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Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS,

RELATING TO

THE SLAVE TRADE.

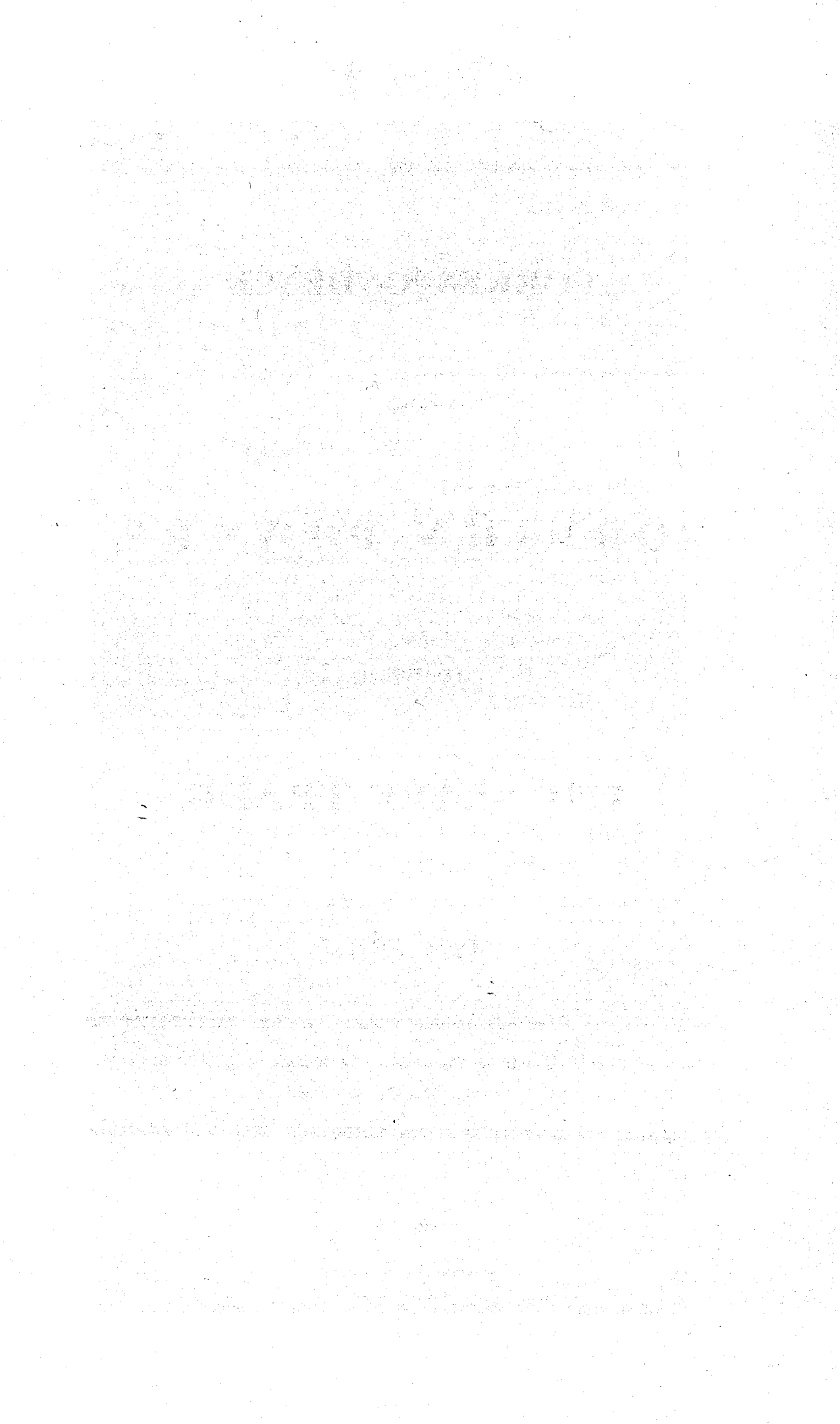
1826—1827.

Presented to both Houses of Parliament, by Command of His Majesty,
1827.

LONDON :

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Class B.

LIST OF PAPERS.

SPAIN.

No.		<i>Date & Receipt.</i>	SUBJECT.	Page.
1.	The Right Hon. F. Lamb to Mr. Secy. Canning One Enclosure	D. April 22, 1826. R. May 1, —	Slave-trade in Cuba.—Canta- bro at Gibraltar - -	1
2.	The Right Hon. F. Lamb to Mr. Secy. Canning Two Enclosures	D. April 22, R. May 1, —	Removal of the Commission to Fernando Po - -	2
3.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. May 6, —	Papers laid before Parliament -	3
4.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. May 31, —	Orestes. Magico. Proposed Additional Article - -	3
5.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. June 30, —	Royal Order published in Cuba - -	4
6.	The Right Hon. F. Lamb to Mr. Secy. Canning One Enclosure	D. July 3, R. July 17, —	Orestes. Magico. Proposed Additional Article - -	4
7.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. July 21, —	Slave-trade in Cuba: Neptune -	5
8.	The Right Hon. F. Lamb to Mr. Secy. Canning	D. Aug. 18, R. Aug. 29, —	Slave-trade in Cuba - -	6
9.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. Sept. 11, —	Full Power for Additional Arti- cle - -	6
10.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. Oct. 3, —	Piracy. Gabilar, or Pelican. Carolina. Netuno - -	7
11.	Mr. Secy. Canning to the Right Hon. F. Lamb Nineteen Enclosures	D. Oct. 6, —	Slave-ships at Gibraltar - -	8
12.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. Nov. 10, —	Slave-trade in Cuba. Minerva. Mexicano - -	17
13.	Mr. Secy. Canning to the Right Hon. F. Lamb Two Enclosures	D. Dec. 14, —	Sale of a Negress at Cadiz - -	18
14.	Mr. Secy. Canning to the Right Hon. F. Lamb Eighteen Enclosures	D. Dec. 15, —	Slave-trade in Cuba. Minerva. Mexicano - -	19
15.	The Right Hon. F. Lamb to Mr. Secy. Canning Two Enclosures	D. Dec. 10, R. Dec. 25, —	Piracy. Gabilar, or Pelican. Carolina. Netuno - -	31
16.	Mr. Secy. Canning to the Right Hon. F. Lamb	D. Dec. 30, —	Receipt of Despatches. - -	33

PORTUGAL.

17.	Sir Wm. à Court to Mr. Secy. Canning One Enclosure	- D. Feb. 26, 1826. R. March 9, —	Slave-trade, Cape de Verds - -	34
18.	Sir Wm. à Court to Mr. Secy. Canning	- D. May 17, R. June 9, —	Receipt of Parliamentary Papers	35
19.	Mr. Secy. Canning to Sir Wm. à Court Three Enclosures	- D. July 12, —	Slave-trade, Islands of Princes and St. Thomas. - -	35
20.	Sir Wm. à Court to Mr. Secy. Canning	- D. July 27, R. Aug. 7, —	Receipt of the preceding - -	41
21.	Mr. Secy. Canning to Sir Wm. à Court One Enclosure	- D. Sept. 9, —	Memorandum. Abolition of Slave-trade by Portugal. - -	41

LIST OF PAPERS.

No.		Date & Receipt.	SUBJECT.	Page.
22.	Sir Wm. à Court to Mr. Secy. Canning Two Enclosures	D. Oct. 3, 1826 R. Oct. 23, —	Abolition of Slave-trade by Portugal	43
23.	Mr. Secy. Canning to Sir Wm. à Court	D. Dec. 30, —	Abolition of Slave-trade by Portugal	45
24.	Mr. Consul-Gen. Clarke to Mr. Secy. Canning	D. Sept. 18, 1825. R. April 26, 1826.	French Sloop, Frouiza Packet	45
25.	Mr. Consul-Gen. Clarke to Mr. Secy. Canning	D. Sept. 28, 1825. R. April 26, 1826.	Liberale at the Cape de Verds	46
26.	Mr. Consul-Gen. Clarke to Mr. Secy. Canning	D. Oct. 1, 1825. R. April 26, 1826.	Liberale at the Cape de Verds	46
27.	Mr. Consul-Gen. Clarke to Mr. Secy. Canning	D. Jan. 5, 1826. R. May 11, —	Three Slave-vessels at the Cape de Verds	46
28.	Mr. Consul-Gen. Clarke to John Bidwell, Esq.	D. April 10, R. July 10, —	Juliana Filles, at the Cape de Verds	47
29.	Mr. Consul-Gen. Clarke to John Bidwell, Esq.	D. June 20, R. Aug. 17, —	Juliana Filles, at the Cape de Verds	47
30.	Mr. Consul-Gen. Clarke to John Bidwell, Esq.	D. June 28, R. Aug. 17, —	Passports to Domestick Slaves	47
31.	Mr. Consul-Gen. Clarke to John Bidwell, Esq.	D. Aug. 2, R. Oct. 28, —	Don Pedro and Juliana Filles. Cape de Verds	48
32.	Mr. Consul-Gen. Clarke to John Bidwell, Esq.	D. Aug. 16, R. Oct. 28, —	General Pepe, Cape de Verds	48
33.	Mr. Consul-Gen. Clarke to John Bidwell, Esq.	D. Aug. 24, R. Oct. 28, —	Dutch Schooner at Cape de Verds	49

BRAZIL.

34.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Six Enclosures	D. Feb. 13, 1826. R. April 12, —	Anizade de Santos	50
35.	Mr. Secy. Canning to Mr. Consul-Gen. Chamberlain	D. June 14, —	Anizade de Santos	57
36.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Three Enclosures	D. March 21, R. July 8, —	Slaves imported and exported. Bahia, 1825	57
37.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Two Enclosures	D. March 26, R. July 8, —	Licences to Slave-vessels	58
38.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning One Enclosure	D. March 28, R. July 8, —	Anizade de Santos	60
39.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning	D. June 17, R. Aug. 27, —	Receipt of Parliamentary Papers	61
40.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning	D. June 19, R. Aug. 27, —	Legislative Proceedings at Rio de Janeiro	61
41.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning	D. July 7, R. Oct. 4, —	Carolina	61
42.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Two Enclosures	D. July 7, R. Oct. 4, —	Slaves imported into Maranham in 1825	62
43.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Three Enclosures	D. July 12, R. Oct. 4, —	Conde dos Arcos	63
44.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Three Enclosures	D. July 19, R. Oct. 4, —	Arsenia. Licences to Slave-vessels	64
45.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Two Enclosures	D. July 21, R. Oct. 4, —	Primorozo Divino	67
46.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning	D. Aug. 1, R. Oct. 4, —	Anizade de Santos	68
47.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Four Enclosures	D. Aug. 2, R. Oct. 4, —	Fictitious Passports for Slave-vessels	68
48.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning One Enclosure	D. Aug. 4, R. Oct. 4, —	Primorozo Divino	71
49.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Three Enclosures	D. Sept. 2, R. Nov. 28, —	Removal of Slaves. Emelia, and General Brock	72
50.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning One Enclosure	D. Sept. 9, R. Nov. 28, —	Nove de Março	74
51.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Two Enclosures	D. Sept. 11, R. Nov. 28, —	Slaves imported and exported. Bahia, 1826	75

LIST OF PAPERS.

V

No.		Date & Receipt.	SUBJECT.	Page.
52.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Four Enclosures	D. Sept. 24, 1826. R. Dec. 15, —	Orfeo, from Lisbon to Brazil	76
53.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Three Enclosures	D. Sept. 28, R. Dec. 15, —	Orfeo, from Lisbon to Brazil	81
54.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Two Enclosures	D. Sept. 29, R. Dec. 15, —	Nove de Março	83
55.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning Three Enclosures	D. Oct. 7, R. Dec. 15, —	Slave-ships from Portugal, Alvará of 1818. Orfeo. Conde dos Arcos	84
56.	Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning	D. Oct. 14, R. Dec. 15, —	Boa Viagem	86
57.	Mr. Secy. Canning to Mr. Consul-Gen. Chamberlain	D. Dec. 30, —	Approbation of conduct	86
58.	Mr. Consul Pennell to Mr. Secy. Canning	D. Nov. 16, 1825. R. Feb. 6, 1826.	Henriquetta. Caridade	86
59.	Mr. Consul Pennell to Mr. Secy. Canning	D. Feb. 22, R. May 23, —	Slave-trade, North of the Line	88
60.	Mr. Consul Pennell to Mr. Secy. Canning Two Enclosures	D. Feb. 3, R. May 29, —	French Ship, La Diane	88
61.	Mr. Consul Pennell to Mr. Secy. Canning Two Enclosures	D. Feb. 17, R. May 29, —	French Schooner, Bienfaisant. Charters	91
62.	Mr. Consul Pennell to Mr. Secy. Canning Three Enclosures	D. Feb. 21, R. May 29, —	Admeasurement of Slave-ves- sels. 1a. Rosalia	95
63.	Mr. Consul Pennell to Mr. Secy. Canning One Enclosure	D. Feb. 27, R. June 19, —	1a. Rosalia	96
64.	Mr. Consul Pennell to Mr. Secy. Canning	D. April 17, R. June 19, —	Henriquetta. Fanny	97
65.	Mr. Secy. Canning to Mr. Consul Pennell	D. June 22, —	Approbation of conduct. Char- ters. George and James	97
66.	Mr. Consul Pennell to Mr. Secy. Canning Three Enclosures	D. Aug. 8, R. Oct. 28, —	Licences to Slave-vessels	97
67.	Mr. Consul Pennell to Mr. Secy. Canning	D. Aug. 26, R. Oct. 28, —	Charters. George and James	99
68.	Mr. Consul Pennell to Mr. Secy. Canning	D. Sept. 20, R. Dec. 13, —	Prince of Guinea and Black- bird, from Philadelphia	99
69.	Mr. Consul Pennell to Mr. Secy. Canning	D. Sept. 21, R. Dec. 13, —	Licences to Slave-vessels	99
70.	Mr. Consul Pennell to Mr. Secy. Canning Two Enclosures	D. Oct. 24, R. Dec. 22, —	Slave-vessels admeasured, and departed from Bahia, 1826	100
71.	Mr. Secy. Canning to Mr. Consul Pennell	D. Dec. 30, —	Receipt of Despatches	101
72.	Mr. Consul Hesketh to Mr. Secy. Canning Sixteen Enclosures	D. March 8, R. May 15, —	Carolina	101
73.	Mr. Consul Hesketh to Mr. Secy. Canning	D. March 9, R. May 15, —	Slaves imported. Maranhã 1825	111
74.	Mr. Consul Hesketh to Mr. Secy. Canning	D. March 11, R. May 15, —	Carolina	112
75.	Mr. Consul Hesketh to Mr. Secy. Canning Nine Enclosures	D. April 17, R. June 6, —	Carolina	112
76.	Mr. Consul Hesketh to Mr. Secy. Canning	D. April 20, R. June 6, —	Carolina	117
77.	Mr. Consul Hesketh to Mr. Secy. Canning Three Enclosures	D. May 6, R. June 19, —	Carolina. Sentence	117
78.	Mr. Secy. Canning to Mr. Consul Hesketh	D. June 22, —	Carolina. Approbation of con- duct	121
79.	J. Bidwell, Esq. to Mr. Consul Hesketh	D. July 15, —	Disposal of 2 Negroes	121
80.	Mr. Consul Hesketh to Mr. Secy. Canning One Enclosure	D. June 30, R. Aug. 21, —	Negroes landed from the Caro- lina	122
81.	Mr. Consul Hesketh to Mr. Secy. Canning Four Enclosures	D. July 5, R. Aug. 21, —	Nove de Março. Arsenia	123
82.	Mr. Consul Hesketh to Mr. Secy. Canning Eleven Enclosures	D. July 15, R. Sept. 16, —	Nove de Março. Vencedora	125
83.	Mr. Consul Hesketh to Mr. Secy. Canning Seven Enclosures	D. July 19, R. Sept. 16, —	Nove de Março	132
84.	Mr. Secy. Canning to Mr. Consul Hesketh	D. Sept. 25, —	Nove de Março. Approbation	136

LIST OF PAPERS.

No.		Date & Receipt.	SUBJECT.	Page.
85	Mr. Consul Hesketh to Mr. Secy. Canning -	D. Aug. 19, 1826. R. Oct. 21, —	Carolina. Ill treatment of Negroes - - -	136
86.	Mr. Consul Hesketh to Mr. Secy. Canning - Four Enclosures	D. Aug. 25, — R. Oct. 21,	Pedro Primeiro - - -	137
87.	Mr. Consul Hesketh to Mr. Secy. Canning - Two Enclosures	D. Sept. 15, — R. Nov. 15,	Slaves landed from the Pedro Primeiro - - -	140
88.	Mr. Consul Hesketh to Mr. Secy. Canning -	D. Sept. 27, — R. Nov. 15,	Slaves landed from the Carolina - - -	142
89.	Mr. Consul Hesketh to Mr. Secy. Canning - Two Enclosures	D. Oct. 14, — R. Dec. 22,	Pedro Primeiro - - -	142
90.	Mr. Consul Hesketh to Mr. Secy. Canning - Fifteen Enclosures	D. Oct. 28, — R. Dec. 22,	Pedro Primeiro - - -	144
91.	Mr. Consul Hesketh to Mr. Secy. Canning - One Enclosure	D. Oct. 30, — R. Dec. 22,	Carolina - - -	156
92.	Mr. Secy. Canning to Mr. Consul Hesketh -	D. Dec. 30, —	Approbation of conduct - - -	156
93.	Mr. Secy. Canning to the Right Hon. R. Gordon -	D. Aug. 4, —	Parliamentary Papers. Form of Correspondence - - -	156
94.	Mr. Secy. Canning to the Right Hon. R. Gordon -	D. Aug. 31, —	Nove de Março - - -	157
95.	Mr. Secy. Canning to the Right Hon. R. Gordon -	D. Sept. 7, —	Carolina. Disposal of Negroes - - -	157
96.	Mr. Secy. Canning to the Right Hon. R. Gordon -	D. Sept. 22, —	Nove de Março - - -	158

NETHERLANDS.

97.	Mr. Secy. Canning to Sir Charles Bagot -	D. March 13, 1826.	Vessels furnished with Instructions - - -	159
98.	Sir Charles Bagot to Mr. Secy. Canning -	D. March 17, R. March 20, —	Receipt of No. 97 - - -	159
99.	Mr. Secy. Canning to Sir Charles Bagot -	D. May 10, —	Want of Netherlands Cruizers off Surinam - - -	159
100.	Sir Charles Bagot to Mr. Secy. Canning -	D. May 12, R. May 15, —	Receipt of Parliamentary Papers - - -	160
101.	Sir Charles Bagot to Mr. Secy. Canning - One Enclosure	D. May 19, R. May 21, —	Netherlands Cruizers off Surinam - - -	160
102.	Mr. Secy. Canning to Sir Charles Bagot -	D. May 31, —	Licences to Slave-vessels. Amable Claudina. Charles - - -	161
103.	Sir Charles Bagot to Mr. Secy. Canning - One Enclosure	D. June 9, R. June 12, —	Netherlands Cruizers off Surinam. Licences - - -	161
104.	Sir Charles Bagot to Mr. Secy. Canning - One Enclosure	D. June 13, R. June 16, —	Licences to Slave-vessels - - -	163
105.	Mr. Secy. Canning to Sir Charles Bagot -	D. July 21, —	Licences to Slave-vessels. Vogel - - -	164
106.	Sir Charles Bagot to Mr. Secy. Canning -	D. July 25, R. July 27, —	Licences to Slave-vessels. Vogel - - -	164
107.	Sir Charles Bagot to Mr. Secy. Canning - One Enclosure	D. July 28, R. July 31, —	Licences to Slave-vessels. Vogel - - -	164
108.	Mr. Secy. Canning to Sir Charles Bagot -	D. Dec. 5, —	Ships furnished with Instructions - - -	165
109.	Sir Charles Bagot to Mr. Secy. Canning -	D. Dec. 15, R. Dec. 18, —	Receipt of No. 108 - - -	165
110.	Mr. Secy. Canning to Sir Charles Bagot -	D. Dec. 29, —	Registration of Slaves at Surinam - - -	166

FRANCE.

111.	Viscount Granville to Mr. Secy. Canning - Two Enclosures	D. March 10, 1826. R. March 13, —	La Clarisse. Les Deux Clementines - - -	167
112.	Mr. Secy. Canning to Viscount Granville - One Enclosure	D. March 14, —	La Jeune Caroline. L'Evenina - - -	168

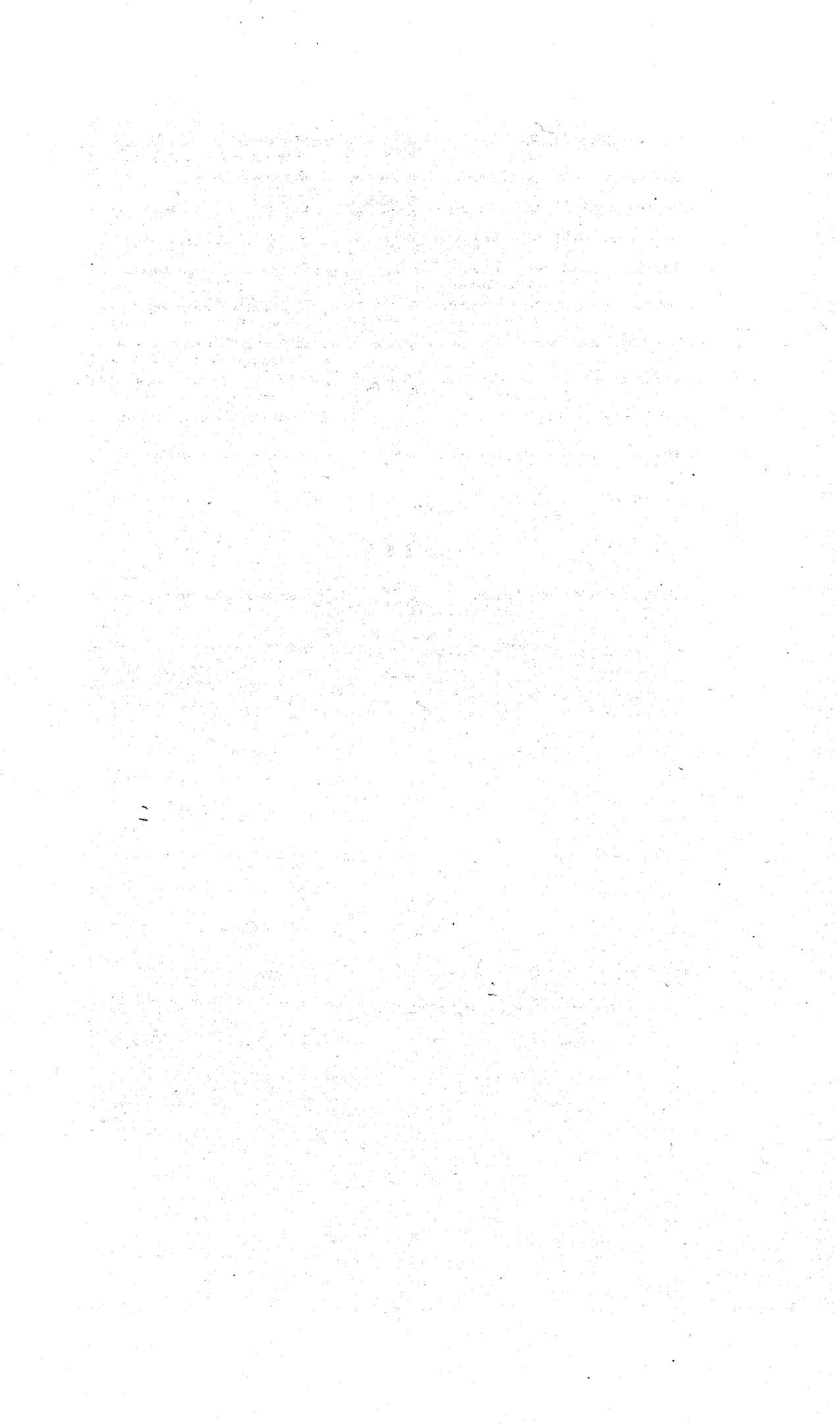
LIST OF PAPERS.

vii

No.		<i>Date & Receipt.</i>	SUBJECT.	Page.
113.	Viscount Granville to Mr. Secy. Canning One Enclosure	- D. March 20, 1826. R. March 23, —	Slave-trade at Nantes. La Jeune Caroline, and L'Evelina	169
114.	Mr. Secy. Canning to Viscount Granville	- D. March 28, —	Slave-trade at Nantes	- 169
115.	Viscount Granville to Mr. Secy. Canning	- D. March 27, R. March 30, —	Legislative Proceedings	- 169
116.	Viscount Granville to Mr. Secy. Canning	- D. May 12, R. May 15, —	Receipt of Parliamentary Papers	170
117.	Mr. Secy. Canning to Viscount Granville One Enclosure	- D. May 16, —	Double sets of Ships' Papers	- 170
118.	Viscount Granville to Mr. Secy. Canning One Enclosure	- D. May 26, R. May 29, —	Double sets of Ships' Papers	- 171
119.	Mr. Secy. Canning to Viscount Granville	- D. June 22, —	Chartering of French-vessels for Africa, North of the Line	- 172
120.	Viscount Granville to Mr. Secy. Canning One Enclosure	- D. June 30, R. July 3, —	Chartering of French-vessels	- 172
121.	Viscount Granville to Mr. Secy. Canning	- D. Dec. 11, R. Dec. 13, —	Proposed Law for the repres- sion of Slave-trade	173
122.	Mr. Secy. Canning to Viscount Granville	- D. Dec. 29, —	Receipt of the preceding	- 173

S W E D E N.

123.	Lord Bloomfield to Mr. Secy. Canning	- D. May 26, 1826. R. June 7, —	Receipt of Parliamentary Papers	174
------	--------------------------------------	------------------------------------	---------------------------------	-----



Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS.

SPAIN.

No. 1.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received May 1.)

(Extract.)

Madrid, April 22, 1826.

I HAVE the honour to acknowledge the receipt of your Despatches to the 25th February, upon the Slave-trade.

All complaints on this subject are at present answered, by a reference to the Orders recently transmitted to the Havannah. The Duke of Infantado declares his hope and belief, that these will be fully executed; and asserts the continuation of the determination of His Catholick Majesty to co-operate effectually in putting down this Traffick.

It has lately been represented to me, that Vessels have been fitted out at Cadiz, for the purpose of trading for Slaves on the Coast of Africa; but I have been deterred from speaking upon the subject to the Duke of Infantado, by the knowledge that their equipment was completed at Gibraltar. In confirmation of this, I enclose a Copy of a Letter from His Majesty's Consul at Cadiz to General Don.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) F. LAMB.

Enclosure in No. 1.

J. M. Brackenbury, Esq. to the Lieut.-Governor of Gibraltar.

SIR,

British Consulate, Cadiz, February 23, 1826.

I HAVE but a moment to save the Post, and must therefore briefly state, that, if your Excellency will be pleased to cause enquiry, whether a Vessel called the "*Cantabro*" be now in the Port of Gibraltar, you will find that she is completing her Outfit for a Slave Adventure.

She sails under French Colours, and belongs to a wealthy Merchant in this City, named Joaquim de Trueba.

Policies of Insurance are this day underwriting upon that Vessel; the risk from Gibraltar to the Coast of Africa, thence with a Cargo of Slaves to Cuba.

Your Excellency, upon this information, will, I presume, have no difficulty in causing search to be made.

The last Voyage which the "*Cantabro*" made was very quick, and very

profitable to the Owner. So rapidly does she sail, that, having fallen in with one of our Cruizers on the Coast of Africa, with a Cargo of Slaves on board, she sailed her out of sight in a few hours. This fact was stated as an inducement to the Underwriters for the present voyage.

I have, &c.

H. E. General Sir George Don, Bart. (Signed) J. M. BRACKENBURY.
&c. &c. &c.

No. 2.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received May 1.)

(Extract.)

Madrid, April 22, 1826.

AFTER the receipt of your Despatch upon the subject, I took an early opportunity of proposing to the Duke of Infantado, the removal of the Mixed Commission from Sierra Leone to the Island of Fernando Po. Having succeeded in disposing him favourably to the measure, I wrote to him upon the subject, and have the honour to enclose Copies of my Note, and of his Answer.

This not appearing to me sufficiently explicit, I applied to him on the 17th of April, before which day I had been unable to see him, after the receipt of his Note, to learn from whom he expected the further circumstantial details which he demands; and whether he thought of employing any Persons to procure them. He answered, that he did not; and that he expected them from the British Government: I then enquired to what points these details related, whether to the agreements to be made with the Inhabitants, and to the possibility of erecting habitations; remarking, that the practicability of these arrangements could only be ascertained by their execution. He replied, that these were the points to which his Note adverted, and that whenever I could notify to him that the Commission could be lodged on the Island, His Catholick Majesty would name a Commissioner to proceed there.

I then enquired, whether, if my Government should wish it, he would give me these explanations in writing: he professed his readiness to do so.

The Right Hon. George Canning, (Signed) F. LAMB.
&c. &c. &c.

First Enclosure in No. 2.

The Right Hon. F. Lamb to the Duke of Infantado.

Madrid, February 12, 1826.

THE Undersigned, &c. is directed to state to his Excellency the Duke of Infantado, His Catholick Majesty's Principal Secretary of State, that his Government has given due attention to the Reimonstrances which have been repeatedly made by the Courts of Madrid and Lisbon, against the unhealthiness of Sierra Leone, as the Seat of the Mixed Commissions for the Suppression of the Slave-trade.

The provision of the Treaties is, that one only of each Commission shall sit within the Dominions of Spain and Portugal, the other within those of His Majesty. The British Government has hitherto objected to the Proposals which have been made, for the removal of the Commission to some more salutary Residence, only because the Places proposed to be substituted have been always under the Dominion, and in the actual Occupation, of one or other of the Powers proposing the Change.

One Spot has at length been pointed out, which is not liable to this objection, the Island of Fernando Po, in Latitude 3. 30. North, Longitude 8. 0. East, and wholly without any European Occupation. It is situated in the heart of the Slave-trade, its Climate is salubrious, and the Soil sufficiently

fertile. There is reason to believe, that, by an amicable arrangement with the Natives (the only Inhabitants now upon the Island), some Situation, fitted for the reception of the Mixed Commission, may be peaceably occupied; and if the Spanish Government concur in the suggestion, Great Britain will take upon herself the expence of their convenient Establishment.

The Undersigned, &c.

His Excellency the Duke of Infantado,
 &c. &c. &c.

(Signed)

F. LAMB.

Second Enclosure in No. 2.

(Translation.)

The Duke of Infantado to the Right Hon. F. Lamb.

HONOURED SIR,

Palace, April 3, 1826.

I HAVE communicated to His Majesty The King, my Master, the contents of the Note which you were pleased to address to me on the 12th of last Month, relative to the Plan of transferring the Mixed Commission established at Sierra Leone, for adjudging such Cases as might arise in consequence of the Treaty concluded in 1817, respecting the Abolition of the Slave-trade, to the Island of Fernando Po, as being a Quarter more salubrious than the above, and situated in a central point of the Traffick. In reference to this Plan, and to others in connection with it, proposed by the English Government, His Majesty is only waiting for detailed Information, as to the possibility of realising the plan in question, before he accedes to the Proposal which forms the subject of your Note.

In the mean time, I avail myself, &c.

(Signed)

THE DUKE OF INFANTADO.

The Minister of His Britannick Majesty,
 &c. &c. &c.

No. 3.

Mr. Secretary Canning to the Right Hon. F. Lamb.

SIR,

Foreign Office, May 6, 1826.

I HEREWITH transmit to you, for your information, a Copy of Papers, marked A and B, relative to the Slave-trade, which has been presented to both Houses of Parliament by His Majesty's Command, in the course of the present Session.

I am, &c.

(Signed)

GEORGE CANNING.

The Right Hon. F. Lamb,
 &c. &c. &c.

No. 4.

Mr. Secretary Canning to the Right Hon. F. Lamb.

SIR,

Foreign Office, May 31, 1826.

I SEND to you the Copies of three Despatches which I have received from His Majesty's Commissioners at the Havannah, dated the 22d of February and the 16th and 23d of March,* reporting the circumstances under which the Spanish Brigantines, "*Magico*" and "*Orestes*," have been found on the Coast of Cuba, laden with Slaves from Africa.

The Spanish Government cannot fail to feel painful regret at the cruel conduct evinced towards these unfortunate Negroes, by Subjects of His

* See Class A. Nos. 63, 65, and 66.

Catholick Majesty; and will, I hope, be induced to submit, without further delay, for the Signature of The King of Spain, the Additional Article referred to you in my Despatch of this Series, of the 31st of January, the execution of which is calculated, more than any measure hitherto devised, to prevent similar atrocities.

The Right Hon. F. Lamb,
 &c. &c. &c.

I am, &c.

(Signed)

GEORGE CANNING.

No. 5.

Mr. Secretary Canning to the Right Hon. F. Lamb.

SIR,

Foreign Office, June 30, 1826.

By the enclosed Copy of a Despatch from His Majesty's Commissioners at the Havannah, dated the 15th April last,* it appears that a Royal Order of His Catholick Majesty has been published in the Island of Cuba, couched in the spirit, and to the purport, of the Decree which the Duke del Infantado announced to you as about to be passed for the more effectual Restriction of African Slave-trade Transactions connected with that Island.

You will express to the Duke del Infantado the satisfaction with which His Majesty's Government have seen this fulfilment of the expectation held out to you.

I am, &c.

(Signed)

GEORGE CANNING.

The Right Hon. F. Lamb,
 &c. &c. &c.

* See Class A. No. 69.

No. 6.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received July 17.)

SIR,

Madrid, July 3, 1826.

In compliance with the Instructions conveyed in your Despatch, dated the 31st May, I have addressed to the Duke of Infantado the Note, of which the enclosed is a Copy.

I have the honour to be, &c.

The Right Hon. George Canning,
 &c. &c. &c.

(Signed)

F. LAMB.

Enclosure in No. 6.

The Right Hon. F. Lamb to the Duke of Infantado.

Madrid, July 2, 1826.

THE Undersigned has the honour to transmit to his Excellency the Duke of Infantado, Copies of Despatches, with several Enclosures, which have lately been received from His Majesty's Commissioners at the Havannah, reporting the circumstances under which the Spanish Brigantines "*Magico*" and "*Orestes*," have been found on the Coast of Cuba, laden with Slaves from Africa.

Both these Vessels have been condemned by the Mixed Commission; and the facts which have come to light on the Trials, completely justify the Statements which have been made, on former occasions, to the Government of His Catholick Majesty, as to the mode in which the Trade in Slaves is carried on. They also tend to show, that even the Measures lately adopted for the prevention of this Traffick, will fail of success, unless a greater discretionary

power be given to the Cruizers of the two Nations; for the examination and detention of Slave-vessels, in Cases where no direct proof exists of the nature of their pursuits.

It appears from the Evidence given before the Mixed Commission, that it is the practice of Vessels engaged in this Traffick, to clear out for some Port on the Coast of Africa, providing themselves with regular Papers at the Havannah, for the purposes of legitimate Trade; that on arriving at their destination, they do not embark any part of the cargoes, until the whole number of slaves they require is complete. While these are collecting, they remain upon the Coast, during which time it frequently happens that they are visited by His Majesty's Cruizers (as occurred in the Case of the "*Orestes*,") but, having no slaves on board, cannot be detained. When they are ready, they take advantage of the first favourable opportunity for embarking, at once, their whole cargo (an operation which requires only a few hours), and immediately run across, disembark them at the first convenient landing-place, and return to Port in ballast.

Unless, therefore, one of these Vessels happens accidentally to fall in with a Ship-of-War on her voyage home, which probably does not happen in above one instance in ten, there is little chance of detection. All the Securities required against the employment of Ships in this Trade, and all the Regulations made with a view of ascertaining the real objects of their voyages, must prove abortive, while these means of evasion remain unprovided against.

It is obvious, therefore, that, under these circumstances, the greatest benefit would result from the Government of His Catholick Majesty consenting to the Signature of the Additional Article, which the Undersigned had the honour of proposing to his Excellency the Duke of Infantado, in his Note of the 19th of February ultimo, which would operate as a greater check to the practices of the Slave-traders, than any Measure hitherto devised. A similar Article was signed some years ago by His Majesty The King of the Netherlands, which has fully answered the purpose in view; and when the Government of His Catholick Majesty considers the details of cruelty brought to light in the enclosed Papers, and reflects on the extent of human misery which would, in so many Cases, be prevented by the adoption of the proposed Regulation, the Undersigned feels convinced that it will not hesitate to propose this Measure to His Catholick Majesty, without delay.

He avails himself, &c.

His Excellency the Duke of Infantado,
&c. &c. &c.

(Signed)

F. LAMB.

No. 7.

Mr. Secretary Canning to the Right Hon. F. Lamb.

(Extract.)

Foreign Office, July 21, 1826.

I AM concerned to have to send to you in the accompanying Copy of a Despatch from His Majesty's Commissioners at the Havannah, dated the 14th ultimo,* sufficient proofs of the utter inefficacy of the Royal Decree, recently passed at Madrid, for the more effectual suppression of illegal Slave-trade in the Island of Cuba.

It is almost with despair of any useful result that I direct you to communicate with the Duke del Infantado upon this Subject; but it is necessary that you should do so, and that you should employ, in that Communication, every topick which you may think likely to make an impression on the mind of the Spanish Minister.

The Right Hon. F. Lamb,
&c. &c. &c.

(Signed)

GEORGE CANNING.

* See Class A. No. 75.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received, Aug. 29.)

(Extract.)

Madrid, August 18, 1826.

HAVING taken an opportunity of speaking with the Duke of Infantado on the subject of your Despatch on the Slave-trade, of the 21st ultimo, I found him warmly concurring in the dangers to be apprehended to Cuba from the importation of fresh Slaves, and convinced that the Orders given from hence would be sufficient to put a stop to it. He seemed unwilling to believe that the indisposition of the Local Authorities, and the difficulty of procuring Evidence, would be sufficient to neutralize the effect of His Catholick Majesty's Decrees.

In the course of this Conversation, I enquired of the Duke what were the objections to signing the Additional Article, to which he answered, that he was not aware of any that need prevent it; making some, however, afterwards, which were chiefly of a metaphysical nature, as to the injustice of inflicting Confiscation, where no crime had been actually committed. As I thought that, upon accurate examination, he would find these objections to be unfounded, I requested him to give me an Answer upon the Subject in writing, which he promised to do.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) F. LAMB.

No. 9.

Mr. Secretary Canning to the Right Hon. F. Lamb.

(Extract.)

Foreign Office, September 11, 1826.

I HAVE received your Despatches of this Series to the 18th of August last. His Majesty's Commissioners at the Havannah have been instructed to send Home such accurate information as, at any time, they may be enabled to obtain (and more particularly such as can be supported by evidence), which may furnish grounds whereon to frame Remonstrances to the Spanish Government upon any infractions or evasions of the Treaty of 1817, and also such information as they can give upon the question, as to the effect of the Decree recently promulgated by His Catholick Majesty, for the more effectual suppression of the Slave-trade in Cuba.

I transmit to you a full Power for concluding and signing with the Ministers of Spain an Additional Article to the Treaty of 1817, upon Slave trade, similar to that signed with the Netherlands.

The only difference which is desirable to be made between this Article and that which you will have to sign, is, that the power of acting under it should be extended to two degrees Westward of the Coast, instead of being, as at present, confined to within one degree thereof; and you will act accordingly in the Negotiation of this Article.

The Right Hon. F. Lamb,
&c. &c. &c.

(Signed) GEORGE CANNING.

No. 10.

Mr. Secretary Canning to the Right Hon. F. Lamb.

SIR,

Foreign Office, October 3, 1826.

THE enclosed Papers* contain some account of Cases, of which there have recently occurred many instances, in which the Flag of His Catholick Majesty has been abused, for the purpose of committing acts of piracy.

It appears that it is the custom of the Owners of these Spanish Piratical Vessels, the greater part of which, there is reason to suppose, are equipped at the Havannah, to send them out, fitted both for Trade and for War; but their Trade is the proscribed Trade in Human Beings, and the War they wage is a War of Piracy.

It is their practice to hover on the Coast of Africa, where, if they can conveniently barter for, and embark a cargo of Slaves, they proceed with that cargo, generally, direct to the Island of Cuba. If they do not succeed at once in this barter, or if an opportunity for piracy previously presents itself, they seize the first Vessel they meet with, preferring one that may be laden with Slaves; taking possession of the Vessel, they murder, or put on Shore, the white men found on board, and proceed with the Vessel and Cargo to Cuba, where they land the Slaves surreptitiously, at the back of the Island, and then enter in ballast at the Havannah.

An instance will be found to have recently occurred, in which an English Prize Crew has disappeared, murdered, as it is suspected, by these Pirates. The name of the Pirate Vessel in question is supposed to have been the "*Gabilar*," or "*Pelican*," and the Captain and Crew have as yet escaped the conviction and punishment due to their crimes.

Another instance, which forms the particular object of this Despatch, has more recently occurred, in the Case of a Vessel, said to be named, the "*Carolina*," whose Captain and Crew, meeting the "*Netuno*," a Slave-ship, under charge of an Officer of His Majesty's Ship "*Esk*," endeavoured to obtain the Ship's Papers, and to force that Officer to repair on board the "*Carolina*."

They were happily defeated in their object, as the accompanying Papers will show. But His Majesty's Government have, in consequence of their attempted outrage, deemed it incumbent on them to issue Orders to the Officer commanding His Majesty's Ships and Vessels on the Coast of Africa, to seize the "*Carolina*" and her Crew, if she shall be found on his Station, and to send them to England for trial; together with Mr. Crawford, and the party with him in the "*Netuno*," to give evidence.

The British Admiral commanding in the West Indies, has also been directed to give similar Instructions to his Cruizers, to be executed, in case the "*Carolina*" should be found on his Station.

His Majesty doubts not but that His Catholick Majesty will enter fully into the feelings which have prompted these proceedings for summary redress on the Pirates in question, and will give directions to His Authorities, both in the Mother Country and at Cuba, to seize the "*Carolina*" whenever they may meet with her, and to deliver up her Crew to be tried for Piracy.

You will address a Representation to this effect to the Spanish Government.

I am, &c.

The Right Hon. F. Lamb,
&c. &c. &c.

(Signed) GEORGE CANNING.

* See Class A. Correspondence, 1825—1826, No. 16, 5nd Class A. of this Series, Nos. 11 and 41.

No. 11

Mr. Secretary Canning to the Right Hon. F. Lamb.

SIR,

Foreign Office, October 6, 1826.

AN Extract of your Despatch of the 22d April last, of this Series, which adverted to the equipments for Slave-trade, alleged to have taken place at Gibraltar, has been transmitted to the Colonial Department, and I now send to you, for your information, Copies of the several Communications which have been received at this Office from that Department, showing the measures which have been adopted by the Governor of Gibraltar, for the repression and punishment of any transactions at that Place, having for their object the promotion, direct or indirect, of African Slave-trade.

I am, &c.

The Right Hon. F. Lamb,
 &c. &c. &c.

(Signed) GEORGE CANNING.

First Enclosure in No. 11.

R. W. Hay, Esq. to Joseph Planta, Jun., Esq.

SIR,

Downing-Street, May 20, 1826.

I HAVE laid before Earl Bathurst your two Letters, under date of the 10th and 16th of May, in the latter of which is enclosed an Extract of a Despatch from Mr. Lamb, His Majesty's Ambassador at the Court of Madrid, in which he states, that "he had been deterred from making Representations to the Duke of Infantado, on the fitting out of Vessels at Cadiz, for the purpose of trading for Slaves on the Coast of Africa, by the knowledge that their equipment was completed at Gibraltar," and for this he refers to a Communication made by Mr. Consul Brackenbury to the Lieut. Governor of Gibraltar, which is the same Communication as that of which a Copy was transmitted to Earl Bathurst, by Mr. Secretary Canning's direction, in the first Letter, of the 10th instant. Earl Bathurst, therefore, concludes, that Mr. Lamb has no other knowledge of the truth of these allegations, than what is contained in the Communication made by Mr. Consul Brackenbury, above referred to.

The Lieutenant-Governor of Gibraltar had already communicated to Earl Bathurst a Correspondence which had taken place, with reference to the Ships stated by Mr. Consul Brackenbury to have been equipped in the Bay of Gibraltar. A Copy of this Despatch from the Lieutenant-Governor, together with its several Enclosures, and a Copy of Earl Bathurst's Instructions to the Lieutenant-Governor, dated the 13th of October 1825, referred to in the Lieutenant-Governor's Despatch, are herewith transmitted for the information of Mr. Secretary Canning.

With respect to the Draft of the Proclamation proposed by the Lieutenant-Governor to be published at Gibraltar: as any Publick Instrument generally, directing the exercise, in time of Peace, of the Right of Search, not only of British Vessels, but of Vessels belonging to Countries in amity with His Majesty, requires to be carefully examined, (regard being had to the locality of the Bay of Gibraltar, and the sensibility which Foreign Nations have shewn, with respect to this Right of Search), although confined to Vessels suspected of being engaged in the Slave-trade, Earl Bathurst referred the Draft to the Deputy Judge Advocate of Gibraltar, now on leave of absence in England, and has consulted such legal advice as appeared to be called for, and his Lordship will not fail to communicate, before the departure of the Mediterranean Mail, for Mr. Secretary Canning's information, a Copy of the amended Draft of the Proclamation, which the Lieutenant-Governor will be instructed forthwith to publish.

I am, &c.

Joseph Planta, Jun. Esq.
 &c. &c. &c.

(Signed) R. W. HAY.

First Enclosure (A.) in No. 11.

The Lieutenant-Governor of Gibraltar to Earl Bathurst.

MY LORD,

Gibraltar, February 12, 1826.

HAVING received from Mr. Brackenbury, His Majesty's Consul at Cadiz, a Letter, of which the enclosed is a Copy, in which he expresses a belief that the Spanish Brig, called the "*Maria Isabel*," sailed from that Port on the 20th ultimo, for this Place, for the purpose of completing her outfit here for the Slave-trade, I directed the Captain of the Port to make diligent enquiries on the subject, and report to me thereon, which he has done, but without having discovered any thing which could lead to a supposition that the Vessel in question is bound on a Slaving-voyage, as your Lordship will perceive by the accompanying Copy of that Officer's Report.

Under the above circumstances, I referred Mr. Brackenbury's Letter and Mr. Sweetland's Report to Mr. Foye, the principal Law Officer here, for his opinion, as to what further steps should be taken respecting the Vessel in question; and by the annexed Copy of Mr. Foye's Report, it appears, with reference to these Papers, that there are no facts before me whereon to ground legal Proceedings, touching the said Vessel.

But in pursuance of your Lordship's Instructions, contained in your Letter of the 13th October last, I have used my best endeavours to obtain further information, relative to the "*Maria Isabel*," as well as the Schooner "*Proserpina*," (concerning which I had the honour of writing to your Lordship on the 27th July last), and this information being more circumstantial than the Statements contained in those Letters, I have considered it my duty, with the advice of Mr. Foye, to prepare a Proclamation, of which the enclosed is a Draft, to empower the Captain of the Port to detain, and diligently to search, all Vessels which may be suspected of being engaged in the Slave-trade, and which I trust your Lordship will approve; as being not only the most likely mode of detecting such illegal proceedings, but also of intimidating such Persons as may be disposed to engage in them.

It is proper that I should acquaint your Lordship, that the "*Maria Isabel*" was consigned to Mr. Achoval, a Spanish Merchant, now residing in this Garrison.

I have, &c.

(Signed)

GEO. DON,

General and Lieut.-Governor.

The Right Hon. Earl Bathurst, K. G.
 &c. &c. &c.

P. S.—Since writing the above, I have received another Communication from Mr. Brackenbury, in which he states, that Policies of Insurance have been effected at Cadiz, both upon the "*Maria Isabel*" and the "*Dichosa*," the former at 23, and the latter at 20 per cent.; and that the risk on both was to the Coast of Africa, and thence with Slaves to the Havannah. (Signed) G. D.

First Enclosure (B.) in No. 11.

Mr. Consul Brackenbury to the Lieutenant-Governor of Gibraltar.

SIR,

British Consulate, Cadiz, January 23, 1826.

I APPREHEND that your Excellency will find, upon enquiry, that the Brig-Schooner "*Maria Isabel*," which sailed from this Place on the 20th, for Gibraltar and St. Thomas, is gone to the Fortress of Gibraltar, not to take in a cargo for St. Thomas, but to complete her outfit for the Coast of Africa, her real object being the illegal and inhuman Traffick in Slaves; and it is my duty, I conceive, to call your Excellency's attention to the fact, lest any British Subject residing in Gibraltar should be concerned in any part of so disgraceful a proceeding. It might perhaps be advisable to keep a lookout upon a Spanish Schooner, called "*La Dichosa*," if she should be at Gibraltar.

She sailed with the "Maria Isabel" from hence on the 16th, nominally for St. Thomas, and it was not until the former Vessel put back for some repairs, on the 17th, that I discovered in the Maritime Diario of Cadiz, that she had sailed on the preceding day for Gibraltar; that fact was not mentioned in the same Paper of the 16th.

I have, &c.

(Signed)

J. M. BRACKENBURY.

His Excellency Sir George Don, G.C.B.

&c.

&c.

&c.

First Enclosure (C.) in No. 11.

Captain Sweetland to the Lieutenant-Governor of Gibraltar.

SIR,

Gibraltar, January 27, 1826.

IN attention to your Excellency's commands, I have made enquiry respecting the destination of the Spanish Vessel "*Maria Isabel*," and have failed to procure any information which could lead to a supposition of her being bound on a Slaving-voyage. I have seen the Consignee of this Vessel on the subject, and explained to him the disgrace which must attend detection in being concerned in the fitting or supplying Vessels destined for such purpose. He received my observations with becoming indignation, asking the name of the author of the report. I said I could not tell him who he was, but that your Excellency had received positive information from Cadiz, that the "*Maria Isabel*" was fitted for a Slaving-voyage, and should the report be true, he, as the Consignee and Shipper of goods on board her, became, by our Laws, a principal in the delinquency.

It is much to be regretted that no clue is furnished for tracing this transaction; it is still more so that the Information was not furnished to the Spanish Authorities, instead of your Excellency, as by the Slave Treaty with Spain; a Spanish Vessel cannot be detained on suspicion of being engaged in Trading in Slaves, unless she have actually Slaves on board. The Spanish Government, on the other hand, might, on complaint, have caused the Ship to be searched; and if shackles, or large boilers, or certain other articles, used on board Slave-ships, might have been found on board, legal measures would have been taken with the Parties concerned. At all events, these Informations should be laid publicly and officially, and some reasonable ground of suspicion stated. According to the present practice, your Excellency is charged with all the responsibility of an Information, and at the same time deprived of the means of acting on it. I should strongly recommend your Excellency to consult the Crown Lawyers on this Communication, with a view to ascertain what steps the Slave Act, and Slave Treaties with Spain, enable you to take in the premises, bearing in mind always, that the Cadiz Information is unaccompanied by any corroborating proof, or even suspicion; and that the Consignee affirms the destination of the Vessel to be the Danish Island of St. Thomas, from whence, or Cuba, she is to return with a cargo of Indigo and Cochineal.

The "*Dichosa*" is not here.

I have, &c.

(Signed)

WILLIAM SWEETLAND

His Excellency General Sir George Don, G.C.B.

&c.

&c.

&c.

First Enclosure (D.) in No. 11.

W. Foye Esq. to Colonel Chapman.

SIR,

Court House, Gibraltar, February 4, 1826.

WITH reference to your Letter of the 30th of January, transmitting to me

the Letters of Mr. Consul Brackenbury and Mr. Sweetland, on the subject of the Spanish Vessel "*Maria Isabel*," suspected to be fitting out for the Slave-trade; and requesting, by the desire of his Excellency the Lieut.-Governor, my opinion for the information of his Excellency, as to any and what steps should be taken respecting the Vessel in question; I have to request you will inform his Excellency, as my opinion, that, with reference to the Letters above stated, his Excellency has not any facts before him whereon to ground legal Proceedings, touching the Spanish Vessel the "*Maria Isabel*."

I have, &c.

Colonel Chapman, C.B.

(Signed)

W. FOYE.

First Enclosure (E.) in No. 11.

(Draft.) *Proclamation by His Excellency Sir George Don, &c. &c. &c.*

WHEREAS his Excellency the Lieutenant-Governor has received information, that several Vessels have recently come to this Port, for the purpose of completing their preparations for the inhuman and detestable Traffick in Slaves; and whereas the acts of all Persons who may be engaged or concerned in the equipment or lading of Vessels, whether British or Foreign, in a British Port, for the Slave-trade, are in direct violation of the late Acts of Parliament, which render such proceedings highly penal: With a view, therefore, to lead to the detection and prosecution of such Persons as may appear, on sufficient evidence, to be engaged or concerned in such illegal Traffick, his Excellency is hereby pleased to empower and direct the Captain of the Port to detain, and diligently to search, all Vessels touching here, which may be suspected of being engaged, or about to be engaged, in the Slave-trade; and to report to his Excellency forthwith such grounds of accusation as the result of his search and enquiries may enable him to make; of which Publick Notice is hereby given, that none hereafter may plead ignorance.

Given at Gibraltar, this day of 1826.

By Command.

First Enclosure (F.) in No. 11.

Mr. Consul Brackenbury to the Lieutenant-Governor of Gibraltar.

SIR,

British Consulate, Cadiz, February 16, 1826.

IN proof of the wisdom of the measures which your Excellency has so recently resolved to adopt, and in corroboration of the accuracy of the information which I transmitted on the 23d ultimo;

I have now the honour to acquaint your Excellency, that Policies of Insurance have been effected in this City, both upon the "*Maria Isabel*" and the "*Dichosa*," the former at 23, the latter at 20 per cent. The risk on both was to the Coast of Africa, thence with Slaves to the Havannah.

I have, &c.

(Signed)

J. M. BRACKENBURY.

His Excellency Sir George Don, G.C.B.

&c.

&c.

&c.

First Enclosure (G.) in No. 11.

The Lieutenant-Governor of Gibraltar to Earl Bathurst.

MY LORD,

Gibraltar, March 2, 1826.

I HAVE the honour to transmit to your Lordship, herewith, a Copy of a Letter which I have received from Mr. Brackenbury, His Majesty's Consul

at Cadiz, respecting a Spanish Vessel under French Colours, named "*Cantabro*," which he suspects has come to this Place, for the purpose of completing her preparations for a Slave adventure.

Immediately on the receipt of Mr. Brackenbury's Letter, I caused enquiry to be made on the subject, by which it appears, that a French Brig, under the above-mentioned name, arrived in this Port on the 18th January last, from Antwerp, and cleared from hence, on the 21st of the same month, for St. Thomas. This Vessel was consigned to Messrs. Perez and Calafat, Spanish Merchants, in this Garrison, and is, I have little doubt, the same Vessel as that mentioned in Mr. Brackenbury's Letter.

I have, &c.

(Signed)

GEORGE DON,

General and Lieut.-Governor.

The Right Hon. Earl Bathurst, K.G.
&c. &c. &c.

First Enclosure (H.) in No. 11.

Mr. Consul Brackenbury to the Lieutenant-Governor of Gibraltar.

SIR,

British Consulate, Cadiz, February 23, 1826.

I HAVE but a minute to save the Post, and must therefore briefly state, that if your Excellency will be pleased to cause enquiry, whether a Vessel called the "*Cantabro*" be now in the Port of Gibraltar, you will find that she is completing her outfit for a Slave adventure.

She sails under French Colours, and belongs to a wealthy Merchant in this City, named Joaquim de Trueba.

Policies of Insurance are this day underwriting upon that Vessel; the risk from Gibraltar to the Coast of Africa, thence with a cargo of slaves to Cuba.

Your Excellency upon this information, will, I presume, have no difficulty in causing search to be made.

The last voyage which the "*Cantabro*" made was very quick, and very profitable to the Owner. So rapidly does she sail, that having fallen in with one of our Cruizers on the Coast of Africa, when she had a cargo of slaves on board, she sailed her out of sight in a few hours: this fact was stated as an inducement to the Underwriters for the present voyage.

I have, &c.

(Signed)

J. M. BRACKENBURY.

His Excellency Sir George Don, G.C.B.
&c. &c. &c.

First Enclosure (I.) in No. 11.

Earl Bathurst to the Lieutenant-Governor of Gibraltar.

SIR,

Downing-Street, October 13, 1825.

I HAVE to acknowledge the receipt of your Despatch of the 27th July last, enclosing Copies of a Correspondence which has passed between you and His Majesty Consul at Cadiz, together with a Report from the Captain of the Port of Gibraltar, relative to the Spanish Schooner "*Proserpina*," which is conceived to have been fitted out there for the purpose of being employed in the Slave-trade, and you request to be furnished with Instructions for the guidance of your conduct, in the event of any Spanish Vessel attempting in future to fit out for the Slave-trade.

Upon this subject, I have to acquaint you, in reply, that the acts of all Persons who may be concerned in the equipment or lading of Vessels, whether British or Foreign, in a British Port, for the Slave-trade, are con-

trary to the Abolition Laws, which are now consolidated in the 5th Geo. 4, Cap. 113, of which I enclose a Copy for your information.

You will observe, that the 2d, 4th, 7th, and 10th Sections of that Statute, render such proceedings highly penal, and it is your duty to encourage any information against the offences under that Act, which can be supported on proper evidence.

The 4th Section authorizes the Seizure of the Ship; and if sufficient Evidence could be obtained, the Vessels might be seized and prosecuted. It will be necessary, however, that you should proceed with great caution, and you will take care to collect and transmit accurate descriptions of the Vessels and Persons who may be suspected of being engaged in the Slave-trade, on reasonable grounds, though there may not be sufficient Evidence to warrant proceedings against them.

I have, &c.

(Signed) BATHURST.

H. E. General Sir George Don, G. C. B.

&c.

&c.

&c.

Second Enclosure in No. 11.

R. W. Hay, Esq. to Joseph Planta, Jun. Esq.

SIR,

Downing-Street, June 15, 1826.

WITH reference to my Communication of the 20th ultimo, I have received the directions of Earl Bathurst to transmit to you, enclosed, a Copy of the Draft of a Proclamation, which his Lordship proposes to instruct the Lieutenant-Governor of Gibraltar to promulgate in that Garrison, for the purpose of making known the penalties which are denounced by Law against all Persons who shall infringe the provisions of the Slave Abolition Acts; and I am to desire, that you will lay this Paper before Mr. Secretary Canning for his information.

I am, &c.

Joseph Planta, Jun., Esq.

(Signed)

R. W. HAY.

&c.

&c.

&c.

Second Enclosure (A.) in No. 11.

Draft of Proclamation to be issued by the Lieutenant-Governor of Gibraltar.

WHEREAS it hath been represented to us, that certain Ships and Vessels owned by the Subjects of Foreign States in Amity with His Majesty, are suspected to have entered the Bay of Gibraltar, and the Roadstead, and Anchorage Ground of Gibraltar, for the purpose of fitting out, or completing their outfit for voyages undertaken by them, for the purpose of carrying on the Trade in Slaves on the Coast of Africa; now, We, being desirous to the utmost of our power to prevent all such illegal practices, do hereby warn all His Majesty's Subjects within the said Garrison and Territory of Gibraltar, and the Port, Roadstead, and Anchorage Ground thereof, that any Person or Persons who shall be engaged in the fitting out, manning, navigating, equipping, dispatching, use, or employment, letting, or taking to freight, or on hire; or who shall contract for the fitting out, manning, navigating, equipping, dispatching, using, employing, letting, or taking to freight, or on hire; any Ship, Vessel, or Boat, in order to accomplish any of the objects or contracts declared unlawful by the Statute made and enacted by His Majesty, with the advice and consent of the Parliament of the United Kingdom of Great Britain and Ireland, in the 5th Year of His Majesty's Reign, for the Abolition of the Slave-trade; or who shall lend or advance, or become security for the loan or advance, or who shall contract for the lending or advancing, or for the loan or advance of money, goods, or effects, employed, or to be employed, in accomplishing any of the illegal objects or contracts aforesaid; or who shall become guarantee and

security, or contract for the becoming guarantee or security, for Agents employed, or to be employed in accomplishing any such illegal objects or contracts; or who shall in any other manner engage, or contract to engage, directly or indirectly therein; or who shall ship, tranship, lade, receive, or put on board, or contract for the shipping, transshipping, lading, receiving, or putting on board, of any Ship, Vessel, or Boat, money, goods, or effects to be employed in accomplishing any of the said illegal objects or contracts, shall and will incur and become subject and liable to all and singular the pains, penalties, and forfeitures, provided in and by the said Statute, for the punishment of Persons guilty of all, or any of the Offences aforesaid; and We do hereby strictly command and enjoin all Judges and Officers, Civil and Military, and all other His Majesty's Subjects within the Town and Garrison of Gibraltar, that they and each of them in their respective Places, be, to the utmost of their respective ability, assisting in the prevention or detection of all such Offences as aforesaid, as they will answer the contrary at their peril; and We do hereby warn and strictly command and enjoin all His Majesty's Subjects within the said Garrison and Territory, that they do abstain from all such illegal practices, and from aiding, comforting and abetting any Person or Persons engaged therein, on pain of His Majesty's highest displeasure, and of incurring the several penalties in and by the said Act of Parliament in that behalf provided.

Third Enclosure in No. 11.

R. W. Hay, Esq. to Joseph Planta, Jun. Esq.

SIR,

Downing-Street, September 16, 1826.

WITH reference to your Letters of the 10th and 16th of May last, on the subject of certain Vessels which the British Consul at Cadiz was induced to believe had completed their equipments at Gibraltar for the African Slave-trade; I am directed by Earl Bathurst to enclose, for the information of Mr. Secretary Canning, Copies of a Despatch, and its Enclosures, received from Sir George Don, in Answer to one which was addressed to him in consequence of those Communications; and I am to request, that you will submit to Mr. Canning, Earl Bathurst's opinion, that, as His Majesty's Minister at Madrid, in his Answer to Sir George Don's enquiries, states, that he had no other information of the Slave-trade being carried on through assistance obtained at Gibraltar, than what he derived from Mr. Consul Brackenbury, it does not appear, according to the Correspondence which had taken place, from time to time, on this subject, between the Consul and Sir George Don, Copies of which were transmitted to you in my Letter of the 20th May last, that it can be justly imputed to the latter, that he had allowed Vessels fitted out at Cadiz for the Slave Trade to be completed at Gibraltar, the report of which prevented His Majesty's Minister at Madrid from entering into discussions on that subject with the Duke of Infantado.

Joseph Planta, Jun. Esq.
 &c. &c. &c.

I am, &c.

(Signed) R. W. HAY.

Third Enclosure (A.) in No. 11.

The Lieutenant-Governor of Gibraltar to Earl Bathurst.

MY LORD,

Gibraltar July 20, 1826.

I HAVE had the honour of receiving your Lordship's Despatch of the 21st May last, enclosing Copies of Two Communications from the Foreign Office, of the 10th and 16th of the same Month, on the subject of certain Vessels, which it is alleged had completed their equipment at this Place, for

the African Slave-trade, and desiring that I would lose no time in transmitting to your Lordship whatever Correspondence may have passed, not hitherto transmitted, between me and Mr. Brackenbury, His Majesty's Consul at Cadiz, in regard to the Vessels in question, or to any others which may be presumed to have come to the Place, for a similar purpose; and also instructing me to apply to His Majesty's Minister at Madrid, for the purpose of learning whether he is in possession of any facts, or general information upon this subject, beyond the statements which he has received from Mr. Brackenbury.

I have now the honour to acquaint your Lordship, that Copies of the whole of the Correspondence which passed between myself and Mr. Brackenbury, respecting the Vessels alluded to, together with such information as I had obtained on the subject, accompanied my Communications to your Lordship of the 27th July 1825, 12th February, and 2d March 1826. I find, however, that two Letters on the same subject, which were addressed to the Earl of Chatham by Mr. Brackenbury in July 1824, were not transmitted to your Lordship; and I beg, therefore, to enclose Copies of them herewith, and likewise Copies of the Answers which were given to them by his Lordship's directions.

By the annexed Copy of a Letter, which I have received from His Majesty's Minister at Madrid, your Lordship will observe, that he is in possession of no information on the subject of Vessels fitting out for the Slave-trade at this Port, beyond the statements received from Mr. Brackenbury.

I have, &c.

(Signed) GEORGE DON,

General and Lieut.-Governor.

The Right Hon. Earl Bathurst, K. G.
&c. &c. &c.

Third Enclosure (B.) in No. 11.

Mr. Consul Brackenbury to the Governor of Gibraltar.

MY LORD,

British Consulate, Cadiz, July 12, 1824.

I THINK it right to acquaint your Excellency that two Spanish Vessels are fitted out in this Port, in such a manner as to leave no doubt, that it is the intention of the Owners to employ them in the Slave-trade.

Facts so notorious as these cannot be unknown to the Spanish Authorities here; and the objects of the Owners of these Vessels have been facilitated by granting them Licences to carry Guns. The particulars of the Vessels, with their reputed destinations, I have the honour to enclose; one of which, the "*Alerta*," sailed yesterday for Gibraltar; I understand that four more Vessels are about to be taken up here for the same inhuman traffick.

I have apprised Mr. Secretary Canning of these occurrences, as well as his Excellency Sir William à Court; and I do myself the honour to submit them likewise to your Excellency, that they may be made known to the Officers of the British Navy touching at Gibraltar, in case any of them should be ordered to the Coast of Africa.

I have no reason to believe that there is any other Capital than that of Spaniards in this odious Enterprize.

I have the honour to be, &c.

(Signed) J. M. BRACKENBURY.

Spanish Schooner "*Bella Dolores*," Don Antonio Guerrero, Master, burthen 170 tons, James Tinto, Owner, bound to St. Augustin, in the Island of Madagascar.

Brig "*Alerta*," Don Antonio Echeverria, Master, burthen 290 tons, Miguel Azopardo, Owner, bound to Gibraltar and Havannah.

(Signed) J. M. BRACKENBURY.

H. E. General the Earl of Chatham, K. G.
&c. &c. &c.

Third Enclosure (C.) in No. 11.

Colonel Chapman to Mr. Consul Brackenbury.

SIR,

Gibraltar, July 20, 1824.

HIS EXCELLENCY the Governor has desired me to acknowledge the receipt of your Letter of the 12th instant, on the subject of two Spanish Vessels fitting out in the Port of Cadiz, in such a manner as to induce you to believe that it is the intention of the Owners to employ them in the Slave-trade, and that one of them (the *Alerta*) had sailed for this Place. In reply thereto, his Lordship has directed me to express his thanks for the zeal you have manifested, and that, should any British Men-of-War touch at this Place for the Coast of Africa, his Lordship will avail himself of your suggestion, to give them the information contained in your Letter.

*J. M. Brackenbury, Esq.*I have, &c.
(Signed) S. R. CHAPMAN.

Third Enclosure (D.) in No. 11.

Mr. Consul Brackenbury to the Governor of Gibraltar.

MY LORD,

British Consulate, Cadiz, July 17, 1824.

I HAD to address your Excellency on the 5th and 12th instant, since which time one of the Spanish Vessels alluded to in my Letter, namely, the "*Alerta*," has sailed from the Port, and is now in Gibraltar Bay, taking in such a cargo as demonstrates too plainly the inhuman trade in which the Owner means to employ her.

Amongst other things, the Brig has been taking in iron, which has been cut into bars of short lengths, a strong presumptive proof that the investment is for the Coast of Africa. It is my duty, my Lord, to represent to your Excellency such facts connected with this disgraceful Enterprise as have come to my knowledge, facts upon which your Excellency might place every reliance, if they were not susceptible of corroboration, at the Seat of your own Government: namely, that the Spanish Brig "*Alerta*," Antonio Echeverria, Master, is now completing her cargo, for the Coast of Africa, in the Port of Gibraltar; that she is nominally consigned to an English House there, but is virtually under the direction of the Owner, Miguel Azopardo.

As the nominal Consignees are young men of respectability, it is most earnestly to be hoped that they are ignorant of the enormity of their conduct, in suffering themselves to be instrumental to the detestable project of the Owner, by being purchasers for him, in an English Settlement, of the Articles which he wants for the outfit of a Slave-ship, though cloaked by him under false, and, perhaps, plausible pretences; what is, however, known to me at Cadiz, and to others, ought to be known to the nominal Consignees at Gibraltar; and I conceive, too, that your Excellency should likewise know that Miguel Azopardo, the Owner of the "*Alerta*," is himself at Gibraltar, directing every purchase, and superintending every other preparation of his Brig, the "*Alerta*," for a Slave voyage to the Coast of Africa.

I have, &c.

(Signed) J. M. BRACKENBURY.

H. E. General the Earl of Chatham, K.G.,
&c. &c. &c.

Third Enclosure (E.) in No. 11.

Colonel Chapman to Mr. Consul Brackenbury.

SIR,

Gibraltar, July 28, 1824.

YOUR Letter to his Excellency the Governor, of the 17th instant, relative to the Spanish Brig "*Alerta*," mentioned also in your former one of the

5th instant, has been received, and his Lordship has directed me to repeat his assurance of giving the necessary information, should any of His Majesty's Vessels, bound for the Coast of Africa, touch at this Place, in their way for that destination.

I have, &c.

J. M. Brackenbury, Esq.

(Signed)

S. R. CHAPMAN.

Third Enclosure (F.) in No. 11.

The Right Hon. Frederick Lamb to the Lieutenant-Governor of Gibraltar.

SIR,

Madrid, July 7, 1826.

WITH reference to your Letter of the 28th ultimo, I have to acquaint you, that I am in possession of no information on the subject of Vessels fitting out for the Slave-trade, beyond the Statements received from Mr. Brackenbury. Should any facts come to my knowledge, I shall lose no time in communicating them to you.

I have, &c.

H. E. Gen. Sir George Don, K.C.B.
 &c. &c. &c.

(Signed) F. LAMB.

No. 12.

Mr. Secretary Canning to the Right Hon. Frederick Lamb.

SIR,

Foreign Office, November 10, 1826.

I HAVE to transmit to you the accompanying Copies of Despatches from His Majesty's Commissioner at the Havannah*.

These Despatches prove most clearly that the Royal Order, transmitted from Madrid to the Havannah, for the more effectual execution of the Stipulations on African Slave-trade, is become a mere dead letter; and that the Colonial Authorities of His Catholick Majesty, to whom the execution of this Order was especially confided, not only connive at the evasion of it, but openly shew that the discretionary power which they possess, will be made use of by them, to screen from detection and punishment the most clear and undoubted Slave-trade transactions, in the very Port of the Capital of the Province, and before the eyes of the Governor himself.

The "*Minerva*," a Spanish Slave-trader, was chased into the Havannah by His Majesty's Sloop "*Pylades*;" demand was made for her examination by the Mixed Commission, and a refusal was given by the Governor, on the pretext that she was not actually captured; the real fact being, that she escaped into the Port of the Havannah, and that the British Officer (out of respect to His Catholick Majesty's Flag), instead of taking possession of her, requested the interference of that very Governor to fulfil the Orders of his Sovereign.

Boats full of Slaves were seen to hurry from this Vessel. British Officers, placed in a Boat near the Vessel, solemnly attested the fact. The Governor, on its being represented to him, treated the statement of His Majesty's Officers as utterly unworthy of credit, and still refused to proceed against the Vessel, alleging, that there was no pretence for supposing that she had traded in Slaves; and although the regular Gazette of the Port had, on her com-

* See Class A.—Nos. 84, 86, 88, and 89.

mencing her voyage, declared that she was sailing for Africa, the Governor intimated, that that account also was not to be believed, and that she came, as the Captain now reported her, from Puerto Rico.

A British Officer then went on board of the Vessel, and found every thing indicating that her cargo had been Slaves. The Governor still declined to act, even so far as to take the Depositions, declaring all the reports against the Vessel to be idle rumours.

It further appears, that, subsequently, some Slaves from this Vessel were, on their passage from the Havannah to a Port at the back of the Island, taken by a British Cruizer, and that the Vessel on board of which they were was tried by the Mixed Commission. Such, however, is the intimidation employed in the Island of Cuba against those who denounce Slave-traders, that the very Person, on whose information the capture was made, dared not give in Court his Evidence to the facts of which he was a Witness.

A question being put, in the course of the Proceedings, whether the Slaves were part of the cargo of the "Minerva," the Spanish Commissioners objected to it, on the ground that such questions did not involve the immediate merits of the Case before them, and it was not until the Spanish Governor had understood that the British Schooner was swamped, to which the Officer and men belonged, who had witnessed the disembarkation of the Slaves, that he offered to take their Depositions.

The extraordinary conduct of the higher Authorities, in regard to this Case of the "Minerva," can only be explained by a suspicion, which cannot but be attached to the conduct of these Authorities, namely, that they themselves must be in some degree interested in the success of these illegal transactions.

With these causes, however, His Majesty's Government have nothing to do; but they cannot silently see the solemn Compacts entered into between the two Countries thus flagrantly infringed.

I have to desire, therefore, that you will bring these facts to the knowledge of the Government of His Catholick Majesty, and will acquaint the Spanish Minister, that His Majesty's Government do not presume to judge what steps it is necessary for the Spanish Government to take, in respect to the Authorities who have thus acted in direct opposition to the Instructions, and abused the high power entrusted to them by their Sovereign; but that, unless some step be taken by the Spanish Government to protect and ensure the execution of the Instructions issued by them, in conformity to their Treaty, it is little less than a mockery to allow His Majesty's Commissioners to reside any longer at the Havannah, a Port which the Slave-traders will henceforth consider as the Harbour for their Cargoes, and for which they will openly and directly run their Vessels, laden with Slaves, as the safest mode of ensuring the success of their undertakings.

I am, &c.

(Signed) GEORGE CANNING.

*The Right Hon. Frederick Lamb,
&c. &c. &c.*

No. 13.

Mr. Secretary Canning to the Right Hon. Frederick Lamb.

SIR,

Foreign Office, December 14, 1826.

I HEREWITH send to you the Copy of a Letter from His Majesty's Consul at Cadiz, dated the 26th of October last, enclosing a publick Advertisement in the Gazette of that City, for the sale of a Negress.

You have been made aware that similar Advertisements have already

more than once, during the time which you have held His Majesty's Mission at Madrid, appeared in the publick Newspapers of Cadiz.

These acts of slave purchase and sale, in Spain itself, are entirely repugnant to the spirit of the Stipulation by which the Catholick King, in the 1st Article of the Treaty of 22d of September 1817, "engages to His Majesty, that the Slave-trade shall be abolished throughout the entire Dominions of Spain, on the 30th day of May 1820."

I have received The King's Commands, therefore, to desire, that you will place these facts before the Spanish Government, with the expression of His Majesty's hope, that you will receive in Answer, an intimation, that Orders will be given, immediately and publickly, for the discontinuance of a practice which, by its prevalence in the Mother Country, must afford an example, the effect of which cannot but be injurious to the due maintenance of the Faith pledged by His Catholick Majesty in his Compacts with this Country, for the abolition of the Slave-trade.

I am, &c.

The Right Hon. Frederick Lamb, (Signed) GEORGE CANNING.
&c. &c. &c.

First Enclosure in No. 13.

Mr. Consul Brackenbury to John Bidwell, Esq.

SIR,

Cadiz, October 26, 1826.

I BEG to enclose a Cadiz Diario of yesterday, which contains an Advertisement for the sale of another Negress.

I have made this fact known to his Excellency Mr. Lamb.

I have, &c.

John Bidwell, Esq.

(Signed) J. M. BRACKENBURY.

Second Enclosure in No. 13.

(Translation.)

(1).—*Extract from the Diario Mercantil of Cadiz, Wednesday, Oct. 25. 1826.*

A NEGRESS, 20 years of age, is to be sold. She knows how to sew, to wash, to iron, to cook, &c. Further particulars in the Calle de las Escuelas, No. 160.

No. 14.

Mr. Secretary Canning to the Right Hon. Frederick Lamb.

SIR,

Foreign Office, December 15, 1826.

IN reference to my Despatch to you of this Series, dated the 10th ultimo, upon the subject of the flagrant acts of Slave-trade, committed openly and with impunity, in the Case of the Slaves imported into the Havannah, on board of the Spanish Schooner "*Minerva*," and afterwards transported into another part of the Island of Cuba on board of the Spanish Steam-vessel "*Mexicano*;" I have to transmit to you the Copy of a Communication from the Admiralty to this Department, containing some further details upon the subject of this Case.

You will make such use as may appear to you to be be advisable of these Documents, in your Correspondence with the Spanish Government upon the matter in question.

I am, &c.

The Right Hon. Frederick Lamb, (Signed) GEORGE CANNING.
&c. &c. &c.

First Enclosure in No. 14.

John Barrow, Esq. to Joseph Planta, Jun. Esq.

SIR,

Admiralty Office, December 6, 1826.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, Copies of a Letter, and its Enclosures, from Vice Admiral Sir Lawrence W. Halsted, respecting the Slave-trade carrying on on the Coast of Cuba.

I am, &c.

Joseph Planta, Jun. Esq.
 &c. &c. &c.

(Signed) JOHN BARROW.

Second Enclosure in No. 14.

Vice-Admiral Sir L. W. Halsted to J. W. Croker, Esq.

"Magnificent," in Port Royal Harbour,

SIR,

Jamaica, September 29, 1826.

COMMANDER JACKSON, of His Majesty's Sloop "Pylades," having forwarded to me several Reports relating to the detention of Spanish Vessels engaged in the illicit Traffick in Slaves, on the North Coast of Cuba, and also to the impunity with which that Trade is still carried on there, I send, herewith, Copies of the same, for the information of my Lords Commissioners of the Admiralty.

The Enclosures, numbered from 1 to 8, shew, that the "Pylades and Magpie," Schooner, on the 16th ultimo, chased into the Port of Havannah a very suspicious Schooner, which afterwards proved to be "*La Minerva*," under Spanish Colours, having on board upwards of 200 Negroes, who, notwithstanding immediate information thereof was given to his Excellency Don Dionisio Vives, the Captain General, and to Commodore Laborde, Seventy of them (women) were landed at a publick shipping wharf, in open day-light, on the day she was chased into the said Port; and the remainder the same night, as the enclosed Papers incontestably prove.

In further elucidation of the circumstances of this extraordinary affair, I beg their Lordships' attention to the detailed Affidavit, No. 9, which I have obtained from Mr. (now Lieutenant) Nott, who came to join the "Harlequin," by the "Union," Schooner, which brought me Commander Jackson's Despatches; and I purpose obtaining the Oath of Lieutenant Hast also, to a duplicate of the said Affidavit, on the return of the "Pylades." The Case of this Vessel is, I am informed, before the Spanish Admiralty Court, for decision, and not before that of the Mixed Commission.

By the further Enclosures, numbered from 10 to 14, their Lordships will learn, upon Commander Jackson having received good information, that some of the above-mentioned Negroes, who were landed from the Schooner "*La Minerva*," were concealed on board the Spanish Steam-vessel "*Mexicano*," which plies between Havannah and Matanzas, he, on the 20th August, boarded her when she was out three miles from the Moro; and although her Master most positively denied there were any such Negroes on board, and evinced every desire to resist being searched, 20 new Negroes, for whom he had no Passports, were discovered secreted below.

In this Case I must likewise refer their Lordships to the detailed Affidavit, which I have received from Lieutenant Nott, No. 15, and to a Duplicate of which, on the return of the "Pylades," I shall also obtain the Oath of Lieutenant Hast. The result of this Trial before the Court of Mixed Commission was; that the "*Mexicano*" should be restored, the Spaniards interested having produced the greatest number of Affidavits; though, in this restoration, their

Lordships will find by the Enclosure No. 14, that W. S. Macleay, Esq. the British Commissioner of Arbitration, has not concurred. With such glaring Cases as these, happening in the Port of Havannah, their Lordships will readily believe, that the Schooner "*La Dichosa*," mentioned in the last Enclosure, No. 16, found no difficulty whatever in landing her slaves at an Out Port, as reported by the late Lieutenant Smith, who is perfectly correct in remarking, that this is not a solitary instance of the Spanish Brig-of-War "*Bellona*," affording countenance to Vessels engaged in the Slave-trade; the Brig alluded to in the Enclosure, No. 3, of my Despatch of the 24th August, 1825, being this same "*Bellona*."

From the circumstances of the Case of the "*Mexicano*," it will be apparent to their Lordships, how easily the Provisions of the Convention for the suppression of the Traffick in Slaves may be evaded, if the people of Cuba can transport their Slaves coastwise, without Passports emanating from the highest local Authorities. A Slave-vessel, in short, need only succeed in landing her cargo on any point of the Coast, and at leisure remove them with impunity to all Parts of the Island.

I have the honour to be, &c.

J. W. Croker, Esq.
&c. &c. &c.

(Signed) L. W. HALSTED, Vice-Admiral.

Second Enclosure (1.) in No. 14.

Captain Jackson to Vice-Admiral Sir L. W. Halsted.

(Extract.)

H. M. S. "Pylades," Havannah, Sept. 11, 1826.

ON the 16th ultimo, in company with the "*Magpie*," we observed a very suspicious looking Vessel, which afterwards proved to be the Spanish Slave-schooner "*Minerva*," standing in for the Land. Letters, numbered from 2 to 8, and Lieut. Smith's Letter, No. 5, will fully explain the circumstances attending this nefarious transaction, wherein it has since come to my knowledge, that part of the Slaves from the said Schooner were landed during day-light even in the Port of Havannah, the others, as Lieut. Smith's above-mentioned Letter will shew, were positively landed during the Night.

On the Morning of the 20th ultimo, I boarded the Steam-vessel "*Mexicano*," out 3 miles from the Moro; my Letters, numbered 10 to 14, and the Statement of Lieut. Hast and Mr. Nott, Mate, No. 13, contain an explanation of the cause of her detention; but in writing the Letter No. 13, I could not possibly foresee, that Oaths would be made, and handed in, as opposite to truth as the North is to the South Pole.

First, the Master of the Vessel swore, that she was within musket-shot of the Moro when boarded; next, that he did not deny having Slaves on board, nor permission to search, and that they were not secreted away.

Count San Fernando (the Owner of the Slaves) swore they had been nine Months in the Island; the Curate, that he had baptized them; and the Overseer of the Estate, that they had been that time on the Property.

The Governor, being applied to by the Commissioners, to know if he had been in the habit of giving Passports, replied, that he had not; though this was a solitary instance of truth on that side of the question, it was, nevertheless, a subterfuge, for he, some Months previously, made a Proclamation, forbidding the conveyance of Slaves from one part of the Island to another, consequently no Passports were applied for.

The Boarding Officer, or myself, was not called on to give Evidence, or we would have had no difficulty in proving, by their own statement, the perjury they had committed. Notwithstanding every thing appears to me as plain as the light at Noon-day, yet, on the 29th of August, the Court decided that I should give up the Vessel, although they acknowledged the correctness of my Statement. They have decidedly acted contrary to Evidence.

Mr. Macleay, Commissioner of Arbitration, will send home his Opinion the first opportunity, which is, that the Vessel should be condemned, because the act of detention was just; but the Spanish Commissioners say, there is no penalty attached to a breach of that Article, thereby shewing a determination to take advantage of every trifle in favour of the Trade, though contrary to the true meaning of the Acts for the Abolition of Slavery.

However, I am of opinion, that the landing of the Slaves from the "Dichosa," the "Minerva" Schooner, in the face of all the Authorities in the Harbour of Havannah, the detention of the "Mexicano" Steam-vessel, together with the decision of the Court, will bring the matter to such a crisis, as to cause the adoption of the necessary Measures to ensure the impossibility of a recurrence of the kind.

At this moment, the Trade is so far free that they may carry Slaves from one part of the Island to another, although it could be proved that they had only been landed the day before.

Mr. Nott has given his Evidence before the Court alluded to by the Governor, and can answer any questions you may think necessary for your information.
(Signed) G. V. JACKSON, Commander.
Vice-Admiral Sir L. W. Halsted.

Second Enclosure (2.) in No. 14.

Captain Jackson to the British Commissioner of Arbitration at the Havannah.

SEE First Enclosure in No. 84, Class A.

Second Enclosure (3.) in No. 14.

Captain Jackson to the Captain-General of Cuba.

SEE Ninth Enclosure in No. 84, Class A.

Second Enclosure (4.) in No. 14.

The Captain-General of Cuba to Captain Jackson.

SEE Fourth Enclosure in No. 84, Class A.

Second Enclosure (5.) in No. 14.

Lieutenant Smith to Captain Jackson.

SIR, *His M's. S. "Magpie," Havannah, Aug. 16, 1826.*

IN obedience to your orders I anchored here last Night, and proceeded on Shore, to gain any further particulars relating to the Schooner chased into this Port by His Majesty's Sloop under your command. A rumour was prevalent of her having Slaves on board at that moment.

Agreeably to your directions, I then stationed a Boat to watch her movements during the Night, which duty devolved on Mr. Nott, whom you sent with us, and was executed with much vigilance on his part.

Between the hours of 11 and 12, he observed 6 or 7 Boats leave her, full of Negroes, and, from following them closely, bears witness to their landing at the Shipping Wharf near the Church of San Francisco. Information of the above fact was immediately given to the Commodore's Ship, and conceiving a moment's delay would be of consequence, I communicated with the Captain-General and Commodore Laborde as soon as it was possible, which Communication I have the honour to enclose.

Shortly previous to your anchoring I examined the Schooner, in company with a Spanish Officer, and found her as follows: "La Minerva," Manuel Fernandez, Master, 3 guns and 35 men, said to be 42 days from Porto Rico, in ballast, but in every respect fitted as a Slaver, and, from her appearance alone, must have landed her cargo very recently.

I have, &c.

(Signed) EDW. SMITH, Lieut. and Commander.

Commander Jackson, "Pylades."

Second Enclosure (6.) in No. 14.

Lieutenant Smith to the Captain-General of Cuba.

*His Majesty's Schooner "Magpie," Havannah,
August 17, 1826, 11.30. P. M.*

SIR,

I BEG to report to your Excellency 6 or 7 Boats full of Negroes are now in the act of landing at the Shipping Wharf from the Schooner chased by His Britannick Majesty's Sloop "Pylades" to this Port.

I have, &c.

(Signed) EDW. SMITH, Lieut. and Commander.

His Excellency General Vives.

Second Enclosure (7.) in No. 14.

The Captain-General of Cuba to Lieutenant Smith.

SEE Third Enclosure in No. 84, Class A.

Second Enclosure (8.) in No. 14. (Translation.)

Captain Laborde to Lieutenant Smith.

*On board the "Guerrero," in the Port of Havannah,
August 17, 1826.*

SIR,

BY the Letter, dated at half-past 11 o'Clock last Night, which you delivered to me this Morning, I am informed, that at that hour there were 6 or 7 Boats landing Negroes that have been brought here in a Spanish Merchant Schooner, which was chased into this Port yesterday by the English Sloop-of-War "Pylades," concerning which circumstance the necessary enquiries had already been instituted, in consequence of a Communication from his Excellency the Captain-General of the Island, in which he enclosed to me the Letter he had received from you on the same subject.

I have the honour, &c.

Lieutenant Smith.

(Signed) ANGEL LABORDE.

Second Enclosure (9.) in No. 14.

Affidavit of Lieutenant Nott.

Statement of Circumstances relative to the "Minerva," Spanish Slave Schooner, which came under my immediate notice while serving in His Majesty's Sloop "Pylades," on the Havannah Station.

ON the 16th of August 1826, about 2. 30. P. M., I was ordered by Captain Jackson to proceed into the Havannah, and examine a suspicious Schooner, under Spanish Colours, chased by His Majesty's Sloop "Pylades" into that Port; and if any opposition should be made to my so doing, to apply to the Spanish Flag-Ship for assistance.

In pursuance of these directions, I proceeded on board the Schooner, then just anchoring, and apparently in charge of a Spanish Naval Officer and guard. On stating my desire to know from whence the Schooner had arrived, and what Cargo she had on board, the Naval Officer commanded that no Person should reply to my questions but himself; and then informed me, through the medium of a man who spoke English, that a British Officer had no right to demand any account of a Spanish Vessel under Spanish Colours in a Spanish Port.

I replied, that from the Vessel's suspicious appearance, and from her having used every exertion, both by sweeps and sails, to escape from a British Man of War, I felt perfectly justified in making such demand, and that if it was

not complied with, I must make application to the Spanish Authorities for the requisite information.

He said the Master had supposed he was chased by a Colombian Cruizer, and further gave me to understand that no more questions should be answered unless enforced by an order from the Governor.

From the anxiety expressed by the Master of the Vessel, that none of her Crew should communicate with the Men of the "Pylades;" from the dilapidated state of her hull, masts, and rigging; and from the hatchways being carefully closed, and covered with loose spars, &c.; my suspicions were not only excited that she had been engaged in the illicit conveyance of Slaves from the Coast of Africa, but that a considerable number were actually on board at the moment of my visiting her. This I stated to the Commanding Officer of "Le Guerrero," the Commodore's Flag Ship, and from him demanded assistance to make the necessary investigation. He referred me to the Commodore himself at the Admiralty-House, where I was informed by the Secretary and Flag Lieutenant, in junction with the Officer I had previously seen on board the Schooner, that the Commodore was dining with the Governor.

To the Flag Lieutenant, who spoke English fluently, I related the circumstances attached to the Vessel chased in by the "Pylades," and also expressed my desire to be furnished with permission to satisfy myself by ocular demonstration, whether she had Negroes on board or not. This was refused by the Secretary and himself, on the former plea, that I had no right to question a Spanish Vessel in a Spanish Port.

From hence I proceeded to the Governor's, and requested to be admitted to his presence. I was informed by an Officer in waiting, that his Excellency was engaged, and also that the Commodore had not dined there. I recapitulated my suspicions relative to the Schooner, to the first Officer, and to two others who had joined him; on which one, apparently of rank, accompanied me to the Wharf; and having clearly ascertained which was the Vessel, and fully possessed himself of all circumstances relative to her, both from me and others, he embarked in a Government Boat, and went on board her, desiring me to meet him at the Governor's Palace on his return; which I did, and was there informed, after a consultation of considerable length, in which, besides the three Officers already mentioned, two other Gentlemen joined, "that the Governor did not feel authorized either to permit me to examine the Vessel, or to furnish me with any particulars respecting her, for the information of the Captain of the "Pylades," until she had been officially reported to him by the Commandant of Marine, at whose Office I must apply."

On returning to the Admiralty Office, I found that the Spanish Boat's Crew, who had accompanied the Governor's Officer to the Schooner, had communicated to my men that she was the "Minerva" from Princes Island, with 250 slaves then on board. To the Secretary I stated this additional circumstance, and again desired to be admitted to the presence of the Commodore, whose absence he did not then mention, but entered an inner Apartment, as I imagined, for the purpose of communicating my desire. After some time had elapsed he rejoined me, and declared that the Commodore was in the Country, and would not probably arrive till very late.

It was now near sun-set, after which time, no Boats are allowed to leave the Harbour, without especial permission; I therefore returned to the "Pylades," informing the Captain of all the particulars here related, also of my opinion, that if a possibility existed of a Vessel entering the Havannah with Negroes, the "Minerva" had a considerable number stowed beneath her hatches at the time of my boarding her; and moreover that I had perceived on my passage out of the Port, that she had removed from her first anchorage, to a Wharf situated near Casa Blanca, the general rendezvous for Vessels engaged in the Slave-trade.

On this Captain Jackson ordered the "Magpie," Lieutenant Smith, to proceed into the Harbour, and anchor as near to the suspected Vessel as possible; providing me with a Boat, that I might have an opportunity of observing the motions of the "Minerva," during the Night.

On anchoring, Lieutenant Smith and myself proceeded on Shore, and there found it publickly reported that the "Minerva" had arrived that day from the Coast of Africa with between 200 and 300 Negroes on board, though her name was enrolled at the Custom-House, as being from Porto Rico, 30 days, in ballast.

For the purpose of watching her, I lay as near to the Vessel as the risk of discovery would admit, being accompanied by 2 Seamen in the "Magpie's" Boat; and between the hours of 11 and 12, perceived a common Passage-boat, provided with an awning, leave the quarter of the "Minerva" which was next the Wharf, and make for the Havannah, followed by two more; I ran alongside the first, and clearly saw, by the aid of the Moon, which was full and unclouded, at least 20 unclouted Negroes stowed in the bottom of her, with their heads shaved.

The Boatman seized on some missile, and discharged it at my head, which, however, it passed, and striking the side of the Boat, fell into the water. Not wishing to encounter a repetition of this, without retort, nor yet to excite alarm, I produced a pistol, and threatened if he did not pull quietly on his course, to silence him with the contents of it.

I examined the second and third Boats, in like manner, and found that they contained a cargo similar to the first; but guarded each by 2 or 3 people in Spanish habits, and these I perceived were followed by 3 or 4 more.

My orders being expressly to observe, and not to attack, I quietly rowed at a small distance, till they finally, to the number of 6 or 7 large Boats, landed upwards of 100 Negroes on one of the most publick Wharfs in the Havannah, at the back of the Church of St. Francisco, and within 20 yards of a Spanish Guard-House, containing Soldiers. It may be proper also to mention, that the Negroes were all handed from the Boats to the deck of an American Vessel exposed for sale, and thence to the Wharf.

Immediately the landing was effected, several of the Boats gave chase to me, and as, from the cursing of the boatmen, I had every reason to suppose their intent was hostile, I returned to the "Magpie," and acquainted Lieutenant Smith with the foregoing circumstances, and by his directions gave immediate intelligence to the Commanding Officer of the Flag Ship, that the "Minerva" was at that time landing Negroes on the Wharf of St. Francisco.

His reply was, "that he had no authority to interfere in the prevention of it, but that the Commodore should be furnished with my report in the "Morning."

The 2 men who accompanied me in the Boat this Night, and declared themselves ready to make Oath to all the particulars in this Statement, are, I regret to observe, involved in the unfortunate fate of the "Magpie."

At day-light I conveyed a written Account of the events of the preceding Night to the Governor, from Lieutenant Smith, and on being admitted to the presence of his Excellency, was told by him, that he would instantly communicate with the Admiralty on the subject, and give me an Answer, which he did, and I subsequently delivered it to Lieutenant Smith, who had in the mean time waited on the Commodore, and, as he stated to me, been supplied by him with an Order to examine the "Minerva," in company with the Harbour Master; and that he had found her in that state which Vessels usually are, who have, after a very long voyage, recently landed Negroes; being excessively dirty, with the holds perfectly clear, except of water casks, and the remains of those provisions which are usually supplied to Negroes, such as rice, oil, &c.; also, that she was armed with one long 9-pounder amid-ships, and an 18-pounder carronade on each broadside. He moreover informed me, that the Commodore had confessed to him that he was at home on the preceding Evening at the time that I had waited on him, but that being fatigued he had denied himself.

On Monday, the 4th of September, I was examined on the honour of a British Officer, before one of the Admiralty Courts, respecting the fact of the "Minerva" having landed Negroes in the Havannah Harbour, and the manner in which it was effected.

On this occasion my evidence was similar in all points to the above relation, at which the Naval Commandant, presiding, expressed some surprize, as he had a letter (which he read) from the Harbour Master, who had examined the Vessel with Lieutenant Smith, stating, that they both concurred in opinion that she had *not been* engaged in the illicit conveyance of Slaves, for that there was no room or accommodation in her for that Traffick, or provision on board, save such as was customary to provide for a Spanish Crew. I replied, "I regretted much the lamented death of Lieutenant Smith prevented his appearing to falsify what I, however, there publickly declared to be totally void of truth.

On a demand being made for the two Seamen who had accompanied me, and were unfortunately drowned; and some demur occurring as to want of more evidence, I pointed out Mr. Wade, Master of the "Mary Brade," Liverpool Merchant-ship, who, with his two Apprentices, had, about sun-set of the Evening of the 16th of August, seen and counted 64 female Negroes, handed from the hold of the "Minerva," and thence to the Wharf alongside which she was moored. This Gentleman's evidence, with that of his two Apprentices, has been, as I subsequently learnt from him, demanded in the same Court, and taken on oath. To all that is here stated I am ready to swear, should I be called upon so to do.

Signed by me in Port Royal Harbour, } (Signed) JOHN N. NOTT,
September 27, 1826. } Acting Lieutenant.

P.S.—In the conversations mentioned in the foregoing Statement, I either spoke French, when it was understood, or had the assistance of an Interpreter who spoke Spanish and English. (Signed) JOHN N. NOTT.

As far as the Undersigned Deponent has mentioned in the foregoing Statement that he himself was personally concerned, he voluntarily maketh oath to the truth thereof. (Signed) JOHN N. NOTT.

Sworn before me, this 30th day of } (Signed) JOSEPH BARNES,
September 1826, at Kingston. } Mayor.

Second Enclosure (10.) in No. 14.

Captain Jackson to the Mixed Commission at the Havannah.

SEE First Enclosure in No. 89, Class A.

Second Enclosure (11.) in No. 14.

Captain Jackson to the Captain-General of Cuba.

SIR, *H. M. Sloop "Pylades," Havannah, Aug. 22, 1826*

I HAVE the honour to acquaint your Excellency that, on the 20th instant, I detained the Steam-vessel "*Mexicano*," Don Joze Lopez, Master, in consequence of her having on board 20 Slaves, in direct violation of Article 7 of the Treaty concluded between Their Britannick and Catholick Majesties, on the 23d of September 1817.

The more minute particulars, your Excellency will be furnished with by the British Commissioner. I have, &c.

(Signed) G. V. JACKSON, Commander.

His Excellency General Vves.

Second Enclosure (12.) in No. 14. (Translation.)

The Captain-General of Cuba to Captain Jackson.

*Office of the Captain-General of the ever Faithful Island of Cuba,
Havannah, August 26, 1826.*

AS the subject of the detention of the Steam-boat "*Mexicano*," from the circumstance of there being on board of her, as you state, 20 Slaves, relates to the Mixed Commission, I have this day written to the Members of the said Commission, and directed them to institute the necessary enquiries into the subject, conformably to the ends of justice; and I mention this in reply to your Letter of this date, in which you are pleased to communicate the occurrence to me.

God preserve you many Years,

(Signed) F. D. VIVES.

The Commander of the English Frigate "Pylades."

Second Enclosure (13.) in No. 14.

Statement of Lieutenant Philip Hast, and Mr. John Nott, Mate of His Majesty's Ship "Pylades."

ON Sunday the 20th day of August 1826, at 6. 30. A. M., the Ship being then about 4 miles East of the Moro, we, Lieutenant P. Hast, and Mr. Nott, Mate, did, in pursuance of orders, board the Steam-vessel "*Mexicano*," to discover if, in accordance with the information received against her, she was in any manner engaged in the illicit Traffick of Negro Slaves: on stating our intent to the Master of the Vessel, he positively refused to allow search of any description to be made, at the same time declaring, that he had no Negroes on board, but the Servants attached to the Passengers, who were to be seen on deck. He then loudly desired the helm to be put up that he might run back to Havannah. This was prevented, and a Boat dispatched to the Ship for further Instructions. In the mean time we proceeded to the fore part of the deck among the Negro Servants there assembled, and do positively declare that they were not to be identified with, nor did in any manner resemble the Slaves afterwards found in the hold. On ordering the fore-hatches to be lifted, the Crew jumped on them, and refused to be removed unless by violence. On the return of the Boat with additional force, and orders to search, let what would occur, the Master, by the advice of the Passengers, declined further resistance, and delivered up the charge of the Vessel. Lieutenant Hast then proceeded, with a party of hands, into the fore-hold, and though sufficient light was conveyed, both hatches being off, he perceived no person there. Mr. Nott and more hands then descended, and was likewise convinced that no living creature was openly visible, but, on removing some furniture, chairs, tables, &c. 14 Negroes were produced from beneath them, stowed between the bulk-heading that separated the Steam-boilers from the Vessel's side, and 6 more (females) from the fore-peak, secreted by rope, sails, and a hawser being coiled upon them. The Master was then informed, that if he possessed a Licence from the Government of Havannah, authorizing the conveyance of these Negroes, the detention would be withdrawn; but he produced only a Paper permitting the Vessel to run between Havannah and Matanzas for 30 days; on which she was taken in charge by the Officers and Crew of His Majesty's Ship.

From the miserably emaciated and diseased state of the Slaves, their awkward manner of using the new clothes with which they had evidently been just supplied; their total ignorance of European customs, and of any European language; and also from observing that their heads were close shaved, after

the manner of those recently imported, we do not hesitate in declaring our firm belief, that they could not have been landed many days, and the more especially as the Passengers, far from concealing, rather openly spoke of and joked on the subject of their being part of the cargo of the "Minerva" Slave-schooner, chased in by the "Pylades" a few days previous. And moreover, our belief in this is strengthened, by having heard the Master of the British Brig * "Mary Brade," of Liverpool, say, that he recognised one of the women (remarkable in her appearance), as having been landed from the "Minerva" on her arrival in Havannah.

We have further to observe, that out of fifty-three passengers, six alone (and those general Traders between the two Ports) were not supplied with regular Passports from the Government; and that all the Negroes, with the exception of the 20 secreted in the hold, were either separately furnished with such Document, or included in that of their Masters.

Given under our hands, on board His Majesty's Sloop "Pylades," Havannah, this 24th day of August, 1826.

(Signed) PHILIP HAST, Senior Lieutenant.
JOHN N. NOTT, Mate.

* Wm. Spade, Owner. Brade and Moore of Liverpool.

Second Enclosure (14.) in No. 14.

Sentence of the Mixed Commission at the Havannah, in the Case of the "Mexicano."

SEE Eighth Enclosure in No. 89, Class A.

Second Enclosure (15.) in No. 14.

Affidavit of Lieutenant Nott.

Statement of Occurrences relative to the Detention of the "Mexicano" Steam Packet, off the Havannah, by His Majesty's Sloop "Pylades."

ON the 20th of August 1826, about 6 A. M., the Ship being then at least 4 miles from the Moro Fort, I was ordered by Captain Jackson to proceed, under the command of Lieutenant Hast, and examine the Steam Packet "Mexicano," apparently on her passage to Matanzas, to discover, by diligent search, whether she was in any manner engaged in the illicit conveyance of slaves from one Port in the Spanish Possessions to another, as most expressly forbid by Article 7, which he pointed out to me, in the Treaty between Their Catholick and Most Christian Majesties The Kings of Spain and Great Britain.

Accordingly, on boarding the "Mexicano," by direction of Lieut. Hast, I demanded of the Master his Licence from the Government of Havannah, to convey the Negroes to Matanzas, which I knew, from positive information, were then on board. He denied having any Negroes, and, consequently, the necessity of a Passport of this description; calling out, at the same time, in junction with the Passengers, to return to the Havannah, and ordering the helm to be altered for that purpose, which I immediately prevented by taking the tiller from the helmsman, and placing a guard over it. Lieut. Hast then stated his orders to search the Vessel, which the Master intimated he should not do, again denying the presence of any Negroes on board, except the Servants of the Passengers, who were all on the deck. Lieut. Hast then dispatched a Boat to the "Pylades" for additional force and instructions; and, in the mean time, we both proceeded among those Blacks assembled on the fore-part of the deck; and I am ready to make Oath, that

they were not to be identified with, nor did in any manner, except form and colour, resemble those Negroes afterwards discovered secreted in the hold.

On ordering the fore-hatches to be lifted, several of the Crew jumped on them, and refused to be moved, unless by force. The generality of the Passengers began now to be vehemently clamorous, desiring the Master, if he had any Negroes on board, to produce them, that the Vessel might be liberated, and permitted to return to the Havannah. But amongst the foremost of those who opposed this, and contributed to disturbance, both at this time and during the succeeding passage, was one Henry Stondon, calling himself Merchant of Havannah, and who eventually proved to be so; another of the Passengers mentioned that the Mate, on perceiving me in one of the Boats, approaching the "Mexicano," to board her, had exclaimed, "There is the Officer who boarded the "Minerva," he is coming to pay us off for that business, I suppose." My conviction now became stronger that Negroes were positively on board, contrary to the existing Laws.

On the arrival of orders from Captain Jackson to search, let what would occur, with a sufficient force to compel compliance, the Master of the "Mexicano" signified his intent to offer no further opposition, and declared that he considered himself, from that moment, no longer in charge of the Vessel. Lieut. Hast and myself then proceeded to the forehold, into which we descended, and became satisfied that no Person was openly visible, though sufficient light was conveyed through the hatchway, both the hatches being off; but on ordering some chairs and other furniture to be removed from between the bulk-heading, which separated the steam-boilers from the Vessel's side, 14 male Negroes were discovered stowed beneath these articles, and exposed to the intense heat produced by the lighted stoves. The general idea which seemed to pervade the minds of these poor wretches was, that their throats would be instantly cut, and they besought us, by the most supplicating signs and gestures, to spare them from the horrid fate they seemed to anticipate. On comprehending, from our assurances, that deliverance, not destruction, was intended, their joy became unbounded, and one, more intelligent than the rest, pointed to the fore-peak, where, after diligent investigation, 6 females were found underneath rope sails and a hawser, the whole of which must have been deliberately coiled upon them, for the purpose of concealment. The greater part of these unfortunate beings, both male and female, were afflicted with severe ophthalmia, and, at the time of discovery, nearly deprived of sight; from the quantity and nature of the discharge, encrusted from want of attention of the eyes and upper part of the face.

I further observed that they were all shaved, similar to the Negroes landed from the "Minerva," and I have no hesitation in affirming, from their total ignorance of any European language or custom; from the newness of their clothes, and the awkward mode in which they used them evidently considering them as a novelty; and from the disinclination they evinced to European provision, as well as their general manner and appearance, that they had been very recently imported from Africa, though, on the subsequent Trial before the Mixed Commission, the Owner, (a Spanish Marquis) and several other people of respectability, swore to their having been above 9 Months on the Island of Cuba, which assertions afterwards became the publick joke of Havannah, and were decidedly considered, in general opinion, as deliberate falsehoods. Indeed, from the conversations of the Passengers, who, far from concealing, rather openly conversed on the subject of their being part of the cargo of the "Minerva," as well as from the circumstance of Mr. Wade, Master of the "Mary Brade," Liverpool Merchant Brig, having recognised one of the women (very remarkable in her appearance,) as being landed from that Schooner, on the Evening of the 16th August, I firmly believe that the 20 Negroes secreted in the hold of the "Mexicano," were part of those landed in Havannah, from the "Minerva" Spanish Schooner, previously chased in by the "Pylades."

After a strict investigation in every part of the "Mexicano," the Master was informed, that if he possessed a Permission from the Government of Ha-

vannah, authorising him to convey Negroes who were slaves, from one Port in the Spanish Possessions to another, his Vessel would be immediately liberated, and on his stating, that he was only provided with one Paper, which proved to be a Licence for himself and Crew to run the Steam-packet "Mexicano," between Havannah and Matanzas, for 30 days, she was taken possession of by His Majesty's Officers, and sail made, in company with the "Pylades," the Engineer having refused, at the instance of the Master, to put the machinery in motion, which resolution was, however, overruled by the Passengers on the following day; and by great exertion the "Pylades" and the "Mexicano" arrived in the Havannah, on Monday Night, the 21st.

On the Passengers leaving the Vessel, 47, out of 53, produced, and had their Passports registered, the remaining 6, being General Traders between the 2 Ports, had not supposed it necessary to provide such Document; but I am ready to swear, that all the Negroes on board, with the exception of the 20 secreted in the hold, were either furnished with separate Passports, or included in that of the Master.

One of the Owners of the "Mexicano," after the liberation of the Vessel, unguardedly confessed to me, in conversation, that the Negroes in question had been embarked from the Church of St. Francisco (the Place where I had previously observed part of the Cargo of the "Minerva" landed) on the Morning of the 20th, for conveyance to Matanzas.

Of all the circumstances here related, except this last, Lieut. Hast must be perfectly aware, and I have no doubt, in conjunction with myself, is ready to make Oath to the truth of.

Signed by me, in Port Royal Harbour, on the 27th day of September 1826.

(Signed) JOHN NEALE NOTT, Acting Lieutenant.

P.S. In the conversations mentioned in the foregoing Statement, I either spoke in French, when it was understood, or had the assistance of an Interpreter, who Spoke Spanish and English.

(Signed) JOHN NEALE NOTT.

As far as the undersigned Deponent has mentioned in the foregoing Statement, that he himself was personally concerned, he voluntarily maketh Oath to the truth thereof.

(Signed) JOHN NEALE NOTT, Acting Lieutenant.

Sworn before me, this 30th day of September 1826, at Kingston.

(Signed) JOS. BARNES, Mayor.

Second Enclosure (16.) in No. 14.

Lieutenant Smith to Captain Jackson.

*His Majesty's Schooner "Magpie," July 19, 1826,
Port Mariel, S.E. 5 Miles.*

SIR,

FOR the information of the Commander-in-Chief, I have to report, His Majesty's Schooner under my command, on the 18th instant, cruising off Puerto Cabañas, observed the Spanish Brigantine-of-War "Bellona," with Convoy, making for that Port; amongst whom was a Schooner of so very suspicious appearance I felt it my duty to board.

Our near approach to the entrance of the Harbour would not admit of this until they had anchored. I then communicated with the "Bellona," whose Commander most distinctly asserted her to be from Cadiz to Bahia Honda, and Havannah, in ballast; considering my Orders, in any Case, would not admit of a Vessel of this description to pass *unnoticed*, I persisted in my former determination, with many objections on his part, and found her as follows:—

"*La Dichosa*," Spanish Schooner, of 3 guns and 23 men, Don Ramon

Tores, Master, by Papers, from St. Thomas, in ballast, apparently had landed slaves very lately : my want of evidence to the latter fact would not warrant her detention. I, therefore, proceeded to Bahia Honda, and gained information of the above Schooner having landed 158 slaves, some distance to leeward of that Port.

I must beg to call the attention of the Commander-in-Chief towards the conduct of this Spanish Vessel-of-War, being, I believe, not a solitary instance of her attempt to screen a Vessel engaged in the illicit traffick we are both bound to extirpate.

At Bahia Honda, "La Dichosa," not in any way making a secret of her voyage, the "Bellona" could not have been ignorant of it. Whilst I regret the escape of this Vessel, I must observe, she came by way of Cape Antonio, and put into Bahia Honda for water, after landing her cargo ; the "Magpie" cruizing between that Port and Mariel. I have, &c.

(Signed) EDWARD SMITH, Lieut. and Commander.

G. V. Jackson, Esq.

No. 15.

The Right Hon. F. Lamb to Mr. Secretary Canning.

SIR,

Madrid, December 10, 1826.

IN compliance with the Orders conveyed in your Despatch, Slave-trade, of the 3d of October of the present Year, I addressed to the Spanish Minister a Note, of which a Copy is enclosed, complaining of the piratical proceedings on the Coast of Africa of Vessels under the Spanish Flag.

You will perceive, by the Answer of M. Salmon to this Communication, which is likewise enclosed, that Orders have been transmitted to the Spanish Authorities in the West Indies to seize the "Carolina" wherever this Vessel shall make her appearance. I have, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) F. LAMB.

First Enclosure in No. 15.

The Right Hon. F. Lamb to the Chevalier Salmon.

Madrid, November 9, 1826.

THE Undersigned, &c., has the honour to transmit to his Excellency M. Salmon, His Catholick Majesty's Principal Secretary of State, Translations of Papers, containing an account of one of those Cases, of which there have recently occurred many instances, in which the Flag of His Catholick Majesty has been abused for the purpose of committing acts of Piracy.

It appears that it is the custom of the Owners of these Spanish piratical Vessels, the greater part of which there is reason to suppose are equipped at the Havannah, to send them out fitted both for Trade and for War ; but their trade is the proscribed Trade in Human Beings, and the war they wage is a War of Piracy.

It is their practice to hover on the Coast of Africa, where, if they can conveniently barter for, and embark a Cargo of Slaves, they proceed with that Cargo, generally, direct to the Island of Cuba ; if they do not succeed at once in this barter, or if an opportunity for piracy previously presents itself, they seize the first Vessel they meet with, preferring one that may be laden with Slaves, and, taking possession of the Vessel, they murder or put on shore the white men found on board, and proceed with the Vessel and Cargo to Cuba, where they land the Slaves surreptitiously at the back of the Island, and then enter in ballast at the Havannah.

An instance has recently occurred in which an English Prize Crew has disappeared, murdered, as it is supposed, by these Pirates. The name of the Pirate Vessel is supposed to have been the "*Gabilar*" or "*Pelican*," and the Captain and Crew have as yet escaped the conviction and punishment due to their crimes.

Another instance, which forms the particular object of this Note, has more recently occurred in the Case of a Vessel, said to be named the "*Carolina*," whose Captain and Crew, meeting the "*Netuno*," a Slave-ship, under charge of an Officer of His Majesty's Ship "*Esk*," endeavoured to obtain the Ship's Papers, and force that Officer to repair on board the "*Carolina*." They were, as the accompanying Papers will shew to your Excellency, happily defeated in their object; but His Majesty's Government have, in consequence of their attempted outrage, deemed it incumbent on them to issue Orders to the Officer commanding His Majesty's Ships and Vessels on the Coast of Africa, to seize the "*Carolina*" and her Crew, if she shall be found on his Station, and to send them to England for trial, together with Mr. Crawford, and the party with him, in the "*Netuno*," to give evidence.

The British Admiral commanding in the West Indies has also been directed to give similar Instructions to his Cruizers, to be executed in case the "*Carolina*" should be found on his Station.

His Majesty doubts not but that His Catholick Majesty will enter fully into the feelings which have prompted these proceedings for summary redress on the pirates in question, and will give directions, both in the Mother Country and at Cuba, to seize the "*Carolina*" whenever they may meet with her, and to deliver up her Crew to be tried for piracy.

The Undersigned avails himself, &c.

His Excellency the Chevalier Salmon, (Signed) F. LAMB.
 &c. &c. &c.

Second Enclosure in No. 15.

(Translation.)

The Chevalier Salmon to the Right Hon. F. Lamb.

SIR,

Palace, Madrid, December 5, 1826.

I HAVE received the Note which your Excellency did me the honour to address to me, dated the 9th ult., complaining, in the name of your Government, of some acts of Piracy, supposed to have been committed on the Coast of Africa by Spanish Vessels from the Island of Cuba; and your Excellency has accompanied that Communication by various Documents, received from London, in support of the suspicions entertained by the British Government, as to the nature of those acts.

After perusing these Documents, and the Note of your Excellency, I have laid before The King, my Master, all the particulars of the suspicious conduct observed by the Spanish Ship "*Gabilar*" or "*Pelican*," and particularly of the more evidently culpable, the Brig "*Carolina*," of the Havannah, which forms the principal object of your Excellency's Note.

His Majesty, convinced by the evidence of these facts, against which the Government of His Britannick Majesty so justly complains, and being himself equally sensible how injurious such Pirates must be, not only to commerce in general, but to the good harmony which happily exists between the Subjects of both Nations, and acceding in consequence to the just wishes of The King of Great Britain, has not hesitated a moment in directing that the necessary Orders should be sent through the Department of Marine to the Commanders of His Ships-of-War, both in Spain and in the Island of Cuba, to seize the Brig "*Carolina*" at whatever Place or Time she may be found, and to deliver up the Captain and Crew to the competent Tribunals, to be tried as Pirates, according to Law, and punished if convicted.

I have, therefore, the honour to communicate to your Excellency, by Order

of The King, my Master, this His Sovereign determination; and moreover to acquaint you, that I this day forward to the Minister of Marine the necessary Instructions for this purpose, transmitting to him the Documents which your Excellency has sent to me, in which are contained the particulars of the Case, and the exact description and marks of the Brig "Carolina."

I avail myself, &c.

(Signed) MANUEL GONZALES SALMON.

The Right Hon. Frederick Lamb,
 &c. &c. &c.

No. 16.

Mr. Secretary Canning to the Right Hon. F. Lamb.

SIR,

Foreign Office, December 30, 1826.

YOUR several Despatches of this Series, to the 10th instant, inclusive, have been received.

I wish it had been in your power to report that you had concluded the Additional Article, for which a Full Power was sent to you, together with my Despatch of the 11th of September last; and that the urgent and repeated Representations of His Majesty's Government to the Government of His Catholick Majesty, upon the subject of the flagrant violations of the Treaty upon Slave-trade, which occur openly and almost daily in Cuba, had at length awakened the serious attention of the Catholick King, sufficiently to induce him to dispatch to that Island Instructions which shall enforce the execution of the Compacts upon this subject existing between Great Britain and Spain.

I am, &c.

The Right Hon. F. Lamb,
 &c. &c. &c.

(Signed) GEORGE CANNING.

PORTUGAL.

No. 17.

Sir William à Court to Mr. Secretary Canning—(Received March 9.)

SIR,

Lisbon, February 26, 1826.

I LOST no time in communicating your Despatch, marked Slave-trade, of the 20th ultimo, with its Enclosure, to the Count de Porto Santo, requesting that Orders might immediately be sent to the Governor of the Cape de Verd Islands, to put an end to the practices therein complained of.

I have the honour to enclose a Translation of his Answer. You will observe, Sir, that the Count maintains, that the carrying Slaves to the Cape de Verd Islands, (provided they be brought from the Portuguese Possessions to the South of the Line), is in no ways contrary to the Stipulations of our Treaties.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) WILLIAM à COURT.
 &c. &c. &c.

Enclosure in No. 17.

(Translation.)

*The Count de Porto Santo to Sir W. à Court.**Palace of Bemposta, February 23, 1826.*

THE Undersigned has had the honour to receive from Sir William à Court, a Note, dated the 16th instant, in which his Excellency requires, in conformity with the Instructions of his Government, that Orders should be immediately transmitted to the Portuguese Authorities at the Cape de Verd Islands, to put that check to the Trade in Slaves carried on there to which Portugal is bound by Treaty; and his Excellency adds to this Note a Despatch from Mr. Canning of January 20th of this Year, and an Extract of a Letter from Mr. Macleay of the 25th November last.

The Undersigned has duly laid his Excellency's Note before His Majesty The Emperor and King, and is authorized to reply, that His Majesty prides himself upon a faithful observance of the Treaties he has entered into with other Powers, and that He will not hesitate, not only to issue Orders that they shall be faithfully executed, but also to proceed against those Individuals who may violate them.

The Undersigned is, however, commanded to observe to his Excellency, that, in conformity with the 1st Article of the Convention, signed in London, on the 28th of July 1817, the Traffick in Slaves is declared illegal in the 4 following cases only:—1st, by British Ships and under the British Flag, or for the account of British Subjects, by any Vessel or under any Flag whatever; 2dly, by Portuguese Vessels in any of the Harbours or Roads of the Coast of Africa, which are prohibited by the 1st Article of the Treaty of 22d January 1815; 3dly, under the Portuguese or British Flag, for the account of the Subjects of any other Government; 4thly, by Portuguese Vessels bound for any Port not in the Dominions of His Most Faithful Majesty.

All Commerce, therefore, not specified in these 4 Articles is lawful, and if the Slaves carried to the Cape de Verd Islands, are bought in the Harbours and Roads of the Coast of Africa, laid down in Article 2d of the Convention for the account of Portuguese Subjects, and are conveyed in Portuguese Vessels, this Trade can never be declared illegal, nor has the British Government any right, under existing Treaties, to demand its repression.

The Correspondence with the principal Houses at The Havannah, mentioned in the Extract of the Letter from Mr. Macleay, would seem to prove, that an illicit Traffick in Slaves is carried on between that Port and the Cape de Verds; but this simple assertion is far from meriting belief, the rather as the Individual in the same Letter, speaks of Slaves being landed on the North Coast of St. Jago, and taken into the interior:—this is surely not the most convenient way of conveying them to the Havannah. If, however, contrary to His Majesty's expectation, and the Reports made to Government, it can be shewn that the Cape de Verd Islands have been engaged with the Havannah in such Commerce, His Majesty will not hesitate to order proceedings to be immediately commenced against those guilty of this practice.

The Undersigned, &c.

Sir William à Court, (Signed) CONDE DE PORTO SANTO.
 &c. &c. &c.

No. 18.

Sir William à Court to Mr. Secretary Canning.—(Received June 9.)

SIR,

Lisbon, May 17, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch, marked Slave-trade, of the 6th May, enclosing a Copy of the Papers relative to that Trade, presented to both Houses of Parliament in the course of the present Session.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) WILLIAM à COURT.
 &c. &c. &c.

No. 19.

Mr. Secretary Canning to Sir William à Court.

SIR,

Foreign Office, July 12, 1826.

I SEND to your Excellency, for your information, the accompanying Copies of a Correspondence, which has recently taken place between the Marquis de Palmella and myself, on the subject of Portuguese Slave-trade.

Your Excellency will embrace any opportunity which may present itself for furthering the views and principles laid down upon this Subject in my Note to M. de Palmella of the 30th of June ultimo.

I am, &c.

(Signed) GEORGE CANNING.

His Excellency Sir William à Court, G. C. B.,
 &c. &c. &c.

First Enclosure in No. 19.

The Marquis de Palmella to Mr. Secretary Canning.

Londres, ce 17 Juin, 1826.

LE Soussigné s'est abstenu, pendant l'époque où les occupations Parlementaires de Monsieur Canning absorboient nécessairement une partie de son attention, d'adresser à Son Excellence des Communications qui ne seroient pas d'une nature urgente. Il juge à cette heure de son devoir de représenter à Son Excellence, conformément aux Ordres qu'il a reçus de sa Cour depuis plusieurs mois, combien la conduite des Croiseurs Britanniques, chargés de

veiller à la répression du trafic illicite des Nègres, se trouve souvent peu d'accord avec l'esprit et la lettre des Traités.

Le Gouverneur de l'Île de St. Thomas dans une Dépêche par lui adressée au Ministre de la Marine, en date du 22 Juin de l'année passée, se plaint de ce que les susdits Croiseurs s'opposent à ce que des Bâtimens Portugais amènent dans cette Île, ainsi que dans l'Île du Prince, des Esclaves achetés sur les parages de la Côte d'Afrique, où la Traite n'a pas encore été déclarée illicite par le Gouvernement Portugais.

Or les Engagemens qui existent à cet égard entre les deux Couronnes spécifient clairement les *quatre cas* où la Traite des Nègres, faite dans les Bâtimens de l'une des deux Nations, doit être regardée comme illicite (Art. 1^{er}. de la Convention du 28 Juillet 1817) et les Instructions rédigées pour les Croiseurs, et qui forment partie intégrante de la susdite Convention, expliquent avec le plus grand détail et netteté les différens cas où il leur est ordonné ou défendu de détenir les Bâtimens Nègriers.

L'Article 5^{me}. des Instructions sus mentionnées déclare positivement que l'on ne pourra saisir, *même au nord de l'Equateur*, les Bâtimens Portugais, ayant des Nègres à bord, dans le cas, où ils prouveraient par leurs Passeports qu'ils se dirigent à quelqu'un des Ports appartenans à la Couronne de Portugal situés hors du Continent de l'Afrique. Il résulte donc des Stipulations citées que l'on ne peut regarder comme illicite, l'introduction d'Esclaves *sur des Bâtimens Portugais, pourvu qu'ils soient amenés des parages de la Côte d'Afrique situés au Sud de l'Equateur*, et il devient nécessaire afin d'éviter tout mal entendu, que le Gouvernement de Sa Majesté Britannique expédie à cet égard des Ordres précis à ses Croiseurs, et leur défende de mettre obstacle à l'introduction licite des Esclaves dans les Îles de St. Thomas, du Prince et du Cap Vert.

Sir William à Court a adressé, il y a quelque temps, à Monsieur le Comte de Porto Santo, une Note, avec des Extraits de plusieurs Dépêches du Commodore Bullen. Cet Officier se plaint des facilités que l'on accorde, dans les Îles Portugaises de la Côte d'Afrique, aux Bâtimens Etrangers qui font la Traite illicite des Nègres; Sa Majesté Très Fidèle s'est empressée d'envoyer au Gouverneur de ces Îles les ordres nécessaires pour adhérer scrupuleusement à l'exécution des Traités; mais le Soussigné doit faire observer à Son Excellence Monsieur Canning, que les Engagemens qui existent entre leurs Majestés Très Fidèle et Britannique au sujet de la Traite des Nègres, n'autorisent ni ne justifient en aucune manière les Gouverneurs Portugais à refuser les subsistances et les secours d'usage aux Vaisseaux de toute Nation qui abordent dans les Etablissemens Portugais; et le Gouverneur de l'Île de St. Thomas n'a pas plus le droit de refuser l'admission, par exemple à un Bâtiment Français faisant la Traite des Nègres, que les Croiseurs Britanniques n'ont le droit de saisir ce Bâtiment en pleine mer, comme le Commodore Bullen se reconnoit lui même dans l'impossibilité de le faire.

En définitive: tout ce qu'il convient aux deux Gouvernemens d'ordonner à leurs délégués respectifs, tant que les Stipulations actuellement en vigueur continueront à subsister, c'est d'observer à la lettre la Convention de 1817, et de ne pas s'opposer, soit par l'avidité du gain, soit par un excès de zèle à enfreindre ou à outrepasser cette Convention.

Le Soussigné remplit l'ordre qu'il a reçu de présenter ces observations au Ministère de Sa Majesté Britannique. Il espère que Son Excellence Monsieur Canning reconnaitra qu'elles sont fondées en justice, et que les ordres les plus positifs seront expédiés aux Commandans des Croiseurs Britanniques, pour l'observation littérale des Instructions qui font partie de la Convention de 1817; et pour que le Pavillon Portugais soit traité par les Croiseurs avec le même égard qu'ils témoignent au Pavillon Français, dans tous les cas où la Convention de 1817, n'autorise pas la détention des Bâtimens Nègriers.

Le Soussigné profite aussi de cette occasion, &c.

(Signé) LE MARQUIS DE PALMELLA.

S. E. Mons^r Canning,
&c. &c. &c.

(Translation.)

London, June 17, 1826.

THE Undersigned, during the period when Parliamentary business necessarily engrossed a portion of Mr. Canning's attention, abstained from addressing to his Excellency Communications which were not of an urgent nature. Now, however, he deems it his duty to represent to his Excellency, in conformity with the Orders which, some time ago, he received from his Court, how entirely the conduct of the British Cruizers, employed in effecting the suppression of the illicit Slave-trade, is often at variance with the spirit and letter of the Treaties.

The Governor of the Island of Saint Thomas, in a Despatch addressed by him to the Minister of Marine, under date of the 22d June of last Year, complains, that the said Cruizers prevent Portuguese Ships from conveying to that Island, as well as to Princes Island, Slaves purchased in the Districts of the Coast of Africa, where the Slave-trade has not as yet been declared illegal by the Portuguese Government.

The Engagements which exist in this respect between the two Crowns, clearly specify the four cases in which the Slave-trade, carried on in the Ships of one of the two Nations, is to be considered as illicit, (Article 1st of the Convention of the 28th of July 1817,) and the Instructions prepared for the Cruizers, and which form an integral part of the above-named Convention, explain, with the greatest detail and exactness, the different cases in which they are commanded or forbidden to detain Slave-ships.

The 5th Article of the above named Instructions positively declares, that *even to the North of the Equator*, Portuguese Ships, having Negroes on board, must not be seized, in the event of their proving, by their Passports, that they are bound to any of the Ports belonging to the Crown of Portugal, situated without the Continent of Africa. It results therefore, from the Stipulations cited, that the introduction of Slaves cannot be regarded as illicit, *when on board Portuguese Ships, provided they be brought from Places of the Coast of Africa, situated to the South of the Equator*, and it becomes necessary, in order to avoid all misunderstanding, that the Government of His Britannick Majesty, should issue precise Orders to its Cruizers on that subject; and prohibit them from opposing obstacles to the licit introduction of Slaves to the Islands of Princes, Saint Thomas, and Cape Verd.

Sir William à Court some time since addressed a Note to the Count de Porto Santo, enclosing Extracts from several Despatches of Commodore Bullen. That Officer complains of the facilities which are afforded in the Portuguese Islands of the Coast of Africa, to the Foreign Ships which carry on the illicit Slave-trade. His Most Faithful Majesty lost no time in sending the necessary Orders to the Governor of these Islands, which enjoined them to adhere strictly to the execution of the Treaties; but the Undersigned must observe to his Excellency Mr. Canning, that the Engagements which subsist between His Most Faithful Majesty and His Britannick Majesty, on the subject of the Slave-trade, neither authorize nor justify, in any manner, the Portuguese Governors in refusing subsistence, and the usual succours, to Vessels of any Nation which touch at the Portuguese Establishments; and the Governor of the Island of St. Thomas has no more right to refuse admission, for instance to a French Ship carrying on the Slave-trade, than the British Cruizers have to seize such a Ship on the high Sea, which Commodore Bullen himself acknowledges his inability to do.

In fine, all that is in the power of the two Governments, so long as the Stipulations actually in force shall continue to subsist, is to order their respective Delegates literally to observe the Convention of 1817, and not, from motives of cupidity or excess of zeal, to infringe or exceed that Convention.

The Undersigned fulfils the order which he has received, to present these Observations to the Minister of His Britannick Majesty. He hopes that his Excellency Mr. Canning will acknowledge that they are founded on justice, and that the most positive Orders will be sent to the Commanders of British

Cruizers, to ensure the literal observance of the Instructions which make part of the Convention of 1817, and to cause the Portuguese Flag to be treated by the Cruizers with the same attention which is shewn to the French Flag, in all cases in which the Treaty of 1817, does not authorise the detention of the Slave-ships.

The Undersigned avails himself, &c.

(Signed) THE MARQUIS DE PALMELLA.

His Excellency Mr. Canning,
 &c. &c. &c.

Second Enclosure in No. 19.

Mr. Secretary Canning to the Marquis de Palmella.

Foreign Office, June 30, 1826.

THE Undersigned, &c. in answer to the Note which he has had the honour to receive from the Marquis de Palmella, His Most Faithful Majesty's Ambassador at this Court, respecting importations of Slaves at Princes and St. Thomas Islands, to the Northward of the Line, on the Western Coast of Africa, has the honour to state to his Excellency, that the connivance of the Local Governments of St. Thomas and Princes Islands, in the prosecution of illicit Slave-trade, has long been notorious, and has, in various instances, been brought to the direct notice of the Government of Portugal.

The Undersigned is glad to hear from the Marquis de Palmella, that some Instructions have at length been sent, ordering the Governors scrupulously to adhere to the execution of the Treaties subsisting between Great Britain and Portugal on this subject; but until some specifick Regulations are adopted, to prevent the connivance so often detailed and complained of, the Undersigned is compelled to confess, that the experience of the past appears to His Majesty's Government to preclude any hope, that these general Orders will prove effectual.

It appears by the Note from the Marquis de Palmella, that the Governor of Saint Thomas complains of the opposition of British Cruizers to the importation, into that Island, of Slaves purchased on those Coasts, where the Trade has not yet been declared illegal by the Portuguese Government. Certainly, although, there is too much reason to believe, that very importation to be intended in many cases, for a subsequent evasion of the Treaties, still it is not for the British Cruizers to oppose that which the Treaty permits, even in its letter; and His Majesty's Government will be ready upon the proof of the alleged fact, to prevent the future infraction of its Orders in this respect.

It must be remarked, however, that the Marquis de Palmella, in his review of the Treaty, has stated, "que l'on ne peut regarder comme illicite l'introduction d'Esclaves sur des Bâtimens Portugais pourvu qu'ils soient amenés des parages de la Côte d'Afrique situés *au sud de l'Equateur*; thus claiming the *whole Coast* South of the Equator, as lawfully liable to the miseries of this Trade; whereas the 2d Article of the Convention of 1817, expressly limits the Trade on the Eastern Coast of Africa, to the Territory between Cape Delgado, and the Bay of Lorenzo Marquez; and on the West to the Territories of Molembo and Cabinda, from 5. 12. to 8. deg. South, and to those Territories possessed by Portugal, reaching from the 8th deg. to the 18th deg. of the same. Further it is to be observed, in reference to his Excellency's observation, that the Portuguese Governor of the Islands in question, cannot refuse admission, and the usual supplies to Slave-ships; that in cases of Vessels coming under the Treaty of 1817, the proper Passport forbids that they should enter any other Ports on the Coast of Africa, than those where the Slave-trade is permitted by that Convention. Now, neither St. Thomas nor Princes fall within the designation of the 2d Article, as Places where the African Slave-trade is permitted.

The Undersigned cannot conclude this Letter, without referring to the expressions made use of by the Marquis de Palmella, himself, to Sir Edward Thornton, in the early part of 1824, in which his Excellency, when Secretary of State in Portugal, expressed a disposition, on the part of his Sovereign, to consent at once to a *total* abolition of the Slave-trade, in the continuance of which Trade, his Excellency added, Portugal could have no interest, in case of the Independence of the Brazils; and the cessation of which might enable her to turn her Colonies to some other more legitimate and profitable account.

The Independence of the Brazils having been now acknowledged by Portugal, it would afford to His Majesty's Government the most lively satisfaction to learn, that the Marquis de Palmella is now instructed by his Court to give effect to the just and humane intentions expressed by his Excellency, at a time when his Excellency was understood to convey to Sir Edward Thornton, the deliberate feeling of the Portuguese Government upon the general Question of Slave-trade.

The Undersigned avails himself, &c.

(Signed)

GEORGE CANNING.

His Excellency the Marquis de Palmella,
 &c. &c. &c.

Third Enclosure in No. 19.

The Marquis de Palmella to Mr. Secretary Canning.

Londres, ce 5 Juillet, 1826.

LE Soussigné ne manquera pas de faire parvenir à la connaissance du Gouvernement de Portugal la Note Officielle que son Excellence M. Canning, lui a fait l'honneur de lui adresser, en date du 30 Juin dernier, au sujet des plaintes proférées par le Gouverneur des Iles de St. Thomas et du Prince, contre les Croiseurs Britanniques, qui s'opposent à l'introduction des Esclaves dans les susdites Iles, et il espère que les Ordres que le Gouvernement de Sa Majesté Britannique se dispose à envoyer à ses Croiseurs feront cesser, de part et d'autre, toutes les plaintes moyennant l'observance littérale des Traités existans

Le Soussigné ne saurait cependant clore entièrement ce sujet, sans présenter deux ou trois observations sur le contenu de la dernière Note de son Excellence.

1. Il reconait explicitement que par la teneur des Traités, il n'est pas permis aux Sujets Portugais d'acheter des Esclaves sur toute la Côte d'Afrique au Sud de l'Equateur, mais seulement sur les parages des dites Côtes appartenans à la Couronne de Portugal, ou sur lesquels Sa Majesté Très Fidèle a réservé ses droits, comme l'énonce expressement la Convention de 1817; et si le Soussigné, dans sa première Note a énoncé généralement les Côtes au Sud de l'Equateur, il ne l'a fait que pour abréger la phrase, et en se référant à la clause des Traités.

2. Son Excellence parait ne pas avoir saisi le sens dans lequel le Soussigné avait observé, que le Gouverneur des Iles de St. Thomas et du Prince ne pouvait refuser l'admission et les secours d'usage aux Vaisseaux Négriers qui se présentaient dans ses Ports. Le Soussigné n'a voulu parler dans ce cas là que des Bâtimens Espagnols, Français, ou de toute autre Nation avec lesquelles le Portugal n'a point de Traité Spécial qui l'autorise à saisir ou à détenir les Bâtimens engagés dans la Traite des Nègres. Cette espèce de Police ne peut s'exercer légalement, par les Autorités Portugaises que sur des Bâtimens Britanniques ou Portugais qui violeraient le Traité de 1815, ou la Convention de 1817. Quant à ce que M. Canning ajoute sur ce que les Iles de St. Thomas et du Prince ne sont pas comprises dans la désignation du Second

Article de la Convention de 1817, parmi les Territoires où le Trafic des Esclaves est encore licite, le Soussigné priera son Excellence de remarquer, qu'il n'est question dans l'Article Second, que de fixer les Territoires du Continent de l'Afrique où il continuerait à être permis d'aller acheter des Esclaves ; tandis que les Iles appartenantes à la Couronne de Portugal, ainsi que les Provinces du Brésil, soit au Nord, soit au Sud de l'Equateur, demeurent, d'après la teneur des susdits Traités, ouvertes à l'Importation des Esclaves, pourvu qu'ils soient amenés des parages de la Côte d'Afrique énoncés dans ces mêmes Traités.

3. Le Soussigné doit prier son Excellence M. Canning, de ne pas donner plus d'importance qu'elle ne mérite à l'expression que peut lui être échappée, de son opinion particulière dans une conversation avec Sir Edward Thornton, et à laquelle ce Ministre aura peut-être, en la répétant, donné un caractère plus positif qu'elle n'avait eue dans la réalité : les circonstances ont tellement changés depuis l'époque où cette conversation a eu lieu, que son Excellence reconnaitra, sans doute, combien il serait actuellement peu convenable que les intérêts du Brésil fussent mis de côté par le Gouvernement du Portugal, lorsqu'il s'agiroit de discuter la Question de la Traite des Nègres.

Le Soussigné profite de cette occasion, &c.

(Signed) LE MARQUIS DE PALMELLA.

Son Excellence Monsieur Canning,
 &c. &c. &c.

(Translation.)

London, July 5, 1826.

THE Undersigned will not fail to bring to the knowledge of the Government of Portugal the Official Note which his Excellency Mr. Canning did him the honour to address to him, under date of the 30th of June last, on the subject of the complaints made by the Governor of the Islands of St. Thomas and Princes against the British Cruizers, who oppose the Importation of Slaves into the said Islands ; and he hopes that the Government of His Britannick Majesty has made Arrangements to send such Orders to its Cruizers as will cause complaints to cease on both sides, by means of a literal observance of the existing Treaties.

The Undersigned, however, cannot entirely conclude this subject without offering two or three observations on the contents of his Excellency's last Note.

1. He explicitly acknowledges that, according to the tenour of the Treaties, Portuguese Subjects are not permitted to buy Slaves on all the Coast of Africa to the South of the Equator, but only in the Districts of the said Coasts belonging to the Crown of Portugal, or in which His Most Faithful Majesty has reserved his Rights, as is expressly set forth in the Convention of 1817 ; and if the Undersigned, in his first Note, mentioned in general the Coasts to the South of the Equator, he only did so to abridge the phrase, and in reference to the Clause of the Treaties.

2. His Excellency does not appear to have taken the meaning in which the Undersigned observed, that the Governor of the Islands of St. Thomas and Princes could not refuse admission, and the ordinary succours, to Negro-vessels which presented themselves in these Ports. The Undersigned, in these cases, only had in view Spanish and French Ships, or Vessels of any other Nation, with which Portugal has no Special Treaty which authorises her to seize or detain the Ships engaged in the Slave-trade : that kind of Police cannot be legally exercised by the Portuguese Authorities, except over British or Portuguese Ships which might violate the Treaty of 1815, or of the Convention of 1817. As to what Mr. Canning adds, about the Islands of St. Thomas and Princes not being included in the designation of the 2d Article of the Convention of 1817, in the Territories where the Slave-trade is still allowed, the Undersigned requests his Excellency to remark, that the question in the 2d Article is only to fix the Territories of the Continent of Africa wherein it will be permitted to go and purchase Slaves ; whilst the Islands belonging

Enclosure in No. 21.

Memorandum.

BY the 10th Article of the Treaty of Alliance of 1810, between Great Britain and Portugal, Portugal declared that the supply of "a factitious population for her South American Dominions" was the only obstacle to the immediate total Abolition of the Slave-trade; and The Sovereign of Portugal, lamenting the present necessity for that supply, still engaged to bring about gradually a total Abolition of the Trade.

In the Conference at the Congress of Vienna, of the 20th of January 1815, which produced the Declaration of the 8th of February 1815, Portugal again declared that she would abolish the Trade, but put forward the necessity of supplying "the Brazils" with Negroes, as the obstacle in the way of the *immediate* abolition.

By the Treaty of 1815 with Portugal, Articles 1 and 2, the Contracting Parties, referring to these Engagements, reserved to Themselves to determine the period at which the Trade in Slaves should universally be prohibited throughout the *entire Dominions* of Portugal; restricted in the mean time the *Spot* where it should be allowed to continue to the *actual* and *claimed Dominions* of Portugal to the *South* of the *Line*; and confined the object of that permitted Trade, by an obligation not to engage in the same, or to permit their Flag to be used, except for the purpose of supplying the *Trans-Atlantick Possessions* belonging to the Crown of Portugal.

By the Treaty of 1817, the Contracting Parties "adhere to the principles" of the Declaration of 1815, and engage to "*fulfil, to their utmost extent,*" the Engagements of the Treaty of 1815.

The Islands of the Cape de Verds are situated between the 15th and 17th degrees of North Latitude, and about 100 leagues from the Coast of Western Africa.

The Islands of Saint Thomas and Princes are situated between the 1st and 3d degrees of North Latitude, within about 30 leagues of the Coast of Western Africa.

The latter Islands are favourably situated for illegal Trade; there have been many complaints of the encouragement there given to it, and we have repeatedly remonstrated with Portugal thereupon.

Reports having reached this Country that the Authorities and Inhabitants of the Cape de Verds were also addicted to the Slave-trade; a Consul was sent thither in 1824, to report upon it. What Mr. Clarke has written tends to confirm the report.

In the latter end of 1825, Mr. Macleay, our Commissioner at the Havannah, having, in his way thither, touched at Saint Jago, in the Cape de Verds, also reported, that he found the Inhabitants of that Island wholly devoted to the Slave-trade, from the Governor down to the Free Black Settlers.

A Copy of this Statement was sent to Sir W. a Court (January 20, 1826), who was desired to urge the Portuguese Government to check this Trade.

The Portuguese Government, in reply, (February 26, 1826), argued, that it was still lawful, according to Treaty, to Trade in Slaves for the supply of the Cape de Verds.

Soon afterwards (June 17, 1826), the Marquis de Palmella complained that the British Cruizers had obstructed the importation of Slaves into the Islands of *Princes* and *Saint Thomas*, and claimed for Portugal the right to trade *any where*, excepting on the Continent, to the North of the *Line*.

An Answer was returned (June 30), in which his Excellency was reminded, that Portugal could only Trade on such portions of the Western Coast as were South of the *Line*, and between the 5th and 18th degrees of South Latitude, and on the Eastern Coast, in those which are situate between Cape Delgado and the Bay of Lorenzo Marquez.

With reference to Princes and Saint Thomas, it was stated to his Excellency, that those Islands were notorious for aiding illegal Slave-trade; that

they were in prohibited Latitudes, and that Slave-ships, trading even from permitted Latitudes, had no right to touch any where in their way to their ultimate destination.

M. de Palmella, in his Answer (July 5, 1826), allowed, that he was wrong in his first Claim; admitted the truth of the observations made to him on the subject, but still claims for Portugal the right to the importation of Slaves into Princes Island, so long as it is confined to the supply of that Island.

The intention thus apparent on the part of Portugal, to hold to the Slave-trade by means of the Islands on the Atlantick, after the separation of Brazil had been acknowledged by the Mother Country, made it necessary to search more particularly into her existing Compacts with this Country, to see if she had any ground for advancing a further claim upon the point: a reference was therefore made to the Papers hereinbefore named, and particularly to the Treaty of 1815; it there appears as a distinct Engagement, that the Contracting Parties shall not permit their Flag to be used for Slave-trade, excepting for supplying the Trans-Atlantick Possessions of Portugal.

It is quite clear that the Cape de Verds, Princes, and St. Thomas Islands are not Trans-Atlantick.

The supply of those Possessions with Slaves is therefore not permitted; and by the Royal Passport, under Treaty, forbidding a Slave-ship to touch at any intermediate Port between the legal spot of the embarkation of her cargo and the spot of their ultimate destination, it is equally clear that Slave-ships touching at these Islands for any purpose whatever, short of imminent distress, are liable to confiscation.

By the tenour of the Arguments of the Portuguese Negotiators; from the date of the Treaty of Alliance of 1810, down to that of 1817, and by the plain inference to be drawn from its words, the terms, "*Trans-Atlantick Possessions*" of Portugal must be held to designate the Brazils.

As Portugal has no longer possession of the Brazils, she has no longer any Possessions, for the supply of which, by Treaty, the Slave-trade was permitted, and all Vessels under her Flag, now trading for Slaves, must be trading to Places, outside of the Line which she has drawn for herself in this respect, and are obviously acting in direct violation of the existing Engagements between Portugal and Great Britain.

Although our Remonstrances have hitherto failed upon the matter, still, aware as we have been of the necessarily unsettled state of the Counsels of Portugal, we have been unwilling to take the enforcement of the Treaty rigorously into our hands, as if she had declined to fulfil her Engagements. We have been willing to believe, that she required only time for their completion.

Under these Engagements, therefore, Great Britain now calls upon her, only in a friendly spirit, to give a Pledge in writing for that general abolition of the Slave-trade for which the time is come.

Foreign Office, September 9, 1826.

No. 22.

Sir William à Court to Mr. Secretary Canning.—(Received October 23.)

SIR,

Lisbon, October 3, 1826.

I BROUGHT forward the Question of the total abolition of the Slave-trade, in my first interview with Don Francisco d'Almeida, after the receipt of your Despatch of the 9th ultimo.

Nothing could be more satisfactory than the language of his Excellency upon the subject. He declared his readiness to do every thing that depended upon him to put an end to so inhuman and disgraceful a Traffick. He observed, however, that there were certain considerations which could not be lost sight of, and which would render it necessary for him to submit the Question to the Cabinet, before he gave me an Official Answer.

It was agreed that I should present a Note upon the subject, which I did on the following day; a Copy of it I have the honour to enclose.

A Week having elapsed without an Answer, I thought it advisable to speak again to his Excellency upon the subject. This second Conversation produced the Note, a Translation of which I have the honour to enclose.

It appears to me to leave nothing to be desired; and I cannot but congratulate His Majesty's Government on having at length obtained so positive a Pledge of the determination of this Government to concur in putting an end to this detestable Commerce.

I have the honour to be, &c.

(Signed) WILLIAM à COURT.

The Right Hon. George Canning,
&c. &c. &c.

First Enclosure in No. 22.

Sir William à Court to Don Francisco d'Almeida.

Lisbon, September 23, 1826.

THE Undersigned, &c. has been directed to call to the attention of his Excellency Don Francisco d'Almeida, His Most Faithful Majesty's Secretary of State and Minister for Foreign Affairs, that the moment is arrived when it will be necessary to come to some clear understanding upon the subject of the Slave-trade, and that Portugal should redeem the Pledge which she gave in 1810, and again at Vienna in 1815, for the total abolition of the Commerce in Slaves throughout her entire Dominions.

England has distinctly and repeatedly declared, that she never will consent to sign any Treaty with Portugal that does not contain an Article for the final and total abolition of this inhuman Traffick, and the Undersigned has now been directed to avail himself of the suspension of the Negotiations which were begun, for a Commercial Treaty, to obtain an assurance from the Portuguese Government, of its willingness to concur in such an Article.

There cannot be a doubt, that, from the moment at which Brazil ceased to be a Colony of Portugal, the single condition on which a respite was claimed by Portugal, and conceded to her at the Congress of Vienna, was done away.

For the better understanding of the Question, as it now stands, between the two Governments, a Memorandum has been forwarded to the Undersigned, a Copy of which he has the honour to enclose.

The just and liberal opinions which his Excellency Don Francisco d'Almeida is known to entertain upon the subject of the Slave-trade, leave no doubt with the Undersigned of his ready compliance with this Proposal, and of the willingness of the Portuguese Government to concur in an Article, having for object the final abolition of so inhuman and disgraceful a Commerce.

The Undersigned avails himself, &c.

(Signed) WILLIAM à COURT.

His Excellency Don Francisco d'Almeida,
&c. &c. &c.

Second Enclosure in No. 22. (Translation.)

Don Francisco d'Almeida to Sir William à Court.

Palace of Ajuda, October 2, 1826.

THE Undersigned, &c. has the honour to acknowledge the receipt of the Note and Memorandum addressed to him by his Excellency Sir William à Court, &c. on the 23d ult., pointing out, that the moment is arrived when

No. 25.

Mr. Consul-General Clarke to Mr. Secretary Canning.—
(Received April 26, 1826.)

SIR,

St. Jago, September 28, 1825.

I HAVE the honour to acquaint you, that the "*Liberale*" Portuguese Schooner, belonging to Brandon, arrived here from Bissao on the 27th ult., after having landed to Windward 50 Slaves. She being so fast a Vessel, I am thoroughly convinced that not one of His Majesty's Cruizers on the Coast, with fair sailing, will ever take her.

His Majesty's Government may rely on my exertions in gaining every information, and communicating it immediately. I am, Sir, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) J. P. CLARKE.

No. 26.

Mr. Consul-General Clarke to Mr. Secretary Canning.—
(Received April 26, 1826.)

SIR,

St. Jago, October 1, 1825.

SINCE I had the honour of addressing you, on the 28th ultimo, respecting the arrival of the "*Liberale*" with Slaves, I have great pleasure in stating, for the information of His Majesty's Government, that on the Morning of the 30th, at 6 A. M., during a heavy gale of wind from the South, the "*Liberale*" drove from her Anchors, and was totally wrecked on the Rocks in this Harbour, not a vestige of her remaining.

I hope, after the severe loss the Owners have sustained (this being their fourth Vessel), that it may be the means in some degree of checking their nefarious Traffick.

I am, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) J. P. CLARKE.

No. 27.

Mr. Consul-General Clarke to Mr. Secretary Canning.—(Received May 11.)

SIR,

St. Jago, Cape de Verd, January 5, 1826.

I BEG leave to acquaint you, that in consequence of the "*Liberale*" Slave-vessel, having been wrecked in this Port on the 29th September last, Antonio Jacinth Pinnelho, the Partner of Brandon, has purchased an American Schooner at Bonavista, of 50 tons, which went from hence to the Coast of Africa on the 27th December last, and is hourly expected to return with a cargo of Slaves.

I have also to acquaint you, that a small Oporto Yacht of about 45 tons burthen, called the "*Porpoise*," the Owner John Antonio Gimmerains, a Merchant resident here, is also a Trader from these Islands to Bissao and Cacheo in Slaves.

I have farther to acquaint you, that a very fine American-built Schooner, under Portuguese Colours, named the "*Carolina*," commanded by Victor Nobre de Britto, is at present at Bissao, on a Slaving-voyage; she is owned by a Person at Pogo, and from the best information I am able to obtain, so far from this Trade decreasing in these Islands, it is rapidly increasing, more particularly now the Brazilian Ports are open for their reception.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) J. P. CLARKE.

No. 28.

Mr. Consul-General Clarke to John Bidwell, Esq.—(Received July 10.)

SIR,

Ville de Praia, St. Jago, April 10, 1826.

I HAVE the honour to acquaint you, for the information of Mr. Secretary Canning, that on the 4th instant, arrived at this Port the "*Juliana Filles*," Portuguese Schooner, commanded by Joaõ Jacintho de Freitas, from Bissao, late American, (first attempt), belonging to Brandon and Jacintho Pinnello, bringing the former Governor of that Settlement, Joachim Antonio Mattas, and 2 Companies of Troops attached to this Island, with 80 Domesticks (Slaves); they represent having been boarded by an Officer of His Majesty's Sloop "*Bustard*" on the 21st ultimo, between the Coast and these Islands; a strict search could not I presume have been made, or she must have been detained, if these Slaves were seen, as, from ocular demonstration, I can assert that 20 were landed here on the Evening of the arrival of the "*Surry*" Transport, and were sold, (not publickly) to various Persons here; the remainder I have every reason to think were landed at Brava. I am, &c.

J. Bidwell, Esq.

(Signed) J. P. CLARKE.

No. 29.

Mr. Consul-General Clarke to John Bidwell Esq.—(Received Aug. 17.)

SIR,

St. Jago, June 20, 1826.

I BEG leave to acquaint you, for the information of Mr. Secretary Canning, that the "*Juliana Filles*" Portuguese Schooner, (with Brandon) arrived at Brava on or about the 12th instant, with upwards of 50 Slaves; likewise another Schooner (formerly Spanish), but whose name at present I have not been able to learn, arrived at the same period, with nearly 100 Slaves; I regret I cannot give the necessary information to the Authorities at Sierra Leone, having little or no communication with that Settlement, or the Gambia.

The Brig that Brandon purchased about 2 Years since is at present laying at Brava, with the intention of proceeding with a large cargo of Slaves direct to the Brazils.

I would beg to suggest, that if one of His Majesty's Cruizers were stationed between Bissao, on the Coast of Africa, and the Island of Brava, it would in all probability intercept the Vessels trading in Slaves, from the former Place to the latter, as that Island now appears to be the principal depôt.

I have the honour to be, &c.

John Bidwell, Esq.

(Signed) J. P. CLARKE.

No. 30.

Mr. Consul-General Clarke to John Bidwell, Esq.—(Received Aug. 17.)

SIR,

St. Jago, June 28, 1826.

I BEG leave to acquaint you, for the information of Mr. Secretary Canning, that since the intercourse between the Portuguese and Brazilians has been renewed, a system of Traffick in Slaves, foreign to the intentions of the English Government, is carried on from these Islands to the Southern Ports, (Rio de Janeiro, Maranhã, &c.), in which it is presumed they (the Portuguese) act strictly with the existing Treaties.

Slaves (termed domesticks) are sent from hence, openly, with a regular Passport; there is now lying in this Harbour a Portuguese Brig with 67 Slaves

on board, going direct from hence to Rio de Janeiro; there are also 3 other Vessels, 2 Portuguese and 1 American, with a deputation from the Governor-General of these Provinces to the Court of Brazil, in which every Person composing that Deputation takes a certain number of Slaves, nominally as Attendants, but actually for Traffick.

While Passports can be obtained with such facility as is now the case, and the Trade between these Islands and the Portuguese Settlements on the Coast, is conducted in the manner it has been hitherto, a final stop cannot take place to the Traffick in Slaves, they having little, or no other returns to make for Merchandize imported there but these unfortunate beings.

Mr. Secretary Canning must be perfectly aware that the Americans have great intercourse with the various Settlements on the Coast, and although they may not appear openly in the Trade, they are finally paid by the produce of Slaves shipped to these Islands; one circumstance I am well aware has taken place within a very short period; a Merchant, in Boston, (United States) sent a cargo of Merchandize to Bissao, which was disposed of to the Governor, and a Note of hand passed by the latter for the Amount, which has been compromised by a return of Slaves.

By the arrival of His Majesty's Ship "Leven," Captain Owen, I am informed, it is the intention of Commodore Bullen to visit this Island shortly, when I shall make him acquainted with every particular on this and other matters relative to the Slave-trade.

I have the honour to be, &c.

John Bidwell, Esq.

(Signed) J. P. CLARKE.

No. 31.

Mr. Consul-General Clarke to John Bidwell, Esq.—(Received Oct. 28.)

SIR,

British Consulate, St Jago, Aug. 2, 1826.

THE Portuguese Brig called the "Don Pedro," which has been detained at Brava for some Months, left that Island on the 18th ult. with a full cargo of Slaves, direct to the Brazils; the exact number I cannot ascertain, but from the best information I am able to procure, and from her dimensions, should suppose at least from 150 to 200.

I have likewise to acquaint you of the arrival at Brava of the "Juliana Filles," Freitas, Master, with 100 Slaves, on the 23th ult.; after having landed them at that Island, she arrived at this Port, on the 31st ult., and having refitted, she proceeded to Bissao, on the 10th instant for another cargo.

I have, &c.

John Bidwell, Esq.

(Signed) J. P. CLARKE.

No. 32.

Mr. Consul-General Clarke to John Bidwell, Esq.—(Received Oct. 28.)

SIR,

British Consulate, St. Jago, Aug. 16, 1826.

I BEG leave to acquaint you, for the information of Mr. Secretary Canning, that a Spanish Brig, named the "General Pepe," commanded by Captain Joze Gomez, mounting 14 guns, with a complement of 80 Men, arrived at this Anchorage on the 14th instant, to refit, previously to her departure for the Gallinas for a cargo of Slaves for the Havannah. This Vessel was a successful Privateer in the late American War, then named the "Munro," and a very fast sailer.

Should a conveyance offer for our Settlements on the Coast, I shall transmit a full description of her to Commodore Bullen, of His Majesty's Ship "Maidstone."
I have, &c.

John Bidwell, Esq.

(Signed) J. P. CLARKE.

No. 33.

Mr. Consul-General Clarke to John Bidwell Esq.—(Received Oct 28.)

SIR,

British Consulate, St. Jago, Aug. 24, 1826.

I BEG leave to state, that a Dutch Schooner of 3 masts, name at present unknown, hove in sight of this Harbour on the 17th instant, having overshot her Port, intending to have made Boavista, where she is at present refitting, with the intention of proceeding to the Coast for Slaves, for Surinam; the Master of her, Oulierre, is an old Slaver; but I am in great hopes some of our Cruizers will fall in with her, being rather a dull sailer.

His Majesty's Government may rely, should opportunity offer, of my giving the necessary information to Commodore Bullen.

I have the honour to be, &c.

John Bidwell, Esq.

(Signed) J. P. CLARKE.

BRAZIL.

No. 34.

Mr. Consul General Chamberlain to Mr. Secretary Canning—(Received April 12.)

SIR,

Rio de Janeiro, February 13, 1826.

IN the early part of December last, the "Thetis" Victualling Transport, under the charge of Lieutenant Hopkins, Royal Navy, arrived here from England.

A few miles outside the Bar she fell in with a small Schooner, under Brazilian Colours, laden with Slaves, of which the Lieutenant took possession, (under an idea, as he stated to me, that the Trade had been abolished,) and then brought her into this Port, whither, as well as the "Thetis," she was bound.

The Schooner is called the "*Amizade de Santos*;" her Master and Owner's name is José Lopez de Bastos.

She remained in possession of the Mate and five Seamen of the "Thetis," during about 24 hours, all the while endeavouring to enter the Harbour; and as soon as she came to Anchor, the men were withdrawn, and her Papers returned by Lieutenant Hopkins' directions, upon his learning that the Slave-trade was still allowed in this Country. No harm was done to the Schooner, nor any violence offered to her Crew or Cargo.

Two day afterwards I saw M. de St. Amaro, who asked me, rather drily, whether Lieutenants in charge of Transports were authorized by my Government to capture Brazilian Slave-vessels; I told him "certainly not." He then went through a highly coloured detail of what had passed between the "Thetis" and the Schooner, and said he should soon make a Representation to me on the subject, requiring full and signal satisfaction for the insult to the Brazilian Flag. I felt no difficulty in assuring him, that my Government would disapprove of the act of the Lieutenant of the Transport, and that they would afford every adequate satisfaction for what had been done by him without authority.

I heard nothing more from M. de St. Amaro on the subject.

A few days ago, M. de Inhambupe sent me a Note, of which the enclosed is a Translation, containing four Documents, respecting the Voyage and detention of the Schooner, "*Amizade de Santos*;" all of which I take the liberty to transmit herewith.

M. de Inhambupe's Note contains, as you will see, rather an inflated representation of the circumstances that took place when the Schooner was detained, and afterwards, until her delivery the next day to the Master and Owner in this Port, founded upon, but not carried to the length of the gross exaggeration of the latter, as set forth in his Petition and Protest; which Protest, it is to be remarked, is not made before a Notary Publick on Shore, but is dated the 5th of December, on board the Schooner at Sea, and unblushingly relates, on that day, as facts, circumstances that are declared to have happened afterwards.

Both Vessels anchored in this Harbour in the Afternoon of the 6th December, and when the Schooner was delivered up by Lieutenant Hopkins, he received (in the presence of the Captain of the Port, as he positively assured me), the thanks of her Owner and Master, for the mild manner his men had behaved themselves, and the services they had rendered whilst on board.

In Reply to M. de Inhambupe, I have repeated the assurances formerly

given to M. de St. Amaro, that every adequate reparation should be made for the unauthorized and improper act of one of His Majesty's Officers.

I have thought it right, however, not to stop there, but to point out to his Excellency the great informality of the "Amizade de Santos's" Voyage altogether, and that she, and her Owner and Master, ought to have been visited with the penalties declared by the Law, against Vessels and Persons carrying on the Slave-trade, without being duly authorized thereunto by their own Government.

The Passport she produces, dated 23d March 1825, is for a voyage to Buenos Ayres, and back : she sailed from hence in that Month. In November she is (according to Document C.) at Benguella, with a cargo of Slaves on board ; but she has not a Royal Pass, as stipulated in the 12th Article of the Additional Convention of London, and offers nothing to legalize her Voyage, but a Certificate from the Dispatcher of Vessels at *that Port (Benguella)*, that she had entered into certain Bonds, and may not carry more than 301 Slaves.

All this is clearly at variance with the before-mentioned Stipulation of the Additional Convention, and so I have told M. de Inhambupe, in order to prepare him for any remarks you may be pleased to direct me to make, upon the apathy of the Brazilian Government upon this breach of the Law, and their readiness to afford protection to a Slave-ship carrying on the Trade, in direct violation of an existing Treaty ; of which violation, the proofs were in their hands.

M. de Inhambupe has not sent any Reply to my Letter. The Schooner, according to her own Report of Entry at this Custom-House, embarked 301, her full number of Slaves, (of which 39 died during the voyage) ; 3 Passengers and a quantity of bees-wax : she appears to be about 75 tons burthen, British.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) H. CHAMBERLAIN.
 &c. &c. &c.

First Enclosure in No. 34.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

Rio de Janeiro, February 7, 1826.

JOSE LOPES DE BASTOS, Owner and Master of the Brazilian Schooner "Amizade de Santos," arrived in this Port of Rio de Janeiro on the 6th day of December last past, having represented that, proceeding peaceably on his voyage from the Port of Benguella for that of this Capital, with a cargo of Slaves, when he was about to cross the Bar, and between the Islands of Marica and Paios, which are, as is known, within sight of the Fort of Santa Cruz, he was grievously insulted by an English Transport, calling herself the "Thetis," which fired upon him at $\frac{1}{2}$ past 3 o'Clock in the Afternoon of the 5th; following up this unprovoked attack, the Englishmen came on board the said Schooner armed, and disrespecting the Brazilian Flag, which was hoisted, as well as the Imperial Passport, which the said Master had the condescension to shew, although the Transport was not competent to judge of its validity; the said Englishman going to the length of forcibly carrying the said Master and the Crew on board the Transport, and placing in her a Foreign Crew armed, as is all made manifest from the enclosed Representation (A), Protest (B), Certificate Bond given in Benguella (C), and the Passport of the Ship (D); and it being evident that no pretext whatever, however apparent it might be, could authorize a mere English Ship to perform the acts of jurisdiction before-mentioned, in going on board a Brazilian Vessel with an armed force, and committing acts most offensive to the Dignity and Independence of the Empire, and to the Legitimate Rights of the Lord of the Port, within sight of which, and in that of its respective Forts, the said Rights were attacked: The Undersigned, Councillor of State and Minister and Secretary

of State for Foreign Affairs, cannot refrain from calling the most serious attention of Mr. Henry Chamberlain, His Britannick Majesty's Consul-General, to these sufficiently notorious facts, and to request, as he does, by order of His Majesty The Emperor, those explanations that are requisite for the ulterior regulation of His Imperial Majesty's Government, which now, protesting against such arbitrary proceedings, and expecting, in consideration of the good harmony happily existing between the Two Governments, that that of His Britannick Majesty will not but formally disapprove of the conduct of that Transport, trusts no less that a satisfaction and reparation will be given, adequate and corresponding to the offensive acts, which form the subject of the present Note. The Undersigned profits, &c.

(Signed) VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

First Enclosure (A.) in No. 34. (Translation.)

Petition of the Master of the "Amizade de Santos."

JOSE LOPES DE BASTOS, Master of the Schooner "*Amizade de Santos*," who came into this Harbour on the 6th day of the present Month of December, on his voyage from Oporto to Benguella, with a cargo of new Slaves, says, that on his entrance to Barra, and in the District and Waters between the Islands of Marica and Paios, he was greatly insulted by an English Ship called the "*Thetis*," from which 3 cannon-balls were fired at him, at half-past 3 in the Evening of the 5th day, at the time when they knew that all the Slaves were above deck; in consequence of which the Slaves, terrified, precipitated themselves upon the deck, and some of them were grievously trodden upon: which insult was followed by the entrance of the English into the said Schooner, armed with swords and pistols, and using very indelicate language to its Crew and Passengers. Other insults followed on those, namely, insisting on the Petitioner showing them his Passport of the Empire, and returning it with contempt to him, saying that they knew no such Passport, tearing it in part, and taking the Petitioner, with the Pilot of the Schooner, on board their Vessel; notwithstanding that the said Petitioner was seriously indisposed, on which account they permitted him to return at Night to the aforesaid Schooner, at the same time taking away all his crew, and manning the Ship with 5 very drunken Englishmen, who passed all the Night in a state of intoxication, in firing pistols, and making an uproar with each other, until they quarrelled, the Ship remaining as if on the top of the waters, with the sails flapping, from whence ensued her almost total destruction. And all this happened, notwithstanding that I had the Flag of the Empire hoisted; and this, therefore, is a case which calls for reparation for the injury done by Subjects of a Friendly Nation, which every day receives from our's the most sincere proofs of hospitality. He represents this, and may Your Imperial Majesty be pleased to take his case into your consideration, seeing that the Captain, Charles H. Palivend, of the English Ship aforesaid, has been served with a Protest from the Petitioner on that subject, to which he has not replied.

JOSE LOPES DE BASTOS, Owner and Master.

First Enclosure (B.) in No. 34. (Translation.)

Protest of the Master and Crew of the "Amizade de Santos."

IN the Year, from the Birth of our Lord Jesus Christ, 1825, the 5th of December, when, with my Schooner the "*Amizade de Santos*," laden with Slaves, and proceeding from the Town of St. Philip, in Benguella, I was, at half-past 3 in the Afternoon, opposite the Isles of Marica; an English Vessel, the "*Thetis*," approached me to the Leeward, having hoisted the American

Flag; but soon after she hoisted the English Flag, and I hoisted my Flag of the Empire of Brazil. When quite near me she fired 3 shots at me. I was on deck with all the Slaves, who were so much alarmed that some of them were on the point of throwing themselves over-board, so that it required great exertion to quiet the disturbance, in which many were trod under foot, who, I am afraid, cannot recover; and the Boat of the English Vessel coming on board the Schooner, the Boat's Crew raised such a tumult, that a mutiny seemed to have broken out, as the English came armed with swords and muskets, and struck great terror into the Slaves, whom they ill-treated and trampled on; and they even beat me. Nay, it is as I say, they beat me, my Crew, and the Passengers; they then carried me, my Crew, and two Passengers, on board their Ship. I showed them my Papers and the Royal Passport; they told me that they knew of no such Passport, and even tore a piece out of it. By dint of entreaties I prevailed on them to let me return on board the Schooner, though alone, in order to look after the Slaves. When I came on board, I found 5 Englishmen, who had remained there, much intoxicated, beating and kicking the Negroes, and offering violence to the Negro women; all was in an uproar. It was revolting to see that even the sick were not spared; such was the effect of their intemperance; two were fighting with swords. Being without assistance, I was unable to keep the Negroes in order, or to administer to the sick the proper remedies; in consequence of which 8 of them died that Night, and 20 were taken so ill, that I despair of their being restored to health. During the whole Night my sails were flapping to and fro, and my rigging so ill-used as to be nearly destroyed. The replacing of sails and rigging will occasion an expence of upwards of 200 mil reis. I therefore enter my Protest against the English Ship "Thetis," or her Commander, or against any one whosoever he may be, for all losses and damages sustained by the Schooner and her Cargo of Negroes, in consequence of the boarding, at half-past 3 o'clock, P. M., on Monday, the 5th of December of the said Year; and also, because I was prevented by that occurrence from arriving on the same day in the Harbour of Rio de Janeiro; not to mention the insult offered to me and my Ship's Company. For which purpose we have made the present Deposition, and signed it on board the Schooner "Amizade de Santos," on the 5th December, 1825.

(Signed)

JOAO CORREA DE BARROS.

For MANOEL PETA, there was a cross.

For MANOEL MARQUES, ditto.

For JOAO RIBEIRA, ditto.

JOZE LOPES DE BASTOS, Master.

JOZE DE SOUZA ROZA, Steersman.

P.S.—Having examined my Papers on Shore, after they were returned me from on board the "Thetis," whither they had all been carried, I found that there was wanting the Pass for the Negroes, which I received at Benguella. But I can produce the Cocket which was given me there likewise.

JOZE LOPES DE BASTOS, Master.

The Protest contained no more; and referring to it, I have given above a Copy of the same. And to certify that it is a true one, I have subscribed and signed this in the Publick Exchequer at Rio de Janeiro, on the 3d January 1826.

(Signed)

JOAQUIM JOZE DE CASTRO.

Subscribed and signed in the Publick Exchequer,

(Signed)

EMANUEL DE VERDE.

JOAQUIM JOZE DE CASTRO.

First Enclosure (C.) in No. 34.

(Translation.)

Certificate of Bond.—Schooner “Amizade de Santos.”

MANUEL XAVIER RIBEIRO, Clerk of the Shipping Department for His Majesty, &c., certifies, that in Folio 110, of the 2d Book of Securities, the following Writing appears:—

On the 4th day of the Month of November of 1825, in this City of Benguella, and in my Record Office, appeared Joze Lopes de Bastos, Master of the Schooner “*Amizade de Santos*,” which is pursuing her voyage for Rio de Janeiro, with a cargo of Slaves, and by him it was told to me, that, in order to pursue his voyage, according to the customary forms, he bound himself to what follows:—That he would not take any more Persons in the Crew of the said Schooner than those which it contained, or any Person else whatsoever, without the written Permission of the Most Illustrious the Governor of this City, and doing the contrary he would incur the penalties of Law, and would be liable to pay 400,000 reis, as should be determined by the Most Illustrious and Most Excellent the Governor and Captain-General of the Kingdom of Angola, in conformity with the 48th Chapter of the Regulations of his Government: that he would not carry more Slaves than 301, according to his Admeasurement; and exceeding that number, he would incur the penalties of the Laws of Admeasurement; for which Slaves he showed that he carried the necessary provisions and water, which was seen by the Documents which he presented: that the said Schooner is going straight to the Port of Rio de Janeiro, and that were he constrained to make any other, he would there set forth before the competent Magistrates, the cause of his arrival, and when that was remedied, that he would proceed with the cargo, which he here received, for the Place of his destination; from which obligation he would be excused by judicially proving that the state of his tackle or Vessel, the situation of the Port, the weather, or the season did not permit him to undertake such a voyage, without the evident risk of losing his cargo of Slaves; and remaining in the Port in which he might arrive without performing the said justification, he should be subject to pay 12,000 cruzados, besides the losses and damages which he might occasion to the Parties interested in the Ship; and that he would also indemnify the Persons who shipped the Slaves, for their value, according to the price in the Port to which he is to carry them, should they not choose to receive the prices of the Port at which he might arrive; and all shall be liquidated with the said Master as the Owner of the said Schooner; or finally, with his Security and principal Agent, as the Parties shall think fit, making use for that purpose of the competent measures: that, in case of his arrival, and not being able to return to the Port of his destination, he would deliver the Letters which he carries from this Place to the Post-Office of the Harbour where he may arrive, requiring their delivery, and principally those on Royal Service, to the Stations and Persons to whom they are addressed, securing himself with Receipts in form, that he may present them in this City, and if he does the contrary he would incur the Penalties of Masters who do not deliver the Mails: that being attacked by an enemy superior in force, before surrendering, he would throw into the Sea the said Mails and Letters, under penalty of paying the sum of 400,000 reis. And Justiniano Joze dos Reis, a Merchant, of this Place, being also present, whom the Master presented to be his Security, I was told by him that of his free will, he agreed to become his Security and principal Agent for all pecuniary Penalties to which the said Master bound himself by this Writing, which, after being read, they signed with me.

(Signed)

MANOEL XAVIER RIBEIRO.

JOZE LOPES DE BASTOS.

JUSTINIANO JOZE DOS REIS.

Nothing else is contained in the said Writing, which I have extracted faithfully from the said Book to which I have referred.

Benguella, Nov. 4, 1825.

(Signed)

MANOEL X. RIBEIRO.

Muster Roll of the Schooner "Amizade de Santos," for Rio de Janeiro.

Employments.	Names.	Place of Nativity.	Years.	Face.	Stature.	Wages.
1 Master	Jozé Lopes de Bastos	Oporto	44	Round	Ordin.	
2 Pilot	Jozé de Senza Rosa	Oporto	26	Ditto	Ditto	
3 Mate	André Gómez	Oporto	35	Oval	Tall	
4 Clerk	Jozé Correa de Barros	Villa Real	27	Round	Ordin.	Gratis.
5 Steward	Manoel Pinto	Caminha	23	Ditto	Ditto	40 Dollars.
6 Barber	Jozé, Slave of aforesaid	Angola	"	Ditto	Ditto	Already at Brazil.
7 Seaman	Manoel Lopez	Oporto	30	Ditto	Ditto	
8 Ditto	Romas Jozé	Lisbon	28	Oval	Ditto	} 40 Dollars.
9 Ditto	Manuel Marques	Coimbra	44	Round	Short	
10 Ditto	Antonio de Souza	Oporto	23	Ditto	Ordin.	} These persons paid no duties, having already been at Brazil.
11 Slave	Simplicio, of the Master	Cabinda	"	Oval	Ditto	
12 Ditto	Antonio, Ditto	Cabinda	"	Round	Ditto	
13 Ditto	Francisco, Ditto	Congo	"	Ditto	Ditto	
14 Ditto	João, of Miguel Ant. Ferra	Novo Red	"	Ditto	Ditto	

I, Manoel Xavier Ribeiro, Clerk of the Shipping Department for His Majesty, &c., certify, that I inspected the Persons mentioned in the above List, according to the forms of the Royal Orders. And to prove it, I drew up this present, which I have signed.

Benguella, Nov. 3, 1825.

(Signed)

MANOEL X^{ER}. RIBEIRO.

MOST ILLUSTRIOUS GOVERNOR,

JOZE LOPES DE BASTOS, Master of the Schooner "*Amizade de Santos*," submits that, by the annexed Documents, he is ready to pursue his Voyage to-morrow, to the Port of Rio de Janeiro, with a cargo of Slaves, and, as he cannot do that without permission, he prays that, for that purpose, your Excellency will be pleased to order the Fortress to place no obstacle in the way of his departure.

(Signed)

LOPES DE BASTOS.

No. 1,024.—It may proceed on the Voyage, this }
 Fortress placing no obstacle in its way. } Let this be fulfilled.
 (Signed) AURELIO. } (Signed) FREITAS.
 Government-House of Benguella, 8th Nov. 1825.

First Enclosure (D) in No. 34.

(Translation.)

Passport of the Schooner "Amizade de Santos."

FRANCISCO VILLELA BARBOZA, of the Council of State of His Imperial Majesty, Grand Cross of the Imperial Order of Cruzeiro, Knight of the Order of Christ, Colonel of the Imperial Corps of Engineers, Minister and Secretary of State for the Affairs of Marine, and Inspector-General of Marine, &c. &c. &c.

I make known to all those who shall see this Passport, that the Schooner "*Amizade de Santos*" is to sail from this Port of Rio de Janeiro to Buenos Ayres, whence it is to return to this Court, and of which Schooner Jose Lopes de Bastos is Master and Owner, a Subject of this Empire, no Foreign Person being on board the said Schooner. Wherefore, if, in going or returning, it should be met, in any Seas or Ports whatsoever, by the Chiefs and Officers of the Ships and Vessels of this Empire, The Emperor of Brazil com-

mands that they put no obstacle in its way. And he recommends to the Fleets, Squadrons, and Vessels of the Kings, Princes, Republicks, and Potentates, Friends and Allies of this Crown, not to prevent it from pursuing its Voyage, but to aid and favour it in every way necessary, in the certainty that to those who are recommended by their Princes, the same and equal treatment will be shewn. In faith whereof He commanded this Passport to be given, signed by me, and sealed with the Great Seal of the Imperial Arms.

Given in the Palace of Rio de Janeiro, 23d March, in the Year of the Birth of our Lord Jesus Christ, 1825.

(Signed) FRANCISCO VILLELA BARBOZA.

By Order of His Excellency,

(Signed) ANTONIO ABZ. DE BRILLO.

On the Back of the Passport, registered in folio 20 of the 7th Book of Ship Passports. (Signed) ANT. DE ARAUJO LEDO.

Secretary of State's Office, 24th March 1825.

Second Enclosure in No. 34.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

MONSIEUR LE VICOMTE,

Rio de Janeiro, February 9, 1826.

ACKNOWLEDGING the receipt of your Excellency's Note of the 7th instant, together with its Enclosures, respecting the firing at and taking possession of the Brazilian Slave-vessel "*Amizade de Santos*," José Lopes de Basto, Master and Owner, by the British Transport "*Thetis*," within sight of this Harbour, on the 6th of December last, I do not hesitate to take upon myself to assure your Excellency, that every adequate reparation will be made for the unauthorized and improper act of which your Excellency complains, which act cannot but be entirely disapproved of by His Majesty's Government, to whom I shall not fail to transmit your Excellency's Note, and its Enclosures, by the first opportunity.

Having so far had the honour to answer the immediate purport of your Excellency's Note, I take the liberty to submit, for your Excellency's consideration, a few Remarks, founded upon the Documents it contains; not for the purpose of excusing or covering the improper conduct of the British towards the Brazilian Vessel, but with the view of pointing out the flagrant breach of the Additional Convention of London (July 28, 1817), committed by the latter, which, as it appears to me, the Brazilian Government is bound to notice.

The 4th Article of that Convention stipulates, "that every Vessel sailing from Rio de Janeiro, to be employed in the licit Slave trade; must be furnished with a Passport, conformable to the model annexed to the Convention, and forming an integral part thereof; in which Passport is to be specified the number of Slaves the Vessel is permitted to carry."

The "*Amizade de Santos*" had no such Passport, at least her Master and Owner produces none; but, instead thereof, the common ordinary Passport carried by Merchant Vessels, dated in March 1825, authorizing her to sail to Buenos Ayres and back again direct. Whether she went to Buenos Ayres does not appear; but, in the Month of November following, she is found in the Port of Benguella, where, without being authorized by her own Government to engage in the Trade at all, she takes on board a cargo of Slaves, with which cargo she sails direct for Rio de Janeiro.

It would be difficult to imagine a more open breach than this, of the rule laid down in the before mentioned Additional Convention for regulating the mode of carrying on the licit Slave-trade; and your Excellency will, no doubt, upon reflection, see it in the same light.

Had the "*Amizade de Santos*" been fallen in with at Sea, by any British

or Brazilian Ship of War, employed in checking the illicit Trade, her want of Papers would have justified her detention, and might have been followed by her condemnation.

Upon her arrival in this Harbour, I must presume she became liable to the Law, for being informally employed in carrying Slaves.

The Papers she produces from the Portuguese *Escrivaõ dos Despachos*, in the Portuguese African Port of Benguella, would be insufficient to authorize a Portuguese Slave-vessel to navigate the Seas: how much the less then can it be a sufficient Authority for a Brazilian Vessel to engage in the Slave-trade, between Portuguese Africa and Brazil, in contradiction to the express Stipulations of an existing Treaty?

Your Excellency will, I hope, pardon my having ventured to offer these remarks. I have been induced to do so, in order to prepare your Excellency for those of my Government, when they learn that the informal, if not illicit, conduct of the Master and Owner of the "*Amizade de Santos*," which conduct, to say the least of it, is at variance with the Engagements between the two Countries, has apparently neither attracted the notice, nor called forth the disapprobation of the Brazilian Government; but that, the Law being allowed to sleep, their protection is exerted in his favour to the same extent as if he had done nothing wrong, and had not committed an infraction of a Treaty.

I profit, &c.

(Signed) H. CHAMBERLAIN.

H. E. the Viscount de Inhambupe,
&c. &c. &c.

No. 35.

Mr. Secretary Canning to Mr. Consul-General Chamberlain.

SIR,

Foreign Office, June 14, 1826.

THE circumstances relating to the detention of the "*Amizade de Santos*," by the British Transport "*Thetis*," and to the irregularity of the Voyage of the first mentioned Vessel, as detailed in your Despatch of the 13th of February, of this Series, have been referred to His Majesty's Advocate-General; who has reported it to be his opinion, that the act of the "*Thetis*" was unjustifiable, and contrary to the Provisions of the Convention.

The defects that were discovered in the Papers of the Brazilian Vessel, were very properly brought, by you, to the notice of the Brazilian Government.

As this Vessel had cleared out for Buenos Ayres, it does not appear certain that the Brazilian Government was privy to these irregularities; and under the particular circumstances of the case, it would not now be advisable to remonstrate further, on the discovery made, in consequence of the seizure of the Vessel.

I am, &c.

Henry Chamberlain, Esq.

(Signed) GEORGE CANNING.

No. 36.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received July 8.)

SIR,

Rio de Janeiro, March 21, 1826.

I BEG leave to enclose the Copy of a Letter, and its Enclosure, received from Mr. Consul Pennell, stating the number of African Slaves imported into, and exported from, the Port of *Bahia*, during the Six Months ended the 31st December 1825.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) H. CHAMBERLAIN.

First Enclosure in No. 36.

Mr. Consul Pennell to Mr. Consul-General Chamberlain.

SIR,

Bahia, February 3, 1826.

I HAVE the honour to enclose two Returns of the number of Slaves imported into, and exported from, the Port of Bahia, from the 1st July 1825, to the 31st December 1825.

I have the honour to be, &c.

Henry Chamberlain, Esq.

(Signed) W. PENNELL.

Second Enclosure in No. 36.

Return of the Number of Slaves Imported into Bahia, from 1st July 1825, to 31st December 1825.

Date of Arrival.	Name of Vessel.	Whence	Number of Negroes.			Observations.
			Embarked.	Died.	Landed.	
July 13	la Rosalia - - -	Molembo - - -	"	"	232	
August 27	Emilia - - -	Ambris - - -	"	"	311	
Sept. 11	la Estrella - - -	Molembo - - -	"	"	226	
" 22	Carridade - - -	Do. - - -	"	"	303	
October 1	S. Joao Voador - - -	Do. - - -	"	"	80	
" 6	S. Joao Espadarte - - -	Ambris - - -	"	"	243	
" 27	N. Senhora d'Ajuda - - -	Pernambuco - - -	"	"	25	
November 3	Henriqueta - - -	Molembo - - -	"	"	504	
" 19	Agua - - -	Do. - - -	"	"	127	Robbed 317
" 23	Bom Successo - - -	Do. - - -	"	"	204	
December 3	S. José Vencedor - - -	Do. - - -	"	"	14	Robbed 316
					2269	

Third Enclosure in No. 36.

Return of the Number of Slaves Exported from Bahia, from 1st July 1825, to 31st December 1825.

Date of Sailing.	Name of Vessel.	Where bound.	"	"	Number of Negroes.
October 30	Tiberio.	Rio de Janeiro.	"	"	16

(Signed)

WM. PENNELL.

No. 37.

*Mr. Consul General Chamberlain to Mr. Secretary Canning.—
(Received July 8.)*

SIR,

Rio de Janeiro, March 26, 1826.

I HAVE the honour to transmit, herewith, Copies of a Despatch, and Enclosure, received from Mr. Consul Pennell, communicating the gratifying

information that Licences to touch at the Islands of St. Thomas and Princes, and other Places within the prohibited Districts, will no longer be granted by the Government at Bahia, to Slave-vessels sailing from thence on the licit Trade to Ports South of the Equator.

It will be observed that the Portaria describes these Licences as "fraudulent," and contrary to the Stipulations with Great Britain respecting the Slave-trade.

It is some consolation that the Government have at length been brought to consider them in this light. That they should ever have considered them otherwise, or hesitated, as they have done, during several Years, to yield to the repeated Remonstrances of His Majesty's Government against granting such Licences, is the more extraordinary, as there exists in the Statute Book, a Carta Patent, dated the 13th April 1809, relieving the Slave-ships of Bahiá from the legal obligation to touch at the Islands of St. Thomas and Princes, because experience had shewn, that the calms and contrary currents of the Seas on their Coasts created great delays, whilst the *infectious pestilence of the air produced great mortality amongst the Negroes embarked*: inconveniences and calamities which vanished before the profits of the illicit Trade.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) H. CHAMBERLAIN.
 &c. &c. &c.

First Enclosure in No. 37.

Mr. Consul Pennell to Mr. Consul-General Chamberlain.

SIR,

Bahia, February 15, 1826.

I HAVE the honour to inform you, that I was in expectation of receiving a Statement of some specifick facts, to bring under the consideration of the President of this Province, in support of a Representation against Vessels being permitted to touch at Places North of the Equator, when the Document, of which I have the honour to enclose a Copy, was made publick; being an Order from the Brazilian Government (dated Rio de Janeiro, 8th January, 1826,) not to grant such Permissions (denominated "Escalas dolosas,") in future, as being contrary to Stipulations with the British Government, as regards the Slave-trade.

This circumstance will prevent my making the Representation I had contemplated.

I have the honour to be, &c.

Henry Chamberlain, Esq.

(Signed)

W. PENNELL.

Second Enclosure in No. 37.

(Translation.)

OFFICIAL ARTICLE.—*Department for Foreign Affairs.*

IT having come to the knowledge of the Government of His Majesty The Emperor, that some Merchants, to whom is permitted the licit Slave-trade, trying to deceive the Constituted Authorities, to whom it belongs to watch over the execution of the existing Treaties between this Government and that of His Britannick Majesty, avail themselves of fraudulent Licences to touch at Places ("Escalas dolosas") to pursue the illicit Trade; and it being necessary to provide against the possibility of the renewal of such abuses; I am to inform your Excellency, for your information, and its execution, that the Imperial Government judge proper to order that such Licences shall not be granted; the which is conformable to what is stipulated with the British Government respecting the Slave-trade.

God preserve your Excellency.

Palace of Rio de Janeiro, January 8, 1826.

Sar. Visconde de Quebuz. (Signed) VISCONDE DE SANTO AMARO.

No. 38.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received July 8.)

SIR,

Rio de Janeiro, March 28, 1826.

IN addition to the Papers I have already had the honour to transmit, respecting the Slave-vessel "*Amizade de Santos*," in my Despatch of the 13th February last, I now beg leave to submit for your perusal the Translation of an Official Article, published in this day's *Diario Fluminense*, being the Copy of a Letter from the Minister for Foreign Affairs to the Minister of Marine, explaining the reasons why his Excellency had limited himself, in his Note to me of the 7th February, respecting that Vessel's detention by the "*Thetis*," to the mere demand of satisfaction for the insult shewn to the Flag, without demanding any indemnification for damages.

In this Letter M. de Inhambupe shows the voyage of the "*Amizade de Santos*" to have been wholly illegal and simulated; yet no legal steps have been taken to bring the Owner, Master, or Crew, to justice, and the Vessel has been allowed to sail again upon another voyage to the Coast of Africa.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) H. CHAMBERLAIN.
&c. &c. &c.

Enclosure in No. 38.

(Translation.)

The Brazilian Minister for Foreign Affairs to the Minister of Marine.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

IN Reply to your Excellency's Office of the 15th of the present Month, I have to inform you, that in consequence of the Offices from your Excellency's Department of the 15th and 20th December of last Year, referred to, in which was transmitted the Representation of Joze Lopes de Bastos, Owner and Master of the Schooner "*Amizade de Santos*," complaining of the hostile act committed by the Commander of the English Ship "*Thetis*," a Note, of which the Enclosure is a Copy, was addressed to the Consul-General of His Britannick Majesty, to which he replied by the Note which accompanied the former;* this affair having also been transmitted to the Barao de Itabayana, in order to make the necessary Representations, the result of which is not yet known. On perusal of these Notes, your Excellency will see, that this Department has limited itself to requesting satisfaction for the insult that the Commander of the above-mentioned Ship "*Thetis*" committed against the National Flag, and not an indemnification for Losses; because, it being requisite that the Master of the said Schooner should present the respective Passport, in order to verify the legality of his voyage, it became known, from that exhibited, that it was a simulated (*simulada*) voyage, he having cleared out his Ship from this Port for Buenos Ayres, and not for the Coast of Africa; from whence, however, he came with a cargo of Slaves, when he was unduly boarded by the said English Ship: all which I communicate to your Excellency for your Government; apprising you, that so soon as a Decision on this Affair arrives from London, I shall hasten to convey it to the knowledge of your Excellency. God preserve your Excellency.

Palace, March 17, 1826.

(Signed)

VISCONDE DE INHAMBUPE.

Senhor Visconde de Paranagua.

* See Enclosures in No. 34.

No. 39.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Aug. 27.)

SIR,

Rio de Janeiro, June 17, 1826.

I BEG to acknowledge the receipt of your Despatch of the Slave-trade Series, dated the 6th of May, accompanied by a Copy of the Papers, marked A. and B., relative to the Slave-trade, which has been presented to both Houses of Parliament by His Majesty's Command, in the course of the present Session.

I have the honour to be, &c.

(Signed) H. CHAMBERLAIN.

The Right Hon. George Canning,
&c. &c. &c.

No. 40.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Aug. 27.)

SIR,

Rio de Janeiro, June 19, 1826.

IN the Sitting of the Chamber of Deputies of the 15th instant, a Report from the Committee of Legislation was read, proposing the term of 14 Years for the abolition of the Slave-trade; to which S^{nr}. Clemente Pereira proposed, as an Amendment, to substitute 6 Years instead of 14. The Report and Amendment were ordered to be printed. One Member, S^{nr}. Malaquias, declared, that he was ready to vote for an immediate Abolition; but no Motion of this sort was made.

I have the honour to be, &c.

(Signed) H. CHAMBERLAIN.

The Right Hon. George Canning,
&c. &c. &c.

No. 41.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR,

Rio de Janeiro, July 7, 1826.

I HAVE lately received from Mr. Consul Hesketh, at Maranham, a Despatch, dated the 21st of March of the present Year, accompanied by very voluminous Documents, respecting a Schooner called the "*Carolina*," which had arrived there, and been allowed to land a cargo of Slaves from Cacheu.

I should have brought this fresh and palpable breach of the existing Treaty for checking the illicit Trade in Slaves, and of the Alvará of the 26th of January 1818, at once before the Government, but for the expectation that I may perhaps be speedily honoured by the receipt of some Instructions from you, Sir, upon this subject; which expectation is formed upon Mr. Consul Hesketh's having informed me that he had already transmitted to the Foreign Office the principal details of the circumstances of this Case, and should continue to forward others as they occurred, as well as of the steps he had taken in it.

I cannot foresee any inconvenience arising from my waiting until the next Packet arrives, whilst, whatever I may feel it right to urge with the Government, will come with double force when founded upon your Instructions.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) H. CHAMBERLAIN.
&c. &c. &c.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR.

Rio de Janeiro, July 7, 1826.

I BEG leave to transmit the Copy of a Letter from Mr. Consul Hesketh, with its Enclosure in original, stating the number of Slaves imported into the Port of Maranham during the Year 1825.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) H. CHAMBERLAIN.

First Enclosure in No. 42.

Mr. Consul Hesketh to Mr. Consul-General Chamberlain.

SIR,

Maranham, January 17, 1826.

I TRANSMIT, enclosed, a Statement of the Slaves imported into Maranham during the Year ending the 31st December 1825.

I have the honour to be, &c.

Henry Chamberlain, Esq.

(Signed) ROBERT HESKETH.

Second Enclosure in No. 42.

Statement of the Slave Importation into the Port of Maranham during the Year 1825.

Date of Arrival.	Description of Vessels.	Name of Vessels.	Name of Masters.	Where from.	Number of Slaves Shipped.	Died in the Passage.	Number of Slaves Landed.	REMARKS.
1825.								
Oct. 17	Schooner	Florinda	Joze Antonio de Carvalho	Ceará	23	"	*23	* The Slaves from Ceará and Acaracú (another Port in the Province of Ceará) are for the most part Creole Slaves, who were sent here for sale, owing to the scarcity of Food in that Province.
24	Ship....	Sao Nicolao Augusto	Joao Placido da Cruz	Ditto	51	1	50	
Nov. 17	Sumaca..	Acciva	Manoel Gonçalves da Costa	Acaracú	35	"	35	
25	Brig....	Concordia do Brazil	Joze da Costa Santos	Pernambuco	163	"	163	Of these, 161 were African Negroes, landed at Pernambuco, from the Ship "Imperador do Brazil," from Loanda.
Dec. 5	Schooner	Hermelinda	Joao Antonio dos Santos	Acaracú	45	"	*45	
					317	1	316	

No. 43.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR,

Rio de Janeiro, July 12, 1826.

HAVING received private information that the Portuguese Vessel "*Conde dos Arcos*," mentioned in my Despatch of this Series, dated 4th January of the present Year, as having been announced in a Lisbon Gazette to be about to sail from thence on the 20th November, for Rio de Janeiro, (viâ Angola, or Benguella), had taken in a full cargo of Slaves at the Port of Ambriz, and might be expected shortly to arrive here, I thought it my duty to acquaint the Minister with these facts, and to request that he would, upon her arrival, cause the Law to be enforced against her as an illicit Slave-trader.

I have the honour to annex Translations of M. de Inhambupe's first and second Replies to this Application; from the last of which it is satisfactory to gather that, upon the arrival of the Vessel "*Conde dos Arcos*," the requisite measures will be adopted towards her, after a due examination into the circumstances of the Case.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) H. CHAMBERLAIN.

First Enclosure in No. 43.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, June 24, 1826.

I FEEL it to be my duty to acquaint your Excellency that a Portuguese Vessel, called the "*Conde dos Arcos*," sailed from Lisbon last November for Rio de Janeiro, viâ Angola and Benguella, and that she is daily expected to arrive at this Port with a cargo of 300 Slaves taken on board, I believe, at Ambriz.

As it is impossible that this Vessel can, under such circumstances, be provided with the Imperial Pass, requisite to authorise her being engaged in the Traffick in Slaves between Africa and Brazil, I beg to call your Excellency's attention to the fact herein stated, and to denounce this Vessel as one illegally engaged in the Slave-trade; not doubting but that, on her arrival at this Port with her contraband Cargo, the Imperial Government will cause such steps to be taken in the matter as the flagrant illegality of the proceedings demand.

I profit of the opportunity, &c. &c.

(Signed) H. CHAMBERLAIN.

His Excellency The Viscount de Inhambupe.

Second Enclosure in No. 43.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

Secretary of State's Office for Foreign Affairs,
June 28, 1826.

THE Viscount de Inhambupe presents his due compliments to Mr. Henry Chamberlain, Chargé d'Affaires of His Britannick Majesty, and not being yet able to reply, suitably, to the Note which he addressed to him on the 24th of the present Month, as Explanations are required about the circumstance of

the Ship "*Conde dos Arcos*," to which it relates, and which have been requested from the Chargé d'Affaires of His Most Faithful Majesty at this Court, acquaints him, that at an opportune time he will give him the result of this affair.

The Viscount de Inhambupe does not omit this occasion to renew, &c.
Henry Chamberlain, Esq.

Third Enclosure in No. 43.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

Rio de Janeiro July 10, 1826.

THE Chargé d'Affaires of His Most Faithful Majesty, to whom I sent the Note you addressed to me, under date of the 24th of the last Month, respecting the Ship "*Conde dos Arcos*," which you state to have sailed from Lisbon in November of the last Year, destined for Angola and Benguella, to Trade for Slaves, in order to come to the Port of this Capital, has just announced to me that he is persuaded, considering the fidelity with which his Government fulfils its Agreements, that it would not give such a Clearance to the mentioned Ship, in the case of her being Portuguese property; judging, therefore, that the information which you have received, must have been less exact, because he could even assert, that it did not appear that in the said Month of November any Vessel of that denomination had sailed from Lisbon.

In communicating to you the above-mentioned, I am to say, that in case of the said Ship actually entering this Port, the requisite measures will be taken after proceeding to the due examinations.

On this occasion I renew, &c.

Henry Chamberlain, Esq. (Signed) VISCONDE DE INHAMBUPE.

No. 44.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR,

Rio de Janeiro July 19, 1826.

ABOUT a Month ago I observed in the List of Sailings from this Port, that a Schooner, called the "*Arsenia*," under Brazilian Colours, had left the Harbour on the 11th June, bound to Cabinda, Molembo, *Island of Prince and Island of St. Thomas*, and I concluded, not only from her destination, but from the number of her Crew (22 Persons), that she must be bound upon a Slave-trading voyage.

After the assurance given by M. de S^o. Amaro, in the commencement of the present Year, that Licences to touch at Places North of the Line, should no longer be issued by the President of Bahia, and, according to the fair construction of his Note, that they should not be granted at all, it seemed probable that the announcement of the "*Arsenia's*" destination to Princes and St. Thomas was a mistake; nevertheless, to clear up all doubts on the subject, I wrote a few lines to the Minister for Foreign Affairs, requesting to be informed, whether the "*Arsenia*" was employed in the Slave-trade, and was furnished with a Passport authorizing her to touch and trade at the Places mentioned in the Sailing List.

His Excellency acknowledged the receipt of my Letter, and promised to answer it as soon as he had obtained the requisite information from the Department of Marine.

On the 14th instant, I received the enclosed Answer, signifying, to my utter astonishment, that the "*Arsenia*" had permission to touch and trade at

all the Places mentioned in the List of Sailings, and that, moreover, the Government had resolved, in compliance with the "well founded representations of various Brazilian Slave-Merchants," to issue Licences allowing Slave-vessels to touch at Places North of the Line.

If the clearest and most convincing proofs had not been adduced, that such Licences have been obtained with sinister views, and used fraudulently, it might be pretended that there exists nothing beyond a mere suspicion of their being obtained for fraudulent purposes.

But how M. de Inhambupe can hazard this opinion with those Documents before him, with which this Government has been furnished, proving numerous instances of fraudulent uses of these Licences, is scarcely more extraordinary than his argument, that, because in the Treaty between Portugal and Brazil, of the 29th August 1825, there is no prohibition against Brazilian Subjects touching at those Islands, Brazilian Ships, (and these Slave-ships), have a right to touch there, notwithstanding the clear and express prohibition contained in the existing Treaty and Convention with Great Britain for the restriction of the Slave-trade.

Under these circumstances, and persuaded that a fresh appeal to the Government at this moment, founded upon any or all of the arguments or reasons formerly brought forward, would be of no avail, I have felt it to be incumbent upon me to send an Answer to M. de Inhambupe's Note, containing a formal Protest, in the name of His Majesty's Government, against the granting of the Licences in question, as a clear and direct breach of the Treaty of Vienna, and of the Additional Convention of London.

It will not escape you, Sir, that M. de Inhambupe distinctly states, that this Treaty and Convention afford the means for preventing any abuse of these Licences.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) H. CHAMBERLAIN.

First Enclosure in No. 44.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, June 20, 1826.

IN the List of Sailings from this Port, published in all the Diarios of this City, I observe the departure, on the 11th of June, of the Brazilian Schooner "*Arsenia*," Francisco Roiz. Carneiro, Master, bound to Cabinda, Molembo, Island of Princes and Island of St. Thomas, and from the number of her Crew (22 Persons) I conclude she must be bound on a Slave-trading Voyage.

I shall feel particularly obliged by your Excellency's taking the trouble to let me know, whether this Schooner is employed in the Slave-trade, and has been furnished with a Passport, authorising her to touch and trade at the several Places mentioned in the Sailing List herein referred to.

I beg to renew, &c.

(Signed)

H. CHAMBERLAIN.

His Excellency the Viscount de Inhambupe.

Second Enclosure in No. 44.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro, July 13, 1826.

HAVING already acknowledged the receipt of your Note, under date of the 20th of last Month, desiring to know if a Passport had been given to the Schooner "*Arsenia*," to touch at the Islands of St. Thomas and Princes; I am now to acquaint you, that, according to what the Minister and Secretary of State for the Affairs of Marine has communicated, that Passport was actually given.

On this subject I must, however, inform you, that although the Government of His Majesty The Emperor, yielding to your wishes, did order those Licences to be prohibited, under the date of the 4th of January of the present Year, as was that day actually ordered to the President of the Province of Bahia; nevertheless, there having subsequently come up to the Imperial Presence, very well-founded Representations from various Brazilian Merchants, requesting the continuation of the said Licences, the Government of His Imperial Majesty has been pleased benignly to grant this Supplication, not only because they have judged that there would not be any inconvenience in this concession, inasmuch, if they should abuse the said Licences, as you apprehend, the remedy in this respect is to be found given in the Treaty made in Vienna on the 22d January 1815, and in the Additional Convention to the same Treaty of the 28th July 1817; but also because, those Islands belonging to Portugal, there is not any prohibition in the Treaty made between Brazil and the said Kingdom, on the 29th of August of last Year, for the Subjects of His Imperial Majesty to touch there; and therefore it would be unjust and indecorous that the Imperial Government itself should be the first to make such a prohibition, merely upon suspicion of a contraband Trade, which it is not to be supposed they will attempt, from the certainty that they will be punished with the utmost rigour of the Law. Moreover, that His Majesty The Emperor, far from desiring to encourage the Traffick in Slaves, quite on the contrary, desires to repress it as much as possible, and he would certainly have abolished it already, did not the actual circumstances of Brazil render this measure very pernicious to her Agriculture.

On this occasion I renew, &c.

(Signed) VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

Third Enclosure in No. 44.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, July 18, 1826.

I SHALL not fail to communicate to my Government, by the earliest opportunity, your Excellency's Office of the 13th instant, in reply to my Letter of the 20th ultimo, requesting to be informed whether the Brazilian Schooner "*Arsenia*," which had cleared out from this Port for Molemo, and the Islands of St. Thomas and Princes, had really received permission to touch at these Islands.

Your Excellency acquaints me, that the "*Arsenia*" had this permission, and that Licences authorising Slave-vessels to touch at Places North of the Line, will continue to be granted.

It is in my power to assure your Excellency, that the British Government hailed with the sincerest satisfaction the assurance contained in the Office of his Excellency the Viscount de S^o. Amaro, then Secretary of State for Foreign Affairs, dated the 4th of January last, that the Imperial Brazilian Government had directed that no more Licences should be granted, authorising Slave-vessels to touch at Places North of the Line.

That Resolution was in direct conformity with the clear sense, nay with the very words, of the existing Treaty and Convention for putting down the illicit Slave-trade; but since it has given way (after the short lapse of only 6 Months) before the interested Representations of the Slave Merchants, whose illicit and fraudulent Commerce it shackled and repressed, it is hopeless to expect success from the repetition of an Appeal, founded upon the Stipulations or the faith of Treaty.

I shall, therefore, leave to my Government to express, in the terms they may think fit, the disappointment they will naturally feel when they learn

this change of conduct and principle on the part of His Imperial Brazilian Majesty's Government: a change which plainly indicates that the Representations of private Individuals are held by this Government to be paramount to the Engagements of Treaty.

But I cannot hesitate, respecting the course it behoves me to take upon the announcement of this determination, nor delay to protest against it in the strongest and most solemn manner, on the part of my Government, as a clear and direct breach of the Treaty of Vienna of the 22d January 1815, and the Additional Convention of London of the 28th July 1817.

The argument which your Excellency employs, founded upon the Treaty between Portugal and Brazil, I humbly consider not to be applicable to an infringement of a Treaty and Convention no wise connected therewith; but I refrain from troubling your Excellency with any further remark on the subject.

I have the honour to be, &c.

(Signed)

H. CHAMBERLAIN.

His Excellency the Viscount de Inhambupe.

No. 45.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR,

Rio de Janeiro, July 21, 1826.

HAVING discovered that a Brig, called the "*Primorozo Divino*," which lately arrived in this Port with a Cargo of 472 Slaves from Angola, 18 having died during the voyage, is the property of a Portuguese Merchant, residing at Angola, to whom also belongs the greater part of the Negroes; I lost no time in laying these circumstances before the Government, with the view of inducing them to take legal measures against her, in the event of her not being duly authorised to carry on the Trade.

I have no doubt of her real character.

It would have been more satisfactory, had the Minister's Answer contained a promise that the "*Primorozo Divino*" should be legally proceeded against, in the event of its turning out that she is not duly licensed to carry on the Slave-trade.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) H. CHAMBERLAIN.

First Enclosure in No. 45.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, July 17, 1826.

HAVING full confidence in the constantly repeated assurances of the Imperial Brazilian Government, that Persons concerned in the contraband Slave-trade shall be punished with all the rigour of the Law, which are again renewed in your Excellency's Office of the 13th instant, with the additional most satisfactory declaration, that His Imperial Majesty desires to repress the Trade as much as possible, I hasten to communicate to your Excellency that a Slave-vessel, lately arrived in this Harbour, has been denounced to me as illegally engaged in this Traffick.

This Vessel is called the "*Primorozo Divino*"; she arrived from Angola on the 11th instant, with 472 slaves, 18 having died during the passage, consigned to the Merchant Joaquim Ferreira dos Santos. It is to be remarked, that in the List of Maritime Arrivals her *Nation* is not mentioned.

After very careful enquiry, I can find no trace of this Vessel having cleared from this Port, although this might be readily ascertained, through the Ministry of Marine, where the Registry of her Passport, and her Licence, will of course be found, if she was furnished with them, as she ought to have been, to enable her legally to engage in the Trade.

My information, however, goes to the fact, that this Vessel is owned, and the greater part of the Cargo also owned, by a Portuguese resident in the Portuguese Colony of Angola.

I lay this information before your Excellency, under the conviction, that the necessary enquiries will be made, and steps taken to enforce the Law against the "Primorozo Divino" her Cargo and Crew, in the event of its appearing that she is not legally authorized to carry on this Trade.

I beg to renew, &c.

(Signed) H. CHAMBERLAIN.

His Excellency the Vicount de Inhambupe.

Second Enclosure, in No. 45,

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro, July 20, 1826.

ACKNOWLEDGING the Office that you addressed to me, under date of the 17th of the present Month, relative to the Ship "*Primorozo Divino*," that has just arrived from Angola with a Cargo of Slaves, which is said to be illicitly made, I have to acquaint you, that a Copy of your said Office has been transmitted to the Ministry of Marine, in order that I may receive the necessary explanations to be able to reply suitably to you.

And on this occasion I renew, &c.

(Signed) VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

No. 46.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR,

Rio de Janeiro, August 1, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch of this Series, dated the 14th of June of the present Year, upon the subject of the detention of the Slave Schooner "*Amizade de Santos*" by the Transport "*Thetis*," and instructing me, under the particular circumstances of the Case, not to remonstrate further on the irregularities discovered in consequence of the detention of that Schooner. I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) H. CHAMBERLAIN.

No. 47.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR,

Rio de Janeiro, August 2, 1826.

IN consequence of information, transmitted by His Majesty's Consul at Maranhã, that fictitious Passports had been granted, authorizing 2 Schooners, the "*Donna Maria Felicia*" and the "*Amizade*," to proceed from thence on Slave-trading voyages, no such Schooners being in that Port; I shortly

stated to M. Inhambupe these facts, in the words they had been stated to me, leaving to him to take such measures, with respect to the Vessels which might sail with these Documents, as the execution of the existing Treaty, and the enforcement of the Law, should authorize.

I also requested that Orders might be issued to the Local Authorities at Maranham, not to grant Passports for Slave-vessels, unless these actually clear out from that Port, and observe all the forms required by Law and Treaty.

I have the honour to enclose a Translation of the Minister's Answer, signifying, that the President of that Province has been written to for his Report upon the circumstances stated in my Representation.

Nine Months will probably elapse before that Report is received, so that the Schooners will have concluded their speculations before any Order respecting them can reach Maranham.

As the Answer mis-states part of the contents of my Letter to M. de Inhambupe, I have pointed out the error into which he had fallen, and which is corrected in his Excellency's Reply.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) H. CHAMBERLAIN.
&c. &c. &c.

First Enclosure in No. 47.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, July 15, 1826.

BY information received from Maranham, it appears that the Acting President of that Province, his Excellency S^r. Manoel Telles da Silva Lobo, granted, on the 4th of July last Year, a Passport for a Brazilian Schooner, called the "*Donna Maria Felicia*," of 120 tons measurement, Jose Dias de Carvalho, Master, and Sebastiao Pinto, Owner, to proceed from Maranham to the Ports of Molembo, Cabinda, Zayre, and Ambar, (probably Ambriz,) on the Coast of Africa, and to return to Maranham with 300 Slaves. And that his Excellency S^r. Patricia Joze d'Almeida e Silva, Vice President of that Province, granted on the 13th of August, a Passport for another Brazilian Schooner, called the "*Amizade*," of 200 tons measurement, Manoel Joaquim dos Santos Master, and Manoel Francisco da Silva, Owner, to proceed from Maranham to the same Ports on the Coast of Africa, and to return to Maranham with 500 Slaves. Each of these Passports was numbered One.

So far there appears nothing unusual or improper. But what opinion will your Excellency form of both Transactions, as affecting respectively the Governor and Vice Governor, when your Excellency learns, that neither of the Schooners mentioned in the Passports were at Maranham at the time; that no such Vessels had ever been known to be there, or even to be in existence; and that the Passports were procured by Sebastiao Pinto, and Manoel Francisco da Silva, (the former a Resident in Lisbon,) notoriously for the purpose of being sent to other Ports, where Vessels answering to the measurement could be purchased and fitted out for the voyage. Such, M. le Vicomte, is the Statement transmitted to me as a correct relation of the facts. And I send your Excellency an Extract of that part of His Britannick Majesty's Consul's Letter which relates them.

I feel that His Imperial Majesty's Government, whose desire to keep this wretched Traffick strictly within the limits and regulations established by Treaty and by Law, has been so repeatedly expressed, cannot fail to see, in both these Cases, manifest infractions of the latter, which makes it requisite for every Brazilian Vessel, bound upon a Slaving-voyage to the Coast of Africa, to go through certain forms before she is allowed to sail; and that

her Passport should bear upon its face a Certificate, that she has duly complied therewith.

What steps it may be proper to take, with respect to these two Vessels, I leave entirely to the decision of your Excellency, after denouncing them as not having conformed to the Stipulation of the existing Treaty, and therefore acting in violation of the Law. But I cannot forbear soliciting, in the most urgent manner, that no time may be lost in prohibiting the President, or other Local Authority at Maranham, competent to grant such Passports, to issue Passports for Slave-trading-voyages, unless the Vessel, her Master and Crew, actually clear out from that Port, and go through all the Forms required by Law and Treaty.

I beg your Excellency to accept the assurance, &c.

(Signed)

H. CHAMBERLAIN.

His Excellency the Viscount de Inhambupe.

Second Enclosure in No. 47.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro July 27, 1826.

I ACKNOWLEDGE the receipt of the Note that you addressed to me, under date of the 15th instaut, in which you complain of there having been given, in the Province of Maranham, two Passports, for Ships not existing there, whose Proprietors are Portuguese residing in Lisbon, to go and engage in the Slave-trade; and I have to acquaint you that, under this day's date, it has been ordered, that the President of that Province do report whatever may be known in this respect, taking upon myself the charge of replying to you, categorically, in due time on this subject.

On this occasion I renew to you, &c.

(Signed)

VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

Third Enclosure in No. 47.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, July 28, 1826.

I LOSE not a moment in setting to rights a misconception of a statement in my Letter to your Excellency of the 15th instant, respecting Passports granted by the President and Vice-President of the Province of Maranham to two Vessels to undertake Slave-voyages.

Your Excellency's Note of yesterday, this moment received, after acknowledging the receipt, and mentioning the date of my Letter, states, "that I complain of there having been given, in the Province of Maranham, two Passports for Ships not existing there, whose Proprietors are Portuguese, residing in Lisbon, to go and engage in the Slave-trade."

Your Excellency will permit me to explain, that my complaint, instead of this, was, that two Licences had been given to two Schooners not at Maranham, nor even known to be in existence any where, although four Persons described themselves as Owners and Masters (which your Excellency must at once perceive could not be true), and that one of the Persons, described as an Owner, was actually a Resident in Lisbon.

I request your Excellency once more to accept, &c.

(Signed)

H. CHAMBERLAIN.

His Excellency the Viscount de Inhambupe,

Fourth Enclosure in No. 47.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro, July 31, 1826.

IN reply to the Note that you addressed to me, on the 28th of the present Month, relative to the mistake in the Answer given to your other previous Note, respecting the fact of the two Licences, which you say had been granted at Maranham to two Schooners not existing there, one of the so called Owners of the said Schooners being a Resident in Lisbon, I have to assure you, that, in conformity with the first Note, the President of that Province has been ordered to be heard on this subject, to the end that His Imperial Majesty may determine what may be just.

On this occasion I renew, &c.

(Signed)

VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

No. 48.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Oct. 4.)

SIR,

Rio de Janeiro, August 4, 1826.

I HAVE the honour to transmit a Translation of the Minister's Answer, respecting the Slave-vessel "*Primorozo Divino*."

I have written to Mr. Vice-Consul Smith, at Pernambuco, to obtain and send me a Copy of the Passport, stated to have been given to her at that Port; or, in default of that, all the particulars of date, ownership, &c. &c.

The information I have received respecting this Vessel is precise, and satisfies me that she and the greater part of her Cargo are the property of a Portuguese Resident at Angola.

Unless some means are found to check the carrying on the Trade from Portuguese Ports South of the Line, with Portuguese Ships, Seamen and Capital, we shall, I fear, see it sadly increase. For the conduct of this Government shows but too plainly their unwillingness to enforce the Law against Contraband Traders, and that Vessels may, under any circumstances, safely enter and discharge their Slave Cargoes.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed)

H. CHAMBERLAIN.

Enclosure in No. 48.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro, August 3, 1826.

IN addition to my Note of the 20th of the last Month, acknowledging the receipt of the one which you sent to me, respecting the Ship "*Primorozo Divino*," I have to acquaint you, that, from the Examinations ordered to be made by the Minister of Marine, it is known that the said Ship was cleared out at Pernambuco, to proceed to Trade for Slaves in the licit Ports of Africa, there being given to her for this purpose the competent Passport, wherein it is declared that the Proprietor and the Master are Subjects of this Empire.

Thus satisfying the enquiry made by you, I profit of the occasion to renew, &c.

(Signed)

VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

No. 49.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Nov. 28.)

SIR,

Rio de Janeiro, September 2, 1826.

I FEEL it to be my duty to report to you, that 2 British Vessels have lately arrived in this Port, bringing Slaves from other Parts of Brazil, viz:—

The Schooner "*Emilia*" (of Halifax) Peter Edwards, Master, from Bahia, with 27. The Brig, "*General Brock*," of Liverpool, Henry Eden, Master, from Pernambuco, with 21.

As the "*Emilia*" had sailed on her return to Bahia before I was aware that she had brought any Slaves, I cannot say, whether these were Domesticks; but Mr. Eden, the Master of the "*General Brock*," has stated to me, that those which came in his Vessel were so, and waited upon their Masters during the voyage.

The "*Emilia*" having returned to Bahia, I have directed Mr. Consul Pennell to enquire into the circumstances of her Case, and to report the result for your information.

Upon the Master of the "*General Brock*" being called before me, to explain how he came to receive and convey Slaves on board his Ship; he declared his ignorance of its being unlawful, and his regret at having unknowingly erred. And he added, as an extenuation of his conduct, that previously to his agreeing to receive them on board at Pernambuco, he had enquired of Mr. Vice-Consul Smith, whether there was any impediment to his doing so, and was told that there was none; and that he certainly would not have allowed the Slaves to come in his Vessel, had the Vice-Consul warned him against it.

This Statement of Mr. Eden is so much at variance with what it was Mr. Smith's duty to have done, in conformity with the contents of the "Circular" addressed by me to all His Majesty's Consuls in the Brazil, in the Month of August 1825, (the receipt of which was duly acknowledged by Mr. Consul Parkinson, in the Month of September following,) that I cannot but apprehend there has been some misunderstanding. And I have written to Mr. Vice-Consul Smith accordingly, directing him to forward direct to the Foreign Office, for your information, his Report of what passed when Mr. Eden applied to him for his advice on the subject.

The last Enclosure contains a Statement of the several Owner's names, and number of Slaves belonging to each, respectively, as they have appeared in the Shipping List published in the *Diario Fluminense*.

I have, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) H. CHAMBERLAIN.

First Enclosure in No. 49.

Mr. Consul-General Chamberlain to Mr. Consul Pennell.

SIR,

Rio de Janeiro, August 26, 1826.

THE British Schooner "*Emilia*," Peter Edwards, Master, arrived here from Bahia on the 20th instant, having on board 27 Slaves, belonging to various Persons, Passengers by her, as is stated in the List of Arrivals published in the enclosed Newspaper, the "*Diario Fluminense*," No. 44, dated 23d August.

It is only since her departure that I have become acquainted with these circumstances, or I should have taken some steps in the matter whilst the Vessel was here. She sailed from hence for Bahia on the 24th instant, and

I have to request that you will, in the event of her being still there, apprise her Master; that he has committed an infraction of the Laws for the abolition of the Slave-trade, and thereby made himself liable to the pains and penalties attendant thereupon. You will be so good as to send a Report of the result of your Enquiries on this subject, to His Majesty's Government and to me.

I have, &c.

William Pennell, Esq.

(Signed)

H. CHAMBERLAIN.

Second Enclosure in No. 49.

Mr. Consul-General Chamberlain to Mr. Vice Consul Smith.

SIR,

Rio de Janeiro, September 2, 1826.

THE British Brig, "*General Brock*," arrived a few days ago at this Port from Pernambuco, bringing various Brazilian Passengers, and 21 Slaves, declared to belong to them. As soon as these facts came to my knowledge, I called her Master, Henry Eden, before me, and learnt from his own mouth that they were true.

Upon questioning him further, he stated, in extenuation of what he had done, that, previous to his undertaking to receive these Slaves on board, he had enquired of His Majesty's Vice-Consul at Pernambuco, whether there was any impediment to his doing so; and was informed by him, that he knew of none, and supposed he was at full liberty to take the Slaves, as well as their Masters.

This sanction for their being received on board the "*General Brock*," is so directly at variance with the contents of my Circular Despatch, dated the 8th of August 1825 (to which I refer you), the receipt whereof was acknowledged by Mr. Parkinson, in his Despatch, dated the 11th of September following, that I cannot but presume that there must have been some misunderstanding on the part of Mr. Eden.

I shall, however, as is my duty, transmit to His Majesty's Secretary of State an account of the circumstances of this transaction, such as they have been represented to me, and I recommend to you to forward, without delay, to the Foreign Office, whatever explanation you may have to give upon the subject, transmitting a Copy here for my information.

The warning to Masters of British Vessels not to receive Slaves on board, communicated to His Majesty's Consulate at Pernambuco, in the Circular Despatch before-mentioned, has been publicly affixed in the Vice-Consul's Office in this City, ever since the receipt of Mr. Canning's Instruction, desiring that it should be given. Mr. Eden states, that no such notice is affixed in the Consular-Office at Pernambuco.

I have, &c.

Mr. Vice-Consul Smith.

(Signed)

H. CHAMBERLAIN.

Third Enclosure in No. 49.

STATEMENT of SLAVES brought from Bahia to Rio de Janeiro, in the British Schooner "*Emilia*," of Halifax, Peter Edwards, Master, with the Names of their Owners, Passengers in the same Vessel.

18	Slaves	belonging to	S ^{nr} .	Man ^l .	do	Nascimento de Castro e Silva.
5	do.	do.	„	Man ^l .	do.	Gomez da Fonseca.
4	do.	do.	„	Man ^l .	do.	Thomas Xavier Garcia d'Almeida.

And in the British Brig "*General Brock*," of Liverpool, Henry Eden, Master, from Pernambuco to Rio de Janeiro:—

4	Slaves belonging to	S ⁿ r.	Antonio Maciel Monteiro.
9	do.	do.	Caetano Xavier Pereira.
5	do.	do.	Francisco Joze de Faria Barboza.
3	do.	do.	Joze de Miranda.

21

Rio de Janeiro, Sept. 2, 1826.

(Signed)

H. CHAMBERLAIN.

No. 50.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Nov. 28.)

(Extract.)

Rio de Janeiro, September 9, 1826.

I HAVE lately received from Mr. Consul Hesketh, Copies of the Despatches, and their Enclosures, which he addressed to you, Sir, on the 5th and 15th of July, respecting the arrival, at Maranham, of a Portuguese Slave-vessel, the "*Nove de Março*," said to be from Cabinda, but suspected to have come from Cacheu, and the permission granted by the Local Authorities of that Province for landing the Slaves she brought, and their being cleared through the Custom-House, upon payment of the usual Duties.

It is to be remarked, that the Passport under which the "*Nove de Março*" ventured to bring a Cargo of Slaves to Maranham, as she says, from Cabinda, but no doubt really from Cacheu, does not authorise her to do any such thing. It merely allows her to sail from St. Jago for Cabinda, and thence to Maranham, and back to St. Jago, without saying a syllable on the subject of Cargo, which makes the conduct of the Authorities at Maranham, in allowing her Cargo of Slaves to be landed and sold, the more extraordinary, because they must know that she had no right to import Slaves, and that she was an illicit Trader.

The 3d and 4th Sections of the 1st Article of the Additional Convention of London, apply precisely to the Case of the "*Nove de Março*," and now entirely prohibit Portuguese Vessels from supplying Brazil with Slaves. But the President of Maranham has probably chosen to consider the 4th Article of that Instrument as still sufficiently authorising Portuguese Ships and Subjects to import Slaves into Brazil; and has evidently not thought it necessary to enquire, whether the "*Nove de Março*" was supplied with the Documents which the 5th Article declares to be essentially requisite for carrying on the Trade.

I have, consequently, called the Minister's attention to this Case, and renewed the urgent request lately made, for the issue of positive Orders to the President of Maranham not to allow, under any pretext whatever, the importation of Slaves into that Port, unless in Vessels duly qualified by the Brazilian Authorities, and having in all respects conformed to the Stipulations of the existing Treaty.

(Signed)

HENRY CHAMBERLAIN.

The Right Hon. George Canning,

&c. &c. &c.

Enclosure in No. 50.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, September 9, 1826.

IT is my duty to make known to your Excellency, that, by Accounts received here from Maranham, it appears that his Excellency the President of

that Province has admitted to entry the Portuguese Schooner "*Nove de Março*," belonging to the Villa da Praya, in the Island of St. Jago, having a Cargo of 86 Slaves on board, said to have been received at Cabinda: but, as there is great reason to believe, actually taken in at Cacheu; which cargo was admitted to dispatch in the Custom-House, as if it had been legally imported, and all the forms prescribed by the existing Treaty, had been observed.

The Passport presented by the "*Nove de Março*," authorizing her to proceed to Cabinda, and thence to Maranham, and back to the Island of St. Jago, (but which it is to be remarked does not say a word about carrying *Slaves*,) is issued by Colonel Chapuzet, the Governor-General of the Portuguese Province of Cabo Verde; and bears date at Villa da Praya on the 24th November 1825. It wants all the essential formalities required by the existing Treaty and Convention for the suppression of the illicit Slave-trade; and even, if it possessed them, it is not competent to the Governor of a Portuguese Colony to authorize any Vessel under Portuguese Colours to carry on the Trade, or supply Brazil, a Foreign Country, with Slaves.

I have the honour to enclose a Copy of this Passport for your Excellency's inspection, at the same time soliciting your Excellency to be pleased to order an Enquiry to be made into the whole circumstances of the Case; to the end, that, if these do not, as it scarcely seems possible they can, bear out the Local Authorities at Maranham, in admitting the Vessel and her Cargo to entry and dispatch, due notice may be taken thereof by His Imperial Majesty's Government.

And I beg leave, (in consequence of the late arrivals of Portuguese Slave-vessels at that Port, and the occurrences connected therewith, that have happened there) to renew the urgent request lately made to your Excellency, for issuing positive Orders to the President of Maranham, not to allow, under any pretext whatever, the importation of Slaves into that Port; unless by Vessels, shewing that they are duly qualified to engage in the Traffick, by Brazilian Authorities, and a strict observation of the forms required by the Stipulations of the existing Treaty.

I beg to renew, &c.

(Signed) H. CHAMBERLAIN.

His Excellency the Viscount de Inhambupe,

No. 51.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Nov. 28.)

SIR,

Rio de Janeiro, September 11, 1826.

I HAVE the honour to forward, herewith, two Returns lately received from Mr. Consul Pennell, at Bahia, shewing the number of Slaves imported into, and exported from, that Port, from the 1st of January to the 30th of June, of the present Year.

Since the date of these Returns, a Vessel, called the "*Maria da Gloria*," arrived at Bahia (on the 29th of July,) from Lisbon, *via* Molembo, bringing 532 Slaves.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) H. CHAMBERLAIN,
&c. &c. &c.

First Enclosure in No. 51

Return of the Number of Slaves imported into Bahia from January 1, to June 30, 1826.

Date of Arrival.	Name of Vessel.	Whence.	Number of Slaves.			Nation.
			Embarked.	Died.	Landed.	
1826.						
January	9 San Benedito - - -	Ambris - - -	"	"	577	Brazil.
"	15 Carlotta - - -	Molembo - - -	"	"	358	Do.
"	21 Diana - - -	Pernambuco - - -	"	"	8	France.
February	13 Ira Rosalia - - -	Molembo - - -	"	"	406	Brazil.
"	16 Na Snra do Monte do Carmo	Angola - - -	"	"	195	Do.
"	23 Bom Fim - - -	Ambris - - -	"	"	416	Do.
March	2 S. Joze Triunfo - - -	Pernambuco - - -	"	"	30	Do.
"	11 Henriquett - - -	Molembo - - -	"	"	441	Do.
"	15 Ira Estrella - - -	Do. - - -	"	"	204	Do.
April	23 S. Joao Voador - - -	Do. - - -	"	"	124	Do.
May	1 Santa Rita - - -	Pernambuco - - -	"	"	25	Do.
"	8 Bom Successo - - -	Molembo - - -	"	"	197	Do.
June	6 Tentadora - - -	Do. - - -	"	"	446	Do.
"	27 Carlotta - - -	Do. - - -	"	"	358	Do.
"	28 Nova Virgem - - -	Do. - - -	"	"	305	Do.
Total Number of Slaves					4090	

(Signed) W. PENNELL.

Second Enclosure in No. 51.

Return of the Number of Slaves exported from Bahia, from January 1 to June 30, 1826.

When Sailed.	Name of Vessel.	Where Bound.	Number of Slaves.	Nation.
1826.				
May	18 Santa Efigenia - - -	Rio de Janeiro	260	Brazil.

(Signed) W. PENNELL.

No. 52.

*Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Dec. 15.)*

(Extract.)

Rio de Janeiro, September 24, 1826.

BESIDES the representation which I felt it to be indispensable to make to the Brazilian Government, upon the arrival of the Portuguese Slave-vessel "*Orfeo*," which forms the subject of the accompanying Despatch, I also considered it advisable to communicate with the Portuguese Chargé d'Affaires, as to the information he might possess respecting her, and more especially the nature of the Documents under which she had engaged in the Slave-trade with this Country.

With this view I addressed to M. Pereira, on the 12th instant, a Letter, of which the enclosed is a Copy, stating my doubts that the "*Orfeo*" could be provided with the Documents required by the Stipulations of the Additional Convention of London, as necessary to authorize her to engage in the

Slave-trade with Brazil, and expressing, in the frankest manner, my expectation to receive his co-operation in putting down, at once, so illicit a Trade.

His Answer, of which a Translation is annexed, informed me, that not only the Vessel was Portuguese built, owned, and navigated, and her voyage on Portuguese account, but, what I confess very much surprised me, that she had a Passport in due form, issued previous to the Ratification by His Most Faithful Majesty of the Treaty of Independence, at a time when the present Empire of Brazil was a Trans-Atlantick Possession of the Crown of Portugal; and that, consequently, she was engaged in a licit Traffick.

It struck me as very extraordinary that the Portuguese Government should grant, and any Portuguese Merchant risk his Ship and Property under, a Passport authorizing a Vessel to trade with the Trans-Atlantick Dominions of Portugal, when it was well known that the Cruizers of the Government of these Dominions then become *de facto* Independent, captured every Vessel under the Portuguese Flag which they met with at Sea; and that the Government itself seized and sequestered all those that ventured into Brazilian Harbours; and the more I considered the matter, the less likely it seemed to me to be a real bonâ-fide transaction.

I therefore addressed M. Pereira a second time, requesting him to have the kindness to furnish me, if he saw no objection, with information respecting the dates of the "Orfeo's" Documents, and of her departure from Lisbon; and I took care to point out to him that the Portuguese dominion over Brazil, so far as regarded Portugal, ceased, legally, from the date of the Royal Diploma of His Most Faithful Majesty, which had been recognized by both Countries (in the Preamble to the Treaty of the 29th of August), as the epoch of the Separation and Independence of the two States. Wherefore, in my opinion, Portugal had no right to supply Brazil with Slaves after the date of that Diploma; from whence it would follow, as a matter of course, that, unless the "Orfeo's" Documents were dated before that period, her voyage must be considered illegal.

Unless, indeed, the above Interpretation of the effect of that Diploma be the right one, it is difficult to conceive why it ever appeared before the Publick as the basis for negotiating the Treaty of Independence.

This view of the subject called forth the Rejoinder, of which I enclose a Translation, whose contents did not, however, induce me to continue my Correspondence.

M. Pereira states, that the Passport for the "Orfeo" is dated the 14th of November 1825, the Document from the Board of Trade being dated the 25th of that Month, and that both these had been renewed, as is declared by the Secretary of State's Office, although the reason for the renewal is not stated, nor even hinted at.

The Treaty of Separation and Independence, signed at Rio on the 29th of August 1825, arrived in Lisbon on the 9th of November, and no Inhabitant of that City, certainly none of the Ministers, could well be ignorant that His late Most Faithful Majesty had resolved, before the 14th, to accept and confirm that Treaty.

There is therefore this cogent reason, in addition to that drawn from the date of the Certificate of the Chamber of Commerce, for concluding, that the Minister did not sign the Passport of the "Orfeo" on the 14th of November.

By the Stipulation of the Additional Convention, regulating the form of the Passport, the very form of the Passport itself requires, that the Owners shall have previously taken Oath that no Foreigners have any interest in the Vessel or Cargo.

Now, in this Case, the Oath was taken on the 24th of November (10 days after the simulated date of the Passport), and the Certificate is dated the next day, the 25th of November, and is attached under the Official Seal of the Marine to the Passport signed by the Minister.

A Certificate, granted by the Chamber of Commerce on the 25th, attached to a Passport of the Minister of Marine, dated the 14th of the same Month,

which Passport is declared to have been granted in consequence of that Certificate having been *previously* produced! and then, to justify the lateness of the date, there is a Memorandum, in the hand-writing of the Clerk, that the Papers had been renewed.

The date of the sailing of the "Orfeo" from Lisbon is not known, but it cannot have been earlier than the 26th of November; and I have reason to believe that she sailed in December, at which time Brazil was no longer a Trans-Atlantick Possession of Portugal, (whatever may have been the precise period at which it ceased to be so), and her voyage, therefore, from its very beginning, a violation of the Additional Convention of London of 1817.

(Signed) H. CHAMBERLAIN.

The Right Hon. George Canning,
&c. &c. &c.

First Enclosure in No. 52.

Mr. Consul-General Chamberlain to the Portuguese Chargé d'Affaires.

M. LE COMMANDEUR,

Rio de Janeiro, September 12, 1826.

THERE arrived in this Port yesterday Afternoon, a large Ship, under Portuguese Colours, bringing a Cargo of Slaves, and, by the Newspapers of this Morning, it appears that she is called the "Orfeo," and comes from the Port of Ambriz, where she loaded 719 Africans, of which 11 died during the voyage. She is consigned to the Merchant João Alves da Silva Porto.

In stating these circumstances to you, M. le Commandeur, I frankly confess that the object I have in view is to obtain your powerful co-operation towards nipping in the bud, and at once, the illicit employment of Portuguese Vessels in furnishing Brazil (now a Foreign State *quoad* Portugal) with Slaves; and I found my application to you upon Article 1, Sec. 4, of the Additional Convention of London, which expressly declares illicit any Traffick in Slaves, by Portuguese Vessels bound for any Port not in the Dominions of His Most Faithful Majesty.

In addition to this quite-sufficient reason for considering the Parties interested in this Slave-carrying of the "Orfeo," as illicit Traders, I take the liberty to refer you to the 4th Article of the said Convention, making it imperative for Vessels, authorised to carry on the Slave-trade, to be provided with the particular Passport, the model whereof is annexed to, and forms an integral part of, the said Convention. And I solicit you to be pleased to take the trouble to ascertain whether the "Orfeo" is provided therewith; which appears to me hardly credible, considering the good faith with which the Government of Portugal observes the Stipulations of Treaties.

Should it turn out that this doubt is well founded, I confidently trust to your taking such measures as the case warrants; and as will teach these illicit Adventurers in a Trade that is forbidden, what they may expect when they dare to set at defiance the solemn Engagements of their Sovereign, which they are bound to respect.

I have much pleasure, &c.

M. Carlos Mathias Pereira.

(Signed) H. CHAMBERLAIN.

Second Enclosure in No. 52.

(Translation.)

The Portuguese Chargé d'Affaires to Mr. Consul-General Chamberlain.

*Portuguese Legation, in Rio de Janeiro,
September, 14, 1826.*

MOST ILLUSTRIOUS SIR,

BY your Letter, dated the 12th instant, you were pleased to state:—
First,—The Arrival of the Ship "Orfeo" under the Portuguese Flag, with a Cargo of Slaves from Ambriz.

Second,—Your desire that I would co operate in putting an end to the illicit employment of Portuguese Vessels in furnishing Brazil (now a State independent of Portugal) with Slaves; founding your request on Art. 1, Sect. 4, of the Additional Convention of London.

Thirdly,—Your desire to know if the “Orfeo” came provided with the competent Passport, according to the 4th Article of the said Convention; which you doubt; confiding in the good faith of the Portuguese Government; and

Fourthly,—If this Ship be not competently provided with such Passports, your hope that I will take such measures as may teach these illicit Adventurers in a Traffick that is prohibited, what they are to expect when they dare to act contrary to the Engagements of their Sovereign.

Commencing my Answer upon your last Proposition, I have the honour to state, that you may be certain I shall always take, at any epoch, and also as far as in my power, all possible measures to cause entire obedience to, and observance of, the Orders and Engagements of my August Master.

To your 3d request, you will permit me to assure you, that, on inspecting the Passports (to-day, in this Legation,) of the said Ship “Orfeo,” of which Luis Antonio de Guimaraes is Master, it is proved that this Vessel is of *Portuguese construction, Portuguese Owners*, navigated by a *Portuguese Master and Crew*; with a Passport, according to Art. 4. of the said Convention of the 28th July 1817, passed by the Minister of Marine in Lisbon, to proceed to the Coast of Africa and load Slaves for Brazil, in conformity with Article 2, Sec. 2. of the said Convention; and for Portuguese account, according to the tenour of Art. 4, of the Treaty signed at Vienna on the 22d January 1815; and before the Ratification by His Most Faithful Majesty of the Treaty of Independence of the 29th August, 1825, a time at which the present Empire of Brazil was a *Transatlantick Possession* belonging to the Crown of Portugal: in consequence whereof, this Vessel has made a legal Traffick in Slaves, and in the manner you mention in the 1st part of your Letter. This legal Traffick renders inadmissible its 2d part in this particular Case.

Having in every thing replied to your Letter,

I have the honour, &c.

(Signed) CARLOS MATHIAS PEREIRA.

Henry Chamberlain, Esq.

Third Enclosure in No. 52.

Mr. Consul-General Chamberlain to the Portuguese Chargé d'Affaires.

M. LE COMMANDEUR,

Rio de Janeiro, September 20, 1826.

I HAVE the honour to acknowledge the receipt of the Letter you had the goodness to address to me on the 14th instant, in answer to mine of the 12th, respecting the Portuguese Ship “Orfeo,” which has arrived in this Port with a Cargo of Slaves from Ambriz; and wherein you assure me, that this Vessel is of *Portuguese construction, is Portuguese owned*, is navigated by a *Portuguese Master and Crew*, and has a Passport conformable to the 4th Article of the Additional Convention of London of the 28th July 1817, passed by the Minister of Marine in Lisbon, authorising her to go to the Coast of Africa to lade Slaves for Brazil, in conformity with the 2d Section of the 2d Article of the said Convention; and for Portuguese account, according to the tenour of the 4th Article of the Treaty of Vienna of the 22d January 1815; and before the Ratification by His Most Faithful Majesty of the Treaty of Independence of the 29th August 1825, a time when the now Empire of Brazil was a *Transatlantick Possession* of the Crown of Portugal.

The Ship, Owners, Master, and Crew, Passport and Property, being thus all unquestionably Portuguese, the period when her Documents are dated, and the date of her departure from Lisbon, are the important facts by which it can be ascertained whether her voyage is legal or illegal; and if you see no

objection to accede to my request in this respect, I should feel obliged by your taking the trouble to afford me information on that point.

My object, M. le Commandeur, in soliciting this favour, is to make such use of the particulars, should you think fit to furnish them, as my duty may require, and to report the facts of the Case, correctly, to my Government.

The separation of Brazil from Portugal, and its acknowledgment as an Independent Empire, and the acknowledgment of His Imperial Majesty Don Pedro as Emperor, after which Brazil ceased to be a Transatlantick Possession of the Crown of Portugal, were all contained in the Royal Diploma of His late Most Faithful Majesty Don John VI., dated the 13th May 1825, and recognised in the Preamble of the Treaty of the 29th August of the same Year, after which date the Government of Portugal had no right to supply Brazil with Slaves. And unless the Documents under which the "Orfeo" left the Tagus in the prosecution of this Slave-trading voyage were issued previously to that Royal Diploma, it would seem to follow that she has been improperly authorised to engage in the Traffick, contrary to that stipulation of Treaty which declares, that the Portuguese Flag shall not be employed to supply Foreign Territories with Slaves, and that her voyage, therefore, is illegal.

I have the honour, &c.

M. Carlos Mathias Pereira.

(Signed) H. CHAMBERLAIN.

Fourth Enclosure in No. 52.

(Translation.)

The Portuguese Chargé d'Affaires to Mr. Consul-General Chamberlain.

Portuguese Legation,

Rio de Janeiro, Sept. 22, 1826.

MOST ILLUSTRIOUS SIR,

THERE are three points which form the Object of the Letter you addressed to me the day before yesterday.

First,—To mention, if I had no objection so to do, the date of the Documents of the Ship "Orfeo," and the date of her departure from Lisbon.

Secondly,—The declaration of your opinion that the Government of Portugal had *not the right* to supply Brazil with Slaves after the 13th day of May 1825, on which you say, by a Royal Diploma of His Most Faithful Majesty The Lord Don John the Sixth, whom God has in Glory, Brazil ceased to be a Trans-Atlantick Possession of Portugal; the separation of Brazil from Portugal, her recognition as an Independent Empire, and the recognition of His Imperial Majesty the Lord Don Pedro as Emperor, having been by that Act acknowledged.

Thirdly,—That, if the Documents with which the "Orfeo" left the Tagus were not of an anterior date to that Royal Diploma, it appears to follow, that she was unduly authorised to engage in a Traffick contrary to that Stipulation of the Treaty which declares "that the Portuguese Flag shall not be employed in supplying Foreign Countries with Slaves," and that, therefore, her Voyage is illegal.

To the first Point, I have the honour to reply, that the Passports bear date the 14th November 1825, and, although the Document from the Board of Trade bears date the 25th of the said Month, the same Secretary of State declares, that the motive was because that Document had been renewed. I am ignorant however of the day of the departure of the "Orfeo."

In regard to the second Point, in which it is asserted that the Government of Portugal had *no right* to supply Brazil with Slaves after the 13th May 1825, because you say there was on that date a Royal Diploma for the emancipation of Brazil: knowing that the Treaty of Independence was only made on the 29th of August, and ratified on the 15th of November of the said Year, it is not without admiration that I see you, by this assertion, attempt to establish a principle contrary to the opinion and judgment of the Writers on the Law of Nations, which, in policy and diplomacy, serve as a rule; and allow me to have a very different opinion from your's; because, according to Vattel, Martens, Herold, of Real, and Meiern, I understand that Treaties are only

considered in force after their Ratification ; having, at the same time, to put you in mind, besides what is expounded as a general rule, that in Portugal they are only, according to Law, considered so, and are only binding when competently published. There are very recent motives to persuade me, that in Great Britain the same would happen. The Recognition of the Independence of Brazil was only known in Portugal from the Letter of Law of the 15th of November 1825, in which The Lord Don John the Sixth, ratifying the Treaty of the 29th of August, made publick the Treaty and the said Recognition in consequence of the "Carta Patente" of the 13th of May. The said "Carta Patente," of the 13th of May, had not, therefore, up to that time, been published in Portugal ; nor could the Government of Portugal have published it, without knowing the use made of it by Sir Charles Stuart, according to his Instructions ; as its publication and execution depended upon the adjustments he might make with the Court of Rio de Janeiro, adjustments that are manifested in the said Treaty, which depended upon the Ratification, as all do, generally speaking, according to the Law of Nations, and as is seen in the Article 11, of the same. I have therefore the honour to reply, that, as regards the Government of Portugal, and the Portuguese, the whole affair of separation and Recognition of the Independence of Brazil was entirely dependent on the Ratification and publication of the same Treaty, and, therefore, the Petition was legal, the concession of a Passport was legal, and the Cargo was made in good faith, and legally.

Having replied to the 2d Point of your Letter, which embraces the 3d, it only remains to me to profit, &c.

(Signed) CARLOS MATHIAS PEREIRA.

Henry Chamberlain, Esq.

No. 53.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Dec. 15.)

(Extract.)

Rio de Janeiro, September 28, 1826.

I HAVE to report the arrival in this Port, on the 11th instant, of a large Vessel, called the "Orfeo," under Portuguese Colours from Lisbon, with a Cargo of 708 Slaves on board, shipped at Ambriz ; 11 having died during the voyage.

I wrote to M. de Inhambupe the next day, stating these facts, and the reasons which led me to conclude that the "Orfeo" must be an illicit Trader, and requesting that the necessary enquiries might be gone into, and measures taken to enforce the Law, if it should appear that she really was so.

I was aware that it did not belong to the Government of Brazil to punish Portuguese illicit Slave-traders, wherefore I particularly applied for the enforcement of the Law ; meaning thereby the 2d Article of the Alvará of the 26th January 1818, as I had read it in the Translation contained in Class A. of the Papers presented to Parliament in 1821, at page 17, which Alvará, as it struck me, ought to be considered as the stipulated complement of the Additional Convention of London of 1817 ; and, therefore, an Act of Legislation, of which Great Britain has the right to claim the execution.

On the 14th the Minister acknowledged the receipt of my Letter, and on the 25th replied to it, informing me, that the "Orfeo" had sailed from Portugal, to be employed in the Slave-trade, duly provided with a Passport from that Government, dated the 14th November 1825, when the said Government had not yet acknowledged the Independence of this Empire ; and that, under any circumstances, there is no Stipulation between Great Britain and Brazil, whereby the latter is bound not to receive Slaves imported in Portuguese Ships.

(Signed) H. CHAMBERLAIN.

The Right Hon. George Canning,
&c. &c. &c.

First Enclosure in No. 53.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, September 12, 1826.

A Portuguese Ship arrived in this Harbour yesterday, bringing a Cargo of Slaves; and the Diarios of this day state, that she is called the "*Orfeo*" from Ambriz, with 708 Negroes on board, 11 having died during the Passage, and that she is consigned to the Merchant Joao Alves da Silva Porto.

I lose not a moment in bringing these circumstances before your Excellency, in the hope that the necessary enquiries will be immediately made, and measures taken to enforce the Law against the Parties concerned, if, as it is apprehended must be the case, the "*Orfeo*" has infringed the existing Treaty and Convention for the repression of the Slave-trade.

By the establishment and recognition of the Independence of Brazil, Portugal and Brazil are become, to all intents and purposes, *quoad* each other, Foreign States, and Portugal is bound by existing Engagements with Great Britain (see Additional Convention of London of 1817, Art. 1 Sec. 4.) not to allow Portuguese Vessels to carry Slaves to any Port, not in the Dominions of His Most Faithful Majesty, which makes it most improbable that the "*Orfeo*" can be provided with a Passport from the Government of Portugal to load Slaves for Rio de Janeiro.

That she can be provided with a Passport from His Imperial Brazilian Majesty's Government, to carry on the Trade between the African Possessions of Portugal and Rio, is presumed to be still less likely; and we all know that no Governor of any of the Portuguese African Colonies has the power to grant any such Passport.

Wherefore it appears reasonable to conclude, that the "*Orfeo*" has illegally engaged in this Traffick.

And I take the liberty to request the favour of your Excellency to order the result of the before-mentioned enquiries to be communicated to me, and that I may be permitted to see the original Documents under which this Vessel sails, and to be furnished with Copies of them, for the information of my Government.

I have much pleasure in renewing to your Excellency, &c.

(Signed) H. CHAMBERLAIN.

His Excellency the Viscount de Inhambupe.

Second Enclosure in No. 53.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

Rio de Janeiro, September 14, 1826.

THE Viscount de Inhambupe presents his compliments to Mr. Henry Chamberlain, Chargé d'Affaires of His Britannick Majesty, and, acknowledging the receipt of the Letter that he addressed to him on the 12th of the present Month, respecting the Portuguese Ship "*Orfeo*," arrived in this Port with a Cargo of Slaves, has to acquaint him, that, under this day's date, he has transmitted Copy thereof to the Minister of Marine, in order to direct the necessary examinations, requested by Mr. Chargé d'Affaires, to be proceeded in.

The Viscount de Inhambupe, taking upon himself the charge of, in competent time, replying at length to Mr. Chargé d'Affaires, profits, &c.

H. Chamberlain, Esq..

Third Enclosure in No. 53.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro, September 25, 1826.

IN addition to the Note that I addressed, on the 14th instant, to Mr. HENRY Chamberlain, Chargé d'Affaires of His Britannick Majesty; I have to communicate, in reply to his Note, relative to the Portuguese Ship "*Orfeo*," that the Minister and Secretary of State of Marine has informed me, that, from the Examinations ordered to be made, it appears, evidently, that the said Ship sailed from Portugal to be employed in the Slave-trade, furnished with the competent Passport issued by that Government, under date of the 14th of November of last Year, when the Independence of this Empire was not yet acknowledged by the said Government. But, granting the case that such Recognition had already existed, it was not the Brazilian, but rather the Portuguese Government, to whom it belonged to reply for any infraction of the Treaty and Convention for the suppression of the said Traffick, and the more so, that there is not at present any Stipulation between England and Brazil by which this binds itself not to receive Slaves imported in Portuguese Vessels.

On this occasion I renew, &c.

(Signed)

VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

No. 54.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Dec. 15.)

(Extract.)

Rio de Janeiro, September 29, 1826.

WITH reference to my Despatch of this Series, dated the 9th instant; respecting the importation into Maranham of a Cargo of Slaves by the "*Nove de Março*," a Vessel under Portuguese Colours, said to be from Cabinda, but suspected to be from Cacheu; I have now the honour to forward, for the information of His Majesty's Government, the Answers returned by the Minister for Foreign Affairs, to my Representation of the 9th instant on that subject, a Copy of which was transmitted in that Despatch.

It is painful to observe the tone now taken up by this Government respecting the Slave-trade.

(Signed)

H. CHAMBERLAIN.

The Right Hon. George Canning,
&c. &c. &c.

First Enclosure in No. 54.

(Translation.)

*The Viscount de Inhambupe to Mr. Consul-General Chamberlain.**Rio de Janeiro, September 12, 1826.*

THE Viscount de Inhambupe presents his compliments to Mr. Henry Chamberlain, Chargé d'Affaires of His Britannick Majesty, and acknowledging the receipt of the Letter that he addressed to him on the 9th of the present Month, and which treats of the Portuguese Schooner "*Nove de Março*," hastens to acquaint him, that he has just transmitted his said Letter to the Marine Department, in order to direct, through that Office, the Examinations which Mr. Chargé d'Affaires requests may be made, and the result of which will be communicated to him.

The Viscount de Inhambupe renews, &c.

Henry Chamberlain, Esq.

Second Enclosure in No. 54.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro, September 26, 1826.

HAVING written to the Chargé d'Affaires of His Most Faithful Majesty, respecting the Portuguese Ketch "*Nove de Março*," which you said, in your Letter of the 9th of the present Month, had sailed from the Cape de Verdes with a Passport for Cabinda, but that it was suspected she had brought Slaves from Cacheu to Maranhão, the said Chargé d'Affaires has just informed me, that all he knows on this subject, is, that the said Ketch sailed from Santiago for the said Port of Cabinda; and, as this affair is an identical one with the other of the Ship "*Orfeo*," respecting which you have also represented, there remains nothing to me but to refer you to the Answer I gave under yesterday's date in that respect.

On this occasion I renew, &c. &c.

(Signed)

VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq

No. 55.

Mr. Consul-General Chamberlain to Mr. Secretary Canning.—
(Received Dec. 15.)

(Extract)

Rio de Janeiro, October 7, 1826.

SINCE writing my Despatch of this Series, dated the 28th ultimo, it occurred to me that you might be desirous to possess precise information respecting the interpretation given by this Government to the second Section of the Alvará of the 26th January 1818; upon which point M. de Inhambupe had not, when I wrote, pronounced an opinion.

I therefore again addressed him on the 3d instant; in the first place coinciding with his position, that Portugal is responsible to Great Britain for any infringement, by Vessels under the Portuguese Flag, of the Treaty and Convention for the suppression of the Slave-trade, and then putting forward my own view of the meaning of the 2d Section of the Alvará of the 26th January 1818, as the only one it can reasonably bear under the change that has taken place in Brazil.

His Excellency's Answer reached me Yesterday, and is couched in the following words; "Sec. 2 of the Alvará of the 26th January 1818, cited by you, does not prohibit Cargoes of Slaves from coming in Vessels the property of Portuguese."

The question, therefore, is decided, so far as this Government is concerned, and Vessels under the Portuguese Flag will be allowed to introduce as many Cargoes of Slaves as they please into Brazil.

(Signed)

H. CHAMBERLAIN.

The Right Hon. George Canning,

&c.

&c.

&c.

First Enclosure in No. 55.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

M. LE VICOMTE,

Rio de Janeiro, October 3, 1826.

I HAVE the honour to acknowledge the receipt of your Excellency's additional Note of the 25th ultimo, in reply to my Letter of the 12th, respecting the importation of a Cargo of Slaves from Ambriz by the Portuguese Ship "*Orfeo*."

I quite agree with your Excellency, that it is the Government of Portugal which is responsible to Great Britain for having granted a Passport to this Vessel, authorising her to carry such a Cargo from a Portuguese African Colony to the Empire of Brazil, contrary to the Stipulation of Treaty; and a reference to my above-mentioned Letter will shew, that my application to your Excellency in respect to her, inferred no infraction of existing Treaty between Great Britain and Brazil, but pointed at the enforcement of the Law of Brazil against the "Orfeo," in the event of her turning out to be an illicit Trader.

The arrival yesterday of another Portuguese Slave-vessel, the "*Conde dos Arcos*," with a Cargo of Negroes from Ambriz, and the certain intelligence which I have received from Bahia and Maranhão, of the arrival of Portuguese Slave-vessels at those Ports, with cargoes from the Portuguese Colonies in Africa, leave no doubt that the Portuguese Flag is now employed to a considerable extent in supplying a Foreign State with Negroes, in defiance of solemn Engagements with Great Britain; and your Excellency's Note of the 25th ultimo, signifies, that there is no Stipulation existing between Great Britain and Brazil, binding the latter not to receive Slaves imported in Portuguese Vessels.

In this state of the case, I feel it to be necessary to ascertain the interpretation given by the Brazilian Government to the 2d Article of the Alvará of the 26th of January 1818; which Alvará, as your Excellency is aware, was published for the purpose of giving full and complete effect to the Additional Convention of London of 1817, and in fulfilment of a Stipulation to that end.

By the separation of Brazil from Portugal, and its having become an Independent Empire, it would seem to be a natural consequence that the Flag of Brazil alone should, under that Article, be allowed to cover the importation of Slaves into Brazil, since it can hardly be contended that none but Ships under the Portuguese Flag can import them.

This is, however, a point of too much interest, and of too great magnitude, to remain undecided, and I trust that your Excellency will have the goodness to favour me with the opinion before requested, at as early a moment as may be practicable, for the purpose of being transmitted for the information of His Britannick Majesty's Government.

I beg to renew to your Excellency, &c.

(Signed) H. CHAMBERLAIN.

His Excellency the Viscount de Inhambupe.

Second Enclosure in No. 55.

Mr. Consul-General Chamberlain to the Viscount de Inhambupe.

Rio de Janeiro, October 3, 1826.

MR. CHAMBERLAIN presents his compliments to the Viscount de Inhambupe, Councillor, Minister, &c. &c. and begs to acquaint his Excellency that the Portuguese Vessel "*Conde dos Arcos*," respecting which he addressed his Excellency officially on the 24th of June last, arrived in this Harbour on the Night of the 1st instant, bringing a Cargo of 419 Slaves from Ambriz.

Mr. Chamberlain does not doubt that the promised enquiries respecting the legality of this Vessel's voyage will be gone into, and hopes that his Excellency will favour him with the result

He begs to renew to his Excellency, &c.

His Excellency the Viscount de Inhambupe.

Third Enclosure in No. 55.

(Translation.)

The Viscount de Inhambupe to Mr. Consul-General Chamberlain.

SIR,

Rio de Janeiro, October 6, 1826.

I ACKNOWLEDGE the receipt of the Letter and Note, which you addressed to me, under date of the 3d of the present Month, relative to the Portuguese Ship "*Conde dos Arcos*," which arrived in this Port with a Cargo of Slaves, coming from the Port of Ambriz.

Having already in my Note of the 25th of last Month, communicated to you, when I replied to your Representation on a similar shipment in the Portuguese Ship "*Orfeo*," that it was not the Brazilian, but rather the Portuguese Government, to whom it belonged to answer for any infraction of the Treaty and Convention for the suppression of the Traffick in Slaves; I have nothing more to add in this respect, but that the 2d Sec. of the Alvará of the 26th January 1818, cited by you, does not prohibit Cargoes of Slaves from coming in Ships, Portuguese Property.

On this occasion I renew to you, &c.

(Signed)

VISCONDE DE INHAMBUPE.

Henry Chamberlain, Esq.

No. 56.

*Mr. Consul-General Chamberlain to Mr. Secretary Canning. —**(Received Dec. 15.)*

SIR,

Rio de Janeiro, October 14, 1826.

I HAVE the honour to report the arrival in this Port, on the 10th instant, of the Portuguese Schooner "*Boa Viagem*," with a Cargo of 279 Slaves, from Angola, 20 having died during the voyage.

I have not thought it expedient, or useful, considering how little has been gained by my Representations respecting the "*Orfeo*" and "*Conde dos Arcos*," Slave-vessels, to take any notice of the arrival of the "*Boa Viagem*."

The Vessel and Cargo have been admitted to entry.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed)

H. CHAMBERLAIN.

No. 57.

Mr. Secretary Canning to Mr. Consul-General Chamberlain.

SIR,

Foreign-Office, December 30, 1826.

YOUR several Despatches of this Series, of the Slave-trade, to the 14th of October, inclusive, have been duly received.

I have witnessed, with much satisfaction, the unwearied vigilance and activity with which you have executed your Instructions upon that subject.

I am, &c.

Henry Chamberlain, Esq.

(Signed)

GEORGE CANNING.

No. 58.

Mr. Consul Pennell to Mr. Secretary Canning. — (Received Feb. 6, 1826.)

(Extract.)

Bahia, November 16, 1825.

I SHALL continue to transmit to you all the particulars that I can collect,

connected with the Cases of the Brig "*Henriquetta*," and of the Smack "*Caridade*;" they have accidentally become the subject of my Representation to the President of this Province; their Owners are known to be the principal Slave-merchants in this City, and I believe the facts which would be elicited by a strict scrutiny into these Cases, and their ramifications, would disclose a very correct view of the present state of the Trade in this Country, a view which may suggest such measures as are best calculated to remedy those evils which admit of cure, and to palliate such as are incurable.

The American Schooner "*Lafayette*" arrived here on the 21st October, from Onim, or Lagos, (in Lat. 6. 23. N.) in ballast, for which Place she had been chartered by the Owner of the Brig "*Henriquetta*." She reported that the "*Henriquetta*" was at Onim, expecting to receive her Cargo of Slaves. It is probable that the "*Lafayette*" was chartered by the Owner of the "*Henriquetta*," and the English Brig "*George and James*," by the Owner of the "*Caridade*," for the same objects, namely, to be subservient to their illicit operations in the Slave-trade.

The Master of the "*Lafayette*" stated, that he left at Onim 3 Spanish and 6 Brazilian Vessels waiting for Slaves.

On the 3d instant, the "*Henriquetta*" arrived here, and reported from *Molembo* in 18 days, with 504 slaves. It is reported that she had her Cargo, or part of her Cargo, of Slaves on board, when His Majesty's Ship "*Maidstone*" appeared off Onim, and she had just time to land them, and thereby to escape capture. On the departure of the "*Maidstone*," the Slaves were again embarked, and she proceeded to Sea. Soon afterwards, the "*Maidstone*" appeared in sight, and gave chase, a calm or light winds enabled the "*Henriquetta*" to avail herself of her sweeps, and to escape: she is armed, and had prepared her guns for resistance. It is reported, that several deaths have taken place among the Slaves, but with regard to circumstances and number, there has been equivocation and concealment.

I cannot vouch for the accuracy of these facts, yet I am persuaded there will not be found any error that will essentially affect the truth of this Representation.

I have not been able to ascertain all the dates; perhaps the Commander of His Majesty's Ship "*Maidstone*" may be able to furnish such Evidence on this point as, combined with the facts here stated, will prove that the Slaves could *not* have been shipped at *Molembo*, or at any Port South of the Line.

I am informed that the "*Henriquetta*" was insured at Rio de Janeiro, on her late voyage, at a premium which included the risk of capture by British Cruizers; the Owner has lately bought the Schooner "*Lafayette*;" and the Owner of the Smack "*Caridade*" expects a Vessel from Philadelphia, that is to be a nonpareil, for the Slave-trade (illicit understood), and that will be well armed. It is supposed that a fortunate voyage on this Trade, (such as those recently made by the "*Henriquetta*" and "*Caridade*"), leaves a profit to the Speculator of upwards of £30 per head.

The illicit Slave-trade is very differently viewed in this Country from what it is in England; of which I cannot state a greater or more authentick proof, than in the Case of the Portuguese Vessel the "*Volcano do Sul*:" this Vessel was captured with a Cargo of Slaves on board, in the Year 1819, by His Majesty's Ship "*Pheasant*," and was ordered to Sierra Leone; the Crew, however, rose on the English Officer and Seamen, murdered them, and made for this Port: here the Slaves were all smuggled on Shore, and the Vessel then scuttled to escape detection; the case was pretty generally known, but no one gave any information with a view to bring the Delinquents to justice. At length it was communicated to me, under a promise of secrecy as to the name of my Informant; I immediately made an Official Representation to the then Governor, who ordered an investigation, the facts were proved, the property of the Owner was sequestered, and Sentence of Death pronounced against the Portuguese Crew; but, I believe, no Execution has followed.

The most moderate estimate made of the illicit Importation of Slaves in this

Province, makes it average more than $\frac{3}{4}$ of the whole Importation; indeed, the general belief is, that $\frac{5}{6}$ of the total Importation is from the prohibited District: this sufficiently shews how ineffectual the British Naval Force has hitherto been, as regards the illicit Trade with this Province.

It is the general opinion amongst the best informed here on the subject, that when a Vessel, bound to this Port with Slaves, is captured and condemned, another is *generally* equipped for the same voyage, in order to supply the still existing demand, in which case the very success of our Cruizers increases the illicit Exportation of Slaves from the North of Africa. It, however, *sometimes* happens, (and the more successful our Cruizers are, the more frequently it is likely to happen) that the dread of our Cruizers induces the Slave-merchant to send his Vessel to Moçambique, or its vicinity, where the Trade is legal and the Slaves cheap; but on this voyage, it is estimated, that the mortality is five times greater than on the voyage to the North, and the misery to the unhappy survivors *incalculably* greater.

The crimes committed, to escape *after* capture, are exemplified in the Case of the "Volcano do Sul." Those which are committed, to escape being captured with Slaves on board, are known to be more frequent, and, if possible, of a deeper die.

The Case of the "Volcano do Sul," also shows the facility of smuggling on this Coast, and, that the Official Returns of the Importation of Slaves should be regarded as under-rated.

(Signed) WM. PENNELL.

The Right Hon. George Canning,
&c. &c. &c.

No. 59.

Mr. Consul Pennell to Mr. Secretary Canning. — (Received May 23.)

SIR,

Bahia, February 22, 1826.

I HAVE procured a List of the principal Ports North of the Line, from whence Slaves are shipped for this Place: they are as follows; Cabo Lau, Rio Sueiro, Cabo Polonia, Mina, Cabo Corso, Alará, Aquita, Popo, Ajuda, Badagra, Porto Novo, and Onim or Lagos.

I believe it to be correct, although it has the following Preamble, "The Ports on the Coast of Mina (Guinea), where the Trade is carried on in Gold, Ivory, Cloth, and Oil."

In consequence of this Preamble, and because this Commerce is frequently adduced to cloak the illicit Slave-trade, I caused enquiry to be made as to its extent, and I am credibly informed, that the value of all the Articles imported through the Custom-House into this Province, *from all Africa*, did not exceed £6,000 for the Year 1825.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) WM. PENNELL.

No. 60.

Mr. Consul Pennell to Mr. Secretary Canning. — (Received May 29.)

SIR,

Bahia, February 3, 1826.

I HAVE the honour to enclose Copy of my Letter, of the 28th January, to the French Consul, on learning that the French Ship "*Diane*," Captain Edon, had brought to this Port from Pernambuco 8 Slaves for sale, and also of his Reply, dated the 31st instant, explaining the circumstances of the case, and the steps which he has taken.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) WM. PENNELL.

First Enclosure in No. 60.

Mr. Consul Pennell to the French Consul at Bahia.

SIR,

Bahia, January 28, 1826.

I HAVE the honour to call your attention to the circumstance of the French Ship "*Diana*," Captain Edon, from Pernambuco, having brought to this Port 8 Slaves, which, I am informed, are intended for sale.

I am persuaded it is sufficient to bring the fact to your knowledge to induce you to take such steps herein as are dictated by the Laws of France, and the well known sentiments of His Most Christian Majesty, on the subject of the Slave-trade.

I have the honour to be, &c.

Mons. Guinebaud.

(Signed) WM. PENNELL.

Second Enclosure in No. 60.

The French Consul at Bahia to Mr. Consul Pennell.

MONSIEUR,

Bahia, 31 Janvier 1826.

JE réponds à la Lettre que vous m'avez fait l'honneur de m'écrire le 28 de ce Mois, pour m'annoncer que le Navire Français "*La Diane*," Capitaine Victor Edon, a transporté de Pernambouc en ce Port 8 Nègres, Esclaves destinés à y être vendus.

Ayant, vous et moi, examiné le Rôle d'Equipage de "*La Diane*," nous avons en effet reconnu qu'il conste, ainsi que l'accuse Monsieur Boilleau, Chancelier gérant le Vice Consulat de France à Pernambouc, que le nommé Antonio Jozé Ribeiro, s'est embarqué à Pernambouc pour Bahia, accompagné de 8 Esclaves, dont un domestique, et les 7 autres allant sous Carta de Guia, ou Passavant de la Douane, pour être vendus à Bahia.

A la réception de votre Lettre je m'empressai de faire appeler devant moi le Capitaine Edon, pour lui communiquer la plainte et recevoir de lui les éclaircissements nécessaires. Il résulte de ses déclarations ce qui suit:

Le Capitaine Edon a donné passage de Pernambouc à Bahia, au nommé Antonio Jozé Ribeiro, accompagné comme il est dit ci-dessus.

Cet Individu, dit le Capitaine Edon, était porteur d'un Passeport délivré par l'Autorité de Pernambouc, tant pour lui que pour ses 8 Esclaves. Il n'a pas examiné ce Passeport écrit en Portugais qu'il ne comprend pas, et ne s'est point informé si les Nègres étaient neufs ou non.

Il a d'autant moins pensé devoir le faire qu'il sait ou croit savoir que les Lois Brésiliennes défendent à tout Navire Etranger le cabotage des produits du sol ou du Commerce Brésilien, et spécialement des Nègres qui n'ayant pas acquitté les droits d'entrée, peuvent encore être réputés Marchandise de traite.

Que l'Autorité de Pernambouc ayant délivré le Passeport, le Capitaine n'a pas poussé plus loin son investigation et s'est cru en règle.

Que l'on ne peut lui attribuer aucun motif de cupidité ou désir de contrevenir aux Lois de France relatives au Commerce des Noirs, puis qu'il résulte de son livre de bord que le montant du passage du Maître et des 8 Esclaves, n'est que de Rs50,000. (F312. 50c.) savoir Rs30,000. pour le Maître, et Rs20,000. (F125.) pour les 8 Esclaves.

Les assertions du Capitaine me paraissant exprimées avec une certaine ingénuité qui écarte, au moins à mes yeux, toute idée de fraude ou de faute volontaire, je ne crois pas pouvoir avec justice lui appliquer les sévères dispositions résultant des diverses Instructions depuis longtems, et récemment encore, émanées du Gouvernement de Sa Majesté Très Chrétienne, sur tout ce qui a rapport à la Traite des Noirs.

"*La Diane*" répartant incessamment pour Pernambouc et le Hâvre, je crois

devoir prendre le parti de m'en référer à Monsieur Boilleau, en le prévenant de ce qui s'est passé, bien sur que cet Agent prendra toutes les mesures convenables pour parvenir à la connaissance de la vérité, et à donner les éclaircissements nécessaires sur plusieurs choses que je ne suis point apportée d'expliquer.

Je me propose aussi d'en rendre directement compte à mon Gouvernement.

Je ne puis d'ailleurs Monsieur, que vous remercier de l'avis que vous avez bien voulu me donner dans cette occasion, et vous assurer de l'intérêt avec lequel j'accueillerai toutes les indications que vous voudrez bien me faire parvenir sur cette matière, que les Instructions pressantes et réitérées du Ministère Français rendent l'objet constant de ma sollicitude.

J'ai l'honneur, &c.

M. Pennell.

(Signé)

GUINEBAUD.

(Translation.)

SIR,

Bahia, January 31, 1826.

I REPLY to the Letter which you did me the honour to write to me on the 28th of this Month, informing me, that the French Ship the "*Diana*," Captain Victor Edon, brought from Pernambuco, 8 Negro Slaves, intended for sale at this Place.

When you and I examined the Roll of the Crew of the "*Diana*," we saw, in fact, that it was evident, as is acknowledged by Monsieur Boilleau, Acting Chancellor in the Vice Consulate of France at Pernambuco, that the said Antonio Joze Ribeiro embarked at Pernambuco for Bahia, accompanied by 8 Slaves, one of whom, a domestick, and the 7 others went, under a *Carta de Guia*, or Passport of the Custom House, to be sold at Bahia.

On the receipt of your Letter, I lost no time in causing Captain Edon to appear before me, to communicate the complaint to him, and to receive from him the necessary explanations. The following is the result of his declarations:

Captain Edon gave a passage from Pernambuco to Bahia to the said Antonio Jose Ribeiro, accompanied as above stated.

That Individual, according to the Captain, was the bearer of a Passport, delivered by the Authorities of Pernambuco, for himself as well as his 8 Slaves. He did not examine that Passport, as it was written in Portuguese, which he does not understand, nor did he enquire whether the Negroes were new ones or not.

He thought himself the less bound to do so, as he knows, or believes that he knows, the Brazilian Laws prohibit every Foreign Ship from making a Coasting-trade with the produce of the Brazilian Soil or Commerce; and especially Negroes, who, not having paid the Import Duties, may still be considered as Merchandize of the Slave-trade.

The Authorities of Pernambuco having delivered the Passport, the Captain investigated the affair no further, and conceived himself to be acting correctly.

No motive of cupidity, or desire of intringing the Laws of France relative to the Slave-trade, can be attributed to him, inasmuch as it is proved by his Ship's Book that the amount of the passage of the Master and the 8 slaves is only Rs50,000. (F312. 50 cts.) viz.: Rs30,000. for the Master, and Rs20,000. (F125.) for the 8 Slaves.

The assertions of the Captain appear to me expressed with a certain ingenuousness which dissipates, at least to my eyes, all idea of fraud or voluntary fault. I do not in justice think that I can apply to him the severe measures which result from the different Instructions long since communicated by, and recently received from, the Government of His Most Christian Majesty, above all in what has reference to the Slave-trade.

The "*Diana*" being about to return immediately to Pernambuco and Havre, I think I may refer the business to Monsieur Boilleau, informing him of what has occurred, well convinced that that Agent will take the necessary

steps to obtain a knowledge of the truth, and to give the necessary explanations upon many points which I am not competent to explain.

I intend also immediately to inform my Government of the affair.

I cannot but thank you, Sir, for the advice which you have thought proper to give me on this occasion, and assure you of the interest with which I shall welcome all the information which you may be pleased to transmit to me on this matter, which the pressing and reiterated Instructions from the French Ministry render a constant object of my solicitude.

I have the honour to be, &c.

W. Pennell, Esq.

(Signed)

GUINEBAUD.

No. 61.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received May 29.)

SIR,

Bahia, February 17, 1826.

IN a conversation with the French Consul of this Province, on the subject of a French Schooner, called the "*Bienfaisant*," chartered to carry a cargo of Tobacco to Ajuda, I stated to him the view which was taken of such a voyage by the Laws of England, and that an English Vessel now here (the Brig "*Freeland*," Captain Thompson,) had just refused an advantageous Charter for that Port, in consequence of your Despatch on the subject. He expressed a wish to obtain all the information on the subject which I could afford, expressing his desire to concur all in his power for the suppression of the Slave-trade, and that he would write to his Government on this particular Case, if it did not already come within his Instructions.

In consequence, I sent him a Copy of your Despatch of the 24th of July last. I have the honour to enclose a Copy of my Letter to him, and of his Reply on the subject.

I have the honour to be, &c.

The Right Hon. George Canning,
 &c. &c. &c.

(Signed) WM. PENNELL.

First Enclosure in No. 61.

Mr. Consul Pennell to the French Consul at Bahia.

SIR,

Bahia, February 9, 1826.

WITH reference to our conversation, respecting the French Schooner "*Bienfaisant*," bound to Ajuda, on the Coast of Africa, North of the Line, with a cargo of Tobacco, I have the honour to enclose a Copy of Mr. Secretary Canning's Despatch of the 24th of July last, by which you will perceive that a similar voyage (under the same circumstances) in an English Vessel, is forbidden by the English Law; and although several English Merchants and Masters of Ships had before contended for its legality, on the same reasoning which you have adduced, yet they have since uniformly (and one within these few days) refused advantageous freights of this description, in deference to the Law, as expounded in Mr. Canning's Despatch.

It is with great pleasure that I comply with your desire to be furnished with a Copy of this Document, for the object you intimate, being persuaded that a union of sentiment, and a cordial co-operation in measures, by the French and English Nations, as regards the Slave-trade, will have a very powerful and salutary effect towards its final abolition.

I have the honour to be, &c.

M. Guinebaud.

(Signed) WM. PENNELL.

P.S.—I also enclose Copies of my Despatches of the 1st and 15th April last, to which Mr. Secretary Canning refers.

(Signed) W. P.

Second Enclosure in No. 61.

The French Consul at Bahia to Mr. Consul Pennell.

MONSIEUR,

Bahia, 15 Février, 1826.

J'AI lu avec toute l'attention qu'ils méritent les Documents contenus et détaillés dans la Lettre que vous m'avez fait l'honneur de m'écrire le 9 de ce Mois, par suite de la conversation que nous avons eue au sujet de la Goëlette Française le "*Bienfaisant*," Capne. Luzet, arrivé récemment d'Ajuda, Côte d'Afrique, au Nord de la Ligne, et se préparant à y retourner avec un chargement de tabac. Quelque soit ma confiance dans le mérite des décisions de M. l'Avocat-Général du Roi, dont il est fait mention dans la Dépêche du très honorable Secrétaire d'Etat, je ne puis m'empêcher de remarquer que M. l'Avocat-Général lui-même laisse le point de droit indéces, en se référant à la nécessité d'une nouvelle Mesure Législative.

Ne vous semble-t-il pas aussi, Monsieur, qu'il existe une différence assez remarquable entre votre position et la mienne à l'égard de nos Capitaines respectifs, résultant de la différence des circonstances du "*Bienfaisant*" et de celles des Navires Anglais qui, d'après vos avis et sur la représentation de l'un des Documents précités, ont renoncé à se fréter pour la Côte d'Afrique?

Les Navires Anglais dont il est fait mention, arrivant probablement d'Angleterre ou de l'une des Possessions Britanniques, se trouvaient tout à fait étrangers, au moins dans cette occasion, au commerce légal ordinaire de la Côte d'Afrique. Pour eux un tel voyage eut été accidentel; l'un d'eux a même déclaré qu'au transport en Afrique de son chargement se joignait dans la Charte-partie proposée la circonstance aggravante du transport de *Noirs Libres* d'un lieu à un autre de la Côte.

Le "*Bienfaisant*," au contraire, est parti de France en Décembre 1824, chargé et dûment pourvu d'Expéditions légales et Passeport pour la Côte d'Afrique. On sait qu'il se fait tous les Ans, tant en Angleterre qu'en France, un certain nombre d'Expéditions de ce genre, dont le but avoué et véritable est de débiter des Marchandises sur la Côte et de traiter des produits d'Afrique, tels que la gomme, l'ivoire, l'or, l'écaille, des bois précieux, de l'huile de Palmier, du café des Iles du Prince et de San Thomé, &c.

Le "*Bienfaisant*" a parcouru la Côte et utilisé son navire suivant qu'il a été convenable à ses intérêts et conforme aux Lois de France. Il a vendu sa cargaison, et son produit se trouve représenté par une partie de café que le Capitaine a à son bord avec des Piastres et autres valeurs.

Cette circonstance écarte tout soupçon de commerce et d'introduction d'Esclaves. D'ailleurs ce Bâtiment a été visité à plusieurs reprises par des Bâtimens de Sa Majesté Britannique, ainsi qu'il conste des *Visas* apposés sur son congé et sur son Acte de Francisation. Le Capitaine déclare même avoir été visité le jour de son départ pour Bahia.

Le Capne. Luzet a pris des arrangemens avec un Marchand d'Ajudá pour venir chercher à Bahia et lui rapporter un chargement de tabac dont le fret sera payé à Ajudá même.

Arrivé dans ce Port, il m'a fait sa Déclaration et justifié de l'emploi de son tems sur la Côte. J'ai fait visiter son Navire, je me suis convaincu qu'il n'est point préparé pour le Commerce des Noirs, et qu'il avoit à bord en café et autres valeurs la représentation de son chargement de France et des profits que lui ont valu ses diverses escales sur la Côte. Je n'ai point le droit de pousser mes investigations plus loin. Il n'existe dans mes Instructions ni dans les Lois de France à ma connaissance, aucune clause qui me donne le pouvoir d'arrêter et rompre le cours de voyage d'un Navire parti de France avec des Expéditions en règle, et contre lequel il ne s'élève aucun juste soupçon de fraude ou violation des Lois. Le Capitaine aurait le droit de protester chez moi contre moi-même de pertes et dommages pour cette extension arbitraire de l'esprit des Lois contre le Commerce des Esclaves.

Je ne puis d'ailleurs que vous répéter ce que j'ai eu l'honneur de vous dire verbalement, au sujet de la cargaison de tabac que doit prendre le "Bienfaisant."

Le tabac, l'eau-de-vie, et autres marchandises que l'on charge ici pour la Côte d'Afrique, sont à mes yeux des marchandises *innocentes* ainsi que celles que l'on y envoie d'Angleterre, d'Allemagne, et de France. C'est l'emploi qui cesse de l'être, lorsqu'on les applique à l'achat d'Esclaves. Elles peuvent en effet avoir ce criminel résultat, parceque l'on peut abuser de tout, mais elles peuvent aussi ne servir qu'à faire le Commerce légal et permis de tous les autres produits de l'Afrique.

S'il est possible que des Spéculateurs d'Europe ne soient pas encore assez pénétrés de l'horreur que doit inspirer l'odieux trafic des Noirs, et frappés de crainte à l'aspect des peines sévères portées contr'eux, les Vaisseaux de Guerre Anglais et Français sont suffisamment autorisés à exercer une surveillance rigoureuse sur des Expéditions suspectes, mais cette surveillance ne peut conduire à entraver ou arrêter des Bâtimens faisant un Commerce légal.

S'il pouvait venir à ma connaissance que le "Bienfaisant" se fut livré d'une manière quelconque au Commerce des Noirs, le Capitaine me trouverait armé de toute la sévérité que m'imposent mes Instructions et les Ordres récents reçus à ce sujet.

Mais dans la circonstance actuelle, je ne puis me refuser à lui laisser continuer son voyage et à signer ses Expéditions.

Permettez-moi du reste, Monsieur, de vous répéter, que vous me trouverez toujours cordialement disposé à joindre mes efforts aux vôtres, pour parvenir à faire strictement exécuter les Lois de nos Nations respectives sur le Commerce des Noirs.

J'ai l'honneur d'être, &c.

Monsieur W. Pennell.

(Signed)

GUINEBAUD.

(Translation.)

SIR

Bahia, February 15, 1826.

I HAVE read, with all the attention which they deserve, the Documents enclosed and detailed in the Letter, which you did me the honour to write to me on the 9th of this Month, subsequent to the conversation which we had on the subject of the French Schooner "*Le Bienfaisant*," Capt. Luzet, lately arrived from Ajuda, Coast of Africa, to the North of the Line, and which is preparing to return thither with a Cargo of Tobacco. Whatever may be my confidence in the merit of the Decisions of the Advocate-General of the King, of which mention is made in the Despatch of the Right Honourable Secretary of State, I cannot refrain from remarking, that the Advocate-General himself leaves the point of Law undecided, by alluding to the necessity of a new Legislative Measure.

Does it not, also, appear to you, Sir, that there is a remarkable difference between your position and mine, as to our respective Captains, resulting from the difference of the circumstances of the "*Bienfaisant*" and those of the English Ships, which, according to your information, and the representation of one of the aforesaid Documents, have abandoned their preparations for the Coast of Africa?

The English Ships mentioned, probably arriving from England, or from one of the British Possessions, were perfectly strange, at least on this occasion, to the legal ordinary Commerce of the Coast of Africa. For them such a Voyage had been accidental. One of them has even declared, that, in the proposed Charter-party, with the transport of her Cargo to Africa, was coupled the aggravating circumstance of the transport of *Free Negroes* from one part of the Coast to the other.

The "*Bienfaisant*," on the contrary, departed from France in December 1824, laden, and duly furnished with legal Instructions and Passport, for the Coast of Africa. It is known that every Year, as well in England as in France, a certain number of Expeditions of this kind are prepared, the

avowed and real object of which is to sell Merchandize on the Coast, and to treat for the produce of Africa, such as gum, ivory, gold, shell, precious woods, palm-oil, and coffee from Princes Islands and St. Thomas, &c.

The "Bienfaisant" ran along the Coast, and made herself useful according to her interests, and conformably to the Laws of France. She sold her Cargo, and in place of that produce, substituted a parcel of coffee, which the Captain has on board, piasters, and other valuables.

This circumstance dissipates every suspicion of the commerce in, or the introduction of, Slaves. Besides, that Vessel was frequently visited by His Britannick Majesty's Ships, as is proved by the *Visas*, placed upon her Passport, and her Act of *Francisation*. The Captain even declares that he was visited on the day of his departure for Bahia.

Capt. Luzet formed arrangements, with a Merchant of Ajuda, to procure, at Bahia, and carry back to him, a cargo of tobacco, the freight of which will be paid at Ajuda.

On his arrival at this Port he made his Declaration to me, and justified the employment of his time on the Coast. I caused his Ship to be visited, and convinced myself that she was not prepared for the Slave-trade, but had on board, in coffee and other valuables, the substitute of her Cargo from France, and the results of her profits acquired in her different voyages along the Coast.

I have no right to push my investigations further. Neither in my Instructions, nor in the Laws of France, to my knowledge, does any clause exist which gives me the power to delay or stop the course of a Ship's Voyage, which left France with Instructions in due form, and against which no just suspicion of fraud or violation of the Laws is manifest. The Captain would have a right to protest, in my own house, against myself, for expences and damages, in consequence of such an arbitrary extension of the spirit of the Laws against the Slave-trade.

I cannot refrain from now repeating to you, what I had the honour of saying to you, verbally, on the subject of the cargo of tobacco which the "*Bienfaisant*" is to take.

The tobacco, brandy, and other merchandize, which are laden here from the Coast of Africa, are, in my judgment, *innocent* merchandize, as well as those goods which are sent out from England, Germany, and France. The employment of them ceases to be so, when they are applied for the purchase of Slaves. In effect, they may have that criminal result, inasmuch as every thing may be abused; but they also may be intended solely for the legal and permitted Commerce of all other produce of Africa.

If it be possible that the Speculators of Europe are not as yet impressed with the horror necessarily resulting from that odious Traffick, and terrified at the aspect of the severe Penalties enacted against it, the English and French Ships-of-War are sufficiently authorised to enforce a rigorous inspection as to suspected Licences, but that inspection cannot empower them to delay or stop Vessels carrying on a legal Commerce.

If it should come to my knowledge that the "Bienfaisant" lent herself, in any way, to the Slave-trade, the Captain would find me armed with all the severity which is imposed upon me by my Instructions, and the recent Orders received on that subject.

But, under the present circumstances, I cannot refuse to allow him to continue his Voyage, or to sign his Licence.

Permit me, Sir, now to repeat to you, that you will always find me cordially disposed to join my efforts to yours, to enforce the strict execution of the Laws of our respective Nations on the Slave-trade.

I have the honour to be, &c.

(Signed)

GUINEBAUD.

Mr. W. Pennell.

No. 62.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received May 29.)

SIR,

Bahia, February 21, 1826.

I HAVE the honour to transmit Copy of my Correspondence with the President of this Province, under date of the 15th, 17th, and 20th instant, on the subject of the admeasurement of Slave-vessels, and particularly as regards the Schooner "1^a Rosalia."

It is not my intention to renew this subject with the Authorities here, unless in obedience to Instructions, or that circumstances shall arise to promise greater utility to my interference.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) WM. PENNELL.

First Enclosure in No. 62.

Mr. Consul Pennell to the President of the Province of Bahia.

SIR,

Bahia, February 15, 1826.

I RECEIVED the Letter which your Excellency did me the honour to address to me, dated the 4th November last, intimating your intention to reply at an early period to my Letters of the 10th and 16th of September, and 6th of October.

It is in the mean time my duty to represent to your Excellency, that the grievances which I had the honour to bring under your observation, in my aforesaid Letters of the 16th September and 6th October, as regards the Slave-trade, remain unabated.

A List of 12 Brazilian Vessels has been exhibited to me, as having sailed from this Port for Africa, since the 6th October last, without having been measured, as directed by His Imperial Majesty's Portaria of 12th August 1824.

The Schooner "1^a Rosalia," arrived the 13th instant, from Molembó, with 406 Slaves, furnishes a Case (as I am credibly informed) more aggravated than that of the Smack "Caridade," adverted to in my Letter of the 6th October, inasmuch as she brings 150 Slaves more than her admeasurement warrants, even on the supposition that the admeasurement is correct, and that no deaths have taken place since the commencement of her voyage.

I have the honour to be, &c.

(Signed) WM. PENNELL.

His Excellency the Viscount de Queluz.

Second Enclosure in No. 62.

(Translation.)

The President of the Province of Bahia to Mr. Consul Pennell.

SIR,

Bahia, February 17, 1826.

I HAVE received your Letter of the 15th instant, stating that you had not yet received a satisfactory Answer to your Letters of the 10th and 16th of September, and of the 6th October of last Year.

Having heard the competent Departments of this City on the subject of your Representation, I am persuaded that the Admeasurement of Vessels in this Province is different from that of England, and it therefore becomes my duty to carry this affair to the Imperial Presence, which I shall do, and in due time communicate to you the Resolution of His Majesty The Emperor.

As to the Schooner "*Rosalia*," lately arrived from Molembo with 406 Slaves, I have to inform you, that the Passport which she carried authorized her to bring 495 Slaves, according to the Admeasurement made at the Intendencia da Marinha, and therefore she might have brought 89 Slaves more than the 406 which are mentioned in your Letter.

God preserve you.

William Pennell, Esq.

(Signed) VISCONDE DE QUELUZ

Third Enclosure in No. 62.

Mr. Consul Pennell to the President of the Province of Bahia.

SIR,

Bahia, February 20, 1826.

I BEG leave to express my thanks to your Excellency for the information contained in your Letter of the 17th instant. I observe that the Schooner "*1^a Rosalia*" is authorized to carry 495 Slaves. My representation was founded on the Register kept at the Arsenal da Marinha, by which it appears, that, both on her outward and homeward voyage, she is rated at 99 tons, which would authorize her to carry only 246 Slaves. Can it be that she is rated at 198 tons for the purpose of carrying Slaves, and only at 99 for other purposes?

I have the honour to be, &c.

His Excellency the Viscount de Queluz.

(Signed) WM. PENNELL.

No. 63.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received June 19.)

(Extract.)

Bahia, February 27, 1826.

WITH reference to my Despatch of the 21st instant, I have the honour to enclose a Copy of a Letter from the President of this Province, of the 25th instant, which contained a Certificate from the Intendente da Marinha, stating that the Schooner "*1^a Rosalia*" was measured on the 16th September 1824, in conformity with the Alvará of 26th January 1818, and was found to be 194½ tons, and capable of carrying 486 Slaves.

*The Right Hon. George Canning,
&c. &c. &c.*

(Signed) WM. PENNELL.

First Enclosure in No. 63.

(Translation.)

The President of the Province of Bahia to Mr. Consul Pennell.

SIR,

Bahia, February 25, 1826.

HAVING received your Letter of the 20th instant, I directed the Chief of the Department, the Intendente da Marinha, to report on the Admeasurement of the Schooner "*1^a Rosalia*." By this Report, which I transmit to you, with a Certificate of the Measurement made by the Ship-builders of the Arsenal, it appears, with certainty, that the said Vessel has not brought a greater number of Slaves than her Measurement permits.

I am persuaded that I have perfectly satisfied the Representation made in your Letter.

God preserve you.

William Pennell, Esq.

(Signed) VISCONDE DE QUELUZ.

No. 64.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received June 19.)

(Extract.)

Bahia, April 17, 1826.

DURING The Emperor's recent visit to this City, the Brig "*Henriquetta*" (whose Admeasurement forms the subject of my Despatch of the 17th of October of last Year) arrived from the Coast of Guinea, N. She is reported from Molembo, with 441 Slaves; but is authorised to bring 600.

On enquiry into the cause, I learnt that the Slaves had risen on the passage, and that many were killed. I understand the Captain acknowledges 18: other reports make the number greater; but I do not learn that any legal investigation will take place.

The Owner of the "*Henriquetta*" has lately purchased the English Brig "*Fanny*," of 192 tons, built at Halifax. It is supposed she will also be employed in the illegal Traffick.

The Right Hon. George Canning,
 &c. &c. &c.

(Signed) WM. PENNELL.

No. 65.

Mr. Secretary Canning to Mr. Consul Pennell.

SIR,

Foreign Office, June 22, 1826.

I HAVE received your Despatch of the 17th of February, of the Slave-trade Series, of this Year, and I commend the zeal which prompted, and the quiet and considerate tone which marked, your Communication with the Consul of France, at Bahia, upon the chartering of French Vessels to Places in Africa, North of the Line.

I send to you, for your Information upon this subject, the Copy of a Despatch which I have received from His Majesty's Commissioners at Sierra Leone, dated the 21st of March last,* shewing how just was the view which was taken, as to the object of the Parties who employed the Vessel "*George and James*," noticed in your Letter of November 5, 1825.

I am, &c.

William Pennell, Esq,

(Signed)

GEORGE CANNING.

* See Class A. No. 38.

No. 66.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received Oct. 28.)

(Extract.)

Bahia, August 8, 1826.

I HAVE the honour to enclose the Diario Newspaper of the 2d instant, containing a Despatch from the Visconde de Inhambupe, Minister for Foreign Affairs, to the President of this Province, dated Rio de Janeiro, 14th July last, by which it appears that His Imperial Majesty has revoked the Order which was communicated to the President on the 4th of January last, prohibiting Vessels from touching at different Ports; this Prohibition it appears was obtained on a Representation from His Majesty's Chargé d'Affaires at Rio de Janeiro, alleging that the permission to touch at the Islands of St. Thomas and Princes, gave great facility to the illicit Traffick in Slaves.

I enclose a Translation of the above-mentioned Despatch from the Minister of Foreign Affaires.

(Signed)

WM. PENNELL.

The Right Hon. George Canning,
 &c. &c. &c.

P. S. The same Diario contains other Documents on the same subject, Translations of which I also transmit enclosed. (Signed) W. P.

First Enclosure in No. 66.

The Viscount de Inhambupe to the President of the Province of Bahia.

Rio de Janeiro, July 14, 1826.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

HIS Majesty The Emperor, seeing the repeated Representations of the Chargé d'Affaires of His Britannick Majesty against certain Merchants, who he said, in order to deceive the constituted Authorities, availed themselves of fraudulent pretences of touching at different Ports to carry on the illicit Commerce in Slaves, resolved that such touchings at different Ports, should be prohibited, which was communicated to your Excellency by a Despatch from this Office of the 4th of January of the present Year: well founded Representations from various Brazilian Merchants having, however, since come before the Imperial Presence, and the same August Lord, being persuaded that there could not arise any inconveniencies from the above-mentioned touching at different Ports, because a remedy is provided in the Treaty of Vienna of 22d of January 1815, and in the Additional Convention to the same Treaty of 28th of July 1817, and that the Prohibition was, in some degree, indecorous to the National dignity, His Imperial Majesty has thought fit benignantly to grant their Prayer, re-establishing what was before practised in this respect. This I communicate to your Excellency for your information and execution.

God preserve your Excellency.

(Signed)

VISCONDE DE INHAMBUPE.

H. E. the Viscount de Queluz.

Second Enclosure in No. 66.

(Translation.)

The Viscount de Paranagua to the Viscount de Queluz.

*Department of the Affairs of the Marine,
Rio de Janeiro, July 19, 1826.*

SIR,

I TRANSMIT to your Excellency, for your information and government, the enclosed Copies, as well of the Notice sent to this Department, by the Minister and Secretary of State for Foreign Affairs, as of the Official Letter which the same Person addressed to the Chargé d'Affaires of His Britannick Majesty, whereby your Excellency will see re-established, by an Imperial Edict, the practice formerly observed concerning the Sea-ports frequented by Brazilian Ships in the Islands of St. Thomas and Princes.

God preserve your Excellency,

H. E. the Viscount de Queluz. (Signed) **VISCONDE DE PARANAGUA.**

Third Enclosure in No. 66.

(Translation.)

The Viscount de Inhambupe to the Viscount de Paranagua.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

Palace, July 14, 1826.

I SEND enclosed to your Excellency the Copy of the Reply which I made to the Official Letter of His Britannick Majesty's Chargé d'Affaires, dated the 20th June, relative to the affair of the Schooner "*Arsenia*," and your Excellency will see thereby the definitive resolution which His Imperial Majesty The Emperor has thought fit to adopt, with regard to the Sea-ports frequented by Brazilian Ships in the Islands of St. Thomas and Princes, thus establishing the practice formerly observed.

God preserve your Excellency,

(Signed)

VISCONDE DE INHAMBUPE

H. E. the Viscount de Paranagua.

No. 67.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received Oct. 28.)

SIR,

Bahia, August 26, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch of the 22d June last, relating to the Slave-trade.

I feel very sensibly the value of any commendation from you, and I am highly gratified by the notice you have been pleased to take of my communication with the Consul of France, on the subject of French Vessels trading to Africa North of the Line, and of my Despatch of the 5th November 1825, as regards the view which was then taken of the object of the Parties who employed the Vessel "*George and James*."

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) WM. PENNELL.
&c. &c. &c.

No. 68.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received Dec. 13.)

(Extract.)

Bahia, September 20, 1826.

THE Vessel alluded to in my Despatch of the 16th November last, as expected from Philadelphia, arrived here on the 29th March last, under American Colours, having first touched on the Coast of Africa; she sailed again for Molembo, under Brazilian Colours, on the 3d June last; she is called the "*Prince of Guinea*," of 261 tons, was built at Philadelphia.

Another Vessel, called the "*Blackbird*," of 216 tons, arrived from Philadelphia the 1st May, under American Colours, is now under Brazilian, and is preparing for a voyage to the Coast of Africa.

The Right Hon. George Canning, (Signed) WM. PENNELL.
&c. &c. &c.

P. S.—For the purpose of accuracy, I submitted this Despatch to the perusal of the American Consul in this City, who confirms what I have stated with regard to the Vessels named the "*Prince of Guinea*" and the "*Blackbird*," (now the *Imperatriz*), as far as his knowledge and belief extends; he adds, that James D. Pratt, Merchant of Philadelphia, is the Contractor: the Vessel "*Prince of Guinea*" has been out so long, that she is supposed to have been captured by our Cruizers.

(Signed) W. P.

No. 69.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received Dec. 13.)

SIR,

Bahia, Sept. 21, 1826.

WITH reference to my Despatch of 8th August, I have the honour to inform you, that the Vessels which have lately cleared out for Africa from hence have availed themselves of the Imperial Permission to take Licences to touch at the Islands of St. Thomas and Princes.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) WM. PENNELL.
&c. &c. &c.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received Dec. 22.)

SIR,

Bahia, Oct. 24, 1826.

I HAVE the honour to enclose a List of the Vessels which have been measured for Slaves, from the 1st January to the 30th September of the present Year, amounting to 21 Vessels, 3,553 tons, and authorized to carry 8,870 Slaves.

I also inclosed a List of the Slave-vessels which have sailed from hence from 1st January to 30th September, of this Year, amounting to 25 Vessels independent of the former List.

With few exceptions these Vessels are employed on the illicit Trade; the number is considerably increased this Year, to which the expectation of a total Abolition of the Trade by Treaty with England has probably contributed.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) WM. PENNELL.

First Enclosure in No. 70.

List of Brazilian Vessels measured for Slaves in the Year 1826.

Date of Measurement.	Description.	Name.	Owner.	Tons.	Slaves authorized to carry.	Date of Sailing.
January 12	Schooner -	Tentadora -	Luis Anto de Passo	207 $\frac{1}{2}$	518	March 1.
" 19	Do. -	Nova Virgem -	Vicente de Paula -	103 $\frac{3}{4}$	258	" 9.
February 15	Do. -	Marianna -	J. A. da C. Rios -	100 $\frac{3}{4}$	251	" 25.
" "	Brig -	Delfina -	A. J. R. Valle -	145 $\frac{3}{4}$	362	June 3.
April 28	Do. -	Principe de Guiné	Pedrozo -	280 $\frac{3}{4}$	701	" 3.
June 9	Schooner -	Heroína -	M. C. dos Santos -	224 $\frac{1}{4}$	560	July 12.
" "	Brig -	Tiberio -	J. A. da C. Rios -	229 $\frac{3}{4}$	574	" 16.
July 14	Schooner -	Eclipse -	A. de P. da Cunha -	120 $\frac{3}{4}$	301	September 5.
" "	Do. -	Victoria -	J. C. Lima -	107 $\frac{3}{4}$	269	August 5.
" 19	Do. -	Tonnila -	J. A. C. da Silva -	30 $\frac{1}{4}$	76	July 24.
August 8	Smack -	S. Joao Vencedor	J. J. de Sampaio -	167 $\frac{1}{2}$	418	September 19.
" "	Brig -	Victoria -	Vicente de Paula -	191 $\frac{1}{2}$	478	August 5.
" "	Schooner -	Caçador -	J. V. Moreira -	191	477	
" 12	Do. -	Independencia -	J. C. Lima -	201	502	August 27.
" 22	Do. -	Venus -	Pedrozo -	133	332	
" "	Smack -	Desengano -	F. J. da Sa Borges -	156 $\frac{1}{2}$	391	
" 26	Schooner -	Sta Ephigenia -	L. I. de Oliveira -	171 $\frac{1}{2}$	428	September 9.
September 12	Brig -	Imperatriz -	Pedrozo -	275	687	October 1.
" "	Schooner -	Zepherina -	Franco S Paraizo -	162 $\frac{1}{2}$	406	September 27.
" 26	Smack -	Sto Amaro -	I. P. C. da Cunha -	171 $\frac{1}{2}$	428	
" 30	Brig -	Comerciante -	I. I. Teixeira -	181 $\frac{1}{2}$	453	
21 VESSELS.			Total -	3,553	8,870	

Second Enclosure in No. 70.

List of Slave Vessels sailed from Bahia in the Year 1826.

Sailed.	Name of Vessel.	Master.	Where Bound.
January 1	Maria da Gloria - - -	J. D. da Sa Porto - -	Molembo.
" 8	Providencia Angelica - - -	Joao Mora de Lima - -	Ambris.
" 28	Aritoria - - -	Joze Maria Alves - -	Coast of Africa.
February 4	Brinquedo de Meninos - - -	Felis da Sa Lisboa - -	Molembo.
" 12	Dois Amigos - - -	Joze Joaquim Ladislao - -	Do.
" 19	Carlotta - - -	Joao Franco da Costa - -	Do.
" 26	Conceicao Telegrafo - - -	Joaquim Gonçalvès - -	Do.
March 1	Sao Benedito - - -	Joao Sabino - - -	Do.
" 20	la Rosalia - - -	Joze Machado - - -	Do
April 12	Emilia - - -	Estevao Nonato Ferrã - -	Ambris.
May 15	Boa hora - - -	Joao Dias de Carvalho - -	Coast of Africa.
" 20	Bahia - - -	Franco Gomez de Almda - -	Do.
" 29	S. Joao Espadarte - - -	Mastinro Je Baptiste - -	Molembo.
June 9	N ^a Srna do Monte do Carmo - - -	Mel Joaqm de Noronha - -	Ambris.
" 17	S. Joao Voador - - -	Mel dos Stos da Costa - -	Molembo.
" 24	Henriquetta - - -	Joao Cardozo dos Santos - -	Do.
July 4	Conceicao da Maria - - -	Joao Pinto de Soiza - -	Do.
" 6	Gracioza - - -	Mel Simcens da Sa - -	Coast of Africa.
" 19	Bom Successo - - -	Mathias Bapta de Caroo - -	Molembo.
" 24	Novo Brilhante - - -	Caetano Alberto da Franca - -	Coast of Africa.
" 31	Caridade - - -	Joze Ruez Ferreira - -	Molembo.
August 14	Carlotta - - -	Joze Franco da Costa - -	Do.
September 9	Maria da Gloria - - -	Joao Diogo - - -	Do.
" 22	Esperança - - -	Vicente Ferrã do Vale - -	Do.
" 24	Bom Fim - - -	Joao Jose da Fouca - -	Ambris.

25 VESSELS.

No. 71.

Mr. Secretary Canning to Mr. Consul Pennell.

SIR,

Foreign Office, December 30, 1826.

YOUR Despatches of this Series, up to the 24th of October, have been duly received.

You will continue to watch over any transactions having apparently for their object illicit Slave-trade, in whatever shape, or under whatever pretext, they may present themselves.

You will make representations to the Local Authorities on all those transactions of the nature referred to, which may come under your notice, and you will earnestly, but temperately, request the interference of those Authorities to prevent infractions of the Compacts in force between the two Countries upon this subject.

You will furnish His Majesty's Envoy at Rio de Janeiro with the details of these proceedings, requesting him to take such measures as may seem to him expedient with the Brazilian Government; and you will send to me Copies of the Correspondence which shall pass on those occasions.

I am, &c.

William Pennell, Esq.

(Signed) GEORGE CANNING.

No. 72.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received May 15.)

SIR,

Consul's Office, Maranhã, March 8, 1826.

I HAVE the honour to enclose Copies of two Despatches addressed to His Majesty's Consul-General at Rio de Janeiro, viz. one on the 25th, and

the other on the 28th ultimo, respecting the Schooner "*Carolina*," which Vessel arrived at this Port last January, with 133 Slaves, from Cacheo.

The above mentioned Despatches, and their Enclosures, set forth most of the particulars of the "*Carolina's*" Voyage; and detail the steps which, up to the 28th ultimo, I took, in order that the Treaty for the Abolition of the Slave-trade to the Northward of the Line, should not be evaded.

From these Enclosures it will be seen that his Excellency the President of this Province, evinced something like reluctance to enforce the Law so palpably applicable to this Case, adopting instead, the measure of merely requiring a Bond before the Slaves should be sold. I have the honour to enclose a Translation of the Order issued by his Excellency on this point; but no Person was found willing to give the Bond, and the President was petitioned to abandon even this precaution.

Since the 28th ultimo I had prepared a very strong remonstrance to his Excellency, founded on the Evidence in the Documents of the "*Carolina*;" but I daily refrained from sending it, anxious not to do more in the matter than was consistent with a due discharge of my duty, and a respectful line of conduct towards the Chief Authority; and being also hopeful that his Excellency might ultimately become alive to the responsibility accruing to him, from the clemency displayed towards the Persons guilty of this glaring infraction of the Treaty.

I have now the satisfaction to state, that, without any further representation from me, his Excellency appears to have felt the seriousness of the Case in question; that I have ascertained satisfactorily that the Case of the "*Carolina*" was delivered over to the competent judicial Tribunal; and that the Law having been thus allowed to take its course, both that Vessel and the Slaves were seized on the 6th instant.

Legal proceedings are now instituted, in conformity to the Alvarà of the 26th January 1818, this Alvarà upholding the Stipulations of the Treaty.

I shall be mindful to transmit a full Report of the pending Legal Proceedings, and of their result.

In the mean time I regret to state, that nearly half of the Slaves are said to be in very bad health, and that some deaths have occurred; but on all these particulars I shall obtain exact information, transmitting it by the first opportunity.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) ROBERT HESKETH.
&c. &c. &c.

First Enclosure in No. 72.

Mr. Consul Hesketh to Mr. Consul-General Chamberlain.

SIR,

Maranham, February 25, 1826.

I HAVE to make known, that, on the 25th of January last, a small Schooner, under Brazilian Colours, called the "*Carolina*," Victor Nobre de Brito, Master, arrived at this Port from Cacheo, with 133 Slaves on board, 2 having died during the passage.

The Master reported that he was bound from Cacheo to one of the Cape de Verd Islands, but having been chased by a Cruizer, which he fancied was a Privateer, he made for this Port.

The information I have collected is, that this Schooner sailed from Pará some time ago, bound to Gibraltar, but whether she arrived at the Port of her destination, and afterwards went to Lisbon, as reported to me privately, I cannot ascertain satisfactorily; however, she ultimately arrived at Cacheo, and thence departed with the 135 Slaves for the Island of St. Jago, without a regular Passport.

I have also ascertained that the Slaves belong to the Heirs of the late João Pereira Barreto, of Cacheo; that they were reported to be domestick Slaves,

and that their Consignee in this Port, Antonio Francisco de Azevedo, declared that they were for sale.

On the arrival of the "Carolina," she was put under quarantine, owing to the small-pox amongst the Slaves, who were afterwards landed and put into a Lazaretto.

Nothing further was done towards the sale of the Negroes, but, on the 30th of January, the Schooner was regularly entered at the Custom-House, upon which I addressed a Note, on the same day, to his Excellency the President, an Answer to which was returned on the following day; Copies of both which I have the honour to enclose.

An Investigation or "Devasa" was then ordered by the President, upon the "Carolina's" voyage; but its only result at present known to me is, an Order his Excellency sent to the Custom-House on the 18th instant, directing that the Slaves should be admitted to entry, on Bond being first given to their value, and that of the Schooner; but no Person has come forward to give the Bond up to this date.

Having been assured by the Consignee, that the Slaves imported by the "Carolina" were destined for sale, I conceived it my duty again to address his Excellency on the 18th instant, stating that I must report the Case, and asking for Copies of the "Carolina's" Passports, or any Documents which could justify those proceedings.

I enclose a Copy of that Application, to which no Answer has been yet returned.

I expect that these Documents will be ultimately sent to me, and I shall transmit them by this conveyance if I receive them in time; but I fear that they may be designedly kept back till the departure of the present opportunity, because I perceive a very general disposition to evade the Law which is applicable to this very glaring infraction of the Treaty.

On the receipt of the Documents, I expect to be again called upon to make another representation to the President, founded on clear proof of the illegality of the "Carolina's" voyage; and I shall do so with the view of inducing his Excellency, not to abandon the demand for the Bond, because, though proceedings founded on the Alvarà of the 26th of January 1818, are not likely to be commenced, still the required Bond is at least an acknowledgement of irregularity in that Vessel's voyage, and will, I trust, act as an impediment to the sale of the Negroes, until the result of your Representations on this Case at the Court of Rio de Janeiro may be felt here.

I have the honour to be, &c.

Henry Chamberlain, Esq.

(Signed)

ROBERT HESKETH.

First Enclosure (A.) in No. 72.

Mr. Consul Hesketh to the President of the Province of Maranham.

Maranhã, January 30, 1826.

HIS Excellency the Most Illustrious Senhor Pedro José da Costa Barros, President and Military Governor of the Province of Maranhã, &c. is made acquainted by the Undersigned, His Britannick Majesty's Consul at this Port, that a Schooner, called the "Carolina," Victor Nobre de Brito, Master, has lately arrived from Cacheo with a Cargo of Slaves, under the most suspicious circumstances as to the legality of the voyage, and that, notwithstanding, the Vessel in question was this Morning admitted to entry at the Custom-House.

On these facts reaching his Excellency, the Undersigned feels confident that the requisite steps will be ordained by his Excellency, in conformity with the existing Treaty for the Abolition of the illicit Traffick in Slaves.

(Signed)

ROBERT HESKETH.

His Excellency Pedro José da Costa Barros.

First Enclosure (B.) in No. 72.

(Translation.)

The President of the Province of Maranham to Mr. Consul Hesketh.

SIR,

Maranham, January 31, 1826.

I HAVE received your Despatch, dated yesterday, to which I answer, that I respect as much the Treaty for the Abolition of the illicit Slave-trade, as you desire to fulfil it; and that, as I am a faithful Administrator of the Laws of my Sovereign, I shall cause them to be administered to their fullest extent. You, Sir, may rest assured, that I shall do you all justice, in the event of the Schooner "*Carolina*," lately arrived at this Port, being found implicated in the said Treaty.

God preserve you.

(Signed)

PEDRO JOSE DA COSTA BARROS.

Robert Hesketh, Esq.

First Enclosure (C.) in No. 72.

Mr. Consul Hesketh to the President of the Province of Maranham.

SIR,

Maranham, February 18, 1826.

HAVING been informed that your Excellency has allowed to be passed through the Custom-House (preparatory to their sale) the Slaves brought by the Schooner "*Carolina*" from Cacheo, on Bond to their value, and that of the Schooner, being first given; it becomes my duty to report this Case to His Britannick Majesty's Government.

For that purpose I have to solicit that your Excellency may be pleased to order, that I be furnished with Copies of the Passport or Passports of the Schooner "*Carolina*," as well as of any Licence, or "*Avizo*," or any other Document with which that Vessel may have been provided with the object of legalising this importation of Slaves.

I have the honour to be, &c.

(Signed)

ROBERT HESKETH.

His Excellency Pedro José da Costa Barros.

Second Enclosure in No. 72.

Mr. Consul Hesketh to Mr. Consul-General Chamberlain.

SIR,

Maranham, February 28, 1826.

IN reference to my Despatch, dated the 25th instant, transmitted herewith, I have to make known the Answer his Excellency the President returned to my request, for Copies of all the Documents belonging to the Schooner "*Carolina*," enclosing for that purpose a Copy of his Excellency's Note, dated yesterday.

I also beg leave to enclose Copies of the Documents transmitted, being 9 in number, having now barely time cursorily to refer to them in their order.

From the Certificate, proving that an *Avizo* was granted in Rio de Janeiro, on the 4th of April 1817, to João Pereira Barreto, for a very clear and specific purpose, viz.—the removal of his family and domesticks, it appears, that such Licence or "*Avizo*" is now taken to bestow an exclusive right (inherited by Barreto's descendants) to export, in the face of all Treaties, any quantity of Slaves from Cacheo, for the purpose of Traffick, so long as they are termed domestick Slaves; this Qualification being applied, although the Slaves are openly declared to be sent solely for the object of Trade; indeed, so much so, that a Bond to produce these domesticks, during even a short period, is not obtainable.

The "Carolina" sailed from Parà to Gibraltar, as the Copy of her Passport shows, but there is no proof but that that Vessel proceeded, instead, direct to Cacheo; and from what has been reported to me, it is very doubtful whether the true Owner, instead of "Fernando José de Silva," is not a Person resident in Lisbon.

There is no proof but that the Brig "Apollo" has already performed her voyage from Cacheo to St. Jago, with the 300 Slaves, according to the Passport now shown as an authority for the "Carolina." But putting aside that doubt, it appears that even the Passports, like the "Avizo," are attempted to be generalized, and that every regulation in that particular, is totally disregarded in the present case.

From the Copy of the Muster Roll, there appear 21 Persons, including the Master, as the Crew of the "Carolina," a Schooner of about 90 tons burthen; but of this Crew 9 are Blacks, which Negroes are no doubt all destined for sale; such practices having existed here when Vessels arrive from that part of Africa with wax, ivory, &c.; and a reference to their ages, and time of being at Sea, will prove this suspicion reasonable.

The Copy of the Protest, said to be made at Sea, shews, firstly, that the "Carolina" is called a Portuguese Schooner by her Officers, and secondly, that when the Cruizer was seen, the wind was so strong, that the Vessel could not, after a 12 hours run to leeward, fetch into the Port of her destination. On the first, I have already recorded my doubts as to the Owners of the Vessel; and on the second point, I have to observe, that one of the Crew declared to me, that when the suspicious sail was seen, it was calm, and that the "Carolina" escaped by sweeping. I never could learn a description of the Cruizer, and therefore think the whole a fabrication.

The Copy of the Manifest merely shews, that these domestick Slaves were reported in the same way as untaught Negroes.

From the Report of the Chief Officer of the Custom-House (Cid), it will be seen how ignorant and regardless he is of the Stipulations of the Treaty for abolishing the Trade to the Northward of the Line; and what futile arguments he produces to support the interests of those concerned in the "Carolina's" voyage, for whose success he moreover evinces some desire.

The Judicial Report is inconclusive, because the Authorities have evaded a proper investigation.

I have the honour to be, &c.
H. Chamberlain, Esq. (Signed) ROBERT HESKETH.

(Note.) Since the above Despatch was sent to Rio de Janeiro, I have been informed that the tonnage of the Schooner "Carolina" is from 60 to 70 tons.
 (Signed) R. H.

Second Enclosure (A.) in No. 72. (Translation.)

The President of the Province of Maranhão to Mr. Consul Hesketh.

SIR,

Maranhão, February 27, 1826.

IN answer to your Despatch of the 18th instant, I transmit Copies of all the Documents relative to the Slaves brought from Cacheu by the Schooner "Carolina," belonging to the Widow and Sons of Major John Pereira Barreto.

God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Second Enclosure (B.) in No. 72. (Translation.)

Certificate of the Secretary of Government of Maranhão.

I, JOAQUIM FERREIRA FRANCA, Civil and Military Secretary of the Province of Maranhão, &c. certify, in fulfilment of Orders, that there does not exist, in the Archives of this Secretary, any Royal "Avizo" relative to the defunct Major João Pereira Barreto, but that there is the following Certificate, issued from the Secretary of Government of the General Captain-

ship of Cape de Verd, viz:—I, Jeronimo Martins Salgado, First Lieutenant of the Royal Corps of Engineers, Aide de-Camp and Secretary, *ad interim*, of the Government of the Captainship of Cape de Verd, &c. certify, that, on examining the Book, No. 22, in which are registered the Avizos, sent from the Secretary of State's Office to this Government, there is registered, in page 165, an Avizo relating to the Petitioner, who has prayed for a Copy, and which is of the following tenour: The King our Lord, taking notice of what has been represented by "Sargento Mor," Joaõ Pereira Barreto, a Merchant, established in the Port of Cacheu, is pleased to concede unto him permission to go to the City of Maranham to attend to his health, taking with him his Sons, Manoel Francisco Caldas and Antonio Pereira Barreto, each of them being allowed to take all the Persons belonging to his family, and respective Slaves; all which I communicate to you, in order that, in conformity therewith, you may issue the requisite orders, so that the execution of this my Royal determination must not meet any obstacle from the necessity of proceeding in any new investigation, on events which recently occurred in that Port, and about which the above-mentioned Joaõ Pereira Barreto, his Sons, or any other Person of their respective families, ought still to be questioned, because, if needful, His Majesty will order them to be interrogated in the City of Maranham. God preserve you.

(Signed) CONDE DA BARCA.

Palace of Rio de Janeiro, 4th April 1817.

Senhor Dom Antonio Coutinho de Lencastre.

That Avizo, which I have thus faithfully copied from the proper Register, did not contain any thing further, to which Register I refer, and being thus in conformity with the Order, this is sealed with the Government Seal of this Captainship, for the purpose of greater validity and complete credit.

Secretary of Government, 14th April 1818,

(Signed) JERONIMO MARTINS SALGADO.

The above being all the contents of the said Certificate, to which I refer. Maranhao, Secretary of Government, 31st January 1826.

(Signed) JOAQUIM FERREIRA FRANCA.

Second Enclosure (C.) in No. 72. (Translation.)

Passport of the Brazilian Schooner "Carolina."

I, JOZE DE ARAUJO ROZO, President of the Province of Parà, make known unto all who may see this Passport, that there departs from this Port, on a voyage to that of Gibraltar, and from thence to return to this Port, the Brazilian Schooner "Carolina," Victor Nobre de Brito, Master, and Fernando Joze da Silva, Owner, in conformity to what was proved in the Secretary of this Government; the said mentioned Persons being Subjects of this Empire, no Foreigners having any share in the said Schooner; and because this Schooner may be met on her outward or homeward voyage by the Commanders and Officers of Ships-of-War, or other Vessels belonging to this Empire,—The Emperor of Brazil ordains that they do not put any impediment, and recommends to those of the Navies, Fleets, and other Vessels belonging to Kings, Princes, Republicks, Potentates, Friends and Allies of this Crown, that they do not oppose the said voyage, but rather promote it, by rendering any needful assistance or favour, in the certainty that recommendations of their Princes will meet the same and equal treatment. In testimony of which this Passport is granted, signed by the President of this Province, and sealed with the Imperial Arms

Given at the Imperial Palace of Parà, 17th of March, in the Year of our Lord 1825.

(L. S.) (Signed) JOZE DE ARAUJO ROZO, President.

By order of his Excellency,
(Signed) MANOEL RAMOS DE CARVALHO.

Second Enclosure (D.) in No. 72. (Translation.)

Passport of Doña Roza de Carvalho Alvarenga.

JOHN DA MATTA CHAPUZET, Commendador of the Order of Christ, and Knight of the Orders of St. Bento d'Aviz, and of the Tower and Sword, Colonel in the Chief Staff of the Army, President of the Junta "da Real Fazenda," and Governor and Captain-General of the Province of Cape de Verd, in the Name of His Most Faithful Majesty The King Our Lord, who God preserve, makes known unto all who may see this Passport, that *Dona Roza de Carvalho Alvarenga* proceeds from the District of Cacheu to the Island of St. Jago, the Capital of the Province of Cape de Verd, there to meet her Husband, the Sargento Mor, Joao Pereira Barreto, who is there so grievously infirm as to be unable to proceed to Cacheu, and intends to establish himself in the said Island of St. Jago. There proceeds also with the said *Dona Roza de Carvalho Alvarenga*, her family, consisting of 300 Persons, more or less, the whole on board the Portuguese Brig "Apollo," of which the Lieutenant in the Royal Navy, Mauricio Joze Alves, is Master. And in order that no impediment may arise, I have granted this present Passport, signed by me, and sealed with the Royal Arms. Given and executed at Head Quarters, in this Island of Praia, 26th January 1824.

(L. S.) (Signed) JOAO DA MATTA CHAPUZET,
Colonel and Governor of the Province.

By order of his Excellency,

(Signed) JOZE NASCENTES PINTO LOARES GOMES DE PAIVA,
Secretary of the Government of the Province.

Second Enclosure (E.) in No. 72. (Translation.)

Muster Roll of the Schooner "Carolina" on a Voyage to the Port of Cape de Verd, and Ports in the Brazils, viz.

Stations.	Names.	Nativity.	State.	Age.	Term of being at Sea.
Master	Victor Nobre de Brito	Lisbon	Single	32	20 Years.
Mate	Francisco de Paula Brito	Do.	Do.	20	8 "
Boatswain	Joaquim Joze da Silva	Do.	Do.	30	14 "
Steward	Marcellino Joze	Do.	Married	39	18 "
Carpenter	Gabriel Pereira, (a Black)	Bissau	Single	23	7 "
Caulker	Joze Pereira da Costa, (Do.)	Do.	Do.	25	6 "
Cook	Joaquim Pedro, (Do.)	Cabinda	Do.	20	8 "
Seaman	Antonio Carlos	Lisbon	Do.	24	6 "
Do.	Francisco Joze	Do.	Married	39	18 "
Do.	Joze Pereira da Silva	Alvarenga	Single	24	6 "
Do.	Joze Francisco	Lisbon	Married	43	26 "
Do.	Joze Dias	Do.	Single	30	18 "
Do.	Jacob Elena	Genoa	Do.	18	11 "
Do.	José Masse	Poland	Do.	20	8 "
Do.	Francisco Piomçon	Do.	Do.	24	10 "
Ordinary	Manoel Joze, (a Black)	Cape de Verd	Do.	28	3 "
Do.	Joao de Cano (Do.)	Cacheu	Do.	14	2 "
Do.	Domingos da Costa (Do.)	Cape de Verd	Do.	12	2 "
Do.	Ventura de Brito (Do.)	Cacheu	Do.	10	2 "
Do.	Joao de Andrade (Do.)	Tarim	Do.	22	3 "
Do.	Lino Pereira Alvarenga (Do.)	Do.	Do.	14	1st Voyage.

Head Quarters, Cacheu, January 5, 1826.

(Signed) MANOEL NICOLAO PACHECO,
Secretary of the Government.

Second Enclosure (F.) in No. 72. (Translation.)

Protest of the Master and Crew of the "Carolina."

Protest against Cruizing Vessels, done on board the Schooner "*Carolina*,"
Victor Nobre de Brito, Master, as under declared.

WE, the Undersigned, Master, Officers and Crew of the Portuguese Schooner, called the "*Carolina*," did sail from the Port of Cacheu, on board the said Schooner on the 6th day of January instant, bound to Villa da Praia, in the Islands of Cape de Verd, with 134 Domesticks, belonging to the family of Dona Roza de Carvalho Alvarenga and her Sons, with a Passport granted for this purpose by the Governor-General of the Province of Cape de Verd.

Continuing thus our voyage, on the 11th instant, about 8 o'Clock in the Morning, being in Latitude 9. 7. 47. and Longitude 23. 37. 11., we discovered a Vessel to Windward, which coming down upon us before the wind, became suspicious, and we directly concluding she was chasing, bore away immediately under all sail; and though we were chased until dark, still in the Morning of the following day, the 12th instant, we could not see the chasing Vessel. And as by these means we found ourselves much to Leeward, as can be proved by our Maritime Journals, we agreed, solely on account of the risk to our lives, to the cargo, and to the property on board, to alter our voyage to some of the Leeward Ports of the Empire of Brazil; in the mean time protesting at once against Cruizing Vessels, whether friends or enemies, against the winds and seas, and any other thing which may prejudice or deteriorate our first intended voyage; and in order that there may not be any thing to create doubt at any Port wherein we may enter, we have drawn up the present Protest, which we have all signed on board of the Schooner "*Carolina*," on a voyage from Cacheu to some Port in the Empire of Brazil, this 12th day of January 1826.

(Signed)

FRANCISCO DE PAULA BRITO, Pilot.
JOAQUIM JOZE DA SILVA, Boatswain.
JOZE FRANCISCO.
GIACOMO ELLENA.
JOZE PEREIRA DA SILVA.
ANTONIO CARROLOS.
MARCELLINO JOZE.
JOZE DIAS.
FRANCISCO JOZE.
F. PONCON.
JOSEFE MASSE THOMAS.

N.B. The Master's Signature does not appear.

Second Enclosure (G.) in No. 72. (Translation.)

Manifest of the Cargo brought by the Brazilian Schooner "Carolina" Victor Nobre de Brito, Master, put into this Port while on a voyage from Cacheu to the Island of St. Jago, in the Cape de Verd.

133 Domestick Slaves, in the service of Dona Roza de Carvalho de Alvarenga and Sons.

I declare that I sailed from Cacheu with 135 Slaves, and that 2 died on the voyage.

Maranhao, January 28, 1826. (Signed) VICTOR NOBRE DE BRITO.

Second Enclosure (H.) in No. 72. (Translation.)

Report of the Superintendent of Customs at Maranham.

MOST ILLUTRIOUS AND EXCELLENT SIR,

IN fulfilment of the Order, dated 30th of the preceding Month, I have the honour to acquaint your Excellency with the following, regarding the Petition of Manoel Pereira Barreto. The Master of the Brazilian Schooner "*Carolina*," made a regular entry at this Custom-House, presenting the Passport No. 16, the Muster Roll of that Schooner's Crew, on departing from Cacheu to the Port of Cape de Verd, and Ports in the Brazil; the Act of Protest on said Vessel's coming to this Port; the Passport or Licence granted for Dona Roza de Carvalho Alvarenga, Wife of the Major John Pereira Barreto, and for 300 Persons of her Family, dated the 26th January 1824; and finally, the Manifest of 133 living Slaves, domesticks of the said Dona Roza de Carvalho; all which Documents, although I believe they have already been presented at the Secretary's Office, I nevertheless now again annex, in order that they may be examined if needful.

It is not in my power to acquaint your Excellency with any thing relative to the Law in the present case, because, upon this matter, there does not exist in this Department, either the Treaty of the 22d of January 1815, which prohibits the Slave-trade to the Northward of the Equator, or the Alvaràs of 1813 and 1818, relative to Vessels destined for that Trade. I therefore limit myself simply to the fact. From the Passport of the Schooner in question, it does not appear that she was either fitted or destined for the illicit Trade in Slaves; she is otherwise a Vessel of a small class and wanting the requisite accommodations and conveniences for a long voyage, but she appears to be adapted as a Transport for a short voyage, such as from Cacheu to the Island of St. Jago. The same Passport shews that the Owner is a Subject of this Empire, and finally, the Licence or Passport for the Family removed, although of a very old date, and for another Vessel, nevertheless when presented and accompanied by the Petitioner, corroborates and proves the identity of the Slaves and their Owners. It has been the constant practice at this Custom-House not to proceed in giving entry, or allowing the landing of any Slaves, without an Order from their Excellencies the former Governors, and, with regard to the admission of the Domestick Slaves, which have been imported by virtue of Passports and Royal Licences from the Ports of Bissau, Cacheu, and Island of St. Jago, in the Cape de Verd; by the annexed List I acquaint your Excellency with the respective quantities of Slaves which have been admitted, and amongst them with all those belonging to the defunct Father of the Petitioner; such Passports having without doubt been granted, because the Slaves were domesticks belonging to Persons who were either settled, or in publick employment, at those Ports, and who form conditional exceptions in the said Treaty of 1815. This is all the information I can give, and your Excellency will be pleased to decide.

Custom-House at Maranham, February 1, 1826.

(Signed) JOAO JOZE DE MORAES, Cid.

Second Enclosure (I.) in No. 72. (Translation.)

List of Slaves from the Ports of Bissau, Cacheu, and St. Jago in the Island of Cape de Verd, admitted to entry at the Custom-House of Maranham, by virtue of Orders from their Excellencies the Governors and Captains-General.

Date of Entry.	Description of Vessels.	Name of Vessels.	Whence.	Consignees.	Owners of Slaves.	No. of Slaves.	Remarks.
1819. Jan. 28	Brig	Sao Joao Venturozo	Cacheu	Caetano Joze Teixeira	Joao Pereira Barreto	203	All these Slaves were entered as Domesticks, but the whole were openly sold, like any other Slaves. * These Slaves were called Domesticks; were not entered at the Custom-House; paid no Duty, but were ultimately sold some time after.
March 5	Schooner	Pomba Feliz	St. Jago	The Owner of the Slaves	Luiz Antonio Esteves Freire	43	
June 5	Do.	Donna Anna	Do.	Do.	Dezor. Joze Leandro da Silva	125*	
August 5	Brig	Aurora	Cacheu	Antonio Joze Pinto	Joao Pereira Barreto	204	
" 9	Schooner	Feliz Ventura	Do.	Do.	Do.	162	
1821. Oct. 6	Brig	Apollo	Do.	Do.	Do.	231	
Nov. 27	Do.	Maria	St. Jago	" "	Joaquim Antonio de Mattos	84	
1822. July 26	Do.	General Dom Antonio	Bissau	" "	Joze Joaquim Pereira Barreto	224	
August 19	Do.	Maria	Do.	" "	Joaquim Antonio de Mattos 112 Major Jn. Hygino Curvo.. 18	130	
1823. April 9	Schooner	Liberal	St. Jago	" "	Luiz Antonio Araujo de	118	
June 10	Brig	Maria	Bissau	" "	Luiz Antonio Silva de	212	
						1736	
						1024	
						712	

Custom-House, Maranham, February 1, 1826.

(Signed) JOAO JOZE DE MORAES, Cid.

Second Enclosure (J.) in No. 72. (Translation.)

Judicial Report.

MOST ILLUSTRIOUS AND EXCELLENT SIR,
 IN virtue of the most respected Order of your Excellency, dated 3d instant, and annexed to the Petition of Manoel Pereira Barreto, I went to the Place called "Bomfim," in company with the Scrivener of my Department, Justino Damazo Saldanha, to the end of examining the Slaves landed out of the Brazilian Schooner "*Carolina*," from Cacheu. I began by examining the three Witnesses, as stated in the Act of Process annexed, not examining more of the Crew, because they had left this Port in another Vessel (as stated by the Consignee of the said Schooner, Antonio Francisco de Azevedo.) Afterwards proceeding to examine the Slaves, I found that none could speak the

Portuguese language, although they were not quite untaught Negroes, but I found that they, for the most part, spoke the Creole language, which is common in the District of Cacheu, a great part being Creoles born there, and who, on being asked in that language by a Negro accidentally present, declared that they belonged to Donna Roza de Carvalho Albuquerque, [Alvarenga,] and her Sons, and were going to their Estate in St. Jago, in the Cape de Verd. This is what I can inform your Excellency, who will determine what may be according to justice.

Maranham, February 10, 1826.

(Signed) DOMINGOS JOZE RODRIGUES DE SA. VIANNA.

The Secretary of Government,

(Signed) JOAQUIM FERREIRA FRANÇA.

Mem.—The Act of Process is not copied or translated, because it is very voluminous, and does not contain any further evidence or fact.

(Signed) ROBERT HESKETH.

Second Enclosure (K.) in No. 72. (Translation.)

Order of the President of Maranham, regarding the Entry of the Slaves brought by the "Carolina."

IT appearing from the Act of Investigation, which I ordered to be instituted by the Judge of the Custom-House of this City, and which remains in the Secretary's Office of this Government, that the Slaves brought by the Brazilian Schooner "*Carolina*," belong to the Widow and Sons of Major Joao Pereira Barreto; these Slaves being accompanied by one of those Sons, Manoel Pereira Barreto, and that they were obtained *bonâ fide*, the Administrator of the Custom-House will admit them to entry ("a despacho,") in virtue of the Avizo, which will be presented to him by the said Manoel Pereira Barreto, giving at the same time satisfactory Bond for the Slaves, Schooner, and any Cargo which may be on board. In this manner let it be executed.

(Signed) BARROS, President.

Maranham, Government-House, February 15, 1826.

No. 73.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received May 15.)

SIR,

Maranham, March 9, 1826.

AS it will appear from the Reports of the Trade at Maranham, that there have been more Slaves imported during 1825, than was the case in the preceding Year, I have the honour to state, that these Slaves were for the chief part sent here, in consequence of the great scarcity of Provisions in the Province of Ceará, and not for the purpose of 'Traffick, distress having forced their Masters reluctantly to part with them.

I beg leave to enclose a Copy of the Annual Statement transmitted to His Majesty's Consul-General, at Rio de Janeiro,* detailing all the particulars of the Importation of Slaves into Maranham, during the Year 1825.

I have the honour to be, &c.

The Right Hon. George Canning. (Signed) ROBERT HESKETH.
 &c. &c. &c.

* See Second Enclosure in No. 42.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received May 15.)

(Extract.)

Maranham, March 11, 1826.

HAVING on the 8th instant had the honour to report the Case of the "Carolina," the detention of the Vessel carrying that Despatch, enables me to add the following particulars :

When the Slaves were seized, on the 6th instant, by the Legal Authority, only 113 were found, the Owner stating that the 20 Negroes who were missing had died*.

To day I am informed that, out of the number seized, 3 Negroes have since died, and that, of the 110 now living, 77 are deposited in this Town, and 33 remain sick at the Lazaretto †.

I suspect that the greatest portion of the 23 Negroes said to be dead, have been sold ; and I am attempting to investigate satisfactorily the truth.

The Right Hon. George Canning, (Signed) **ROBERT HESKETH.**
&c. &c. &c.

* 133 landed
 113 seized on 6th March

20 reported to have died before
 seizure.

† 77 at Maranham
 36 left sick at Lazaretto

113 alive on 6th March
 3 reported dead since

110 living 11th March.

No. 75.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received June 6.)

(Extract.)

Maranham, April 17, 1826.

THE last Communication which I had the honour to make respecting the Negroes landed from the Schooner "Carolina," was in the Despatch, dated March 11th of the present Year.

On the 13th of March, I succeeded in ascertaining from the Negroes themselves, who were landed from the "Carolina," that, up to that date, only 11 had died, and that 12 were removed alive, making together 23 Negroes, the number reported to me as dead, when my last Communication was transmitted. On the following day I addressed to his Excellency the President, a Letter, complaining of those irregularities, a Copy of which I beg leave to enclose.

I also enclose a Translation of his Excellency's Reply, and also of the Admonition sent by the President to the Judge.

As I found that his Excellency was doubtful how far the Slave Treaties with His Most Faithful Majesty were now acted upon at the Port of Rio de Janeiro, I sent to his Excellency, with my Despatch, Copies of the Correspondence and Documents, in the 61st and 62d pages of the Slave-trade Papers, marked (B), presented to Parliament in the Year 1825 : those Copies were transmitted to the Ouvidor, and are alluded to in the Admonition.

On the Night of the 15th of March I had information where 2 of the Negroes landed from the "Carolina," (and some of those reported as dead) were concealed : by applying to the President they were apprehended, and again sent to the Deposit. Notwithstanding this occurrence, and the allusion I made to the President, of the improper conduct of the Ouvidor's subordinate Officer, and of the Person who had charge of the Negroes, both these Individuals continue in their Situations ; and when the 2 Negroes were found, it was asserted that they were part of the 9 Slaves included in the Crew of the "Carolina."

As I humbly conceive that all the Slaves shipped on board the "Carolina" at Cacheo, are to be dealt with alike, I addressed a Note to the President on the 20th of March, a Copy of which, and a Translation of the Answer, I also enclose.

I am informed that the Caulker and Carpenter of the "Carolina," who are both Slaves, were sold, and I have well-founded hopes of discovering the Purchasers of those 2 Negroes, as well as 10 more.

On the 21st March, I made a full Report of all these occurrences to His Majesty's Consul-General at Rio de Janeiro, transmitting Copies of what I had the honour to communicate to the Foreign Office, up to the 11th of that Month. At the time my Despatch was sent to Rio de Janeiro, it was currently reported, that the Case of the "Carolina" would be sent at once for decision to the Mixed Commission in that Port; but it has proved otherwise, the Parties having brought it before the Relaçam of this City. Being anxious to Report the latest Proceedings in the Case of the "Carolina," I addressed a Letter on the 14th instant to the President, asking for information, as to the decision of the Relaçam, and the number of all the Negroes now in the Deposit, including those lauded as part of the Cargo, and those in the Muster-Roll of the Crew; but I regret to add, that the Answer which was sent, a Translation of which I enclose, is very unsatisfactory on both points, the decision being still delayed, and a clear and correct statement respecting the Negroes evaded.

In the statement there is no reference to the 133 Negroes originally landed, and it is made to appear that 5 more Negroes have died since my last Report, dated the 11th ultimo; the total number in the Deposit being on the 14th instant only 105, independent of the 2 Negroes which are still declared to belong to the Crew.

I have acquainted the Consul-General, that the Master and Second Officer of the "Carolina" were put into confinement on the 16th of March, but, from what is occurring with regard to the Negroes, I do not expect that the Law will be put into full force against those 2 Persons, one of whom (the Master), says, that he is the Owner; but the Supercargo, one of Barreto's Sons, is at large.

I have also made known to His Majesty's Consul-General, that an establishment at Cacheo, which has been carrying on the Slave-trade, has for Years past been purchasing there Negroes from the Interior; keeping them at Cacheo 2 or 3 Years, and ultimately shipping them to the Cape de Verd Islands, or elsewhere; and when sending them to this Country, appealing to the pretended authority of the "Avizo" of 1817.

I have ascertained that the Schooner "Carolina" is 80 tons British measurement.

(Signed) ROBERT HESKETH.

The Right Hon. George Canning,
 &c. &c. &c.

First Enclosure in No. 75.

Mr. Consul Hesketh to the President of the Province of Maranham.

SIR,

Maranhã, March 14, 1826.

IT is with great pain that I am obliged, by publick duty, to call your Excellency's attention to the following circumstances; under the conviction, that if your Excellency's observation was not necessarily confined more immediately to matters of equal importance, connected with the duties of the highest Authority, I should have been spared this painful task of complaint.

After your Excellency had assigned to the competent Tribunal the full investigation of the Case of the Schooner "Carolina," and the Negroes landed from her, the "Ouvidor do Crime," on the 6th instant, seized both that Vessel and the Negroes, according to the Alvarà of 26th January 1818, that Alvarà having for its object the upholding of the Stipulations in the Treaty for the Abolition of the Slave-trade to the Northward of the Line. It is needless to repeat the penalties which the said Alvarà enforces on those found guilty of an infraction of that Treaty; but it is to the point to remark, that the only proceedings which have taken place, have been hitherto confined to the Vessel and Negroes.

I have been mindful of all the proceedings with the latter, and I find that 133 Negroes were landed, and that when the "Ouidor" seized them, 20 were reported as dead.

On the 11th instant I was also informed, that, of the 113 seized, 3 more were dead, leaving, thus, 110 Negroes living on the 11th instant, of which 77 were in health, and the remainder sick; and this I reported to His Britannick Majesty's Government on the 11th instant.

Since then I have learnt that only 11 Negroes died at Bomfim; that 5 were removed from thence alive before the seizure, and 7 after the seizure, from the Deposit in this Town; these two unlawful removals of the Negroes, with the number really dead, forming the exact number of 23, reported to me as dead on the 11th instant.

I doubt not that in a short time I shall be able to inform your Excellency who were the Purchasers of those 12 Negroes; but, in the mean time, I confine myself to the fact, that they did not die, and that an outrage has been committed against your Excellency's commands; and I am also inclined to believe, against the confidence reposed by the Ouidor in his subordinate Officer, and the Person intrusted with the duty of "Depositario."

To-day I was also informed by the "Depositario" himself, that 2 more Negroes were dead, and I suspect that I shall soon have proof that they also were removed alive.

Under these circumstances, I am called upon to protest before your Excellency, against the very great negligence of the "Ouidor do Crime" in this matter. A negligence which not only renders ineffective the Measures of the Alvarà, but also renders nugatory the Stipulations of the Treaty; so that the conduct of the "Ouidor do Crime" becomes indecorous to both the Crowns interested in the Treaty, and it is most evident that your Excellency will not allow such infractions.

Under that persuasion, I have thus applied most urgently to your Excellency, in order that your Excellency may take such steps towards those who are responsible for the appearance of the Negroes, as your Excellency may deem fit; and also may adopt the requisite measures respecting the deposit of the Negroes, and the subordinate Officer of the above-mentioned Ouidor.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

His Excellency Pedro José da Costa Barros.

Second Enclosure in No. 75.

(Translation.)

The President of the Province of Maranhão to Mr. Consul Hesketh.

SIR,

Maranhão, March 15, 1826.

I ACKNOWLEDGE the receipt of your Letter, dated yesterday, in which you make it appear that you are persuaded, that a part of the Slaves arrived from Cacheu by the Schooner "*Carolina*," stated as forced into this Port, have been sold to different Persons before there is any decision on their Case, such Slaves at the same time being reported as dead; and also that you are suspicious that the Judge intrusted with this Case, has conducted himself with little circumspection respecting it, and that you will even be able in a little time to declare who were the Purchasers of those Slaves; all which may have happened without the knowledge of that Judge, of whose rectitude and disinterestedness I am convinced: all which it is in truth expedient to inquire into, in order that no infractions of the Treaty may be committed, the rigorous observance of which is so necessary.

I state in answer, that this very day I have transmitted to that Judge a Copy of your Communication, together with the other Documents relating to the subject, which you yesterday delivered to me, in order that he should,

with a full knowledge of the Case, proceed according to Law, remaining responsible to His Imperial Majesty for his decisions in this respect, I being prohibited from meddling in judicial forms, by the Carta de Ley of the 20th of October 1823. You may therefore rest assured that I shall be most content to find the Law observed in every respect, and that whatever representations you may have to make to me upon this subject, will, according to what is determined by Law, be transmitted by me to that Judge.

God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Third Enclosure in No. 75.

The President of the Province of Maranham to the Ouvidor-General.

Maranhm, March 15, 1826.

I TRANSMIT under the signature of the Secretary, Copy of the Translation of a Despatch which was directed to me, under yesterday's date, by His Britannick Majesty's Consul, and also two Documents which were delivered to me, in order that, taking them into consideration, you may use all vigilance respecting the Slaves lately arrived from Cacheu in the Schooner "*Carolina*," particularly recommending to you the observance of the Treaties in this respect, as I have given up all interference in such an affair, appertaining, as it does, to the Judicial Authority. You, Sir, remaining from henceforth responsible to His Majesty The Emperor for any infraction of the Law in similar Cases.

God preserve you.

(Signed) BARROS, President.

H. E. Sr Joze Bonifacio d'Araujo Azambuja.

Fourth Enclosure in No. 75.

Mr. Consul Hesketh to the President of the Province of Maranham.

SIR,

Maranhm, March 20, 1826.

HAVING this day been informed that, of the 9 Negroes reported as part of the Crew of the Schooner "*Carolina*," from Cacheo, some have been sold; it is my duty to acquaint your Excellency therewith, that your Excellency may order such measures in respect of those 9 Negroes, as Your Excellency may deem expedient.

I have the honour to be, &c.

H. E. Sr Pedro Joze da Costa Barros. (Signed) ROBERT HESKETH.

Fifth Enclosure in No. 75.

(Translation.)

The President of the Province of Maranham to Mr. Consul Hesketh.

SIR,

Maranhm, March 21, 1826.

I HAVE received your Despatch, dated the 20th instant, and I caused it to be transmitted to the "*Doutor Ouvidor Geral do Crime*," with whom that affair is lodged, as I have frequently made known to you.

God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Sixth Enclosure in No. 75.

Mr. Consul Hesketh to the President of the Province of Maranham.

SIR,

Maranhã, April 14, 1826.

HAVING by the last departure to England made known to His Britannick Majesty's Government the seizure of the "*Carolina*," and the Negroes landed from her; and those Proceedings on the part of the competent Authority being intimately connected with the execution of the Treaty for the abolition of the Slave-trade to the Northward of the Line, and, therefore, of particular interest; I feel called upon to add to that Report, by a Vessel departing 4 days hence. Under these circumstances, I beg leave most respectfully to ask your Excellency, whether the Judicial Authorities have come to any Decision in the Case of the Schooner "*Carolina*."

I also flatter myself that your Excellency will agree with me in deeming it expedient, that after all which has occurred, as to the number of Negroes seized, my Report should be exact on that point; with this view I most respectfully solicit that your Excellency may be pleased to direct, that I should be furnished with an exact Statement of the number of Negroes now deposited, specifying those landed as the Cargo of the Schooner "*Carolina*," and those which appear as part of the Crew of that Vessel.

I have the honour, &c.

(Signed) ROBERT HESKETH.

H. E. Sr. Pedro Joze da Costa Barros.

Seventh Enclosure in No. 75.

(Translation.)

The President of the Province of Maranhã to Mr. Consul Hesketh.

SIR,

Maranhã, April 17, 1826.

I TRANSMIT, for your information, the enclosed Documents relating to the Case of the Schooner "*Carolina*," and the Slaves brought by her, which Documents were for this purpose sent to me by the competent Judge.

God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Eighth Enclosure in No. 75.

(Translation.)

Report of the Ouvidor-General of the Criminal Court.

MOST ILLUSTRIOUS AND EXCELLENT SIR, *Maranhã, April 15, 1826.*

IN Answer to your Excellency's Letter, dated Yesterday, enclosing one from Mr. Robert Hesketh, His Britannick Majesty's Consul in this City, I have the honour to state to your Excellency, that, in the course of 2 or 3 days, the Sentence in the Case of the Schooner "*Carolina*," and the Slaves brought by her will be published.

With this Declaration, and the enclosed Certificate, I have satisfied the request of the said Consul, which your Excellency will have the goodness to communicate to him, and if the step appears strange to your Excellency of transmitting this Communication through your Excellency, instead of making it direct to the said Consul, I will readily explain the reason.

God preserve your Excellency.

The Dez^o. Ouvidor Geral do Civel e Interino do Crime,

(Signed) FRANCISCO CARNEIRO PINTO VIEIRA DE MELLO.

H. E. Sr. Pedro Joze da Costa Barros.

Ninth Enclosure in No. 75.

(Translation.)

Certificate of the Number of Negroes in the Deposit.

I, MARCELLINO JOZE DE AZEVEDO PERDIGAO, certify, that there were seized and deposited by this Tribunal, 113 Slaves belonging to the Cargo of the Schooner "Carolina," of whom 8 died in the Deposit, there being in the Deposit this day 105 Slaves, and 2 more who were taken from Urbano Joze Gomes, and who belong to the Crew of the said Schooner.

The above is the truth,—

(Signed) MARCELLINO JOZE DE AZEVEDO PERDIGAO.

Maranhão, 14th April 1826.

No. 76.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received June 6.)

SIR,

Maranhão, April 20, 1826.

HAVING been only this Evening informed, that the voyage of the Schooner "Carolina" from Cacheo, was declared to be illegal by the Relaçam, of this City, before which Court the Case was pending, as stated in my Despatch of the 17th instant, I hasten to communicate this satisfactory intelligence.

The Sentence was registered yesterday, but nothing respecting it was known till this Evening. I have not yet received any Official Communication on the subject; but I am told that the freedom of the Negroes by the "Carolina" is decreed.

The Vessel taking this Despatch sails early to-morrow Morning, and I regret that my present Report of the Sentence is not fuller; but I shall obtain and transmit a Copy thereof by the first departure.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) ROBERT HESKETH.

No. 77.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received June 19.)

(Extract.)

Maranhão, May 6, 1826.

IN reference to my Despatch, dated April 20, I have now the honour to state, that, on applying to his Excellency the President of the Province, I obtained a Copy of the Sentence in the Case of the Schooner "Carolina," and consequently transmit, enclosed, Translations of every Document sent by his Excellency relating to such Sentence.

No steps have been yet taken to distribute the Negroes, nor has it yet been formally made known to them that they are now free.

By the Alvará of January 26, 1818, the "Ouvidor," or Provincial Judge, is the Person authorized to take charge of the Negroes, and to distribute them.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) ROBERT HESKETH.

First Enclosure in No. 77.

(Translation.)

The President of the Province of Maranhão to Mr. Consul Hesketh.

SIR,

Maranhão, May 5, 1826.

I TRANSMIT, by the enclosed Document, a Certificate of the Sentence

of the Rellação, passed in the Case of the seizure of the Negroes who arrived from Cacheu on board the Schooner "*Carolina*," as requested by you in the Letter of the 29th of April now last past. God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.
Robert Hesketh, Esq.

Second Enclosure in No. 77. (Translation.)

The Ouvidor-General to the President of the Province of Maranham.

MOST EXCELLENT AND ILLUSTRIOUS SIR, *Maranham, May 3, 1826.*

I HAVE the honour to transmit to your Excellency, in the enclosed Document, a Certificate of the Sentence of the Rellação, passed in the Case of the seizure of the Negroes, who arrived from Cacheu on board the Schooner "*Carolina*," and which was required by His Britannick Majesty's Consul in his Letter to your Excellency, dated the 29th of April last, a Copy of which your Excellency transmitted to me, directing that it should be complied with, in your Excellency's Letter, dated the 30th of the same Month.

God preserve your Excellency.

The Dez^{or} Ouvidor Geral do Crime,

(Signed) JOZE BONIFACIO DE ARAUJO AZAMBUJA.
H. E. Snr. Pedro Joze da Costa Barros.

Third Enclosure in No. 77. (Translation.)

Sentence in the Case of the Schooner "Carolina."

LET the Scrivener Marcellino, Jose de Azevedo Perdigão, acting in the Case of the Seizure of the Schooner "*Carolina*," and of the Slaves brought on board that Vessel from the Port of Cacheu to this City, certify at the foot of the present, the tenour of two Sentences given as a final decision on the said Case.

Maranham, March 2, 1826. (Signed) AZAMBUJA.

I, Marcellino Jose de Azevedo Perdigão, Owner of the Office of Escrivão in the "Ouvedoria Geral do Crime," and in the Police Office, by grant of His Imperial Majesty, whom God preserve, &c. &c.

Certify, that the Sentences mentioned in the above Order, are of the following tenour:—

It is decreed in the Rellação, &c. &c., having considered the Case of the Seizure of the Schooner "*Carolina*," Victor Nobre de Britto, Master, which put into this Port on the 28th of January of the present Year, in consequence of what is set forth in the Note of Protest, page 17, having on board 133 Slaves, of whom Manoel Pereira Barreto declares himself Owner, and who were transported from the District of Cacheu, a Seizure having been made of such Slaves and the said Schooner, because no proper Passport appeared, &c., as declared in pages 29 and 32. The said Owner alleging in his own defence, the substance of his pleadings in page 48, declaring, that such Slaves belong to him, the said Defendant, and to his Mother and Brothers; that he departed from Cacheu on board the said Schooner, on the 6th of January of the present Year, destined to the Island of St. Jago, in the Cape de Verds, where he intended to employ them in Establishments which he possesses there; but that when in Latitude 9. 7. 47. North, and Longitude 23. 37. West, a Vessel was discovered which created suspicion, as pointed out in Note of Protest, page 17, and that on this account they put into this Port; so that, consequently, such Slaves were not purposely brought hither, but even if they had, it was allowable to do so, by the Additional Article in the Treaty of 22d January 1815,

because said Slaves were "*bond fide*" his domesticks, more particularly as he, the said Defendant, possesses Lands in this Province, in the cultivation of which the Slaves could be employed : further alleging, that the Avizo of 4th April 1817, in the 6th page, by which His Most Faithful Majesty granted to the Defendant's Father, permission to remove from Cacheu to this City, with two of his Sons, each of whom being likewise allowed to bring their respective Families and Slaves, &c. On examining all which, and other matters relating to the Case, it appears that the Defendant, being obliged to prove clearly and fully that the Slaves seized, as in page 29, were *bond fide* his domesticks, presenting a proper Passport and Certificate, according to the directions and form stipulated in the Additional Convention of 28th July 1817 (which, although destined for Merchant-vessels engaged in the licit Slave-trade, nevertheless, contains principles and rules applicable to the present Case), to the end that the presentation of such regular Documents may exclude the proceedings of the Imperial Treasury, which are founded on right, and in virtue of which the Contraband is judged fully proved, transferring to the accused, in similar cases, the obligation to prove his innocence of the imputed crime ; it being required that such proof be always so far clear and current, as is necessary to exclude a presumption of right, according to the 17th Chapter, 6th paragraph, of the Statutes of the "Junta do Commercio" of 12th December 1756, confirmed by the Alvará of 16th of December of said Year.

And further, that in order to consider the Slaves so removed as *bond fide* domesticks, it appears from the Case, that the Defendant is far from proving, with a legitimate Passport, or with a competent Certificate, the quality of such of the Slaves as are *bond fide* his domesticks :—*Primo*,—Because the Passport in page 14 was granted in *Villa da Praia*, on 26th January 1824, to Dona Roza de Carvalho e Alvarenga, the Wife of Major João Pereira Barreto, in order that she might remove from the District of Cacheu to the Island of St. Jago, the Capital of the Province of Cape de Verd, with her Family, consisting of 300 Persons, more or less, on board the Portuguese Brig "*Apollo*," of which was Master, a Lieutenant in the Royal Marine, Mauricio Joze Alves ; and from the Case, it is proved, that the Slaves which are seized, as in page 29, departed from Cacheu on 6th January of this Year, in the Schooner "*Carolina*," Victor Nobre de Britto, Master, it being certain that such a Passport could not be availed of by a different Person, for a different Vessel, for an undetermined space of time, contrary to what is established in the said forms, and even because it is repugnant that for such a short voyage, a Passport should be provided with an anticipation of two Years. *Secundo*,—Because the Passport in page 15 was granted at Pará, on the 17th March 1825, allowing the Brazilian Schooner "*Carolina*" to go to Gibraltar and return to Pará, without specifying any other Port, either in going or returning, and consequently, that with this Passport the said Schooner could not, in conformity to the Maritime Laws, alter her voyage by going to the Island of St. Jago or Cacheu, without just cause, which should be alleged and proved ; and as it is one and the same thing, the want of a Passport as the having one which is irregular and unlawful, it comes to pass, under such circumstances, according to the Maritime Laws of all the civilized Nations of Europe, which in the present Case are made subsidiary, in virtue of the Law of 18th August 1769, that the Captain, or Master, of the said Schooner, is rendered suspicious of contraband and fraudulent designs, and the said Schooner made liable to seizure in this Country, and even on the high Seas, where she could be captured and treated as a Pirate ; it furthermore accruing, that this defect in the Passport prevents from being corroborated, with proper proof and authenticity, the Note of Protest on putting into this Port, page 17. *Tertio*,—Because that essential and indispensable Certificate required in the aforementioned Additional Convention is not produced. *Quarto*,—Because the Avizo of the 4th April 1818, in page 6, ought to be understood as granted for only one voyage to Major João Pereira Barreto, and his two Sons, Manoel Pereira Caldas and Antonio Pereira Barreto, and not the Defendant, who ought not to be understood as comprehended in the above favour, because all Imperial favours

are always restricted to what they express, as is declared by many "*Ordenações*" of the Empire. Besides all which, the proof by Witnesses, with which it is attempted to remedy the defects in the Passport of the Schooner "*Carolina*," from Cacheu to the Island of St. Jago, and to make it appear, that the quality of the Slaves, *bond fide* domesticks, is not so clear and current as, according to the Alvará of 16th December 1756, is required, in order to exclude a presumption of right established in favour of the Imperial Treasury, and to hinder, in the present case, the Freedom of the Slaves, to which they are entitled in virtue of the Alvará of 26th January 1818:—

Primo,—Because, in the opinion of said right, the Witnesses who are taken from the Crew of a Vessel, generally, give their testimony either from mere reverential concurrence, or under an interest to conceal their own errors and misdeeds, and are, on that account, always considered suspicious. *Secundo*,—Because it is repugnant to the Maritime Laws and Police Regulations, that a Vessel should go from Cacheu to the Island of St. Jago, without Passport. *Tertio*,—Because it having been thought necessary to the Defendant to have a Passport for himself and two Servants, in the granting of which there could not be any of the said legal objections, it ought to have been much more necessary for the Vessel and the Slaves she brought, in case they were *bond fide* Domesticks, it being very easy to have included them in the Passport granted to the Defendant for himself and two Servants, in page 55. *Quarto*,—Because the said mentioned Slaves do not discover, by their habits, customs, or by their religious or civil education, any symptoms or demonstration of having received domestick treatment in the Family of the Defendant. It resulting from all the foregoing, that the fraudulent proceeding of the Defendant, together with the Crew of the said Schooner, is manifest, in order to accomplish the illicit Traffick expressly prohibited by the first Article of the said Treaty of 22d January 1815; and it not appearing on the other hand, that the said Slaves are within the meaning of the Additional Article of that Treaty:

Therefore, on that account, and other matters of the Case, notwithstanding the pleadings of the Defendant, which have been rejected, they do judge as good the apprehension and seizure specified in page 29, and do condemn the Defendant in the loss of the Slaves, whom they declare free, to be appropriated to such service as is in conformity to the Alvará of 26th January 1818, paragraph 5th, and further condemn him in costs; and order that the Owner and respective Officers of the said Schooner be proceeded against according to right, the same not having yet pleaded.

Maranhã, April 18, 1826.

(Signed)

MELLO.
DUARTE.
VIEIRA BELFORD.

Present,

(Signed)

BARRADAS.

Published in the Office of the Scrivener,

Maranhã, April 19, 1826.

(Signed)

MELLO.

It is decreed in the Rellação, &c. Notwithstanding the pleadings, page 108, which are not received, owing to their subject matter, that on reviewing this Case, the Sentence thereon be executed, the Defendant paying costs.

Maranhã, April 29, 1826.

(Signed)

MELLO.
DUARTE.
VIEIRA BELFORD.

Present,

(Signed)

BARRADAS.

Published by my Scrivener,

Maranhã, April, 29, 1826.

(Signed)

MELLO.

And nothing further was contained in the said Sentences, which I have faithfully transcribed from the Originals, to which I refer, and with which I have compared this Certificate, and find it agreeing therewith in all things, excepting the correction of mistakes. The above being the truth. Maranhã, 2d May 1826. I, Marcellino Joze de Azevedo Perdigo, having closed and signed it.

(Signed)

MARCELLINO JOZE DE AZEVEDO PERDIGAO.

No. 78.

Mr. Secretary Canning to Mr. Consul Hesketh.

SIR,

Foreign Office, June 22, 1826.

I HAVE received your Despatches up to the 6th of May, and I approve highly of the proper watchfulness and sound discretion which marked the course which you have taken on the subject of the Schooner "*Carolina*," whose voyage with Slaves from Cacheo has at length, I am happy to find, been pronounced illegal, and her Slaves liberated.

In the event of proper steps not being taken for securing to the Negroes the benefit of their Emancipation, you will acquaint His Majesty's Consul-General at Rio de Janeiro with the Proceedings, and with your opinion as to the Measures which should be adopted for attaining this desirable object; in order that he may make to the Government of Brazil, such a representation for that purpose as the case shall appear to him to require; and you will continue to send to me Copies of the Correspondence which may take place upon the occasion.

I am, &c.

(Signed)

GEORGE CANNING.

Robert Hesketh, Esq.

No. 79.

John Bidwell Esq. to Mr. Consul Hesketh.

SIR,

Foreign Office, July 15, 1826.

IN reference to your request for Instructions, as to the disposal of two Negroes, who were purchased out of Monies belonging to the late Contribution Fund, and whose services were applied to the use of the Hospital; I am directed by Mr. Secretary Canning to instruct you, to declare to them their immediate and complete Emancipation, and to render it authentick by some formal Document.

His Majesty's Government, however, in making these poor Persons free, does not intend to throw them upon the World, so that they may fall into distress, and thence again probably into Slavery: you will enquire whether their Services can be made useful in any British Hospital which may be established at Maranham, and, should that be the case, you will offer to them employment at a fair and liberal hire for their free labour: If their Services should not be required in this way, you will seek out for them elsewhere some employment, where they will be comfortable and well treated; you will see to the fact of their being so treated, by personal examinations every half Year; and you will, until you can get them settled, make some arrangement for their maintenance, including the expence thereof as an Item in the account of Contingent Expences, for which you will have to draw upon His Majesty's Treasury.

I am, &c.

(Signed)

JOHN BIDWELL.

Robert Hesketh, Esq.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received August 21.)

(Extract.)

Maranhã, June 30, 1826.

I BEG leave to enclose a Statement, shewing, that up to the 14th of April, the date of the last Official Report made to me regarding the Negroes landed from the "*Carolina*," 19 Negroes were falsely reported as dead; and I have the satisfaction to state that, of these, 5 Negroes are already found.

The distribution of the Negroes took place about the middle of last Month, and was effected by the "*Ouvidor da Commarca*," or Provincial Judge.

When all the Negroes were distributed, one of them, called Nicholas, who had acted as nurse on board the Vessel, and who is a weaver by trade, and quite master of the Portuguese language, declared to the Judge, that his wife was forcibly taken from him while the Negroes were in the Deposit; and that although she was reported as dead, he knew the Person who had purchased her from the Deposit.

The Negress was sent for by the Distributor and restored to her husband, who then declared that 7 men and 7 women had been at different times taken away from the Deposit of the Negroes; that they, as well as the Caulker and Carpenter of the "*Carolina*" were alive, and not dead, as certified in the Documents produced by those who had charge of the Negroes.

The Distributing Judge caused the Caulker and Carpenter to be produced; but the Caulker, with the Negro Nicholas, were sent to a Plantation, and told that they must work as Slaves for 14 Years, before they could be free.

Both these Negroes are perfectly able to get their livelihood in this Town by their respective Trades, instead of which they have been both put to a sort of work, that can only benefit their Employers.

During the distribution, there were many applications for Negroes by Persons who exercised handicraft Trades, but they were chiefly refused, and the greatest portion of Negroes has been given to Planters; some of whom I am told, received 10 and more Negroes each; and all those Negroes will no doubt be sent up the Country to Plantations, where their fate, as Slaves, will probably be sealed.

The Distributor informed me, that all who took Negroes, signed a Bond with certain Conditions, and I fully expect that he will furnish me with a Copy of that Bond, and a List of the Persons who have received the Negroes, specifying how many each; but neither Document has been yet sent.

The Right Hon. George Canning, (Signed) **ROBERT HESKETH.**
 &c. &c. &c.

Enclosure in No. 80.

Statement respecting the Negroes landed from the "Carolina."

Negroes on board the Schooner " <i>Carolina</i> ," reported, on arrival,	}	133
as Cargo - - - - -		
Ditto, as part of the Crew - - - - -		9
	Total - - -	142
Negroes reported alive on the 14th April, of the Cargo - - -		105
of the Crew - - - - -		2
		107
		35
The remainder of the Crew, which was never deposited - - -		7
Number of Negroes declared to be dead by Statement of 14th April -		28

The true Statement regarding the above 28 Negroes reported as dead :

Number of Negroes who died at the Lazaretto	-	-	-	-	5
Ditto ditto who died at the Deposit	-	-	-	-	4
Total number of Deaths					9
Sent to Pará, for sale	-	-	-	-	7 Women
Taken away from the Deposit by the Person who had charge of the Negroes, Joze Maria Faria de Mattos	-	-	-	-	7 Men
Sold to Urbano Joze Gomez	-	-	-	-	2 Boys
Sold in Maranham, to ———	-	-	-	-	1 Woman
Sold to Manoel Antonio, the Negro Joze, Caulker of the Vessel	-	-	-	-	1 Man
Sold to Bomfica, the Negro, name unknown, Carpenter of Ditto	-	-	-	-	1 Ditto
Number of Negroes falsely reported to be dead	-	-	-	-	19
					28
					28
Negroes dead on the 14th April	-	-	-	-	9
Ditto fraudulently taken and sold	-	-	-	-	19
Remainder of the Crew	-	-	-	-	7
Negroes reported alive on 14th April	-	-	-	-	107
Total on board the "Carolina" on her arrival					142

No. 81.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received August 21.)

SIR,

Maranhm, July 5, 1826.

I HAVE the honour to make known that a Schooner, under Portuguese Colours, called "*Nove de Março*," Joze Fernandes de Pinho, Master, of about 35 tons, arrived at this Port on the 25th ultimo, having, besides a Crew of 12 Persons, 86 Negroes on board as a Cargo of Slaves.

The Vessel and Slaves were reported at the Custom-House, as direct from Cabinda, and a Passport shewn, dated St. Jago, Cape de Verd Islands, 24th November 1825, authorizing a Voyage to Cabinda; and the chief part of the Slaves were landed at the Consignee's House, where they were carefully kept.

These circumstances being suspicious, and although the Local Authorities had allowed the landing of the Slaves from the Schooner, I addressed a Letter, on the 29th ultimo, to his Excellency the President upon the subject, a Copy of which I beg leave to enclose, together with his Excellency's Answer.

On the following day I again addressed his Excellency, having ascertained that the Vessel came direct from the Cape de Verd Islands, and that most of the Slaves on board were Cacheo Negroes; a Copy of which Letter, and of his Excellency's Reply, I also beg leave to enclose.

I am not aware of the steps taken by his Excellency to prove satisfactorily the fraudulent Entry of the "*Nove de Março*;" but I am firmly convinced of the illegality of the voyage, and of the facility with which such illegality can be clearly proved, if proper measures be taken by the competent Authorities.

It may be expedient to state, that a very fast sailing, American-built

Schooner, under the Brazilian Flag, called the "*Arsenia*," lately belonging to this Port, has been sold at Rio de Janeiro; and that I expect this Vessel will also attempt the importation of Slaves into this Place, from prohibited Ports in Africa.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) ROBERT HESKETH.
&c. &c. &c.

First Enclosure in No. 81.

Mr. Consul Hesketh to the President of the Province of Maranham.

Maranhm, June 29, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

I BEG leave to acquaint your Excellency, that circumstances have come to my knowledge, since the arrival of the Portuguese Schooner "*Nove de Março*," which lead me to suspect that the said Vessel, and the Negroes landed from her have arrived from an African Port to the Northward of the Line.

Being desirous not to trouble your Excellency on this information alone, and at the same time to satisfy myself as to the correctness of such a Report, I requested the Consignee of the Slaves to allow them to be seen by a Person I sent, but this permission has been refused, although the Person went to the Consignee's House for the purpose both yesterday and to-day.

It is now, therefore, my duty to state these suspicions to your Excellency, requesting that your Excellency may be pleased to order a proper Examination, to ascertain from the Negroes themselves, by the aid of Interpreters, the Nation to which they belonged on the Coast of Africa.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.
His Excellency Pedro Joze da Costa Barros.

Second Enclosure in No. 81,

(Translation.)

The President of the Province of Maranhm to Mr. Consul Hesketh.

SIR,

Maranhm, June 30, 1826.

I HAVE received your Letter, dated the 29th instant, informing me that, since the arrival of the Portuguese Schooner "*Nove de Março*," you have learnt certain occurrences which make you suspect that that Vessel, and the Negroes landed from her, came from some African Port to the Northward of the Line; to which I reply, that the Passport, and other Documents belonging to the said Schooner, were examined in the Secretary's Office of this Government-House, and from them it appears that the Vessel is not one to which the Slave-trade Treaty has reference. However, I have ordered the competent Magistrate to proceed to an extra-judicial Examination, and I shall communicate to you the result. God preserve you.

Robert Hesketh, Esq. (Signed) PEDRO JOSE DA COSTA BARROS.

Third Enclosure in No. 81.

Mr. Consul Hesketh to the President of the Province of Maranhm.

Maranhm, June 30, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

I HAVE had the honour to receive your Excellency's Letter, in answer to the Communication I laid before your Excellency yesterday, respecting the Schooner "*Nove de Março*."

Further information regarding that Vessel's voyage again obliges me, in the discharge of my duty, to acquaint your Excellency, that 2 Negresses and 1 Negro, all Cacheu Blacks, are now on board the Canoe "Graça," to sail this tide for Itapicurú; and that those Negroes state they arrived in the said Schooner, direct from the Cape de Verd Islands, at this Port.

These facts strengthening my suspicions regarding the Report made at the Custom-House by the Master of the said Schooner, I thus most respectfully submit them for your Excellency's information.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros.

Fourth Enclosure in No. 81.

The President of Maranham to Mr. Consul Hesketh.

SIR,

Maranham, June 30, 1826.

I HAVE to acknowledge the Receipt of your Letter of this day's date, in answer to the one I addressed to you respecting the Schooner "Nove de Março," and I shall take such measures as I deem requisite, regarding the subject matter thereof. God preserve you.

Robert Hesketh, Esq. (Signed) PEDRO JOZE DA COSTA BARROS.

No. 82.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received September 16.)

(Extract.)

Maranham, July 15, 1826.

THE last Despatch of this Series, which I had the honour to transmit, was dated the 5th instant, and I then made known the arrival of the Schooner "Nove de Março;" the suspicious circumstances of that Vessel's entry at the Custom-House; and the steps which I had, up to that date, taken to ascertain all the facts of the Case.

On the 6th instant I received from his Excellency the President a Report, stating that a full investigation had taken place, and that the Slave-trade Treaty had not been infringed by the voyage of the Vessel in question. I have the honour to enclose a Translation of that Report.

I thought it my duty to remonstrate against the unsatisfactory nature of the Report, a Copy of which Remonstrance I also enclose. In it I made, among other solicitations, one, for a Copy of the Survey held on the Negroes; and another, for a Copy of the Passport of the "Nove de Março;" and I enclose a Translation of his Excellency's Reply to those solicitations.

Early in the Morning of the 9th instant, I was informed that several Cacheo Negroes, who had arrived in the "Nove de Março," had been shipped on board of a Canoe, being a decked Vessel for River navigation; and that the Canoe was to sail immediately for the interior of the Province.

My first step was, to send on board of the Canoe my Clerk, accompanied by a Cacheo Negro, as Interpreter, to ascertain the fact; and they found in the hold of the Vessel 35 Cacheo Negroes, the greatest part Women, who declared that they came direct from Cacheo, and were never in Cabinda.

I made immediate communication of this occurrence to his Excellency the President, in a Despatch, a Copy of which I beg leave to enclose; and it was delivered to his Excellency at a quarter before 10 o'Clock, when the Canoe was still inside the Port, although under weigh.

The Canoe was, however, allowed to depart with the Negroes without any attempt being made to detain her for examination, although, owing to calm weather and a head-tide, it was perfectly easy to recal her, even at 11 o'Clock.

Instead of that only effectual step, the President referred the matter to the Provincial Judge, and, at 2 o'Clock in the Afternoon, I received from his Excellency's Aid-de-Camp the Letter, a Translation of which I have also enclosed.

I most humbly submit, for your information, a Copy of the Letter, which, in answer thereto, I addressed to his Excellency on the 10th instant.

I regret that I am also obliged to enclose a Translation of the unsatisfactory Answer his Excellency has thought fit to return to my Representations, and to my request that the Negroes, so improperly removed from just examination, should be brought back to this City.

I next addressed a Letter to the Provincial Judge, requesting a Copy of the Passport of the "Nove de Março," and of the Survey on the Negroes, referring, at the same time, to the President's Orders, mentioned in the Enclosure numbered (3); but neither Document has been yet furnished to me.

I have never been allowed to see the original Passport; but, as it is dated Cape de Verd, there is every reason, to suspect that the "Nove de Março" was never at Cabinda.

As for the irregularity of the Survey on the Negroes, it is not only proved by what I have ascertained, but even by the admission in the President's last Communication.

I enclose a Newspaper of [this City, in which is published his Excellency's Report to me, being the Enclosure, numbered (1), and another Newspaper, containing his Excellency's Order, prohibiting the registering of the Survey, although that is a customary measure. A Translation of the Order (8), is annexed to the Newspaper.

From all the above mentioned circumstances, I am convinced, that the Voyage of the "Nove de Março," is an infraction of the Slave-trade Treaty; but I despair that this illegal act will meet a just investigation.

I anxiously hope that my conduct in this Affair will be deemed conformable with my duty, and worthy of your approbation: were such Proceedings allowed to pass with impunity, and the Importers of the Slaves by the "Nova de Março," permitted to reap, without further molestation, the profits of their illegal acts, no regard would be ultimately paid by the subordinate Authorities to the Slave-trade Treaties; and the Importation of Negroes from prohibited Ports, would become a channel of more frequent, and of less hazardous Traffick to this Place.

I beg leave to transmit, enclosed, a Description of the "Nove de Março." It is reported that she is to sail soon for the Cape de Verd Islands, and is ready for Sea.

In order that His Majesty's Consul-General at Rio Janeiro, may have early information of this Case, I shall transmit to him, by the first direct opportunity, a Copy of this Report, and of its Enclosures.

The Right Hon. George Canning, (Signed) ROBERT HESKETH.
&c. &c. &c.

First Enclosure in No. 82.

(Translation.)

The President of the Province of Maranham to Mr. Consul Hesketh.

MOST ILLUSTRIOUS SIR,

Maranhm, July 6, 1826.

I TRANSMIT, enclosed, a Copy, under the Secretary's Signature, of a Letter from the Ouvidor da Commarca, relative to the examination which I ordered of the Papers of the Schooner "Nove de Março," lately arrived at this Port with Slaves, in order that you may be precisely informed, that those Slaves are not comprehended in the Treaty with England regarding that Commerce.

God preserve you.

(Signed)

PEDRO JOZÉ DA COSTA BARROS.

Robert Hesketh, Esq.

First Enclosure (A.) in No. 82. (Translation.)

The Ouvidor da Commarca to the President of the Province of Maranham.

MOST EXCELLENT AND ILLUSTRIOUS SIR, *Maranhm, July 5, 1826.*

I TRANSMIT to your Excellency, the Examination I made of the Papers and Passport, with which the Schooner "*Nove de Março*" was navigated from the Cape de Verd Islands to the Port of Cabinda, and from thence to this City; and, by these Documents, and the Examination of the Negroes which were brought, it is known that they are not comprehended in the Treaty with England relative to such Commerce, as they are from Nations to the Southward of the Equator; which is affirmed on Oath by the two Merchants I summoned, as being well acquainted with such matters. This is all with which I can acquaint your Excellency, who will better judge by perusing the annexed Act of Survey.

God preserve your Excellency.

(Signed)

The Juiz d' Alfandega,

LEOCADIO FERREIRA DE GOUVEA PIMENTEL BELLEZA.

His Excellency Pedro Joze da Costa Barros.

Second Enclosure in No. 82.

Mr. Consul Hesketh to the President of the Province of Maranham.

MOST EXCELLENT AND ILLUSTRIOUS SIR, *Maranhm, July 7, 1826.*

I HAVE the honour to acknowledge the receipt of your Excellency's Letter, dated the 6th instant, transmitting a Copy of the Report from the Ouvidor da Commarca, relative to the Survey on the Negroes brought by the Schooner "*Nove de Março*."

I have to inform your Excellency, that, under all the circumstances connected with the arrival of that Vessel, it is impossible for me to found, on the above-mentioned Report, a satisfactory Statement of that Case, for the information of His Britannick Majesty's Government; the said Report not stating precisely, from whence, on the Coast of Africa, the Negroes were originally brought, and nothing shewing that those Negroes were proved at the Custom-House to be such as the Passport allowed the Importation of; it being on the contrary ascertained, that some Cacheu Negroes arrived in the "*Nove de Março*."

The notorious improprieties committed at the Deposit of the Negroes by the "*Carolina*," will account why, in that Case, I imposed on myself the disagreeable task of representing such conduct to your Excellency, and will also shew that some of the subordinate Authorities have been regardless of their duty, when executing your Excellency's Orders for the due fulfilment of the Slave-trade Treaty with Great Britain.

By such conduct on the part of some of those Authorities, it has been attempted to defeat the common object of your Excellency's sincere wishes, and of my humble exertions.

I, however, trust, that I shall not now be refused your Excellency's ready and most availing assistance to ascertain satisfactorily the exact Voyage of the "*Nove de Março*;" so that the Reports of the Case in question sent to the Courts of Rio de Janeiro and of London, where your Excellency and myself are respectively responsible, may afford at both those Courts reciprocal satisfaction.

Feeling, from such reasons, confident of your Excellency's support, I make the following Four solicitations; the first, for a Copy of the Survey on the

Negroes landed from said Schooner: the second, for Copies of the Passport, and of the Muster-Roll; the third, for permission to see the Negroes myself; and the fourth, for permission to see the Log-book of the "Nove de Março," and to have that Vessel measured.

I have the honour to be, &c.

(Signed)

ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros.

Third Enclosure in No. 82.

(Translation.)

The President of the Province of Maranham to Mr. Consul Hesketh.

MOST ILLUSTRIOUS SIR,

Maranhm, July 8, 1826.

I HAVE to acknowledge the receipt of the Letter you addressed to me on the 7th instant, relative to the Schooner "Nove de Março," and, in answer to its contents, I state that I have this day given the requisite orders to the "Ouvidor da Commarca," that he may satisfy you with what you require from me in that Letter.

God preserve you.

(Signed)

PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Fourth Enclosure in No. 82.

Mr. Consul Hesketh to the President of the Province of Maranham.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

Maranhm, July 9, 1826.

I HAVE the honour to acknowledge the receipt of your Excellency's Letter of Yesterday's date, and request your Excellency will be pleased to Embargo the Canoe "Vencedora," on board of which there are several Cacheu Negroes, brought by the Schooner "Nove de Março."

I have the honour to be, &c.

(Signed)

ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros.

Fifth Enclosure in No. 82.

(Translation.)

Captain Machado to Mr. Consul Hesketh.

MOST ILLUSTRIOUS SIR,

Maranhm, July 9, 1826.

HIS Excellency the President, Acting Military Governor of this Province, has charged me to transmit to you the Letter of the Acting "Ouvidor da Commarca," to whom was sent the one you addressed to his Excellency, in order that, by investigation, the needful measures might be taken.

God preserve you.

(Signed)

JOAO CARLOS MACHADO.

Robert Hesketh, Esq.

Fifth Enclosure (A.) in No. 82.

(Translation.)

The Ouvidor da Commarca to Captain Machado.

MOST ILLUSTRIOUS SIR,

Maranhm, July 9, 1826.

I HAVE received your Letter, and with it a Copy of the one transmitted to his Excellency by the English Consul, in order that at the sight of it, or of its contents, I should inform his Excellency thereof.

As soon as I received it, I directed my Orderly to go for the Master of the Canoe "Vencedora," in order to ascertain from him if there were any Cacheu Negroes on board; the Orderly, however, returning told me, that the said Canoe was, at 10 o'Clock, already out of the Port bound to that of Caxias. This is all I am able to acquaint you with.

God preserve you.

(Signed)

LEOCADIO FERREIRA DE GOUVEA PIMENTEL BELLEZA.

*The Most Illustrious Snr. Joao Carlos Machado,
Captain and Aide-de-Camp.*

Sixth Enclosure in No. 82.

Mr. Consul Hesketh to the President of the Province of Maranham.

Maranhã, July 10, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

HAVING yesterday Morning, the 9th instant, requested your Excellency to stop the Canoe "Vencedora," with several Cacheu Negroes on board, brought by the Schooner "Nove de Março," and the said Canoe being in this Port when your Excellency received my Letter, and continuing an hour after, within such distance, as to be easily stopt in the manner adopted by your Excellency in many other instances; and your Excellency having refused such my request, adopting instead the proceeding of ordering the "Ouvidor da Commarca" to investigate the matter, whose answer, stating that the Vessel had departed, I received several hours after my application to your Excellency: it follows that, instead of receiving any assistance from your Excellency, in the requisite steps to ascertain the exact voyage of the "Nove de Março," your Excellency has refused me the means of bringing forward an undeniable proof of the false Entry made at the Custom-House by the Master of the said Vessel.

Although an investigation with that important object was commenced with the knowledge, and under the sanction, of your Excellency, still 30 of the Negroes, by that identical Vessel, were allowed, without any demur, to leave this Port yesterday Morning, by a regular Licence from the Commander of the Police; and these 30 Negroes were found by the Person I sent on board the "Vencedora," concealed in the hold. On the 30th ultimo I informed your Excellency that 3 others of the Negroes, by the "Nove de Março," were on board of the "Graça," but in both instances the Negroes have been allowed to be removed from the reach of proper examination, and it is very possible that many others of the Negroes in question, have, without my knowledge, been also removed with the same view.

If your Excellency be not determined to oppose all fair and effectual investigation of this Case, and if your Excellency does not despise the sacred obligations of a Treaty between the two Crowns, your Excellency will take effectual steps to bring back to this City those Negroes landed from the "Nove de Março," who have been sent into the interior of the Province, and who, I now most solemnly certify to your Excellency, are all Cacheu Blacks.

But should your Excellency disregard this my last appeal, and continue in a course of measures totally ineffective for the attainment of the just and requisite investigation I have requested, your Excellency will then force me, in the due discharge of my duty, to transmit to the proper quarters, not only the most unpleasant Representations, but also the most serious Protests.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros,

The President of the Province of Maranham to Mr. Consul Hesketh.

SIR,

Maranhm, July 12, 1826.

I HAVE before me your Letter which I received at 1 o'Clock, on the 10th instant.

Without bestowing on it much reflection, it shows itself labouring under two defects, which ought to have been kept from it; they are these: a want of correctness in some of your assertions, and the little propriety in the manner of expressing yourself, notwithstanding studied circumlocutions to soften the harshness of some terms, against which the respectful decency due to the Authority with which His Majesty The Emperor has been pleased to invest me appears to oppose itself.

In that Despatch you state, that having asked me to embargo the Canoe "*Vencedora*," with a quantity of Cacheu Negroes on board, who had arrived in the Schooner "*Nove de Março*," I refused that request, adopting the measure of ordering the "*Ouvidor da Commarca*" to proceed in an investigation of the Case, and that you only received my Answer, declaring that the Canoe had departed, four hours after you made the communication to me.

Putting aside the novelty of your pretention to prescribe to me the exact time for answering your Letters, which is clearly inferred from the manner of your expressions; it behoves me to state, that it was communicated to me, that the Canoe "*Vencedora*" had already left the Port, which rendered useless any immediate measure; besides which, the Canoe departing into the interior of the Province, where, in whatever place she may be, my Orders being effective, it follows that they will co-operate for ascertaining the truth of the Case in question.

It moreover behoves me to declare to you, that Presidents of Provinces are not competent Authorities to make Embargoes; those acts are operations of the Judicial Power; and it was in consequence of the force of the "*Carta de Ley*" of 20th October 1823, regulating the Presidencies of the Provinces, and marking out the limits of their powers, that I consigned to the proper Magistrate that duty and the competent Investigations.

It is therefore a very sinister inference when you assert, that, instead of receiving assistance to ascertain the true voyage of the Schooner "*Nove de Março*," I have refused the means of producing an undeniable proof of the false Entry of the said Schooner; that arrogant inference is not deducible from the competent Orders which I issued for an Investigation on that Case; it is entirely opposite to such Orders.

You cannot avoid the confession, that Investigations are commenced under my sanction and by my orders; but, as you wish to blacken every step in this Case, you assert that, notwithstanding, 30 of those Negroes were, without hesitation, allowed to depart in the Canoe "*Vencedora*," with Passports from the Commander of Police.

Nothing can be imputed against that Military Commander, who has long since been intrusted with the power of granting Passports of that kind, to facilitate the transport of Slaves to the Interior of the Province, and certainly it was not declared to him that they belonged to the Schooner "*Nove de Março*;" and I consider in the same light the 3 Slaves you mention, who were not condemned as implicated in the prohibited Traffick.

The Passports of the "*Nove de Março*" are clear, from *Cabinda* to this Port, and it is those Passports which regulate the Place from which the Slaves are taken; and it is only to the Places from which it is proved Negroes are taken, or at which such fitting out is effected, that the Treaty and the Prohibitions it contains refers.

I have before me the Treaty of 22d January 1815, and, in the 1st Article, the exclusive reference to locality is clear, while the Nationality of the Slaves is lost sight of, because it expressly declares, "that it is prohibited to every Subject of the Crown of Portugal to buy Slaves, or Traffick in them at any

Place on the Coast of Africa to the Northward of the Equator;" so that it is the Place where such Traffick in Slaves is carried on, that characterizes the Traffick as licit or illicit.

This disposition is confirmed in the 2d Number of the 2d Article, in the Additional Convention on the said Treaty, dated 28th July 1817, which, while specifying the Territories in which it is lawful for the Crown of Portugal to carry on the Traffick of Slaves, expressly mentions Cabinda as one of those Places; and it is therefore from Cabinda, according to the Passports granted with the legal formalities, that the Slaves in question were brought: and the 6th Article of that Convention declares, that, in order to legalize the detention of Vessels carrying Slaves, it is indispensable that there be found on board Slaves taken from those Ports on the Coast of Africa, where the Traffick is prohibited by the Treaty dated 22d January 1815.

The Law, specifying the Penalties for the Infractions of the Treaty and of the Additional Convention, dated 26th January 1818, is only directed against those persons who may fit out and prepare Vessels for taking away from, or purchasing Slaves at, any Ports on the Coast of Africa situated to the North of the Equator, and has no reference to the Place of Nativity of the Slaves, the Concession or the Prohibition referring solely to specified Places.

Conceding, therefore, the possibility, that, amongst the Slaves brought by the Schooner "Nove de Março," there are some Cacheu Slaves, the Vessel procured her Cargo in Cabinda, which is not a prohibited Port, and on that account the Treaty, which only refers to Places and not to Individuals, is not infringed, nor would I with bold hand meddle in Conventions of the High Contracting Parties, which are entitled to the most religious and sacred respect.

I cannot, however, abstain from one declaration, and it is this, that you seem to attack those very Treaties, daring to amplify their dispositions to objects which the High Contracting Parties either despised, or did not wish to include; that being certainly offensive to those very Treaties, of the strict observance of which you so often remind me.

It now only remains for me to reply to the conclusion of your Letter, and I should wish at this moment to put aside all the just indignation I feel at the disrespectful style in which, in the last sentence, you unfold a haughtiness incompatible with the dignity due, in your treatment of a Delegate of His Majesty The Emperor.

You have dared to clothe in threats that conclusion of your Letter. I despise them; and if the due discharge of your duty, as you state, obliges you to make in competent quarters, disagreeable representations and serious protests, I am content that my conduct should not, as I am confident it will not in the present Case, be disapproved of by His Majesty The Emperor, who is sufficiently acquainted with my respectful attachment, and with my constant fidelity to His August and Sacred Person: a fidelity which does not dread the presence of the protests, not even of the Nations who boast of being faithful to their Sovereigns.

I conclude by declaring to you, that I have made such dispositions, and given such Orders as I judge proper for the object in question.

God preserve you.

(Signed) PEDRO JOSE DA COSTA BARROS.

Robert Hesketh, Esq.

Eighth Enclosure in No. 82.

(Translation.)

Order of the President of the Province of Maranham.

Maranham, July 1, 1826.

THE Doctor (of Laws), acting "Ouvidor da Commarca," exercising the functions of Judge of the Custom-House in this City, will, according to the enclosed Translation of a Despatch from His Britannick Majesty's Consul, dated 29th ultimo, proceed to an examination of the Documents of

the Portuguese Schooner "*Nove de Março*," lately arrived with Slaves, in order to ascertain whether they are such as are referred to in the Treaty regarding the Slave-trade, transmitting the result to this Secretary's Office, *without keeping any Copy* in the Office. So let it be executed.

(Signed) BARROS.

Ninth Enclosure in No. 82.

Description of the Schooner "Nove de Março."

A VESSEL about 35 tons measurement, no head, and the stern gradually rounded in to the stern-post; built like a Lisbon Fishing-boat, or "Saveiro," and to all appearance formerly one of those Vessels. Not coppered; rigged as a Schooner, with jib, fore-stay-sail, square and fore and aft fore-sails and main-sail, but no top-sails. The fore-mast is well forward in the bows, and has much less rake than the main-mast. She has fitted poles at each mast-head.

Maranham, July 15, 1826.

(Signed) ROBERT HESKETH.

No. 83.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received September 16.)

(Extract.)

Maranham, July 19, 1826.

IN reference to my last Despatch of this Series, dated the 15th instant, I have the honour to acquaint you that, in the Evening of that day, I received from the "Ouvidor da Commarca," Copies of the Survey on the Negroes brought by the "*Nove de Março*," and of that Vessel's Passport, Muster Roll, and Log Book; and I beg leave to enclose a Translation of the Magistrate's Letter transmitting those Copies.

I also enclose Translations of the Survey, and of the Passport; reserving that of the Muster Roll as containing nothing material, and that of the Log Book as too voluminous.

On the 17th instant, I addressed a Letter to the President, pointing out why I asserted that the above-mentioned Documents did not afford any satisfactory Proof that the "*Nove de Março*" had been on a legal voyage, and I enclose, for your information, a Copy of my Despatch to his Excellency containing that assertion.

In the Morning of the 18th instant, the Schooner, "*Nove de Março*" left this Port, and some hours after I received from his Excellency the President, a Letter, requesting to have the Documents on which my assertion was founded; and I most humbly refer to the enclosed Translation of that Letter.

I determined to keep the Documents which were sent to me, and to refuse even Copies of them; and I framed accordingly my Answer to his Excellency's request, a Copy of which Answer I have also enclosed.

In the Copy of the Log Book I have been furnished with, it is stated, that the "*Nove de Março*" left Porto Praia on the 1st of December 1825, and arrived at Cabinda on the 28th of that Month; and there is no remark whatever until the 28th of May, on which day a Sea-log commences, of her voyage from Cabinda to this Port.

The Passport is not a proper one for a Vessel on a voyage for Slaves.

I can prove satisfactorily that the greatest portion of the Negroes by the "*Nove de Março*" are Cacheo Negroes.

And lastly, there is no Document to prove that this Vessel sailed from Cabinda, having Negroes on board for this Place.

Having thus given all the information which it is in my power to obtain, regarding the voyage of the "*Nove de Março*;" I have only now to enclose

a Copy of a Despatch I addressed to His Majesty's Consul-General at Rio de Janeiro on the 17th instant.

I have not copied the Enclosures relating to that subject, because they are diffuse, and their subject matter is in fact stated in the Despatch.

The Right Hon. George Canning, (Signed) **ROBERT HESKETH.**
 &c. &c. &c.

First Enclosure in No. 83. (Translation.)

The Ouvidor da Commarca to Mr. Consul Hesketh.

SIR,

Maranham, July 15, 1826.

I ACKNOWLEDGE the receipt of your Letter, and also of the Copy of that you received from the President, and, in consequence of its contents, I transmit to you Copies of the Examination, which, by order of the said President, I made of the Negroes brought to this Port by the Schooner "*Nove de Março*," of the Passport of the same, and of the Journal of the Voyages, as well from the Island of Saint Jago to Cabinda, as from that Port to this City; which Copies I should have sooner remitted, were it not for the sickness of the Scrivener of the Custom-House Cases.

(Signed)

God preserve you.

LEOCADIO FERREIRA DE GOUVEA PIMENTEL BELLEZA.

Robert Hesketh, Esq.

First Enclosure (A) in No. 83. (Translation.)

Report of the Ouvidor da Commarca, relative to a Survey of the Negroes landed from the "Nove de Março."

IN the Year of our Lord 1826, on the 4th day of July of the said Year, in this City of Maranham, in the House of "Commendador" Antonio Joze Meirêlles Ferreira and Company, where was present the Doctor of Laws, the Ouvidor and Acting Judge of Custom-House, Leocadio Ferreira de Gouvêa Pimentel Belleza, with myself, the undersigned Scrivener of his Court, there being also present Captain Joze Rodrigues Roxo, and Lieutenant Manoel Domingues Dias, who were by me notified to attend, in virtue of the Order of the Most Illustrious and Excellent President of this Province, Pedro Joze da Costa Barros, numbered 151, dated the 1st of July of the present Year, and for which end the said Magistrate administered to them an Oath, upon the Holy Evangelists, by producing the New Testament, that, on examining the Documents of the above-mentioned Schooner, and other Papers produced by the Consignee, Captain Joze Gonçalves Teixeira, they should declare what to them appeared from the said Documents, and from the Slaves which in this act would be presented before them.

They conjointly declared, that, with regard to the Documents, they had nothing to observe, as they were annexed to this act. But that, with regard to the Slaves who were produced to them, they know that they are not from prohibited Ports, and that they have nothing further to declare in this respect. In faith whereof they have signed the present, with the said Magistrate; there being also present as Witnesses, Manoel Gonçalves Barros, Thomas de Aquino Nogueira do Carmo: all which I, the Scrivener, declare, with all faith, is the truth; and I, Justino Damazo Saldanha, Scrivener, wrote the present.

(Signed)

PIMENTEL BELLEZA.

(Signed)

JOSE RODRIGUES ROXO.

MANOEL DOMINIGUES DIAS.

MANOEL GONÇALVES BARROS.

THOMAS D'AQUINO NOGUEIRA DO CARMO.

JUSTINO DAMAZO SALDANHA.

First Enclosure (B.) in No. 83.

(Translation.)

Passport of the Schooner "Nove de Março."

I, JOAO DA MATTA CHAPUZET, "Commendador" of the Order of Christ, Knight of the Orders of St. Bento e Aviz, and of the Tower and Sword, Colonel in the Chief Staff of the Army, President of the "Real Fazenda," and Governor-General of the Province of the Cape de Verd, by His Most Faithful Majesty The King, our Master, whom God preserve, &c. do make known unto all who may see this Passport: that the Portuguese Schooner "*Nove de Março*," is bound on a voyage from this Island of St. Jago, Cape de Verd, to the Port of Cabinda, and from thence to Maranham, from whence she is to return to this same Island, and of which Schooner is Master and Owner, Joze Fernandez de Pinho, as was certified in this Secretary's Office by the said Master's Oath, taken in said Office, and by the Documents presented by him; he taking, as a Crew, the Persons mentioned in the annexed Muster Roll, signed by Joze Quintino, an Officer in the Secretary's Office of this Government, all being Portuguese Subjects and Vassals of His Most Faithful Majesty The King, our Master, no Foreigner having share in the said Schooner. And because she may be met on the High Seas, or in Port, by Commanders and Officers of Men-of-War and other Vessels of the Crown of Portugal, His Most Faithful Majesty The King, our Master, ordains that she may not suffer any hinderance, and recommends to the Fleets and Squadrons and other Vessels belonging to Kings, Princes and Potentates, the Friends and Allies of this Crown, that they may not hinder her voyage, but on the contrary, lend her every needful favour and assistance to enable her to perform it, in the assurance that the same treatment will be observed towards those recommended by their Princes.

In testimony whereof, I ordered this Passport to be granted. Signed by me, and sealed with the Royal Arms of this Government.

Granted at Head Quarters, in the Villa da Praia, Island of St. Jago, Cape de Verd, this 24th day of November, in the Year of our Lord 1825.

(L. S.) (Signed) JOAO DA MATTA CHAPUZET,
Colonel and Governor-General of the Province.

By order of his Excellency. (Signed) JOZE QUINTINO,
Of the Secretary's Office.

Second Enclosure in No. 83.

Mr. Consul Hesketh to the President of the Province of Maranham.

MOST EXCELLENT AND ILLUSTRIOUS SIR, *Maranham, July 17, 1826.*

THE "Ouvidor da Commarca" has transmitted to me Copies of the Survey relating to the Negroes landed from the "*Nove de Março*," and of that Vessel's Passport, Muster Roll and Log Book.

The Survey neither specifies the number of Negroes, nor proves that those who were seen by the Surveyors were the whole or even part of the Cargo. The Passport is not according to the Form prescribed in the Treaty, and besides, does not contain a word respecting Slaves, nor the Measurement of the Vessel. The Copy of the Log Book is not accompanied by any Document proving its authenticity, and even this Copy does not account for a considerable space of time which elapsed while that Vessel was on the Coast of Africa. And lastly, there is no kind of clearance outwards from any Authority at Cabinda.

I therefore beg leave most respectfully to state to your Excellency, that the above-mentioned Documents do not afford satisfactory proofs that the Vessel in question has been on a legal voyage.

I have, &c.

H. E. Pedro Joze da Costa Barros. (Signed) ROBERT HESKETH.

Third Enclosure in No. 83. (Translation.)

The President of the Province of Maranham to Mr. Consul Hesketh.

MOST ILLUSTRIOUS SIR,

Maranham, July 18, 1826.

I HAVE before me your Letter, dated yesterday, respecting the Case of the Schooner "*Nove de Março*," and as I am moved, as I ought to be, by the most lively interest to act in this affair in such a manner as that the faith of the Treaty in question should not be deceived, I ask you to be pleased to render accessible to me the Documents on which you found your assertions; to promote the perfect management of all which you may deem expedient to be adopted in this respect; you remaining under the fullest conviction that my greatest glory is derived from the fulfilment of my obligations to His Imperial Majesty.

God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Fourth Enclosure in No. 83.

Mr. Consul Hesketh to the President of the Province of Maranham.

MOST EXCELLENT AND ILLUSTRIOUS SIR, Maranham, July 18, 1826.

I HAVE the honour to acknowledge the receipt of your Excellency's Letter of to-day's date, requesting that I should transmit to your Excellency the Documents on which, in my Despatch of the 17th instant, I found an assertion respecting the voyage of the Schooner "*Nove de Março*."

I have most respectfully to state to your Excellency, that my Declaration was not founded on original Documents, but only on Copies of Documents, which Copies were furnished to me by the Ouvidor da Commarca, in consequence of your Excellency's orders.

The Documents themselves were never seen by me; and I presume must still remain in the possession of the said "Ouvidor."

I have, &c.

(Signed) ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros.

Fifth Enclosure in No. 83.

Mr. Consul Hesketh to Mr. Consul-General Chamberlain.

SIR,

Maranham, July 17, 1826.

I HAVE the honour to enclose two Reports of the Case of the Schooner "*Nove de Março*," forwarded to the Right Honourable the Principal Secretary of State for Foreign Affairs, no opportunity of transmitting them to Rio de Janeiro direct having occurred before this date.

In connection with the occurrences respecting the Case of the "*Nove de Março*," I have to state that my Clerk, Ignacio Veiga, who was sent on board of the Canoe "*Vencedora*," to ascertain whether any of the Negroes landed from that Schooner were on board, and who performed that duty faultlessly, has been proceeded against by the Consignee of the "*Nove de Março*."

I beg leave to enclose a Copy of the Proceedings, in which it is asserted that he went on board in a Military character, and by threats and force had the hatches opened.

The true facts are stated in the Counter Protest; and from the falsehoods of the Protest, will be discovered the enmity produced by the step I took.

On the 11th instant, his Excellency the President sent for Mr. Veiga, threatening him when there, for having gone on board the Canoe, as particularized in the enclosed Declaration.

My object in thus minutely stating these occurrences, is to put in a clear point of view the feelings which actuate the Parties concerned in the "Nove de Março."

But I trust that, with these explanations, you will not experience any difficulty in putting in their true light, before the Brazilian Government, such unfounded accusations; and in obtaining from that Government the adoption of some measure to check the annoyances thus indirectly commenced against myself, but occasioning immediate inconvenience to Mr. Veiga, who has not in this instance infringed any Law, but only performed his duty; and who has for a period of 9 Years been of great utility to me, by his exemplary activity and fidelity.

I have, &c.

Henry Chamberlain, Esq.

(Signed) ROBERT HESKETH.

No. 84.

Mr. Secretary Canning to Mr. Consul Hesketh.

SIR,

Foreign Office, September 23, 1826.

I HAVE received your Despatches of this Series, to the 19th of July last. I highly approve of the proper zeal which you have shewn in watching over, and endeavouring to prevent the infractions of the Treaties upon Slave-trade, as instanced in the Case of the "Nove de Março."

His Majesty's Envoy to The Emperor of Brazil has been instructed to support, at Rio de Janeiro, the representations which you have made upon this Case.

Robert Hesketh, Esq.

I am, &c.

(Signed) GEORGE CANNING.

No. 85.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received Oct. 21.)

(Extract.)

Maranham, August 19, 1826.

I HAD the honour to state in a Despatch of this Series, dated June 30, 1826, several circumstances connected with the distribution of the Negroes brought by the Schooner "Carolina," whose freedom was decreed by the competent Court; at the same time remarking on their unfortunate situation.

I beg leave to state the following 3 Cases:—

The Negro who had been Caulker of the "Carolina," and who was, with 9 others, sent by the Distributor's Relation to a Plantation, fled from thence and succeeded in gaining my House where he stated that all the 10 Negroes had been hard worked in the field, and that their sole sustenance had been 3 pounds of boiled rice, between them all, in a Morning; this miserable allowance being even denied to them on the Sundays, as they did not work; and that they were constantly flogged and told they were Slaves for 14 Years; the looks of the Negro proved the truth of his declarations.

The Carpenter of the "Carolina" also came to me to complain that he was suffering, as he evidently was, under a serious complaint in his eyes, and that, although his Master "Antonio Joze Guilhon," lived in the Town, no Medical assistance was afforded to him. This Negro I found spoke very intelligible English, and on questioning him, he declared, that a Portuguese, named "Miranda," had taken him twice to London, and once to Barbadoes, but that, he having died on returning to the Cape de Verd Islands, his Heirs sent him by the "Carolina" for sale in this Port; although this Negro is able to gain his livelihood, he also is working as a Slave for 14 Years.

About 3 days ago a young woman, also one of the Negroes belonging to the "Carolina," was brought by a Person who declared that she had fled from her Master "Joze Faria de Mattos," and threatened to destroy herself if sent back. The appearance of this wretched creature was most pitiable, being a perfect skeleton, with her back savagely cut by flogging, and in such a state of exhaustion that her voice was hardly audible. This poor Being declared that her allowance of food was 3 ears of Indian corn per day, with a set task of carrying a quantity of stones each day, and constant punishment for not being able to complete it by dark.

Not having any authority in these matters, I sent each of the above 3 Negroes to the Distributing Judge, with the most guarded and respectful messages in their behalf.

I have to make known that the Schooner "Carolina," which was condemned, was lately put up at auction; she was bought for the original Owner at a very low price, and sailed for Para, and I am positively assured that from Para she will again proceed to the prohibited Ports in Africa for Slaves.

The Right Hon George Canning, (Signed) ROBERT HESKETH.
 &c. &c. &c.

No. 86.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received Oct. 21.)

(Extract.)

Maranham, August 25, 1826.

I REGRET that I have to complain of a second glaring infraction of the Slave-trade Treaty, in direct opposition also to the existing Laws of this Country.

I have the honour to enclose a Copy of the Despatch which I addressed on this Case to His Majesty's Consul-General at Rio de Janeiro, detailing every transaction which took place respecting it, and reporting every particular of the Brazilian Brig "*Pedro Primeiro*," the Vessel implicated, in this instance of illegal Traffick in Slaves.

In that Despatch I have ventured to solicit for permission from the Government of Brazil, to make any enquiry I may think fit, from the Custom-House, or from the Chief Authority, on the arrival of Slave-vessels, respecting their Passports, and the Negroes on board; at the same time stating why I anticipate that, without such authority, the future obtainment of correct information on those essential points, will be found very difficult, if not impracticable.

There has been, and will probably continue to be, an obstinate resolution to procure, under all risks, Negroes from the Northward of the Line, they meeting a readier sale, because found to endure, with less loss of life, greater privations of proper care and food, and harder labour than those from the Southward; so that the chief inducement for committing such illegal acts, is a most inhuman determination of profiting to the utmost by the physical construction of those unfortunate beings.

I also think it right to make known, that the Authorities here are disposed to maintain, that, if a Vessel arrive with a legal Passport, having, notwithstanding, Negroes on board from the prohibited Latitudes, still that the presence of such Negroes is not a sufficient cause to proceed against the Vessel, but that to do so it is requisite to prove the act of taking the Negroes from such prohibited Places. So that in requiring, by this erroneous interpretation of the 6th Article of the Convention of 28th July 1817, a proof that can never be procured, a channel is opened for illicit importation of Negroes, to be effected by having in a cargo, those obtained illicitly, covered by a few belonging to the Port specified in the Passport.

The Right Hon. George Canning, (Signed) ROBERT HESKETH.
 &c. &c. &c.

First Enclosure in No. 86.

Mr. Consul Hesketh to Mr. Consul-General Chamberlain.

(Extract.)

Maranhão, August 21, 1826.

I MUCH regret that I have to complain of the conduct of the Chief Authority in this Province, in openly countenancing a second most flagrant infraction of the Slave-trade Treaties, by arbitrarily preventing the execution of those Laws which punish such illegal acts.

The Brazilian Brig, "*Pedro Primeiro*," José da Silva, Master, belonging to Fernando José da Silva, of Pará, arrived at this Port on the 13th instant; on the following day the Vessel was reported at the Custom-House from Cabinda, with 160 Slaves on board, and an Entry for Franquia, or Permission to continue 8 days in Port, was made and signed.

The Master declared that the Vessel's Passport was left at the Secretary's Office, and that it was dated Pará, March, 1824; he was desired to go for it, but did not return during Custom-House hours.

These occurrences were witnessed by my Clerk, who remained at the Custom-House until it was shut, after which time nothing further could legally be done on that day.

On knowing these transactions, I addressed to the President a Letter, the Copy of which I have the honour to enclose, declaring therein, that the "*Pedro Primeiro*" was an illegal Slave-trader, and requiring that Judicial Proceedings should be immediately instituted against her.

That Declaration was made so confidently, because I knew that all the Slaves on board were from the Northward of the Line; that the Brig in question had no regular Passport; that she belonged to the same Owners as the "*Carolina*;" that both these Vessels left Pará in 1824, and were in the West Indies, from whence they proceeded to the Coast of Africa, where, under the direction of Manoel Antonio de Silva Brandaõ, a notorious violator of the Law, they continued trying to evade Cruizers, and infringe the Treaties; and I ascertained that this said Brandaõ was on board the "*Pedro Primeiro*."

About 6 o'Clock in the Afternoon, two hours after my Letter was left at the Government-House, I had convincing proofs of the conduct his Excellency the President was about to adopt, for I perceived that the "*Pedro Primeiro*" was unmooring, and a Government Boat along-side, with the Officer who boards Vessels before their departure.

The "*Pedro Primeiro*" was outside this Port before day-light of the 15th instant; his Excellency having, by allowing her to depart, without the least regard to my Representations, or even to the Laws and Regulations of this Port, directly protected a most notorious infraction of the Treaty, and effectually screened these illicit Slave-dealers from the punishment which they deserved.

About 9 o'Clock in the Morning of the 15th instant, I received an Answer from his Excellency, a Copy of which I also transmit.

At the same time it is my duty not to omit assuring you, that his Excellency the President has hitherto always received my Letters, as soon as they were left with the Aid-de-Camp.

Making, therefore, no further remark on that point, it will appear that, without any application from me, it was his Excellency's natural duty to have made over to competent Judicial Investigation the Case of the Vessel in question, which had anchored in this Port with a Cargo of Negroes, evidently all from prohibited Parts in Africa, without having any legal Passport, or satisfactory Document whatever, to shew, respecting the Voyage.

His Excellency, however, allowed the Vessel to sail, even without any of those Clearances which are required by Law, after a Vessel has once made Entry at the Custom-House.

I have ascertained, most satisfactorily, that no water, provisions, anchor, or any thing whatever, was supplied to the "*Pedro Primeiro*," during her short

stay in this Port; so that it is evident the Vessel was brought here with the sole object of landing her Cargo, but that, finding the execution of that purpose attended with difficulty, if not risk, the next object was, at all hazards, to protect from the punishment decreed by the Laws of the Country, the Persons guilty of such illegal acts.

Being fully convinced that, by these Proceedings, the Slave-trade Treaty is in this instance rendered nugatory; I addressed, on the 17th instant, a Letter to the President, a Copy of which I have also the honour to enclose.

It being stated that the "Pedro Primeiro" sailed for Parã, I gave every particular respecting her to the Vice-Consul, by a departure this Morning.

Henry Chamberlain, Esq.

(Signed) ROBERT HESKETH.

Second Enclosure in No. 86.

Mr. Consul Hesketh to the President of the Province of Maranham.

Maranhã, August 14, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

A BRAZILIAN Brig, called the "Pedro Primeiro," Jacinto Joze da Silva, Master, having arrived at this Port Yesterday with Slaves, and having been this Morning reported at the Custom-House, as only touching here on her Voyage to Parã; I am called upon to acquaint your Excellency, that I am possessed of information which induces me to declare that this Vessel's Voyage is not a legal one. My publick duty having required me to make this communication to your Excellency, also forces me to solicit that your Excellency may be pleased to refer at once this Vessel's Case to the proper Judicial Authorities in this Port, that the Laws applicable to the infractions of the Slave-trade Treaties may be allowed to take their course.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros.

Third Enclosure in No. 86.

(Translation.)

The President of the Province of Maranhã to Mr. Consul Hesketh.

SIR,

Maranhã, August 15, 1826.

IT may be half an hour since the Aide-de-Camp, João Carlos Machado, who is on duty this Week, delivered to me the Letter you signed under Yesterday's date, and, on my asking him the reason why its delivery was delayed, he answered, that he received it from a non-commissioned Officer, and that, as he knew I was unwell, and did not suppose the Letter of much consequence, he deferred the delivery of it until to-day, which he did about 8 o'Clock this Morning, as is customary when the Bearer does not require its immediate delivery.

I much regret not to be able to prevent the departure of the Brazilian Brig "Pedro Primeiro," she having sailed early this Morning for Parã, the Port of her destination, according to her Passport from Cabinda, in order that I might satisfy you respecting your suspicions of her Voyage. Nevertheless, it is to be presumed, that his Excellency the President of that Province will not omit doing, on his part, all which behoves him to preserve unimpeached the faith of those Treaties which we so much respect, and are so anxious to attend to.

God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Fourth Enclosure in No. 86.

Mr. Consul Hesketh to the President of the Province of Maranham.

Maranham, August 17, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

ON the 15th instant I had the honour to receive your Excellency's reply to my Letter, respecting the Brig "*Pedro Primeiro*," which Letter was dated the 14th instant, and delivered on that day about four o'Clock in the Afternoon to a Serjeant, the only Person in the Saloon, where all the Letters which I have had the honour to address to your Excellency have been hitherto left.

It is with the most deep-felt regret that I state to your Excellency, that the Case of the above-mentioned Vessel is a greater infraction of Treaty and of Law than I could have supposed would ever have fallen to my lot to complain of.

It becomes my duty now to report this Case to the proper Departments at the respective Courts of Rio de Janeiro and of London, particularizing in that Report all the extraordinary occurrences which took place, and protesting against your Excellency.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros.

No. 87.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received Nov. 15.)

(Extract.)

Maranham, September 15, 1826.

IN reference to my last Despatch of this Series, dated the 25th ultimo respecting the Brig "*Pedro Primeiro*," an illegal Slave-trader, I have now to make known that this Vessel, instead of proceeding to Para, has been taken into the Bay of Tury, on the confines of the neighbouring Province of Para, where the Slaves have been landed, contrary to all the Revenue Laws of this Country.

The fact of smuggling the Slaves into the District of Tury is an undeniable confirmation of a total violation of the Law and Treaty affecting the Case.

The District of Tury being in the Province of Para, any application to the President of Maranham, in his Excellency's present determination, would be only attended with the declaration, that the offenders were beyond his Excellency's Jurisdiction.

I therefore addressed the enclosed Despatches to the President of Para, and the British Vice Consul at that Port.

I shall communicate these events to His Majesty's Consul-General at Rio de Janeiro by the first opportunity.

I do not expect to receive an answer from Para before the middle of October.

(Signed) ROBERT HESKETH.

The Right Hon. George Canning,

&c. &c. &c.

First Enclosure in No. 87.

Mr. Consul Hesketh to the President of the Province of Para.

SIR,

Maranham, September 11, 1826.

A BRAZILIAN Brig, called the "*Pedro Primeiro*," Jacinto Joze da Silva, Master, having arrived at this Port on the 13th ultimo, from the Coast of

Africa with Slaves on board, and it being known to me that the voyage of this Vessel was illegal, it became my duty to apply to his Excellency the President of this Province, calling his Excellency's attention to that infraction of the Slave-trade Treaties.

For your Excellency's information, I beg leave to enclose a Copy of the Correspondence which took place on this Case, between his Excellency the Most Illustrious Snr. Pedro Joze da Costa Barros and myself.

From that Correspondence your Excellency will learn, that the Brig "Pedro Primeiro" left this Port, bound direct to that of Para, and also that none of the Slaves in question were landed here through the Custom-House, nor any of the customary Duties paid.

I am this Morning informed that, instead of proceeding to Para, all the Slaves have been landed at Tury from the Brig "Pedro Primeiro." As Tury is within your Excellency's Jurisdiction, I am transmitting to the British Vice-Consul residing at the Seat of your Excellency's Government, every particular of the information I have received respecting the proceedings at that Place, with instructions to communicate the same to your Excellency.

From those Proceedings your Excellency will find that the Parties concerned in them have retreated into the Province of Para, for the purpose of committing there those violations of the Law, which they could not carry into effect in Maranham; but I am confident that this aggravated Case will, on being thus brought under your Excellency's observation, at once feel the full weight of that energy and zeal which have always distinguished the exercise of your Excellency's high functions.

The publick duty of this Consulate extending to the Port of Pará; and an Official, and I may add serious report of the Case of the Brig "Pedro Primeiro" having been already transmitted to our respective Courts, I deem it a duty of respect and attention towards your Excellency thus to address myself, independent of my Communications on the subject to the British Vice-Consul at that Port.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

His Excellency Joze Felix Pereira de Burgos.

Second Enclosure in No. 87.

Mr. Consul Hesketh to Mr. Vice-Consul Hesketh.

SIR,

Maranham, September 11, 1826.

In reference to the contents of the enclosed Copy of my Despatch, dated 19th ultimo, respecting the Brig "Pedro Primeiro," I have now to acquaint you, that this illegal Slave-trader has put into the Bay of Tury, instead of proceeding to Pará, and all the Slaves have been landed there in the two following Plantations, viz. in the Fazenda of Captain Joze Gonçalves in Sao Joao, either 20 or 40 Slaves, and in that of Bento Roque da Silva at Ponta Grossa, the remainder of the Slaves.

As the District of Tury is under the Jurisdiction of the President of Pará, I cannot here take any steps, but I have to call your attention to this infraction of the Treaties, and also of the Custom-House Regulations of this Country, and I doubt not that your representations to his Excellency the President will be attended with success. I enclose a Despatch which I addressed to his Excellency on this subject, referring his Excellency to you for every particular of this glaring instance of disregard to all Law, which Despatch you will lose no time in delivering. I also transmit enclosed a Maranham Newspaper, in which is mentioned, in the last page, the report made here of the number of Slaves on board the "Pedro Primeiro," but I doubt whether even the number reported was correct.

I have the honour to be,

John Hesketh, Esq.

(Signed) ROBERT HESKETH.

No. 88.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received Nov. 15.)

SIR,

Maranhã, September 27, 1826.

I HAD yesterday the gratification to receive the Despatch, of the Slave-trade Series, dated June 22, in which I am honoured with your most flattering commendation for the manner in which I discharged my duty on the arrival of the Schooner "*Carolina*."

The treatment experienced by the Negroes landed from that Vessel still continues to be most cruel and shameful, these unfortunate Persons being still Slaves under peculiar hardships.

I have already reported their situation to His Majesty's Consul-General at Rio de Janeiro, and, in obedience to your Orders, shall, in repeating that Report, detail at length the most effectual steps to remedy such abuses, transmitting a Copy thereof according to your Instructions; and only now remarking, that those guilty of the past abuses of the Law ought to be severely punished, and some respectable Person, independent of the Local Authorities, authorized to act as Guardian or Superintendent of the free Negroes.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

The Right Hon. George Canning,
&c. &c. &c.

No. 89.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received Dec. 22.)

(Extract.)

Maranhã, October 14, 1826.

HAVING, in a Despatch of this Series, dated September 15, made known the illegal manner in which the Slaves were landed on this Coast from the Brig "*Pedro Primeiro*," I have now the honour further to state, in reference to the said Despatch, that some of the Slaves in question were brought to this City; and that, although every particular of this occurrence was detailed by me to his Excellency the President, soliciting redress for such transgressions, nothing but an evasive answer was returned.

From the enclosed Copy of my Letter to his Excellency, every particular of this occurrence can be seen; and, by his Excellency's Reply, it appears that every step for the investigation of this affair is evaded.

(Signed)

ROBERT HESKETH.

The Right Hon. George Canning,
&c. &c. &c.

First Enclosure in No. 89.

Mr. Consul Hesketh to the President of the Province of Maranhã.

MOST EXCELLENT AND ILLUSTRIOUS SIR, *Maranhã, October 7, 1826.*

THE Brig "*Pedro Primeiro*," regarding which I have already had the honour to correspond with your Excellency, was, I much regret to state, taken into the Bay of Tury, on her departure from hence, and the Slaves landed on the Confines of the Province of Pará, in defiance of all Law.

I have represented that proceeding to his Excellency the President of Pará, declaring it to be one as much at variance with the Laws of this Empire, as with the Stipulations of the Slave-trade Treaties; and I enclose, for your Excellency's information, a Translation of that Representation.

Much as I lament the determined disregard of Law manifested by those concerned in the Brig "*Pedro Primeiro*," I equally regret that there should

exist any necessity for soliciting your Excellency's attention to proceedings in this Port, notoriously connected with such illegal acts. The Slaves who were clandestinely landed at Tury from the Brig "Pedro Primeiro," are now beginning to appear in this City. By the Sumaca "Leopoldina," Joze da Maia, Master, which arrived from Tury on the 4th instant, Fourteen of those Slaves were brought, and reported as sick Negroes requiring medical relief: but the fact is, that these 14 Negroes are all Cacheo Blacks, landed at Tury from the said Brig; 5 of them were taken to the House of Antonio Martins da Silva; 1 to that of Manoel da Silva Povoas, and the remainder were concealed by the said Master in some place of which I am ignorant. I also fear that many others have been brought by the different Coasters occasionally arriving from the neighbourhood of Tury.

Your Excellency being now in possession of every particular of my Representation to Pará, of the illegal proceedings at Tury, and of the name of the Person who brought from thence some of the Negroes in question, will, I doubt not, take the needful steps to give due course to the Laws which uphold the Stipulations of the Slave-trade Treaties.

I have the honour to be, &c.

(Signed) ROBERT HESKETH.

His Excellency Pedro Joze da Costa Barros.

Second Enclosure in No. 89.

(Translation.)

The President of the Province of Maranham to Mr. Consul Hesketh.

SIR,

Maranhm, October 9, 1826.

I HAVE before me the Letter which you addressed to me on the 7th instant, respecting the affair of the Brig "Pedro Primeiro," to which I have to answer the following.

After highly praising your zeal in the discharge of your duty in that respect, it behoves me to declare to you that, until the decision of the first question, whether or not those Slaves were obtained to the Northward of the Line, we cannot proceed legally in their apprehension, because, the Master of that Brig having presented at this Secretary's Office a Passport from the Port of Cabinda, I do not suppose that any transgression has been committed against the Law respecting the Slave-trade Treaties, the express letter of the Law prohibiting the carrying on the Trade only to the Northward of the Line. It is, nevertheless, possible, that that Passport may not be a true one, but, as you have addressed his Excellency the President of the Province of Pará, for which Quarter those Slaves were shipped, according to Documents, perhaps the Government of that Province may, by a greater perspicuity and sagacity, detect the imposture, which was not discovered here. Reason, and the due administration of justice, therefore demand, that we should wait the result of the Investigations at Pará, where the Brig and the Master are at present, in order that, at sight of such Investigations, proceedings may be instituted, without attacking the right of property guaranteed by the Constitution of the Empire.

I have already shewn to you, that I have the greatest respect for the Laws, and that I shall do all in my power that they be respected, without it being for that purpose requisite that you should come forward to remind me.

God preserve you.

(Signed) PEDRO JOZE DA COSTA BARROS.

Robert Hesketh, Esq.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received Dec. 22.)

SIR,

Maranhã, October 28, 1826.

HAVING had the honour to make known in my Despatch of this Series, dated September 15th, that I had addressed the President of Para, respecting the illegal proceedings in that Province with the Negroes by the "*Pedro Primeiro*," I now enclose a Translation of his Excellency's Answer.

I have also received from the British Vice-Consul at that Port, a full Report of what took place there respecting that Brig up to the 30th ultimo, a Copy of which Report I have the honour to enclose.

It appears, that on Receipt of my Communications, the Vice-Consul had information that the "*Pedro Primeiro*" was anchored in an unfrequented Bay, and that he, with the Commander of His Majesty's Ship "*Primrose*," obtained, at a Conference with the President, permission to detain, with the Boats of His Majesty's Ship, the said Vessel.

The Officer-like and effectual manner in which that service was performed, notwithstanding the secret plans for the escape of the "*Pedro Primeiro*," was not sufficient to suppress the President's dissatisfaction at the non-attendance in the Boats, of those Brazilian Officers, who were, in fact, too tardy in obeying his Excellency's Orders; and who, after boarding the Vessel, made a most extraordinary Statement respecting the evidence of the landing of the Negroes.

The Case being now, however, in a regular and formal course of Investigation, I do not despair of the ultimate Condemnation of the "*Pedro Primeiro*," and the Emancipation of most of the Slaves brought by her from Africa.

I beg leave to enclose a Copy of the Despatch which I am addressing on this subject to His Majesty's Chargé d'Affaires at Rio de Janeiro.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) **ROBERT HESKETH.**
&c. &c. &c.

First Enclosure in No. 90.

(Translation.)

The President of the Province of Para to Mr. Consul Hesketh.

SIR,

Para, September 28, 1826.

BEING now, on the departure of the Schooner "*Carolina*" for that Province, very much engaged in preparing for the Packet "*General Lccor*," destined to the Court of Rio de Janeiro, I am barely able to have the pleasure of communicating to you, that I have received your Letter of the 11th instant, respecting the Cargo of Slaves brought by the Brig "*Pedro Primeiro*" from the Port of Maranhã to this, and that I, in consequence, took every measure which was in my power, communicating to you more particularly by the Land Post, all which has occurred in this respect, and I suppose that the Vice-Consul in this Place will have made known to you the energy of my proceeding in such an affair.

God preserve you.

(Signed) **JOSE FELIX PEREIRA DE BURGOS.**
Robert Hesketh, Esq.

Second Enclosure in No. 90.

Mr. Vice-Consul Hesketh to Mr. Consul Hesketh.

SIR,

Para, September 30, 1826.

I HEREIN enclose you a Copy of my Despatch, dated 12th instant, respecting the Brig "*Pedro Primeiro*."

In reference thereto, I further hand you a Copy of my Correspondence with his Excellency the President, relative to Captain Vernon, of His Majesty's Ship the "Primrose," and the delay occasioned in his not transmitting earlier to his Excellency the Papers belonging to the "Pedro Primeiro."

I also enclose you Copies of the Correspondence between Captain Vernon and his Excellency, in which he amply vindicates all his proceedings.

I have now to acknowledge the receipt of your Despatch, dated 11th instant, with its Enclosures.

The contents of the same have been duly communicated to his Excellency the President of this Province, and I enclose Copies of my Correspondence with him on the subject, by which you will perceive, that the matter has been referred to the Judicial Authority of this Province; and as this Case is evidently an infraction of the first Additional Article of the Convention of 28th July 1817, signed at Lisbon the 15th day of March 1823, it will, no doubt, come ultimately before the Mixed Court at Rio de Janeiro.

To prevent, therefore, any inconvenience arising from garbled Statements going from hence to the Court of Rio de Janeiro, I have forwarded to His Majesty's Consul-General, Copies of what has transpired here, and, enclosed, I have the honour of handing you a Copy of my Despatch to him.

I have the honour to be, &c.

Robert Hesketh, Esq.

(Signed) JOHN HESKETH.

Second Enclosure (A.) in No. 90.

Mr. Vice-Consul Hesketh to Mr. Consul Hesketh.

SIR,

Para, September 12, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch of the 19th ultimo, with its Enclosure, relating to the Case of the Brazilian Brig the "Pedro Primeiro."

In answer thereto, I have the honour to state, that upon receipt of the same, I immediately repaired on board His Majesty's Ship "Primrose," which Vessel arrived here on the 2d instant, in consequence of my Despatch of May 8th, to the Commander-in-Chief of His Majesty's Naval Forces at Barbadoes, of which I have had the honour of transmitting you a Copy, and communicated the contents to the Commander, Octavius Vernon, Esq., adding at the same time, that I had received through private channels, certain information, that the Vessel in question was then at anchor in the Bay of Santo Antonio, half a tide from the City, and that she intended to land, or had landed, the Slaves.

As it did not come under the line of his Instructions to seize a Vessel so circumstanced, it was mutually agreed between us to wait, conjointly, on his Excellency the President, in person, and that Captain Vernon should communicate the suspicious circumstances under which she was met with at the entrance of this River, as corroborating the information I then gave, at the same time politely offering his services in detecting such a scandalous infringement of the Treaty.

These offers were immediately accepted by his Excellency, who, in the most unqualified manner, authorized Captain Vernon to act in the best way that his judgment pointed out for the good of the service, offering a Pilot and every assistance to that end.

The consequence was, that the Boats belonging to His Majesty's Ship "Primrose" took possession of the said Brig "Pedro Primeiro" the same day, the 4th instant, and on the following she was brought up to the Anchorage off this City, and finally delivered up to the Brazilian Government, with her Papers, for Adjudication.

It is proper to observe that, on taking possession of the said Brig, neither the Master nor any Slaves were found on board, nor were any Documents found but her Log-Book and Fort-Pass from Maranham, and some very

old-dated Papers. The disembarcation of the Slaves by Captain Vernon's Report, appeared to have been effected immediately previous to the capturing of her.

I accordingly addressed a Letter to his Excellency, a Copy of which I have the honour to transmit you herein, and I shall further hand you particulars of what may yet transpire on this affair.

I cannot conclude this, without expressing my thanks for the zeal and activity evinced by Captain Vernon, and the Officers and Men under his command, to whose prompt measures the success of this expedition is solely to be ascribed, and particularly so as information had been brought me, that the Brig intended to weigh anchor that very tide, and quit the River.

I have the honour to be, &c.

Robert Hesketh, Esq.

(Signed) JOHN HESKETH.

Second Enclosure (B.) in No. 90.

Mr. Vice-Consul Hesketh to the President of the Province of Para.

Para, September 5, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

IN compliance with the permission which your Excellency was pleased to give yesterday, to the Commander of His Majesty's Ship "Prinrose," to assist with the Ship's Boats in bringing to this City the Brazilian Brig "Pedro Primeiro," suspected of being concerned in illicit Slave-trade, I have the honour to acquaint your Excellency that the said Brig is now anchored in this Port.

The information which was received respecting this matter from His Britannick Majesty's Consul at Maranham, has been in a manner verified, because no Slaves were found on board that Vessel, although 160 were reported at Maranham.

I therefore solicit that your Excellency may be pleased to investigate this Case, and the fact of the landing of Slaves, since the departure from Maranham.

I have the honour to be, &c.

(Signed) JOHN HESKETH.

His Excellency Joze Felix Pereira de Burgos.

Second Enclosure (C.) in No. 90.

(Translation.)

The President of the Province of Para to Mr. Vice-Consul Hesketh.

SIR,

Para, September 5, 1826.

WHEN you yesterday presented yourself to me with the Representations made by the British Consul at Maranham, to the President of that Province, and with the Answer from the latter, I was perhaps led by the sincerity of my character, in matters concerning the guarantee of Treaties with Nations, the Allies of this Empire, and elevated by an excess of austerity in the justification of that character, to forget that it was not very befitting to charge others with the duty of detaining the Vessel which you told me was anchored in the Bay of Saint Antonio, and which you knew was the one declared in the said Representations of the Consul at Maranham, to have on board Slaves obtained from Ports prohibited by the Treaties, it being my right, as President of this Province, particularly to have ordained steps for that purpose, when it was clear to me the Vessel the "Pedro Primeiro" was the property of Brazilian Subjects. However, I could never expect that the British Officers, who were only charged according to my Orders with the service of ascertaining whether Slaves were brought and preventing their departure, should go the length of

seizing Papers, which have not, up to this date, been delivered to me; and which I demand of right, as the first Authority who ought to examine them, and transmit them to the competent Judge, if it be requisite to take judicial cognizance of them.

I cannot also help remarking, that a Vessel leaving this City should be forced to submit to be boarded in sight of the Forts by the Boats returning with the British Officers from the said Brig "Pedro Primeiro," and this, although there was on board the Vessel an Officer of the Brazilian Navy, who, according to the Order I gave the Intendant, ought to have accompanied the Officers of the British Navy, but who did not, in consequence of the non-execution of my Order.

It is therefore my duty to acquaint you, that I am waiting for the Papers which I have claimed, and that I am about sending a National Guard and Officers on board the Brig, the British Officers who may be there then retiring, and that the Brig ought to be brought to the customary Anchorage: you being at liberty to adopt the steps which are lawful amongst Nations, and in which I shall co-operate as the principal Representative of His Imperial Majesty in this Province, and it being your duty to make this much known to the Commander of the British Sloop of War.

God preserve you,

(Signed) JOZE FÉLIX PEREIRA DE BURGOS.

John Hesketh, Esq.

Second Enclosure (D.) in No. 90.

Mr. Vice-Consul Hesketh to the President of the Province of Para.

Para, September 5, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

AFTER closing the Letter which I had this day the honour of addressing to your Excellency, I received one from your Excellency of the same date.

In answer, I have to acquaint your Excellency, that the Commander of His Britannick Majesty's Ship "Primrose" took charge of the Papers belonging to the Brazilian Brig "Pedro Primeiro," in order to transmit them to your Excellency according to his duty, and that he could not comply with that duty sooner, not having a Person who could write the Portuguese Language.

In the mean time he is ready to acquaint your Excellency personally with all your Excellency may wish to know.

I have the honour to be, &c.

(Signed) JOHN HESKETH.

His Excellency Joze Felix Pereira de Burgos.

Second Enclosure (E.) in No. 90.

Captain Vernon to the President of the Province of Para.

*His Britannick Majesty's Ship "Primrose,"
Para, September 5, 1826.*

MOST EXCELLENT AND ILLUSTRIOUS SIR,

I HAVE the honour to inform you, that the Boats of His Majesty's Ship under my command, were dispatched yesterday Afternoon, (with the sanction and authority of your Excellency) to the Bay of St. Antonio, to detain and secure the Brazilian Brig "Pedro Primeiro" upon official information received from His Britannick Majesty's Consul, of the above-named Brig's being then actually engaged in the illicit Traffick in Slaves. The Papers from Maranham, containing the notice of it, and relating the particulars, have been

already laid before your Excellency, which, at the same time, is all strongly corroborated by a variety of highly suspicious circumstances, coming within my own knowledge and observation, and of which, I apprised your Excellency.

I have now to report that the "Pedro Primeiro" was taken possession of, agreeably to my instructions, and brought up to this Anchorage this Morning. I beg leave to transmit herewith the whole of the Papers that were taken from on board of her, for your Excellency's inspection; and to report that no Staves were found on board, but to all appearance had been just previously landed; and indeed we have information to that effect, that part were landed previous to her arrival in this River, and the remainder in the Bay of Santo Antonio. The Master of the Vessel has not appeared, and the fact of his absconding is strong presumptive evidence of guilt, had we none more decisive. I have now to request to know what your Excellency's pleasure is with regard to her, considering it my duty to surrender her up to whosoever you may deem fit to take charge of her, till in due course the Case may be brought to trial, and adjudged by the competent Judicial Authorities: in case of Condemnation, of which it appears to me there can be little or no doubt, reserving in behalf of the Officers and Crew of His Britannick Majesty's Ship, a claim as Seizors to a moiety of the Nett Proceeds.

I have the honour to be, &c.
(Signed) OCTAVIUS VERNON.

His Excellency Joze Felix Pereira de Burgos.

Second Enclosure (F.) in No. 90. (Translation.)

The President of the Province of Para to Captain Vernon.

SIR,

Para, September 5, 1826.

I HAVE received your Letter of this day's date, together with another from the British Vice Consul, from whom I required, in my Letter of this day, the Papers belonging to the Brazilian Brig "Pedro Primeiro," from Maranham, which Papers were seized by your Officers without my authority to do so, or to take possession, and place guards on board of her, she being at anchor within the "Primeiras Vigias," with the Brazilian Colours flying.

All that was permitted in the Conference with you and the Vice Consul, was only that her departure should be prevented, wishing in this manner to prove the good faith with which the Presidents in this Empire guaranty the Treaties existing between Great Britain and the Brazil, particularly after I saw the second Letter which the Consul at Maranham addressed to the President there, in which his Excellency is made responsible before His Imperial Majesty, although the President, in the answer to the said Consul's first Letter, alleged that, by unforeseen events, it had been impossible to detain the said Vessel for the purpose of examination, but that being bound to this City, her proper Port of discharge, he doubted not that I, as President of the Province, would make every examination.

Therefore, whether the Vessel be or not judged as coming from a prohibited Port, I can never allow the half of the Proceeds, which you claim for the Officers of His Britannick Majesty's Ship, because I made no agreement when, by a mere excess of frankness, I allowed that her departure should be prevented, supposing that, as you were also zealous in maintaining the said Treaties, you and the Vice Consul had voluntarily presented yourselves, wishing to witness by your Officers the Cargo of that Vessel, it being impossible that I could conceive a Commander of a Foreign Vessel could have any other object in addressing himself to me upon such an affair. Indeed, so much so that I ordered, through the Marine Intendant, National Naval Officers, to examine the said Vessel, and they were the same to whom, in my above-quoted Despatch to the Vice Consul I allude, as improperly overhauled by the British Officers. I had also another object in that step, which was, that at no time either the British Consul at Maranham, the Vice-Consul here,

yourself, or any British Subject whatever, should persuade himself that the Presidents of His Imperial Majesty sanction such illicit Traffick. It is also evident that I have no right to permit that Prizes should be made under the National Ports, where even Foreign Vessels cannot be taken by Vessels of other Friendly Nations. How much more does the seizure of a Vessel belonging to a Brazilian Subject, and which had no appearance of being about to depart, being within the "Primeiras Vigias" with a Passport for this City, belong to this Nation; and it is so true that this Vessel was not ready to depart, that the Master was not on board, without that circumstance being a necessary consequence of motives of dread, but because he came for some assistance, for had it been from dread, he would never have anchored in such an exposed Place.

There is further to observe, in attention to this conjecture, that from the Document furnished by the Naval Officer I sent for the purpose of examination on board, it appears that there are not any indications of Slaves having been on board, as also appears from the Papers taken by your Officers, which were transmitted by you.

It remains for me to inform you, that the Brig must be given up to the National Guard I am sending for the purpose, and that the Papers will be transmitted to the competent Judge. God preserve you.

(Signed) JOZE FELIX PEREIRA DE BURGOS.

*Captain Vernon, Commander of
H. B. M. Sloop-of-War "Primrose."*

Second Enclosure (G.) in No. 90.

Captain Vernon to the President of the Province of Para.

H. B. M. S. "Primrose," Para, Sept. 6, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Letter of yesterday's date, and in reply thereto, I feel it quite incumbent upon me to trouble you at some length, far above what I could wish. It is the first part of your Excellency's Letter alone which requires my more immediate notice and observations thereon, and it is with feelings of considerable surprise and regret that I find the tenour of it so widely different from what I had certainly every reason to expect. I had flattered myself that the prompt and successful execution of the service which your Excellency did me the honour to entrust to me, given in the most ready, handsome and most friendly manner; the fullest and strictly unqualified power to perform it in any way I might deem most effectual and advisable; would have been followed by some expression at least of approbation, if not thanks. But on the contrary, to my utter astonishment, your Excellency, in a very different spirit from what I could have possibly anticipated, rather expresses displeasure, and charges the Officers of His Britannick Majesty's Ship with having exceeded the authority granted: it gives rise to feelings which I shall refrain from expressing; but it becomes necessary that I should examine these charges in detail, and explain and vindicate their conduct, which I beg to say has my fullest approbation, and merits my warmest thanks, for their zeal and activity, and correct discharge of their duty; excepting, however, the Case of the Schooner, which your Excellency justly notices in your Letter to the Vice Consul, and which I am most anxious to assure you I myself considered in the same light: it accordingly met my displeasure, and I censured the conduct of the Officer on that occasion, who unfortunately was thoughtlessly led away by a mistaken zeal in the service in which he was engaged. I deeply regret this circumstance, anxiously desirous that nothing should occur to interrupt or weaken the cordiality and harmony happily existing so strongly between the two Nations.

I must now call to your Excellency's mind, that, in the conference that the Vice Consul and myself had the honour of having with you, I was given

to understand, most explicitly and decidedly, that I not only had your Excellency's most perfect and full sanction, permission, and authority, to proceed as I thought best, in the Ship, or by Boats, to detain and secure the "Pedro Primeiro," but also any assistance was offered in case of my requiring it. Upon which I thanked your Excellency, and replied, all I wished was a Pilot to bring her up to the City, which you most kindly immediately ordered, asking where he should be sent to. But I most positively declare that it never was intimated to me at all, that any Brazilian Officer was to accompany our Boats, nor even a Pilot, excepting by my wish, and the circumstance of his not going with them arose from his coming on board so late, half an hour after our Boats had left, which I assured him that I lamented exceedingly; that I had unfortunately no other Boat fit to send, but that if one could be procured on Shore, I would send men. The reason of my being unwilling to detain the Boats longer, was, that I felt assured the Brig would receive information of our intentions, so as either to prepare for a defence, or avail herself of the latter part of the ebb tide to drop lower down the River, and thereby effect an escape. It will appear I was amply justified in the above conclusion, for the fact was, that a Canoe started express from the City half an hour previous to our Boats, carrying information to her, but was anticipated and overtaken by the activity and exertion of my Officers and their Boats' Crews. I now come to notice the stress your Excellency lays upon the Officer commanding the Boats possessing himself of the Brig's Papers without your authority, and also his placing Sentinels on board her. I must observe that had he so far forgotten himself as to neglect that duty, which I confidently state is universally considered by all Maritime Nations to be of the first and most paramount importance in every Case of detention, he would have been deserving of the most severe censure.

Moreover, I have to inform you, that my positive Instructions with which I am furnished, as agreed upon by Treaty between the Brazilian and British Governments, strictly require that, on detaining any Vessel, the Captains shall secure and take charge of the Papers, for subsequent delivery to the proper Authorities and Tribunals. At the same time we are instructed, that every care and diligence shall be taken, that nothing on board is to be injured or taken away. For which purpose I submit that it is essential, and the practice in every Case, to insure this, to place Sentinels, which was accordingly done, not supposing it would be construed into disrespect to the Brazilian Flag. With respect to her offering resistance, it is impossible to say whether she would have attempted any or not had we not been too expeditious to allow her any time for preparation.

I do hope, on consideration, your Excellency will see and admit that it was manifestly for the benefit of the Brazilian Government, as well as being in compliance with my Orders, and the general practice of all Nations, that the strictest care should be taken of all Papers found on board, on the detention of a Vessel, to guard against accidental loss or wilful destruction. On these grounds alone were the Papers of the "Pedro Primeiro" taken and conveyed to me, to enable me to transmit them to your Excellency; in so doing I much regret that there was some unavoidable delay, arising from the difficulty of getting my Letter translated, so that your Letter on the subject had reached the Vice Consul previous to the forwarding of mine.

Your Excellency, I am sure, cannot but do me the justice to acknowledge, that in no way, nor by any expression, was the power and authority you were kind enough to grant me limited or qualified; that it extended to the positive detention of the Brig. What followed was clearly a matter of course, there having been no deviation from our Laws and Customs in such Cases. It could not be expected that I should possibly know whether or not your Excellency could invest me with the power and authority you did. But having received such, it only remained to me faithfully and quickly to act upon it; which I trust I did, though I regret that, in return, I should experience your dissatisfaction; still less it became me to point out that Brazilian Officers alone should have undertaken the service. I cannot but most sincerely lament

that any feelings of jealousy should have been excited on this occasion, on which but one feeling ought to exist between and unite us, dictated by duty and humanity, an anxious desire and zealous co-operation to bring to justice every Violator of the Laws of his Country. With regard to what I said, as to a share in the Proceeds in case of Condemnation, I only fulfilled my bounden duty towards the Officers and Men under my command. It appeared to me to be a Case that, beyond doubt, would have to be brought to trial before the Mixed Commissioners at Rio de Janeiro, in which case a moiety would be adjudged to the British Government, but if your Excellency thinks fit, upon your own responsibility, to have it tried in the Courts of this Province, it alters the case, and no remuneration for their trouble and exertions can be claimed or looked for. I cannot conceal my surprize that your Excellency should have any doubt as to the "Pedro Primeiro's" having had Slaves on board, for it is distinctly stated in her Log, and officially known, that 160 were actually reported at Maranham and not there landed. Further, from the confession of some of the Crew on board of her, that they have been since landed in part on the Coast, and the remainder in this River.

Under these circumstances she never could have ventured to anchor here, and I feel confident that she would not have remained one hour longer in the Bay of Santo Antonio than she could avoid, and that, having unfortunately succeeded in landing her Slaves, she was solely detained by the want of an anchor and some provisions, which were on their way down to her at the same time our Boats were proceeding to detain her. Moreover, the Pilot, Correia, was engaged to take her out. It cannot, in conclusion, escape your Excellency's notice, that the want alone of a regular Passport renders her voyage illegal, which, according to the information from His Britannick Majesty's Consul at Maranham, she cannot produce.

In short, considering it altogether so gross an infraction of the Slave Treaty, I do hope and rest assured, that your Excellency will ultimately view it in the same light, and proceed against all the Parties concerned, with the utmost rigour of the Law.

I have the honour to be, &c.

(Signed) OCTAVIUS VERNON.

H. E. Joze Felix Pereira de Burgos.

Second Enclosure (H.) in No. 90.

Mr. Vice-Consul Hesketh to the President of the Province of Pará.

Pará, September 16, 1826.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

I HAD the honour to address a Letter to your Excellency on the 5th instant, making known the arrival of the Brig "*Pedro Primeiro*" at her Anchorage in this city.

At the same time I acquainted your Excellency that the information received from His Britannick Majesty's Consul at Maranham was in some measure verified by the fact of no Slaves being found on board that Vessel, and I asked your Excellency to be pleased to investigate this matter, and the landing of the Slaves after her departure from Maranham.

I have now to acquaint your Excellency that I have this day intelligence from His Britannick Majesty's Consul at Maranham, that the said Slaves were landed at Tury.

Your Excellency will perceive that, independent of an infraction of the Treaties, there is an outrage on the Custom-House Regulations of this Country, and I feel convinced your Excellency will not allow to pass unnoticed such a direct transgression of the Laws.

I shall have the greatest satisfaction to know the result of your Excellency's determination, respecting the important objects, which it has been my lot to place before your Excellency.

I have the honour to be, &c.

(Signed) JOHN HESKETH.

His Excellency Joze Felix Pereira de Burgos.

Second Enclosure (I.) in No. 90.

(Translation.)

The President of the Province of Pará to Mr. Vice-Consul Hesketh.

SIR,

Pará, September 17, 1826.

I HAVE received your Despatches, dated the 5th and 16th instant, the latter accompanied with that from His Britannick Majesty's Consul in Maranham, to whom I shall reply by the first opportunity.

In the mean time I assure you, and the same you can communicate to the said Consul, that I have, under this day's date, dispatched from this Secretary to all the Towns on the Coast, decisive Orders addressed to the Civil and Military Authorities, making them responsible for a legal Investigation of every matter relating to the suspicions and indications which you inform me you have of the smuggling of the Slaves, which you say were destined for this City, on board the Brazilian Brig "*Pedro Primeiro*," from Ports where such a Traffick is prohibited by the Treaties; and that in case such Slaves are found or heard of, to remit the proofs to the "*Ouvidoria Geral*" of this District, in order that the competent Judge to examine into such Contraband, may proceed in the manner I have ordained in my Despatches, dated the 4th and 9th instant, Copies of which I transmit, in order that you may be informed of all the steps I have taken in this matter, and that it is to the said Judge, to whom I have, as the competent Authority, directed every Paper and Order respecting this affair, that you ought to address yourself for any Judicial acts which you as a Person interested in such Matters may deem requisite.

God preserve you,

(Signed) JOZE FELIX PEREIRA DE BURGOS.

John Hesketh, Esq.

Second Enclosure (J.) in No. 90.

(Translation.)

The President of the Province of Pará to Doctor Ferreira.

Pará, September 4, 1826.

THE British Publick Agent in this City, Mr. Hesketh, having informed me, that he had intelligence, that in the Bay of Saint Antonio, there was a Brig at anchor, which he was told had Slaves on board, obtained from Ports where such a Traffick is prohibited by Treaty between Portugal and Great Britain, and other Nations, amongst whom Brazil is also included; and the said Vice-Consul having also shewn me the Correspondence which took place between the British Consul and his Excellency the President in the Province of Maranham, from which it is seen that the Brig "*Pedro Primeiro*" entered that Port not having a legal Passport to come from such prohibited Places, and ultimately departed unexpectedly for this City, where she was bound according to her Passport, and this before her departure could be prevented by the President of that Province, in virtue of the Declaration and Information of the said Consul; requesting therefore that I should allow the Commander of His Britannick Majesty's Sloop of War "*Primrose*," then in this Port to go in search of her, I not only promised every assistance required for this service, but also

assured him that I should on my part do every thing that was requisite, and accordingly procured a Pilot and a Naval Officer, to proceed in the Boats of His Britannick Majesty's Ship to capture the said Brig, ordering you under the heaviest responsibility to take every step in your official duty; not only as Magistrate of the Police, but also as Superintendent of Contraband, in order to prevent as well the breaking and infringement of the said Treaties, as also most particularly to prevent frauds on the Revenue of the Imperial Treasury, even though the Slaves should come from Ports not prohibited, so that the contagion of any disease they may bring should be presented.

God preserve you,

(Signed) JOZE FELIX PEREIRA DE BURGOS.

*Doctor Joaquim Mariano Ferreira,
Ouvidor pela Ley.*

Second Enclosure (K.) in No. 90.

(Translation.)

The President of the Province of Para to Doctor Ferreira.

Para, September 9, 1826.

I TRANSMIT to you a Nautical Journal, or Diary, also a Pass for the Fort in the Port of Maranham, signed by his Excellency the President of that Province, and another signed by the Provisional Junta of this City, on the 16th January 1824; likewise a Letter from the Chief Health Officer, *ad interim*, Joao Bento Rodrigues Fernandes, dated 28th August 1825; likewise a Muster-Roll signed by Antonio Marques da Costa Soares, Secretary of the Government at the Cape de Verd, the whole belonging to the Brazilian Brig "Pedro Primeiro," which was found anchored in the Bay of Saint Antonio, in a Gulf of the River of this Capital, and where she was improperly searched by the Officers of His Britannick Majesty's Sloop-of-War "Primrose," and seized, by abusing the simple authority I gave the Commander of that Sloop-of-War, which was merely to prevent the departure of the said Brig, while I took every requisite step in my power to investigate exactly, according to the legal forms, the Cargo on board, proceeding according to the Laws of the Empire in the event of finding on board Slaves from Ports prohibited by Treaties between Brazil and other Nations, or of its being shewn that frauds had been committed. You will, therefore, proceed in conformity to my first Despatch, dated 4th instant, in all examinations respecting such objects, to the end that the legality or fraud of such Papers may be verified, as well as the truth whether or not the said Vessel came from the prohibited Ports, and whether she can be ultimately given up to her Owners, or to the Fiscal if the Case and the Laws so determine, it being your duty to facilitate to the Owner or Owners their just right in all such matters, until the final Sentence or Decision, continuing under the conviction, that no Individual of the said Sloop-of-War is entitled under any principle, or in any case whatever, to any part of the said Vessel, her Cargo, or Proceeds; in so much as I, only wishing to shew the good faith with which I and the President of Maranham sustain, on the part of His Imperial Majesty, in our respective Provinces, the immunity of the said Treaties, did allow the British Agent and the Commander of the said Sloop-of-War, if they wished themselves to prevent the departure of that Vessel, they having also acquainted me of her appearance and anchoring in the said Bay, after shewing me the Communications of the British Consul in Maranham to the President, and the Answer of the latter, whom the said Consul attempts to make responsible to His Imperial Majesty for having allowed that the said Brig should proceed from that Port to this, notwithstanding the reason given. You ought to be furthermore informed, that the British Officers having, in an arbitrary manner, placed Guards on board the said Brig "Pedro Primeiro" in consequence of the reasons before stated, a short time after doing so, the Second Lieutenant of the Imperial and National Navy, Francisco Joze de Mello, and the Scrivener of

the Intendant's Office, Manoel Caetano Prestes, were both present on the spot, and I also transmit an account of what they observed, in conformity with my Orders, and the Despatch addressed to the Intendant of Marine on the 4th instant. And the said Brig with her Crew having been ultimately conducted and brought to this Anchorage by the British Guard, I communicated all this to the Commander of the Sloop-of-War, expressing my surprize at all the acts which surpassed my intention, and directing him to order that the said Brig, the Crew and every thing on board, should be delivered to the Military National Guard of the First Lieutenant of Artillery, Joze Maria de Campos, a Corporal and 12 Soldiers, the British Guard then retiring; all which was fulfilled.

From that time the said Lieutenant of Artillery had my orders not to allow any Person or thing to leave the said Brig, until you should send through me any orders. It is, therefore, understood, that the said Brig, and all which is in her, is from this time at your disposal, until the final Judicial Decisions upon the said objects.

It behoves me finally to inform you, that, in a Despatch addressed to me by the Commander of the British Sloop-of-War, I am informed that in the Bay of Saint Antonio, in another part of the Coast, Slaves were landed, although it appears that there were no indications of such proceedings, from the Declaration of the Brazilian Naval Officer, or from the enclosed Papers. You will, therefore, address yourself officially to those Quarters, or adopt any other course you may deem best, requesting from me every assistance you may think requisite for the better fulfilment of all that I, in this respect, intrust to you, under the greatest responsibility of the Laws, acquainting me finally with the ultimate result of this affair, in order, that, if necessary, I may communicate it to His Imperial Majesty. I also requiring from you forthwith the acknowledgment of this Despatch and its Enclosures. God preserve you,

(Signed) JOZE FELIX PEREIRA DE BURGOS.

Doctor Joaquim Mariano Ferreira, Ouidor pela Ley.

Second Enclosure (L.) in No. 90.

Mr. Vice-Consul Hesketh to Mr. Consul-General Chamberlain.

SIR,

Pará, September 26, 1826.

AS the Case of the Brazilian Brig, the "*Pedro Primeiro*," will no doubt speedily come to the knowledge of His Majesty's and the Brazilian Government, respectively, and as inconvenience may arise from garbled Statements being sent from hence to the Court of Rio de Janeiro on the subject, I have deemed it advisable to transmit to you full particulars of what has transpired here with regard to the same.

I have the honour to transmit you Copy of a Despatch, and its Enclosure, received from His Majesty's Consul at Maranham, communicating the first intelligence of the said Brig "*Pedro Primeiro's*" being concerned in the illicit Traffick in Slaves, and what had transpired there on the subject.

I forward you also Copy of my Despatch to the Consul at Maranham, and its Enclosure, by which you will perceive that the said Brig was, under the sanction and authority of his Excellency the President of this Province, seized in the Bay of Saint Antonio, in this River, by the Boats of His Majesty's Ship the "*Primrose*," under the command of Octavius Vernon, Esq. and brought up to the Anchorage off this City, and finally delivered up to the Brazilian Government, with her Papers, for Adjudication.—

Also the Correspondence between his Excellency the President and myself relative to Captain Vernon, and the delay occasioned in his not transmitting earlier to his Excellency the Papers belonging to the Brig "*Pedro Primeiro*."—

Copies of the Correspondence between Captain Vernon and his Excellency the President, in which he amply vindicates all his proceedings.—

Copy of a Despatch from His Majesty's Consul at Maranham, dated September 11, 1826, giving further particulars of the Brig "*Pedro Primeiro*."—

And Copy of my Correspondence with his Excellency the President, by which you will be informed of the matter's being finally referred to the Judicial Authorities of this Province.

It is needless for me at present to enter upon any comment on the subject, as you will better see the bearings of the Case by the perusal of the Documents herein transmitted you. I have the honour to be, &c.

Henry Chamberlain, Esq.

(Signed) JOHN HESKETH.

Third Enclosure in No. 90.

Mr. Consul Hesketh to Mr. Consul-General Chamberlain.

(Extract.)

Maranhã, October 28, 1826.

IN reference to my Despatch, dated August 21st, a Duplicate of which I now transmit, with its Enclosures, I have further to state that the Brig "*Pedro Primeiro*," on leaving this Port, proceeded to the Bay of Tury, on the confines of the Province of Pará, where the Slaves were landed clandestinely.

This transgression induced me to address, on the 11th ultimo, the President of Pará, as well as the British Vice-Consul at that Port, and I beg leave to enclose Copies of both those Despatches.

Having afterwards information that some of the Negroes had been brought into this City, I again addressed the President of this Province; but his Excellency only returned an evasive answer, and furnished another proof of that conduct of which I have so frequently complained, in matters connected with the execution of the Slave-trade Treaties,

I beg leave to refer to the enclosed Copy of a Report I made of the occurrence, on the 14th instant, to Mr. Secretary Canning.

So far, every circumstance in this Port, concerning the Brig "*Pedro Primeiro*" has proved the illegality of that Vessel's voyage.

Fortunately, however, matters took a different course at Pará, as will be seen from the enclosed Copy of a Despatch from the British Vice-Consul at that Port, dated the 30th of September 1826, and its Enclosures. The accidental presence of His Majesty's Ship "*Primrose*," and the Officer-like and effectual manner in which her Officers executed the service which the President of that Province had allowed, placed the "*Pedro Primeiro*" in his Excellency's possession, under such clear proofs of a guilty Case, as forced his Excellency either to order a legal investigation, or incur a heavy responsibility. In this situation the President has expressed dissatisfaction at the conduct of the British Officers; and, on perusing the Correspondence between Captain Vernon and the President, that dissatisfaction appears most unreasonable.

From the President's Letter, dated Pará, September 17, 1826, addressed to the Vice Consul, it will be seen that every efficacious order has been given by his Excellency for the proper investigation of the Case of the "*Pedro Primeiro*;" and if the different subordinate Authorities, now individually responsible, do their duty, the result must be the condemnation of that Vessel.

I have also to acquaint you, that Manoel Antonio da Silva Brandao returned to this Place from Pará on board the "*Carolina*," intending to clear himself from the consequences of the seizure of the "*Pedro Primeiro*," and afterwards to proceed again in the "*Carolina*" to Africa. But this notorious Violator of all Law died on a bed of sickness and misery, on the 23d instant, and, in consequence of his death, the destination of the "*Carolina*" appears to be, at present, doubtful.

I have thus given you a full report of all which has transpired respecting the "*Pedro Primeiro*" up to this date, and I shall transmit a Copy of this Despatch to His Majesty's Secretary of State for Foreign Affairs.

Henry Chamberlain, Esq.

(Signed)

ROBERT HESKETH.

No. 91.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received Dec. 22.)

SIR,

Maranhã, October 30, 1826.

IN obedience to the Instructions contained in the Despatch of the Slave-trade Series, dated June 22, I have now the honour to transmit a Copy of the Despatch which I addressed, on the 29th ultimo, to His Majesty's Chargé d'Affaires at Rio de Janeiro, respecting the improper treatment suffered by the Negroes who arrived in the Schooner "*Carolina*."

I have the honour to be, &c.

(Signed)

ROBERT HESKETH.

The Right Hon. George Canning,
 &c. &c. &c.

Enclosure in No. 91.

Mr. Consul Hesketh to Mr. Consul-General Chamberlain.

(Extract.)

Maranhã, September 29, 1826.

IN reference to my former Despatch upon the subject, I have to state, that the abuses committed in respect of the freedom of the Negroes by the "*Carolina*" are still proceeding; and, I am informed, that Certificates of the burial of other Negroes have been cautiously procured by those who were entrusted with some of the free Negroes; so that, if ever these shameful proceedings are investigated, many more will be falsely reported as dead. Most of these Negroes are now in the Country, working as Field or Plantation Slaves.

Henry Chamberlain, Esq.

(Signed)

ROBERT HESKETH.

No. 92.

Mr. Secretary Canning to Mr. Consul Hesketh.

SIR,

Foreign Office, December 30, 1826.

YOUR Despatches of this Series, up to the 30th of October last, have been duly received.

I perceive with satisfaction, the continuance, on your part, of great vigilance and discretion in the execution of your Instructions, as to African Slave-trade; and, although your efforts for the prevention and the punishment of these illegal enterprizes have as yet been attended with but little success, I think it right to mark my sense of your conduct.

I am, &c.

Robert Hesketh, Esq.

(Signed)

GEORGE CANNING.

No. 93.

Mr. Secretary Canning to the Right Hon. Robert Gordon.

(Extract.)

Foreign Office, August 4, 1826.

I SEND to you a collection of State Papers, containing, among other matters, the various Papers which have been presented to Parliament upon the subject of the Slave-trade, since and including the Year 1815.

The extent of the Correspondence upon Slave-trade is so great, that I have found it necessary to direct that the Despatches which treat upon this subject

shall be formed into a separate Series, distinct from the general Series of the Despatches of the Year.

You will distinguish those of your Despatches, which treat directly or indirectly of the Slave-trade, from your Despatches which treat of other subjects, by heading the former with the words "Slave Trade," in the manner practised in the present Despatch, and numbering them, from first to last, as a separate Series. (Signed) GEORGE CANNING.

The Right Hon. Robert Gordon,
 &c. &c. &c.

No. 94.

Mr. Secretary Canning to the Right Hon. Robert Gordon.

SIR,

Foreign Office, August 31, 1826.

I SEND to you the Copy of a Despatch from His Majesty's Consul at Maranham, dated the 5th ultimo, reporting, that the Schooner, the "*Nove de Março*," had arrived there from the Cape de Verds, with a Cargo of 86 Slaves, and that they had been permitted to land under a false entry from Cabinda.

You will lay this matter before the Government of Brazil, in corroboration of the former accounts, tending to prove the disposition of the Authorities at Maranham, to encourage illegal Slave-trade, and you will urge them to take proper measures to prevent this continued and flagrant infraction of the Treaties, in opposition to the declared humane intentions of the Sovereign of Brazil.

I am, &c.

The Right Hon. Robert Gordon,
 &c. &c. &c.

(Signed) GEORGE CANNING.

No. 95.

Mr. Secretary Canning to the Right Hon. Robert Gordon.

SIR,

Foreign Office, September 7, 1826.

IN reference to the Correspondence which you will find among the Archives of the Mission, upon the subject of the Schooner "*Carolina*;" I send you the Copy of a Letter from His Majesty's Consul at Maranham, dated the 30th June last, reporting the scandalous frauds which have been committed by the Trustee, under whose care the Negroes who were found on board of that Vessel were placed; many of them it appears were reported to be dead, in order that, instead of being liberated, they might be conveyed in secret to slavery, and those who would have been able to have gained their livelihood in the Town by handicraftship, had they been liberated, had been sent to Plantations up the Country, there to work for 14 Years.

Mr. Hesketh reported it as his opinion, that the lot of all will be a return to slavery.

You will bring this matter to the notice of the Brazilian Government, in order to induce an enquiry into the state of the Case, and endeavour to rescue these unfortunate Negroes from the slavery which seems to await them, and to procure the punishment of the different Individuals who have thus abused the power, with which they have been vested solely for the purposes of humanity.

I am, &c.

The Right Hon. Robert Gordon,
 &c. &c. &c.

(Signed) GEORGE CANNING.

No. 96.

Mr. Secretary Canning to the Right Hon. Robert Gordon.

SIR,

Foreign Office, September 22, 1826.

MR. CONSUL HESKETH has transmitted to me, under date of the 15th and the 19th of July, further details upon the subject of the "*Nove de Março*," on which Case you were instructed in my Despatch of this Series, of the 31st ultimo.

These further details prove evidently a desire on the part of the Local Authorities at Maranhão to connive at the illegal Slave-trade, in which the Subjects of The Emperor of Brazil at that Place are concerned, and to evade the fulfilment of The Emperor's desire to suppress that Trade.

I have to instruct you to address a strong representation upon the subject to His Imperial Majesty's Ministers, urging them to issue Orders expressive of their serious disapprobation of such proceedings, which Orders may save these unfortunate Negroes from remaining in slavery, and put down the continuance of Slave-trade at Maranhão.

As Mr. Hesketh acquaints me that he has furnished His Majesty's Mission at Brazil with Copies of the Documents, which he sent here upon the Case, I do not transmit them to you. I am, &c.

The Right Hon. Robert Gordon,
 &c. &c. &c.

(Signed) GEORGE CANNING.

NETHERLANDS.

No. 97.

Mr. Secretary Canning to Sir Charles Bagot.

SIR,

Foreign Office, March 13, 1826.

WITH reference to the Treaty with the Netherlands for the prevention of the Slave-trade; I have to acquaint your Excellency that, by a Communication this day received from the Admiralty, it appears that the Instructions referred to in the said Treaty, have been issued to the following Ships and Vessels of His Majesty's Navy:—

Names.	Guns.	Commanders.
<i>Hussar</i>	46	G. Harris.
<i>Brazen</i>	26	G. W. Willes.
<i>Primrose</i>	18	Oct. V. Vernon.
<i>Redwing</i>	18	D. C. Clavering.
<i>Dispatch</i>	18	Robt. W. Parsons.
<i>Ferret</i>	10	Wm. Hobson.
<i>Conflict</i>	12	Lieut. J. Chrystie.

And that the Instructions, which had been issued to His Majesty's Ships "*Pyramus*," "*Ariadne*," "*Bann*," "*Victor*," "*Ringdove*," and "*Grecian*," have been recalled, and cancelled.

I request that you will communicate this Statement to the Government of The King of the Netherlands. I am, &c.

(Signed) GEORGE CANNING.

His Excellency Sir Charles Bagot, G. C. B.
&c. &c. &c.

No. 98.

Sir Charles Bagot to Mr. Secretary Canning.—(Received March 20.)

SIR,

The Hague, March 17, 1826.

I HAVE had the honour to receive your Despatch (Slave-trade) of the 13th instant, and I have communicated to Monsieur de Verstolk, the Names and Force of His Majesty's Ships and Vessels, to which the Instructions referred to in the Treaty between His Majesty and The King of the Netherlands, for the prevention of the Slave-trade, have been given.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) CHARLES BAGOT.

No. 99.

Mr. Secretary Canning to Sir Charles Bagot.

SIR,

Foreign Office, May 10, 1826.

I SEND to your Excellency, for communication to the Netherlands Government, the accompanying Copy of a Despatch from His Majesty's Commissioners at Surinam, dated the 18th of January last,* stating that there has

* See Class A. No. 104.

been no Dutch Vessel-of-War of any description at Surinam since July 1825, and that reports were prevalent that Slave-ships were frequently off that Coast, and effected upon the Island illicit disembarkations of Negroes.

The Netherlands Government, when duly informed, will, doubtless, take prompt steps to prevent a recurrence of this violation of their Laws.

I am, &c.

(Signed) GEORGE CANNING.

His Excellency Sir Charles Bagot, G. C. B.

&c. &c. &c.

No. 100.

Sir Charles Bagot to Mr. Secretary Canning.—(Received May 15.)

SIR,

The Hague, May 12, 1826.

I HAD the honour to receive last Night your Despatch of the 6th of this Month, transmitting to me printed Copies of the Papers presented to both Houses of Parliament, relative to the Slave-trade.

I have the honour to be, &c.

The Right Hon. George Canning,

(Signed) CHARLES BAGOT.

&c. &c. &c.

No. 101.

Sir Charles Bagot to Mr. Secretary Canning.—(Received May 21.)

SIR,

The Hague, May 19, 1826.

I HAD the honour to receive on the 15th, your Despatch (Slave-trade) of the 10th instant, transmitting to me the Copy of a Despatch from His Majesty's Commissioners at Surinam, stating that there had been no Dutch Vessel-of-War upon that Station since the Month of July last.

I had an opportunity 2 days ago of acquainting M. de Verstolk with the information contained in that Despatch, and I yesterday addressed to him a Note, of which the enclosed is a Copy, upon the subject of it.

I have the honour to be, &c.

The Right Hon. George Canning,

(Signed) CHARLES BAGOT.

&c. &c. &c.

Enclosure in No. 101.

Sir Charles Bagot to the Baron de Verstolk.

The Hague, May 17, 1826.

IN obedience to the Instructions which he has received from his Court, the Undersigned, &c. has the honour to transmit to his Excellency the Baron Verstolk de Soelen, Minister of Foreign Affairs, the enclosed Copy of a Despatch which has been addressed to His Majesty's Government, by His Majesty's Commissioners at Surinam, stating that, since the departure from that Coast of His Netherlands Majesty's Brig, "*Mercure*," in the Month of July last, no Dutch Ship of War had appeared off that Station, and that reports were very prevalent, that Slave Ships had frequently appeared in the neighbouring Waters, and had effected the illicit debarkation of Negroes upon the Island.

The assurances contained in the Note of his Excellency the Comte de Reede of the 12th July 1824, to Viscount Granville, upon the subject of the Naval Force to be maintained upon the Surinam Coast, and the promptitude

invariably shewn by the Netherlands Government, to adopt every measure in their power for the suppression of the Traffick in Slaves, make it only necessary for the Undersigned to call the attention of M. de Verstolk to the information contained in the enclosed Letter, in order to engage his Excellency to give such directions as he may judge most effectual for the purpose of remedying the inconvenience of which it complains.

The Undersigned, &c.

(Signed)

CHARLES BAGOT.

His Excellency the Baron de Verstolk,
 &c. &c. &c.

No. 102.

Mr. Secretary Canning to Sir Charles Bagot.

SIR,

Foreign Office, May 31, 1826.

I SEND to you an Extract of a Despatch which I have received from Mr. J. T. Williams, His Majesty's Commissary Judge at Sierra Leone, dated the 20th March last,* describing the facility with which Vessels, destined in reality for African Slave-trade, obtain in the Netherlands Colonies, Licences, which enable them to set out upon this nefarious undertaking with the appearance of a legal Traffick.

Your Excellency will lay this matter before The Ministers of The King of the Netherlands, who, I doubt not, will be earnest in transmitting Instructions to His Colonial Authorities, to prevent this virtual infraction of the humane Orders already subsisting against any Traffick whatever in Slaves on the part of Netherlands Subjects. I am, &c.

(Signed)

GEORGE CANNING.

His Excellency Sir Charles Bagot, G. C. B.
 &c. &c. &c.

* See Class A. No. 50.

No 103.

Sir Charles Bagot to Mr. Secretary Canning.—(Received June 12.)

SIR,

The Hague, June 9, 1826.

IN my Despatch (Slave-trade) of the 19th of last Month, I had the honour to transmit to you the Copy of a Note which I had addressed to Monsieur de Verstolk, upon the subject of the insufficiency of the Dutch Naval Force upon the Coasts of Surinam, to prevent the fraudulent Importation of Slaves.

I herewith enclose the Copy of an Answer to this Note, which I received 2 days ago, and by which it appears, that, since the Month of February last, the Dutch Brig of War "*de Valk*," has been cruising upon that Station, and that measures have now been taken to insure in future the regular performance of this Service.

I received by the Mail which arrived last Night, your Despatch of the 31st ultimo, enclosing to me the Extract of a Letter from His Majesty's Commissary Judge at Sierra Leone, representing the facility with which Vessels, under a pretext of legal Traffick, but in reality destined for the African Slave-trade, obtain Licences from the Netherlands Colonial Authorities.

I shall take an immediate opportunity of bringing this matter under the notice of the Netherlands Government.

I have the honour to be, &c.

(Signed)

CHARLES BAGOT.

The Right Hon. George Canning,
 &c. &c. &c.

Enclosure in No. 103.

*The Baron de Verstolk to Sir Charles Bagot.**La Haye, le 6 Juin, 1826.*

LE Soussigné, Ministre des Affaires Etrangères, a mis sous les yeux du Roi l'Office qu'il a eu l'honneur de recevoir le 18 Mai dernier, de son Excellence Sir Charles Bagot, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté Britannique.

En transmettant la Copie d'une Dépêche des Commissaires de Sa Majesté Britannique à Surinam, son Excellence en avait pris occasion de rappeler la promesse de tenir constamment une Force Navale des Pays Bas, en Croisière à la hauteur de Surinam pour la répression du Commerce des Esclaves, et d'observer que, depuis le départ du "*Mercur*" en Juillet, il n'y avait plus eu de Bâtiment-de-Guerre du Roi dans ces Parages.

Le Soussigné, s'étant appliqué à recueillir sur cet objet les éclaircissemens nécessaires se trouve à même de porter à la connaissance de son Excellence, que des circonstances accidentales et imprévues ont seules causé l'interruption momentanée qui paraît avoir eu lieu, que depuis le commencement du Mois de Février dernier le Bric "*Le Faucon*" (De Valk) a établi sa croisière pour quatre Mois sur la Côte de Surinam, et que toutes les mesures ont été prises pour assurer constamment dans la suite la régularité de ce service.

Il aime à se flatter que l'empressement avec lequel les représentations de Monsieur l'Ambassadeur de Sa Majesté Britannique ont été accueillies, répondra à la confiance que son Excellence a bien voulu lui exprimer, qu'il suffirait de mentionner cet objet pour être sur que le Gouvernement des Pays Bas manifesterait de nouveau, son intention constante de surveiller et de réprimer par tous les moyens en son pouvoir, le commerce odieux des Esclaves.

Le Soussigné a l'honneur, &c.

(Signé) VERSTOLK DE SOELEN.

Son Excellence Sir Charles Bagot,
 &c. &c. &c.

(Translation.)

The Hague, June 6, 1826.

THE Undersigned, Minister for Foreign Affairs, has laid before His Majesty the Note which he had the honour to receive on the 18th May last, from his Excellency Sir Charles Bagot, Ambassador Extraordinary and Plenipotentiary of His Britannick Majesty.

In transmitting Copy a Despatch from His Britannick Majesty's Commissioners at Surinam, his Excellency took that opportunity to recall to the recollection of the Undersigned, the promise to maintain constantly a Naval Force from the Netherlands on the cruize off Surinam, for the suppression of the Traffick in Slaves, and to observe that since the departure of the "*Mercury*" in July, there had been no Ship-of-War belonging to The King in those Seas.

The Undersigned, having made the necessary enquiries on this subject, is enabled to inform his Excellency, that accidental and unforeseen circumstances have alone caused the momentary interruption which appears to have taken place, that since the beginning of the Month of February, the Brig "*Falcon*" (De Valk) commenced cruizing for 4 Months off the Coast of Surinam, and that every measure has been taken to insure the constant regularity of this Service in future.

He flatters himself that the readiness with which the representations of His Britannick Majesty's Ambassador have been received, will correspond

with the conviction, which his Excellency was pleased to express to him, that it was only necessary to mention the subject, to be assured, that the Government of the Netherlands would manifest anew its fixed determination to watch over and repress, by every means in its power, the odious Traffick in Slaves.

The Undersigned has the honour, &c.

(Signed) VERSTOLK DE SOELEN.

His Excellency Sir Charles Bagot,
 &c. &c. &c.

No. 104.

Sir Charles Bagot to Mr. Secretary Canning.—(Received June 16.)

SIR,

The Hague, June 13, 1826.

ON the day of the date of my last Despatch (Slave-trade), I had an opportunity of speaking with M. de Verstolk, upon the subject of your Despatch, in which was enclosed to me the Extract of a Letter from His Majesty's Commissary Judge at Sierra Leone, respecting the abuse, as regarded the Slave-trade, of the Licences granted to Vessels by the Netherlands Colonial Authorities.

At the suggestion of M. de Verstolk, I have since addressed to him a Note, of which I herewith enclose a Copy, transmitting to him a Copy of Mr. William's representations to you upon this subject.

I have the honour to be, &c.

The Right Hon. George Canning,
 &c. &c. &c.

(Signed) CHARLES BAGOT.

Enclosure in No. 104.

Sir Charles Bagot to the Baron de Verstolk.

The Hague, June 11, 1826.

IN reference to the conversation which he had the honour to hold two days ago with the Baron Verstolk de Soelen, Minister of Foreign Affairs, the Undersigned, His Britannick Majesty's Ambassador Extraordinary and Plenipotentiary, has the honour to transmit to his Excellency herewith the Extract to which he then alluded, of a Letter which has been recently received by His Majesty's Government from Mr. J. T. Williams, His Majesty's Commissary Judge at Sierra Leone, representing the facility with which Vessels, under the pretext of being engaged in a legal Traffick, but in reality destined for the African Slave-trade, have of late found means of obtaining Licences in some of the Colonies of His Netherlands Majesty.

The Cases of this kind, which are cited in the enclosed Paper, will sufficiently prove to his Excellency M. de Verstolk, the extent to which the Flag of His Netherlands Majesty has been lately abused in this respect; and the Undersigned is well assured, that it is only necessary for him to call the attention of his Excellency to the details furnished by Mr. Williams, in order to induce his Excellency to cause such Instructions to be given to the proper Authorities in His Netherlands Majesty's Colonies, as may effectually prevent this virtual infraction of the humane Orders already subsisting against any Traffick whatever in Slaves, on the part of His Netherlands Majesty's Subjects.

The Undersigned, &c.

(Signed) CHARLES BAGOT.

His Excellency the Baron de Verstolk,
 &c. &c. &c.

No. 105.

Mr. Secretary Canning to Sir Charles Bagot.

SIR,

Foreign Office, July 21, 1826.

IN reference to my Despatch to your Excellency of the 31st of May, of this Series, I send to you the accompanying Copy of a Despatch, dated the 4th of April,* and of its Enclosures, which I have received from His Majesty's Commissary Judge at Sierra Leone, stating facts which confirm the account previously given, of the injurious facility with which Licences are granted by the Dutch Authorities at St. Eustatius, to Vessels whose Owners are thus enabled to carry on their fraudulent undertakings in African Slave-trade.

Your Excellency will be pleased to communicate these Papers to the Netherlands Minister, in corroboration of your former Note to his Excellency upon this subject.

I am, &c.

(Signed) GEORGE CANNING.

His Excellency Sir Charles Bagot, G. C. B.

&c. &c. &c.

* See Class A. No. 56.

No. 106.

Sir Charles Bagot to Mr. Secretary Canning.—(Received July 27.)

SIR,

The Hague, July 25, 1826.

I HAD yesterday the honour to receive your Despatch (Slave-trade) of the 21st instant, enclosing to me the Copy of a Despatch from His Majesty's Commissary Judge at Sierra Leone, containing further evidence of the facility with which Licences are granted by some of the Dutch Colonial Authorities to Vessels which are in reality engaged in the African Slave-trade.

I shall take an immediate opportunity of calling the attention of the Netherlands Government to the facts detailed in this Despatch, and in the Papers with which it is accompanied.

I have the honour to be, &c.

The Right Hon. George Canning,

(Signed) CHARLES BAGOT.

&c. &c. &c.

No. 107.

Sir Charles Bagot to Mr. Secretary Canning.—(Received July 31.)

SIR,

The Hague, July 28, 1826

I HAVE the honour to enclose to you the Copy of a Note which I yesterday addressed to the Baron de Verstolk, transmitting to his Excellency Copies of the Letter of His Majesty's Commissary Judge at Sierra Leone of the 4th of April, upon the subject of the Schooner "*Vogel*," Jean Blais, Master, together with Copies of all the other Papers which were contained in your Despatch (Slave-trade) of the 21st instant.

I have the honour to be, &c.

The Right Hon. George Canning,

(Signed) CHARLES BAGOT.

&c. &c. &c.

Enclosure in No. 107.

*Sir Charles Bagot to the Baron de Verstolk.**The Hague, July 27, 1826.*

THE Undersigned, His Britannick Majesty's Ambassador Extraordinary and Plenipotentiary, had the honour to transmit, in his Note of the 11th of

last Month, to his Excellency the Baron Verstolk de Soelen, Minister of Foreign Affairs, the Extract of a Letter received by His Majesty's Government from His Majesty's Commissary Judge at Sierra Leone, showing the injurious facility with which Licences were granted by some of the Netherlands Colonial Authorities, to Vessels which, under the pretence of Legal Commerce, were, in fact, engaged in the Traffick in Slaves.

In corroboration of the evidence furnished by this Letter, the Undersigned has now the honour to transmit to his Excellency, the Copy of a Despatch, with its several Enclosures, which has been since received from Mr. Williams, and which shows, even more clearly than his former Report, the great extent to which the Flag of His Netherlands Majesty is still abused in this respect.

The Undersigned has the honour, &c.

His Excellency the Baron de Verstolk, (Signed) CHARLES BAGOT.
 &c. &c. &c.

No. 108.

Mr. Secretary Canning to Sir Charles Bagot.

SIR,

Foreign Office, December 5, 1826.

I HAVE to acquaint your Excellency, and to desire that you will apprise the Netherlands Government, that it appears by a Communication, under date of the 25th ultimo, from the Admiralty, that the Instructions referred to in the Treaty between Great Britain and the Netherlands, for the Suppression of Slave-trade, have been issued to the following Ships and Vessels of His Majesty's Navy:—

Names.	Guns.	Commanders.
<i>Druid</i>	46	Lieutenant Chambers.
<i>North Star</i>	28	Captain Arabin.
<i>Scylla</i>	18	Wm. Hobson.
<i>Pylades</i>	18	G. V. Jackson.

And that those Instructions have been recalled and cancelled which had been issued to His Majesty's Ships "*Hussar*," "*Dartmouth*," "*Dispatch*," "*Ferret*," and "*Swinger*."

I am, &c.

(Signed) GEORGE CANNING.

His Excellency Sir Charles Bagot, G. C. B.
 &c. &c. &c.

No. 109.

Sir Charles Bagot to Mr. Secretary Canning.—(Received Dec. 18.)

SIR,

Brussels, December 15, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch, marked Slave-trade, of the 5th instant, and I have this Morning delivered a Note Monsieur de Verstolk, acquainting him with the Names and Force of the Ships and Vessels of His Majesty's Navy, to the Commanders of which the Instructions referred to in the Treaty between the two Countries for the Suppression of the Slave-trade have been given.

I have the honour to be, &c.

The Right Hon. George Canning.
 &c. &c. &c.

(Signed) CHARLES BAGOT.

No. 110.

Mr. Secretary Canning to Sir Charles Bagot.

SIR,

Foreign Office, December 29, 1826.

I HAVE received the several Despatches of your Excellency of this Series, up to the 15th instant.

I send, herewith, to your Excellency, for your information, the Copy of a Despatch, and of its Enclosures, from His Majesty's Commissioners at Surinam, dated the 25th September,* giving an account of the Measures which have recently been adopted in that Island for giving effect to the Decrees of The King of the Netherlands, as to the Registration of Slaves.

Your Excellency will take a proper opportunity of expressing to the Netherlands Minister the desire of The King, our Master, that The King of the Netherlands should be made acquainted with the warm satisfaction which His Majesty has felt in learning these repeated proofs of the cordial co-operation of His Netherlands Majesty, in giving effect to the Compacts between the two Countries for the entire Abolition of the Traffick in Slaves.

I am, &c.

(Signed) GEORGE CANNING.

His Excellency Sir Charles Bagot, G. C. B.

&c.

&c.

&c.

* See Class A. No. 110.

FRANCE.

No. 111.

Viscount Granville to Mr. Secretary Canning.—(Received March 13.)

SIR,

Paris, March 10, 1826.

I HAVE the honour to enclose the Answers that I have received to two Notes which I addressed to his Excellency the Baron de Damas, on the subject of French Vessels, under French Colours, trading in Slaves, and wherein I particularly signalized the Vessels "*Clarisse*" of Nantes, and the "*Deux Clementines*."

His Excellency, in thanking me for the Communication, informs me, that the French Government were already aware of the circumstances relative to the first-named Vessel, and, with regard to the other, that he had lost no time in transmitting my Communication to the Minister of Marine.

I have the honour to be, &c.

The Right Hon. George Canning,
&c. &c. &c.

(Signed) GRANVILLE.

First Enclosure in No. 111.

The Baron de Damas to Viscount Granville.

MONSIEUR L'AMBASSADEUR,

Paris, le 6 Mars, 1826.

J'AI reçu, avec la Lettre que votre Excellence m'a fait l'honneur de m'écrire le 1^{er} de ce Mois, la Pièce qui l'accompagnait, et qui signale, comme ayant été employé à la Traite des Noirs, le Navire "*La Clarisse*," de Nantes, Capitaine Camin, et non Gamé. Je ne puis que remercier votre Excellence de cette Communication. Le Gouvernement était déjà instruit des circonstances relatives à ce Batiment. Le Ministre de la Marine s'est empressé de faire prendre à cet égard des informations dont ses Instructions ne peuvent que hâter le résultat.

J'ai, &c.

S. E. Le Vicomte Granville.
&c. &c. &c.

(Signé) LE BARON DE DAMAS.

(Translation.)

MY LORD,

Paris, March 6, 1826.

I HAVE received, together with the Letter which your Excellency did me the honour to address to me on the 1st instant, the Document which accompanied it, and which designates, as having been employed in the Traffick in Slaves, the Ship "*La Clarisse*," of Nantes, Captain Camin, and not Gamé.

I cannot but thank your Excellency for this Communication. The Government was already informed of the circumstances relating to this Vessel. The Minister of Marine has lost no time in causing the necessary enquiries to be made upon the subject, of which his Instructions will not fail to hasten the result.

I have the honour, &c.

(Signed)

THE BARON DE DAMAS.

His Excellency Viscount Granville,
&c. &c. &c.

Second Enclosure in No. 111.

The Baron de Damas to Viscount Granville.

MONSIEUR L'AMBASSADEUR,

Paris, ce 6 Mars, 1826.

J'AI reçu la Lettre que votre Excellence m'a fait l'honneur de m'écrire le 1^{er} de ce Mois; à laquelle étaient jointes différentes Pièces qui, entr' autres Navires Français prévenus de faire la Traite des Noirs, sur la Côte Orientale d'Afrique, signalent particulièrement le Navire "*Les Deux Clementines*." Je me suis empressé de transmettre ces renseignements au Ministre de la Marine, avec invitation de leur la suite qu'exigent les circonstances qui y sont retracées, notamment dans la Déposition du Charpentier du Brick "*L'Eleanor*," John Hemston. J'ai, &c.

S. E. Le Vicomte Granville,
&c. &c. &c.

(Signé) LE BARON DE DAMAS.

(Translation.)

MY LORD,

Paris, March 6, 1826.

I HAVE received the Letter which your Excellency did me the honour to address to me on the 1st instant, enclosing several Documents, which, among other French Ships suspected of carrying on the Traffick in Slaves, on the Eastern Coast of Africa, particularly designate the Ship "*Les Deux Clementines*." I hasten to transmit this information to the Minister of Marine, with the request that he will take such steps as the circumstances therein described require, particularly with regard to the Deposition of the Carpenter of the Brig "*L'Eleanor*," John Hemston. Accept, &c.

(Signed)

THE BARON DE DAMAS.

His Excellency Viscount Granville,
&c. &c. &c.

No. 112.

Mr. Secretary Canning to Viscount Granville.

MY LORD,

Foreign Office, March 14, 1826.

IN reference to my former Communications respecting the Slave-trade carrying on from the Port of Nantz, I now transmit to your Excellency an Extract of a Communication which I have received from the Admiralty, containing accounts of two Vessels, "*La Jeune Caroline*," and "*L'Evelina*," both belonging to Nantz, which have recently been met with by His Majesty's Cruizers upon the Coast of Africa, laden with Slaves, their cargo.

Your Excellency will communicate these facts to the Ministers of His Most Christian Majesty, and urge them to take measures for preventing the success of these disgraceful undertakings. I am, &c.

(Signed)

GEORGE CANNING.

H. E. Viscount Granville, G. C. B.
&c. &c. &c.

Enclosure in No. 112.

Commodore Bullen to J. W. Croker, Esq.

(Extract.)

H. M.'s Ship "*Maidstone*,"
Sierra Leone, Dec. 18, 1825.

ON the 23d of September, after a chase of 36 hours, I examined "*La Jeune Caroline*," of Nantz, with a cargo of 499 Slaves, bound to Martinique, and, on the 29th, the "*Redwing*" boarded "*L'Evelina*," of the same Place, with 203 Slaves, on her way to Guadaloupe.

J. W. Croker, Esq.
&c. &c. &c.

(Signed)

CHARLES BULLEN.

No. 113.

Viscount Granville to Mr. Secretary Canning.—(Received March 23.)

SIR,

Paris, March 20, 1826.

I HAVE the honour to acknowledge the Receipt of your Despatch, marked Slave-trade, of the 14th instant, and I lost no time in addressing a Note to His Excellency the Baron de Damas upon the subject of it. The Enclosed is a Copy.

I have the honour to be, &c.

The Right Hon. George Canning,
 &c. &c. &c.

(Signed) GRANVILLE.

Enclosure in No. 113.

Viscount Granville to the Baron de Damas.

MONSIEUR LE BARON,

Paris, March 18, 1826.

I HAVE the honour to transmit to your Excellency the Extract of a Communication, which has been received by His Majesty's Government, containing accounts of two Vessels "*La Jeune Caroline*" and "*L'Eveline*," both belonging to Nantz, which have recently been met with by His Majesty's Cruizers upon the Coast of Africa, laden with Slaves, their Cargo.

I avail myself, &c.

His Excellency the Baron de Damas,
 &c. &c. &c.

(Signed) GRANVILLE.

No. 114.

Mr. Secretary Canning to Viscount Granville.

(Extract.)

Foreign Office, March 28, 1826.

BY Accounts from Nantz, dated the 21st instant, it appears that the prohibition against the sailing of Vessels from that Port, destined for carrying on the Slave-trade, has been of very short duration.

(Signed)

GEORGE CANNING.

His Excellency Viscount Granville, G.C.B.
 &c. &c. &c.

No. 115.

Viscount Granville to Mr. Secretary Canning.—(Received March 30.)

SIR,

Paris, March 27, 1826.

THE Moniteur of yesterday contains the Report of a Debate in the Chamber of Deputies, which augurs ill for the effectual abolition of the Slave-trade by the French Government.

Two Petitions, most respectably signed, were presented not long since to the Chamber, stating the increased and increasing activity of this Trade from the Ports of France; exposing, in forcible terms, the horrors which resulted from the disgrace which it attached to the French Flag; and representing the inefficiency of the measures at present employed by the Government for its repression.

The Committee, which reported to the Chamber upon the Contents of this Petition, countenanced the object of it, (not however without conveying an

insinuation against the purity of the motives of those who originally urged the Abolition of the Slave-trade) by proposing that it be referred to the President of the Council of Ministers.

This proposition was strenuously supported by 2 of the Members of the Liberal Party, General Sebastiani, and M. Benjamin Constant, but M. Dudon (a Ministerialist,) after a speech, in which he inveighed against the hypocrisy of the English, and maintained that the Slave-trade was carried on chiefly by British Vessels, moved the order of the day, and this Motion was adopted by the Chamber.

I observed with regret that the French Minister, at the same time that he declared the sincere intention of his Government to abolish the Trade, and cited various Acts of the French Administration to prove that sincerity, expressed an opinion decidedly hostile to the enactment of any new Legislative Measure imposing severer penalties on the crime of Slave-trading.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) GRANVILLE.
&c. &c. &c.

No. 116.

Viscount Granville to Mr. Secretary Canning.—(Received May 15.)

SIR,

Paris, May 12, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch, marked Slave-trade, of the 6th instant, enclosing a Copy of Papers, marked A. and B., relative to the Slave-trade, which have been presented to both Houses of Parliament by His Majesty's Command, in the course of the present Session.

I have the honour to be, &c.

The Right Hon. George Canning, (Signed) GRANVILLE.
&c. &c. &c.

No. 117.

Mr. Secretary Canning to Viscount Granville.

MY LORD,

Foreign Office, May 16, 1826.

I SEND to your Excellency the Copy of a Communication received by the Admiralty from the Commodore of His Majesty's Squadron on the Western Coast of Africa, representing the prevalence of a practice, on the part of the illegal Slave-traders on that Coast, of providing themselves with a double Set of Papers, one of which is stated to be uniformly French, for the sake of defending themselves against the Cruizers of other Powers.

Commodore Bullen brings forward the particulars of 4 Cases of this nature, which have recently come to his knowledge; and adds, that he can assert with confidence that 2 out of 3, of French Vessels boarded by his Squadron, within the last 6 Months, have used this method for avoiding the punishment due to their illegal undertakings.

The French Government will see that misunderstandings must arise between the Subjects of the 2 Nations, when, although under every feeling of respect to the French Flag, His Majesty's Officers meet with Vessels, furnished, under suspicious circumstances, with double Sets of Papers, one of which must necessarily be simulated; and on this account, as well as on the score of humanity and of respect to the Flag of France, His Majesty trusts, that His Most Christian Majesty will not be slow in taking what measures may be practicable, for preventing so flagrant an abuse of the French Flag and National Character.

I am, &c.

H. E. Viscount Granville, G. C. B. (Signed) GEORGE CANNING.
&c. &c. &c.

Enclosure in No. 117.

Commodore Bullen to J. W. Croker, Esq.(Extract.) *H. M. S. "Maidstone," Sierra Leone, Jan. 28, 1826.*

THE "Conflict" has also sent in the Dutch Brig "Charles," with 266 Slaves, captured by her Boats in the Old Calabar River, on the 19th ultimo. The circumstances under which this Vessel was detained must evidently tend more to convince their Lordships of the barefaced and open manner in which the Slave-trade is carried on under the Flag of the French Nation, which, it would appear, allows it thus to be insultingly made use of. On Mr. Deschamps Admiralty-Mate of the "Conflict," boarding her, she shewed French Colours and Papers, designating her the "Eugene," of Nantz, and manned with Frenchmen and Americans. After leaving her he proceeded to examine 4 other French Vessels which were lying above her, and having received slight information of her being provided with 2 sets of Papers, returned again on board; she still shewing French Colours and Papers; but, upon searching the Master's writing-desk, the Dutch Papers were found concealed, wherein she is called the "Charles," of St. Eustatius.

This must really point out to their Lordships the dupes that His Britannick Majesty's Ships are made of on this Coast, by these inhuman wretches, who escape detection merely by shewing a White Flag, and at the same time the painful restriction and trying circumstances under which a British Officer has to perform his duty, to prevent a misunderstanding arising between the two Governments, by which he might be called to an account; and it is with the utmost confidence I assert, that 2 out of 3, of French Vessels boarded by His Majesty's Squadron under my orders, within the last 6 Months, have been invariably supplied with 2 sets of Papers. As a proof, I have been since credibly informed, that "La Felicité," boarded, with 200 Slaves, by the "Atholl," and "l'Eclair" and "Modeste," by the "Brazen," the former with 169, and the latter with 269 Slaves, belonging to the same Houses as the "Z" and "Venus," (both found with double sets after capture by myself and Captain Murray) were provided with them in the same manner.

J. W. Croker, Esq.
 &c. &c. &c.

(Signed) CHARLES BULLEN.

No. 118.

Viscount Granville to Mr. Secretary Canning.—(Received May 29.)

SIR,

Paris, May 26, 1826.

I HAVE to acknowledge the receipt of your Despatch, marked Slave-trade, of the 16th instant, and I have, in consequence, addressed a Note, of which the enclosed is a Copy, to the French Government, representing the nefarious proceedings of the Slave-dealers on the Coast of Africa, who, being provided with 2 sets of Papers, one of which is stated to be uniformly French, thereby defend themselves against the Cruizers of other Powers, and thus avoid the punishment due to their illegal undertakings.

I have the honour to be, &c.

The Right Hon. George Canning,
 &c. &c. &c.

(Signed) GRANVILLE.

Enclosure in No. 118.

Viscount Granville to the Baron de Damas.

MONSIEUR LE BARON,

Paris, May 24, 1826.

I SEND to your Excellency the Copy of a Communication received by the Admiralty, from the Commodore of His Britannick Majesty's Squadron

on the Western Coast of Africa, representing the prevalence of a practice, on the part of the Slave-traders on that Coast, of providing themselves with a double set of Papers, one of which is stated to be uniformly French, for the sake of defending themselves against the Cruizers of other Powers.

Commodore Bullen brings forward the particulars of 4 Cases of this nature, which have recently come to his knowledge, and adds, that he can assert with confidence, that two out of three French Vessels, boarded by his Squadron, within the last six Months, have used this method of avoiding the punishment due to their illegal undertakings.

The French Government will see that there is great danger of misunderstandings arising between the Subjects of the two Nations, when His Majesty's Officers meet with Vessels, furnished, under suspicious circumstances, with double sets of Papers, one of which must, necessarily, be simulated; and on this account, as well as on the score of humanity, and of respect to the Flag of France, His Majesty trusts, that His Most Christian Majesty will immediately take measures for preventing so flagrant an abuse of the French Flag, and National character.

I avail myself, &c.

(Signed) GRANVILLE.

His Excellency the Baron de Damas.

&c.

&c.

&c.

No. 119.

Mr. Secretary Canning to Viscount Granville.

MY LORD,

Foreign Office, June 22, 1826.

I SEND to your Excellency, for communication to the Government of His Most Christian Majesty, the accompanying Copy of a Despatch, which I have received from His Majesty's Consul at Bahia, dated the 17th February,* enclosing Copies of Letters which had passed between the French Consul at that Place and himself, on the subject of the chartering French Vessels for the Coast of Africa, which Vessels are proceeding thither under circumstances which evidently designate their undertaking, as a voyage for the purposes of illegal Slave-trade.

His Majesty's Government hope that the French Government will enquire into this matter, and give such Orders as are compatible with the present state of the French Laws for the prevention of these nefarious undertakings.

I am, &c.

(Signed)

GEORGE CANNING.

His Excellency Viscount Granville, G. C. B.

&c.

&c.

&c.

* See No. 61.

No. 120.

Viscount Granville to Mr. Secretary Canning.—(Received July 3.)

SIR,

Paris, June 30, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch, marked Slave-trade, of the 22d instant; and in obedience to your directions I lost no time in addressing a Note upon the subject of it to his Excellency the Baron de Damas, of which the enclosed is a Copy.

I have the honour to be, &c.

The Right Hon. George Canning,

&c.

&c.

&c.

(Signed)

GRANVILLE.

Enclosure in No. 120.

Viscount Granville to the Baron de Damas.

MONSIEUR LE BARON,

Paris, June 26, 1826.

I HAVE the honour to transmit to your Excellency the accompanying Copy of a Despatch I have received from my Government, covering one from His Majesty's Consul at Bahia, which details a communication between the Consul of His Most Christian Majesty at that Place, and himself, on the subject of French Vessels chartered for the Coast of Africa, which Vessels were proceeding thither, under circumstances which evidently designated their undertaking as a voyage for the purposes of illegal Slave-trade; and I have to express the hope of His Majesty's Government, that the French Government will enquire into this matter, and give such Orders as are compatible with the present state of the French Laws, for the prevention of such nefarious undertakings.

I avail, &c. &c.

(Signed) GRANVILLE.

His Excellency the Baron de Damas.

&c. &c. &c.

No. 121.

Viscount Granville to Mr. Secretary Canning.—(Received Dec. 13.)

SIR,

Paris, December 11, 1826.

I HAVE the satisfaction to acquaint you, that it is the intention of the Government of His Most Christian Majesty to propose a new Law this Session, for the more effectual prevention of Slave-trading by the Subjects of France.

I understand that, by this Law, the pain of banishment from France will be inflicted on all Persons convicted of being in any way concerned in the Traffick of Slaves.

I have the honour to be, &c.

(Signed) GRANVILLE.

The Right Hon. George Canning,

&c. &c. &c.

No. 122.

Mr. Secretary Canning to Viscount Granville.

MY LORD,

Foreign Office, December 29, 1826.

I HAVE received your Excellency's Despatches up to the 11th instant.

His Majesty's Government receive, with much satisfaction, the information contained in your last Despatch that a Law will this Session be proposed in France, for the more effectual prevention of Slave-trading by the Subjects of that Power.

I am, &c.

(Signed) GEORGE CANNING.

His Excellency Viscount Granville, G. C. B.

&c. &c. &c.

SWEDEN.

No. 123.

Lord Bloomfield to Mr. Secretary Canning.—(Received June 7.)

SIR,

Stockholm, May 26, 1826.

I HAVE the honour to acknowledge the receipt of your Despatch, marked Slave-trade, enclosing Copies of the Papers, A and B, relative to the Slave-trade, which have been presented to both Houses of Parliament.

I have the honour to be, &c.

The Right Hon. George Canning,
 &c. &c. &c.

(Signed)

BLOOMFIELD.