Bolívar's headquarters. The Spanish commissioners arrived thinking their mission would succeed. "But I have understood" reported Todd, "that they are not now so confident since they have learned the sentiments of the South Americans."⁴⁷ The commissioners had the authority to grant the patriots everything "short of Independence." In this same dispatch, Todd forwarded to Secretary Adams an extract from the newspaper *Correo del Orinoco*, 14 July 1820, which quoted the patriots' hard-line answer to the leader of the commissioners that they would hear any propositions "provided they have for their basis the acknowledgment of the Sovereignty and Independence of Columbia."⁴⁸

Six days later Todd wrote again to Adams giving the battle positions of the patriots and royalists. He pieced together information

⁴⁵ Madariaga, *Bolívar*, 375.

⁴⁶ Sir J.A.R. Marriott, *Castlereagh* (London, 1936), 327.

⁴⁷ Dispatch, 12 July 1820.

⁴⁸ Included in Dispatch, 18 July 1820.

from the captains of various vessels, newspaper reports, and other diplomats to give a surprisingly accurate account of the progress of the war. Todd noted that although the commissioners expected to meet Bolívar in Angostura, “they had no hope of success in their mission.” Todd predicted that “the government in Spain [has] come to the determination that a peace is necessary.”⁴⁹

Peace, however, would not come easily. South America’s nations and peoples had different cultures and ambitions; the idea of a common purpose proposed by the leaders of independence was unprecedented. Todd realized this as a great difference from the American Revolution in 1776, in which most people spoke the same language and had the same cultural background. Todd noted that “in the Spanish portion of St. Domingo there are [several] parties, one in favor of the Republic of Columbia’s Constitution, one in favor of Ferdinand, one for Independence and one for neighboring black chiefs.” Referring to the Constitution of 1819, Todd continued that it is “a matter of some difficulty to ascertain what proportion of those who have subscribed to the New Constitution have been or are now devoted to the Cause of Independence.”⁵⁰ Bolívar echoed Todd’s assessment in his letter of 21 April 1821, when he described South America as an “astounding chaos of patriots, Goths, egoists, whites, coloured men, Venezuelans, Cundinamarcans, republicans, aristocrats, good and bad people and all the gang of categories into which the several classes subdivide.”⁵¹ The *llaneros* wanted to be free, Todd wrote, but did not grasp the idea of a permanent independence. A desire to be free from Spain did not presuppose a desire for a republican governmental structure but perhaps for a constitutional monarchy or another structure of governance. He believed “Porto Rico”

⁴⁹Dispatch, 18 July 1820.

⁵⁰Dispatch, 12 July 1820.

⁵¹Madariaga, *Bolívar*, 412.

and cities on the coast of Venezuela found accord only because they had “ulterior objects,” not common goals.

By July, Todd was not well and seriously concerned with the real possibility of dying from malaria or yellow fever, as well as the danger of traveling to the congress in Cúcuta without getting killed in crossfire or by guerrillas. He wrote from St. Thomas requesting to go to the high ground of the Island of Margarita, which was a province of Venezuela, by way of St. Bartholomew, until October, when the hurricane season, the rainy season, and the malaria season ended. He thought it necessary to remain in Margarita until October “with a view to restoration and preservation of my health and on account of the difficulty of ascending the Orinoco at this period of its greatest flood.”⁵² He then proposed to proceed to the congress in Cúcuta, bypassing Bolívar’s headquarters in Angostura, located in the wild jungle delta of the Orinoco River. Angostura, flooded during the rainy season, was full of deadly malaria.⁵³ Adams agreed, and Todd arrived in St. Bartholomew on 21 July and finally in Juan Griego, Margarita, on 28 July. He wrote that Bolívar was moving the seat of government to Caracas from Angostura, though the congress was still to be in Cúcuta.⁵⁴

As delegates were chosen for the congress and the war raged, American businessmen were making money illegally by selling arms to the patriots. Secretary Adams had told Colombia’s minister in March that the United States would not sell arms to the republicans because he believed that Spain would interpret this as a hostile act.⁵⁵ Todd reported in July that the United States had sent “5,000 stand of arms to the government at Angostura and a considerable quantity of

⁵²Dispatch, 12 July 1820.

⁵³Peck, *Pageant*, 243-47.

⁵⁴Dispatch 1, 2 August 1820.

⁵⁵Allen Nevins, ed., *Diary of John Quincy Adams 1794-1845* (New York: Frederick Unga, 1969; originally published in 1928), 236.

Pistols, Sabers, etc.” The republic was receiving arms by the shipload; in August, Todd reported that “50,000 stand of arms have reached Angostura from the U. States, Great Britain and France and their colony Islands.” What that meant, warned Todd, was that supply had met the demand for arms and the entrepreneurs were already exploring other sources of revenue. Todd reported to Adams a proposition “by some merchants in N. York, to the Government at Angostura, to loan them \$3,000,000 in Cash, for which they require to be compensated by a Monopoly for an adequate period in the Tobacco trade after the establishment of their Independence.”⁵⁶

Meanwhile, Bolívar and his troops took Carabobo on 24 June 1821. Its capture was a turning point in the war for the patriots. With Bolívar on the victory march to Caracas, the commissioners from Spain were getting a cold reception. When General Morillo sent a messenger with the flag of truce to the congress meeting at Guayana, Roscio told him the congress would not entertain any proposal unless based on recognition of the independence of the republic. Immediately the entire congress added its endorsement to Roscio’s statement. Then Morillo wanted to know if the republic would receive his two deputies “now ascending the Orinoco” and “was informed that they would not.”⁵⁷

In September, Todd reported the disarray of the country which caused resistance to his efforts to present international laws as a frame of reference in which the new republic could work. He saw his work as a civil servant discounted in favor of the fervor of battle and the authority of the administrators of the new republic (all of whom initially were academics rather than generals) placed second in relation to that of the generals. “In all revolutionary struggles, there is a tendency to increase the powers of the Military at the expense of the

⁵⁶Dispatch, 10 August 1820.

⁵⁷Dispatch, 18 July 1820.

Civil authority and the ancient maxim that the 'laws are silent against the din of arms' is peculiarly applicable" wrote Todd. He added that the domination of Spain had overwhelmed South America "with more than Ethiopian darkness."⁵⁸ The patriots wanted the new constitution to mirror that of the United States, but their heritage of monarchy and lack of experience of democracy inhibited their actions.⁵⁹ Although there had been centuries of cruelty and oppression from Spanish kings, some in the new republic still considered monarchy to be the best form of government.

On 5 October 1820, Todd recorded the departure of the commissioners. They were "not permitted to ascend the Orinoco beyond old Guayana." Todd related to Adams that the Spanish were in a "confused condition." Todd continued, informing Adams that at least one of the Spanish generals "is said to have revolted and joined the Patriot forces."⁶⁰ In his 18 July dispatch, Todd speculated that the Cortes had sent the peace commissioners believing their mission would fail. This rebuff would, they hoped, cause increased support in Spain for the royalist troops. Todd predicted the strategy would fail; it did fail. Spain had not sent reinforcements.

Two months later, Todd wrote his brother-in-law Alfred Shelby that he had moved to a small village six miles into the mountains to be near "pure running water." Soon he planned to travel to Cúcuta but was not ascending the Orinoco to stay away from "sundry dangers, difficulties and diseases." He asked about the election of Governor John Adair in Kentucky and inquired about Governor Shelby

⁵⁸Dispatch 10, 10 September 1820.

⁵⁹Bolivia's Constitution of 1826 established a congress, an executive branch, and two legislative bodies. It called for freedom from slavery and proposed freedom of religion. Frank, *Birth*, 308.

⁶⁰Dispatch 12, 5 October 1820.

since his stroke; he also asked to be remembered to "Mr. Clay."⁶¹ The republican congress was to meet in Cúcuta in January. Todd wrote Adams that it was impossible to identify how many members would come to it because it was impossible to identify the number of provinces held by the Spanish. Todd was troubled by issues not yet addressed by the republic. What would happen if Spain refused to pay the patriots the debts due the revolutionary government? Would, he speculated, "their armies, emulating the illustrious example afforded them by the Revolutionary army of the U. States . . . peaceably retire without pay or subsistence, to the walks of private life?"⁶² Todd was correct in assuming that when a treaty was signed, chaos and dissension would still reign. Bolívar, five years earlier in his famous letter from Jamaica written on 6 September 1815, shared the same foreboding. He wrote asking:

Are we capable of maintaining in proper balance the difficult charge of a republic? Is it conceivable that a people but recently freed from its chains can ascend into the sphere of liberty without melting its wings like Icarus and falling into the abyss?⁶³

By this time, Todd was definitely ill. All his precautions to avoid sickness had failed. On 19 December 1820, he wrote to Adams that, "Indisposition confined me to my quarters for a fortnight." In February, barely eight months since he arrived, Todd had determined that he must leave South America and return to the United States for health reasons: "It is a subject of great concern to me, that the state of

⁶¹C.S. Todd to Alfred Shelby, December 1820, from Margarita, Grigsby Collection, folder 2.

⁶²Dispatch 12, 5 October 1820.

⁶³Simon Bolívar to Henry Cullen of Falmouth Jamaica, 6 September 1815, translated from *Cartas del Libertador*, Vol. 1 (Caracas, 1929) in Humphreys and Lynch, eds., *Origins*, 261-66.

my health and the progress of events have not enabled me to accomplish all the objects which were in the contemplation of the President.” Todd then outlined a plan to get the information from the congress at Cúcuta sent to the United States and asked that further communications from Secretary Adams be sent to his residence in Kentucky.

Two months later, on 12 February 1821, Todd sailed from Margarita to St. Thomas, the first leg of his trip back home. He wrote Secretary Adams saying that he had “experienced a long and boisterous voyage attended with severe indisposition under the effects of which I am still laboring.” He left from St. Thomas on the ship *Medoro* a week later. Letitia Shelby wrote her brother Alfred Shelby on 4 March 1821, saying that Todd’s last letter was dated 25 December, “and you may suppose my anxiety to hear from him again is very great. Indeed this tormenting anxiety is the only reason I have not addressed you sooner, my mind is seldom calm enough to devote to any subject save that which engages my daily thoughts and nightly dreams.”⁶⁴ Although Todd’s illness was not mentioned, she must have been aware of it and feared he could die as had Commodore Perry, his predecessor.

There is a story told by descendants of the Todds’ daughter, Virginia Shelby Todd Griffith, that on the voyage from St. Thomas, Todd was befriended by a priest who nursed him throughout. As a token of his friendship, the priest gave Todd his cross which contained several emeralds. When he arrived in Kentucky, Todd had the emeralds made into a ring which he gave to Letitia. Before she died, she gave it to her daughter Virginia. The ring is still in the Griffith family, being given in each generation to a daughter named Virginia.⁶⁵

⁶⁴Letitia Shelby Todd to Alfred Shelby, 4 March 1821, box 2, Grigsby Collection.

⁶⁵E-mail to Sherry Jelsma, 21 June 1999, from Virginia Shew, descendent of Virginia Todd Griffith and owner of the emerald ring.



Virginia Todd Griffith
Filson Historical
Society

Todd arrived in Frankfort 17 April 1821, with baggage and papers to arrive from Louisville later. He found his wife and sons well, but Governor Shelby was using a cane, partially paralyzed. His own father was weak and frail from age and worry over debt. Todd wrote Adams on 20 April 1821 from Frankfort for instructions as to whether he should go to Washington for a debriefing. A few months later, on 19 July 1821, Secretary Adams wrote Todd in Frankfort on behalf of President Monroe and stated that the president wishes "that, as soon as your health shall have been restored, so that it may



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suit your convenience to resume your duties, you would again proceed to the post of your destination."⁶⁶ This was welcome news for Todd. However, as late as 22 April 1822, Adams wrote in his diary that the president had not decided how to handle South American diplomatic relations. There was debate on whether to return Todd as agent, send a minister to Colombia, or send no representative at all and still receive Colombia's Minister Don Manuel Torres as *Chargé d'affaires*. Despite all, however, Todd did retain his commission.

By 6 June 1822, fourteen months after his return to Kentucky, Todd wrote Secretary Adams from Philadelphia requesting passage in a public vessel for himself and Richard Adams of Richmond who would act as Charles's secretary. A week later, on 13 June, Todd wrote President Monroe asking for Adams's appointment and passage and suggesting that he (Todd) be given the title of *Chargé d'affaires* especially if Señor Torres was so designated. Only the request for Adams to travel was approved, and both secured passage on the *John Adams*, sailing from Norfolk. While in Philadelphia, Todd contacted the owner of the *Liberty*, a Mr. Seamy, and secured the papers needed to "establish his claim." Hezekiah Niles wrote to Henry Clay from Baltimore, "Our friend, Col. C.S. Todd left here this morning for Norfolk to embark on the *John Adams*. He was quite well."⁶⁷

Todd requested his route to Bogotá include a stop at Caracas during the "warm months of August and September" citing, this time to the ship's captain, the "floods in the plains and disease of the country."⁶⁸ Actually, bad weather delayed departure from Norfolk until 20 August, causing Todd anxiety as he knew the ship must

⁶⁶Griffin, *Memoir*, 36.

⁶⁷Hezekiah Niles to Henry Clay, 1 July 1822, Hopkins and Hargreaves, eds., *Papers of Henry Clay*, vol 3, *The Rising Statesman, 1821-1824* (Lexington: University Press of Kentucky, 1963), 246-47.

⁶⁸Dispatch, 8 July 1822.

avoid the fast-approaching hurricane season. The *John Adams* did reach its destination on 9 October, two months after leaving Norfolk. Todd must have endured the trip well, for in dispatch 15, October 1822, he seemed his old self, furious at the Puerto Rican sailors who were illegally boarding American vessels and taking stores.

The war had intensified since Charles's departure over a year earlier. Both Vice President Roscio and his replacement had died, so it was General Antonio Nariño who opened the Congress of Cúcuta in May 1821.⁶⁹ The republic had "rejected by an immense majority" the request to limit religion to Roman Catholicism. Todd reported that there had been a historic conference on 25 July 1822 between the two leading generals of Spanish-American independence, the Eagle (Simón Bolívar) and the Fox (José de San Martín) in the city of Guayaquil. This valuable seaport and shipbuilding city in Ecuador had been taken by San Martín, who assumed he would continue to fight the Spanish in Peru. Bolívar and San Martín were jealous rivals, and success in the war for the independence of Peru was important to both men. But Bolívar was determined to command this victory and keep his title of Liberator. After the conference, a disillusioned San Martín said bitterly, "Liberty! Give a child of two a box of razors to play with and see what will happen!" He resigned from the army and left South America, dying in poverty in France in 1850.⁷⁰

Meanwhile, Todd informed Adams that he proposed to travel "not less than forty-five days along the mountains" to get from Caracas to Bogotá in order to arrive in Bogotá in plenty of time for the January Congress; he would avoid the season of disease which ended in October. Todd's thirty-ninth dispatch of 1 December 1822 reported on the journey. He proceeded as he had planned but had had to request a cavalry escort as the "banditti were in the hills and

⁶⁹Madariaga, *Bolívar*, 412.

⁷⁰Worcester, *Bolívar*, 126-29.

mountains." He wrote that he was "accepting kind invitations of the public authorities of the principle towns and had remained 2-3 days in Valencia, San Carlos, Barquiseta, Tocuya, Tauxilla and this place."⁷¹ He planned to reach Bogotá on 2 December. The trip was uneventful, and Todd noted that he "had been two and a half years traveling to this point and . . . had made great domestic sacrifices to be the instrument of cultivating the most cordial relations between our respective countries." Todd continued: "The journey . . . enables me to concur with Mr. Torres [the late minister from Colombia to the United States] that the War, indeed has desolated what remained after the ruins of a widely extended earthquake; but the capacities of this country . . . can bring it back with peace, population and industry."⁷² Todd continued: "Throughout the whole route, I have been received as the Minister of the United States, but I am persuaded you will perceive that this attitude, though embarrassing to me, is obviously beyond my control."⁷³ The confusion over Todd's title and authority continued, with the people of South America believing he was a minister, the present-day equivalent of an ambassador.

Todd's friends had been lobbying for his title to be *Chargé d'affairs*. In April 1820, Henry Clay offered a successful resolution "to provide outfit for a minister to South America." However, this was not funded by the 1821 session.⁷⁴ Then in January 1822 there was a move by Colonel Richard M. Johnson, Todd's Kentucky friend from the War of 1812, and Henry Clay, working with President Monroe, to make Todd *Chargé d'affairs* with an outfit of \$4,500

⁷¹This route follows that of Colonel Joaquin Acosta (an explorer and member of the Colombian army) as reported by Duane, *A Visit to Columbia*, 631.

⁷²Todd's reference is to the Colombian earthquake of 1812 which caused the deaths of eight thousand people. The United States had sent \$100,000 to help with recovery.

⁷³Dispatch 7, 1 December 1822.

⁷⁴Ammon, *James Monroe*, 443-45.

before the next session of Congress. This did not happen despite a personal note from the president on Todd's letter to Adams requesting the position: "If Col. Todd's [wish] can be accommodated, it would give me pleasure."⁷⁵ In July, however, Todd wrote Adams that President Monroe believed he could not change the grade of a minister unless Congress was in session, so Todd remained an agent.

Richard Johnson was a good friend to have, but Henry Clay was not a choice lobbyist for Todd in the eyes of Secretary Adams. Both Clay and Adams had their eyes on the presidency in 1824. To escalate this rivalry, Clay spoke for independence for the Latin American republics, and in a speech in Lexington in May 1821, he advocated sending them arms. Adams, trying to win the Floridas for the United States and preserve trade with Spain, was horrified at this radical suggestion.⁷⁶ Clay and Adams were also opposites in appearance. Clay was tall and thin with a shock of hair; Adams was short, stout, and bald. Both men were brilliant thinkers.⁷⁷ Socially, Adams had a frosty temperament and said of conversation, "I never knew how to make, to control or to change it."⁷⁸ Clay loved a party and companionship. Adams's political experience was extensive; he had traveled over the world with his father in diplomatic service, first in France at age ten and then in Russia where at age fourteen he served as secretary to the United States minister. Later he served as a diplomat for nine years in St. Petersburg, Ghent, and London. Clay, from the untamed West, constantly challenged Adams on foreign policy. In his diary, Adams wrote that he respected Clay's unquestioned popularity but considered him "half educated" as well as a heavy drinker and gambler. In 1822, he recommended to the president that Clay be appointed

⁷⁵Dispatch, 6 June 1822. A note in James Monroe's hand was in the margin of the letter contained in the dispatch.

⁷⁶Ammon, *James Monroe*, 445.

⁷⁷Ibid., 359-61.

⁷⁸*Diary of John Quincy Adams*, Entry 15 July, 1820, p. 243.

minister to Colombia, thinking "Bolívar would be flattered."⁷⁹ Certainly, Todd seemed to find working with President Monroe and his friend Henry Clay a lot easier than with Adams.

Todd's salary was quickly spent either for his living expenses or was sent to his father or to other gentlemen who were arranging for the payment of debts. One letter indicated that one hundred dollars be sent to Letitia, but usually creditors received the bulk of Todd's salary.⁸⁰ The Bank of the United States had repealed the independent bank charters in Kentucky in 1820, and the Kentucky law, which came in quick response and allowed the charter of the Bank of the Commonwealth and its branches, was repealed in December 1822. Finances in Kentucky and in the nation were a shambles.⁸¹ Cash was scarce, and Todd was doing the best he could to get it to Kentucky to maintain some semblance of stability and personal credibility. Henry Clay was attorney for the Bank of the United States, and he was working with Charles and his father to erase their debt to that bank. Letitia and the children were still living at the Shelbys, waiting for Todd's mission to be completed.

Todd completed his journey to Bogotá on 24 December 1822. Although Dr. Pedro Gual, the foreign minister, was not in town when Todd arrived, they met on 28 December; Todd was introduced as a public agent of the United States. Todd told Gual that Vice President Santander had received him respectfully, congratulated him on his appointment, and assured him that his communications would be received on behalf of the United States. Santander was the very man who would try to have Bolívar assassinated in 1828 and who would finally succeed in forcing him from Colombia.⁸²

⁷⁹Ibid., 20 June 1820.

⁸⁰Dispatch, 20 December 1820 included letter from Todd to Richard M. Johnson, 5 October 1820.

⁸¹Ammon, *James Monroe*, 359-61.

⁸²Worcester, *Bolívar*, 191-92.

On 6 January 1823, Todd wrote Gual reminding him of his departure to the states in 1821 for health reasons and of his renewed need to have the United States citizens indemnified and pirates taken to court as required by national law. In his dispatch of 8 January 1823, Todd reported his conversation with Gual during which Gual said both the government and the times had changed enormously since Torres died; it was time to make a treaty with the United States. Todd quickly replied that he had no authority to do this but would write Adams to inform him. Gual insisted that the treaty be signed in Colombia, not Washington City, explaining that Colombia was negotiating with the South American countries to form a strong alliance against European enemies, particularly Spain. He said the countries in his alliance shared "Common language with common custom, a common religion and [fight] for their independence against a Common Enemy." Gual was afraid that if the treaty was negotiated in Paris or London the royal courts there would corrupt emissaries from the new republics, and the treaty would not be signed. To him, a signing in Washington was out of the question. The governments of Europe were jealous of the United States and anything that could be interpreted as American influence, such as signing the document in Washington, would make them leave the table. He pointed out that the Colombian government was modeled after the United States, explaining that the United States had greatly influenced all new South American governments. For example, Lima had wanted an imperial government but, after seeing Colombia's structure, had decided on a republic.

Then Gual assured Todd that Colombia owed nothing to Great Britain; its independence was won without British help. Gual wanted the United States to join "an American Confederacy for protection and management of American interests."⁸³ Todd knew that Bolívar's

⁸³Dispatch 41, 8 January 1823.

dream was for a confederation of the countries in Spanish South America, but he wrote that he did not expect that to happen in his lifetime. The differences of the countries and their longtime habit of operating separately would breed civil war and political unrest and prevent a United States of South America. Certainly, the United States wanted no part of this confederation. Quickly, Todd replied that the United States was prepared to sign a treaty only for "peace and absolute Independence" of the colonies.⁸⁴ In this conversation, reported in detail to Adams, Todd's skill as a diplomat was clear. Knowing that the United States was trying to emerge as a power in itself and at the same time develop trade with both Europe and South America, Todd could neither join Gual's proposed confederacy nor alienate him by his refusal. This was January 1823. President Monroe's message to Congress, later called the Monroe Doctrine, which contained the principles Todd quoted to Gual, would be delivered eleven months later on 2 December 1823.⁸⁵ The two diplomats then discussed the "arrival at Carthagena in a French Corvette" of five agents from the French Government who would be sent to Columbia, Mexico, Peru, Chile, and Buenos Aires. France, always aligned with Spain, was not trusted by Colombia or the United States. Gual said they would be watched and were undoubtedly up to no good.⁸⁶ At least Todd and Gual could agree on this.

Todd brought up the problem of duties on American goods. On 25 September 1821 the Congress of Colombia passed a bill that said no Spanish goods would be received in the republics; this same bill put a 7.5% impost duty on United States imports, more than the

⁸⁴Ibid.

⁸⁵Howard Jones, *The Course of American Diplomacy* (Chicago: Dorsey Press, 1988), 93-118.

⁸⁶Dispatch 41, 8 January 1823.

duty for European imports.⁸⁷ Surprisingly, Colombians thought these duties would not adversely affect the United States but rather would encourage the United States to export to Europe and from there to the ports of Colombia, a route that would be less expensive than the “circuitous route of the West Indies.” Gual believed that the United States was not allowed to trade directly with Colombia because the colonial laws of Great Britain prohibited direct trade from the United States to provinces (he thought Britain interpreted Colombia as a province of Spain). Todd assured Gual in a letter of 28 January 1823, that Great Britain had authorized trade between British colonies and the United States on 24 June 1822. “I could assure him the Congress of Colombia had proceeded on erroneous principles. We export to the ports of Colombia . . . numerous articles of foreign and domestic manufacture . . . and hoped to increase exports to products of labor and soil.” Gual concurred and admitted that “his own tablecloth was manufactured in the U. States.”⁸⁸ Later Todd reported that Gual promised the tariffs would be removed by next Congress, but he would not suspend the law until that time.

Colombia was very disappointed that the example set by the North American colonies’ emergence as one nation was not convincing Europe that Spanish America could do the same. “The comforts of peace and commerce” could be Europe’s if they would recognize the new republics. Todd suggested that the reason the idea of a republic was so hard for Spain to accept was “in part, their Spanish education, which they cannot at once forget.”⁸⁹ This was a reference to

⁸⁷Katherine Ruth Hudson, “Mission to Colombia,” unpublished paper, University of California at Los Angeles, 1933, p.12 in folder 8, Todd Collection; see also John Q. Adams, *Writings*, ed. Worthington Chauncy Ford (7 vols.; New York: Macmillan Company, 1913), 7: 456.

⁸⁸Dispatch 41, 8 January 1823.

⁸⁹Dispatch 42, 5 February 1823.

the Catholic religion, which required a hierarchical rather than a democratic structure of government.

The year 1823 was a defining one in both South American and United States foreign policy. As a result of the Congress of Verona in 1823, England left the Holy Alliance (formed after the fall of Napoleon) because it backed the return of King Ferdinand VII to the Spanish throne.⁹⁰ Britain's minister, Castlereagh, who had spent his long career attempting to secure peace in Europe, committed suicide soon after the break-up of the alliance.⁹¹ George Canning, who replaced Castlereagh, then asked the United States to sign Britain's treaty to prevent the Holy Alliance from aiding Spain's recolonization of Spanish South America. Britain's American minister, George Rush, asked the United States to sign his treaty to prevent France from taking South American colonies; Adams said no to both. In July 1823, Adams told the Russian minister that independent American nations were not open for European recolonization. Adams wanted the United States to be a power itself, not a follower of Britain. The presi-

⁹⁰Todd reported that Great Britain, Spain, Portugal, and Italy refused to recognize the Republic of Colombia and that Russia was indifferent. He predicted that when Great Britain did recognize Colombia's independence, that Holland, Denmark, and Sweden would follow. Dispatch 42, 5 February, 1823. The Holy Alliance was formed in 1815 after the fall of Napoleon with leadership from Czar Alexander I of Russia. Russia, Prussia, Austria, and France joined in this alliance to promote Christianity and peace and to suppress revolution.

⁹¹Robert Stewart, Viscount Castlereagh, Second Marquess of Londonderry, took a leadership role in the creation of the Quadruple Alliance in 1815 and in the renewal of its goals at the Congress at Aix la Chappelle in 1818. He led the pursuit of peace during a diplomatic career in very troubled times. This lifetime of stress caused his mental breakdown which was obvious to all around him and culminated in his suicide. Bradford Perkins, "The Creation of a Republican Empire, 1776-1865," *Cambridge History of American Foreign Relations* (New York: Cambridge University Press, 1993), 1:147-69; Sir J.A.R. Marriott, *Castlereagh* (London 1936), 304.

dent's message to Congress was evolving from Adams's pen.⁹² Throughout 1823, Todd, at Adams's direction, held firm to his instruction and insisted that the Colombians deal not with British colonial law but with American law.

The war for independence in South America was looking bad for Spain, according to Todd's informants. The Spanish had returned to Maracaibo where they found few provisions and much distress. Seven hundred Spanish soldiers had deserted, so there had been no attack on Colombia. Peace must come soon, wrote Todd in his dispatch of 28 February 1823 or the development of the resources of the country "may be postponed for ages" and war will be waged, as it was in France, for military ambition only. There was "devastation" in the entire country. Though the majority sought independence, they retained "their old customs, their old police, old manners and municipal regulation." There was no understanding of democracy and therefore, there could be no move to develop such a government. Military rule would be accepted, wrote Todd, because of the "connection between the influence of Military and Ecclesiastical establishments." War has "desolated the country." Todd wrote Adams that "a faithful narrative of this struggle can never be published—and for the sake of humanity and civilization it is well that it cannot—a detail will thus be saved to the world of savage barbarities and oppression."⁹³ The war had used all the financial resources of the country and executed "in cold blood . . . individuals . . . on account of their intelligence or education." This created a dreadful effect: "There is no one to fill high Military . . . Civil or legislative offices." A

⁹²In December, the president's message to Congress, later called the Monroe Doctrine, was given. It was a "diplomatic declaration of independence for the United States" requiring European nations to offer the United States a seat at the treaty table and acknowledge her laws and her voice as a nation." Ammon, *James Monroe*, 491.

⁹³Dispatch 42, 5 February 1823.

month later, in his report of 29 March 1823, Todd noted that the “mass of the people were not intelligent” and their leaders were full of self-interest. However, in Todd’s eyes there were positive effects of independence which were significant: foreign commerce was increasing; there was trial by jury, and freedom of the press was seen in “limited operation.”⁹⁴

It appeared that American agents regularly had difficulty in reaching the objectives that Washington expected. On 28 February 1823, Todd reported from Bogotá that Richard Lowry, the consul at La Guayra, was not being informed of the trials of American seamen or getting access to the register of American vessels in port. Todd met with Gual on this and learned that Colombia would not recognize consular powers without “regular appointments,” and Lowry was not yet formally appointed. If they did otherwise, Gual said, Europe might perceive that the United States was receiving special treatment and would delay recognition of the republic. Because Congress was to appoint Lowry formally at its next session and the United States had already recognized the republic, Todd suggested that Lowry be permitted to exercise the powers of consul as a matter of courtesy. Gual agreed with some conditions. As he reported this conversation to Adams, Todd noted that Gual believed that an agent’s powers were directed to the citizens of the United States and a consul’s powers were directed to the government. These ideas, wrote Todd, stemmed from Colombia’s interpretation of United States policies no longer in use. He suggested that if sea trade were to increase with Colombia, the United States must clearly define the powers of agent and consul in its treaty.⁹⁵

Relations between Gual and Todd grew more strained. Gual was a stone wall; no progress was being made on vital issues of commerce

⁹⁴Dispatch 42, 5 February 1823.

⁹⁵Dispatch 44, 28 February 1823.

and seamen. Todd sent Gual the August 1819 letters from Vice President Roscio to Commodore Perry (both deceased at this time) and asked for the third time for the republic to return illegally confiscated goods to American vessels. He requested permission to address the government on this subject.⁹⁶

About the same time, Todd reported a meeting with Gual to find out why the American ship *Caravan*, which had been captured by cruisers of Colombia, had been condemned. He also needed to talk to Gual to gain information regarding the treaty between Colombia, Peru, and Chili. Gual said he had instructed Mr. Salazar, his new minister, to explain these things to the government in Washington. Todd said that he would have been happy to have forwarded the papers to Washington if he had been asked, and the reader can sense the hostility growing between the two diplomats.⁹⁷ As to the *Caravan*, Gual said the ship had been restored to its captain, but the cargo had been condemned because it was Spanish property. Gual denied Consul Lowry's protests and said that the consul-treated-as-agent should have been satisfied to report the case to Todd. Meanwhile, Adams recorded his meeting with Salazar who told him that Todd wrote a "very offensive" letter to Bolívar. Salazar showed Todd's correspondence to Adams, including the request to Santander for an "exequatur" (written recognition of a consul by a government). Salazar said Todd had no authority to make this request; furthermore, it should have gone to Gual, not Santander.⁹⁸

The frustration of Todd in dealing with the self-important Gual was obvious. Gual justified his position by stating that United States treaties did not cover the new republic and the law of nations did not

⁹⁶Todd had formally requested restitution on 15 February 1821 and 6 January 1823.

⁹⁷Dispatch 45, 6 March 1823.

⁹⁸ Charles Francis Adams, ed., *John Q. Adams Memoirs* (12 vols.; Philadelphia, 1874-1877), 6: 219-20; see also Hudson, "Mission to Columbia," 17.

apply because Colombia was at war with Spain. Todd quickly replied that the armed neutrality of 1780 had created the principle that "free ships make free goods."⁹⁹ Therefore, the United States, being neutral, could trade with Spain. Todd's ability as a diplomat is evident. He knew history and law and was able to use it to the advantage of his country. His reports were accurate, honest, and in his country's best interest. His intelligence allowed an interpretation of events that has stood the test of time.

Gual continued the interview by informing Todd that Colombia, Peru, Chile, and Buenos Aires would meet and decide on their common interests and the United States could join them or not. The Swedish and French sent agents to these meetings which pleased Gual, although Todd suspected that these men were probably spies. Gual repeated that the United States was still trying to get special treatment because she had been the first nation to recognize the republic. He finished his rude conversation by noting that Salazar was directed to grant no favors to any nation.¹⁰⁰ As Todd and Gual continued to talk, Gual commented heatedly that the United States had never responded to any South American communication until the recent recognition of the republic. Todd reported that, "The warmth of the feeling manifested in this remark as well as further allusions to the subject was refreshed by my enquiry whether *any* of the governments of Europe had ever replied to their communication."¹⁰¹ Col. Todd was losing patience with Gual.

Finally, Todd was able to report to Adams that the congress originally set to meet in January would meet the last of March. An exhausted President Bolívar had returned from Peru and was in

⁹⁹In 1780 Napoleon's France was threatening all of Europe. Although the United States remained neutral during the Napoleonic wars, United States ships were armed in case of attack by either France or Britain.

¹⁰⁰Dispatch 45, 6 March 1823.

¹⁰¹Dispatch 46, 21 March 1823.

Guayaquil with five thousand men. Peru was in “a deranged condition.” The Colombians suffered from lack of supplies and remained in Colombia near the Peruvian border. The war in Mexico was also draining the republic. The western portion of Mexico and Vera Cruz were in the hands of republicans, reported Todd, but the royalists had been told to stand firm, even though they were losing men quickly.¹⁰²

On 10 March 1823 Todd, at Lowry’s request, wrote a formal letter to Gual regarding the *Caravan* and its cargo. Seventeen days later, Todd sent a report that reflected his frustration with the demands of his assignment and the lack of South American governmental cooperation to deal with situations of commerce and seamen. He reported that the judgments of the Caracas court concerning the *Caravan* and her cargo as well as other claims were not favorable. The new country had no money and, because of the ongoing war, simply was not going to make any payments in the foreseeable future. Morales was interrupting trade with his constant raids, and Todd’s exasperation was evident as he wrote to Adams in dispatch 47 that this strategy indicated “imbecility or want of union [in the Republic] or both.” Todd reflected that people in power suffered unfortunate consequences when their electorate was uneducated.¹⁰³ He commented to Adams that many in Colombia prospered during the war and were giving the country a very inflated view of herself. “The whole aspect of circumstances reminds me of the anecdote related by a distinguished traveler in Africa who found a Chief, sitting in all the listlessness of Majesty, his daughter feeding him with a spoon and on saluting him, he enquired in a tone of great Consequence and Self Complacency, ‘Well, Sir, what do they say of me in Europe?’”¹⁰⁴

¹⁰²Ibid.

¹⁰³Dispatch 47, 27 March 1823.

¹⁰⁴Ibid.

About this time, during the Lenten season in 1823, both Colonel William Duane¹⁰⁵ and G.W. Griffith reported that Todd's family joined him in South America on a short trip to the Cataract of Tequendama, a spectacular waterfall about nine miles from Bogotá. Duane wrote that Todd, as part of his diplomatic duties, arranged a party for his visiting countrymen, including Duane and his daughter, Todd, his family and his secretary Richard Adams, and several officers. He stated that there were about ten besides domestics.¹⁰⁶ They traveled from nine in the morning until dark and stopped at a Franciscan convent for supper and the night. The guests feasted on fruits, meats, "roast fowl, well-corned pork" and sweet baked goods, plus excellent chocolate to drink. Since it was the season of Lent, the monks had only gruel and water. The next day the party reached the cataract after riding their mules through the lush jungle growth, noting birds of red, blue, orange, and green, and many animals. They passed among cotton trees, sugar-cane, and coconut plantations. Duane believed that the guide must have been "either an idiot or a knave" because the party was continually lost on the wrong paths. Todd's biographer, William Griffin, writes of a fine dinner given about this time in honor of George Washington which was attended by Duane. Todd presided, giving the toast to General Washington.¹⁰⁷

¹⁰⁵John Quincy Adams considered "Billy Duane . . . a very foolish and unaccountable fellow." He said that Madison made him a colonel, and Duane used this title to sell his "worthless" book on military discipline to the army. He published the *Aurora*. Adams called it "the most slanderous newspaper in the United States." Duane had approached Adams with a scheme to broker arms to Venezuela, a proposal that both Adams and Monroe found disgusting and contemptuous. *Diary of John Quincy Adams*, 18 January 1820.

¹⁰⁶No members of Todd's family are named. No further documentation of family members on this trip has been located.

¹⁰⁷*Niles' Weekly Register*, 15 March 1823; see also dispatch 29 July 1823, in which Todd submitted a bill to Adams for "Ball and Supper for public authorities on 4 July 1823 for \$560."

Duane was also introduced to Gual and attended the congress in Cúcuta and left extensive notes on its proceedings.¹⁰⁸

At their conference of March 1823, the Colombian officials proposed to give the United States special privileges for five years, which meant the extra duty on North American imports would be removed. Their proposal was vetoed by Gual. Todd then successfully negotiated with Vice President Carlos Soublette, the Venezuelan general who would later be president of Venezuela, to supersede Gual's action. Gual tried to block the measure, but Soublette prevailed and the duty was removed.¹⁰⁹

On 1 June 1823 Todd went over the head of Gual again and wrote to General Santander. He enclosed his commission of April 1820 and stated that this document was delivered to General Gual, secretary of state for foreign affairs, in September 1820. Todd had been told repeatedly that if the congress at Cúcuta had known of this appointment, they would not have adopted the September 1821 tariffs that discriminated against the United States. He pointed out to Santander that the United States had always considered the war between Spanish America and Spain, a "civil war," not a "rebellion."¹¹⁰ On 4 July 1823, Todd sent a report to Adams stating that he had sent Santander a list of documents beginning with Commodore Perry's statements in 1819 and including nine years of presidential messages as they related to South America. He believed that Gual had purposely and treacherously misrepresented the United States to Santander and Bolívar. Todd explained the propriety of his writing to Vice President Santander by way of Supreme Court Justice Miguel Peña rather than through Gual. The justice, in a private conversation, had told

¹⁰⁸ Duane, *A Visit to Colombia*, 513-69.

¹⁰⁹ William R. Manning, *Diplomatic Correspondence of the United States Concerning Independence of Latin American Nations* (3 vols.; New York: Oxford University Press, 1925), 2:1264; see also Hudson, "Mission to Columbia," 17.

¹¹⁰ Manning, *Correspondence*, 1251-57.

Todd that if the Congress had known that the United States had sent Todd to Colombia as a diplomat, they would not have imposed the tariff.¹¹¹ Todd then accused Gual of “a want of cordiality in his personal intercourse” and unfriendliness towards the United States, and he pointed out that, considering these facts, he faced the “painful necessity of considering all further official intercourse on my part, with this Government as at an end” and, furthermore, that “whilst the present Secretary continues to be the organ of this Government to foreign nations, no intercourse will be renewed.”¹¹² Todd added that until his replacement, Mr. Richard Anderson, arrived he would not have communication with Gual, and he concluded with a final blast at Gual resulting from his frustration in seeking restitution for the *Liberty* and the *Tiger* by stating that “whilst the present Secretary continues in the Department of Foreign Affairs, no rational hope can be indulged with respect to a favorable adjustment of this claim or the maintenance of cordial feelings in the political intercourse between the two nations.”

Three months earlier (8 May 1823) Todd wrote Henry Clay that as he was in the diplomatic service he could not write what he thought about South America, but that their mutual friend Duane would say:

that though the country is separated from Spanish dominion and misrule, yet that Spanish duplicity in the Governors and Spanish superstition in the people are but too painfully prevalent; whilst the hopes of the public councils are directed to Europe and especially

¹¹¹ Ibid., 1254.

¹¹² Griffin, *Memoir*, 43, includes dispatch from Todd to Adams, 4 July 1823; Manning, *Correspondence*, 1263-64 contains dispatch 55, 4 July 1823 and dispatch 56, 20 July 1823 in which Todd wrote that he “might adopt the painful alternative of requesting [his] passport” because of Gual’s behavior.

Great Britain in the vain delusion that it is by those powers alone, their interest can be promoted.¹¹³

Todd suggested that London had supported the colonies only when it advanced her own needs: "To effect commercial and probably political purpose of her own . . . Great Britain first incited them [colonies] to Revolution; the hope, therefore, of receiving aid and countenance from that Government has long been cherished" by the new republics.¹¹⁴ Colombia, too, began to wonder if she could count on the British monarchy to foster republicanism in Spanish America. Todd's continuing frustration was that although the new South American republics refused to accept the United States as a policymaker at the world table, this was the only way the United States would help them.

Todd's mission was completed in 1824, and he sailed from Bogotá. Adams, as a former diplomat, must have been pleased with Todd's mission. Accurate information regarding the South American independence movement was available. Tariffs were lowered; misunderstandings of policy were revealed and corrected; pitfalls and inadequacies in policy were identified. While Adams and Monroe secured the Floridas, diplomatic relations with Spain and Great Britain were maintained. Todd had held a loaded grenade for four years without an explosion. He had done a masterful job dealing with a government whose representatives and leaders he did not respect. Though President Monroe offered him a continued term in South America as secretary of the legation, he refused.¹¹⁵ As Todd stated in one of his final dispatches, "It is not necessary, in this place, to animadvert on the nefarious complexion of the whole transaction," a

¹¹³ Hopkins and Hargreaves, ed., *Rising Statesman*, 413-14.

¹¹⁴Dispatch 42, 5 February 1823.

¹¹⁵Malone, *American Biography*, 570.

nightmare most unexpected.¹¹⁶ Most likely, he could not wait to return to his beloved family in Kentucky. There he would build a fine home on the land given to Letitia by her father and, for a time, raise blooded cattle and hogs, hemp, and corn. Todd remained in politics and public service the rest of his life, serving as president of the Kentucky Agricultural Society in 1839 and as publisher of the *Cincinnati Republican* in 1840 while managing William Henry Harrison's successful campaign for president.¹¹⁷ He then served as United States minister to Russia (1840-1844).¹¹⁸ Todd was a popular figure in Kentucky. He refused the request to have his name in nomination for governor in 1848, choosing instead to travel the United States extensively campaigning for Zachery Taylor's presidential candidacy.¹¹⁹

The Bank of the United States had released Todd from most of his debt by 1824,¹²⁰ but while fulfilling a commission for the United States enforcing a treaty with the Indians in the west in 1850, he began speculating on land in Texas. Believing that the new railroads would enhance his land investments and finally completely eliminate his debt, he bought stock in the Southern Pacific Railroad and continued to speculate in land. We know from the deed records that Letitia sold the house and farm in Shelbyville on the courthouse steps in 1858, so we can surmise that Todd's western investments did not provide needed revenue.¹²¹

After Todd returned from the west at the beginning of the Civil War, he and Letitia lived with their children and grandchildren. An

¹¹⁶Griffin, *Memoir*, 43.

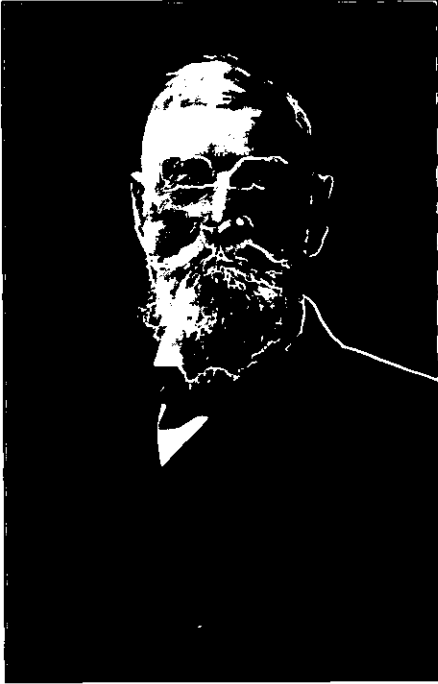
¹¹⁷Michael F. Holt, *The Rise and Fall of the American Whig Party* (New York: Oxford University Press, 1999), 100.

¹¹⁸ Todd's dispatches from St. Petersburg to the secretary of state are at the National Archives and Records Administration, Washington, D.C., microcopy 35, roll 14.

¹¹⁹ Griffin, *Memoir*, 112-13, 127.

¹²⁰Hopkins and Hargreaves, eds., *Rising Statesman*, 455.

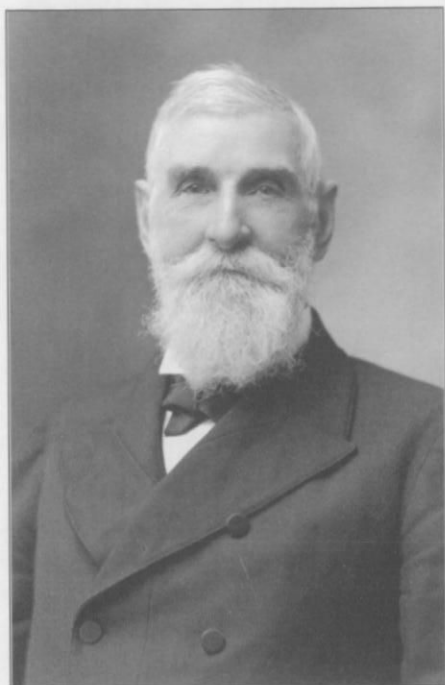
¹²¹ Todd Collection, letters, folders 3 and 21.



Captain Thomas Todd
Filson Historical Society

avid advocate of the Union, though he had owned slaves in Shelbyville and his family members fought in both Confederate and Union armies, Todd requested a commission in the Civil War which was denied.¹²² He continued to write for various publications and was always in demand as a public speaker. His last speech was given to the

¹²²Griffin, *Memoir*, 134. Griffin reports that the commission was denied because Secretary of War Edwin M. Stanton had already filled Kentucky's quote of commissions. Todd had family on both sides of the Civil War. See papers of his youngest son Charles Henry Todd M.D., "doctor, surgeon in the Confederate States of America," Todd Collection, which contain much information about Dr. Todd's career. See also a letter from Union Army Colonel Whitaker to Captain Thomas Todd (Charles Stewart Todd's second son), 5 January 1863, Todd Collection, folder 3. This letter notifies Thomas Todd of the death of his son Captain C.S. Todd (Charles Stewart Todd's grandson) on 31 December 1863 at the battle of Murfreesboro. Folder 3 also includes an unnamed, undated, newspaper clipping reporting that Captain C. S. Todd of the 6th Kentucky was killed at Murfreesboro and buried in Grove Hill Cemetery, Shelbyville, Kentucky.



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naval veterans of the War of 1812 at Put in Bay on Lake Michigan in 1871. Catching cold on a steamboat journey to his granddaughter's home in New Orleans that same year, he died at the age of eighty.¹²³ Though there are records of speeches and articles written by Todd of his experiences in the War of 1812, agricultural practices, Russia, United States politics, and prominent political figures, none have been located concerning his mission to Colombia. The colonel meant to leave far behind the destruction, deception, and disease that for him had come to symbolize South America.

¹²³Letita Shelby Todd had died in 1868. C.S. Todd to Charles Henry Todd, 26 January 1871, Todd Collection, folder 21. Colonel Todd's obituary appeared in the *Baton Rouge Advocate*, Saturday, 20 May 1871, "Death of Col. C. S. Todd," Todd Collection, folder 21.