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## CLASS B.

## CORRESPONDENCE

WITH

## FOREIGN POWERS.

SPAIN.

SPAIN.

N<sup>o</sup> 1.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received Jan. 31.)

N<sup>o</sup> 1.

Sir,

Madrid, January 20, 1827.

I HAVE the honour to enclose copies of a note which I addressed to M. Salmon, in obedience to the orders conveyed in your despatch of December 14, 1826, and of his Excellency's answer.

It is perfectly true, that I have been made aware that similar advertisements have already, more than once, during the time which I have held His Majesty's mission at Madrid, appeared in the public newspapers of Cadiz.

I have the honour to be, &amp;c.

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

(signed) *F. Lamb.*

The Right Honourable F. Lamb, to the Chevalier de Salmon.

1st Enclosure  
in N<sup>o</sup> 1.

Madrid, Dec. 29, 1826.

THE Undersigned, &c. has the honour to transmit to his Excellency the Chevalier de Salmon, &c. the copy of a letter from His Majesty's consul at Cadiz, enclosing a public advertisement in the gazette of that city for the sale of a negress.

Similar advertisements have more than once appeared in the public newspapers of Cadiz, during the time the undersigned has held His Majesty's mission at this court.

These acts of slave purchase and sale in the heart of Spain herself are entirely repugnant to the spirit of the stipulation by which His Catholic Majesty, in the 1st article of the treaty of the 22d of September 1817, engages to His Britannic Majesty, "that the slave-trade shall be abolished throughout the entire dominions of Spain, on the 30th May 1820."

The undersigned has, therefore, received the commands of his Government to place these facts before the Government of His Catholic Majesty, with the expression of the hope that orders will immediately and publicly be given 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 Catholic Majesty, in his compact with Great Britain for the abolition of the slave trade.

The undersigned avails himself, &amp;c.

His Excellency the Chevalier de Salmon,  
&c. &c. &c.

(signed) *F. Lamb.*

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

2d Enclosure  
in N<sup>o</sup> 1.  
(Translation.)

Sir,

Palace, January 17, 1827.

I RECEIVED the note which you did me the honour to address to me, dated 29th of last December, complaining that in the "Diario de Cadiz," of the 25th of the previous October, the sale of a negress was announced; and demanding, by reason thereof, the observance of the treaty of 1817, for the abolition of the slave trade, of which you believed that the above sale was an infraction; adding also, that that was not the first instance of similar advertisements in the said "Diario."

SPAIN.

Permit me, sir, to observe to you, that the treaty of 1817 cannot possess that latitude which, in the present question, is wished to be given to it. If now, and at other times, similar advertisements have found their way into the said "Diario," the acts to which they refer cannot be considered as being comprehended in the traffic which was abolished; but merely as the disposal of a property, which it is lawful for the owner to alienate, and which he can make over to another possessor, in virtue of a sale, or in any other manner; the more so as by enactment of the said treaty, the slavery of negroes, already introduced before its conclusion, was not abolished; and it is further therein stipulated, that a period shall be allowed in which more slaves may be introduced.

Moreover, the King, my august Lord, who has with such good faith coincided with the philanthropic ideas of His Britannic Majesty in this matter, has never desisted, and never will desist, from forwarding all the measures which the English government has adopted, and may still adopt, to prevent, in the Spanish dominions, the nefarious traffic in human beings; and to ensure more and more the accomplishment of what is stipulated—a fact well known to your Excellency.

This is what I have the honour to state to you, in reply to your note aforesaid; availing myself of this opportunity to assure you of my high consideration. God preserve you many years.

The Minister of England,  
&c. &c. &c.

(signed) *M. G. Salmon.*

N° 2.

N° 2.

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

Sir,

Foreign Office, February 26, 1827.

IN reference to my former despatches, on the subject of the slave vessel "Minerva," chased into the Havannah by His Majesty's ship "Pylades," and the detention of the steam vessel "Mexicano," for the conveyance of slaves from on board of the "Minerva;" I send to you the accompanying copy of a communication from the Admiralty, containing some further information upon these cases.

Of this information you will make what use shall appear to you to be advisable, in your communications with the Spanish government upon the subject.

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

(signed)

I am, &c.  
GEORGE CANNING.

Enclosure.

(A.)  
in N° 2.

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

Sir,

Admiralty Office, Feb. 3, 1827.

WITH reference to my letter to you of the 6th of December last, enclosing copies of a despatch from Vice Admiral Sir L. Halsted, respecting the slave trade carried on upon the coast of Cuba, I am commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, copies of another letter, and its enclosures, from Sir Lawrence Halsted, respecting the case of the "Minerva," slave vessel, chased into the Havannah by His Majesty's sloop "Pylades," and the detention of the "Mexicano" steam-boat, for having slaves on board.

Joseph Planta, jun. esq.  
&c. &c. &c.

I am, &c.  
(signed) *John Barrow.*

Enclosure.

(B.)  
in N° 2.

Vice Admiral Halsted to J. W. Croker, Esq.

Sir,

"Isis," in Port Royal Harbour, Jamaica,  
November 30, 1826.

BY the return of His Majesty's sloop "Pylades," I am enabled to transmit, for the information of the Lords Commissioners of the Admiralty, the duplicate affidavits of Lieutenants Hast and Nott, alluded to in my letter of the 29th September last, on the subject of the "Minerva," slave-schooner, chased into the port of Havannah, by the "Pylades" and of her subsequent detention of the "Mexicano," steam-boat, for having slaves on board.

Before Commander Jackson left the Havannah, he addressed a letter, of which the enclosed is a copy, to the captain-general, respecting the case of "the Minerva," and received the accompanying ambiguous reply, to which he adds, that he could not learn, either from Mr. Macleay, or any other person at Havannah, what judgment had been passed on the said schooner, or whether, in short, any at all had taken place, although the governor's reply seems to warrant the belief that a sentence of some nature has been recorded.

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

I have, &c.  
(signed) *L. W. Halsted,*  
Vice Admiral.

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Affidavit of Lieutenant Nott.

SEE Class B. 1826—1827. Page 23.

Enclosure.  
(C.)  
in N° 2.

Affidavit of Lieutenant Nott.

SEE Class B. 1826—1827. Page 28.

Enclosure.  
(D.)  
in N° 2.

Commander Jackson to the Captain General of Cuba.

Enclosure.  
(E.)  
in N° 2.

H. B. M. Sloop, "Pylades," Havannah,  
November 12, 1826.

Sir,

IN reply to my letter of the 18th of August, you were pleased to inform me, that the case of the schooner "Minerva," chased into this port by His Britannic Majesty's ship under my command, would be tried at the court of the captain general; and as considerable time has elapsed since an officer from this ship and the master of a merchant vessel gave evidence before the said court, I conclude, ere this, judgment may have been passed; if so, I shall feel obliged if you will cause me to be furnished with a copy thereof, that I may lay the same before my commander-in-chief.

I have, &c.

(signed) G. V. Jackson, Commander.

His Excellency, Captain General Vives,  
&c. &c. &c.

The Captain General of Cuba to Commander Jackson.

Enclosure.  
(F.)  
in N° 2.

Office of the Captain General of the ever faithful Island of Cuba.

Havannah, November 13, 1826.

IN reply to your letter of the 12th instant, requesting to be furnished with a copy of the sentence pronounced in the cause instituted in consequence of the arrival at this port of the schooner "Minerva," chased by the vessel under your command; I have to acquaint you, that agreeably to the royal order of the 2d of January last, the log-book of the said schooner was presented to his excellency the commandant general for the necessary examination, and that the determination of this captaincy-general was formed in conformity to justice, and to the tenour of the before-mentioned royal order.

God preserve you, &c.

(signed) J. D. Vives.

The Commander of the British Corvette "Pylades."

N° 3.

The Conde de la Alcludia to Mr. Secretary Canning.

N° 3.

(Translation.)

Portland-place, February 27, 1827.

THE undersigned, envoy extraordinary and minister plenipotentiary of his Catholic Majesty, has the honour to inform his Excellency the Right Hon. George Canning, principal secretary of state for foreign affairs, that he has received from his court a despatch, from which it appears, that on the 16th of August last, the "Minerva," Spanish schooner, proceeding from Porto Rico, put into Havannah; that it was afterwards ascertained that she had been chased at sea by the "Pylades" and "Magpie," English frigate and schooner; that the commander of the latter sent an officer to give information of the suspicions entertained in regard to that vessel, in order that the Captain-general might cause the necessary steps to be taken; that the latter did not lose a moment in directing to be adopted those enjoined by the royal order in a similar case, all which he proves by documents; and finally, that such was the diligence of the English agents on that occasion, that they obtained from the Spanish commandant of the marine, to permit an English officer, accompanied by a Spanish one, to go on board the "Minerva," for the purpose of making the examination which he should think proper.

The English Commissioners at Havannah insist, that the schooner not only entered with slaves on board, but that she landed at eleven o'clock at night, on



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one of the principal quays of the city, no fewer than from 2 to 300 negroes; as if they had been a contraband article of little bulk, and could have traversed that populous city through the midst of watchmen and patrols, without fearing that any one would obstruct the authors of such a crime. But, be that as it may, the commandant-general of the island, without loss of time, did all that his duty required to discover the fact, by pursuing the means prescribed by law; and the consequence is, that the summary process, and the inquiries instituted by the petty justices and the police, do not prove any such disembarkation on the quay.

The circumstance most to be regretted by the government of his Catholic Majesty in this transaction, is the correspondence which has taken place between the captain general of the isle of Cuba, and the British Commissioner, Mr. Macleay, and the demand made by the latter, no less than by his colleague, that English ships should examine the Spanish in the harbours of the island, and thus violate the immunity of the Spanish territory.

Another subject of regret, as natural, is, that the English Commissioners show a disposition, unjustly to impute to the authorities of the King of Spain in that island a connivance at the persons engaged in the contraband traffic in negroes, which, in the same manner as every other, though it may be tolerated in spite of the rigour of the laws, by inferior agents, cannot easily be countenanced by the first authorities, as Mr. Macleay supposes in the case of the "Minerva."

The undersigned does not imagine, that, in consideration of what he has just stated, it can escape the good faith of the British cabinet, that the government of his Catholic Majesty has well founded reasons for calling its impartial attention to the conduct of the English agents in this transaction.

The probity of General Vives is notorious, no less than his invariable prudence and moderation; and his Catholic Majesty has not any motive for suspecting that the information of that general can be either inaccurate, or coloured by passion. On the other hand, his Excellency the Right Hon. the principal Secretary of State knows, likewise, how desirous the Spanish cabinet is to draw more and more close the ties of good harmony, and the friendly relations, with the government of his Britannic Majesty. And to remove whatever obstacles might arise contrary to that resolution, and not venturing to doubt that the sentiments which animate the English government are the same, and conformable to that resolution, he has no reason to apprehend that the latter would not concur in this purpose by all regular and necessary means.

The undersigned leaves it to the well known penetration of his Excellency to judge, from what has occurred, with regard to the English Commissioners at the Havannah, whether it be possible, that between them and the commandant-general of the isle of Cuba, there can, for the future, subsist the good understanding, and proper correspondence, indispensable for preventing a recurrence of incidents so unpleasant. How, in the sequel, can faith be reposed in the first authorities of the island, and how can the consideration due to them be paid, by those who, doubtless prompted by over zeal, were capable of suspecting the former of connivance at a supposed crime, and of refusing credit to their assurances, supported as they were by the most scrupulous investigations? Or how shall those authorities be able to correspond or have intercourse with agents who have wounded the delicacy of the former, and who do not place in them the just and necessary confidence?

This delicate consideration cannot fail to occur to his Excellency, among several others, such as that of the improper demand of the Commissioners respecting the examination of Spanish ships in general, in the harbours of the island, by the English. It would be an insult to the enlightened judgment of his Excellency the Right Hon. George Canning, to suppose he would not perceive how indispensable it is to adopt a measure capable of preventing further differences between the authorities of the isle of Cuba, and the British Agents, whether it be that of removing the latter, as the most efficacious means of obviating fresh dissensions, or at least that of reprimanding them becomingly, in order that they may in future keep within the bounds of their competency, and may refrain from unfounded accusations, and unjust demands.

The undersigned, in thus complying with the orders of the King, his august master, is confident that his Excellency the Right Hon. George Canning will give due weight to the powerful reasons which induce the Spanish government to prefer the present amicable representation, and that in conveying the whole exposition to the

the knowledge of His Britannic Majesty, his Excellency influenced by his well known upright intentions will be pleased to evince them, as on other occasions, by procuring an adequate result.

In the mean time he requests his Excellency to receive, &c.

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

*The Conde de la Alcudia.*

N<sup>o</sup> 4.

The Conde de la Alcudia to Mr. Secretary Canning.

N<sup>o</sup> 4.

(Translation.)

Portland-place, March 8, 1827.

FROM an attentive perusal of the documents relative to what occurred at Havannah, respecting the Spanish schooner "Minerva," the undersigned, envoy extraordinary and minister plenipotentiary of his Catholic Majesty, in enclosing a copy of those documents to his Excellency the Right honourable George Canning, principal Secretary of State for Foreign Affairs, deems it his duty, with the view of corroborating what he had the honour to state to his Excellency in his note of the 27th of February ultimo, to recur to, and to enlarge upon, some points, which will procure for the justice of the complaint preferred by the Spanish government a more favourable reception from the enlightened judgment of his Excellency.

It appears to the undersigned, that by confining himself to the examination of the three last documents, numbered 8, 9, and 10, he will have sufficient matter for discussing the subject under consideration.

The letter of the captain-general of the isle of Cuba to the British Commissioner, Mr. Macleay, dated the 19th of August, ought, it would seem, not to have occasioned at that time any further answers; when, to satisfy the apprehensions of the English Commissioner and commanders, he declared that the matter was consigned to the impartiality of the laws, as laid down in the treaty of 1817, in the additional articles, and in the royal order of the 2d of January of last year. And it seems that the guarantee of the first authority of the island ought to have deserved some confidence, at least in so far as to induce them to await the result of the judicial investigations. Nevertheless, Mr. Macleay thinking differently, exceeded his powers, and brought unfounded prejudices to bear, in a more or less direct manner, upon the measures taken by authority.

With respect to the presumed deference of Lieutenant Smith, in not venturing to detain the "Minerva," in the port of Havannah itself, with the view of surrendering her to the Mixed Commission; this presumed deference of Lieutenant Smith, Mr. Macleay is inclined to explain, by his having acted on a real sense of obligation; and though in appearance he admits the propriety of the denial of the captain-general, yet immediately afterwards he manifests an inconceivable doubt, as to whether the treaty limits the detention of negro-vessels to their being at sea, a doubt which General Vives removes in his answer, by referring to the treaty in question, and to the King's ordinance of the 10th of February of last year, respecting the additional articles.

But supposing, even gratuitously, that this were not conclusive, the very silence of the treaty upon a point so delicate and important would argue in favour of the real rights of his Catholic Majesty. The undersigned is very far from pretending to clear up such a topic in transacting with a statesman so conversant with the law of nations as the Right honourable Secretary of State, to whom he has the honour to address himself; but this very persuasion induces him to convince himself that he shall not be at variance with his Excellency's opinion, when he maintains that his Catholic Majesty could not, either explicitly or tacitly, desire to renounce his essential rights, and much less to consent to the violation of his territory, in prejudice of the high consideration and respect which nations owe to each other, and that a Spanish vessel should be captured in a harbour of his dominions, and in sight of the authorities constituted by him, whatever motives might be alleged for such a practice. Besides, if, in virtue of the first article of the instructions for the ships of war of both nations, directed to prevent the slave trade, those ships are autho-

rized

SPAIN.

rized according to article 9 of the treaty, to conduct the detained vessels, to be adjudged by one of the Mixed Commissions to which they may happen to be nearest, it appears natural, that it is for the said Mixed Commission alone to decide upon the legality of the detention of the suspected vessel, conformably with Article 1 of the regulations for the commission, whenever the prize shall have been taken by the cruiser without the port, as must be concluded from the circumstance of its being necessary to carry her to the port where the commission may chance to reside; otherwise, if the prize have not been captured by cruisers, it is understood that the vessel must continue solely under the power of the supreme authority of the island, to which the previous examination of the business belongs. Hence it was by no means competent to Lieutenant Smith, as an officer of the British navy, to assume the power which he imagined he might possess, with regard to the detention of the "Minerva," in the port of the Havannah. Another assertion, no less unfounded and injurious to those whom it concerns, is that brought forward by Mr. Macleay, with an intention totally alien to the amicable relations which have subsisted, till the occurrence of the present case, between the British Commissioners and the authorities of the isle of Cuba. The good faith and impartial judgment of his Excellency the principal Secretary of State will do adequate justice to the odious inculpation with which Mr. Macleay has attempted to sully the good name, and unexceptionable reputation of the first authorities of the island, by insinuating, though merely as a supposition, that they might participate in the transgression of the laws, and by wishing thereby to account for the circumstance of the police of the city having forborne to denounce the supposed disembarkation of slaves. It is really inconceivable how Mr. Macleay, laying aside every consideration of delicacy, and the good opinion which the past conduct and well known disposition of these authorities ought to have deserved at his hands, could go out of his way to seek, in the idle talk of the populace, in which malice or concealed interests frequently will have a large share, materials for establishing suspicions which he imagined to be founded in fact. The British government, in its enlightened wisdom, cannot but take into consideration all the inconveniences and ill consequences which might result from the adoption of such a system of investigation, and of a method, as rash as it is erroneous and prejudicial, of forming opinions on matters alike delicate and extremely important. The good harmony and pacific relations of powers to each other would be very transient, if inferior agents could, on data of such a singular nature, pronounce judgment upon the proceedings and conduct of the principal authorities of their respective governments. Waving the other points, which in estimation of the undersigned are sufficiently discussed in the enclosed correspondence of the captain-general of the isle of Cuba, he has only to call the attention of his Excellency the Right honourable George Canning, to the mistaken inference drawn by Mr. Macleay, from what the Captain-general Vives says in his letter of the 19th of August, namely,—

"Every facility which was desired has been afforded to put to the test the suspicions concerning the place from whence the schooner 'Minerva' proceeded, and, among the rest, Lieutenant Smith was empowered by an order, accompanied by an adjutant of the commandant-general of this naval station, to repair, as he did, on board the 'Minerva.'"

In the whole passage referred to by Mr. Macleay, there is not the least expression to show that the captain-general of the isle of Cuba had approved of the permission given to Lieutenant Smith, and it was manifestly the effect of mere politeness in the commandant of the naval station, without any approbation on the part of the superior authority; because such an approbation, as is very well observed by the captain-general, might appear to some to legitimate in an indirect manner the examination of a Spanish vessel in the ports of the possessions of his Catholic Majesty by a British ship of war, and perhaps be considered, under a certain point of view, as a precedent to which appeal might be justifiably made in other cases of a similar description, which the declaration of General Vives completely disavows. It is, on the other hand, so evident that the Commissioner Macleay is himself apprehensive of having exceeded his powers, that towards the end of his letter of the 21st of August he takes pains to obliterate the unfavourable impression which his conduct may have produced, by clearly and explicitly acknowledging, that the investigation of the case in question exclusively belongs to the captain-general of the island, and he at the same time ingenuously manifests his fear of having said more than was competent to him, and than was necessary.

To resume the grievances; it is apparent that four principal points may serve as a basis to the just complaint of the government of his Majesty the King of Spain against the individuals of the British Commission in Havannah.

1st.—That Mr. Macleay has exceeded his powers, by manifestations and proceedings beyond his competency.

2d.—That he has in a certain manner appeared to subscribe to the strange pretension of Lieutenant Smith, respecting the right of detention in a Spanish port by an English ship.

3d.—That he has cast an offensive imputation upon the principal authorities of his Catholic Majesty, in the isle of Cuba, in regard to the supposed landing of slaves, without any regard for those authorities, and without any respect for the sovereign who has constituted and reposed in them the most just confidence.

4th.—That he has attempted, in an underhand manner, which is contrary to all good faith, to establish a precedent prejudicial to the rights of Spain, with respect to the examination of the vessels of that power, by English cruizers, in ports belonging to the territory of his Catholic Majesty.

The undersigned, prompted by motives so legitimate, ventures, in the name of his Catholic Majesty, to request of the good disposition of the British cabinet the removal of commissioners who have transgressed their duties in so manifest a manner. This is authorized by Article 11 of the regulations for the Mixed Commissions, annexed to the treaty of 1817; but it is yet more powerfully required by the anxious and constant desire of his Catholic Majesty to remove whatever might serve as an obstacle to the preservation of the amicable relations subsisting between Great Britain and Spain, and with which His Majesty is persuaded that his Britannic Majesty is equally animated. And the undersigned, who again refers to the observations submitted to the impartial and mature judgment of his Excellency the Right honourable George Canning, in his preceding note of 27th February relative to the same subject, is of opinion, that the British agents in question cannot continue in situations which, from their nature, may oblige them to enter into immediate correspondence with the supreme authorities, of whom they have manifested the most unjust distrust, and which, on their part, indignant at behaviour so little merited, must find it very difficult to have any intercourse satisfactory to themselves with agents prejudiced against them. His Excellency will assuredly not be able to conceal from himself this truth, which rests on the knowledge of the human passions.

The British cabinet will find no difficulty in persuading itself, that it is not in the least, or in the most remote sense possible, the intention of the Spanish government to demand from it an act of condescension which might shock its dignity, or be in opposition to the powers given by it; but the Spanish government only desires that a measure may be adopted which is imperiously called for by the respective situation of the British Commissioners, and of the authorities of the isle of Cuba, lest the difference between the two parties should render irksome the punctual observance of the treaty of 1817, in opposition to the sentiments of humanity that dictated it; and, as has already been observed lest fresh misunderstandings should arise, consequent upon such a state of things.

But if, notwithstanding what has been above stated, the English cabinet believes, in opposition to the opinion submitted by the undersigned, that it would be a sufficient and efficacious measure strongly to reprimand the Commissioners, in order that, for the future, they may not deviate from the powers with which they are invested, and that they may be more circumspect in the judgment which they may form, and more courteous in their communications, the undersigned leaves it to the well-intentioned consideration of his Excellency the Right honourable George Canning, to put in practice what may be sufficient for the object in view.

In the mean time, having endeavoured to comply, as in duty bound, with the instructions from his court, the undersigned avails himself, &c.

The Right Hon. George Canning, (signed) *The Conde de la Alcudia.*  
&c. &c. &c.

Lieutenant Smith to the Captain General of Cuba.

See Class A. 1826—1827. Page 132.

Enclosure.  
(A.)  
in N° 4.

## SPAIN.

Enclosure.  
(B.)  
in N° 4.  
(Translation.)

The Captain General of Cuba to Lieutenant Smith.

See Class A. 1826—1827. Page 126.

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Enclosure.  
(C.)  
in N° 4.  
(Translation.)

The Captain General of Cuba to Vice Admiral Halsted.

Havannah, August 17, 1826.

UNDER date of this day the commander of His Britannic Majesty's schooner "Magpie," says to me, what (translated,) is as follows:—

"Here follows the letter of Lieutenant Smith," (Enclosure A.)

Which I transmit to you for your information, and for the purposes resulting from the treaty as to the affair: for which object I enclose you a copy of the reply sent by me to the commander of the said schooner.

The Commandant General of the Naval  
Forces on this Station.

God preserve you, &c.  
(signed)

*F. D. Vives.*

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Enclosure.  
(D.)  
in N° 4.

Commander Jackson to the Captain General of Cuba.

See Class A. 1826—1827. Page 131.

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Enclosure.  
(E.)  
in N° 4.

The Captain General of Cuba to Commander Jackson.

See Class A. 1826—1827. Page 126.

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Enclosure.  
(F.)  
in N° 4.

The British Commissioner of Arbitration to the Captain General of Cuba.

See Class A. 1826—1827. Page 125.

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Enclosure.  
(G.)  
in N° 4.

Captain Jackson to W. S. Macleay, Esquire.

See Class A. 1826—1827. Page 124.

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Enclosure.  
(H.)  
in N° 4.

The Captain General of Cuba to the British Commissioner of Arbitration.

See Class A. 1826—1827. Page 126.

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Enclosure.  
(I.)  
in N° 4.

The British Commissioner of Arbitration to the Captain General of Cuba.

See Class A. 1826—1827. Page 127.

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Enclosure.  
(J.)  
in N° 4.

The Captain General of Cuba to the British Commissioner of Arbitration.

See Class A. 1826—1827. Page 129.

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## N° 5.

N° 5.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received March 9.)

Sir,

Madrid, February 21, 1827.

I HAVE the honour to enclose copies of a correspondence which has passed between me and the Spanish Minister, upon the subject of the cases of the "Minerva," and "Magico," slave vessels, detailed in your despatches of the 10th November and 15th December, of last year.

The government of his Catholic Majesty appear to think, that His Majesty's Commissioners at the Havannah assumed, upon this occasion, an authority inadmissible by the captain-general, and which did not properly belong to their office, which is limited, in their opinion, to the examination and decision of such cases of illegal slave trading as may be brought before the Mixed Court for adjudication.

That a good understanding should exist between the Commissioners and the local authorities appears essential to the cause of the abolition. I have not, therefore,

therefore, deemed it expedient to return any reply to the note of M. Salmon, leaving it to His Majesty's Government to adopt such steps in the matter as they may deem expedient.

From M. Salmon's conversation, it would appear not to be improbable, that an application may be made to His Majesty's Government for the removal of the Mixed Commission from the Havannah to some other situation, so onerous is the accumulation of free negroes, from the condemnation of slave vessels in that port, felt to be. A proposition was hinted at to me, for transporting them back to Africa, at the joint expense of the two governments; but I gave no encouragement to the idea, representing that the best mode of preventing the increase of their numbers, would be in the diminution of slaving enterprises, by the signature of the additional article.

I have the honour, &c.

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

(signed) *F. Lamb.*

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

1st Enclosure  
in N<sup>o</sup> 5.

Madrid, January 24, 1827.

THE Undersigned, &c. has received the instructions of his government to acquaint his excellency the Chevalier de Salmon, &c. that despatches have been received from His Majesty's commissioners at the Havannah, and from the commander of His Majesty's naval forces in the West Indies, which prove most clearly that the royal order transmitted from Madrid to the Havannah, for the effectual execution of the stipulations on African slave trade, is become a mere dead letter, and that the colonial authorities of his Catholic Majesty, even the very highest, to whom the execution of this order was especially confided, not only connive at the evasion of it, but openly show 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 Catholic Majesty's flag) 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 commencing 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 Porto 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 cruiser, and that the case of 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 evidence the capture was made dared not to 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 one of the officers and the men belonged, who had witnessed the disembarkation of the slaves, that he offered to take their depositions.

The particulars of these two cases are fully detailed in the enclosed papers, which will be found to contain such incontrovertible evidence of the shameless and notorious manner in which the slave trade is now carried on at Cuba, as will no doubt excite the astonishment of the government of his Catholic Majesty.

After the countenance which has been thus openly given to the perpetrators of an act of slave trading, so publicly committed as to be matter of joke and general conversation among the inhabitants, the condemnation of the "Minerva," by the Court of Admiralty, is hardly to be expected, and even such condemnation would, after what has passed, be of little effect in preventing a recurrence of such proceedings.

The same protection which is afforded to the slave traders by the authorities of the Havannah appears likewise to be extended to them by the commanders of his Catholic Majesty's cruisers, as his excellency the Chevalier de Salmon will perceive by the enclosed

despatch

## SPAIN.

despatch from the commander of one of His Majesty's ships of war, detailing the particulars of the examination of the "Dichosa," when under convoy of the Spanish brigantine of war the "Bellona."\*

The extraordinary conduct of these authorities can only be explained by a suspicion, which cannot but be attached to it, 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.

In bringing these facts to the knowledge of the government of his Catholic Majesty, the undersigned is instructed to acquaint the Chevalier de Salmon, that His Majesty's government do not presume to judge what steps it will be necessary for the government of his Catholic Majesty to take, in respect to the authorities, who have thus acted in direct opposition to the instructions, and abused the high power intrusted to them by their Sovereign; but that unless some steps be taken by the government of his Catholic Majesty 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 as the safest mode of ensuring the success of their undertaking.

The undersigned avails himself, &c.  
(signed) *F. Lamb.*

His Excellency the Chevalier de Salmon,  
&c. &c. &c.

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

2d Enclosure  
in N° 5.  
(Translation.)

Honoured Sir,

Palace, 18th February 1827.

ON the 24th January last you had the goodness, by order of your government, to address to me a note enclosing a variety of documents, and complaining of the conduct of the principal authorities of Havannah, on account of the participation, of which they are suspected, in the clandestine slave trade; to prove which, the English government refers to several cases specified in that note, and particularly to that of the Spanish schooner "Minerva," which is affirmed by the officers of the English navy to have imported into Havannah a complete cargo of negroes.

When your above-mentioned note came to hand, the King my master was already informed of the case of the "Minerva," for, on the 29th August of last year, the commandant-general of the Isle of Cuba had sent over a circumstantial account of the whole transaction, accompanying his narrative with all the documents which might substantiate it. Some of them are the same of which you, Sir, have transmitted copies to me, and they, as well as the others, tend not only to justify his conduct in the case in question, but the well-founded complaints which that captain-general prefers of the immoderate latitude which the English Commissioners of that Mixed Commission attempt to give to their powers, inasmuch as, exceeding the limits of those powers, they insist on the English officers being allowed to search the Spanish vessels within the harbour, and they criminate the principal authorities, and the captain-general himself, for tolerating the practice of which you, Sir, complain, though no such toleration exists.

This unfounded inculpation has given rise to the just indignation of General Vives, who is invested with the supreme command of the island, and who, under the idea of his honour being wounded, has solicited of the King my master either his own removal from a command which he cannot hold with the honour indispensably necessary, or that application might be made to the English government to recall the commissioner, Mr. Macleay, of whom he has the most motives to complain, or at least to intimate to him and to his colleague, Mr. Kilbee, in a peremptory and positive manner, not to exceed in future the powers assigned them by the treaty, and by the instructions emanating from it.

His Catholic Majesty being convinced, by the exposition of General Vives, and by the documents on which it is founded, of the justice of his complaints, had already directed his minister in London to address to the Right hon. George Canning a note on the subject, and to request either the removal of Mr. Macleay, or the making out of the orders just mentioned to him and his colleague, Mr. Kilbee, to refrain in future from the immoderate pretensions alluded to.

I had no sooner given the necessary instructions to the minister of the King my master in London, than I received your note, Sir; and having laid its contents before his Majesty, he has commanded me to transmit, as I shall do this very day, to his Majesty's minister all the documents which have been sent over from Havannah, with a view to the ulterior support and elucidation of the complaint which he will already have presented.

Though what I have just had the honour to observe to you, Sir, may be considered as a reply to your note, in the case of the "Minerva," yet must I beg leave to add, that the delicacy and warmth of General Vives cannot fail to be considered as just, particularly since he

\* See Class B. 1826-1827.

he has shown that on his part he had fulfilled every duty required by the treaty, by the regulations annexed to it, and by the orders subsequently issued.

The excessive ardour always displayed by the English government, and by the English nation in general, on the subject of the abolition of the slave trade, appears even with more vehemence in the English agents and functionaries, when called upon to interfere; and thus it has happened in respect to the activity of the English officers of the "Pylades" and "Magpie," the ships that gave chase to the "Minerva," which activity afforded occasion for the perhaps indiscreet zeal of the commissioner Macleay, and to the complaint of his government. The connivance, however, of General Vives, and of the other principal authorities of the Isle of Cuba, which it is attempted to charge on them, is not proved by the representations which they have themselves addressed to the King my master, on the inconveniences and dangers which they apprehend will result to the preservation of the island from the prodigious number of free negroes emancipated in consequence of the sentences passed upon prizes adjudged by the Mixed Commission, and who continue in that island in the enjoyment of their liberty—dangers and inconveniences which may become horrible and disastrous to the whole population, as you, Sir, may easily imagine, and the more so if you call to your recollection what occurred not many years ago in an island adjacent to Cuba. This multitude of negroes, freed on occasion of the condemnation of vessels, proves, doubtless, the wickedness and cupidity of those who dare to continue the traffic; it proves that, in fact, the scandalous contraband trade under consideration is carried on, but at the same time it gives not the least countenance to any idea of connivance at those interested in it by General Vives, by the Spanish Commissioners, and by the other authorities of Havannah; for if they connived at it, the number of beings as unfortunate as they are injurious, when considered in the character of free inhabitants of that country, would be undoubtedly smaller.

I do myself the honour to communicate to you, Sir, the above, by way of reply to your note of January 24th, in case you should wish to transmit my observations to your government, in compliance with the orders which you received to make this complaint.

I am happy in availing myself, &c.

(signed) *Manuel Gonzalez Salmon.*

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

N° 6.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received March 9.)

N° 6.

(Extract.)

Madrid, February 21, 1827.

MR. SALMON informs me that his opinion has been given in favour of the signature of the additional article; that it has passed the committee of five, and is now before the council of state, where there is little doubt of its being adopted.

(signed) *F. Lamb.*

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

N° 7.

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

N° 7.

Sir,

Foreign Office, March 26, 1827.

I SEND to you the accompanying copy of a despatch which I have received from His Majesty's Commissioners at the Havannah, dated the 1st of January last, containing a general report upon the subject of the illicit slave trade, carried on with the island of Cuba.

You will make of the contents of this paper what use you shall see to be expedient, for strengthening your representations with the government of his Catholic Majesty, against the prevalence of the slave trade in that island.

I am, &c.

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

(signed) **GEORGE CANNING.**



SPAIN.

N° 8.

N° 8.

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

Sir,

Foreign Office, March 26, 1827.

IN reference to former correspondence on the subject of the proposed removal of the Mixed Commission, now resident at Sierra Leone, to the island of Fernando Po, I have now to instruct you to notify to the government of his Catholic Majesty, that His Majesty has directed the necessary measures to be taken, to form an establishment on the island capable of receiving the Commission; and that when it is in a fit state for that purpose, His Majesty will direct that a further communication shall be made to his Catholic Majesty, in conformity with the wish expressed in the note addressed to you by the Duke del Infantado, of the 3d April 1824.

I send to you, for your information, the copy of the communication which has been received at this office, from the colonial department,\* showing the steps in progress towards forming the arrangements in question.

I am, &amp;c.

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

(signed)

GEORGE CANNING.

N° 9.

N° 9.

The Right Hon. F. Lamb to Mr. Secretary Canning.—(Received April 18.)

Sir,

Madrid, April 5, 1827.

I HAVE the honour to acknowledge the receipt of your despatch of the 26th February of the present year, forwarding some additional documents on the subject of the proceedings at the Havannah, in the cases of the "Minerva" and "Mexicano."

The Spanish government having already replied to the note addressed by me to M. Salmon, respecting the conduct of the Spanish authorities in the island of Cuba, and being fully acquainted with all the particulars of the above cases, there does not appear any necessity for renewing the discussion at present.

I have the honour to be, &amp;c.

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

(signed) F. Lamb.

N° 10.

N° 10.

Viscount Dudley to the Conde de la Alcudia.

Foreign Office, April 30, 1827.

THE Undersigned, &c. has the honour to acknowledge the receipt of the notes which were addressed to His Majesty's Secretary of State for Foreign Affairs, on the 27th of February, and on the 8th of March 1827, by the Conde de la Alcudia, &c.

In these notes, the Conde de la Alcudia requires, in the name of his government, that either the Commission now at the Havannah may be removed to some other place, or that the Commissioners themselves may be removed, or that Mr. Macleay, one of the Commissioners, may receive a severe reprimand.

The ground on which these demands are made is, that in the case of the "Minerva," a vessel charged with trading in slaves, His Majesty's Commissioners have, in the mode of conducting their inquiries, exceeded the power delegated to them, under the treaty of 1817, and that they have, in an improper tone, expressed very unjust suspicions in their communications with the local authorities of his Catholic Majesty in Cuba, upon the subject of the "Minerva."

This

\* See Enclosure in N° 5, Class A.

This case has been considered by His Majesty's Government, with an anxious desire to afford to that of Spain every explanation which the importance of the subject demanded; and the observations and the determination which follow are the result of that consideration.

The undersigned must, in the first place, observe to the Conde de la Alcudia, that it appears to have been proved, in a manner which admits of no doubt whatever, that the vessel, the "Minerva," *did* import a cargo of slaves from Africa, in contravention of the treaty by which Spain and Great Britain are bound to each other to abolish effectually the traffic in slaves.

If the Conde de la Alcudia will look at the decided and explicit declarations of the treaty, and if he will only bear in mind, that in a colony of his Catholic Majesty is established one of the Mixed Commissions, for the existence and functions of which that treaty provides, he will perceive and acknowledge the existence of virtual engagements between the two countries, for the co-operation of the Spanish local authorities, in preventing, by the exercise of the strictest vigilance, all violation of the stipulations of that compact.

Not only a right, therefore, but a real and conscientious obligation exists on the part of His Majesty to inquire, through the medium of a Mixed Commission Court, established at the Havannah, how far the stipulations of the treaty are in this respect fulfilled.

And here the British Government must, in justice to the captain-general of the Havannah, observe, that his Excellency appears not to have discouraged communications on this subject from the British Commissioners; but to have been desirous of receiving from them any information that might be important to the attainment of the common object in view.

If the acts and letters of Lieutenant Smith, Captain Jackson, and of Mr. Macleay, are considered with reference to such a state of things, the undersigned feels confident that they will be found to evince, on their part, only a strong disposition to avoid interference with the local authorities, so far as was consistent with the duty of exercising on this subject that vigilance which the whole tenour of the proceedings under the treaty prescribes to them as a positive duty.

The undersigned regrets to perceive that certain expressions and particular topics in the letters of the British Commissioners, which could not have been designed to give offence, are brought forward in the note of the Conde de la Alcudia as just matter for complaint, and are, moreover, greatly exaggerated.

The suggestions of the Commissioners do not necessarily implicate the government of Spain, or the captain-general, in a wilful encouragement of the abuses admitted to exist; and the recommendation which the Commissioners express, that the government of Spain should be requested to intrust the captain-general with fuller powers to adopt a more effectual system on his own responsibility, according to circumstances, implies a contrary supposition, and a reliance on the honour and probity of the captain-general.

In regard to the general question raised on these proceedings, the Conde de la Alcudia cannot but be sensible, that the wish expressed on the part of Spain to remove the Mixed Commission Court from the Havannah would almost amount to a renunciation of the treaty. His Catholic Majesty's government will, upon further consideration, no doubt feel that such a demand cannot be complied with.

The removal of either of the Commissioners, on the grounds stated, would be also very prejudicial to the maintenance of a proper vigilance on the part of the British Commissioners in future cases.

No complaint of injustice, the only cause of removal contemplated in the treaty, exists against either of His Majesty's Commissioners, nor does there appear, even on the showing of the Spanish governor, to have been any thing in the conduct of Mr. Macleay, which entitles Spain to demand that the censure required should be passed upon him by his government.

It is undoubtedly the duty of that officer to act with the greatest respect towards the captain-general; and the undersigned with pleasure remarks, that this sentiment of respect appears to have been sincerely and deservedly entertained by Mr. Macleay.

It may be within the range of possibility, perhaps, for the Commissioners to act with greater caution and reserve than may have been the case on this occasion.

An admonition to this effect will be given to them, in compliance with the request of the Spanish government.

On the other hand, it is clearly shown, that abuses do still prevail in the continuance of the slave trade, on the part of individuals in Cuba, and if the Govern-  
general

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general has not been enabled as yet to enforce, with proper strictness, the obligations of the treaty, or the local ordinances that have been issued, on the subject of the clandestine trading in slaves, the representations of His Majesty's Commissioners to that effect are to be considered as plain statements of a fact to be regretted, and are not to be taken as a subject of complaint against an officer, who may have found it, as yet, impossible to prevent the practices which continue, in so many different shapes, in defiance of the law.

In this view, the general conduct and the language of His Majesty's Commissioners will, the undersigned believes, appear to have been restricted to those limits, within which, as before observed, it is right and proper that they should confine themselves.

The undersigned, however, cannot conclude this note without reminding the Conde de la Alcu<sup>dia</sup>, and through him, the government of his Catholic Majesty, that this very case gives too much reason for the renewal of the request so often made, and which the undersigned accordingly does now renew, that some more decisive measures may be adopted on the part of Spain, to secure from the local authorities of the Spanish colonies, that effectual vigilance in the execution of their functions under the treaty with Great Britain, which shall prevent the recurrence of such abuses as were practised in the case of the "Minerva."

The Conde de la Alcu<sup>dia</sup>,  
&c. &c. &c.

The undersigned, &c.

(signed) DUDLEY.

N<sup>o</sup> 11.

N<sup>o</sup> 11.

The Conde de la Alcu<sup>dia</sup> to Viscount Dudley.

(Translation.)

Portland-place, May 3, 1827.

THE Undersigned, envoy extraordinary and minister plenipotentiary of his Catholic Majesty, has the honour to acknowledge the receipt of the note which his Excellency Lord Viscount Dudley, His Britannic Majesty's principal secretary of state for foreign affairs, addressed to him, under date of the 30th April last, in reply to the notes of the undersigned of the 27th February and 8th March, relative to what occurred at Havannah, in respect to the "Minerva," Spanish schooner.

It being his intention to transmit the contents of this reply to his government by the first mail, the undersigned is of opinion, that he need not for the present make any observations on certain essential points; but it ought not to be passed over in silence, that the dictates of his own conscience and those of truth impose upon him the immediate obligation of clearing up a most important passage in his above-mentioned notes, which has not been understood as it could have been wished; and it is to this subject only that he intends to confine himself in the present brief and partial answer.

His Excellency the Right Hon. Lord Dudley observes, that the undersigned had requested, in the name of his government, that the Commission now established at Havannah might be transferred to some other point. The undersigned is unable to conceal, how much he was surprised at reading the assertion of his having been capable to mistake, in so egregious a manner, the instructions of his Court, and of preferring a demand which could not have exempted him from a heavy responsibility as it is not founded either on any convenient authorization, or on the letter of the treaty of 1817; and in order more positively to ascertain the ground of his confidence, he instantly examined with the greatest attention the contents of his notes of the 27th February and 8th of March, and is sorry to be obliged to manifest an opinion at variance with that of the right hon. principal secretary of state, inasmuch as he has not found, in what he had the honour to communicate in them, the most remote or most indirect idea which might have afforded occasion for believing, or assuming in any way, that he had ventured to request, or had actually requested, the removal of the Mixed Commission established at Havannah to any other quarter.

The undersigned begs leave earnestly to entreat his Excellency to be pleased once more to inspect the originals of his just mentioned notes, and he makes bold to flatter himself, that his Excellency will do him the justice finally to coincide with him in the opinion which he has stated above.

It

It was indispensable, as his Excellency will be aware, for the satisfaction of the undersigned, and for that of his government, to give without delay the present explanation, and not to allow the continuance of an incorrect construction, as easy to be proved and rectified, as it would be inconvenient to countenance even by the shortest silence.

Thus much he thinks it right to state for the present to his Excellency the Right Hon. Secretary of State, and he avails himself, &c.

(signed) *The Conde de la Alcudia.*

His Excellency Lord Viscount Dudley,  
&c. &c. &c.

## N° 12.

Viscount Dudley to the Conde de la Alcudia.

N° 12.

Foreign Office, May 8, 1827.

THE Undersigned, &c. has had the honour to receive the note which was addressed to him, under date of the 3d of May, by the Conde de la Alcudia, &c.

The undersigned perceives with great satisfaction that an ambiguous expression, respecting the removal of His Majesty's Commissioners at the Havannah, in the note of the Conde de la Alcudia of the 27th February, and in that of the 8th of March last, was not used by the Conde de la Alcudia in the particular sense which it appeared to the undersigned to convey.

The undersigned takes this opportunity of explaining to the Conde de la Alcudia in what manner he was led to put upon the expression in question the construction which the Conde de la Alcudia has now disclaimed.

The particular complaint which it was the object of the Conde de la Alcudia's note to prefer was against one individual by name, but the remedy suggested not having been limited to the removal of that individual alone but to the removal of "the Commissioners, as the most efficacious means of obviating fresh dissensions," and this suggestion having been further explained in the Conde de la Alcudia's note of the 8th of March, by the proposition that the above-mentioned British agents should not continue "in situations which, from their nature, may oblige them to enter into immediate correspondence with the supreme authorities of the Havannah."

The undersigned trusts that the Conde de la Alcudia will perceive, that the undersigned might naturally infer that the Conde de la Alcudia's suggestion was levelled, not merely against the two British Commissioners (against one of whom there was no complaint), but against the arrangement which placed the commission itself in contact with the local authorities at the Havannah, and which was, consequently, liable to produce the collision which the Conde de la Alcudia was so anxious to avoid. But, whatever interpretation the expression in question may be capable of receiving, the undersigned is happy to be assured, by the explanation of the Conde de la Alcudia, that it was not used by the Conde de la Alcudia in the sense in which the undersigned understood it.

The undersigned, &c.

The Conde de la Alcudia,  
&c. &c. &c.

(signed) DUDLEY.

## N° 13.

Viscount Dudley to the Right Hon. F. Lamb.

N° 13.

Sir,

Foreign Office, May 8, 1827.

IN reference to your dispatch of the 21st of February last, I send to you, for your information, and for your guidance in your communications with the Spanish ministry, the accompanying copies of a correspondence with the Conde de la Alcudia, on the subject of the charge brought forward by the Spanish ministry against His Majesty's Commissioners resident at the Havannah, that they had acted improperly, and used unfitting language in prosecuting their inquiries

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inquiries with the local authorities of Cuba, as to the due execution of the treaty with Spain.

I send to you also, for your information, the accompanying copy of a dispatch which I have addressed upon the subject to His Majesty's Commissioners at the Havannah.

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

I am, &c.  
(signed) DUDLEY.

N° 14.

N° 14.

Viscount Dudley to the Right Hon. F. Lamb.

Sir,

Foreign Office, May 3, 1827.

IN reference to former dispatches, addressed to you by His Majesty's Secretary of State, on the subject of the inefficacy of the royal order of Madrid, of January 1826, as it is at present administered in the island of Cuba, for the prevention and punishment of illicit slave trade in that island, I send to you the accompanying copies of two dispatches, which I have received upon this subject, from His Majesty's Commissioners at the Havannah, dated the 28th of February, and 19th of March, last.

You will, when occasion allows, strengthen, by the facts and reasonings contained in the enclosed communications, those representations which you have already been directed to make to the Spanish government, upon the subject of the inefficacy of the order in question.

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

I am, &c.  
(signed) DUDLEY.

N° 15.

N° 15.

Viscount Dudley to the Right Hon. F. Lamb.

Sir,

Foreign Office, May 22, 1827.

I HEREWITH transmit to you, for your information, two copies 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.

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

I am, &c.  
(signed) DUDLEY.

N° 16.

N° 16.

The Right Hon. F. Lamb to Viscount Dudley.—(Received June 10.)

My Lord,

Aranjuez, June 1, 1827.

I HAVE the honour to acknowledge the receipt of your Lordship's dispatches of the 8th May of the present year, with their several enclosures, and shall take the earliest opportunity of bringing the contents of these papers to the knowledge of the Spanish Government.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

I have the honour to be, &c.  
(signed) F. Lamb.

N° 17.

N° 17.

Viscount Dudley to the Conde de la Alcudia.

Foreign Office, June 28, 1827.

THE Undersigned, His Majesty's principal Secretary of State for Foreign Affairs, has the honour to acquaint the Conde de la Alcudia, &c. that His Majesty's government, having taken into its serious consideration the repeated representations which

have

have been made upon the subject of the unhealthiness of the climate of Sierra Leone, where the Commissioners are now established, under the treaties between His Majesty and Foreign Powers, for the suppression of illegal slave trade, have caused inquiries and surveys to be made, with a view of finding some spot, where these Commissions might be stationed, with less danger to the health of the individuals composing them, and with equal benefit to the cause for which the Commissions were established.

Such a situation having presented itself in Fernando Po, a small and fruitful island in the Bay of Biafra, and due communication having been made to the several governments interested, Captain Owen, of His Majesty's ship "Eden," has been selected to proceed thither for the purpose of superintending the formation of a suitable establishment for the reception of the Court.

Captain Owen having completed the preparations necessary in this country, for providing for the formation of this establishment, is now about to take his departure for Fernando Po.

The undersigned has, accordingly, to request that the Conde de la Alcudia will communicate this information to his Court, and will suggest to it the expediency of giving directions, that the Commissioners, whom it may have appointed to reside at Sierra Leone, under the treaties in question, hold themselves in readiness to proceed to Fernando Po, as soon as it shall be notified to them that Captain Owen has completed his arrangements for their reception.

Due care will be taken by His Majesty's government to provide the Commissioners with every practicable facility towards the removal of themselves, their families, and effects, to the new residence in contemplation for them.

The undersigned avails himself, &c.

The Conde de la Alcudia,  
&c. &c. &c.

(signed) DUDLEY.

*Mem.*—A similar communication was addressed to the Netherland and Portuguese ambassadors in London.

N° 18.

The Right Hon. F. Lamb to Viscount Dudley.—(Received July 3.)

N° 18.

My Lord,

Madrid, June 18, 1827.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22d ultimo, enclosing copies of papers relating to the slave trade, which have been presented, by His Majesty's command, to both Houses of Parliament during the present session.

I have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) F. Lamb.

N° 19.

The Right Hon. F. Lamb to Viscount Dudley.—(Received August 17.)

N° 19.

My Lord,

Madrid, June 29, 1827.

HAVING conferred with M. Salmon, upon the subject of the slave trade at Cuba, as represented in the late despatches from Mr. Secretary Canning and your Lordship, it has appeared to me necessary to bring the whole subject before the Spanish government. The most satisfactory mode of doing this would have been the transmission to M. Salmon, of the Report of the Commissioners, enclosed in Mr. Canning's Despatch of the 26th of March; but my conversation with that minister convinced me, that it would neither be fair to those gentlemen, nor conducive to the object in view, to subject them to the additional odium from the partisans of the slave trade at the Havannah, which might ensue from such a communication.

From this consideration, I have embodied that report in the note, of which I have the honour to enclose a copy.

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M. Salmon persists in his assurances of the disposition of the Spanish government to put down the traffic, and represents the respectable proprietors in the island of Cuba as adverse to its continuance; but, after the assurances which have failed, to what others can I give credit?

I have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *F. Lamb.*

Enclosure  
in N° 19.

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

Aranjuez, June 12, 1827.

THE Undersigned, &c. having transmitted to his government the note of his Excellency the Chevalier de Salmon, &c. of the 18th of February last, in answer to a former communication of the undersigned upon the subject of illicit slave trading at the Havannah, has received instructions to make the following observations to his excellency upon the general subject of that traffic as carried on at present under the flag and in the dominions of his Catholic Majesty.

By the reports received from His Majesty's Commissioners at the Havannah, as well as from other quarters, it appears, that within the last five years 111 vessels have publicly sailed from that port to the coast of Africa, and that not one of these has ever returned with a cargo of merchandize, but that, on the contrary, whenever such vessels have been accidentally fallen in with by any of His Majesty's cruisers, they have invariably been found to have slaves on board.

In 1825 thirty-two vessels sailed from the Havannah, of which fourteen returned in safety, three were captured and condemned by the Mixed Commission, and five are supposed to have been carried into Sierra Leone; of the fate of the remaining ten no account has been received, but some of them have, in all probability, succeeded in landing cargoes of negroes.

In the following year, 1826, the departures amounted to fifteen, of which five are known to have returned in safety, and one was captured by a Colombian cruiser. The whole number of arrivals in 1826 was eleven, which succeeded in landing about 3,000 slaves; and several others, not included in that number, were condemned by the Commission, having on board at the time of capture about 738 slaves; so that the number of slaves proved to have been imported into the island of Cuba during the year 1826 was 3,738.

It must not, however, be supposed that the diminution in the number of vessels which sailed in 1826, as compared with the departures in the preceding year, arose from the more effectual execution of the Spanish laws relating to this subject; that diminution proceeded entirely from the ill success of the adventurers in the former year, owing to the number of captures made by His Majesty's cruisers, and to other temporary causes.

The enclosed lists afford sufficient evidence of the above statement. The trade is carried on with the same publicity now as heretofore, and vessels continue to sail openly for the coast of Africa, and return to the Havannah, as usual, in ballast, after landing their cargoes of slaves.

The royal order of his Catholic Majesty, issued in January and published in April 1826, has not been productive of any good effect, nor indeed has it yet been acted upon in any one instance by the authorities of the island of Cuba, except at the express instigation of His Majesty's Commissioners, and then without any satisfactory result, although in the most notorious cases.

Even the vessels which publicly sail for the coast of Africa do not, upon their return, excite suspicion, and no notice whatever is taken of them, until His Majesty's Commissioners call the attention of the captain-general to them; and as the investigation of all such cases belongs, in the first instance, to the chief naval authority, the captain-general depends entirely upon the reports he receives from that officer, in order to determine whether any further proceedings shall be instituted against the parties or no.

The commandant of the naval forces is directed by the royal order to examine the log-book of all vessels arriving from Africa, and to ascertain, from the inspection of that document, whether there is any ground for suspicion or no. This provision, if executed fairly, and according to its true spirit and meaning, would, no doubt, lead in many cases to detection; and were an active vigilance to be exercised by the naval department in this particular, it would act as a great impediment to the proceedings of the traders. Unfortunately, however, this is not the case; and the mere literal execution which is given to this provision, operates rather as a protection to the slave trade than otherwise, since by making, as it does, the master of the vessel evidence in his own cause, it renders it very easy for him to escape detection, by merely omitting any circumstances connected with the traffic which have happened during the course of the voyage.

Experience has shown that it is useless to expect any beneficial result from this regulation unless it be acted upon with a very different spirit from that in which it has hitherto been executed, and unless some means are taken to verify the correctness of the log-book, either by the examination of persons forming the crew, or by comparing the assertions of the captain with other evidence which may be adduced of the employment of the vessel during the voyage.

The

The reward of their liberty offered to slaves denouncing illicit slave trading has not been so effectual as might have been expected; the strongest prejudice exists in the island against receiving denunciations of this sort; and it does not appear that as yet any slave has come forward to denounce an infraction of the law. The same benefit promised to slaves denouncing vessels in which they shall be imported is merely nominal, since their ignorance on their first arrival prevents them from taking advantage of it, and such a considerable period must elapse before they can be apprized of it that it would be next to impossible for them to prove the vessel in which they came. The offer of a pecuniary reward to free persons informing would probably be more efficacious than either of these inducements.

In short, it appears that the provisions of the above royal order have, contrary to expectation, turned out completely nugatory, and that very soon after the alarm excited by its first publication had subsided, it was generally considered by the illicit slave traders at the Havannah rather as a boon than as an injury; for the direction, that none of its provisions should be acted upon till after its publication, served to legalize all importations of slaves up to that period, while it was found, in practice, to be as much a dead letter as the laws previously in force relating to the same matter.

In order to prove to his excellency M. Salmon the correctness of the above observations, and to point out, both the radical defects existing in the royal order of January 1826, and the spirit in which the beneficent intentions of his Catholic Majesty are carried into effect, the undersigned begs to call his excellency's attention to the enclosed copies of two despatches from His Majesty's Commissioners at the Havannah, (dated the 28th of February and the 19th of March), with the annexed correspondence between those gentlemen and the captain-general, upon the subject of a vessel, the "Breves," which entered the Havannah after having landed a cargo of slaves.

The tendency of the reasoning put forward on that occasion it is not necessary to point out, and the conduct of the Spanish authorities certainly evinces a very decided intention on their part, to employ their utmost endeavours to screen all illicit traders from detection.

It would be in vain to expect any beneficial effects from the very best laws, while so executed.

Having thus complied with the orders of his government, in pointing out to the government of his Catholic Majesty the vast extent to which slave trading is carried on at Cuba, the inefficacy of the Spanish laws at present in force for the repression of that traffic, the abuses which prevail in the execution of those laws, and the total disregard by the Spanish authorities of the orders they receive from the government at home, the undersigned is instructed to express the confident hope, as these facts have been, both on the present and various other occasions, brought before the Spanish government in so unquestionable a shape as to admit of no manner of doubt, that some measures will be adopted by Spain for the effectual execution of the provisions of the treaty of 1817. His excellency M. Salmon cannot forget that that treaty was a voluntary engagement contracted by his Catholic Majesty, and that his Britannic Majesty, being one of the parties to that engagement, has a clear and indisputable right to watch over the execution of it, and to point out, from time to time, any infractions which may arise, either from the insufficiency of the laws or from the negligence of the Spanish authorities; that such infractions must frequently occur, and that such will occur for a considerable period to come, is very probable; but it is only by great vigilance and constant perseverance that the completion of the great work, of the abolition of the slave trade, can at length be effected; for the accomplishment of which the British government will never cease to labour.

With respect to the measures which might be taken by the Spanish government for the attainment of the object in view, the undersigned will offer no further observations than that, of those which have hitherto been adopted by the governments the most zealous in the cause of the abolition, two have been found more particularly effective: first, the assimilating the crime of slave trading with that of piracy; and, 2dly, the giving to the captains of cruisers a large reciprocal power of examining and detaining suspected vessels. As the law at present stands, if a cruiser fall in with a vessel under the Spanish flag, on her voyage out, although her equipment and appearance may be such that, coupled with the latitude in which she is found, there can exist no doubt of the object of the voyage, she cannot be detained; thus an opportunity is missed of checking an adventure in the outset, which afterwards may prove successful, since the chance of meeting a vessel with a cargo on board is much smaller than when the same vessel is hovering about the coast to find one.

Should, however, the Spanish government continue to think that the traffic in question can be better checked by regulations operating within the island of Cuba, it is probable that a large discretionary power vested in the hands of the captain-general, enabling him, from time to time, to make such changes as circumstances should show to be necessary for the effectual fulfilment of the treaty, at the same time that he alone should be responsible for the infractions of it, might be an improvement upon the plan which has been hitherto followed.

In throwing out this suggestion, the undersigned disclaims any the most distant intention of interfering in the choice of the means which the government of his Catholic Majesty may be disposed to prefer; but full time having been given to judge of the royal order of January 1826, and the present representation of its inefficacy being founded upon indisputable facts, the time is come when the necessity is apparent of either resorting



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to other and stronger measures, or of abandoning even the appearance of an intention of executing the treaty.

Such being the state of the case, the undersigned submits it to the Spanish government, in the full confidence that these remarks will draw its early attention, and that no time will be lost in the application of a sufficient remedy.

The Chevalier de Salmon,  
&c. &c. &c.

He avails himself, &c.  
(signed)

*F. Lamb.*

N° 20.

The Conde de la Alcudia to Viscount Dudley.

N° 20.

(Translation.)

Portland-place, August 17, 1827.

THE Undersigned, envoy extraordinary and minister plenipotentiary of his Catholic Majesty, having received the depositions in the verbal process, instituted to investigate whether, according to the accusation of the English Commissioners at the Havannah, the schooner "Minerva" had disembarked negroes in that island; by order of his government he has the honour to transmit a copy thereof to Lord Dudley, principal secretary of state to his Britannic Majesty for foreign affairs, not to pursue a complaint now finished, but only to afford a new proof to the English cabinet of the motives which guided that of Spain in this matter.

The Lord Dudley,  
&c. &c. &c.

The undersigned, &c.  
(signed) *El Conde de la Alcudia.*

(Translation.)

Enclosure  
in N° 20.

Depositions in the Verbal Process, instituted in consequence of the complaint made by the Gentlemen of the British Mixed Commission at the Havannah, accusing Don Manuel Fernandez, Captain and Pilot of the Spanish Merchant Schooner "Minerva," of having introduced, and publicly disembarked, in this Port, a quantity of African Negroes, through the illicit slave trade, prohibited on the coast of Africa, carried on in the said ship under his command.

(1.)—The Captain General to the Commandant General of Marine at Cuba.

Habana, August 17, 1826.

Under this date the commander of the English brig of war "Magpie," communicates to me what, translated, is as follows:—

Sir,

"The painful duty has fallen to my lot, to inform you that, yesterday, between eleven and twelve o'clock at night, six or seven boats full of negroes were disembarked in the anchorage from on board the schooner, which was chased yesterday to this port, by his Britannic Majesty's ship "Pylades," of which circumstance you was informed by an officer of the said ship. I have the most direct proof of that fact, and therefore I request you to be pleased to issue proper orders for the speedy detention of the schooner and negroes."

The above I transmit to you, Sir, for the purposes corresponding, as to the treatment of the affair, for which object I enclose to you a copy of the reply which I gave to the commander of the said schooner. God preserve you many years.

(signed) *Francisco Dionisio Vives.*

The Commandant General of Marine.

(2.)—Decree of the Commander-in-Chief of Cuba.

Habana, August 17, 1826.

To the Commandant of the Registers, that he may proceed immediately to the investigation of the particulars contained in this official letter; the Spanish schooner, the "Minerva," of the merchant service, which was the only one that entered yesterday, and appears to be the one alluded to, remaining in the mean time interdicted.

(signed) *Laborde.*

(3.)—Decree of the Commandant General of the Registers.

Habana, August 17, 1826.

Let the adjutant of these registers, the lieutenant of the navy, Don Bartolome Marques Pacheco, proceed to the summary investigation of the deeds and facts referred to in this official letter, and the accompanying document, giving an account thereof by extracts and judgment.

(signed) *Alcala.*

(4.)—The Captain General of Cuba to Lieutenant Smith.

Habana, August 17, 1826.

I have received the letter of your Excellency of this date, wherein you communicate to me that several negroes were disembarked from a schooner which entered this port yesterday, chased by his Britannic Majesty's ship "Pylades." The circumstances relative to the schooner being in the cognizance of the commandant-general of this station, I have transmitted under this same date the letter of your Excellency, for the necessary purposes, and have also issued the proper orders to the petty magistrates, to set on foot the most secret and active investigations concerning the said disembarkation.

God preserve you many years.

(signed) *Francisco Dionisio Vives.*

The Commandant of the English brig of war "Magpie."

(5.)—Lieutenant Smith to the Commander-in-Chief of Cuba.

On board H. B. M. Schooner "Magpie,"

August 16, 30 min. past 11 at night.

Sir

It is my duty to inform you, that six or seven boats full of negroes are now disembarking on the quay, alongside of which lies the schooner to which I gave chase yesterday, as far as this port, in his Britannic Majesty's ship "Pylades."

I have the honour to be, &c.

(signed) *Edward Smith,*  
Lieutenant and Commander.

The Most Excellent Commodore Laborde, Commander-in-Chief,  
&c. &c. &c.

(6.)—Appointment of the Notary, Mosquera.

Habana, August 17, 1826.

Don Bartolomé Marques Pacheco, lieutenant in the navy, and adjutant of the registers, in virtue of the preceding documents, proceeded to institute the verbal process, and investigation of the facts to which they refer, and being obliged to name a notary, he elected the artilleryman, Francisco Mosquera, in preference, who, being informed of the obligation which he contracts, accepts and swears, and promises to observe secrecy and fidelity, in whatever he does judicially, and to prove this he signed it with me.

(signed) *Bartolomé Marques Pacheco.*  
*Francisco Mosquera.*

(7.)—The Commandant General of the Registers to the Captain of the Port of the Havannah.

Habana, August 18, 1826.

Having been informed by the commandant-general, according to a decree of the 17th instant, of the interdiction of the Spanish merchant schooner, the "Minerva," which, coming from Puerto Rico, came here on the 16th preceding, and compliance having been given to that order by the commandant, as far as concerns him, it only remains that, for the greater security of the aforesaid order, you take measures that the said schooner, in reference to the ordinance, be so placed as to avoid any secret departure, which by chance it might otherwise effect or attempt.

God preserve you many years.

(signed) *Joze de Alcalá.*

(8.)—The Captain of the Port of Havannah to the Commandant General of the Registers.

Habana, August 19, 1826.

Immediately on the receipt of your letter, dated yesterday, I took the measures within my power to prevent the departure of the Spanish schooner "Minerva," which, coming from Puerto Rico, anchored in this harbour, on the 16th day of the present month, as dated, and for greater security I took away the sails and rudder from the said schooner, depositing the said articles in the hands of the guardian of the bay, Don Juan Perez, with orders not to deliver them up without my direction so to do, in writing and signed, which I communicate to you in reply to your said official letter.

God preserve you many years.

(signed) *Lorenzo Joze de Noriega.*

The Commandant General of the Registers,  
&c. &c. &c.

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(9.)—The Captain General of Cuba to the Commandant General of the Naval Forces.

Habana, August 19, 1826.

Under date of yesterday, the British Commissioner, Don W. S. Macleay, among other things, informs me, as follows:—

Captain Jackson moreover declares, that Lieutenant Smith, who, by virtue of an order from the commandant of the naval forces, was empowered to visit it yesterday evening, found all the peculiar and well-known appearances of its having been fitted up to transport black slaves. "I have seen in the list, that the 'Minerva' is announced as arrived from Puerto Rico, in ballast, but it appears from the list of the 4th of April last, that it left this port for Princes Island. In one word, I am sorry to say, that this ship affords a clear and incontestible instance of the treaty between our two governments having been notoriously violated, and of the last royal order of his Catholic Majesty having been treated with the utmost contempt;" which I transmit to you, that this letter may be added to the proceedings of the business, and may be used as is proper.

God preserve you many years.

(signed) *Francisco Dionisio Vives.*

The Commandant General of the Naval Forces,  
&c. &c. &c.

(10.)—Deposition of the Captain of the Schooner "Minerva."

Habana, August 26, 1826.

On the 25th day of the said month and year, I went to the dwelling-house where the present deponent is lying sick, and having been sworn according to law, he said, that he was named Don Manuel Fernandez, captain and first pilot of the Spanish merchant schooner "Minerva:"—being asked, in what place he was fitted to receive cargo, what was his destination, and with what cargo he proceeded thereto? he said, that the expedition was fitted out in this harbour, destined for Princes Island, according to his despatches; but having subsequently deemed it to be more advantageous for the interests of the owners and freighters to direct his course to the island named St. Thomas, where he expected to meet with higher prices for the sale of the productions of the country, which he had exported from this port, he did so, in effect accomplishing his purpose of selling to greater advantage; but as it was not so with the goods of lawful traffic, which he could take, inasmuch as they were at very high prices, he took bills of exchange in the currency of that place, for the value of the whole of his cargo, and proceeded to this said port in ballast, having previously touched at the watering-place of Puerto Rico, with intent to procure fresh supplies and water, which he did, but could not take on board a pilot, because a strong hurricane, causing him to slip his cable, obliged him to depart precipitately:—being asked, if he carried on the ship's log-book, as is usual for the captain and first pilot of the ship, in which situation he acted? he said, that it is the same which he exhibits, and delivers in this act:—asked, if, on his way to this port, he was chased by an English man-of-war, if it came up with him, and if it committed any act of hostility against him? he said, that in fact, he was chased closely by an English brig and schooner, from which, having made use of several unknown colours, he was under the necessity of flying, in reality thinking they were Colombians; and, although at last they hoisted the English flag with a cannon-shot, he was neither bound nor inclined to trust that assurance, as it is a matter of notoriety that the enemy make use of any acknowledged flag in order to allure into their power the incautious; under that flag he was pursued to the entrance of this port, notwithstanding that he displayed the Spanish flag, but without having any act of hostility committed against him in any way, because the ships were never near enough to him to commit it:—asked, in what part of this port he anchored with the schooner under his command; if he knows the names of any ships which were in his vicinity; if he was visited by the officer of surveys, and in such case that he should tell his name if he knows it? he said, that he anchored in the narrow part of the wharf, De Caballeria, more alongside of the hut than the said wharf; and although many vessels were anchored in that vicinity, he knows not the name of any of them, but that he merely supposes they were all Americans, as he did not know any of the persons who composed the crew of them; and that the officer of surveys who visited him, was the ensign of the navy, Don Antonio Maria Robion:—asked, if it is certain that during that evening and night some hundreds of African negroes, belonging to the illicit trade, were disembarked, the same, as is said, which were transported in the ship under his command from the coast of Africa? he said, that the imputation placed upon him in this matter is wholly false, inasmuch as the deponent, with the ship under his command, has not been on the coast of Africa, and has not introduced or disembarked in any Spanish port, here or elsewhere, African negroes, as he was bound to the different places of his route, with the cargo which he imported and exported, which was in goods, as already declared in the beginning of this deposition; and that, therefore, having no more to say on the points of interrogation which have been asked, he affirms and ratifies the whole of what he has set forth, takes on himself the oath administered, and signed it with the fiscal and present notary.

(signed) *Manuel Fernandez.*

(signed) *Bartolomé Marquez Pacheco.*

Before me,

(signed) *Francisco Mosquera.*

## (11.)—Deposition of the Pilot of the Schooner "Minerva."

Habana, August 26, 1826.

Subsequently, and on the same day, I proceeded to the house, the residence of the present deponent, who is also sick, who, being sworn according to law, said, that he was called Don Joze de San Juan, second pilot of the Spanish merchant schooner "Minerva:"—asked, in which port the expedition was fitted out, what cargo they carried, and whither they were bound? he said, that the expedition was fitted out in this port, to export produce of the country, and other goods, saleable at the island of St. Thomas; at which place, a few days after his arrival, he was attacked by a severe illness, which deprived him of reason, so that he could not give his attention to the subsequent business of the schooner at its destination:—asked, if it be certain that, on touching at this port, they were chased by an English cruizer, and also whether they disembarked a portion of African negroes of the forbidden traffic, the same which were conducted from the coast of Africa in the said schooner? he said, that being in bed, by reason of the illness with which he is still afflicted, he merely heard that they were chased by some ships, which were not known to belong to any particular nation; but that in the ship in which he sailed, no negroes were brought, as in the interrogation. This being the whole which could be elicited from his interrogatory, inasmuch as he was, shortly after the ship had anchored, brought in a cot to the habitation where he now is, in order to facilitate the means for his recovery, he affirms and ratifies that the above is the truth, on the strength of his oath, signing it with the fiscal, and present notary.

(signed) *Joze de San Juan.*(signed) *Bartolomé Marquez Pasheco.*

Before me,

(signed) *Francisco Mosquera.*

## (12.)—Report of the Adjutant of Orders.

Habana, August 17, 1826.

The adjutant of orders of the division, in compliance with the verbal order of his excellency the commandant-general of the station, having informed himself, by means of the captain of this port, what Spanish vessels entered yesterday, inasmuch as the commander of the English brig-of-war "Magpie," which, in company with the ship "Pylades," of the same nation, gave chase to a Spanish schooner, which appeared to them to be a negro-ship, close to the mouth of the harbour: it appears that, on that day, entered the Spanish merchant schooner "Minerva," coming from Porto Rico, in ballast, Captain Don Manuel Fernandez, crew thirty-five men, and thirty-four days at sea, consigned to Don Francisco Aguirre; in consequence of that information, and according to orders of his excellency, he went on board the said "Minerva," accompanied by the commander of the "Magpie," in order to search and examine if it had black slaves from Africa. The said "Minerva" was moored, and alongside the most eastern part of the quay of Casa Blanca; its hold was searched, and nothing discovered which warranted the suspicion, as it was fitted up in the usual manner, and full of water, with some sacks of pulse, about three or four of which were placed against the bulk-head of the poop, and the English commander, losing his doubts and suspicions which he previously had, remained satisfied. The same examination was effected in the births of the fore-castle and poop; under the deck was a small hole for ventilation, on both sides of the hold; and although the said holes gave cause of suspicion to the English commander, as to the purpose for which they were placed there, it is to be remarked, that the hold only had a hole or hatchway of communication, and that of very small size and depth, according to the height of the water stowage.

(signed) *Jose Soler.*

## (13.)—The Captain General to the Commandant General of the Naval Forces of Cuba.

Habana, August 22, 1826.

Under date of yesterday, the English commissioner, Don W. S. Macleay, among other things, informs me of what follows: "In the second place, as to justifying the facts spoken of by the British officers, I humbly trust that your excellency will see the absolute necessity of preventing the tribunal, to which the 'Minerva' is now subject, from giving any decision, contrary to the evidence of competent witnesses, without giving them an opportunity of supporting their evidence under oath; particularly as those individuals can now have no object in mixing themselves up in the affair, except it be an anxious desire for the dissemination of the truth. I request you to allow me to observe, that, previous to his departure on his present cruize, I warned Captain Jackson that there might be a probability that evidence might be required from his officer (Mr. Nott) and two men, in conformity with the royal order; and I have reason for saying that it is his intention to return to the port, within a few days, under the impression that, perhaps, you may require his presence, in order to condemn the vessel. You express, Sir, great doubts as to the possibility of disembarking the slaves, without their being discovered, in the very centre of so populous a city as the Habana, and while exposed, the whole night, to the patrols and

might

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night guards of the police. On this point I will merely observe, that Mr. Nott and two men are ready to prove the fact of the disembarkation, on their oath, and that it is impossible that they could have been mistaken, as the boats were followed so closely, that they not only saw the negroes closely packed in the bottom of them, but that also a block of wood was cast at them by one of the persons interested in that criminal proceeding." Which I transmit to you, Sir, for your government in the matter, hoping that you will acknowledge the receipt of, and reply to, my former letter of the 19th current, on the business.

God preserve you many years.

(signed) *Francisco Dionisio Vives.*

The Commandant General of the Naval Forces,  
&c. &c. &c.

(14.)—Deposition of the Quarter-master, or Mate, of the Schooner "Minerva."

Habana, August 29, 1826.

On the 29th of the said month and year, the deponent appeared, and under the oath, as usual in law, said, that he was named Joze Martínez, mate of the Spanish merchant schooner "Minerva:"—asked, in what port he was enrolled in the said ship, with what cargo he sailed, and what was his destination? he said, that he was enrolled in this port in the said post, whence they departed, carrying the produce of the country, bound to the island of St. Thomas, where they remained about a month, more or less, setting sail at the expiration of that time for this port of the Habana; that, on arriving at the island of Puerto Rico, finding themselves somewhat short of water and supplies, they resolved to enter that watering-place, with the intention of providing themselves with both of these articles, which they could not wholly effect, by reason of a violent storm, which made them lose their only cable, when they set sail in the direction of this port aforesaid, where they anchored in ballast, in which manner they had proceeded from the aforesaid island of St. Thomas:—asked, if, at the entrance of this port, they were chased by any cruizer, and if so, if he knew to what nation the ships which chased him belonged? he said, that in effect they were obstinately chased by a brig and schooner, apparently of war, which they presently suspected to be Colombian pirates, for which cause they made all haste to reach this port, which they effected, and although the ships, chasing in sight of the forts, hoisted British colours, they were not bound nor able to trust to that appearance, for well-grounded reasons, which must be evident to every person:—asked, at what hour they anchored in this harbour, and in what part of it; if he had intercourse with any ships, or with the crews belonging to them, which were anchored in their vicinity, as well as if he knew the officer who visited them, as is done in war? he said, that it was half-past three in the evening when they entered into the said port, where they could not anchor for want of cables, and, as that was the case, they made for the quay, known as that of Don Juan Dujan, in the vicinity of which there were no ships, except the schooner "Minerva," in which he was; and that he knows only by sight the officer of surveys, who paid them the visit of war:—asked, if it is certain that in the schooner "Minerva," wherein he was, a quantity of African negroes were brought, and disembarked, in forbidden slave trade, on that evening or night, from boats hired for that purpose? he said, that neither in that way, nor in any other, were African negroes brought or disembarked, because, as he said before, they brought the ship in ballast from St. Thomas, and the watering-place, and entered this port in ballast: that the aforesaid is the truth, which he affirms and ratifies on his oath, and, as he does not know how to sign, he made the sign of the cross, the fiscal and present notary signing it also.

his  
Joze × Martínez,  
mark.

Before me, (signed) *Bartolomé Marquez Pacheco.*  
(signed) *Francisco Mosquera.*

(15.)—Deposition of the Boatswain's Mate of the Schooner "Minerva."

Habana, August 29, 1826.

Subsequently, and on the same day, appeared the deponent, and being sworn, as the foregoing, he said, that he was named Joze Serrano, boatswain's mate of the Spanish merchant schooner "Minerva:"—asked, in what port he was enrolled in the said ship, whither they sailed, and with what cargo? he said, that he was enrolled in this port in the said post, exporting the produce of the country, bound to the island of St. Thomas, where having remained, in his opinion, thirty-five or forty days, they set sail in the direction of this port, touching only at the port of the watering-place of Puerto Rico with the intention of laying in water and supplies of which they were in want, and which they could not wholly effect by reason of a violent storm, and that having lost their only cable, they were forced to set sail and to pursue their course to this port, which they did in ballast, exactly as they departed from St. Thomas:—asked, if at the entrance to this port they were chased by any cruizer, and if so, if he knew to what nation the ships which chased him belonged? he said, that in effect they were obstinately chased by a brig and schooner to the mouth of this port.

port, which vessels hoisted an unknown flag, and although in sight of the forts they substituted British colours, they were not bound nor able to trust to that, for reasons very well known:—asked, at what hour they anchored in this harbour, and in what part of it, if he had intercourse with any ships, or with the crews belonging to them, which were anchored in their vicinity, as well as if he knew the officer who paid the schooner the visit of war? he said, that they effected their entrance from one to two of the evening, as far as he recollects, and not having been able to anchor for the reasons given, they steered for moorings off the wharf which, as he has heard, is called “of Francisco,” in the vicinity of which there was no other ship, except the “Minerva,” and that he does not know the officer who paid them the visit of war:—asked, if it is certain that in the schooner “Minerva,” wherein he was, a quantity of African negroes were brought in forbidden traffic, and clandestinely disembarked on that evening or night from boats hired for that purpose? he said, that he neither saw nor heard that in the schooner in which he was any African negroes were brought, nor were they disembarked here, in that or any other manner: that the aforesaid is the truth, which he affirms and ratifies on his oath, and not knowing how to sign, he made the mark of the cross, the fiscal and present notary signing it likewise.

his  
Jose x Serrano.  
mark.

(signed) *Bartolomé Marqu ez Pacheco.*  
Before me,  
(signed) *Francisco Mosquera.*

(16.)—Deposition of the Serjeant of Marine Artillery of the Schooner “Minerva.”

Habana, August 29, 1826.

Immediately appeared the deponent, and being sworn as the foregoing, he said, that he was named Francisco Torribio, serjeant of marine artillery on board the Spanish merchant schooner “Minerva:”—asked, in what port he was enrolled in the said ship, with what cargo he sailed, and what was his destination? he said, that he was enrolled in this port in the said post, whence they departed, carrying a cargo of produce of the country, bound to St. Thomas’s Island, at which place he does not recollect how long they stayed, but that they left in ballast destined to this port, and on arriving at the watering-place of the island of Puerto Rico, they entered with the intention of taking in supplies and water, which they wanted, but a storm attacking them, which caused them to lose their cable, they were forced to set sail for this port, which they did in the very manner mentioned, without having touched at any other point of passage:—asked, if, on arriving at this port, they were pursued by any ships, and if so, if he knew to what nation they belonged? he said, that a brig gave them chase, but that he is ignorant as to what nation it belonged:—asked, at what hour they entered this harbour, and in what part of it they anchored, what ships were in their vicinity, and if he met the officer of surveys who paid them the visit of war? he said, that he is totally ignorant as to the question:—asked, if it is certain that in the schooner “Minerva,” wherein he was, a quantity of African negroes were brought in illicit trade, and disembarked on that evening and night from several boats hired for that purpose? he said, that it is false, and the interrogatory in its full extent untrue, inasmuch as he again repeats that they came in ballast: and that the same is the truth, which he affirms and ratifies on his oath, and not knowing how to read or write, he made the mark of the cross, the fiscal and present notary signing it also.

his  
Francisco x Torribio.  
mark.

(signed) *Bartol me Marqu ez Pacheco.*  
Before me,  
(signed) *Francisco Mosquera.*

(17.)—Deposition of a Seaman of the Schooner “Minerva.”

Habana, August 29, 1826.

Directly afterwards appeared the deponent, and being sworn as the others, he said, that he is called Joze Garcia, a seaman of the Spanish merchant schooner “Minerva:”—asked, where he was enrolled in the said ship, with what cargo he sailed, and what was his destination? he said, that he was enrolled in this port, whence he set sail, laden with the produce of the country, bound to the island of St. Thomas, where they remained, in his opinion, about a month or more, leaving with destination for this port in ballast; and on arriving at the watering-place in the island of Puerto Rico, they entered therein, intending to lay in supplies and water, of which they stood in need, and having laid them in, a storm compelled them to set sail for this port, after the loss of the only cable they possessed, and that they did accordingly reach this port:—asked, at what hour they entered here, and what ship or ships were near them, and if he conversed with the officer of surveys who paid them the visit of war? he said, that they effected their entry between two and three of the evening, as far as he recollects; that they could not anchor for want of cables; but that they went to one of the quays in front and on the other side of what is called De Caballeria, where there were no other ships in the vicinity, except the ship in which he was, and that he only saw the officer of surveys who paid the visit of war:—asked, if it be certain that in the schooner where he was a portion of African negroes of the illicit traffic were conveyed

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conveyed, and disembarked publicly in that port from various boats hired for the purpose? he said, that he did not see any negroes brought in his ship, as he is interrogated, because they could not be disembarked in any form in this port, inasmuch as the ship entered in ballast, as he before said in his deposition: that the same is the truth, which he affirms and ratifies on his oath, being twenty-nine years of age, and not knowing how to write, he made the mark of the cross, the fiscal and present notary signing it also.

his  
Joze × Garcia.  
mark.

Before me, (signed) *Bartolomé Marquez Pacheco.*  
(signed) *Francisco Mosquera.*

## (18.)—Deposition of the Surgeon of the Schooner "Minerva."

Habana, August 29, 1826.

Immediately appeared the present deponent, and having been sworn as the others, he said, that he was named Don Antonio de la Pena, surgeon of the Spanish merchant schooner "Minerva:"—asked, in what port he embarked in that post in the said schooner, whither they were bound, and with what cargo? he said, that he embarked in this port, whence he sailed, with a cargo of produce of the island, bound to St. Thomas's Island, where they remained thirty-five days, as he believes, after the expiration of which they set off in ballast destined for this port, touching at the watering-place of Puerto Rico to take in water, whence they set sail, continuing their route till they reached this place:—asked, at what hour they arrived in this said harbour, in what place they anchored, what ship or ships were in their vicinity, and if he knows the officer of surveys who paid him the visit of war? he said, that about three in the afternoon they steered to the quay of Don Juan Dujan, on account of wanting cables wherewith to anchor, in which vicinity there were no ships; and that he does not know the officer of surveys who paid them the visit:—asked, if any African negroes were brought in his ship, and disembarked in this said port from boats hired for the purpose? he said, that he never heard or knew any of the circumstances set forth in the question: which is the truth on his oath; which he signed, with the fiscal and present notary.

(signed) *Antonio de la Pena.*

Before me, (signed) *Bartolomé Marquez Pacheco.*  
(signed) *Francisco Mosquera.*

## (19.)—Deposition of a Cabin-boy of the Schooner "Minerva."

Habana, August 30, 1826.

On the 30th of the said month and year appeared the deponent, and being sworn as the others, he said, that he was named Manuel Nunez, holding the place of cabin-boy on board the Spanish merchant schooner "Minerva:"—asked, where he was enrolled, with what cargo he sailed, and what was his destination? he said, that he was enrolled in this port, whence he set sail, laden with the produce of the country, bound to the island of St. Thomas, where they remained, in his opinion, about forty days, at the expiration of which they set sail, in ballast, for this said port, intending to touch at the watering-place for supplies and water, whence they departed, by reason of a storm, in a most hurried manner, losing their cable, most assuredly bound for this port, as he asserts in the most confident manner:—asked, at what hour they entered this harbour, and in what part they anchored, what ship or ships were near them, and if he knew the officer of surveys who paid them the visit of war in his schooner? he said, that about four o'clock of the evening, for want of a cable, they moored off the quay of Dujan, as it is called; that he could not perceive if there were any ships in his vicinity, as he was sick, and that he does not know the officer about whom he is asked:—asked, if it be true that negroes were brought in his vessel, and disembarked from six or seven boats hired for the purpose? he said, that it is wholly false entirely as concerns the whole question:—asked, if on their entrance to this port they were chased by any ships, in which case he is to name the class and nation to which they belonged? he said, that in fact they were chased by a ship and a schooner of the British nation to the entrance of the said port: that the same is the truth on his oath, he being twenty-five years of age, which he signed with the mark of the cross, the fiscal and present notary signing the same.

his  
Manuel × Nunez.  
mark.

Before me, (signed) *Bartolomé Marquez Pacheco.*  
(signed) *Francisco Mosquera.*

## (20.)—Deposition of the Carpenter of the Schooner "Minerva."

Habana, August 30, 1826.

Immediately afterwards appeared the present deponent, and being sworn as the foregoing, he said that he was named Joze Pastrana, carpenter of the Spanish merchant-ship "Minerva:"—asked, where he was enrolled, with what cargo he set off from the port, and what place

place they were bound for?—he said that he was enrolled in this port, whence they set sail, exporting the produce of the country, destined to the island of St. Thomas, where they remained thirty-five or forty days, quitting it with destination for this port in ballast, touching at the watering-place to lay in water and supplies; leaving that said port compulsorily, by reason of their only cable having given way in a storm, whence they came straight to this port, without having touched any where else:—asked at what hour they entered here, where they went to moor or to anchor, what ships were in their vicinity when that was effected, and if he knew the officer of surveys who paid them the visit of war?—he said, that it was somewhat more than three in the afternoon when they went to moor off the quay known as that of Dujan, in the vicinity of which he saw no vessels, and that he only knows the officer of surveys by sight, about whom he is now interrogated:—asked, if slaves had been brought in his ship from Africa, and furtively disembarked in boats hired for the said purpose in this port?—he said, that he neither saw them, nor heard that negroes had been brought in his vessel to this port, and so landed, as he is interrogated; and all this is the truth, which he affirms and ratifies on his oath, being thirty-nine years old, and not knowing how to write, he made the sign of the cross, the fiscal and present notary signing it.

his  
Joze × Pastrana  
mark.

Before me, (signed) *Bartolomé Marquez Pacheco.*  
(signed) *Francisco Mosquera.*

(21.)—Deposition of a Seaman of the Schooner “Minerva.”

Habana, August 30, 1826.

Subsequently on the same day appeared the deponent, who declares, under oath legally administered, that his name is Manuel Tavares, seaman in the Spanish merchant schooner “Minerva:”—asked, where he was enrolled, what cargo they carried, and to what place they were bound?—he said, that he was enrolled in this harbour, whence they sailed with a cargo of produce of the country, destined for the island of St. Thomas, where they remained above a month, and left in ballast, touching at the watering-place of Puerto Rico, to lay in water and stores, of which they stood in need; whence they were forced to sail unexpectedly, having lost, in a violent storm, the only cable they possessed, and sailed straight to this port:—asked, at what hour they entered this port, where they went to anchor, and what ships were in their vicinity, and if he knew the officer of surveys who visited them?—he said that it was more than one o'clock when the ship, for want of cables, was moored off a quay of those of the Casa Blanca, the number of which he does not know, no more than he knows the officer who visited them, about whom he is questioned:—asked, if black slaves from Africa were brought in his ship, and landed in this port from five or six boats hired for the purpose?—he said, that he neither saw such negroes, nor heard that they had been brought in his ship: all which is the truth, which he affirms on his oath, being twenty-nine years old, and not knowing how to write, he made the sign of the cross, the fiscal and present notary signing it also.

his  
Manuel × Tavares.  
mark.

Before me, (signed) *Bartolomé Marquez Pacheco.*  
(signed) *Francisco Mosquera.*

(22.)—Deposition of a Cabin-boy of the Schooner “Minerva.”

Habana, August 30, 1826.

Immediately afterwards appeared the present deponent, and being sworn like the foregoing, he said that his name was Manuel de Lima, cabin-boy on board the Spanish merchant schooner “Minerva:”—asked, where he was enrolled, what cargo they carried, and to what place they were bound?—he said, that he was enrolled in this harbour, whence they sailed with a cargo of produce of the country, bound to the island of St. Thomas, where they remained somewhat more than a month, at the expiration of which they sailed in ballast for the watering-place, and from that latter place they came here, in the manner set forth:—asked at what hour they entered this port, where they went to anchor, and what ships were in their vicinity?—he said, that it was three o'clock when the ship, for want of cables to anchor with, was moored off a quay of those of the White-house, the number of which he does not know, and that by reason of being sick, he saw no ships of any class in the vicinity of their mooring:—asked, if black slaves were brought in his ship, and landed at this port, from five or six boats, hired for the purpose?—he said, that the ship he was in neither brought nor landed black slaves; all which is the truth on his oath.

(signed) *Manuel de Lima.*

Before me, (signed) *Bartolomé Marquez Pacheco.*  
(signed) *Francisco Mosquera.*



SPAIN.

## (23.)—Deposition of one of the Partners of the Schooner "Minerva."

Habana, August 30, 1826.

Immediately after appeared the deponent, who being sworn as the rest, declares that his name is Joze de Cuba, partner of the Spanish merchant schooner "Minerva:"—being asked, where he was enrolled, what cargo they carried, and to what place they were bound?—he said, that he was enrolled in this harbour, whence they sailed with a cargo of produce of the country, destined for the island of St. Thomas, where they remained above a month, and left for this port, touching on their way at the watering-place of Puerto Rico, to take in water and supplies, which they were in want of; setting sail again, by reason of a violent storm, which made them lose their only cable, and continuing their course to this port, in the manner set forth:—asked at what hour they entered this port, where they went to anchor, and what ships were in their vicinity?—he said, that three o'clock was the hour that they entered, when they went to moor off one of the quays of the White-house, what number he knows not, in the vicinity of which mooring he saw no ship anchored:—asked, if black slaves were brought in his ship, and landed in this said port, from five or six boats hired for the purpose?—he said, that it is entirely false in every particular, inasmuch as he neither saw such negroes, nor knew they were brought in or landed from his ship; all which is the truth, on his oath.

(signed) *Joze de Cuba.*(signed) *Bartolomé Marquez Pacheco.*

Before me,

(signed) *Francisco Mosquera.*

## (24.)—Deposition of a Seaman of the Schooner "Minerva."

Habana, August 30, 1826.

Sworn, and asked, where he was enrolled, what cargo they carried, and to what place they were bound?—he said, that he was enrolled in this harbour, whence they sailed for St. Thomas with a cargo of the produce of the country, remaining there thirty-five days, and then sailing in ballast for the Habana; touching previously at the watering-place of Puerto Rico for water and supplies, of which they were in need, whence they departed unexpectedly, having lost in a storm their only cable, after which they sailed straight to this port:—asked, at what hour they entered this port, where they went to anchor, and what ships were in their vicinity?—he said, that it was three in the afternoon when they moored off a wharf on the other side, the name of which he does not know, and that if any ships were in their vicinity, he paid no attention to their class or nation:—asked, if black slaves were brought in his vessel, and landed in this port, from five or six boats hired for the purpose?—he said, that he neither saw nor heard of any of the circumstances alluded to in his interrogatory; all which is the truth, on his oath.

(signed) *Juan Justo Ruiz.*(signed) *Bartolomé Marquez Pacheco.*

Before me,

(signed) *Francisco Mosquera.*

## (25.)—Deposition of the Cook of the Schooner "Minerva."

Habana, August 30, 1826.

Sworn, and asked, where he was enrolled, what cargo they carried, and to what port they were bound?—he said, that he was enrolled in this harbour, whence they sailed with a cargo of produce of the country, for the island of St. Thomas, where they remained more than a month, and then left in ballast for this port, touching on the way at the watering place of Puerto Rico, to lay in water and supplies, of which they stood in need; sailing again by reason of a storm, which made them lose their only cable: asked, if he recollects the hour they entered this port, where they moored, and if any ships lay in their vicinity?—he said, that they entered at three o'clock, and moored off one of the quays of the White-house, the number of which he does not know, in the vicinity of which he saw no ships at anchor:—asked, if his ship brought black slaves of the illicit traffic, who were publicly disembarked in this port from five or six boats, hired for the purpose?—he said, that he neither saw such slaves, nor heard that such were brought in his ship; all which is the truth, on his oath.

(signed) *Joze Antonio Donque.*(signed) *Bartolomé Marquez Pacheco.*

Before me,

(signed) *Francisco Mosquera.*

## (26.)—Deposition of a Part-owner of the Quay Dujan.

Habana, August 30, 1826.

Sworn, as the others, and asked, if he, or any of his partners, was on the spot at the moment of the Spanish merchant schooner coming to moorings, which entered this port, on the 16th of this month, from Puerto Rico, in ballast; in which case he is to set forth, if

if he saw or heard that the said schooner had disembarked on that point, or at any other part of the harbour, a portion of African negroes, of the illicit trade? he said, that in fact, on the evening of the day mentioned, he was on the aforesaid quay at which the said schooner moored, and that the deponent saw no such negroes disembarked, and did not hear that such were landed; that among the many persons on the quay at the time, although he knows many by sight, he is only acquainted with the names of Don Juan Perez, and the chief of the registers, Don Joze Fernandez; which is all that he knows or can say on the points of the interrogatory; which is the truth, on his oath.

(signed) *Juan Dujan.*

(27.)—Deposition of Juan Araujo, Caulker, of the Port of Havannah, domiciled in the Casa Blanca.

Sworn, as the others, and asked, if, on the evening of the 16th instant, he was on the quay, known as Dujan, when the Spanish merchant schooner "Minerva," moored there; in which case, he is to tell whether he saw or heard that the said schooner had negroes on board which it disembarked at that or any point? he said, that it is true that he was for some time on the quay where it went to moor, and that in the said schooner he saw no negroes of whom he is questioned, and as little did he hear that any such had been disembarked at any point of the harbour:—asked, whether other persons were there who could testify as to this fact, and if so, to tell their names and class, if he knew them? he said, that, although at the time several persons were on the quay, he did not know any of them; all which is the truth, on his oath.

(signed) *Juan Araujo.*

(28.)—Deposition of Vicente Mendez, Chief of the Registers, and partner of Don Juan Dujan, in the Quay so called.

Sworn, as the others, and asked, if he was on that quay, or in its neighbourhood, on the evening of the 16th instant, when the Spanish merchant schooner moored there, in which case he is to declare if the said ship had negroes on board, which it disembarked there or elsewhere in the port? he said, that he knows nothing of the particulars of the interrogatory, inasmuch as he was not exactly on the said quay, but in its vicinity, in front of the said quay, no further than which can he extend his deposition; which is the truth, on his oath.

(signed) *Vicente Mendez.*

(29.)—Deposition of Dionisio Albarracin, Serjeant of the 1st Grenadiers of the Royal Battalions of Marine Infantry.

Sworn, as the others, and asked, if he was on board the Spanish merchant schooner "Minerva," on the evening of the 16th instant, for what object, and how long he remained on board, and if he saw, while there, that the said ship had negroes on board, which it disembarked in this port? he said that, in fact, he was on board the "Minerva," with a party of the marines, of which he is commandant, in order to take out the seamen for the service of the war boats, in the number corresponding according to his orders, and that while there, fulfilling his instructions, he saw no negroes, nor heard that any had been brought or disembarked; all which is the truth on his oath.

(signed) *Dionisio Albarracin.*

(30.)—Deposition of Manuel Corrales Gazador, of the 1st Regiment of Royal Infantry of Marine.

Sworn, as the others, and asked if he was on board the Spanish merchant schooner "Minerva," on the evening of the 16th instant, when it anchored in this port; in which case he is to declare if he saw on board that ship any negroes, which he afterwards heard were disembarked at any point or place of this port or quays? he said, that it is true that he went on board the said ship with his party, under the orders of the Serjeant Dionisio Albarracin, commandant thereof, in order to take therefrom the number of seamen required for the service of the boats of war, but that he did not see or hear that any negroes were brought in or disembarked from the said ship, on any point or quay of this port: all which is true on his oath.

(signed) *Manuel Corrales Gazador.*

(31.)—Deposition of Ramon Poderoso, First Corporal of the 2d Regiment of Marine Infantry.

Sworn, as the others, and asked, if he went with the party on board the Spanish merchant schooner "Minerva," on the evening of the 16th instant; in which case he is to declare if the said ship had any African negroes on board, of the illicit trade, and if it appears that they were disembarked at any point or quay of this port? he said that it is true that he went with his party on board the said ship, in order to take out of it the number of seamen required for the service of the boats of war, but that he did not see or hear that any negroes were brought in or disembarked from the said ship, on any point of the port; which is all he knows of the question: all which is the truth on his oath.

(signed) *Ramon Poderoso.*

## SPAIN.

(32.)—Deposition of Lisendo Linares, Corporal of the 1st Battalion of Marine Infantry.

Sworn, as the others, and asked, if he went with the party on board the Spanish merchant ship "Minerva," on the evening of the 16th instant; in which case he is to declare if the said ship had any African negroes on board, of the illicit trade, and if it appears that they were disembarked at any point or quay of this port? he said, that it is true that he went on board the said ship, on the business allotted to him, but that during his stay there he did not see or hear that any negroes were brought in or disembarked from the said ship, on any point or quay of this port: which is the truth on his oath.

(signed) *Lisendo Linares.*

(33.)—Deposition of Joze Fernandez, Chief of the Registers, resident in the Casa Blanca, 1st September 1826.

Sworn, as the others, and asked, if, on the evening of the 16th of last month, he was on the quay of Dujan, when the Spanish merchant schooner "Minerva" anchored there; in which case he is to declare if that vessel had any negroes on board, which were disembarked there or elsewhere in this port? he said that, in fact, he reached the said wharf after the said schooner had moored there, but that he saw no negroes, or heard that any such were disembarked:—asked, if he could name any one who could give any account of this affair? he said, that he only knew Don Juan Perez: which is the truth on his oath.

(signed) *Joze Fernandez.*

(34.)—Declaration of the Naval Ensign, Don Antonio Maria Robion.

Who, on his word of honour, offers to tell the truth: asked, if he paid the visit of war on the evening of the 16th last month to the Spanish merchant schooner "Minerva," which entered this port on the said day in ballast, coming from Puerto Rico; in which case he is to declare the events which occurred during the time of his visit, as well as if he observed whether the said ship had negroes on board, or if it appeared to him that such had been disembarked from it in this port? he said, that in fact, being on the week's duty, he went to visit and search the schooner about which he is asked, and that being there, a boat came alongside belonging to the English ship of war "Pylades," which had chased the "Minerva;" having an officer of that nation on board, who ascended the schooner, declaring, on the part of his commander, that he came to inform himself of the circumstances of the "Minerva;" but answered by the deponent, that neither was he in the situation to exact this, nor he, the deponent, to grant it, by reason of which he ought to withdraw, which he did, to appearance, and, as he said, in order to give an account of the transaction to the commandant-general of the station, the deponent having informed the major of the station thereof, not having immediately met with the said commandant-general; and that while he remained in the said schooner, he saw no negroes about whom he is asked, or heard that any such had been disembarked in this port:—asked, if on the said visit he was accompanied by any officer of the army, in the class of adjutant of surveys, on the part of the most excellent the captain-general? he said that no officer of the army accompanied him on this business, and that no sailor of the boat jumped on board the "Minerva," as they were busy in assisting her to moor at the wharf, when she came alongside of it; all which is true on his word of honour.

(signed) *Antonio Maria Robion.*

(35.)—Deposition of Don Juan Perez.

Sworn solemnly, and asked, if on the evening of the 16th of last month, he was on the quay, known as that of Dujan, when the Spanish merchant schooner "Minerva" came alongside and moored in the said spot; in which case he is to declare if he knows whether it brought any negroes on board, and if it appears that it disembarked them in this port, in six or seven boats provided for the purpose? he said, that it is certain that, out of curiosity to see the said schooner's entry, he did go to the wharf afore-mentioned, but that he is ignorant whether the said ship had any negroes on board, about whom he is asked, and of course he knows nothing of their disembarkation:—asked, if among the persons who were there, he knows any who could give information as to that fact, in which case he is to set forth their names and ranks? he said, that he only knew Don Juan Dujan, and the chief of the registers, Joze Fernandez: all which is the truth, on his oath.

(signed) *Juan Perez.*

(36.)—The Adjutant of the Registers to the Captain General of Cuba.

Excellent Sir,

Havannah, September 1, 1826.

In consequence of what your excellency was pleased to communicate, under date of the 22d of last month, to the commandant general of the station, to inform him of what, among other things, the British Commissioner, Mr. Macleay, set forth, as to the necessity which

(in

(in his opinion) existed of interrogating Mr. Nott, the English officer, and two other individuals of that nation, in the matter of the Spanish merchant schooner "Minerva," into which an inquiry was instituted, by the express order of the commandant-general, I request of your excellency, that, in case the three said individuals be in this place, your excellency may be pleased to adopt measures, to the end, that on the 4th instant, at nine in the morning, they may present themselves at this office of registers, under my care, that their respective declarations may be received in the said affair.

God preserve you many years.

(signed) *Bartolomé Marquez Pacheco.*

The Most Excellent Don F. D. Vives.

(37.)—The Captain General of Cuba to the Adjutant of the Registers.

Excellent Sir,

Habana, September 2, 1826.

I have acquainted the British Commissioner, Don W. S. Macleay, that on Monday, the 4th instant, at nine in the morning, the English officer, Mr. Nott, and two other individuals of the same nation, are to present themselves at the office of registers, to declare what they know in the affair of the schooner "Minerva," and I send you this information in reply to your letter of yesterday.

God preserve you many years.

Don Bartolomé Marquez Pacheco.

(signed) *Francisco Dionisio Vives.*

(38.)—The Captain of the Port of Havannah to the Adjutant of the Registers.

Excellent Sir,

Habana, September 6, 1826.

It has been notified to Mr. Wade, the captain of the English brig "Mary Brade," that he do present himself at the office of this commandancy of registers to-morrow, Thursday, 7th of the present month, for the object which your excellency points out to me in your letter of yesterday.

God preserve you many years.

Don Bartolomé Marquez Pacheco.

(signed) *Lorenzo Joze de Noriega.*

(39.)—The Adjutant of the Registers to the Captain of the Port of Havannah.

Excellent Sir,

Habana, September 6, 1826.

On the 2d of this month, the Commissioner of His Britannic Majesty writes me, what, translated, is as follows:—

"Excellent Sir,

"I have the honour to acknowledge the receipt of your letter of this day, and in reply I have to inform to you, that Mr. Nott, who is at present on board the 'Pylades,' will be ready to give his deposition on the affair of the 'Minerva,' on Monday, the 4th of this month, in the office of the registers. Your excellency will probably know, that the two seamen who were present with Mr. Nott at the disembarkation of the negroes belonged to the schooner of his Britannic Majesty 'Magpie,' the unfortunate fate of whom is deserving of compassion."

God preserve you many years.

Don Lorenzo Joze de Noriega.

(signed) *Bartolomé Marquez Pacheco.*

(40.)—Declaration of Lieutenant Nott, of the British Navy.

On the 4th of the month and year aforesaid, appeared Don Angel Ceronio, interpreter of this court of Marine, for His Majesty, who, accepting the same office, under form of oath, undertook to interpret well and faithfully the declaration following, and the deponent having come forward, his word of honour was taken to speak the truth in whatever he should be questioned upon; and this being done, through the medium of the said interpreter, he said, as follows: that his name was John Neale Nott, lieutenant of the royal English navy:—asked, through the medium of the interpreter, how it appears that, on the evening or night of the 16th August preceding, six or seven boats loaded with negroes were disembarked, as is said, from the Spanish schooner "Minerva;" if he obtained this intelligence of himself, or by a third person, and if it is also certain that from the said boats, a block of wood was thrown, and if so, in what direction it went? he said that, in fact, about a quarter past eleven at night, on the day specified, he, the deponent, being in the boat of his ship, the "Magpie," belonging to England, saw six or seven boats laden with negroes, which had been disembarked from the said schooner "Minerva," which passing close to his boat, one them threw a piece or block of wood, or other substance of weight, in the direction of the boat in which the deponent was, and that the said boats went, to appearance, from the said place where the "Minerva" was, at the quay of San Francisco, and that the piece of substance thrown dropped short of his boat, and fell into the water, without touching any body:—asked, through the medium of the interpreter, if he knew the boats to which he alludes

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alludes in his last reply, or any of the individuals who managed them? he said that, although he is persuaded that they were workmen of the traffic of the wharfs, inasmuch as they had badges on, he could not recognize any of them who were in the boats:—asked, how he is sure that the said negroes were landed from the “Minerva,” it appearing from the letter sent by the major of orders of the division of operations, folio 12 of the book of causes, that the said major, having gone on board the “Minerva,” accompanied by the commandant of the ship named “Magpie,” by order of the admiral, the said commander of the “Magpie” was satisfied that there was no proof or suspicion to induce a belief that the “Minerva” had brought slaves on board, as was imagined, after a most minute survey of the said ship, by both officers, Spanish and English? he said that, without invalidating the survey made by the commander of the “Magpie,” he repeats what he had stated, adding, in confirmation of what he before explained, that when he observed the first boat push off with negroes, from the side of the ship “Minerva,” he went near with his boat to ascertain distinctly the fact; and that as the aforesaid survey took place on the following morning, the 17th, the disembarkation of the negroes could have been perfectly well effected on the night of the 16th, as he has said:—being asked, if the said commander of the schooner “Magpie” is in this port? he said, that he was drowned with the rest of the crew of the “Magpie,” when it foundered to leeward of this port:—asked, through the interpreter, where the other two persons of his nation were, to whom the official letter of his excellency the captain-general alludes? he said, that they were also drowned in the “Magpie,” with their commander:—asked, through the interpreter, if he had any thing to add to, or to take from, this deposition, to corroborate what he had said, and if, on his word of honour, he affirms and ratifies the whole of it? he said, that, after having heard it read over to him in his own language, by the interpreter aforesaid, he wished to add, that the late captain of the “Magpie” had said, on board the “Pylades,” that notwithstanding the survey which, in company with the said major, he had taken on board the “Minerva,” he had no doubt that the said ship had brought negroes on board, and that Captain Wade, of the English merchant brig “Mary Brade,” saw from his ship more than sixty negroes on the deck of the “Minerva;” that in every thing else he affirms and ratifies his evidence, on his word of honour. The interpreter being asked, if he had translated well and faithfully from the English into Spanish, all the questions and answers which were put to and received from the English officer who subscribes? he said, that he has so done, well and faithfully, according to his best knowledge and understanding, which he affirms and ratifies on the responsibility of his oath, signing it as interpreter and witness with the fiscal and present notary.

(signed) *John Neale Nott.*

## (41.)—The Adjutant of the Registers to the Captain of the Port of Havannah.

Excellent Sir,

Havannah, September 5, 1826.

In the matter which, by order of the commandant-general, I am now proceeding with, as to what occurred in the merchant schooner “Minerva,” on its arrival in this port on the 16th of last month, it is necessary to examine Captain Wade, commanding the English brig “Mary Brade,” anchored in this port as is said. If this should be the case, I hope you will be pleased to give notice to the said captain to appear in this said office of registers, under my control, at nine in the morning of Thursday the 7th instant, for the purpose before stated. The original reply of which is inserted and placed with the other papers.

(signed) *Bartolomé Marquez Pacheco.*

Don Lorenzo Joze Noriega.

## (42.)—Deposition of William Wade, Captain of the British Brig “Mary Brade.”

On the 9th day of the said month and year, appeared Don Angel Ceronio, interpreter of this Court of Marine for His Majesty, offering, under oath as usual, to interpret well and faithfully the following declaration, and the deponent having come, and been sworn on the Holy Evangelists to speak the truth, said: that he was called William Wade, captain of the English merchant brig “Mary Brade:”—asked, by means of the interpreter, if, since his arrival in this port, he has been always anchored in the place where he now is, or if he has made any change? he said, that he has remained in the same place, where he now is removing his cargo, without having changed situation, which place is in front of the port-captain's office:—asked, through the interpreter, if it is certain that he said, that he saw on the deck of the Spanish merchant ship “Minerva,” on the 16th of August last, as she entered this port, a portion of negroes to the number of more than sixty? he said, that it might be about three weeks, as far as he recollects, when he thought he perceived, in a Spanish schooner, several negroes, without being able to distinguish any number of negroes, or whether they were Africans, or to ascertain the name of the ship:—asked, by means of the interpreter, if the schooner, to which allusion is made, is the same which entered this port on the said evening, in which case he is to declare if it anchored in the vicinity of the ship under his command? he said, that he is ignorant as to this:—asked, through the interpreter, from whence he saw the negroes, if it was from his ship, from any other in the bay, from land, or from any height, if with a telescope, or merely with the naked eye? he said, that he saw them with the naked eye, while sailing about in the bay,

from

from his boat:—asked, by means of the interpreter, if the seamen who were in the boat with him could have made the same observation with himself, in which case he should bring them forward this same day? he said, that he does not know that they made the same observation, inasmuch as he, the deponent, conversed with none of them on that point, and he believes that they could have seen nothing, because the two boys, who were the only persons with him in the boat, rowed with their backs turned that way, and could not therefore perceive the occurrence, but that nevertheless he will comply with the summons, and cause them to come forward on this same day: that this is the truth on his oath now taken. The interpreter being asked if he had translated well and faithfully from the English into Spanish all the questions and answers which were put to and received from the witness? he said that he had done so well and faithfully, according to his best knowledge and understanding, which he affirms and ratifies on his oath.

(signed) *William Wade.*

(43.)—Deposition of Thomas Gudgeon, British Seaman, on board the “Mary Brade.”

Through the said interpreter he said that his name was Thomas Gudgeon, a native of Liverpool, in England:—asked, if it be two or three weeks since sailing in the bay in the boat with Captain Wade, who commands his ship, he saw on the deck of the Spanish schooner “Minerva” some negroes; in which case he is to declare, if he can, the amount of their number, and if he understood that they belonged to the class of Africans newly imported in illicit slave trade? he said that on the day and under the circumstances mentioned, he saw in a Spanish schooner from fourteen to sixteen negroes, but without being able to ascertain the name of the ship wherein they were, and far less whether they were of the class of Africans newly imported in illicit slave trade, or if they were on board the ship in any other way:—asked, in what part of the port he saw the schooner at anchor? he said, that it appeared to him to be in the vicinity of a quay which he does not know, nor can he ascertain the same, under the circumstances; which is all he knows and can say on the points he has been interrogated upon; which he affirms on his oath, being eighteen years old; and signing it with the interpreter and fiscal and present notary.

(signed) *Thomas Gudgeon.*

(44.)—Deposition of Peter Thomas, British Seaman on board the “Mary Brade.”

Sworn, through the interpreter, and asked, if it be true that three or four weeks ago, while sailing in the bay, in the boat with Captain Wade, who commands his ship, he saw on the deck of the Spanish schooner “Minerva” some negroes; in which case he is to declare, if he can, the amount of their number, and if he understood that they belonged to the class of Africans newly imported in illicit slave trade? he said, that it is true that on the day mentioned he was in the boat with Captain Wade, who belongs to the ship of his nation alluded to, and to whose crew he belongs, from which boat he saw some negroes in a Spanish schooner, but without being able to ascertain their number, or if they belonged to the class of Africans newly imported, and without knowing the name of the ship, or being able to affirm the true place of its anchorage, as he only recollects its being near one of the quays, the name of which he does not know: all which is the truth on his oath, he being eighteen years old. The interpreter being asked if he had faithfully and correctly translated these two last declarations, said that he had so done on the responsibility of his oath.

(signed) *Peter Thomas.*

(45.)—Opinion of the Adjutant of the Registers upon the Case.

Habana, September 12, 1826.

The proceedings adopted in this business being apparently concluded, the summonses issued having been obeyed, and no new inquiries being instituted, in order to throw greater light on a transaction which was represented, in the accusation brought forward, in the character of a real crime, and a most scandalous one; it is no less certain that it has been proved by twenty-four depositions of as many witnesses, that the crime denounced did not exist, was not committed, and consequently was not notorious and scandalous. The praiseworthy zeal of the gentlemen of the Commission, who strengthened their notification on the information or letters of the commanders of the schooner “Magpie,” and the corvette “Pylades,” which ships obstinately chased the “Minerva,” led them to perform all the duties of their functions, demanding the condemnation of the ship, when, although had it been proved to be guilty, it would have been our prize, and not that of the English; the ship was detained in consequence, and every opportunity afforded of knowing the facts, without invitation or the intervention of any person. At the same time it is evident how little favour was shown to this tribunal by the Commissioners, as appears from their ideas, expressed in folio 13, in the letter which the excellent captain-general was pleased to translate, as it was sufficient to have noted the witnesses, who ought to appear on their behalf, to prove the fact which they denounced, inasmuch as in such a case this tribunal would in no way have omitted to examine them. Turning attention now to the

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state of the evidence on this matter, it will be seen that the summons served by Mr. Nott on Captain Wade, of the brig "Mary Brade," has turned out unproductive in the material points, inasmuch as Wade, as well as the seaman Thomas, says nothing which proves the number of negroes to have been sixty, the amount at which Mr. Nott says that Wade computed them, nor do they prove that the negroes they saw were Africans newly imported or not; and the seaman, Thomas Gudgeon, makes the number to consist of fourteen or sixteen, very far from sixty, but still uncertain as to their being Africans newly imported. If the declaration of Mr. Nott, the English officer, from his privilege and the character annexed to his station, requires more than two witnesses to invalidate its testimony, let it be remembered that twenty-four examinations in this business have against them the solitary exposition of Mr. Nott; and if the legal presumption in favour of his word of honour be put in comparison with the less privileged classes, even then he is contradicted by the evidence of two Spanish officers, who are engaged in this same matter, viz. the naval ensigns, Don A. M. Robion and Don Joze Soler, of whom, most assuredly, the most remote mistrust ought not to be entertained as to their depositions, it being well worthy of notice that the said Soler, in his letter, under date of the 17th of August, assures us that the commander of the "Magpie" was so much satisfied with his search, that, with evident emphasis, the said officer expressed himself in a very different manner to what he is said afterwards to have done in another letter. Had not that officer been drowned in the "Magpie," perhaps the visit he made with Soler might have been satisfactorily explained as to this unheard of contradiction; I will suppose for a moment the existence of the fourteen or sixteen negroes on board of the Spanish schooner, and that they were seen by all who say they saw them; in that case, to what can that circumstance lead us? to nothing substantial:—first, because the remarkable discrepancy exists as to numbers:—secondly, because as it is not proved that they were in the "Minerva," they might have been in any other ship of its class:—thirdly, because, as well in ships of long voyage as in those of coasting trade, negroes forming the crew are met with in greater or less numbers, or are hired to load or unload on the quays or other places, and also such blacks are sent from the numberless country farms in this vicinity by sea, for the convenience and economy of their masters, to perform any service required, in which case they need not crouch or hide themselves, which would have been the case with the "Minerva," had she carried such a cargo on board, imported under the circumstances equivocally alleged; inasmuch as in such case it is not probable that, glorying in their crime, they would have presented them in the evening to the face of the public: but when, at the same hour, the officer of surveys, and other individuals, as well as a party of marines, were on board the "Minerva," and on the quay where she was moored, and none of them mention in their evidence the existence of such negroes, in whatever way we view this event the proof will always be at variance with the accusation. I do not believe, nor can it be imagined in any way, that my ideas in the foregoing summary can directly or indirectly affect the delicacy of feeling of Mr. Nott, the British officer, who, no doubt, gave his information from a laudable zeal for the punctual fulfilment of the Treaties, and of the royal orders subsequently issued; but, as in all cases we do not possess the caution necessary to restrain the immoderate zeal of fulfilling a duty in the orbit of the duty itself, his declaration from that cause may have proceeded too far; what is certain is, that Mr. Nott has not given the slightest information whereby to come to any knowledge of the persons who conducted the negroes in six or seven boats, or of the person who threw at him the block of wood, since in that case both these persons would have been examined, whose expositions would have produced all the clearness and explanations necessary to banish the suspicion, or to prove the fact. As little was it possible to examine the two sailors who, as Mr. Nott says, accompanied him in his boat when he observed the boats loaded with negroes; and if this difficulty be insurmountable, and not to be counterbalanced, let Mr. Nott ascribe it to the unfortunate fate of the "Magpie," wherein they were drowned. In consequence of all this, and taking into account the value and merit of the vast proof which is afforded by these documents, it is my opinion that the accusation laid against Don Manuel Fernandez, captain and first pilot of the Spanish merchant schooner "Minerva," is totally unfounded, inefficacious, and without the power of incurring the responsibility which, by supposition, was attached to the said captain Fernandez. This is my opinion, always excepting the more enlightened one, which, with these documents on this matter, I send to you, Sir, for the corresponding effects.

(signed) *B. M. Pacheco.*

(46.)—The Commandant General of the Registers to the Commandant General of Marine.

Excellent Sir,

Habana, September 13, 1826.

The measures instituted according to the superior decree of Don Angel Laborde, of the 17th ultimo, by the Lieutenant of the navy Don B. M. Pacheco, adjutant of this commandancy under my charge, being finished as regarded the merchant schooner "Minerva," I send them to the superior cognizance of your excellency, that you may act as you think best.

God preserve you many years,

The Commandant General of Marine.

(signed) *Jose de Alcala.*

(47.)—The Judge Auditor of War and Marine to the Commandant General.

Excellent Sir,

Habana, September 15, 1826.

I immediately sent the parcel of documents, by order of the Judge Auditor, for the information of the navy captains of the royal fleet, of the commandant-in-chief of the registers of seamen in this always most faithful city, and of the honorary Oidor Fiscal of this station, to the end that these gentlemen may declare in continuation what they have to offer, and what appears to them on all the points which the matter comprehends; doing this without delay, and when done, to give an account thereof, that an opinion may be formed thereon as is fitting.

(signed) *Topete.*

The Commandant General.

(48.)—The Commandant General of the Registers to the Judge Auditor of War and Marine.

Excellent Sir,

Habana, September 18, 1826.

Immediately on receiving your superior decree, I occupied myself exclusively with the examination of the papers, with all the attention they deserve; and from my observations I deduce, that the officer charged with the formation of the summary has omitted no step necessary for the better elucidation of an act, which was represented, at first, as perpetrated, and that the opinion of the said officer, the adjutant of registers, who formed the cause, are strictly confined to what the matter solely warrants. Nevertheless, in order to have some more data whereon to found my judgment with the precision it requires, I have in like manner recalled to my memory by inspection the former diary of navigation, roll, and royal patent of the "Minerva," from which it appears that the expedition of this ship was formed in this port, with a view to export the produce of the country, bound to the island of Princes; but by the declaration of the captain, Don Manuel Fernandez, it is proved that, for reasons of convenience and mercantile interest, he went to the island of St. Thomas, returning in ballast to this port aforesaid; all which the aforesaid declaration most amply proves, and the diary confirms; and although the contents of the said documents do not in any way establish the crime, which was said, by presumption, to have been committed in this place, without any previous preparations for that purpose; nevertheless in order to found my opinion more strongly, complying at the same time with the royal order of the 2d of January last, I have devoted my time to the inspection of the said documents, from all of which, in the whole summary, no charge is proved against captain Fernandez in the denunciation preferred against him.

Always deferring to your superior judgment, I am, &c.

The Judge Auditor.

(signed) *Joze de Alcala.*

(49.)—Certificate of the Notary, Mosquera.

On the 20th day of the said month and year, I, the undersigned notary, certify, that the honorary Oidor Fiscal of Marine, Don Manuel Coimbra, returned the bundle of documents, in consequence of the painful illness with which he is at present afflicted, to the end that the Commandant General may be pleased to select and nominate the lawyer he confides in, in order to intrust to him the pending opinion, in virtue whereof the fiscal of the cause took measures to deliver the said papers to the Commandant General of these registers, for the effects set forth, and for that purpose notice thereof is made.

(signed) *Mosquera.*

(50.)—The Commandant General of the Registers to the Commandant General of Marine.

Excellent Sir,

Habana, September 21, 1826.

I enclose you the verbal process commanded to be instituted to investigate the conduct of Don Manuel Fernandez, captain and first pilot of the Spanish merchant schooner "Minerva," in consequence of the Oidor honorary Fiscal of this station not being able to take the matter into his consideration in consequence of the sickness under which he now suffers, as is proved by the certificate of the fiscal and notary of the cause, to the end that you may be pleased to select a lawyer to fulfil the duties of fiscal by reason of the incapacity of the possessor of that office in this port.

God preserve you many years,

The Commandant General of Marine.

(signed) *Joze de Alcala.*

(51.)—Don Juan Baptiste Topete to the Commandant General of Marine.

Excellent Sir,

Habana, September 22, 1826.

Let Don Francisco de Calvo, who belongs to the tribunal of revision, be substituted in room of the Oidor honorary Fiscal of this station.

(signed) *Juan Baptiste Topete.*

The Commandant General of Marine.



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## (52.)—Opinion of the Fiscal.

Habana, September 25, 1826.

The Fiscal states, that having examined the bundle of documents, with all the due attention and meditation which the affair deserves, it being a business of moment, which brought on the proceeding, he finds the opinion of the officer charged with the formation of the process to be most correct, which judgment is registered in folio 37, inasmuch as if it be evident that the scandalous and criminal deed imputed to the Spanish schooner "Minerva," was deserving of most severe and exemplary punishment, it is also certain, that the most remote suspicion of the fact having been committed being removed, the captain and ship ought to be freed from all responsibility. It never was the intention of his Majesty the king our lord, and of his Britannic Majesty, in their Treaty of 1817 for the prohibition of the slave trade on the coast of Africa, to leave deficient the security of certain judgment and proof in investigating the crime, and the delinquent's conduct; on the contrary, it is the will of both these sovereigns, expressed in many of the articles, that the proof be expressly required as to the place whence the ships sailed from the coast of Africa, and of the existence of negroes on board. Without proving these two most material points there would be a defect in the order and legal foundations of these proceedings, and a criminal would be judged without his fault having been proved. With what is also conformable to the last royal order of the 2d of January of the current year, which exacts the fixing of the place whence the ship sailed from the African coast, and from the examination of the diary of its voyage by the commandant of marine, there is no suspicion or motive for the idea that the ship conducted negroes on board, or disembarked them clandestinely. From the verbal process which has been instituted, it does not appear that the schooner "Minerva," comes from the coast of Africa; far from it, as the information of the captain commandant-general of the registers in this port, after seeing and examining the ship's diary, roll, and patent, affirms the contrary, and twenty-four witnesses assert that it did not conduct negroes on board of illicit traffic. If to this be added, the probability of the fact as to their having been publicly introduced and disembarked in this port by that ship, whereof it is accused, it must necessarily follow that there are no grounds to proceed to any other investigation in conformity with what is enacted in the said treaty, and last royal order quoted. The only witness who declares that he saw the negroes which had been disembarked from the "Minerva" schooner sailing in boats about a quarter past eleven at night, the officer in his Britannic Majesty's service, Mr. Nott, has against him the whole evidence of that great number of witnesses (among whom are two officers of our royal navy, for which cause they deserve a similar exception; and two other witnesses, whom he calls to strengthen his evidence, are opposed to him in the main point of the matter in reference, and do not determine which was the ship, or if the negroes seen were newly imported Africans. Grounding his judgment on all these facts, the fiscal is of opinion that it should be declared that there is no room for further investigation, in conformity with what is enacted in the royal order of the 2d of January of this year, taking off the embargo and interdict from the schooner; that the bundle of papers on the business be transmitted to the most excellent the captain-general, in an official letter, communicating to him this determination for the purposes corresponding; and that having three copies of the same certified, one may be placed in the Archives, one in the Secretaria, and one be sent to the King our lord, for the measures necessary, to the end that the affair being laid before the high consideration of his Majesty he may deign to command whatever may be his royal pleasure; nevertheless, you, Sir, may determine, if you have other views, whatever you may think most advisable.

(signed) *Francisco de Calvo.*

The Judge Auditor of War and Marine.

## (53.) Opinion of the Judge Auditor of War and Marine.

Habana, September 27, 1826.

I have seen this process for the second time, and have particularly attended to it; and the result is conformable with what I communicated to his excellency the governor and captain-general of this faithful island, in my official letter of the 17th of August of the present year, which is placed in the first page, to which further measures to forward the necessary business shall not be wanting, all which have been enjoined by the commandant-general of registers, in this always most faithful capital, viz. the captain of the royal navy, Don Joze Alcala, the officer charged with the formation of the said cause, Don B. M. Pacheco, lieutenant of the navy, and adjutant of this office of registers, and the fiscal of the Royal Junta of Revision of Marine, Don F. Calvo; and it is my opinion that the case should be submitted to the said most excellent captain-general, and reply be made to his letter of the 17th August last, and also the original bundle of papers on the business may be sent to him after three copies have been made, one for the Archives, another for the Secretaria, and the third for the King our lord, for his sovereign determination; and I find no impediment to decreeing that the embargo now on the Spanish schooner "Minerva" may be taken off from the proprietor of her, provided that he gives security to the amount of his bail, to answer for the results of this process.

(signed) *Antonio Ponce De Leon y Morato.*

## (54.) Don Juan Baptiste Topete to the Captain General of Cuba.

Most Excellent Sir,

Habana, November 17, 1826.

In reference to the further opinion of the judge auditor of war and marine, whereby he confirms to me his former opinion, I direct to your excellency the original verbal process, formed in consequence of the accusation brought by the Commissioners of the Mixed British Commission against the captain and first pilot of the merchant Spanish schooner "Minerva," accusing them of having introduced, and furtively disembarked in this port, a portion of negroes from Africa, of the illicit trade, to the end that your excellency may inform yourself as to the result, and in reply to the official letter of your excellency of the 17th August last.

God preserve your Excellency many years,

(signed) *Juan Baptiste Topete.*

The Most Excellent the Captain General of Cuba.

## (55.) Decree of the Captain General of Cuba.

Habana, November 18, 1826.

Let this official letter, with the verbal process accompanying it, and all the foregoing papers on the business, be referred to the Oidor the auditor-general of war.

(signed) *Vives.*

## (56.) Opinion of the Auditor General of War.

Excellent Sir,

Habana, November 22, 1826.

The auditor has examined the verbal process sent to him by the commandant-general, wherein the nicest investigation is developed as to the Spanish merchant schooner "Minerva" having brought on board, and disembarked in this port, African negroes, and from which it results, and is clearly proved, that no such introduction of negroes took place, or embarkation of them was effected, according to the opinion of the commandant-general of the registers of seamen, the captain of the royal navy, Don Joze de Alcala, of the officer commissioned with its formation, the adjutant of the said registers, Don B. M. Pacheco, of the fiscal of the royal junta of revision of marine, Don F. de Calvo, and of the commandant-general, with the opinion of the auditor-general of marine; and not having found cause of suspicion, the said commandant-general finds no impediment to your excellency acting in conformity with the royal order of the 2d of January of this year. At the same time the auditor has had under his inspection the foregoing papers on this business, and the official communications between your excellency, the British Commissioners, and the commanders of the ships of war of that nation. Every thing which your excellency explained to his Majesty, in your representation of the 29th of last August, has been corroborated by the result of the present information and process, of which the king our lord should be made acquainted in your excellency's first communication, that he may be pleased to resolve whatever may most meet his royal pleasure. Your excellency however will act as you think best.

(signed) *Felipe Martinez.*

## (57.) Decree of the Captain General of Cuba.

Habana, November 24, 1826.

Let what is expressed in the foregoing opinion be carried into effect, as I conform myself thereto.

(signed) *Vives.*

This is conformable to the original bundle of papers which was delivered to me from the office of the captain-general, whither I again carried the same, and to which I refer; and in compliance with what is ordered I have drawn up the present, in the most faithful city of the Habana, on the 5th of December 1826.

(signed) *Manuel de la Torre.*

(A true copy.)

London, August 14, 1827.

(signed) *El Conde de la Alcedia.*

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N° 21.

N° 21.

The Conde de la Alcudia to Viscount Dudley.

(Translation.)

Portland-Place, August 31, 1827.

THE undersigned, envoy extraordinary and minister plenipotentiary of his Catholic Majesty has the honour, by order of his government, to transmit to his Excellency Viscount Dudley, His Britannic Majesty's principal Secretary of State for Foreign Affairs, copies of the examinations, or verbal processes, instituted to ascertain whether, as was asserted by the English Commissioners at the Havannah, the "Dichosa," and "Maria Isabel," Spanish merchant vessels, proceeding from the coast of Africa, had landed slaves in the island of Cuba. From these documents the English Government will be able to discover that not the least trace of any such fact has been found, but that the contrary has been legally proved.

It is not the object of the present communication to found a formal complaint upon the subject, but to afford a fresh proof that the Spanish government is in the right, on this occasion.

The Undersigned repeats, &amp;c.

His Excellency Viscount Dudley,  
&c. &c. &c.(signed) *Conde de la Alcudia.*1st Enclosure  
in N° 21.  
(Translation.)

Verbal Process commanded to be instituted to investigate the conduct of Don Baltazar Cardell, captain of the Spanish merchant brig "Maria Isabel," whom the British Gentlemen of the Mixed Commission have accused, as suspected of having improperly introduced on his last voyage African negroes of the illicit trade into the ports of this island.

(1.) The Captain General of Cuba to the Commandant General of Marine.

Most Excellent Sir,

Habana, July 24, 1826.

I address to your excellency the translation of the official letter of Messrs. H. T. Kilbee, and W. S. Macleay, judges of the Mixed Commission, in order that, after due consideration of what they set forth, you may be pleased to direct what you may deem proper in the affair of the brig "Maria Isabel," and the schooner "Santo Christo de la Salud," alias "La Dichosa," in ballast, coming from Saint Thomas, accused of having disembarked the negroes which it had on board, on the coasts of this island.

God preserve you, &amp;c.

The Commandant General of Marine.

(signed) *Vives.*

(2.) The British Commissioners to the Captain General of Cuba.

Sir,

Havannah, July 22, 1826.

Since we had last the honour of addressing your excellency, we have observed the arrival of two Spanish ships, announced in the public papers as having arrived in ballast, coming from Saint Thomas, which it is well known had previously disembarked cargoes of negroes on the coasts of this island. The names of these ships are, the brig "Maria Isabel," and the schooner "Santo Christo de la Salud," alias "La Dichosa." This last was boarded a few days ago by a British cruizer, but was not detained, because the commanding officer saw that he could not produce legal proof that it had disembarked a cargo of slaves, although he was well convinced of the fact. We believe it to be our duty to represent these cases to our Government, of which we now have the honour to apprise your excellency.

We avail ourselves, &amp;c.

His Excellency the Captain General,  
&c. &c. &c.(signed) *H. T. Kilbee,*  
*W. S. Macleay.*

(3.)—Nomination of Don Francisco Mosquera as Notary.

Habana, August 1, 1826.

In virtue of the preceding documents I proceed to institute a verbal process, to investigate the facts to which these papers refer; and it being my duty to nominate a notary, I select the artilleryman, Francisco Mosquera, in preference, who, admonished of the duty which he contracts, accepts, swears, and promises under the legal oath, to preserve faithfully and secretly all that he transacts in his office; that all of which may appear he has signed this paper with me.

(signed) *F. Mosquera.*(signed) *B. M. Pacheco.*

## (4.)—The Adjutant of the Registers to the Commandant General of Registers.

Excellent Sir,

Habana, August 3, 1826.

In consequence of the decree of your excellency, directing proceedings to be adopted in order to try the captain of the merchant Spanish brig "Maria Isabel," Don Baltasar Cardell, for the reasons expressed in the documents to which the aforesaid decree refers, I have ascertained, extra-judicially, that the said ship was sold some time ago in this port, its crew discharged, and its captain retired to some distance; and while I continue my official researches in order to find out the said individuals, it appears necessary to suspend the bail of the patent of the aforesaid "Maria Isabel," until the said captain Cardell acquits himself from the accusation made against him by the gentlemen of the Mixed Commission, as to having on board African slaves of the illicit trade; and I inform you of this, that you may be pleased to notify officially to the commandant of registers in Cadiz what is necessary, so that that the bail of the patent of the said ship may be suspended until he hears that the matter is concluded, and this because the ship was fitted up for its expedition in that port.

God preserve you, &amp;c.

Don Jeze Alcala.

(signed) *B. M. Pacheco.*

## (5.)—The Commandant General of the Registers to the Adjutant of the Registers.

Excellent Sir,

Habana, August 3, 1826.

Immediately on receiving the order, which, in the letter of his excellency the captain-general and governor, was transmitted by the brigadier of the royal navy, commandant-general of marine on this station, Don Angel Laborde, dated 1st instant, I proceeded to examine the state of the brig "Maria Isabel" since its arrival in this port, and having found that its bail of patent and other documents had been inspected in consequence of the ship having been sold, a certificate being given to suspend the bail in Cadiz, whence it sailed, I wrote officially to the commandant of registers at Cadiz, that he might not take off the suspension of the bail of patent till further orders from me, as you requested me to do in your letter of this date to which I reply.

God preserve you, &amp;c.

Don B. M. Pacheco.

(signed) *Joze de Alcala.*

## (6.)—The Adjutant of the Registers to Messrs. Reynolds, Garcia &amp; Co.

Gentlemen,

Habana, August 7, 1826.

As I am informed that Don Baltazar Cardell was concerned with you, gentlemen, in partnership, I hope you will be pleased to inform me, not only of the abode of Captain Cardell aforesaid, but also of the pilots, mariners, and other persons composing the crew of that ship prior to its having been sold, in order that the business intrusted to me may be expedited by means of the said individuals, which I have not as yet been able to effect in consequence of not having succeeded in discovering the residence of the said persons subsequently to their dispersion.

God preserve you, &amp;c.

Messrs. Reynolds, Garcia &amp; Co.

(signed) *B. M. Pacheco.*

## (7.)—Messrs. Reynolds and Co. to the Adjutant of the Registers.

Excellent Sir,

Habana, August 8, 1826.

Don B. Cardell, and the mate of the brig "Maria Isabel," which entered this port in ballast, coming from Cadiz and St. Thomas, embarked, as we have heard, on their return to the former place, in the American ship "Orize," despatched by Messrs. Lopez, Brothers, of this commerce, leaving the account opened with us entirely concluded, that being solely reduced to the sale which by public notice was made of the ship; but we cannot declare the abode of his crew, who were all paid and discharged by the said Captain Cardell, which is all that we can say in the matter in reply to your letter of the 7th instant.

God preserve you, &amp;c.

Don B. M. Pacheco.

(signed) *Reynolds & Co.*

## (8.)—First Citation of the Captain and Crew of the Brig "Maria Isabel," published in the "Diario de la Habana," Sunday, August 13, 1826.

Habana, August 12, 1826.

Don B. M. Pacheco, lieutenant of the royal navy and adjutant of the registers. By this present, I cite and call upon the captain of the Spanish merchant brig "Maria Isabel," Don Baltazar Cardell, which, coming from St. Thomas, entered this port on the 3d day of July last, the pilots, mates, mariners and other classes, composing the crew of the said ship, from captain to cabin-boy, as they appear on its roll, that within eight days,

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reckoning from the date of the last notice, they may appear in the office of the commandant of registers, to give their respective declarations in the trial now forming by order of the commandant-general of marine of this station, to investigate the conduct of the said Captain Cardell, whom the Gentlemen of the Mixed Commission suspect of impropriety during his voyage in that ship, by introducing negroes from Africa into this island, in illicit trade, which is more clearly set forth in the documents which head this cause, and that this may come to the knowledge of the said individuals, and that they may appear as cited, it is published in this manner, in consequence of the researches put into practice to obtain their appearance having proved ineffectual.

(signed) *B. M. Pacheco.*

(9.)—Second Citation of the Captain and Crew of the brig “*Maria Isabel*,” published in the “*Diario de la Habana*,” Tuesday, August 15, 1826.

Habana, August 12, 1826.

Don B. M. Pacheco, &c. By this present I cite and call upon the captain of the Spanish merchant brig “*Maria Isabel*,” Don Baltazar Cardell, &c.

[In the same words as the first citation.]

(signed) *B. M. Pacheco.*

(10.)—Third Citation of the Captain and Crew of the Brig “*Maria Isabel*,” published in the “*Diario de la Habana*,” Wednesday, August 16, 1826.

Don B. M. Pacheco, &c. By this present I cite and call upon the captain of the Spanish merchant brig “*Maria Isabel*,” &c.

[In the same words as the first citation.]

(signed) *B. M. Pacheco.*

(11.)—The Adjutant of the Registers to the Commandant General of Registers.

Excellent Sir,

Habana, August 16, 1826.

I send to you the proceedings taken for the purpose of forming the proper verbal process against the captain of the brig “*Maria Isabel*,” to which your decree of the 1st instant refers, in order that if it belongs to your station immediately to examine the twelve sailors who are named in the annexed note, and who belonged to the crew of the “*Maria Isabel*,” and now are probably preparing to sail in the division of ships of war, to which, in all probability, they are now attached, you may take steps for that effect before the expiration of eight days.

God preserve you, &c.

(signed) *B. M. Pacheco.*

The Commandant General of Registers.

(12.)—List of the Crew of the Brig “*Maria Isabel*.”

Francisco Ramos.  
Manuel Garcia.  
Teodoro Dominguez.  
Pedro Plaza.  
Aniceto Segura.  
Tomas Perez.

Antonio Fernandez.  
Antonio Marques.  
Manuel Rodriguez.  
Antonio Ranca.  
Joze Falsero.  
Antonio Manuel.

(signed) *Marques Pacheco.*

Habana, August 16, 1826.

(13.)—The Commandant General of Registers to the Commandant General of Marine.

Excellent Sir,

Habana, August 16, 1826.

I annex the proceedings which, in compliance with the decree of your excellency, contained in the official letter of the governor and captain-general of this island, have been commenced by the navy lieutenant, Don B. M. Pacheco, adjutant of the office under my charge, in the matter of the brig “*Maria Isabel*,” for the arrangements of your superior pleasure thereon.

God preserve you, &c.

(signed) *Joze de Alcala.*

Don Angel Laborde.

(14.)—The Judge Auditor of War and Marine to the Commandant General of Marine.

Excellent Sir,

Habana, August 19, 1826.

By the exposition of the officer charged with the formation of these proceedings, in his official letter which accompanies this, replying to the one which you, Sir, addressed to the navy captain, commandant of the registers of seamen, in this ever most faithful city, dated

16th of the present month, stating that the twelve individuals comprehended in the list enclosed are employed in the royal service of the ships of the division anchored in this bay which are ready to set sail; in consequence it is my opinion that you can command, through the major-general, that the residence of each of these individuals may be found out, in order that they may present themselves before the said officer to be privately examined on the business alluded to, transmitting for that purpose the proceedings.

(signed) *Antonio Ponce de Leon y Morato.*

The Commandant General of Marine.

(15.)—Deposition of Manuel Estremadura, the Gunner of the Brig “*Maria Isabel.*”

Having come, in consequence of the advertisement in the “*Diario,*” and being sworn, on the 22d day of the month of August of the present year, he set forth his name, and being asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said, that he was enrolled in the city of Cadiz, as a gunner, from which port they exported produce of the country, bound to St. Thomas, where they remained more than a month, as he conceives, at the expiration of which time they set sail, destined for this port, in ballast, without having touched at any of the intermediate ones in their passage:—asked, if he had obtained any intelligence of the abode of the captain, pilots, and other individuals of the crew of the said ship, and if it be certain that in the said ship were brought negroes of the illicit trade, who were introduced at this or other ports of the island? he said, that he knows that the captain, pilots, and other individuals of the brig, went to Cadiz, a few days after their arrival in this port, in consequence of having sold their ship, wherein no negroes were ever brought, as he is interrogated, nor was any other cargo imported or exported, except that mentioned at the beginning; that all this is the truth, which he affirms and ratifies on his oath, signing it with the mark of the cross, and the fiscal and present notary doing the same.

(signed) ✕ *Manuel Estremadura.*

(16.)—Deposition of Franco Godos, Constable of Artillery, of the Brig “*Maria Isabel.*”

Sworn as the rest, on the same day, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said that he was enrolled in the city of Cadiz, as the constable of artillery, from which port they exported produce of the country, bound for St. Thomas, where they arrived, and remained about forty days, as he thinks, after which time they set sail for the Havannah, in ballast, without having touched at any of the intermediate ports in their aforesaid voyage:—asked if he had obtained any intelligence of the abode of the captain, pilots, and other individuals of the crew of the said ship, and if it be certain that negroes were brought in the said ship in illicit traffic, and introduced at this or other ports of the island? he said that he knows that the captain, pilots, and other individuals of the brig, went to Cadiz a few days after their arrival in this port, in consequence of having sold their ship, wherein no negroes were ever brought, as he is interrogated, nor was any other cargo imported or exported, except that of goods and ballast, set forth in the beginning, either in the first or second voyage: all which is the truth on his oath.

(signed) *Franco Godos.*

(17.)—Deposition of Fernando Japon, Carpenter of the Brig “*Maria Isabel.*”

Sworn as the rest, on the same day, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said that he was enrolled in the city of Cadiz as a carpenter, from which port they exported goods, the produce of the country, bound to St. Thomas, on their arrival at which place they remained a considerable time, and having departed after taking in ballast, they steered to this port without having touched at any of the intermediate ones in their route:—asked if he had obtained any intelligence of the abode of the captain, pilots, and other individuals of the crew of the said ship, and if it be certain that in the said ship negroes of the illicit trade were brought, who were introduced by this or other ports of the island? he said that he knows that the captain and other individuals of the brig went to Cadiz shortly after reaching this port, in consequence of having sold their ship, wherein no negroes were ever brought, as he is interrogated, still less landed in this or in any other port of the island, inasmuch as the ship went her first voyage with goods of the Peninsula, and performed her second in ballast, as above stated: all of which is the truth, upon his oath.

(signed) *Fernando Japon.*

(18.)—Deposition of Antonio Fernandez, a Seaman of the brig “*Maria Isabel.*”

Sworn as the rest, on the same day, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said that he was enrolled in the city of Cadiz as a seaman, from which port they exported produce of the country, bound to St. Thomas, where they remained, in his opinion, forty or fifty days, at the expiration of which time they set sail destined for this port, in ballast, without

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having touched at any of the intermediate places on their passage:—asked, if he had obtained any intelligence of the abode of the captain, pilots, and other individuals of the crew of the said ship, and if it be certain that in the said ship negroes were brought in illicit traffic, and introduced at this or other ports of the island? he said that he knows that the captain, pilots, and other individuals of the brig went to Cadiz a few days after their arrival in this port, in consequence of having sold their ship, wherein he never saw negroes, or heard that they were introduced in illicit traffic at this or any other port of the island, inasmuch as both the first and second voyages were performed in the manner set forth in the beginning of this deposition: all which is the truth, on his oath.

(signed) *Antonio Fernandez.*

## (19.)—Deposition of Francisco Ramos, a Seaman of the brig “Maria Isabel.”

Sworn on the 23d said month and year as the rest, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said that he was enrolled in the city of Cadiz as a seaman, from which port they sailed with Peninsula produce, bound to St. Thomas, where they remained, as he conceives, two months, more or less, whence they sailed, in ballast, for this port, without having touched at any of the intermediate places on the voyage:—asked if he had obtained any intelligence of the abode of the captain, pilots, and other individuals of the crew of the said ship, and if it be certain that in the said ship negroes were brought in illicit traffic, and introduced by this or other ports of the island? he said that he knows nothing of the abode of the said captain and individuals of the crew of the said ship, and that he never saw any negroes in the said ship, nor heard that any such were introduced from it at any of the ports of this island; that all this is the truth, on his oath.

(signed) *Francisco Ramos.*

## (20.)—Deposition of Aniceto Segura, a Seaman of the brig “Maria Isabel.”

Sworn on the same day as the rest, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said that he was enrolled in the city of Cadiz as a seaman, from which port they exported Peninsula produce, bound to St. Thomas, where they remained two months, at the expiration of which time they set sail, in ballast, for the Habana, without having touched at any of the intermediate ports on their passage:—asked if he had obtained any intelligence of the abode of the captain and crew of the said ship, and if it be certain that in the said ship negroes were brought in illicit commerce, and introduced by this or other ports of the island? he said that he knows nothing of the said captain or crew, and that no slaves were brought or landed by the said ship, as he repeats they left St. Thomas in ballast, entering this harbour in that same manner; all which is the truth, on his oath.

(signed) *Aniceto Segura.*

## (21.)—Deposition of Pedro Plaza, a Seaman of the brig “Maria Isabel.”

Sworn on the same day as the rest, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said, that he was enrolled in Cadiz as a seaman, whence they exported goods of the country, bound to St. Thomas, where they remained two months, at the expiration of which time they set sail, in ballast, for this port, without having touched at any intermediate one on their voyage:—asked if it be certain that negroes were brought in the ship aforesaid, and landed in this or any other port of the island? he said, that he neither saw negroes in the ship aforesaid, nor heard that any such had been landed in this or in any other port; all which is the truth, on his oath.

(signed) *Pedro Plaza.*

## (22.)—Deposition of Thomas Perez, a Seaman of the brig “Maria Isabel.”

Sworn as the rest on the same day, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said that he was enrolled in the city of Cadiz as a seaman, from which port they exported produce of the country, bound to St. Thomas, where they remained, in his opinion, two months, or thereabouts, at the expiration of which time they sailed, bound to this port, in ballast, without having touched at any of the intermediate ones in their voyage:—asked if it be certain that negroes were brought in the ship aforesaid, and landed in this or any other port of the island? he said that he neither saw negroes therein, nor heard that they were landed therefrom in this or any other port, inasmuch as the voyage to this place, as before stated, was performed in ballast, without touching at any intermediate port; all which is the truth, on his oath.

(signed) *Thomas Perez.*

## (23.)—Deposition of Antonio Marquez, a Seaman of the brig “Maria Isabel.”

Sworn as the rest on the same day, and asked where he was enrolled in the said ship, in what situation, what cargo they took, and whither they were bound? he said that he was enrolled in the city of Cadiz as a seaman, from which port they exported produce of the Peninsula,

Peninsula, bound to St. Thomas, where they remained, in his opinion, two months, at the expiration of which period they sailed for this port, in ballast, without having touched at any of the intermediate harbours on their passage:—asked if he had obtained any intelligence of the abode of the captain, pilots, and other individuals of the crew of the “Isabel,” and if it be certain that in the said ship negroes were brought in illicit traffic, and introduced at this or other ports of this island? he said, that he knows not the abode of the individuals about whom he is asked, and that he never saw negroes in the ship, or heard that they were introduced in illicit traffic at this or any other port; all which is the truth, on his oath.

(signed) Antonio Marques.

(24.)—Deposition of Jose Falsero, a Seaman of the brig “Maria Isabel.”

(The deposition of this person is *verbatim* the same as the last.)

(25.)—Deposition of Antonio Fernandez, of the brig “Maria Isabel.”

(*Verbatim* the same as the last.)

(26.)—Deposition of Manuel Garcia, a Seaman of the brig “Maria Isabel.”

(*Verbatim* the same as the last.)

(27.)—Deposition of Antonio Manuel, a Seaman of the brig “Maria Isabel.”

(*Verbatim* the same as the last.)

(28.)—Deposition of Teodora Dominguez, a Seaman of the brig “Maria Isabel.”

(*Verbatim* the same as the last.)

(29.)—Deposition of Antonio Ranca, a Seaman of the brig “Maria Isabel.”

(*Verbatim* the same as the last.)

(30.)—Report of the Adjutant of the Registers in the case of the brig “Maria Isabel.”

Habana, August 26, 1826.

Fifteen depositions from as many individuals of the crew of the Spanish brig “Maria Isabel,” form the proof in this proceeding; proving that the expedition of that ship was formed in the port of Cadiz, whence it sailed, exporting Peninsular produce, destined to St. Thomas; that, in effect, having arrived at that place, they remained there two months, bargaining for their merchandise, and left for this port in ballast, in which manner they arrived here; and after a few days, having sold the ship according to order, and captain Cardell not having been accused of any irregularity in respect of his voyage, returned to the port of his departure without obstacle or inconvenience, undoubtedly to give an account of his commission to the capitalists, masters and freighters of the vessel. It does not appear in any way that the said brig “Maria Isabel,” was on the coast of Africa, nor that the slaves spoken of were brought in her to or landed by her in any of the ports of this island, inasmuch as the last port she touched at was St. Thomas, and this of the Habana was her port of arrival, without its being proved that she touched at any of the intermediate ports, where it might be suspected that she had taken in negroes, and even had she so touched, it could never amount to more than a supposition. Certain it is, that the captain, Don Baltasar Cardell, charged as culpable in this affair, has not appeared in judgment, inasmuch as he could not do so; but if we recur to the uncertainty of the testimony, looking at the proofs already given, he must be pronounced to be innocent: a fact declared by all the witnesses present, who gave account of all his actions, and no other testimony is against him but the accusation of the British Commissioners. For the same reasons just mentioned, it has been impossible to examine the diary of navigation of Cardell, and although the inspection of it is, in my opinion, out of the construction of the royal order of the 2d of January of the present year, if its literal meaning be attended to, because the ship never appears to have come from the coast of Africa, nevertheless that diary would have been inspected from an anxiety to fulfil the sovereign commands, and to see if any indication could be found to warrant the accusation of the British Commissioners, made assuredly for the cause of humanity. The royal patent of navigation and roll of the “Isabel,” which I now have before me, contain nothing to invalidate the testimony of the witnesses, but on the contrary go to prove all their declarations. In consequence of all which, in my judgment, I conceive that, for the present, Don Baltasar Cardell, late captain of the Spanish merchant brig “Maria Isabel,” is free from the charge which has given rise to these proceedings. But, nevertheless, as it is impossible to accomplish legally the two circumstances indicated in paragraphs 3d and 4th of this Report, either in original or by testimony, this bundle of documents ought to be sent to the captain-general of the department of San Fernando, and also a copy of the said royal order, in case it should not have been communicated to him, that he may be pleased to complete the proceedings, which cannot be done here, and send them, when finished, to our lord the king, for the resolution of his

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sovereign pleasure, for although this way of proceeding is, in some degree, opposed to the spirit of the royal order aforesaid, lest it should be held to be an extraordinary case, and one unexplained in the royal order, it appears to me that there will be no difficulty in adopting this measure, inasmuch as it has been impossible to give the corresponding illustration to the business, since the supposed culprit is in the same place where the last cognizance was taken of the fact; in this state I place it in your hands, Sir, for the corresponding effects.

(signed) *B. M. Pacheco.*

(31.)—The Commandant General of the Registers to the Commandant General of Marine.

Excellent Sir,

Habana, 29th August 1826.

I send to you the proceedings instituted by the navy lieutenant, Don B. M. Pacheco, adjutant to this commandancy under my charge, that you may be pleased thereupon to order whatever may be your supreme pleasure.

God preserve, &c.

The Commandant General of Marine.

(signed) *Joze De Alcala.*

(32.)—Decree of the Auditor of War and Marine.

Habana, 30th August 1826.

Let this bundle of papers be sent for the information of the commandant-general of marine registers in this always most faithful city of the Habana, that he may declare what he may deem necessary on its merits and statements; and that done, let it be sent to the Oidor honorary Fiscal of this station, to be considered by him.

(signed) *Ponce De Leon.*

The Commandant General of the Registers.

(33.)—The Commandant General of the Registers to the Auditor General of Marine.

Excellent Sir,

Habana, 31st August 1826.

The present proceedings to investigate the conduct of Don Baltasar Cardell, late of the Spanish merchant vessel "Maria Isabel," having been examined as to his last voyage, from his leaving this port till his return to it on the 3d of July preceding, and in the same manner the patent and roll of the said ship having been most scrupulously examined, which are both deposited in the office of these registers under my charge, I find the whole conformable to and agreeing with the scrupulous Report produced by the officer charged with the formation of the verbal process, and also to the opinion of the said officer placed at the end of the said Report; and nothing appearing to me necessary to add, I return it to the hands of your excellency for the measures necessary to be definitively taken.

(signed) *Joze De Alcala.*

The Auditor General of Marine.

(34.)—Certificate of the Notary.

On the 20th day of the month of September, said year, I the undersigned notary, attest that the Oidor Fiscal of marine, Don Manuel Coimbra, has returned this bundle of papers, in consequence of the sickness under which he labours, to the end that the commandant-general may be pleased to appoint and select a lawyer of his confidence, to whom the pending opinion being submitted he may pass sentence; for which reason the fiscal of the cause delivered the papers to the commandant-general, which has actually taken place.

(signed) *Francisco Mosquera.*

(35.)—The Commandant General of Registers to the Commandant General of Marine.

Excellent Sir,

Habana, September 21, 1826.

I enclose to you the verbal process, ordered to be instituted to investigate the conduct of Don Baltasar Cardell, captain and first pilot of the Spanish merchant brig "Maria Isabel," in consequence of the Oidor Fiscal of this station not having been able to fulfil his duty, by reason of sickness, under which he now suffers, as is shown by the certificate of the notary of the cause, that you may be pleased to elect a lawyer, who may fulfil the functions of fiscal, in consequence of the inability of the person holding that office.

God preserve, &c.

The Commandant-General of Marine.

(signed) *Joze de Alcala.*

## (36.)—Opinion of the Fiscal.

Habana, September 25, 1826.

The Fiscal states, that some time after the Spanish merchant brig "Maria Isabel," proceeding from Cadiz and St. Thomas, had arrived here, and her captain, Don Baltasar Cardell, had returned, and his people dispersed, information was received, by a communication from the captain-general, that the gentlemen of the Mixed Commission, H. T. Kilbee and W. S. Macleay, judges thereof, had accused him of having brought his vessel to this port, after having disembarked a cargo of negroes on the coast of this island. On this information solely, deprived of every other proof, or appearance of it, the verbal process was proceeded with, as is manifested in this proceeding, merely in consideration of the high respect and strict observance due to the treaty between his Majesty the King our Lord, and the King of Great Britain, although the case is not included in its articles, nor even in the royal order of the 2d of January last, inasmuch as the brig "Maria Isabel," neither came from the coast of Africa, nor were data afforded to cause it to be strongly suspected of having brought negroes, or introduced them, in illicit traffic. Nevertheless, every step has been taken to inquire into the truth of the fact of criminality alleged, by examining that part of the crew which could be got at, and also the royal patent and roll, which were placed in this commandancy of registers; but, far from the slightest proof of criminality being adduced, it appears evident that the ship proceeded from the port of Cadiz, exporting Peninsular produce, which was sold in St. Thomas, and that, from that last port it sailed to that of the Habana, without touching at any of the intermediate places, where at least its traffic in the slave trade might be presumed. There is no doubt that the captain was not present, and that no examination of the diary of his navigation took place, on account of his having returned to Cadiz, by reason of the sale of his vessel; and, although further inquiry in this case appears unnecessary, as not being comprehended in the royal order aforesaid, notwithstanding the measure may be adopted, which is proposed by the officer charged with the process, for the final result thereof. In this conviction, the fiscal is of opinion, that, three certified copies of these papers being taken, one for the archives, another for the secretaria, and the third in duplicate, information may be given to the captain-general of the department of San Fernando, also accompanied by a copy of the royal order of last January, to the end that the examination of Captain Cardell having been gone through, and his diary inspected, his excellency may inform the King our Lord of all the case, for his sovereign determination; and that also, by the original thereof, information may be sent to the captain-general of this always most faithful island, as to the result of the business, for the corresponding purposes.—However, you will determine what you may judge to be best.

(signed) *De Calvo.*

## (37.)—Opinion of the Auditor of War and Marine.

Habana, September 27, 1826.

The Auditor has again examined these papers with the attention they deserve, and is persuaded that the object is fulfilled which was proposed by the captain-general in his letter, dated 24th of July last, placed in the first page of these papers, to which other proceedings are not wanting to increase the necessary substantiation, which is agreed in by the principal commandant of the registers of seamen in this most faithful capital, the navy captain, Don Joze Alcala, in his information; by the officer charged with the investigation, the navy lieutenant and adjutant of the said commandancy of registers, Don B. M. Pacheco, in his report and judgment; and by the fiscal of the royal junta of revision of this marine, Don F. de Calvo, in his antecedit representation; except it be by the declaration on oath of Don Baltasar Cardell, late captain of the private Spanish brig "Maria Isabel," absent, as is said, in the city of Cadiz. It is my opinion that you may order the said captain-general's letter of 24th July of this year to be answered, enclosing to him this original process, after having taken three copies, one for the archives, one for the secretaria of the commandancy-general, and the other to be transmitted in duplicate to our Lord the King, through the proper medium, that he may command thereupon, according to his sovereign determination.

(signed) *Antonio Ponce de Leon y Morato.*

## (38.)—Don J. B. Topete to the Captain General of Cuba.

Most Excellent Sir,

Habana, November 23, 1826.

In conformity with the opinion of the auditor of war and marine, I address to your excellency the original verbal process, instituted to investigate the conduct of the captain and first pilot of the Spanish merchant brig "Maria Isabel," in consequence of the complaints made by the gentlemen of the British Mixed Commission, accusing him of improper use of his last voyage, by introducing into ports of this island, negroes of the illicit slave trade, in reply to your official letter of the 24th of July last, to the end that you may inform yourself of the result.

God preserve, &amp;c.

(signed) *Juan Bapt. Topete.*The Most Excellent the Captain General,  
&c. &c. &c.

## SPAIN.

## (39).—The Auditor General of War to the Captain General.

Most Excellent Sir,

Habana, November 27, 1826.

The accusation made by the gentlemen of the British Mixed Commission to your excellency, namely by H. T. Kilbee and W. S. Macleay, as to the Spanish brig "Maria Isabel" having entered this port in ballast, from Saint Thomas, after having disembarked the negroes it carried on board on the coasts of this island, was transmitted by your excellency to the commandant-general of this station. The investigation having been entered upon by the authority charged with that business, and commenced, notwithstanding that the ship had no appearance of having come from the coast of Africa, the most complete proof has resulted from the proceedings in the Tribunal of Marine, that not the slightest evidence exists to substantiate the crime alleged. In this idea, and for the reasons stated by the auditor in the similar proceedings of the schooner "Dichosa," and the schooner "Minerva," it is advisable that, the evidence on this case being collected, it may be sent, together with that on the two aforesaid schooners, to give information to His Majesty, for his sovereign determination. Your excellency, nevertheless, will do what you judge to be best.

(signed) *Felipe Martinez.*His Excellency the Captain General,  
&c. &c. &c.2d Enclosure  
in N° 21.  
(Translation.)

Verbal process commanded to be instituted to investigate the conduct of the Captain and First Pilot of the Spanish merchant-schooner, named "La Dichosa," Don Ramon Torres y Conde, during its voyage from Cadiz to this port, touching at St. Thomas, whom the gentlemen of the British Mixed Commission have accused as suspected of having introduced, through the ports of the coast of this island, a portion of African negroes of the illicit slave trade.

## (1).—The Captain General to the Commandant General of Marine.

Most Excellent Sir,

Habana, July 24, 1826.

I address to your excellency the translation of the official letter of Messrs. H. T. Kilbee and W. S. Macleay, judges of the Mixed Commission, in order that, after due consideration on what they set forth, you may be pleased to direct what you may deem proper in the affair of the brig "Maria Isabel," and the schooner "Santo Christo de la Salud," alias "La Dichosa," in ballast, coming from St. Thomas, accused of having disembarked the negroes which it had on board on the coasts of this island.

God preserve, &amp;c.

The Commandant General of Marine.

(signed) *Francisco Dionisio Vives.*

## (2).—Decree of the Commandant General of the Registers.

Let the adjutant of these registers, the navy lieutenant, Don Bartolome Marques Pacheco, proceed to the verbal process to investigate the facts alluded to in this letter and document enclosed, giving an account thereof by extract and judgment.

(signed) *Alcala.*

## (3).—The British Commissioners to the Captain General of Cuba.

Sir,

Habana, July 22, 1826.

Since we had last the honour of addressing your excellency, we have observed the arrival of two Spanish ships, announced in the public papers as having arrived in ballast, coming from St. Thomas, which it is well known had previously disembarked cargoes of negroes on the coasts of this island. The names of these ships are the brig "Maria Isabel," and the schooner "Santo Christo de la Salud," alias "La Dichosa." This last was boarded a few days ago by a British cruizer, but was not detained because the commanding officer saw that he could not produce legal proof that it had disembarked a cargo of slaves, although he was well convinced of the fact. We believe it to be our duty to represent these cases to our government, of which we now have the honour to apprise your excellency.

We avail ourselves of this opportunity, &amp;c.

(signed) *H. T. Kilbee.*  
*W. S. Macleay.*

His Excellency the Captain General.

## (4).—Appointment of Francisco Mosquera, as Notary.

Habana, August 3, 1826.

In virtue of the preceding documents, I proceed to institute the following verbal process to investigate the facts to which these papers refer, and it being my duty to nominate a notary, I select the artilleryman, Francisco Mosquera, in preference, who, admonished of the

the duty which he contracts, accepts, swears, and promises under the legal oath to preserve faithfully and secretly all that he transacts in his office; that all which may appear, he has signed this paper with me.

(signed) *B. M. Pacheco.*  
*F. Mosquera.*

(5.)—Deposition of Joze Morales, a Seaman of the Schooner “La Dichosa.”

Habana, August 20, 1826.

On the 20th day of the said month appeared the deponent, now present, and under his legal oath, said, that his name was Jozé Morales, a seaman, and that he belonged to the Spanish merchant schooner “La Dichosa:”—asked in what port he was enrolled, and to what points they sailed? he said, that he was enrolled in the port of Cadiz, bound for St. Thomas in ballast, and from that last place to the Havannah, in the aforesaid manner:—asked, if in that last passage they touched at any of the ports of this island, and for what cause they did so, and if it was to introduce a portion of African negroes of the illicit slave trade?—he said, that they only entered into Bahai-honda because the Captain of the ship was very sick, as well as two sailors, who remained to take care of him; that they afterwards came to this port under convoy of the “Mars” and “Bellona,” without the deponent having the slightest knowledge that negroes were on board his vessel, as he is interrogated: that the aforesaid is the truth which he affirms and ratifies under his oath, being twenty-six years of age, and not knowing how to sign, he made the mark of the cross, and signed it with the fiscal and present notary.

(signed) ✕ *Joze Morales.*

(6.)—Deposition of Bartolome Villarino, a Seaman of the Schooner “La Dichosa.”

Habana, August 20, 1826.

Subsequently, and on the same day, appeared the present deponent, and, under oath, said, that his name was Bartolome Villarino, a seaman, belonging to the Spanish merchant schooner named “La Dichosa:”—asked in what port he was enrolled, whither they went, and with what cargo, and if they went straightway, or touched at any of the intermediate ports? he said, that he was enrolled in the port of Cadiz, going straight to St. Thomas in ballast, where they remained three months in his opinion, departing from the said port for that of Habana in the same manner in which they had sailed from Cadiz:—asked, if in that last passage they arrived at any of the ports of this island, what cause induced them so to do, and, if so, if they introduced there any portion of African negroes of the illicit slave trade? he said, that they only touched in the port of Bahai-honda in consequence of the serious illness of their captain, who remained in the said port with two mariners of the crew of the ship, returning to the Habana in company with the brig “Mars” and schooner “Bellona,” without his having seen or known any thing about the African negroes concerning whom he is interrogated; all which is true on his oath.

(signed) *Bartolome Villarino.*

(7.)—Deposition of Joze Antonio del Villar, Pilot of the Schooner “La Dichosa.”

Habana, August 7, 1826.

On the 7th day of the said month appeared the present deponent, who being sworn, said that his name is Antonio del Villar, second pilot of the Spanish merchant schooner “La Dichosa:”—asked, in what port the expedition of the said ship was formed, whither they were bound, and with what cargo?—He said, that the expedition was formed in the port of Cadiz, whence they departed in ballast, bound for St. Thomas, where they sailed straightway, without touching elsewhere:—Asked, how long they stayed in St. Thomas, what cargo they carried, and to what port they steered, and if they touched at any of the intermediate ports of this island on their way thither?—He said, that they remained at St. Thomas about four months, setting off for this port in the same manner in which they left Cadiz, and that they only touched at Bahai-honda, on the north coast of this island, in consequence of the sickness of the captain, whom they left in that port, going afterwards to that of the Habana, in company with the brigs “Mars” and “Bellona:”—Asked, if it be true that in his ship slaves from Africa, of the illicit trade, were introduced into the said Bahai-honda, or into any other port of the island?—He said, that neither in Bahai-honda, nor elsewhere, were any slaves introduced by his ship, inasmuch as the said ship left all the ports it sailed from in ballast, as he has before said, and entered in like manner:—asked, if he knows the place where the captain now resides, if, at his departure from the ship he gave up his diary, and where it is, as he who deposes now ought to have it?—He said, that he does not know the abode of the captain, knowing merely in an extra-judicial manner that he is getting better of his sickness in a farm-house near this city, that he did not leave him his diary, which he supposes he took with his baggage, and that the one which belongs to him, for which he is asked, is the one now exhibited in this act; all which is the truth on his oath.

(signed) *Joze Antonio del Villar.*

## SPAIN.

## (8.)—Deposition of Alberto Sanchez, Mate of the Schooner "La Dichosa."

Sworn, and asked in what port he was enrolled, whither he was bound, and with what cargo?—He said, that he was enrolled in the harbour of Cadiz, bound to St. Thomas in ballast, and from the said port, where they remained, in his idea, three months, they returned to Habana in the same manner in which they left Cadiz:—Asked if, from the said port of St. Thomas, or from any other, they brought on board their ship any slaves of the illicit trade, introducing them into this or any other port of the coasts of this island?—He said, that neither from St. Thomas, nor from any other port, were black slaves brought by his ship, or introduced into this island at any of its ports, inasmuch as, although they touched at Bahia-honda, it was with the double reason of avoiding the chase of a privateer, and of leaving the captain on shore, in consequence of the heavy illness under which he laboured, two seamen of the crew also remaining to attend him, when the ship subsequently departed for this port in company with the ships of war "Mars" and "Bellona;" all which is the truth on his oath.

(signed) *Alberto Sanchez.*

## (9.)—Deposition of Antonio Cutrin, Steward of the Schooner "La Dichosa."

Sworn, and asked, in what port the expedition of the said ship was formed, whither bound, and with what cargo?—He said, that he was enrolled in the port of Cadiz, where the expedition was formed, bound to St. Thomas in ballast, where they remained, in his opinion, two months, more or less, returning to this port of the Habana in the same manner:—Asked if at St. Thomas, or at any other port, previously or subsequently, they took on board black negroes of the illicit trade, introducing them into this port, or into any other of this island? He said, that they took on board no negroes, neither at St. Thomas nor elsewhere, as they only touched at Bahia-honda to avoid a suspicious sail, and to leave there the captain who was sick, which they did, two seamen being left with him to attend him, after which the ship returned to this aforesaid port, under escort of the brigs of war "Bellona" and "Mars;" all which is the truth on his oath.

(signed) *Antonio Cutrin.*

## (10.)—Deposition of Joze Rubio, Carpenter of the Schooner "La Dichosa."

Habana, August 12, 1826.

Sworn, and asked, on the 12th of the said month, same year, in what port the expedition of the said ship was formed, whither bound, and with what cargo?—He said that the expedition was formed in Cadiz, whence they steered to St. Thomas in ballast, where they remained from three to four months, at the expiration of which they departed in the same manner, bound to this port, and having run alongside the Bahia-honda, by reason of a strange sail and the captain's sickness, they entered the said port, where they disembarked the said captain, going afterwards to this port under convoy of the brigs of war "Mars" and "Bellona:"—Asked, if in his ship any black slaves had been brought and introduced, illicitly, into Bahia-honda, or in any other port of this island?—He said, that he neither saw nor heard that any slaves were brought or disembarked, as he is interrogated, inasmuch as all the voyage from Cadiz to this port was performed in ballast, as before said, without having touched at any other port of this island, excepting Bahia-honda, with the object above expressed; all which is the truth on his oath.

(signed) *Joze Rubio.*

## (11.)—Deposition of Ramon Torres y Conde, Captain and Pilot of the Schooner "La Dichosa."

Habana, August 14, 1826.

Sworn on the 14th day of said month, said year, and asked in what port the expedition of the said ship was formed, whither they were bound, and with what cargo?—He said, that the expedition of the said ship was formed in Cadiz, whence they sailed in ballast, bound to St. Thomas, intending to take in a cargo of cocoa to export to this port, and having remained at St. Thomas about four months, and seen that the purchase of the said article of cocoa would not be productive, and no other line of licit traffic being open, he determined to steer to this port of the Havannah, doing so in ballast as he had left Cadiz:—Asked, if, in the passage from St. Thomas to this port they touched at any of the intermediate ports of this island, and if so, if they disembarked therein a portion of African negroes of the illicit slave trade?—He said, that being on the north coast of this island, near Bahia-honda, and perceiving a strange sail which gave them chase, and being also very sick in health, he told the pilot to make for the said port, with the double intent of escaping the said cruizer, and getting on shore himself to find medicines, which on board he could not find; but that neither by that port, nor by any other, were black slaves, about whom he is asked, introduced by the ship he commanded, inasmuch as he sailed constantly in ballast, for the reasons before set forth:—Asked, if he kept in his possession the diary of navigation, which he ought to have kept conformably to law, in which case he is to exhibit it?—He said, that on landing in Bahia-honda, he left it on board of the schooner with his baggage, and on reaching this city, he could not meet with it, as it was mislaid, with other things which he missed, among his personal effects, but that it is probable that the book of entries is in the hands of his second pilot; all which is the truth on his oath.

(signed) *Ramon Torres y Conde.*

## (12.)—Deposition of Franco Moya, the Cook of the Schooner “La Dichosa.”

Habana, August 14, 1826.

Sworn on the same day, and asked, in what port he was enrolled in said ship, whither bound, and with what cargo? he said, that he was enrolled in the port of Cadiz, whence they sailed in ballast for St. Thomas, where they remained about four months, after which time they again returned in ballast for the Habana, and being near Bahia-honda, by reason of a strange sail in sight, and of the illness of the captain, they resolved to enter the said port, to avoid being overtaken by the corsair, and to land the sick captain, which they did, two sailors being left with him to attend him; after which, in convoy of the brigs of war “Mars” and “Bellona,” they set sail for this port, as soon as the opportunity offered:—asked, if in the said Bahia-honda, or in any other port, they introduced African negroes of the illicit trade? he said, that they touched at no other port than Bahia-honda, and that there they introduced no African negroes, inasmuch as their voyages were all performed in ballast, without any cargo; all which is truth on his oath.

(signed) *Franco Moya.*

## (13.)—Opinion of the Adjutant of the Registers.

Habana, August 15, 1826.

The mercantile expedition of the Spanish schooner “Dichosa” was formed in the port of Cadiz, destined to that of the Habana, bound to that of St. Thomas, wherein having remained about four months, arranging matters of interest and business, of speculations in licit articles of trade, and not having found any to export with advantage, it set sail in ballast to this port aforesaid, in the same manner that it had left Cadiz. On arriving at Bahia-honda, on the northern coast of this island, they were obliged to anchor, with the double object of escaping from a ship, which, at a distance, appeared by its manœuvres to be suspicious, and of landing Captain Conde, who at that time was very sick, which they did, coming finally to this port, under convoy of the brigs of war “Mars” and “Bellona,” as soon as the opportunity offered of putting themselves under their protection. Thus it appears, from the book of entries of the pilot of the said schooner, which I have seen, and by the testimonies of eight witnesses, which have been taken in this verbal process, all of whom are belonging to the “Dichosa,” as her crew, from which not the slightest proof is deduced to awaken suspicion as to that ship having conducted African negroes on board, or introduced them into this island, since it does not appear that they touched at any places but those mentioned; and, therefore, in my opinion, no charge is made out against the captain of the “Dichosa,” Don Ramon Torres y Conde, as to making a bad use of his voyage, whereof he is accused by the English Commissioners, in their letter of the 22d July, foregoing, wherein also they allow that they had found no positive proof of the crime imputed to him. I pass every thing in proper state to the hands of your excellency, for your information and corresponding purposes.

(signed) *B. M. Pacheco.*

## (14.)—Notice of the Adjutant of the Registers.

Habana, August 15, 1826.

Take notice, that I am preparing a separate process, as is my duty, in the affair of the brig “Maria Isabel.”

(signed) *B. M. Pacheco.*

## (15.)—The Commandant General of the Registers to the Commandant General of Marine.

Excellent Sir,

Habana, August 16, 1826.

In compliance with what you direct me to do, by your decree of the 1st instant, in the official letter of the governor and captain-general of this island, as set forth at the beginning of the measures instituted by the naval adjutant of these registers, Don B. M. Pacheco, I enclose them to you for your guidance in the affair of the Spanish schooner “Dichosa.”

God preserve, &amp;c.

Senor Don Angel Laborde.

(signed) *Joze de Alcala.*

## (16.)—The Auditor General of Marine to the Commandant General of Registers.

Excellent Sir,

Habana, August 19, 1826.

After having examined attentively the present documents, it is of consequence that you should cause the diary of the pilot of the Spanish schooner named “Dichosa” to be given to the navy captain, commandant of the seamen’s registers in this ever faithful capital, Don Joze Alcala, and to the oidor honorary fiscal of this station, to the end that these gentlemen may inform themselves, and state what to them appears advisable.

(signed) *Antonio Ponce de Leon.*

The Commandant General of Registers.

## SPAIN.

(17.)—The Commandant General of Registers to the Auditor General of Marine.

Excellent Sir,

Habana, August 22, 1826.

In consequence of the letter of your excellency, which precedes, I have examined the diary enclosed, since no other belonging to the pilot of the schooner "Dichosa" has been presented, and I find every thing therein conformable with the scrupulous examination which the adjutant of these registers, the naval lieutenant, Don B. M. Pacheco, has carried on, to clear up this matter; and it is my duty to tell you that, whether from abuse, want of formality, or other causes impossible to prevent in merchant vessels, especially in those of small burden, the pilots preserve only the book of entries, and, provided they have no opportunity of noting their extracts in the diary, it is their practice, only to note the course, embarkations, and other remarkable events, on a slate, whence they enter it in the diary; and that is all I have to say to you at present, returning you the said documents.

(signed) *Joze de Alcala.*

The Auditor General of Marine.

(18.)—Opinion of the Oidor Fiscal of Marine.

Habana, September 1, 1826.

The Fiscal reports that, having recovered from his late illness, he has busied himself with this bundle of papers, and, according to his opinion, depositions ought further to be taken, in addition, from the commanders of the brigs "Mars" and "Bellona," intrusted with the protection of the coasting trade to leeward of this port, in order to avoid all kind of abuse, as a duty of these gentlemen, and in compliance with the treaties on the commerce of the coast of Africa, and that the same ought punctually to be exacted from Don Ramon Torres y Conde, in consequence of the examination of these papers, as to his being required to give up his diary of navigation, supposed to be mislaid, should it be again found, and also his royal patent and roll of the ship, all which should be sent for the information of the principal commandant of these registers, the captain of the navy, Don Joze Alcala, that, on the merits of the aforesaid papers, he may direct what he may deem best, in order to comply with the decree wherein this is communicated.

(signed) *Coimbra.*

(19.)—Declaration of Don Juan del Rio, Commander of the Brig "Mars."

Being called, in conformity with the above opinion, on his word of honour to speak truth in all points that should be asked him, he said, that on the 17th or 18th of last July, he saw the brig "Bellona," which was leaving Bahia-honda, escorting the convoy of the leeward, which ship he joined, and they entered Cabanas together, into which port came also a Spanish schooner coming from Cadiz, and subsequently an English schooner of war, which was attempting to reconnoitre her; but as she was convoyed by the "Bellona," the commander of that ship would not suffer it to be done, notwithstanding that the English boat had run alongside to put it into effect, on which account there were sharp disputes between the English and Spanish ships; the former, insisting that the schooner had negroes on board, would not desist; whereupon, for harmony's sake, the commander of the "Bellona" went with the Englishman and the deponent on board the Spanish schooner, in order to be convinced that no such negroes were on board. This done, he set sail for the outside of the port; the said convoy, the "Mars" and "Bellona," afterwards conducting to this port the Spanish schooner, along with all the rest of the coasting vessels; and that the said schooner, as appears, was called "La Dichosa:" all which is the truth, on his word of honour.

(signed) *Juan del Rio.*

(20.)—Declaration of Ramon Torres y Conde, Captain of the Schooner "Dichosa."

Habana, September 6, 1826.

On the 6th day of the said month and year, appeared the captain of the said schooner, and being warned of the responsibility he was placed under by the preceding opinion of the oidor honorary fiscal of marine, Don Manuel Coimbra, informed thereof, he said, that he had nothing to add to what he had said before in his deposition in this process, inasmuch as, having remained sick in Bahia-honda, and much of his baggage and papers having been lost when he came to this place again, and amongst other things the diary of his navigation, for which he is asked anew, he has done every thing in his power to recover it, but in vain, as the said document is not forthcoming; and having nothing else on this business to say, he signs this.

(signed) *Ramon Torres y Conde.*

## (21.)—Declaration of Don Dionisio Guiral, Commander of the Schooner "Bellona."

Subsequently went to the house inhabited by the navy lieutenant, Don D. Guiral, where he lies sick, and having appeared, he offered, on his word of honour, to speak the truth in whatever he should be asked as to this matter; which being done, he said, that when he entered Bahia-honda, on the 12th or 13th of July last, as was agreed with the vessels under his convoy, he found the Spanish merchant schooner "Dichosa" anchored in that port, having come from Cadiz and arrived at that port with the double intention of avoiding a brig which gave her chase, and of landing the captain, who was sick, as also some mariners in a like situation; being told of all these circumstances by the relation given to him by the second of the said schooner, which was subsequently confirmed by the certificate of the sub-delegate of marine of that district, and the said vessel having demanded convoy, it was granted to her, and sail was set five or six days afterwards, and on reaching Cabanas, he observed an English schooner of war reconnoitring the said vessel on sail, the English captain having previously demanded if the ship was under my convoy, to which I replied in the affirmative, and proceeded to Cabanas, where I joined the brig of war "Mars;" here the English schooner attempted to search the "Dichosa," but the captain being informed by the deponent that such a thing must not be done, he did desist, and came up under sail to the "Bellona," which I commanded, saying that it was necessary to search that schooner by reason of well-founded suspicions that she had negroes on board, and being replied to by the deponent, by being asked to come on board his ship to speak of the matter, the English captain excused himself by saying that he could not do so because his ship was under sail; the deponent, in effect, as he was at anchor, then went on board the English vessel, telling the commander that on no account could he permit the attempted search, as he was without orders for so doing from his government, that the "Dichosa" was protected in a Spanish port, under the national flag, by the battery and by ships of war, on which account his persistence was extraordinary, as well as his having some days before fired shots and searched ships of his convoy, which deponent did not prevent by opposing force to force, on account of the distance at which he was, and of the slow sailing of the ship under his command; but that, nevertheless, to avoid further damage, and not to augment suspicions by obstinate refusal, he was willing to go with him on board the said ship "Dichosa" to search her, and be convinced that she had no negroes concealed; taking notice that if it should be so, she should be the prize of the deponent, in fulfilment of the treaties on this kind of commerce, in which case he would have nothing to do with her; and that, in effect, having gone to her together, also attended by the commander of the "Mars," the lieutenant of the navy, Don Juan del Rio, and having put into force the search wished for, they were satisfied, each returning to his respective ship, and sail being set with the convoy in the direction of this port, which was effected, and which is all he knows or can say on this business; which is the truth, on his word of honour.

(signed) *Dionisio Guiral.*

## (22.)—The Adjutant of the Registers to the Commandant General of Registers.

Excellent Sir,

Habana, September 6, 1826.

The final proceedings being gone through, which were deemed conducive to the better elucidation of the facts, of which this matter is made up, and which are referred to in the decree of the 2d instant, I pass the whole into the hands of your excellency for the ultimate corresponding proceedings.

(signed) *B. M. Pacheco.*

The Commandant General.

## (23.)—The Commandant General of Registers to the Adjutant of the Registers.

Excellent Sir,

Habana, September 7, 1826.

I have seen and examined myself, for the second time, the proceedings, roll and royal patent, according to the desire of your excellency, without being able to elicit any thing new from their contents, or differing from what I explained to you in my letter of the 22d of August. But inasmuch as, from the proceedings subsequently adopted by the officer charged therewith, it is proved beyond a doubt, that the vessels of his Britannic Majesty frequently behave in a most unpeaceable manner towards our merchant traders, and also towards the coasting ships, in sight and protection of our ports, forts and ships of war, such conduct cannot but appear strange to me, nor can I persuade myself that it is countenanced by a government so enlightened as that of the English nation; in which state, and having nothing to add to what was stated, in extract, by the adjutant of these registers, who illustrated all this business, I pass it all into the hands of your excellency for the usual purposes.

(signed) *Joze de Alcala.*

The Adjutant of the Registers.



SPAIN.

## (24.)—Notice of the Notary.

Habana, September 20, 1826.

On the 20th day of this month and year, I, the undersigned notary, attest, that the oidor fiscal of marine, Don Manuel Coimbra, has returned this bundle of papers, in consequence of the sickness under which he labours, to the end that the commandant-general may be pleased to appoint and select a lawyer of his confidence, to whom the pending opinion being submitted, he may pass sentence; for which reason the fiscal of the cause delivered the papers to the commandant-general, which has actually taken place.

(signed) *Mosquera.*

## (25.)—The Commandant General of Registers to the Commandant General of Marine.

Excellent Sir,

Habana, September 21, 1826.

I enclose to you, Sir, the verbal process ordered to be formed to investigate the conduct of the captain and first pilot of the Spanish schooner "La Dichosa," Don Ramon Torres y Conde, in consequence of the oidor fiscal of this station not having been able to fulfil his duty, by reason of sickness, under which he now suffers, as is shown by the notice of the notary of the cause, that you may be pleased to elect a lawyer, who may fulfil the functions of fiscal, in consequence of the inability of the person in that office.

God preserve you, &amp;c.

(signed) *Joze de Alcala.*

The Commandant General of Marine.

## (26.)—Opinion of the Fiscal.

Habana, September 25, 1826.

The Fiscal reports, that the treaty for the abolition of the slave-trade would be violated, and manifest injustice would be shown, unless in these proceedings every step was taken to discover reasonable data, whereby to judge whether the ships did introduce and disembark on the coasts slaves of the illicit traffic, and liability would be incurred of the authorities being subject to complaint, which, according to the said treaty, is equally to be guarded against. The gentlemen of the Commission could do no less than bring about this inquiry, in exact compliance with their duty, in consequence of the official letter or accusation of the officers of the British cruizer, to which they refer in their letter of the 22d July, notwithstanding that they confess that they can bring no legal proof, as set forth by the commander of the said cruizer, as regards the schooner "Dichosa," to which this business is confined. Nevertheless, this ministry cannot but remark, that although in the before-mentioned paper it is stated as a notorious fact, that that ship had disembarked on the coasts of the island its cargo of negroes, the manner of its being effected is not represented either by witnesses or by other data, which might even plausibly establish the fact, inasmuch as, in that accusation without proof, no certainty of the crime alleged can be deduced. However, the captain-general sent the complaint to the office of the commandant of marine, and, although the case was not included in the treaty, or in the royal order of the 2d of January of this year, because the ship did not come from the coast of Africa, and has not been detained or seized with negroes of that traffic, still the matter was entered into without delay, by examining the papers and crew, and the two commanders of the ships "Mars" and "Bellona," who were present at, and assisted in, the scrupulous and tedious search made in the port of Cabañas, by the commander of the said British cruizer. From that verbal process there does not result or appear any charge against the schooner "Dichosa," or her captain, Don Ramon Torres y Conde, inasmuch as, although he has not presented his diary of navigation, he has a most legitimate excuse for not doing so, namely, his illness and residence in Bahia-honda, which defect is amply compensated by the pilot's entry book and diary, from which, as is asserted by the commandant-general of these registers, no suspicion is induced that the ship brought or clandestinely disembarked negroes. From all which considerations, the fiscal is of opinion that the proceedings are more than sufficient, and that there is no cause to proceed to any other investigation, as is regulated by the royal order, already quoted, of the 2d of January; therefore, that, in the usual form, the original of these papers be transmitted to the captain-general, particularly stating this determination, for the corresponding purposes, and that two or three copies certified be reserved in this business, one for the archives, another for the secretaria, and that by the third information may be given, in duplicate, to our Lord the King; to the end that, taking the subject into his high consideration, he may deign to command what he thinks best in the case. But for all this you will determine for the best.

(signed) *De Calvo.*

## (27.)—Opinion of the Auditor of War and Marine.

Habana, September 27, 1826.

The Auditor has again examined these papers with the attention they deserve, and is persuaded that the object is fulfilled which was proposed by the captain-general in his letter, dated 24th of July last, placed in the first page of these papers, to which other proceedings

ceedings are not wanting, to increase the necessary substantiation, which is agreed in by the principal commandant of the registers of seamen in this most faithful capital, the navy captain, Don Joze Alcala, in his several informations; by the officer charged with the investigation, the navy lieutenant and adjutant of the said commandancy of registers, Don B. M. Pacheco, in his extract and judgment; and by the fiscal of the royal junta of revision of this marine, Don F. de Calvo, in his antecedent representation; and it is my opinion, that you may order the said captain-general's letter of 24th July of this year to be answered; enclosing to him this original process, after having taken three copies, one for the archives, one for the secretaria of the commandancy-general, and the other to be transmitted, in duplicate, to our Lord the King, through the proper medium, that he may command thereupon, according to his sovereign determination.

(signed) *Ponce de Leon.*

(28.)—Don. J. B. Topete to the Captain General of Cuba.

Most Excellent Sir,

Habana, September 17, 1826.

In conformity with the opinion of the auditor of war and marine, placed at the end hereof, I address to your excellency the original process, instituted to investigate the conduct of the captain and first pilot of the Spanish merchant schooner "La Dichosa," which the gentlemen of the British Mixed Commission suspected of having introduced into ports of this island negroes of the illicit trade; to the end that you may inform yourself of the result, and in reply to your official letter of the 24th of last July, at the beginning of these papers.

God preserve, &c.

(signed) *Juan B. Topete.*

The Captain General of this Island.

(29.)—Opinion of the Auditor General of War.

Excellent Sir,

Habana, November 21, 1826.

This verbal process has been received, to investigate whether the Spanish merchant ship "La Dichosa" had disembarked a cargo of negroes on the coasts of this island, and therefrom it has resulted that no such disembarkation took place. The letter sent to your excellency by the British Commissioners, Mr. Kilbee and Mr. Macleay, gave rise to these proceedings; and, although therein it is stated that the vessel was boarded by an English cruiser, and not detained, because the officer commanding saw that he could not present legal proofs of the disembarkation of a cargo of negroes, still he is said to have a thorough conviction of the fact, and, therefore, the said Commissioners conceive it to be their duty to bring the case before their government. It is not necessary to be very quick-sighted to see what is aimed at in these two matters; and it is a most convincing proof of what your excellency explained to his Majesty, in your representation of the accusation made against the schooner "The Minerva;" and, as under this date, the auditor returns the papers on that matter, it would be highly proper that, at the same time, and jointly, these documents about the schooner "Dichosa," may be transmitted to our Lord the King, that he may deign to command whatever may be his pleasure. Your excellency, however, will arrange as you judge best.

(signed) *Felipe Martinez.*

Conformable to their originals, which I returned to the office of the captain-general, to which I refer, and in compliance with what is ordered, I have caused the present to be drawn up.

(signed) *Manuel de la Torre.*

Habana, December 22, 1826.

N° 22.

N° 22.

Viscount Dudley to the Right Hon. F. Lamb.

Sir,

Foreign Office, September 10, 1827.

YOUR Despatches of the slave trade series, up to the 29th of June, have been duly received.

I approve of the course which you have taken to bring the whole subject of the slave trade in Cuba, in one point of view, before the government of his Catholic Majesty; and I shall be glad if the plain representation of facts, contained in your judicious note to M. Salmon on this subject, produces any decisive and satisfactory result. But this is a consummation which, I own, past experience leads me rather to desire than to expect.

I am, &c.

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

(signed) DUDLEY.

SPAIN.

N° 23.

N° 23.

The Earl of Dudley to G. Bosanquet, Esq.

Sir,

Foreign Office, November 16, 1827.

WITH reference to the correspondence, which you will find in the archives of His Majesty's mission at Madrid, relative to illegal slave trade carried on in the island of Cuba, I send to you the accompanying copies of two despatches, and of their enclosures, from his Majesty's Commissioners at the Havannah\*, on the subject of the arrival of certain British sailors at that port, on board of the Spanish slave-trading vessel, the "Tres Manueles."

His Majesty's government, under the circumstances above mentioned in these papers, desire to be considered as not bringing forward this case with a view to the punishment of the Spanish captain of the "Tres Manueles," for an offence, the knowledge of which would not have been obtained but for his humanity to those individuals through whom the evidence against him has come to light.

His Majesty's government, on the contrary, take this opportunity of expressing, through the Spanish government, to the captain of the vessel in question, the grateful sense which they entertain of his humanity and kindness to His Majesty's subjects; but the incontestible proof which the facts afford, in confirmation of the mass of evidence which has previously been furnished to you, of illegal undertakings in slaves carried on in Cuba, compel me to desire that you will take this opportunity of urging the Spanish government to attempt some more efficient measures than have hitherto been adopted in their colonies, for putting a stop to this exceeding evil.

George Bosanquet, Esq.  
&c. &c. &c.

I am, &c.  
(signed) DUDLEY.

N° 24.

N° 24.

The Earl of Dudley to G. Bosanquet, Esq.

Sir,

Foreign Office, December 13, 1827.

WITH reference to my despatch to you of the 16th ultimo, on the subject of the Spanish slave trading vessel, the "Tres Manueles," I transmit to you, for your information and guidance, the accompanying copy of a despatch, which I have recently received from His Majesty's Commissioners at the Havannah\*, containing further particulars upon the same subject; in which I have particularly to refer you to the fact, that His Majesty's Commissioners have been enabled, by a combination of circumstances not likely to occur again, to furnish the captain-general of Cuba with the depositions, on oath, of four individuals, who had actually come from the coast of Africa, in a Spanish slave vessel, and had witnessed the disembarkation of a cargo of slaves in a port of that island; and having apprized his Excellency where those individuals were to be found, no attention was paid to their representations, no examination of the individuals was taken, and the owners of the vessel were allowed to send her to sea again under the same master for the purpose (beyond all reasonable doubt) of again engaging in the same traffic.

George Bosanquet, Esq.  
&c. &c. &c.

I am, &c.  
(signed) DUDLEY.

N° 25.

N° 25.

G. Bosanquet, Esq. to the Earl of Dudley.—(Received December 21.)

My Lord,

Madrid, December 6, 1827.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 16th November last, and I enclose copy of a note which I have in consequence addressed to the government of his Catholic Majesty.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

I have, &c.  
(signed) George Bosanquet.

\* See Class A. N° 114 and 115.

† See Class A. N° 120.

George Bosanquet, Esq. to the Chevalier de Salmon.

SPAIN.

Enclosure  
in N° 25

Madrid, December 5, 1827.

THE Undersigned, his Britannic Majesty's Chargé d'Affaires, with reference to the representations which have repeatedly been addressed to the government of his Catholic Majesty, upon the subject of the illegal slave trade carried on in Cuba, has the honour to transmit to his excellency the Chevalier de Salmon copies of two despatches, and of their enclosures, received from his Britannic Majesty's Commissioners at the Havannah, on the subject of the arrival of certain British sailors in that port, on board the Spanish slave trading vessel "Tres Manueles."

Under the circumstances mentioned in these papers, the undersigned is directed to state, that His Majesty's government desire to be considered as not bringing forward this case with a view to the punishment of the Spanish captain of the "Tres Manueles," for an offence, the knowledge of which would not have been obtained but for his humanity to those individuals through whom the evidence against him has come to light.

On the contrary, His Majesty's government take this opportunity of expressing, through that of his Catholic Majesty, to the captain of the vessel in question, the grateful sense which they entertain of his humanity and kindness to His Majesty's subjects; but they cannot avoid observing, at the same time, that these facts afford incontestible proof, in confirmation of the mass of evidence which has already been furnished to the government of his Catholic Majesty, of illegal undertakings in slaves carried on in Cuba; and the undersigned is therefore instructed to express the confident hope of his government, that some more efficient measures will be attempted than have hitherto been adopted in the Spanish colonies, for putting a stop to this exceeding evil.

The undersigned avails himself, &amp;c.

His Excellency the Chevalier de Salmon,  
&c. &c. &c.(signed) *George Bosanquet.*

## PORTUGAL.

PORTUGAL.

N° 26.

N° 26.

Sir William à Court to Mr. Secretary Canning.—(Received Jan. 4, 1827.)

(Extract.)

Lisbon, December 22, 1826.

THE extraordinary session of the two chambers closes to-day.

They will open again for the regular session of three months on the 2d of January according to the charter.

You will observe, Sir, by the enclosed gazette, that two important projects for laws to be hereafter enacted have been submitted to the deputies for their consideration during the recess. The first, proposed by the Finance Committee, fixing the income of the Queen Donna Maria II. and the allowance to the rest of the royal family. The second by Mr. Sarmento, for the total abolition of the slave trade.

With these two wise and creditable projects the labours of the chambers have terminated, and a session has closed which, whatever be the result of the present struggle, will be a proof to the world that there are men in Portugal capable of appreciating, and of carrying into execution, with moderation and wisdom, the institutions granted to the country.

The Right Hon. George Canning,  
&c. &c. &c.(signed) *Wm. à Court.*

Project for the total abolition of the Slave Trade.

Enclosure  
in N° 26.  
(Translation.)

M. SARMENTO read a proposition as follows:—

Gentlemen.—I propose the abolition of the infamous slave trade; that traffic which has carried terror and desolation to Africa, exciting war, rendering barbarity permanent, checking the course of civilization, and which has already doomed millions of human victims to miseries and torments. For this object I propose the following project of a law:—

Art. 1. It is prohibited to every subject of the Crown of Portugal to purchase slaves for exportation, or to traffic with them in any part of the coast of Africa, extending in this manner the resolution established in the treaty of the 22d of January 1815, whereby such traffic was positively prohibited in any part of the coast of Africa north of the equator.

Art. 2. The ships of the royal navy will detain all Portuguese vessels carrying slaves, and take them to the nearest port belonging to the dominions of this Crown; all slaves being to be delivered to the governors of these places, in order to be set at liberty.

## PORTUGAL.

Art. 3. For each of the Africans found as slaves in the ships detained, a fine of sixty milreas shall be imposed, and the embargo shall not be taken off the ship till the total payment of the fines be made. After a year has elapsed, without any one appearing to release the ship, by paying the fine, the ship shall be judicially sold, in order to fulfil, by means of its proceeds, what is enacted in this article.

Art. 4. It belongs to the judicial authority of the place to which the ship may be carried to take cognizance of this crime, by the examination of witnesses, as well as to decide upon all the questions which may be occasioned by such prizes, taking the necessary means to inform the tribunal of the district.

Art. 5. The division of the amount of the whole of the confiscations shall be made by the same authority, among the commanders, officers, and crew of the ship of the royal navy, observing therein the distributive proportions of the value of the prizes, as determined by law.

Art. 6. The governors, and all the authorities of whatever description they may be, shall be responsible if they allow such a traffic to be carried on in the African establishments belonging to the Crown of Portugal, they being made liable to action by any person belonging to the nation; and should it be proved that any civil, municipal, military, or financial authority aided or consented thereto, or was partner in such a trade, or in any negociation to export African slaves, he shall incur the loss of his employment, and be rendered incapable of holding any public situation, being, moreover, condemned to the pain of banishment for five or ten years, according to the degree of criminality.

Art. 7. All laws, contradictory to the tenor of the preceding articles, are revoked.

N° 27.

N° 27.

Mr. Secretary Canning to Sir William à Court.

Sir,

Foreign Office, February 26, 1827.

CASES have recently repeatedly occurred, in which vessels under the flag of his most Faithful Majesty have arrived at the ports of Brazil, laden with slaves from Africa.

The accompanying copies of despatches from His Majesty's Chargé d'Affaires at Rio de Janeiro\* give details of three of these cases, the "Orfeo," the "Nove de Março," and the "Bom Viagem."

By the first article of the convention of the 28th of July 1817, "the two high contracting parties declare, that they consider as illicit any traffic in slaves, carried on by Portuguese vessels, bound for any port, not in the dominions of his most Faithful Majesty."

Whatever pretence Brazil might, prior to the conclusion by her of any positive compact with Great Britain, have had for resisting the enforcement of a prohibition to Portuguese vessels to enter her ports, there can be no doubt that Portugal, from the moment she acknowledged the independence of Brazil, was bound, under the above-mentioned article, to repress all slave trade to Brazil in Portuguese vessels.

I have, therefore, to desire, that your Excellency will make a representation upon this subject to the government of Portugal, demanding that due punishment may be inflicted upon those concerned in the illegal undertakings, of which you have the account in the enclosed papers, and that such orders may be promulgated by the Portuguese Government as shall appear most likely to prevent the recurrence of similar infractions of the compacts subsisting between this country and Portugal.

I am, &amp;c.

(signed) GEORGE CANNING.

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

&amp;c. &amp;c. &amp;c.

N° 28.

N° 28.

Mr. Secretary Canning to Sir William à Court.

Sir,

Foreign Office, March 26, 1827.

I SEND to your Excellency the copies of various communications, which have recently reached His Majesty's government, showing that the islands of the Cape de Verd still continue to afford shelter and encouragement for undertakings in the illegal trade in slaves.

You

\* See Class B.—1826.

You will transmit to the Portuguese government copies of the papers herewith sent to you ; and you will add, that relying on the recent professions of the minister of the Infanta Regent in favour of the abolition of this disgraceful traffic, His Majesty's Government trust that the Portuguese ministry will give an earnest of their sincerity on this question by the immediate issue of such orders as may be best calculated to do away with every facility afforded thereto in the Cape de Verd Islands.

I am, &c.  
(signed) **GEORGE CANNING.**

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

Mr. Consul General Clarke to John Bidwell, Esq.

1st Enclosure  
in N° 28.

British Consulate, St. Jago,  
Cape de Verds, October 9, 1826.

Sir,  
I BEG leave to acquaint you, for the information of Mr. Secretary Canning, that the Portuguese yacht, named "The Ninth of March," arrived at this port on the 7th instant, after a successful voyage from Bissao to Bahia with 107 slaves, making a freight of nearly 7,000 dollars. The captain and owner of her, named Jozé Fernandez de Pinho, has proceeded to Boston (United States) in the American schooner "Romp," commanded by a person of the name of Prince, for the purpose of procuring a Baltimore clipper to carry on with better effect this cruel traffic.

His Majesty's Government may rely on my giving every information on his return to these islands, in the proper quarter, whenever a conveyance for that purpose will permit.

I have, &c.  
(signed) **J. P. Clarke.**

John Bidwell, Esq.  
&c. &c. &c.

Mr. Consul General Clarke to John Bidwell, Esq.

2d Enclosure  
in N° 28.

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

Sir,  
I HAVE the honour to acquaint you, for the information of Mr. Secretary Canning, that the Portuguese schooner, named the "Eugenia," Antonio Joze Pereira, master, arrived at this anchorage on the 13th, having landed her slaves, to the number of 115, at a little bay to the windward of this port, called St. Francis. It will be necessary to state, that at this port, as well as at St. Martin's, there are people regularly stationed to receive and feed them until they are disposed of to their different masters. The system of slaving from the coast to these islands is certainly on the increase, and as I have in a former letter addressed to you on the 28th of June last given my reasons for such supposition, I have had no reason since to alter that opinion, and I still think that, within a very short period from this date, vessels will have no occasion to run the risk of being intercepted on the coast by His Majesty's cruisers, when a cargo of these unfortunate beings may be purchased and put on board (to the number of 300 or 400) in 48 hours, at 100 milreas per head barter, and with cash less.

The many successful trips the slavers have made within these last eighteen months, and not having lost a vessel employed in the traffic since my residence here (except the "Liberale," wrecked in this harbour) has possessed the owners with an idea that none of His Majesty's cruisers can touch them. The prices, I understand, paid for slaves on the coast, is from forty to fifty milreas, principally barter, but if a cargo can be procured amongst these islands, and regularly protected by the government to their given post, no slaver will ever regret paying the difference of price.

His Majesty's Government may rely on my giving them every information in my power.

I am, &c.  
(signed) **J. P. Clarke,**  
Consul General.

John Bidwell, Esq.  
&c. &c. &c.

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

3d Enclosure (A.)  
in N° 28.

Admiralty Office, March 3, 1827.

Sir,  
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 enclosure, from Commodore Bullen, respecting the slave trade carried on at the Cape de Verd Islands, and the facilities afforded to it by the passports granted by the Portuguese Governor for domestics.

I am, &c.  
(signed) **John Barrow.**

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

## PORTUGAL.

Commodore Bullen to J. W. Croker, Esq.

3d Enclosure (B.)  
in N° 28.

H. M. S. "Maidstone," Porto Praya,  
Island of St. Jago, Jan. 29, 1827.

Sir,  
I HAVE the honour to transmit, for the information of my Lords Commissioners of the Admiralty, the reply of Mr. Clarke, consul-general at this place, to my letter, desiring him to report upon the state of the slave-trade in this quarter; and I can but observe, that I perfectly agree with the latter part of Mr. Clarke's letter, that all the while such facility is afforded by the passports for domestics which are granted by the Portuguese governor, all attempts on my part to prevent it, even should I fall in with them on the passage to the Brazils, would prove abortive.

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

I have the honour to be, &c.  
(signed) *Charles Bullen,*  
Commodore.

3d Enclosure (C.)  
in N° 28.

Mr. Consul General Clarke to Commodore Bullen.

British Consulate, St. Jago, Jan. 13, 1827.

Sir,  
I HAVE to acknowledge the receipt of your letter of the 31st December 1826, requesting information relative to the slave trade.

I have to acquaint you that I transmitted on the 9th of October 1826, to Mr. Secretary Canning, an account of the arrival of the Portuguese yacht named "The Ninth of March," having landed at Bahia 107 slaves, the master of which, Joze Fernandez de Pinho, has proceeded to the United States to purchase a larger vessel for the same trade.

The Portuguese schooner "Eugenia," Antonio Joze Pereira, arrived at this anchorage on the 13th October, having landed 115 slaves in the bay of St. Francis in this island.

The Portuguese brig "Secours," Freitas, master, sailed from this port for Bissao, on the 12th of December, for a cargo of slaves, it is said, with the intention of proceeding to Maranham.

The Portuguese schooner "Tonante," Carbalha, master, arrived at Bonavista the 5th instant, from Cacheo, and landed upwards of 100 slaves there, the property of the late Governor Cabral, which vessel arrived at this port the 13th instant, and is at present in this harbour. It is beyond all doubt that the slave trade is increasing among these islands, from the different Portuguese settlements on the coast, and must continue so while such protection is afforded by passports for domestics.

Commodore Bullen, C. B.  
&c. &c. &c.

I have, &c.  
(signed) *J. P. Clarke.*

4th Enclosure (A.)  
in N° 28.

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

Downing-street, March 8, 1827.

Sir,  
I HAVE received the directions of Earl Bathurst to transmit to you, herewith enclosed, for Mr. Secretary Canning's information, a copy of a despatch which has been received from Governor Sir Neil Campbell, covering an extract of a letter from Mr. Proctor, a British merchant residing in the Isles de Loss, who states that slaves are carried from the Portuguese settlements in the Rio Grande to the Cape de Verd Islands for the purpose of being trans-shipped.

Joseph Planta, jun. Esq.  
&c. &c. &c.

I am, &c.  
(signed) *R. W. Hay.*

4th Enclosure (B.)  
in N° 28.

Governor Sir Neil Campbell to Earl Bathurst.

Sierra Leone, Dec. 18, 1826.

My Lord,  
I HAVE the honour to transmit an enclosure from Mr. Proctor, the only British merchant at the Isles de Loss, a man of great respectability, who is engaged in the coasting-trade with the natives near that, in corroboration of my despatch of the 29th ultimo.

Earl Bathurst, K. G.  
&c. &c. &c.

I have, &c.  
(signed) *N. Campbell,*  
Gov. Wn. C. of Africa.

4th Enclosure (C.)  
in N° 28.

Mr. Proctor to Sir Neil Campbell.

December 5, 1826.

(Extract.)  
WITH reference to your inquiries as to the present state of trade in the rivers Pongos and Nunez, I beg leave to say, that for several years the trade in the different kinds of African produce has continued to increase; and the attention of the natives to improve their connection with this colony, and with the Isles de Loss, has increased with the improvement of commerce, in spite of all extensive inland slave trade carried from about those

those rivers with the Portuguese settlements on the Rio Grande, from whence slaves are conveyed in great numbers to the Cape de Verd Islands for the purpose of being trans-shipped.

The good intentions of the poorer class of the natives of those countries near the coast, among whom the agents of our merchants reside, are frequently frustrated by attempts, through other foreign vessels to extend the slave trade among them, the effects of which, through the consequent confusion and quarrelling, create an indifference to the prosecuting of any less lucrative title for the time being.

N° 29.

N° 29.

Mr. Secretary Canning to Sir William à Court.

Sir,

Foreign Office, March 26, 1827.

I SEND to your Excellency, together with this despatch, the copies of papers which have been received from the Admiralty, containing an allegation of captain Owen (and information in support thereof) that at Ibo, on the Mozambique coast, an agent is resident, whose object it is to procure slaves for the French traders in direct and open breach of the treaty subsisting between this country and Portugal.

It is to be inferred from one of these papers, that the writer and other French subjects reside at Ibo for the purpose of exporting slaves.

The details of some of the transactions of these agents are also given in the enclosed papers.

From one document it appears that a passport was granted by the governor of Mozambique in March 1825, to a vessel described as the "Tigre," belonging to a Portuguese merchant at Cape Delgado, to carry 250 slaves to Brazil, while from another paper it appears that the vessel in question was actually destined to the Isle of Bourbon, and was in reality the French ship "Soleil," which was furnished with papers by the Portuguese authorities, who connived at the trade.

It is incredible that the governor of Mozambique should have been ignorant of the real character and destination of this vessel, the sale of which is likewise proved from one of the documents to have been evidently fictitious.

Your excellency will communicate these papers to the minister of the Infanta Regent; and you will urge that peremptory orders may be issued to the Portuguese authorities in Mozambique, prohibiting practices so repugnant as these are to the letter and the spirit of the compacts subsisting between this country and Portugal for the suppression of illegal slave trade.

I am, &amp;c.

(signed) GEORGE CANNING.

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

&amp;c. &amp;c. &amp;c.

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

1st Enclosure (A.)  
in N° 29.

Sir,

Admiralty Office, November 7, 1825.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, extracts of two letters from Captain Owen, of His Majesty's ship "Leven," relative to the traffic in slaves carried on by French traders on the east coast of Africa, and to a passport given by the governor of Mozambique to French persons and property engaged in that traffic.

I am, &amp;c.

(signed) John Barrow.

Joseph Planta, Jun. Esq.

&amp;c. &amp;c. &amp;c.

Captain Owen to J. W. Croker, Esq.

1st Enclosure (B.)  
in N° 29.

H. M. S. "Leven,"

Mauritius, July 23, 1825.

(Extract.)  
THE result of the "Soleil's" seizure will probably lay me under the necessity of calling their lordships attention to the circumstance of the governor of Mozambique having given a passport to what he knew was French property, and to persons whom he knew to be engaged in a traffic, which his nation is engaged by treaty not to permit. Of these facts we have full and sufficient proofs.

(signed) W. F. W. Owen.

J. W. Croker, Esq.

&amp;c. &amp;c. &amp;c.



## PORTUGAL.

Captain Owen to J. W. Croker, Esq.

1st Enclosure (C.)  
in N° 29.

H. M. S. "Leven,"

Port Louis, July 26, 1825.

(Extract.)

CAPTAIN WRAY brings information from Mombass that there are seven vessels under French colours taking slaves on board on the coast of Africa, three at Ibo, two at Lindy, and two at Kishooarra, which I have communicated to his excellency the governor, with a request that he would inform the governor of Bourbon thereof.

On this subject I beg to inform you that I have lodged in the Vice-Admiralty Court a correspondence (among the papers of the "Soleil," which proves that there is an agent, a native of this island, resident at Ibo, for the express purpose of procuring slaves for the French traders, in direct and open breach of our treaty with Portugal, and that Lindy and Kishooarra are the next two bays southward of Quiloa, or Keelwa, formerly a part of that kingdom, but now said to be independent of the Imaum, or any other authority.

(signed) *W. F. W. Owen.*J. W. Croker, Esq.  
&c. &c. &c.2d Enclosure (A.)  
in N° 29.

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

Sir,

Admiralty Office, April 29, 1826.

WITH reference to your letter of the 14th November last, respecting some papers alluded to in a letter from Captain Owen, of His Majesty's ship "Leven," as containing proofs that an agent was resident at Ibo, on the east coast of Africa, for the purpose of procuring slaves for the French traders, in breach of the treaty between this country and Portugal; I am commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, a copy of a letter from Captain Owen, stating that the papers in question are lodged in the Vice-Admiralty court at the Mauritius; and I am to acquaint you that I have written to the registrar of that court for copies of those papers.

I am, &c.  
(signed) *John Barrow.*Joseph Planta, jun. Esq.  
&c. &c. &c.2d Enclosure (B.)  
in N° 29.

Captain Owen to J. W. Croker, Esq.

His Majesty's Ship "Leven,"

Sierra Leone, January 28, 1826.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 18th of November last, desiring me to transmit duplicates of certain papers to you. I request you will inform their Lordships, that all the papers taken in the "Soleil" were lodged in the court of Vice-Admiralty, and no copies whatever kept by me; but they may be had in the regular way through the registrar's office.

The man alluded to is named Bataille, who had been a servant of our Government at Mauritius, whence he escaped from prison, and is the same who was carried to Muscat, and liberated by recommendation of Mr. Elphinstone, and whom I claimed as a felon from the governor of Mozambique, but who refused me, on the plea, that it was not understood that the Portuguese were bound to give up any other malefactors than deserters from the King's forces.

This man was, when I wrote my letter to you of the 26th July 1825, married at Ibo, and there are many letters from him, among the papers alluded to, which prove the fact I have stated in the said letter.

I have the honour to be, &c.  
(signed) *W. F. W. Owen.*John Wilson Croker, Esq.  
&c. &c. &c.3d Enclosure (A.)  
in N° 29.

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

Sir,

Admiralty Office, February 7, 1827.

WITH reference to my letter of the 29th of April last, in reply to your letter of the 14th of November 1825, on the subject of some papers, in which Captain Owen, of His Majesty's ship "Leven," had stated, that there were proofs that an agent was resident at Ibo, on the east coast of Africa, for the purpose of procuring slaves for the French traders, in direct and open breach of the treaty between this country and Portugal, I am commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, a copy of a letter from the registrar of the Vice-Admiralty court at the Mauritius, with copies of its enclosures, containing the papers alluded to by Captain Owen, and translations of those in the Portuguese language.

I am, &c.  
(signed) *John Barrow.*Joseph Planta, jun. Esq.  
&c. &c. &c.

PORTUGAL.

The Registrar of the Vice Admiralty Court at the Mauritius to John Barrow, Esq.

3d Enclosure (B.)  
in N° 29.Registry of Vice Admiralty,  
Port Louis, Mauritius, September 21, 1826.

Sir,

IN obedience to the orders of the Lords Commissioners of the Admiralty, contained in your letter of the 29th of April last, I lost no time in examining the mass of papers which was found on board the "Soleil," and lodged in this office by Captain Owen, of His Majesty's ship "Leven," and having also called upon the sworn translator for the Portuguese and French languages to make the necessary researches among the documents and correspondence in those languages, I have now the honour to transmit to you subjoined, official copies of all the papers in the said correspondence which relate to the subject of an agent resident at Ibo, for the purpose of procuring slaves for the French traders.

I have the honour to subjoin the account of the office-expenses for this affair, and request that you may be pleased to move their Lordships to order the amount to be paid to my agent, Charles Cookney, esq. N° 9, Castle-street, Holborn.

I have the honour to be, &amp;c.

John Barrow, Esq.  
&c. &c. &c.

(signed) C. Telfair, Registrar.

The Registrar of the Vice Admiralty Court at the Mauritius to A. Grupen, Esq.

3d Enclosure (C.)  
in N° 29.Registry of Vice Admiralty,  
Port Louis, Mauritius, September 4, 1826.

Sir,

HAVING received orders from the Lords Commissioners of the Admiralty, under date the 29th April last, directing me to transmit forthwith copies of the papers lodged in the office by Captain Owen, of His Majesty's ship "Leven," (among the papers of the "Soleil") which prove that there is an agent resident at Ibo for the express purpose of procuring slaves for the French traders, I request that you will, as sworn translator, attend without delay at this office, and extract all such parts of the correspondence lodged here by Captain Owen as may relate to that object.

I have the honour to be, &amp;c.

A. Grupen, Esq.

(signed) C. Telfair, Registrar.

A. Grupen, Esq. to the Registrar of the Vice Admiralty Court at the Mauritius.

3d Enclosure (D.)  
in N° 29.

Port Louis, Mauritius, September 22, 1826.

Sir,

IN consequence of your request, dated the 4th instant, I have the honour to annex to this letter three copies of letters, written in French, and three copies of Portuguese documents, which, as it appears to me, will answer entirely the demands of the Lords of the Admiralty.

These six documents are the only ones connected with this subject, as I have convinced myself by the most careful perusal and investigation of all the papers found on board the "Soleil."

I have the honour to be, &amp;c.

Charles Telfair, Esq.  
&c. &c. &c.

(signed) A. Grupen, Sworn Translator.

Affidavit of A. Grupen, Esq. Sworn Translator.

3d Enclosure (E.)  
in N° 29.

Port Louis, September 21, 1826.

I, Augustus Grupen, do swear and make oath, that the here-annexed six papers are true and faithful copies of their originals.

(signed) A. Grupen.

Sworn before me this 21st day of September 1826,  
at Port Louis, of Mauritius,(signed) Edward B. Blackburn,  
Commr Judge in Vice Admiralty.

M. Lagarosse to M. A. Setan.

Oibe, le 1 Avril 1825.

3d Enclosure (F.)  
in N° 29.

[Ne donne rien à mon Frère; dis lui s'il se trouve là que ce n'est pas à moi. Tu n'as que 50 piastres à payer de fret.]

Mon cher Antoine,

Dans le moment que je t'écris j'ai une fièvre qui ne me laisse pas un instant de repos, aussi mon ami je dois m'attendre à tout sur les côtes d'Afrique, presque sans ressources, en fait de provisions. J'aurais voulu embarquer 4 ou 8 noirs a bord du "Soleil," mais je ne

## PORTUGAL.

J'ai pu, vû le prompt départ de ce navire. J'en ai embarqué un qui est un fort noir de l'âge de 28 à 30 ans, mais sans barbe. Envoi moi une barrique de bon vin, j'aime mieux la payer 20 fr. de plus qu'il soit bon, 2 barils de farine, et le reste tu m'achèteras 2 pièces de coujon, dont une belle et l'autre inférieure, s'il reste quelque chose envoie moi 2 pièces de pariacats, s'il se peut fond rouge : voilà tout mon cher ami, mais que le vin, et la farine soient les premières choses. Il est possible que je t'enverrai quelques autres, sur un navire qui se trouve dans le nord, et qui doit arriver tous les jours.

Tu ne pourras j'aurais t'imaginer comme "le Soleil" aujourd'hui a ses pouvoirs dans les comptoirs Portugais, depuis qu'il a pris pavillon de cette nation, il va partout et principalement à Mozambique où tous les ans il sort de ce port plus de 10,000 noirs. Moncouet et Brocard sont très estimés du général, et ils ne feront jamais que de très bonnes voyages ; étant dans le port ils ne peuvent jamais être pris par les Anglais, parcequ'il faut passer sous une forteresse de 120 pièces de canons ; de manière qu'ils sont dans la plus grande sûreté et n'ont de risque que de 15 jours de mer, et qui n'est pas un risque puisqu'il faudrait la meilleure frégate pour pouvoir faire tête à la marche du navire qui est aujourd'hui "le Tigre." Monsieur Moncouet, te remettra le noir, c'est lui qui doit le marquer.

Le premier navire qui sera expédié, ou qui paroitra suspect à faire a la contrebande tu pourras lui remettre mes objets, et l'engager à venir ici où il sera parfaitement reçu, et même il n'y a pas d'autre endroit à pouvoir traiter, il sera protégé en même tems par le gouverneur, avec lequel je suis parfaitement lié. Si au cas Brocard débarque, et que tu le rencontrais, comme il n'y a pas de doute, tu le consulterais avant, parceque je pense qu'il viendra avec un autre navire, de manière que tu pourrais lui remettre mes objets au cas contraire expédié les le plutôt possible.

Je suis père d'un gros garçon, qui a déjà 4 mois et demi, dont le gouverneur et sa femme le batiseront, mais en ton nom ; ce sont mes arrangemens, et il portera ton nom et jamais d'autre.

Dis à M. Lafon que j'attends une meilleure occasion, pour lui envoyer ses coquilles. C'est la fièvre qui m'empêche de lui écrire.

Mes respects à ta femme et à toute ta famille, embrasse ton enfant pour moi.

Ne m'oublie pas après de Caillon à qui j'ai écrit par Brocard, ainsi qu'à Dachery, et autres amis.

Ton meilleur ami.

Monsieur A. Setan, à La Mare.

(signé) *Jaq. Lagarosse.*

## Translation.

(Translation.)

Oibe, 1st April 1825.

[Give nothing to my brother; should he be there, tell him that it is not on my account. You have only fifty piasters to pay for freight.]

My dear Anthony,

While writing to you, I am suffering under an attack of fever which leaves me not a moment's rest; indeed I must be prepared for the worst on the coast of Africa, with scarcely any resources, even of provisions. I intended to have shipped four or eight blacks on board the "Soleil," but she put to sea with such precipitation that I was unable to accomplish it; still, however, I have sent on board one of them, a stout negro, about twenty-eight or thirty years old, though he has no beard. Send me a barrel of good wine; I would rather pay twenty francs more than usual provided it be good; and two barrels of flour: the remainder you may lay out in two pieces of *coujon*, one superior and the other inferior; should you after this still have any thing left in hand, get me two pieces of *pariacats* with a red ground, if possible. This is all I want, my dear friend. Let the wine and the flour have precedence before the rest. I may possibly send you some more (negroes) by a vessel which is now in the north, and which I expect every day.

You cannot conceive in what request the "Soleil" now is at the Portuguese factories, since she has assumed the colours of that nation; she goes every where, especially to Mozambique, from which port are exported every year upwards of 10,000 blacks. Moncouet and Brocard are much respected by the general; they will always make very profitable voyages. When once in the harbour their vessels never can be taken by the English, who would have to pass under a fortress mounting 120 pieces of cannon. The two vessels therefore are in the greatest safety, and run no risk, except during the fortnight they are at sea; and even that cannot properly be called any risk, as it would require the fastest sailing frigate to overtake the vessel. The one in turn of sailing is the "Tigre." M. Moncouet will bring you the negro in question; he is also to mark him.

You may send the articles which I have desired you to buy for me by the first ship which shall be despatched, or which may be suspected of engaging in the contraband trade. Let her call at this place, where she will be perfectly well received; indeed there is no other calculated for the traffic. She will also be under the protection of the governor, with whom I am on the best terms. Should Brocard come on shore, you will in all probability see him; if so, I would have you consult him. I think he will sail with another vessel; and you may, in that case, intrust him with your purchases.

I am father of a fine boy now four months and a half old. The governor and his lady will christen him, but, by my desire, in your name. He is always to go by your name, and never by any other.

Tell M. Lafons that I shall wait for a better opportunity to send him the shells. Nothing but the fever prevents me from writing to him.

Present my respects to your wife and to all the family. Kiss your child for me.

Do not forget to mention me to Caillon, to whom I have written by Brocard, as well as to Dachery, and other friends.

PORTUGAL.

M. A. Setan, at La Mare.

Yours very truly,  
(signed) *Jas. Lagarosse.*

Original marked: "Letter from a correspondent at Ibo, showing the voyage of the 'Tigre' to be intended evidently to proceed to Bourbon."

(signed) *W. F. W. O.*  
(A true copy.) (signed) *C. Telfair*, Registrar.

Certificate of Sale of the "Sollé."

[3d Enclosure (G.)  
in N° 29.  
Translation.

Between Us, Joao da Silva Delgado Rezende, and Adolfo Moncouet, is agreed, as follows:—

To Wit,

I, Joao da Silva Delgado Rezende, lieutenant of the troops of Ibo, declare that I have sold, in public sale, before the authorities, on the 12th January 1824, the brig "Sollé" which arrived in this island on the 20th December 1823.

And I, Joao da Silva Delgado Rezende, declare that I make over the said brig, with its fittings, and every thing specified in the inventory, to Monsieur Adolfo Moncouet, now at Ibo, for the price of 2,000 pitadas.

In faith whereof, I Joao, and two witnesses, have signed hereunder, to certify it a good and true sale.

(signed) *Francisco Bapt. Giraldo Baup. de Moraes.* } Witnesses.  
(signed) *Joao da Sa. Delg. Rez.*

Ibo, January 12, 1824.

Affidavit of the Master of the Brig "Tigre."

[3d Enclosure (H.)  
in N° 29.  
Translation.

Agreeably to his excellency's direction, referring to the proper volume, in page 257, is found as follows:—

"On the 2d of March 1825 appeared in this secretariat of government, at Mozambique, Luis Antonio, master of the brig 'Tigre,' and the oath being administered to him on the Holy Evangelists, whereon he placed his right hand, he declared that the said brig was Portuguese property; that no foreigner had any share in her; and that she was proceeding as such on a voyage with a cargo of slaves from the islands of Cape Delgado to the ports of Brazil. And he signed the said declaration with me, secretary to the government.

(signed) *Luis Antonio.*  
(signed) *Jose Faustino da Costa.*

Extracted from the said register to which I refer.

(signed) *J. Faust. da Costa.*

Secretariat of Government, Mozambique, March 3, 1825.

Passport of the Brig "Tigre."

[3d Enclosure (I.)  
in N° 29.  
Translation.

I, Sebastian Xavier Botelho, of his most faithful Majesty's council, fidalgo of his royal household, commander of the order of Christ, governor and captain-general of the captaincy of Mozambique, Rios Senne and Sofala, president of the council of Administration, and receiver of the royal revenue, &c.

Make known to all who may see the present passport, that the brig called the "Tigre," of 208 tons, carrying a crew of thirty men, and sixteen passengers, Luis Antonio, master, Joao da Silva Rezende, owner, Portuguese subjects, residing in the islands of Cape Delgado, dependencies of Mozambique, is bound on a voyage to the ports of Brazil: the said master and owner having made the necessary oath in the secretariat of this government, serving as a maritime court, and legally proved that no foreigner has any share in the said brig or cargo, as shown by the certificate annexed to this passport: the said master being bound only to enter those ports on the coast of Brazil where the traffic in slaves is permitted to the subjects of this kingdom, and where only he will be allowed to land the slaves he may carry, after complying with all the forms required, to prove that he has conformed in all respects to the provisions of the Alvarà of the 24th November 1813, in which his most faithful Majesty was pleased to regulate the conveyance of slaves from the coast of Africa to the ports of Brazil: and in failure of complying with any of those conditions being liable to the penalties prescribed in the Alvarà of January, 1818, against those who should carry on the slave trade in an unlawful manner. And as in the course of his voyage he may, at sea, or in some port, meet with commanders or officers of ships or other vessels of this kingdom, it is ordered by his Majesty that no hindrance be offered to him: recommending to the fleets, squadrons, and vessels, of kings, princes, republics, states, and allies of this crown, not to interrupt him in the prosecution of his voyage, but on the contrary to render him any help or assistance of which he may stand in need, being assured that the same will

## PORTUGAL.

be done on our parts towards those bearing the recommendations of their princes. In faith whereof his Majesty has commanded that he should be furnished with this passport, signed by me, and sealed with the royal arms, which passport shall be valid only for the performance of one voyage.

Given in the Palace of St. Paul, Mozambique, the 5th day of March 1825.

(L. S.)

(signed) *Sebastian X. Botelho.*

By command of his Excellency,

(signed) *Joze Joaquim de Faro.*

This passport, N° 2, authorizes the vessel therein mentioned to have on board at one time any number of slaves not exceeding 520, being five for every two tons, conformably to the permission in the Alvarà of the 24th November, 1813, not including slaves employed as mariners, or servants, or children born on board during the voyage.

(signed) *Joze Joaquim de Faro.*

Payable, 1\$ 60 reas, for stamp.

(signed) *Carulho Passos.*

Mozambique, March 5, 1823.

3d Enclosure (J.)  
in N° 29.

M. Duroy to M. Lagarosse.

Mon Cher Lagarosse.

[Sans Date.]

APRES trois jours de traversée bord sur bord avec les vents de S. E. nous mimes en panne devant la passe nord de Mozambique pour attendre le pilote; calme plat, les courants portant sud sans pouvoir mouiller pas de fond. Le lendemain matin nous étions à douze lieues dans le sud de Mozambique, d'où nous mimes encore trois jours de traversée.

Arrivé à Mozambique la vente du navire se trouva mauvaise, le commodore Anglois fit tous ses efforts pour saisir le navire, il ne tenait qu' à moi de ravoir l'intérêt que j'avais perdu par la vente simulée fait au Sr. Jouan; le juge de Fore s'en serait chargé, mais j'ai réfléchi qu'en le faisant j'obligerai le "Soleil," à reprendre Pavillon Français, la vente étoit de suite annullée, et je portais un préjudice aussi considerable et même plus à Brocard et Moncouet qu' à celui cy en m'a causé ce dernier, en agissant il l'a fait à mon égard.

J'ai aujourd'hui quitté le "Soleil," et me suis embarqué passager à bord du "Piveteau," nous mettrons sous voile dans une 15e de jours pour Bourbon, et je pense qu' avant peu je serai à Oibé.

Adieu, &c.

M. Joseph Lagarosse, à Oibé.

(signé) *S. E. Duroy.*

A true copy,

(signed) *C. Telfair, Registrar.*

Translation.

My dear Lagarosse,

[without date.]

AFTER three days sailing with south-east winds, we lay-to before the north passage of Mozambique to wait for a pilot, a perfect calm, the currents drifting south, without being able to anchor. The next day morning we were twelve leagues to the south of Mozambique, for which we sailed for three days more.

Arrived at Mozambique, the ship sold badly; the English Commodore did all in his power to seize the ship; it only remained with me to recover the interest which I had lost by the fictitious sale made to the Sieur Jouan: the judge of Foro would have undertaken the commission, but I reflected that by his doing so I should have obliged the "Soleil" to resume the French flag. The sale was afterwards annulled, and I injured Brocard and Moncouet as considerably as, and even more than, the latter injured me, by acting as he did with regard to me. I have this day quitted the "Soleil," and have embarked as passenger on board the "Piveteau;" we shall sail in fifteen days for Bourbon, and I think before long I shall be at Oibé.

Adieu, &c.

Mr. Joseph Lagarosse, at Oibé.

(signed) *S. E. Duroy.*

Original marked, "Letter from Duroy, showing the sale of the "Soleil" to the Portuguese to be a fictitious one."

(signed) *W. F. W. O.*

3d Enclosure (K.)  
in N° 29.

M. Duroy to M. Brocard, Captain of the "Soleil."

Lindy, Fevrier 11, 1824.

D'APRES une lettre que j'ai reçue de Sidney le mois d'Août 1823, j'ai appris que c'est vous, mon cher Brocard, qui commande notre joli navire, mais j'apprends avec peine à mon arrivée à Lindy, que vous éprouvez beaucoup de difficultés pour votre opération, ce qui ne m'étonne pas, sù la saison et les parages surtout que vous fréquentez qui, d'après et moi et quelques années d'expérience, sont les moins sûres.

Après mille et mille positions plus affreuses les unes que les autres je suis enfin arrivé à Lindy, après une traversée de deux Mois, fatigué, harassé; et j'ai pris la résolution de rester à Lindy, jusqu'à ce que quelques âmes charitables viennent m'en tirer, et c'est sur

vous

vous principalement que je compte le plus, ne doutant pas que, à la réception de la présente, rien ne pourra vous empêcher de venir me tirer d'un pays où je puis être victime du climat comme de mille autres accidents. Je ne m'entendrai pas sur les détails de mes aventures; il est inutile de s'appesantir sur un sujet qui ne peut pas se concevoir. Mes amitiés à tout le monde, et à mes amis. Embrassez Moncouet pour moi.

Votre sincère ami,  
(signé) *E. Duroy.*

P. S. Le gouverneur de Lindy vous engage à venir ici sans balancer, il attend 400 du haut, et en a déjà reçu 100. Bataille vous fait ses amitiés ainsi qu'à tout le monde. Christophe est parti pour Bourbon à bord du "Prevurrevor" que nous avons trouvé à Muscat. L'Arabe nommé Assalum est porteur d'un fusil Anglais à 2 coups, que j'avais pris en place de celui de Moncouet qui me l'a arrêté de ce scélérat Marhouni; mais ce gueux d'Arabe que vous trouverez dans la présente "Chelinque" me l'a arraché de force; foulez lui une bonne pile et dites à Moncouet de reprendre ce fusil en remplacement du sien. Si ce n'avait pas été consideration pour le gouverneur de Lindy, Hassore, bataille et moi le sabre à la main, nous eussions arrêté le "Chelinque," et confisqué les marchandises.

(signé) *E. D.*

Addressé à Monsieur A. Brocarde, Capitaine du  
Brick Français le "Soleil;" en son absence à  
M. Moncouet du Sidney, à Oibé.

A true Copy,  
(signed) *C. Telfair, Registrar.*

Lindy, February 11, 1824.

Translation.

According to a letter which I received from Sidney in the month of August 1823, I have learnt that it is you, my dear Brocard, who command our pretty ship; but on my arrival at Lindy I understand, with great regret, that you meet with many difficulties as to your operations; which no way surprizes me, considering the season, and above all the coasts you frequent, which I know, from the experience of several years, to be the least sure of any.

After a thousand positions, one more frightful than the other, I have at length arrived at Lindy, after a voyage of two months, fatigued and harassed; and I have determined to remain at Lindy till some charitable souls come to withdraw me from it, and it is upon you that I reckon the most, not doubting that on the receipt of this nothing can prevent you from coming to withdraw me from a country where I may become a victim to the climate, and to a thousand other accidents. I will not dwell more at length on the subject of my adventures. It is useless to be tedious on a subject that cannot be conceived. My compliments to every one, and to my friends. Embrace Moncouet for me.

Your sincere friend,  
(signed) *E. Duroy.*

P. S. The governor of Lindy invites you to come here without hesitation; he expects 400 from above, and has already got 100. Bataille sends to you his compliments, as well as to every one else. Christophe has gone to Bourbon, on board the "Prevurrevor," which we found at Muscat. The Arab, named Assalum, is the bearer of an English double-barrelled gun, which I took in place of the one belonging to Moncouet, which he recovered from that villain Marhouni; but the beggarly Arab, who is in the present "Chelinque," took it from me by force. Give him a good trimming, and tell Moncouet to take that gun in place of his. Had it not been out of consideration for the governor of Lindy, Hassore, Bataille and I, sword in hand, would have stopped the "Chelinque," and confiscated its merchandise.

(signed) *E. D.*

Addressed to M. Brocard, captain of the  
French brig "Le Soleil; in his absence  
to A. Moncouet, of Sidney, at Oibé.

A true Copy,  
(signed) *C. Telfair, Registrar.*

N° 30.

N° 30.

Sir William à Court to Mr. Secretary Canning.—(Received April 25.)

Sir,

Lisbon, April 12, 1827.

UPON the receipt of your despatch, marked slave trade, of the 26th of March, I immediately addressed to the Portuguese government the note, a copy of which I have the honour to enclose.

I have as yet received no answer.

I have the honour to be, &c.

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

(signed) *William à Court.*

PORTUGAL.

Sir William à Court to Don Francisco d'Almeida.

Enclosure  
in N° 30.

Lisbon, April 9, 1827.

The undersigned, &c. has the honour to transmit to his excellency Don Francisco d'Almeida, &c., by order of his Court, copies of various communications which have lately reached His Britannic Majesty's government, showing that the Cape de Verd Islands still continue to afford shelter and protection to those engaged in the illegal traffic in slaves.

Relying on the recent professions of his excellency Don Francisco d'Almeida, with respect to this disgraceful traffic, His Britannic Majesty's Government trusts that the Portuguese ministers will give an earnest of their sincerity on this question, by immediately issuing such orders as may be best calculated to do away with the facilities afforded thereto in the Cape de Verd Islands.

The undersigned, &amp;c.

His Excellency Don Francisco d'Almeida,  
&c. &c. &c.(signed) *William à Court.*

N° 31.

N° 31.

Sir William à Court to Mr. Secretary Canning.—(Received May 4.)

Sir,

Lisbon, April 20, 1827.

I HAVE the honour to enclose a translation of the very satisfactory answer I have received from this government, to the note which I addressed to it upon the subject of the traffic in slaves carried on in the Cape de Verd Islands, a copy of which was enclosed in my despatch of the 12th instant, marked Slave Trade.

I have the honour to be, &amp;c.

The Right Hon. George Canning,  
&c. &c. &c.(signed) *William à Court.*

Don Francisco d'Almeida to Sir William à Court.

Palace of Ajuda, April 20, 1827.

The undersigned, &c. in acknowledging the receipt of the note which his excellency Sir William A'Court, &c. addressed to him on the 9th instant, transmitting various documents, which show that protection is still afforded to the slave-trade in the Cape de Verd Islands, has the honour to assure his excellency, in the name of her highness the Most Serene Infanta Regent, that the necessary measures will be immediately taken to punish those concerned in, and to put a stop for the future to, the practice of which his excellency complains in the above-mentioned note.

The undersigned, &amp;c.

His Excellency Sir William à Court,  
&c. &c. &c.(signed) *D. Francisco D'Almeida.*

N° 32.

N° 32.

Sir William à Court to Mr. Secretary Canning.—(Received May 5.)

Sir,

Lisbon, April 24, 1827.

I HAVE the honour to enclose copies of two notes which I have addressed to the Portuguese government in consequence of the instructions conveyed to me in your despatches of the 26th of February, and 26th of March.

I shall have the honour of forwarding to you the answers of this Government whenever they reach me.

I have the honour, &amp;c.

The Right Hon. George Canning,  
&c. &c. &c.(signed) *William à Court.*

Sir William à Court to Don Francisco d'Almeida.

Lisbon, April 23, 1827.

Cases have recently repeatedly occurred in which vessels under the flag of Portugal have arrived at the ports of Brazil laden with slaves from Africa.

The accompanying copies of despatches from the British Chargé d'Affaires at Rio to his Government give details of three of these cases, viz. the "Orfeo," the "Nove de Março," and the "Bom Viagem."

By

1st Enclosure  
in N° 32.

By the first article of the convention of the 28th July 1817 the two high contracting parties declare, "that they consider as illicit any traffic in slaves carried on by Portuguese vessels bound for any port not in the dominions of His Most Faithful Majesty."

Whatever pretence Brazil might (prior to the conclusion by her of any positive compact with Great Britain) have had for resisting the enforcement of the prohibition to Portuguese vessels to enter her ports, there can be no doubt that Portugal, from the moment she acknowledged the independence of Brazil, was bound by the above-mentioned article to repress all slave trade to Brazil in Portuguese vessels.

The undersigned, therefore, has received instructions to make a representation upon this subject to his excellency Don Francisco D'Almeida, &c. and to demand that due punishment may be inflicted upon those concerned in these illegal undertakings, and that such orders shall be promulgated by the Portuguese government as shall appear most likely to prevent the recurrence of similar infractions of the compacts subsisting between England and Portugal.

The undersigned avails himself, &c.

(signed) *William à Court.*

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

Sir William à Court to Don Francisco d'Almeida.

Lisbon, April 23, 1827.

THE undersigned, &c. has the honour to transmit to his excellency Don Francisco d'Almeida, &c. a series of official documents, proving that at Ibo, on the Mozambique coast, an agent is resident, whose object it is to procure slaves for the French traders, in direct and open breach of the Treaty subsisting between England and Portugal.

One of these papers shows that the writer and other French subjects reside at Ibo for the purpose of exporting slaves.

From another of the documents it appears that a passport was granted by the governor of Mozambique in March 1825, to a vessel described as the "Tigre," belonging to a Portuguese merchant at Cape Delgado, to carry 250 slaves to Brazil; while from another paper it appears that the vessel in question was actually destined to the Isle of Bourbon, and was in reality the French ship "Soleil," which was furnished with papers by the Portuguese authorities, who connived at the trade.

It is impossible that the governor of Mozambique should have been ignorant of the real character and destination of this vessel, the sale of which is likewise proved from one of the documents to have been evidently fictitious.

The undersigned has received orders to communicate all these papers to the government of her royal highness the Infanta Regent, and to urge that peremptory orders may be issued to the Portuguese authorities in Mozambique, prohibiting practices so repugnant as these are to the letter and spirit of the compacts subsisting between England and Portugal for the suppression of illegal slave trade.

The undersigned, &c.

(signed) *William à Court.*

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

N° 33.

N° 33.

Sir W. à Court to Mr. Secretary Canning. — (Received May 10.)

Sir,

Lisbon, April 25, 1827.

IN continuation of what I had the honour to communicate to you in my despatch of the 20th instant, I now enclose the translation of a second note I have received from Don Francisco d'Almeida, upon the subject of the trade in slaves carried on in the Cape de Verd Islands.

I have the honour to be, &c.

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

(signed) *William à Court.*

Don Francisco d'Almeida to Sir William à Court.

Palace of Ajuda, April 24, 1827.

IN addition to what the undersigned had the honour to communicate to his excellency Sir William A'Court, in his note of the 20th instant, in reply to that which his excellency addressed to him on the 9th instant, he has now to inform him that, notwithstanding that the assertions of the British Consul-general at the Cape de Verd Islands, and of Mr. Proctor; respecting the protection afforded there to the traffic in slaves, are somewhat vague, her serene highness the Infanta Regent has issued her commands, through the marine department,

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ment, that the brig "Constancia" should immediately be fitted out to cruize with the schooner "Conceição," on that station, in order to prevent the possibility of the continuation of the slave trade. It would be desirable that such complaints should, for the future, be accompanied by documents in proof thereof, not only for the purpose of punishing with the utmost rigour of the laws those guilty of so scandalous a transgression of them, and of the dictates of morality and humanity, but in order to secure the Portuguese authorities from calumny, should the accusation be unfounded.

The undersigned renews, &c.

(signed) *Don Francisco D'Almeida.*

His Excellency Sir W. à Court,  
&c. &c. &c.

N° 34.

N° 34.

Viscount Dudley to Sir William à Court.

Sir,

Foreign Office, May 18, 1827.

I HAVE received your excellency's despatches of the slave trade series up to the 25th ultimo.

I have to desire that your excellency will express to the government of her Serene Highness the Infanta Regent, the satisfaction which His Majesty's Government derives from the communication contained in the notes which were addressed to you by Don Francisco d'Almeida on the 20th and 24th of April, upon the subject of the protection alleged to be afforded at the Cape de Verd Islands to the traffic in slaves, and from the assurance of the determination of the Portuguese government to take further steps for the prevention of that evil.

I am, &c.

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

(signed) DUDLEY.

N° 35.

N° 35.

Sir William à Court to Viscount Dudley.—(Received June 23.)

My Lord,

Lisbon, May 30, 1827.

I HAVE the honour to enclose the translation of a note, and of its enclosure, which has been addressed to me by the Portuguese secretary of state, in answer to the notes addressed by me to his excellency, copies of which were transmitted to Mr. Secretary Canning in my despatch of the 24th of April.

I have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *William à Court.*

Don Francisco d'Almeida to Sir William à Court.

Alfarrobeira, May 29, 1827.

THE Undersigned, &c. in reply to the note which he received on the 23d of April last, from his excellency Sir William à Court, &c. has the honour to forward to his excellency a copy of the orders which her serene highness the Infanta Regent has caused to be issued, through the Colonial Department, to the governor and captain-general of Mozambique, until other measures now in contemplation shall be taken, to put a stop to the abuses and illegality which may exist in the slave trade on that coast.

The undersigned renews, &c.

His Excellency Sir William à Court,  
&c. &c. &c.

(signed) *D. Francisco D'Almeida.*

Order of the Infanta Regent to the Governor of Mozambique.

Bemfica, May 26, 1827.

A NOTE, and its accompanying documents, from His Britannic Majesty's Ambassador at this court, demanding the exact observance of the treaties existing between Portugal and Great Britain upon the slave trade, which in the above-mentioned documents is stated to be carried on in an illegal, and consequently criminal manner, in the ports of Mozambique, and more particularly at Ibo, by the granting of passports in due form, for the

Brazils,

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Brazils, to ships which are destined to the ports of other countries, and which, being foreign property, go under different names, and are said to be Portuguese, having been laid before the Infanta Regent, in the name of the king, it is her highness's command, that the governor and captain-general of Mozambique, immediately take adequate and strong measures for the prevention of such offences, in the certainty that the slightest omission in this important object will subject any authority, in whom so shameful a dereliction of duty shall be observed, to the most severe proceedings, and that the utmost rigour of the laws will be exercised upon those against whom it shall be proved, that they have taken part, however indirectly, in such scandalous practices, of which the mere statement requires measures to be adopted by her highness.

(signed) *Antonio Manoel de Noronha.*

N° 36.

N° 36.

Viscount Dudley to Sir William à Court.

Sir,

Foreign Office, June 28, 1827.

I HAVE received the despatches of your Excellency, marked Slave-trade, up to the 30th May last.

Your Excellency will express to the government of the Infanta Regent the satisfaction which this Government derives from the prompt and decisive orders issued by Her Royal Highness's government to the governor of Mozambique, to put a stop to the abuses and illegality alleged to exist in the slave-trade on that coast.

I am, &c.

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

(signed) DUDLEY.

N° 37.

N° 37.

Viscount Dudley to Sir William à Court.

Sir,

Foreign Office, July 3, 1827.

IN reference to the former correspondence on the subject of the prevalence of the illegal slave trade at the Cape de Verd Islands, I transmit to your Excellency the accompanying copy of a letter, which has been recently received upon this subject from Mr. Clarke, His Majesty's consul-general for those islands; and I have to desire that you will bring before the Portuguese government, the fresh instance contained in Mr. Clarke's letter of the misconduct of persons employed by them in their settlements abroad.

I am, &c.

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

(signed) DUDLEY.

Mr. Consul-General Clarke to John Bidwell, Esq.

Enclosure  
in N° 37.

Sir,

British Consulate, St. Jago, April 19, 1827.

IN reference to my letter of the 5th February last, in which I had the honour of acquainting you, for the information of Mr. Secretary Canning, of the arrival of the "Secours," captain Freitas, in the bay of St. Francis, with slaves, I have now to inform you, that since that period she has been in this harbour refitting, and sailed from this port on the night of the 18th instant, with upwards of 150 slaves on board, at a freight of sixty-two dollars per head, for the Havannah; it was the intention of sending these poor creatures to the Brazils, but I am happy in having it in my power to say, that the owner of them applied to the governor-general for a passport to Maranham, for these slaves, but he was very properly refused it: I trust that as she will have to pass His Majesty's cruizers in the West Indies, some of them will capture her before she reaches her destination.

I have likewise to acquaint you, for the information of the Right Hon. Secretary of State, that the Portuguese national schooner, the "Conception," commanded by lieutenant Lima, arrived in this harbour on the evening of the 16th, with the late governor of Bissao, Joachim Antonio Mattas, a noted slave dealer, and on the morning of the 17th landed his domestics, as they are termed, to the number of thirty-two, with impunity; on my remonstrating with his excellency the governor-general on the impropriety of their being landed, contrary to treaty, he replied, he had no power to seize them, not having instructions from his government to that effect; thus it appears, that the slave trade is allowed to be carried on amongst the Cape de Verds, with every protection requisite, and supported by the naval officers of the crown; I trust such prompt steps will be taken to suppress these measures

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as will finally bring the resident persons amongst these islands, who are all more or less concerned in it, to a proper sense of feeling, and convince them that they are not justified in acting contrary to treaties existing between the two governments.

John Bidwell, Esq.  
&c. &c. &c.

I have, &c.  
(signed) J. P. Clarke, Consul General.

P. S. I have every reason to suppose that a much greater number than those specified, have been landed during the night, but I cannot ascertain it to a certainty.

(signed) J. P. C.

N° 38.

N° 38.

Sir William à Court to Viscount Dudley.—(Received August 5.)

My Lord,

Lisbon, July 14, 1827.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches, marked Slave-trade, of the 28th June, and 3d July.

I shall immediately convey to the Portuguese government the expressions of satisfaction contained in the first, and at the same time, lay before it a copy of the letter enclosed in the second, with a request, that measures may be taken to put an end to the abuses pointed out by Mr. Clarke.

We have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) William à Court.

N° 39.

N° 39.

Viscount Dudley to Sir William à Court.

Sir,

Foreign Office, August 31, 1827.

IN reference to former correspondence with your Excellency on the subject of the illegal slave trade carried on by inhabitants of the Cape de Verd Islands, I transmit, for your further information, the accompanying copies of despatches which have been received upon that subject at this office, from His Majesty's consul general for those islands.

Your Excellency will take an early opportunity of communicating to the government of her Royal Highness the Infanta Regent, the intelligence contained in these papers.

I am, &c.

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

(signed) DUDLEY.

1st Enclosure  
in N° 39.

Mr. Consul General Clarke to John Bidwell, Esq.

Sir,

British Consulate, St. Jago, June 8, 1827.

DID myself the honour of addressing you in duplicate of the 19th of April last, to which I beg reference. I therein stated that the "Conception," had landed thirty-two slaves; I have since ascertained that the commander, Lieutenant Lima, brought over eleven belonging to himself, and which were landed and sold in these islands.

The governor-general of these provinces acknowledges to have received official instructions from his government relative to the slave trade, on the 20th ultimo, per Portuguese national brig "Gloria," notwithstanding which, on the evening of the 6th instant, while His Majesty's ship "North Star," Captain Septimius Arabin, was lying in this port, there were landed from a boat, in the presence of one of the crew of the captain's gig, ten slaves, brought over in the Portuguese national brig "Boa Ventura," Manoel da Cunha Maldonada commander. It appears to me that the slave trade, so far from meeting with opposition from the constituted authorities of this place, every facility is afforded, and all inquiries made by me, relative to the arrival of vessels, is placing me hourly in a most precarious state, as I have been publicly told to shut my eyes to this traffic; threats will never prevent my doing what I consider a public duty, and wherever the interests of my country are concerned, His Majesty's Government will find I shall never swerve; but still I solicit the protection of my Government against a confirmed race of slave dealers, and who would not hesitate to put me out of the way by unfair means were they not apprehensive of meeting with their deserts.

I have hitherto, from motives of delicacy, refrained from making any remarks on the nature

nature of the people I have to contend with in these islands, apprehensive my Government might consider I was dissatisfied with my present situation.

On the arrival of the "Bustard," in October 1825, from the circumstances which at that time took place, I was induced to show the draft of a letter to Mr. Secretary Canning, dated the 24th of June 1824, (six months after my arrival here) to Messrs. Schenley and Macleay, and for the reasons above stated, I was induced to omit a paragraph of it. I now beg to forward you a copy of the latter. "I am apprehensive that the inhabitants are fully aware that I am not sent out merely for the protection of the British trade, but for the suppression of the slave trade; and as I doubt not it will greatly militate against my interests as a merchant, I trust His Majesty's Government will see the necessity of protecting me, as I am desirous to act fully up to my instructions."

My motive for transmitting you the above paragraph, is merely to show how perfectly aware I was, at that early period, of the villainy of these people.

John Bidwell, Esq.  
&c. &c. &c.

I am, &c.  
(signed) J. P. Clarke.

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Mr. Consul General Clarke to John Bidwell, Esq.

2d Enclosure  
in N° 39.

Sir,

British Consulate, St. Jago, June 12, 1827.

I BEG leave to acquaint you, for the information of the Right Hon. Secretary of State for Foreign Affairs, that the Portuguese brigantine schooner "Four Friends," Castello, master, arrived at Bonavista, on or about the 4th instant, with eighty slaves, from Cacheo, belonging to a person styled Donna Rosa, and whose husband recently died on the coast; those mentioned in my former despatch of the 8th instant, brought over by the "Boa Ventura," belong to the same owner, and I should not be surprised to learn, that so great a number have been passed over by the governor of Cacheo, as domestics, although I am of opinion, had such been the case, and one of His Majesty's cruizers had fallen in with her, they would not have overlooked so flagrant an infringement of the treaty existing between the two governments.

The slave trade is carried on most certainly with great success, and to a great extent amongst these islands, and unless measures are taken to prevent it, I am certain these islands will become, very shortly, the grand mart for the slave dealers.

I have, &c.

John Bidwell, Esq.  
&c. &c. &c.

(signed) J. P. Clarke, Consul-General.

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Mr. Consul General Clarke to John Bidwell, Esq.

3d Enclosure  
in N° 39.

Sir,

British Consulate, St. Jago, June 18, 1827.

I BEG leave to acquaint you, for the information of the Right Hon. Secretary of State for Foreign Affairs, that his most Faithful Majesty's corvette "Princess Real," commanded by Captain Francisco Pedro Limpo, arrived at this anchorage on the 16th instant, for the purpose of suppressing the slave trade from the coast to these islands.

I have, &c.

John Bidwell, Esq.  
&c. &c. &c.

(signed) J. P. Clarke, Consul General.

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Mr. Consul-General Clarke to John Bidwell, Esq.

4th Enclosure  
in N° 39.

Sir,

British Consulate, St. Jago,  
Cape de Verds, June 21, 1827.

IN my despatch of the 18th instant I did myself the honour of acquainting you of the arrival of a Portuguese corvette, "Princess Real," for the purpose of cruising against the slave trade; on the evening of 20th, the judge of this province made me acquainted that he had received instructions to investigate, as to who the parties are concerned in this traffic, which has so completely annoyed the inhabitants, that it is now the common observation, that "it entirely arises from the representations of the English consul to the British Government." You cannot for a moment imagine the very unpleasant situation in which I am placed in, from these circumstances; no man placed in a public situation can avoid having enemies, whilst it is incumbent on him to inform his government of every transaction that militates against existing treaties.

I have no doubt, at this present moment, fresh intrigues are forming against me, and they will not hesitate to assert any falshood to endeavour to carry their purpose; feeling fully confident, that should they make any false representations, that my government will do me justice, I make myself perfectly easy on that head.

I am sensible that it is incompatible with the duty of a consul in this place to trade; and if my income was barely sufficient to keep my family, and the expenses I am unavoidably put to by the arrival of His Majesty's cruizers, as well as officers in the army, I should with the greatest pleasure, decline it, for not one of the merchants in the place will purchase an individual article of me if it is procurable from any one else in Villa de Praia;

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thus I am beset on every side, and labouring under every disadvantage, and not one English man amongst the whole of the islands, to whom I might in some measure, impart my feelings. God knows, any person envying my situation, with such a set of villains to contend with, and a wretched climate also, would be termed in England a perfect madman.

I beg to apologize for thus transgressing on your time, but I cannot, in sufficiently strong terms, state what are my feelings at the present moment.

I am, &amp;c.

John Bidwell, Esq.  
&c. &c. &c.

(signed) J. P. Clarke, Consul General.

5th Enclosure  
in N° 39.

Mr. Consul General Clarke to John Bidwell, Esq.

Sir,

British Consulate, St. Jago, July 2, 1827.

I BEG leave to acquaint you, for the information of the Right Hon. Secretary of State for Foreign Affairs, that a complete combination exists with the inhabitants of Villa de Praia, as to the continuance of the Portuguese corvette sent here for the suppression of the slave trade.

The commander has orders to get supplies from the governor-general of this province, or of parties resident in the place; no funds for the purpose are placed at the command of his excellency, consequently he cannot procure them what they require, and the inhabitants have determined, within themselves, not to contribute to their wants in any shape, or to accept bills on their government; necessity, in two months, will oblige them to return to Lisbon for provisions, and the persons concerned in the slave trade, will carry their point, by getting the cruizer out of the way: this vessel is not at all adapted for the service, mostly all our merchant vessels outsail her.

An English schooner sailing direct to England from this port allows me an opportunity of conveying this intelligence, and I trust in sufficient time to counteract their machinations, before necessity obliges the "Princess Real" to depart from these islands.

I have, &amp;c.

John Bidwell, Esq.  
&c. &c. &c.

(signed) J. P. Clarke, Consul General.

BRAZIL.

BRAZIL.

N° 40.

N° 40.

The Right Hon. R. Gordon, to Mr. Secretary Canning.  
(Received January 30, 1827.)

(Extract.)

Rio de Janeiro, November 27, 1826.

I HAVE this day the honour to forward by Captain Ferguson, of His Majesty's ship "Mersey," who proceeds direct to England, the convention, which I signed on the 23d of this month, for the total abolition of the slave trade after the expiration of a term of three years.

The Emperor Don Pedro's ratification having been affixed to the convention, the same will be forwarded, under charge of a secretary in the foreign office of the Brazilian government, by the Camden Packet, which sails for England on the 5th of December.

(signed) R. Gordon.

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

N° 41.

N° 41.

The Right Hon. R. Gordon to Mr. Secretary Canning.  
(Received January 30, 1827.)

(Extract.)

Rio de Janeiro, November 27, 1826.

I HAVE been under the necessity of receiving from the Brazilian plenipotentiaries the two enclosed notes, expressing at once their fears, and their requests upon the British Government, with reference to what they seem to consider will be the fatal results of our convention for the abolition of the slave trade in this country; and I have the honour to enclose, at the same time, the answer which I have made to them upon this subject.

The

The very same notes were presented to Sir Charles Stuart, and, like him, I have declined to give any encouragement to the demands of the Brazilian government, as will appear on perusal of my note reversal.

BRAZIL.

(signed) *R. Gordon.*

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

The Brazilian Plenipotentiaries to the Right Hon. R. Gordon.

Rio de Janeiro, November 23, 1826.

THE Undersigned, plenipotentiaries of his Imperial Majesty, having reflected most maturely and deliberately upon the treaty which they are about to sign for the abolition of the slave trade, feel themselves obliged, for the good of Brazil, and the dignity of His Imperial Majesty, to submit to his excellency the Right hon. Robert Gordon, the British plenipotentiary, two observations upon the consequences of that treaty, which appear to them of the highest importance; and on this account they venture to hope that his excellency will give them the necessary attention.

The undersigned have to remark, first, that the stipulations of the treaty which relates to the lawful traffic in slaves, for the space of three years, will become null and of no effect, either if Portugal shall prohibit this trade in her ports on the coast of Africa, or if the cruizers of other nations shall be disposed to interrupt the traffic, in virtue of the treaties concluded for that purpose with Great Britain.

No less important is their second observation, respecting the well-founded apprehension that the subjects of Brazil, finding themselves deprived of the facilities which they now enjoy, for procuring hands to keep up their existing establishments, to promote the improvement thereof, and to attempt others, will be dissatisfied at this loss, and, instigated by those who are discontented with the actual form of government in Brazil, will break out in complaints which it will be impossible to remove, or into excesses which may not only alarm his Imperial Majesty, but also endanger even the continuance of tranquillity and good order.

It is of the utmost urgency to anticipate results so weighty and so important, and the undersigned have no doubt that the government of his Britannic Majesty, interested as it is, and as it has shown itself so, efficaciously, in the stability of the Brazilian Throne, will still be willing to concur, by every effort, in its preservation.

Animated by this hope, and calling upon your excellency's practical knowledge of the actual state of the empire of Brazil, the undersigned have received the commands of his Imperial Majesty to ask, at the hands of the government of his Britannic Majesty, through the channel of your excellency, for a guarantee, as far as regards the non-interruption of the execution of the treaty which authorizes the lawful traffic in slaves during three years; and, secondly, for a declaration, stating the readiness of the government of his Britannic Majesty to enter into and conclude some arrangement against the contingency to which are directed the just fears of his Imperial Majesty's government, as the result of the abolition of the said traffic.

The undersigned, &c.

(signed)

*Marquez de Inhambupe.*

*Marquez de Santo Amaro.*

The Right Hon. R. Gordon,  
&c. &c. &c.

The Brazilian Plenipotentiaries to the Right Hon. R. Gordon.

Rio de Janeiro, Nov. 23, 1826.

THE Undersigned, plenipotentiaries of his Imperial Majesty, having negotiated and signed, under date this day, the treaty for the abolition of the slave trade, after the lapse of three years, to be counted from the date of the ratification of the said treaty, cannot omit to call the attention of his excellency the Right hon. Robert Gordon, to the important and weighty observations which they made upon this subject in the late conferences, and they add, that as it may happen that, at the expiration of that term, many commercial speculations, undertaken in proper time, may still be pending, it is but just and fair to take into consideration and to protect such transactions as may have commenced in good faith, and to which the subjects of his Imperial Majesty attach the greatest importance, inasmuch as it is proposed to destroy the means which they look upon as indispensable for the advancement of agriculture, the principal branch of industry, which is rendered available in this country.

Upon these grounds, and upon those which the practical knowledge of Brazil must suggest to your excellency, the undersigned flatter themselves that your answer to this note will be so satisfactory, as to give them hopes that the government of His Britannic Majesty will readily consent to come to some arrangement in London, posterior to this treaty, granting a fair prolongation of the stipulated term, for the sole purpose of facilitating the final termination of speculations connected with the traffic in slaves, which may at that time still be pending.

The undersigned, &c.

(signed)

*Marquez de Inhambupe.*

*Marquez de Santo Amaro.*

The Right Hon. R. Gordon,  
&c. &c. &c.

1st Enclosure  
in N<sup>o</sup> 41.  
Translation.

2d Enclosure  
in N<sup>o</sup> 41.  
Translation.

BRAZIL.

The Right Hon. R. Gordon to the Brazilian Plenipotentiaries.

Rio de Janeiro, November 26, 1826.

3d Enclosure  
in N° 41.

THE Undersigned, his Britannic Majesty's plenipotentiary, has received and given due attention to the two notes which their excellencies the plenipotentiaries of Brazil have addressed to him, upon the signing of the convention for the abolition of the slave trade. In one of these their excellencies express their apprehension that, in the first place, the stipulations of this convention may become null and of no effect, either if Portugal should prohibit the traffic in her ports on the coast of Africa, or if the Spanish and American cruizers should be disposed to interrupt it, in virtue of their treaties with Great Britain; and, secondly, that the subjects of Brazil, much dissatisfied with a measure which is likely to deprive them of great advantages, may be instigated to give such effect to their complaints as may endanger the peace of the empire.

The Brazilian plenipotentiaries further require the undersigned to ask for a guarantee, on the part of the British government, against these results.

In replying to the above, the undersigned flatters himself the Brazilian plenipotentiaries can expect little more at his hands than an assurance that he will not fail to transmit the same to his government.

There seem to be no grounds for an increased apprehension on the part of Brazil, with respect to the interference of foreign powers, with her traffic in slaves, consequent upon the signature of the present convention with Great Britain; and the undersigned need not assure the Brazilian plenipotentiaries that perfect good faith will be observed by his government in the execution of its stipulations.

From a strict exercise of this good faith, it might rather be inferred, that the danger of foreign interference would be diminished; but under no circumstances can the undersigned encourage the plenipotentiaries of Brazil to expect, that Great Britain will interfere with the acts or determinations of other powers, having reference to their own interests or internal arrangements.

In like manner the undersigned sees no cause for dreading the consequences which, it is said, may arise out of the discontent of the people of this country when the final abolition of the slave trade is effected; a measure which must be productive of ultimate advantage to the country, accompanied by the due provisions of a beneficent Sovereign and an enlightened government, can hardly afford a just cause for alarm.

The interest which the King of England takes in the prosperity of this empire would make it doubly painful to him to believe in the dangerous consequences foreseen by the Brazilian plenipotentiaries, and, doubtless, his Britannic Majesty could not view with indifference his ally brought into distress, on account of a measure which is calculated rather to reflect happiness and honour upon his government.

The second note of the Brazilian plenipotentiaries alludes to the inconvenience and loss which will arise to many of the merchants of this country, if the stipulations of the convention signed on the 23d instant be carried into rigorous effect, immediately upon the expiration of the term fixed for the abolition.

Trusting that the government of Brazil is animated by the same good faith as the British government, in wishing totally to abolish the trade, the undersigned cannot for a moment believe, that it is not in the power of the former to enact such regulations in the course of the next three years as may justly force the Brazilians to restrain their commerce, and, by opportunely submitting to the laws of their country, not expose themselves to the risk above mentioned.

An agreement to prolong the term stipulated by the convention, appears to the undersigned in the light of an encouragement to bad faith.

Having thus replied to the two notes which he has received from the Brazilian plenipotentiaries, arising out of the convention which he had the honour to sign with their excellencies on the 23d instant, and having engaged to transmit the said notes for the consideration of his government, the undersigned takes this opportunity, &c.

(signed) R. Gordon.

Their Excellencies

The Marquis of Inhambupe, and  
The Marquis of Santo Amaro,  
&c. &c. &c.

N° 43.

N° 42.

Mr. Secretary Canning to the Right Hon. R. Gordon.

Sir,

Foreign Office, February 26, 1827.

I HAVE received the despatches of Mr. Chamberlain, of the slave trade series, to the 14th of October.

By a reference to these despatches, you will perceive that the Portuguese vessels "Orfeo," "Nove de Marco," and "Bom Viagem," had arrived in Brazil with cargoes of slaves from Africa; that His Majesty's Chargé d'Affaires had remonstrated against the grant to land these slaves, and that the Brazilian government had declined to take any cognizance of these cases, alleging "that there is not, at present, any stipulation

stipulation between England and Brazil, by which Brazil binds herself not to receive slaves imported in Portuguese vessels."

I hope that such a case of the admission of Portuguese slave-vessels into the ports of Brazil will not recur; but it will be right to provide for its recurrence, however little to be expected, and for the repetition of the allegation brought forward by the Brazilian government, however unfounded in principle, and evasive as to fact.

It will first be necessary to show what compacts Brazil is willing to acknowledge as subsisting between that country and Great Britain.

She has expressed, upon more than one occasion, a wish that the stipulations which subsisted between this country and Portugal, when Brazil was a province of Portugal, should still be considered as subsisting between this country and Brazil.

That principle has been acknowledged by this country; it is acted upon provisionally in respect of the commercial treaty. It must equally be considered to have been binding, as regards the treaty on slave-trade.

In respect to the slave trade treaty, that treaty has moreover been already acted upon by Brazil, in respect to matters coming under the Brazilian Alvarà of 1818, subsequent to the period when Brazil had declared herself to be independent.

The treaty of 1817 has indeed now been formally renewed; and His Majesty's ratification of that treaty concluded by you, in which its renewal is recognized, will reach Brazil probably shortly after the receipt by you of this despatch. It now, therefore, only remains for me to remind you of the spirit of those stipulations of the treaty of 1817, which bear upon the particular question, so that you may be furnished with an answer to the government of Brazil in the event of their now repeating the allegation, that there is no stipulation subsisting between this country and Brazil, by which Brazil binds itself not to receive slaves imported in Portuguese vessels.

In the first section of the first article of the Convention of 1817, the object on the part of the two governments is declared to be "mutually to prevent their respective subjects from carrying on an illicit slave trade."

The admission indiscriminately of slaves imported in Portuguese vessels from Africa into the ports of Brazil is utterly inconsistent with that declaration.

In the fourth section of the same article, that slave trade is declared to be illegal which is carried on by Portuguese vessels, bound for any port not in the dominions of his most Faithful Majesty.

Brazil is no longer in the dominions of his most Faithful Majesty, and the slave trade admitted in Portuguese vessels to Brazil is therefore decidedly illegal. By the third article of the same treaty, a further engagement is made to Great Britain, by the other contracting party to the treaty, that the prohibition shall be renewed against the importation of slaves into Brazil under any other flag than the native flag of the vessels belonging to that other contracting party.

As Brazil has adopted this treaty as her own, and has thus put herself in the light of the contracting party in it, towards Great Britain, she cannot but allow that, under the spirit also of this stipulation, the trade to Brazil in Portuguese vessels is now decidedly illegal.

If therefore any case should again occur, of the admission of the Portuguese slave vessels into the ports of Brazil, you will not omit strongly to remonstrate against such transaction, grounding your remonstrances upon what I have above stated, of the letter and spirit of those compacts in this respect, which Brazil has now voluntarily acknowledged to be binding upon herself, and the express fulfilment of which Great Britain is entitled to require of her.

I am, &c.

The Right Hon. Robert Gordon,  
&c. &c. &c.

(signed) GEORGE CANNING.

N° 43.

N° 43.

The Right Hon. Robert Gordon to Mr. Secretary Canning —  
(Received March 1, 1827.)

Sir,

Rio de Janeiro, December 8, 1826.

IN obedience to the directions contained in your despatches of August and September last, I have the honour to acquaint you, that, on the 4th instant I addressed the enclosed note to the Marquis of Inhambupe.



BRAZIL.

Besides the two cases mentioned in your despatches, of the "Carolina," and the schooner "Nove de Março," I have thought proper to include in my representations to the minister for foreign affairs another most aggravated case of infraction of the slave trade treaties, which appears to have been countenanced by the authorities at Maranham, and of which ample details have been furnished to this mission by His Majesty's consul at that port.

I have, &amp;c.

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

(signed) *R. Gordon.*

Enclosure  
in N<sup>o</sup> 43.

The Right Hon. R. Gordon to the Marquis of Inhambupe.

Monsieur le Marquis,

Rio de Janeiro, Dec. 4, 1826.

It has become my duty to call your excellency's attention to several cases in which a most flagrant infraction of the slave trade treaties appears to have been countenanced by the authorities of Maranham; and I am induced the more earnestly to desire that the Brazilian government will interfere to prevent these abuses, owing to their very frequent occurrence in that province.

On the 9th of September last, Mr. Chamberlain represented to your excellency the fact of the schooner "Nove de Março," which had arrived from the island of St. Jago with a cargo of eighty-six slaves, having been permitted to land them at Maranham, under a false entry from Cabinda; but no answer has yet been received from your excellency to this representation.

Since it was made, fresh information has been received from his Britannic Majesty's consul, proving the illegality of the voyage of the schooner "Nove de Março," and her fraudulent entry into that port.

Another case, in which the execution of the law has been strangely departed from at Maranham, regards the fate and distribution of the negroes found on board the schooner "Carolina;" the freedom of these negroes having been decreed by a sentence of the competent tribunals, in virtue of the alvará of the 26th of January 1818, his Britannic Majesty's government has learnt with sorrow, that in evasion of that sentence, many of them have been falsely reported as dead, and surreptitiously sent into slavery, whilst the greater part of them have been given to planters, by whom they will be, doubtless, sent to work in plantations, instead of being suffered to gain their livelihood in the town by exercising handicraft trades—the lot of all being thus a return to slavery.

I am sorry to have to add, that another most glaring infraction of the treaties has been permitted by the authorities of Maranham, in the month of August last.

On the 13th of that month, the Brazilian brig "Pedro Primeiro," belonging to Para, entered the port of Maranham with 160 slaves on board, and when, on the following day, a declaration was made to the president by his Britannic Majesty's consul, respecting the illegality of her voyage, he having certain information that all the slaves on board were from the northward of the line, and that the brig in question had no regular passport, she was nevertheless allowed to unmoor, and sail out of the harbour the day after, without the slightest attention being given to the representations of the British consul, and even without regard being had to the proper port regulations; his excellency the president thereby screening these illicit slave dealers from the punishment which they otherwise would have met with, and countenancing, in a most unwarrantable manner, a direct infraction of the treaties which he is bound to observe. The "Pedro Primeiro" has sailed for Para, where, it is to be feared, she will be admitted, and her cargo sold, upon the plea of her coming from a Brazilian port, although she can produce no clearance, in conformity to the 9th article of the Custom-house Regulations.

Having called your excellency's attention to these cases, it is my duty to urge the institution of proper measures for the purpose of preventing this continued infraction of the slave trade treaties, and especially in order to induce an inquiry to be made into the case of the "Carolina."

The British government expect that the unfortunate negroes who were found on board of that vessel will be rescued from the slavery which seems to await them, and that the individuals who have so unjustifiably abused the powers vested in them by the Sovereign of Brazil for the purposes of humanity will be speedily brought to condign punishment.

The undersigned avails himself, &c.

His Excellency the Marquis of Inhambupe,  
&c. &c. &c.

(signed) *Robert Gordon.*

N° 44.

The Right Hon. R. Gordon to Mr. Secretary Canning.—  
(Received March 1, 1827.)

N° 44.

Sir,

Rio de Janeiro, December 8 1826.

I HAVE the honour to transmit to you the enclosed memorandum, which I have received from Mr. Chamberlain, respecting the admeasurement of vessels destined for carrying on the slave trade.

I have, &amp;c.

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

(signed) *R. Gordon.*


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Memorandum relative to Brazilian Slave Trade.

Enclosure  
in N° 44.

THE slave merchants of Rio de Janeiro are so impressed with the dangers attending an attempt to smuggle negroes ashore upon the coast, that none of them would venture to incur such a risk.

But they assert that the profits of the trade are, even now (under the present mode of estimating vessels for carrying slaves), very small; and that if they were prevented from carrying at the present ratio, a great part of the trade must cease\*.

They do not, however, consider it likely that the government will consent to make the desired change in the mode of admeasurement; and if the government did, they count upon being able, notwithstanding such orders, to continue, by influence or bribery, to procure certificates that will suit their purpose.

They moreover count upon the government shutting its eyes to the practice, if it were to become known; and that even if legal measures were instituted against them, it would be done with great leniency; in other words, that no punishment would follow.

It is generally believed, that notwithstanding the present over estimate of slave tonnage, more individuals are shipped in Africa than the passport authorizes, with the object of filling up vacancies caused by deaths during the voyage, the duties being levied on the number shipped, and not on the number landed.

This species of smuggling is imagined to be common. It certainly happens in some cases that one or two more are found on board when the ship arrives at Rio than there ought to be; and in others, that the number of deaths reported is very small.

The revenue derived from the trade is very considerable; the duty levied being, as I am informed, at the rate of something more than thirty-six dollars for each individual shipped.

On the score of humanity, whatever may be said by this government, I look for very little being done; as respects demurrage upon ships improperly detained, we have the remedy in our own hands.

(signed) *H. Chamberlain.*

Rio, November 17, 1826.

N° 45.

N° 45.

The Right Hon. R. Gordon to Mr. Secretary Canning.—  
(Received March 1, 1827.)

Sir,

Rio de Janeiro, December 13, 1826.

I HAVE the honour to enclose the copy of a note which I have received from the Brazilian minister, in answer to my representation to him, respecting the repeated infraction of the slave trade treaties at Maranham, a copy of which I forwarded in my despatch of the 8th instant.

I have, &amp;c.

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

(signed) *R. Gordon.*


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The Marquis de Inhambupe to the Right Hon. R. Gordon.

Palace of Rio de Janeiro, December 10, 1826.

THE Undersigned, counsellor, minister and secretary of state for foreign affairs, acknowledging the receipt of the note which the Right hon. Robert Gordon, &c. addressed to him on the 4th of this month, has to answer him upon the case of the vessels "Carolina" and "Pedro-Primeiro," of which the said note makes mention that the president of the province  
of

Enclosure  
in N° 45.  
Translation.

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\* This fact I beg leave to doubt. (signed) *H. C.*

BRAZIL.

of Maranham has just been commanded forthwith to make known all the particulars relating to those two vessels, in order that the necessary measures may be taken with full knowledge of the case; and as to the Portuguese schooner "Nove de Março," on the subject of which Mr. Chamberlain had made a representation, Mr. Gordon will see, from a copy of a note addressed to that ex-chargé d'affaires, that he was answered in due time.

The undersigned avails himself, &c.

The Right Hon. Robert Gordon,  
&c. &c. &c.

(signed) *Marquez de Inhambupe.*

Sub-Enclosure  
in N° 45.  
Translation.

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

Palace of Rio de Janeiro, September 26, 1826.

HAVING written to his most Faithful Majesty's chargé d'affaires upon the subject of the Portuguese schooner "Nove de Março," which you stated in your note of the 9th instant to have left Cape de Verd with a passport for Cabinda, but which you supposed had brought slaves from Cacheo to Maranhao, the same chargé d'affaires has just informed me that all his information upon the matter was, that the said schooner had left Santiago for Cabinda.

And as this affair is exactly similar to that of the ship "Orfeo," respecting which you also made a representation, there remains nothing for me to do but to refer you to the answer which I gave you, under the date of yesterday, upon a like subject.

Mr. Consul-general Chamberlain,  
&c. &c. &c.

(signed) *Viscount de Inhambupe.*

N° 46.

N° 46.

The Right Hon. R. Gordon to Mr. Secretary Canning.—  
(Received March 1, 1827.)

Sir,

Rio de Janeiro, December 21, 1826.

I HAVE the honour to acknowledge the receipt of your despatch, marked slave trade, of the 22d of September last.

You will see by my despatch of the 8th of December, that I have already made the representations to this government which you have required of me, upon the subject of the unfortunate negroes landed at Maranham from the vessel "Nove de Março."

Although the answer from this government, which I had the honour to forward on the 13th instant, is, in itself, unsatisfactory, yet I entertain confident hopes that orders have been despatched to Maranham, for the purpose of enforcing a more strict obedience to the treaties, on the part of the Brazilian authorities in that province.

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

I have, &c.  
(signed) *R. Gordon.*

N° 47.

N° 47.

Authur Aston, Esq. to Mr. Secretary Canning.—(Received March 31.)

Sir,

Rio de Janeiro, January 10, 1827.

I HAVE the honour to enclose a copy and translation of a note, which I have received from his Excellency the Marquis of Inhambupe, dated the 4th instant, in reply to the representation addressed to the Brazilian government by Mr. Chamberlain (a copy of which was forwarded in his despatch of the 2d of August last), respecting the illegal slave-trade licences, granted by the authorities at Maranham, in the cases of the vessels "Donna Maria Felicia," and the "Amizade."

In explanation of the circumstances complained of in Mr. Chamberlain's note, the Brazilian minister states, that the proprietors of these vessels are Brazilian citizens, established in business at Maranham, and that the licences granted were strictly legal, being according to the articles of the constitution of the empire, and without involving any infraction of existing treaties.

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

I have, &c.  
(signed) *Arthur Aston.*

The Marquis de Inhambupe to Arthur Aston, Esq.

Palace of Rio de Janeiro, Jan. 4, 1827.

FINDING myself enabled to reply to the note of the 15th of July last (that the chargé d'affaires of his Britannic Majesty, then residing at this court, addressed to me), in consequence of the information requested from the President at Maranham having now reached me, I have to acquaint you that it is true, that Sebastião Pinto, a merchant of that city, and established there in a large trade, was at that time in Lisbon upon leave, from whence he was shortly to return, and that he requested, on the 2d of July 1825, that, having large funds unemployed at Gibraltar, and not having means to remit them to Maranham without great loss, in consequence of the exchange, besides the risk of taking bills, which did not hold out safe security for their payment, he might be allowed to purchase with those funds, by means of his correspondent at the port of Gibraltar, or in any other port of Europe, a schooner, of which he described the name and measurement, in order that, by trading for slaves in the ports not prohibited, which he also designated, he might thus transfer his large funds to that city (Maranham), where his commercial establishment still exists, this speculation in slaves having formed part of his business for many years; and that merchant was still there when the passport referred to was obtained.

Upon similar grounds, Manoel Francisco da Silva, also a merchant of extensive trade in that city, requested, on the 12th of August of the same year, the passport, which, for the same reasons was granted.

The conclusion, therefore, from what is herein set forth, is that the two transactions in question were entered into by Brazilians (and with their own funds), because the two merchants who undertook them are Brazilian citizens, according to what is laid down in Tit. 2, art. 6, sec. 4, of the constitution of the empire; and that there could be no reason to refuse them a request which did not involve any infraction of the law or of treaty, as it rested upon the points agreed upon for the regulation of this slave-trade.

I avail myself, &amp;c.

(signed) *Marquez de Inhambupe.*Arthur Aston, Esq.  
&c. &c. &c.

N° 48.

N° 48

Viscount Dudley to the Right Hon. R. Gordon.

Sir,

Foreign Office, April 30, 1827.

I SEND herewith to you the copies of despatches which have been received at this office from His Majesty's Commissioners at Sierra Leone, giving detailed reports of the cases of the Brazilian vessels "Activo" and "Perpetuo Defensor," which were detained upon a charge of illegal slave trade, and were adjudged by the Mixed Commission, sitting at the time at Sierra Leone, under the treaties and conventions between Great Britain and Portugal for the repression of illegal slave trade.

It appeared that these vessels had been concerned in the trade in slaves declared to be illegal by the convention of the 28th of July 1817, but it appeared at the same time, that, agreeably to the terms of the convention, the vessels were detained in spots where the captors were not justified in detaining them.

Under these circumstances His Majesty's Commissioners decided on the release of the vessels, thus negating the claim of the captors to any benefit arising from the capture, but they left open for decision between the two governments the question of compensation to the slave traders for the loss sustained by them in the matter of the detention in their illegal voyage.

I beg to refer you for the opinion of His Majesty's government on this question, to the communication which was made in 1823\*, to the Portuguese government in the case of the "Sinceridade," "that His Majesty's government do not hesitate to delare their opinion, that in point of equity no compensation whatever can be due to traders, in case of traffic carried on under circumstances which constitute illegal trade; and doubtless, on the other hand, no condemnation of a vessel ought to take place, when the capture was made on a spot not absolutely within the bounds prescribed for capture by the treaty."

And further, that "His Majesty's government believe that the Portuguese government will agree with them, that such is the spirit of the treaty, particularly of the 9th Article of the instructions for the Mixed Commission."

The

\* See Class A. 1823-1824, N° 17.

BRAZIL.

The government of his most Faithful Majesty did not combat the proposition contained in that declaration, and I feel little doubt but that the Emperor of Brazil will equally acquiesce in the rectitude of the principle therein contained.

In this view, I have to desire that you will communicate to the Brazilian government the facts of these cases, and propose to them a joint declaration by the British and Brazilian government, which shall embrace the proposition here stated, and shall set at rest the cases in question, and future cases of the same nature.

I have at the same time to desire, that you will suggest to the Brazilian government the propriety of adding in the declaration, a statement, in explanation of the treaty, in which statement it shall be explicitly declared that all captures are held to be legal which shall take place by vessels properly authorized, and in places where the slave trade is not permitted.

Such a statement becomes necessary, in consequence of the doubtful terms of the treaty; signifying, in one sense, that although slave trade is not permitted on the western coast of Africa, excepting in the places between the 5th and 18th degrees of south latitude, still the captures made 1 minute south of the equator are to be deemed unwarranted, and vessels there trading to be suffered to pursue their illegal voyage.

This is an anomaly which surely requires correction.

I am, &c.

The Right Hon. Robert Gordon,  
&c. &c. &c.

(signed) DUDLEY.

N° 49.

N° 49.

Viscount Dudley to the Right Hon. Robert Gordon.

Sir,

Foreign Office, May 3, 1827.

I HAVE myself considered, and I have consulted His Majesty's advocate-general upon, the subject of the despatch of Mr. Aston, of this series, dated the 10th of January of this year.

The transactions therein referred to, in respect to the licences granted by the authorities at Maranham, for the vessels "Donna Maria Felicia," and "Amizade," are represented by Mr. Chamberlain in his despatch of the 2d of August 1826, to have originated so far back as in July and August 1825, and they may be supposed to have been long since carried into effect, if carried into effect at all.

It is with reference therefore to future proceedings of a similar nature, that the observations in the present despatch are now made on the case in question.

The statement in this case shows, that licences to trade in slaves were granted to certain persons, for vessels not then in existence, as the property of those persons.

The persons obtaining the passports are said to have been both merchants of Maranham, though one was absent from that place on a voyage to Lisbon.

It does not, even now, appear to what vessels the passports were applied, or whether any vessels ultimately sailed under them.

The explanation offered upon the whole transaction is, that the passports were granted in contemplation of vessels to be purchased; and it is perhaps possible, that it might be the intention of the parties to bring the vessels, when purchased, to Maranham, that they might there undergo the regular form of clearance.

Had such been the case, there might eventually have been no actual infraction of the spirit of the treaty, but still there was evidently in the transaction a departure from the form of granting passports prescribed in the convention, which refers to acts to be done by the master before the passport is granted; and Mr. Chamberlain particularly observes upon this point, that it was in violation of the ordinance and alvará of Brazil upon this subject.

Such an irregularity excites reasonable suspicion of fraudulent intentions somewhere, and with a view to guard against the evils which may thence result, you will, in reference to this case, signify to the government of Brazil that the explanation offered in the Marquis of Inhambupe's note of the 4th of January 1827, is not of that satisfactory purport which the unusual nature of the transaction appeared to

required

require; and you will enter, mildly, but plainly, the protest of His Majesty's Government, against the recurrence of similar practices, as evidently calculated to afford an opening for transactions inconsistent with the stipulations of the Treaty for the suppression of illicit Slave Trade.

BRAZIL.

I am, &amp;c.

The Right Hon. Robert Gordon,  
&c. &c. &c.

(signed) DUDLEY.

N° 50.

N° 50.

Viscount Dudley to the Right Hon. R. Gordon.

Sir,

Foreign Office, May 12, 1827.

I HAVE received from His Majesty's consul at Maranham a communication containing a copy of his despatch to you, upon the subject of the abuses which have been committed in the distribution of the negroes who were emancipated by a sentence, in the case of the schooner "Carolina."

Although, under the instructions conveyed to you by Mr. Secretary Canning's despatch of the 7th of September 1826, it will have been incumbent upon you to have already brought this matter to the attention of the Brazilian government, still the facts stated in Mr. Hesketh's communication are of a nature which appear to me to call for the direct notice of His Majesty's Government.

It appears from the statement of Mr. Hesketh that the distributing magistrate, in the name of his brother, and the guardian of the negroes, and also the president of the province, have all thought proper to take possession of some of the negroes in question.

The impropriety of the step is evident. All check over ill conduct towards the negroes is evaded since the power of treating them as slaves, and the advantage to be derived from so treating them, are both centered in the same persons; viz.—1st, in the magistrate whose duty it was so to distribute these negroes, as that some superior check might be at hand to prevent their illtreatment: 2dly, in the officer who was specially appointed to protect them from the injury which they might suffer from others; and 3dly, in that presiding power of the province, whose duty it immediately was to watch over the emancipation decreed to them by the laws.

Already have these steps been followed by the result which was naturally to be expected. Some negroes have been kept back by the magistrate, and reported as dead, so that in fact he has now acquired, by the most flagitious means, an uncontrollable power for life over these unhappy individuals; and when application has been made to the guardian for protection against the illtreatment suffered by others the unfortunate persons complaining have without inquiry been all severely punished, and returned back to a state of increased and hopeless misery under their old masters.

Nor is the fate of others again more to be envied. The president of the province of Maranham, about to retire to Rio de Janeiro, proposes taking as domestics the emancipated negroes delivered to him: he will thus give a painful example for the removal of other slaves from the chance of being succoured from injury; he will directly infringe the conditions under which these negroes were granted for the limited service of individuals, and he will render utterly futile the humane intentions of the contracting parties to the treaty.

I must desire you to lay before the Brazilian government a statement of this case, to call for a strict inquiry into the circumstances, to demand immediate remedy for the flagrant abuses which have been committed on this occasion, and to urge that effectual measures may be taken for security against a similar departure from the stipulations and spirit of the compact between this country and Brazil, for the suppression of illegal slave trade.

I am, &amp;c.

The Right Hon. Robert Gordon,  
&c. &c. &c.

(signed) DUDLEY.

BRAZIL.

N° 51.

N° 51.

The Right Hon. Robert Gordon to Viscount Dudley.—(Received August 30.)

My Lord,

Rio de Janeiro, July 5, 1827.

I HAVE the honour to forward herewith the copy of my note to the Marquis of Queluz, upon the cases of the Brazilian vessels "Activo," and "Perpetuo Defensor," in which, agreeably to the instructions of your Lordship's despatch of the 30th of April, I have called upon the government of Brazil to issue, conjointly with His Majesty's Government, a declaration explaining the convention of 28th July 1827.

I have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *R. Gordon.*

Enclosure.  
in N° 51.

The Right Hon. R. Gordon to the Marquis of Queluz.

Rio de Janeiro, July 4, 1827.

THE undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, in pursuance of instructions received from his Government, has the honour to communicate to his Excellency the Marquis of Queluz, counsellor, minister and secretary of state for foreign affairs, that two Brazilian vessels, having been detained on the coast of Africa upon a charge of illegal slave trade, have subsequently been released by the Mixed Commission at Sierra Leone, under certain conditions, which leave an important question to be decided by the British and Brazilian governments; and the object of the present note is to propose a joint declaration which shall set at rest the above and all future cases of the same nature.

Early in the course of last year the brigs "Activo" and "Peperuo Defensor," under Brazilian colours, were seized by His Majesty's ships "Athol" and "Maidstone," and carried into Sierra Leone for adjudication. It appeared that these Brazilian vessels had been concerned in the trade of slaves, declared to be illegal by the convention of 28th of July 1817. But it appeared at the same time that they were detained in spots not absolutely within the boundaries prescribed by that convention.

Under these circumstances His Majesty's Commissioners decided that the vessels should be restored to the claimants, but they reserved the question of compensation to be decided by the two governments, on the ground of the illegality of the traffic.

The Commissioners at Sierra Leone in coming to the above decision have been guided by a similar case which occurred in 1823, when, in like manner, the "Sinceridade" was restored to the claimants. On that occasion His Britannic Majesty's Government did not hesitate to declare their opinion to the Portuguese government, "that, in point of equity, no compensation whatever can be due to traders in cases of traffic carried on under circumstances which constitute illegal trade;" and further, His Majesty's Government believed that the Portuguese government would agree with them that such is the spirit of the Treaty, particularly of the 9th article of the instructions for the Mixed Commission.

The government of his most Faithful Majesty did not combat the proposition contained in that declaration, and the undersigned is persuaded that his Majesty the Emperor of Brazil will acquiesce in the justice of it. In truth, if compensation should be allowed, it would be giving encouragement to the violation of the special object of the convention, which is to prevent illegal slave trade.

The undersigned has therefore to propose to his Excellency the Marquis of Queluz that a joint declaration should be made by the British and Brazilian Governments, setting forth, in explanation of the treaty,—

1st, That all captures are held to be legal which shall take place by vessels properly authorized, and in places where the slave trade is not permitted:—and,

2dly, The embarkation of slaves in places where the slave trade is not permitted shall be held to deprive the claimants of all right of compensation, in cases where their vessels shall be restored to them on the ground of illegal detention.

The undersigned relies with confidence upon the equity of the Brazilian government, in adopting the above declaration, which has for its object to remove a seeming ambiguity, without in the least departing from the spirit of the existing conventions between the two governments.

The Undersigned, &c.

His Excellency the Marquis of Queluz,  
&c. &c. &c.

(signed) *R. Gordon.*

Viscount Dudley to the Right Hon. R. Gordon.

Sir,

Foreign Office, August 31, 1827.

FROM the reports contained in the accompanying copies of despatches from His Majesty's Commissioners at Sierra Leone, you will perceive that within the period of four or five months, from November 1826 to April 1827, attempts have been made, under the form of passports granted by royal authority in Brazil, to import 3,178 slaves, from those parts of the coast of Africa on which the slave trade has under treaty been renounced by the Brazilian government, and been interdicted to its subjects.

All the licenses granted in these cases profess, indeed, to require that the slaves should be taken from Molembó, within the limits permitted by the treaty; and to prohibit the sailing of the vessels to any port without those limits.

Nevertheless, in the cases of the "Tenterdora," "Venturosa," "Conceição," and "Providencia," there is a permission to touch at ports north of the line, and in that of the "Providencia," such permission is extended even to Sierra Leone.

It is unnecessary on this occasion to enter into any argument upon the abstract right of the Brazilian government to issue passports, in particular cases, permitting vessels to touch at St. Thomas, or other ports to the north of the line, for innocent purposes; for it is clear that the purposes of the vessels in question were not of that innocent character; and this numerous class of cases of ships destined exclusively for the slave trade on the prohibited coasts, and each marked with decided characters of the same common falsehood and fraud, can present to the Brazilian government no other alternative than that, either of being considered privy to the illegal design, or of being deceived in a most shameful manner by the misrepresentations of its subjects.

In either case, His Majesty's Government must, with equal anxiety, look for an effectual prevention of such abuses in the strictest interpretation of the treaty; and in further measures, if such shall be necessary, to vindicate the good faith of the contracting parties.

A communication has already taken place on cases connected with the present, in the remonstrances made against the granting of passes "to touch at St. Thomas and Princes Islands," to vessels ostensibly destined to Molembó and places within the limits prescribed by treaty.

The answer of the Brazilian government to these representations, contained in Signor Barbosa's letter of 5th October 1825\*, refers the English Government to the treaty, as affording adequate powers to prevent the illicit practices complained of; His Majesty's Government has considered that answer to imply an admission on the part of the Brazilian government that judicial powers might be exercised by the Commissioners to put a stop to this abuse; and that interpretation was signified to the Commissioners in Mr. Canning's letter of the 12th January 1826†. His Majesty's Commissioners have acted on these instructions in the cases immediately under consideration; and have thus prevented the particular mischief which would have ensued had these enterprizes, undertaken in express contradiction to the spirit and intention of the existing compacts between the two governments, been permitted to terminate successfully.

But, as these criminal undertakings themselves evince the hope of violating the treaty, and at the same time of evading the penalties, it therefore becomes necessary that some further express and public definition should be agreed to, of what shall be held to constitute an illegal prosecution of slave trade, subject to penalty under the treaty.

The additional article of the 25th January 1823, to the convention with the Netherlands, and the treaty with Sweden of the 6th November 1824, adopt the principle of establishing the illicit employment of the vessels, by their fitting up, and by other general circumstances therein specified, in lieu of the clause, requiring proof "of slaves having been actually embarked." A proposition to the same effect was made at the same time to Portugal.

The answer of the Brazilian government contained in Señor Barbosa's letter  
above

\* See Enclosure in N° 52, Class B. 1825—1826.

† See N° 25, Class A. 1825, 1826.



BRAZIL.

above referred to, might perhaps fairly be considered as connected with that communication, if not equivalent to the admission of the required principle.

But after the experience which has been so clearly obtained of the artifices of evasion which this trade has assumed, it has become essential to the maintenance of the spirit and object of the treaty that the rule established in the treaties with the Netherlands and Sweden should be unequivocally recognized.

On these grounds I have to instruct you to communicate to the Brazilian government, the view which His Majesty's Government takes of this question, and to propose to them that an article, to the effect of that contained in the treaties with the Netherlands and Sweden should be concluded between Great Britain and Brazil.

You will at the same time communicate to them the accompanying copy of an instruction, which I have this day addressed to His Majesty's Commissioners at Sierra Leone for their guidance upon this point; approving their conduct in the condemnation of the vessels therein specified; and desiring them to act on the same principle in similar cases. And you will express the perfect confidence of His Majesty, that his Imperial Majesty will readily embrace this opportunity of carrying into full and perfect effect the principles which have been declared by His Majesty and his Imperial Majesty, in the late treaty concluded between them for the abolition of illegal slave trade.

The Right Hon. Robert Gordon,  
&c. &c. &c.

I am, &c.

(signed) DUDLEY.

N° 53.

N° 53.

The Earl of Dudley to the Right Hon. Robert Gordon.

Sir,

Foreign Office, October 3, 1827.

WITH reference to that part of the slave trade correspondence submitted to Parliament in the years 1826 and 1827, described in the margin of this despatch\*, relating to the supposed capture of a vessel, prize to an English ship of war, and to the murder of the English crew of the captured vessel, by the crew of a Spanish ship named "Gabilar," or "Pelican," I herewith transmit to you a copy of a despatch, and of its enclosure, from His Majesty's Commissioners at Sierra Leone, (General. N° 18.) containing a copy of a deposition of a person named J. A. De Castro Guimaraes, touching the truth of the above-mentioned capture.

I have to signify to you His Majesty's commands, that you use your utmost endeavours to discover some of the Brazilian sailors, who are stated in that deposition to have landed at Rio de Janeiro about eighteen months ago from the "Disuniao," a Brazilian vessel, by which the English prize is said to have been captured prior to her capture by the "Gabilar."

If you shall be successful in meeting with any of the crew of the "Disuniao," you will take measures for causing them to be strictly examined, with respect to their knowledge of the alleged atrocious deed, in order that if there be sufficient grounds for supposing it to have really been perpetrated, evidence may be procured of the suspected guilt of Segarro, the captain of the "Gabilar," and proceedings against him be required in the proper quarter for the due punishment of his crime.

The Right Hon. Robert Gordon,  
&c. &c. &c.

I am, &c.

(signed) DUDLEY.

N° 54.

N° 54.

The Earl of Dudley to the British Consul at Rio de Janeiro.

Sir,

Foreign Office, December 26, 1827.

I SEND to you an extract of a despatch dated the 28th September last †, and a copy of its enclosure, which I have received from His Majesty's Commissioners at Sierra Leone, containing a list of four Brazilian vessels, which were boarded in the course of last summer by His Majesty's brig "Conflict," at Lagos Bay, under suspicious circumstances, but which were found on examination to be furnished with

\* Nos 16 and 76, Class A. 1825-6.—Nos 11. 62. 73. 85. Class A. 1826-7.

† See Class A. N° 32.

with mercantile passports; and I have to desire that you will transmit to me such particulars as you can obtain of the circumstances under which these vessels return to the ports of Brazil; so that if it shall unfortunately turn out, that contrary to the avowed purpose of their voyage they have been trading illegally in slaves, the information which you supply may be made use of to strengthen any representations which it may eventually be thought proper to make to the Brazilian government upon the subject.

I am, &c.

His Majesty's Consul at Rio de Janeiro.

(signed) DUDLEY.

*Mem.*—A similar despatch was addressed to His Majesty's consuls at Bahia, Maranhão, and Pernambuco.

N<sup>o</sup> 55.

N<sup>o</sup> 55.

Mr. Vice Consul Heatherly to John Bidwell, Esq.—(Received December 29).

Sir,

Rio de Janeiro, November 10, 1827.

I HAVE the honour to enclose to you a return of the number of slaves imported into this city from the 1st of January to the 1st of July last.

I have, &c.

John Bidwell, Esq.  
&c. &c. &c.

(signed) A. J. Heatherly.

RETURN of Slaves imported into Rio de Janeiro from the 1st of January to the 1st of July 1827.

Enclosure  
in N<sup>o</sup> 55.

Date.	Names of Vessels.	From what Ports.	Number of Days Passage.	Slaves Imported.	Died on the Voyage.
1827:					
January 12.	Amazona - - -	Ambriz - - -	35	491	none.
- 13.	Golfinho - - -	D <sup>o</sup> - - -	34	376	none.
- 21.	Aurora de Cabo - - -	Angola - - -	34	493	35
- 23.	Orestes - - -	D <sup>o</sup> - - -	29	507	44
- 24.	Ceres - - -	Ambriz - - -	30	461	10
- 27.	Bella Americana - - -	Cabinda - - -	29	456	17
- 28.	Amizade Felix - - -	Angola - - -	35	350	24
February 7.	Anibal - - -	Mozambique - - -	53	859	140
- 9.	28 de Março - - -	Quilamane - - -	63	446	2
- 13.	Amizade de Santos - - -	Cabinda - - -	32	383	none.
March - 1.	Seis de Fevereiro - - -	Quilamane - - -	48	419	21
- 5.	Bahia - - -	Galiana - - -	7	220	none.
- 10.	Ulysses - - -	Cabinda - - -	31	616	5
- -	Estrella do Mar - - -	Molembo - - -	28	309	none.
- 15.	Paula - - -	Benguella - - -	26	426	40
- 19.	Maria - - -	D <sup>o</sup> - - -	33	394	57
- 24.	Trajano - - -	D <sup>o</sup> - - -	35	410	21
- 27.	Minerva - - -	Quilamane - - -	57	489	18
April - 3.	Amelia - - -	Mozambique - - -	60	694	86
- 7.	Uniao - - -	Rio Zaira - - -	23	426	1
- 17.	Delfina - - -	Angola - - -	41	485	32
- 24.	Adamastor - - -	Cabinda - - -	37	454	15
- 30.	Nove de Janeiro - - -	Mozambique - - -	72	592	80
May - 3.	Economia - - -	Benguella - - -	38	390	45
- 4.	Arsinia - - -	Molembo - - -	31	375	2
- 7.	Uniao Feliz - - -	Ambriz and Bahia - - -	62	237	51
- 8.	Lucrecia - - -	Ambriz - - -	23	318	3
- 15.	Esperança - - -	Benguella - - -	30	382	38
- 26.	Activo - - -	Angola - - -	32	558	28
June - 2.	Commerciante - - -	Cabinda - - -	42	309	18
- 8.	Jupiter - - -	Cabinda - - -	40	407	2
Total Number - -				13,732	835

Rio de Janeiro, }  
November 10, 1827. }

(signed) A. J. Heatherly,  
Vice-Consul.

BRAZIL.

N° 56.

Mr Consul Pennell to Mr. Secretary Canning.—(Received May 10.)

Sir,

Bahia, March 20, 1827.

YOUR despatch, dated the 30th December last, I had the honour to receive yesterday, and I shall pay great attention to the instructions it contains.

The slave merchants of this city are pursuing their trade to the coast of Guinea with increased activity, and are purchasing such vessels as arrive that are best calculated for despatch. This market appears likely to be soon overstocked with slaves.

I have the honour to be, &amp;c.

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

(signed) *Wm. Pennell.*

N° 57.

N° 57.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received June 23.)

(Extract.)

Bahia, April 18, 1827.

THE Brazilian schooner "Zeferina" arrived here on the 13th instant, with 246 slaves—she reports from Molembo, with thirty days passage, but it is generally supposed that she sailed from the north of the Line.

(signed) *Wm. Pennell.*

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

N° 58.

N° 58.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received June 23.)

Sir,

Bahia, April 24, 1827.

WITH reference to your instructions of the 30th December last, I have the honour to enclose copy of my despatch of 21st instant, to the president of this province, stating, on the evidence of Antonio Custodio Pombo, that the Brazilian schooner "Zeferina," had made an illicit importation of a cargo of slaves from Acará (or Acra), north of the Line.

I also enclose copy of my despatch of the same date to the president, stating that the said Pombo had called on the following day to retract all the principal facts which he had stated on the preceding one, as regards the illegal voyage of the "Zeferina."

I credit his first statement in preference to his second, or rather the impression on my mind is, that the first was given without any intention to deceive, but that to deceive was the sole object of the second; in the latter, however, he has asserted a very essential fact, which admits of unquestionable proof, namely, that he sailed in His Majesty's brig "Conflict" from Acra on the 2d March, and was put on board the "Zeferina" at sea on the 4th. I recommend that the affidavits of some of the officers of the "Conflict" be procured, as I anticipate their evidence will negative this assertion, should it be deemed advisable to prosecute the inquiry.

As seven of the crew of the "Independencia" arrived here in the "Zeferina," it follows from Pombo's second statement that they must have been all on board the "Conflict," and transferred to the Zeferina" at sea. I have a list of their names, but I do not intend to interrogate any of them, as I suspect that they have been, or would be, tutored as to their replies, which would also probably have been the case with Pombo, at our first interview, had it been surmised that my inquiries would have extended beyond the case of the "Independencia."

I shall furnish His Majesty's envoy at Rio de Janeiro with the details of these proceedings.

I have the honour to be, &amp;c.

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

(signed) *Wm. Pennell.*

BRAZIL.

Mr. Consul Pennell to the President of Bahia.

Sir,

Bahia, April 21, 1827.

IN consequence of having been officially informed that a claim for considerable damages was made on the British Government for the illegal capture of the Brazilian schooner "Independencia," founded on a protest made by Antonio Custodio Pombo, mate of the said schooner, I procured an interview with him for the purpose of ascertaining some facts connected with this capture. It appeared from his statement in reply to my inquiries that the said schooner was captured at the port of Acará on the 28th February last; that he soon after made his protest, and embarked (on the 7th ultimo) at Acará, on board the Brazilian schooner "Zeferina" bound to this place, and arrived here after thirty days passage *without touching at any intermediate port*.

1st Enclosure  
in N° 58.

Now it appears by public documents that the said schooner "Zeferina" did arrive here on the 13th instant, having on board the said Antonio Custodio Pombo, as passenger, and also 246 slaves; it also appears that she is reported *from Molembo*, with thirty days passage, and that she has been admitted to entry at the Custom-House.

It follows, that the importation of these 246 slaves is an illicit importation, and the evidence of dates and places appears to put the fact beyond controversy.

I do not find Acará on the map, but the said Antonio Custodio Pombo stated that it was on the coast of Mina, in more than five degrees north latitude.

From the tenor of my instructions, when any case similar to the present comes to my knowledge, it becomes my duty to communicate it to the highest local authority, and to request that such proceedings may be taken as shall be required for the purpose of enforcing the due observance of those treaties touching the slave trade, which the Brazilian and English Governments are bound to maintain.

I therefore, in pursuance of my instructions, submit, with great respect, these facts to your excellency's consideration.

I have the honour to be, &amp;c.

(signed) *Wm. Pennell.*His Excellency the President of Bahia,  
&c. &c. &c.

Mr. Consul Pennell to the President of Bahia.

Sir,

Bahia, April 21, 1827.

SOON after I had written my letter to your excellency of this date, Antonio Custodio Pombo came to this office for the purpose of contradicting the principal facts detailed therein, (and which he had stated to me yesterday), and to declare, that instead of having embarked at Acará in the schooner "Zeferina," on the 7th March, and of having come *direct* here, he had on the contrary sailed from Acará on the 2d March, in an English brig of war (the Conflict), and was put on board the schooner "Zeferina" at sea, on the 4th March, and proceeded to Molembo in her, where she took in slaves.

2d Enclosure  
in N° 58.

I shall not animadvert on what Mr. Pombo calls his mistakes, but they appear to me to afford an additional motive for investigation.

I have the honour to be, &amp;c.

(signed) *Wm. Pennell.*His Excellency the President of Bahia,  
&c. &c. &c.

N° 59.

N° 59.

Viscount Dudley to Mr. Consul Pennell.

Sir,

Foreign Office, June 28, 1827.

I HAVE received your despatches of this series up to the 24th of April last.

As the place of your consular residence is at so great a distance from this country, and as a reference upon all occasions to and from this country to Bahia, and to Rio de Janeiro, must unavoidably create delay, and might in some cases be productive of much inconvenience, I have to state to you my desire, as the general rule of your correspondence upon this subject, that you will keep His Majesty's envoy at Rio regularly informed of every occurrence which may come to your knowledge respecting illegal slave trade, and that you will apply directly to him upon all occasions on which you may deem a representation in this respect to the supreme authorities at Rio de Janeiro to be useful or proper; transmitting at the same time to this department, for the information of His Majesty's Government, the copies of all your communications upon this subject with His Majesty's Mission at Rio de Janeiro.

I am, &amp;c.

(signed) DUDLEY.

Mr. Consul Pennell.

BRAZIL.

N° 60.

N° 60.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received June 30.)

Sir,

Bahia, May 5, 1827.

WITH reference to my despatch of the 24th ultimo, I have the honour to enclose a copy and a translation of the vice-president's reply, dated the 26th ultimo, to my letters of the 21st ultimo, respecting the illegal importation of slaves in the schooner "Zeferina," in which he apprizes me that an investigation shall take place.

I also enclose copy of my despatch of the 4th instant, to His Majesty's envoy at Rio de Janeiro, apprizing him that the result of the investigation was in support of Pombo's second statement.

I have the honour to be, &amp;c.

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

(signed) *Wm. Pennell.*

1st Enclosure  
in N° 60.  
Translation.

The Vice President of Bahia to Mr. Consul Pennell.

Sir,

Palace of the Government of Bahia, April 26, 1827.

I ACKNOWLEDGE the receipt of the letters which you directed to me, dated the 21st instant, in the first of which you inform me of the result of the interview which you had with the mate, Antonio Custodio Pombo, and in the second, a contradiction declared by the same person; and being in possession of all the circumstances which you mention, I immediately gave the necessary orders to the judge of the custom-house, in order that he, proceeding with legal examinations, might learn from the result whether the importation of 246 slaves brought in the schooner "Zeferina" was or was not licit; and you may be certain that on my part I will use every care in order that the existing treaties between Great Britain and this empire be not in any manner infringed.

I avail myself of this opportunity to reiterate my protestations of the consideration and esteem which I entertain for you.

God preserve you, &amp;c.

(signed) *Manoel Ignacio Da Ca. Meneses.*

Mr. Consul Pennell.

2d Enclosure  
in N° 60.

Mr. Consul Pennell to the Right Hon. R. Gordon.

Sir,

Bahia, May 4, 1827.

WITH reference to my despatch of the 30th ultimo I have the honour to inform you that I attended at the house of the judge of the custom-house, the examination of five witnesses, who arrived here in the schooner "Zeferina;" they all swore (Antonio Custodio Pombo was amongst the number) that Pombo, and several others belonging to the schooner "Independencia" were put on board the "Zeferina" at sea, on the 4th March, from an English brig of war (the "Conflict.")

I also enclose copies of my despatches to Mr. Secretary Canning of the 18th and 24th of April.

I have the honour, &amp;c.

(signed) *Wm. Pennell.*

His Excellency the Right Hon. R. Gordon,  
&c. &c. &c.

N° 61.

N° 61.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received July 25.)

Sir,

Bahia, May 23, 1827.

WITH reference to my despatch of the 5th instant, on the evidence respecting the legality of the importation of a cargo of slaves by the schooner "Zeferina," I have the honour to enclose copy of my correspondence with the vice-president of this province, in order to obtain the most accurate statement of that evidence, as well as of any other which might have been since elicited, for the purpose of putting you more fully in possession of the case; and you will find by the enclosed abstract of the depositions, that Joze da Roza, junior, master of the "Zeferina," Joze Joaquim Procopio, mate, Joze Manoel de Lima, pilot, Antonio Custodio Pombo, passenger, and Joze Gustavo de Albuquerque, apprentice, all agree in support of Antonio Custodio Pombo's second statement, that he (and others) were transferred

ferred at sea on the 4th March last from His Majesty's brig "Conflict" to the "Zeferina."

The names of those who by this evidence must have been transferred at the same time, and who arrived here as passengers in the "Zeferina," are Antonio Esteves, Antonio Joze Gonsalves, Francisco Maria de Santa Anna, Bento Gomes de Souza, Pedro Correia, and Firmino Alves Guimaraens.

It is but justice to the vice-president to remark, that in ordering an immediate investigation (and to take place in my presence if so desired by me) he gave an unequivocal proof of his intention that the whole truth should be made manifest, and with regard to which all reasonable doubt may now be removed by the additional evidence obtainable from the officers of His Majesty's brig "Conflict." It may, however, be proper to observe, should their testimony be found to support Pombo's first, and to disprove his second, statement, that the more numerous the signatures to any affidavit to this purport, the more importance will be attached to it in any legal proceedings, or official representations, which in this country may be founded thereon.

I have the honour to be, &c.

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

(signed) *Wm. Pennell.*

Mr. Consul Pennell to the Vice President of Bahia.

1st Enclosure  
in N° 61.

Sir,

Bahia, May 16, 1827.

YOUR Excellency communicated to me in your letter of the 26th ultimo that an investigation respecting the voyage of the schooner "Zeferina" should be made by the judge of the custom-house, and I afterwards received an intimation from the judge that he would proceed in the investigation on the 2d instant, at which I might attend. I availed myself of that permission, when five witnesses were examined (including Antonio Custodio Pombo) who all swore that Pombo and others were taken on board the "Zeferina" out of an English brig of war on the 4th of March, at sea, and from thence proceeded to Molembo, where she (the "Zeferina") loaded her slaves.

As I am desirous of transmitting to my Government a more accurate statement than my memory supplies of the evidence adduced (and more particularly as regards the English brig of war the "Conflict") I have to request that your excellency will be pleased to direct that a copy of the depositions of the 2d instant may be furnished me, as also of any other proceedings that may have subsequently taken place.

I have to express my acknowledgments to your excellency for the attention you were pleased to give to my letter of the 21st ultimo on this subject, and for the measures your excellency so promptly adopted, with a view to support the compacts in existence between the empire of Brazil and Great Britain.

I have the honour to be, &c.

(signed) *Wm. Pennell.*

His Excellency the Vice-President of Bahia,  
&c. &c. &c.

The Vice President of Bahia to Mr. Consul Pennell.

2d Enclosure  
in N° 61.  
Translation.

Sir,

Palace of the Government of Bahia, May 22, 1827.

SATISFYING the requisition which you made to me in your letter of the 16th instant, of a copy of the depositions which were made by the witnesses, in the audience of the custom-house of this city, in your presence, respecting the schooner "Zeferina," which arrived here from Molembo with slaves, enclosed I transmit to you the said copy, and I can assure you that no other proceedings have since taken place on the subject.

God preserve you.

(signed) *Monoel Ignco. Da Ca. Menses.*

The English Consul in this Province.

Abstract of the Depositions of Witnesses taken before the Judge of the Custom-House at Bahia, on the 2d May 1827, respecting the schooner "Zeferina."

3d Enclosure  
in N° 61.  
Translation.

Joze Da Roza, junior, aged 27, master and pilot, being duly sworn on the Holy Evangelists, says that he is master and husband of the schooner "Zeferina;" that he sailed from this port for Molembo on the slave trade, and that he returned to this port with 246 slaves, and arrived on Saturday of Alleluia (14th April) after thirty days passage; that on the high sea he received on board the said schooner, on the 4th March, from on board an English brig of war, a passenger, called Pombo, who said he was pilot of a vessel called the "Independencia."

## BRAZIL.

Joze Joaquim Procopio, a white man, aged fifty-four, being duly sworn on the Holy Evangelists, says that he is mate of the schooner "Zeferina;" says the "Zeferina" sailed from this port for Molembo, with liberty to touch at the islands of St. Thomas and Princes, on the slave trade, and brought to this port about 246 head, having arrived on Saturday of Alleluia; also says, that on their passage to Molembo, on the high sea, eight persons were brought on board the said schooner, who said they were the crew of the schooner "Independencia;" he does not know their names, except one, who was called Pombo; the said persons were brought to this city in the said schooner.

Joze Manoel de Lima, a white man, married, aged thirty-three, says he is pilot of the schooner "Zeferina," sailed from this port for Molembo, with liberty to touch at the islands of St. Thomas and Princes, and sailed from thence, after finishing their negociation for slaves, for which the schooner was destined, and on board of which were brought some passengers, who said they were some of the crew of the schooner "Independencia," amongst whom was a pilot called Antonio Custodio Pombo; this was on their passage to Molembo, by an English brig of war, on the high sea, and on the 4th of March brought the same passengers on their return to this city, where they arrived on the morning of Saturday of Alleluia, with thirty days passage.

Antonio Custodio Pombo, a white man, bachelor, aged thirty, being sworn on the Holy Evangelists, says he is the same Antonio Custodio Pombo, pilot of the schooner "Independencia," who with other persons of her crew were, by an English brig of war, called the "Conflict," put on board the schooner "Zeferina" on the high sea.

Joze Gustavo de Albuquerque, a white man, bachelor, aged twenty-one, being duly sworn on the Holy Evangelists, says that he is an apprentice of the schooner "Zeferina," and that she sailed from this port for Molembo, with liberty to touch at the islands, on the slave trade, and that on her return to this city, where she arrived on the morning of Saturday of Alleluia, with thirty days passage, bringing on board seven or eight passengers, who said they were of the crew of the schooner "Independencia," the same were put on board the said schooner "Zeferina" by an English brig of war, on her passage to Molembo, amongst which passengers was a pilot called Pombo.

N° 62.

N° 62.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received July 25.)

Sir,

Bahia, May 31, 1827.

I HAVE the honour to enclose copy of my letter of the 28th instant to the vice-president of this province, on the subject of two vessels (the "Tiberio" and the "Nova Virgem") which brought here a greater number of slaves than their admeasurement allowed, and which, in the instance of the "Tiberio," may have been the cause of 134 deaths, and stating some grounds why an inquiry should be made whether the voyages of these vessels were legal.

I also enclose copies of my letters of the 30th and 31st instant to the vice-president, adducing additional motives for investigation; and I find directions have been given by his excellency to the judge of the custom-house to investigate the transactions, and to enforce the law against any persons who shall appear to have committed infractions thereof, as regards the number of slaves embarked.

I have the honour to be, &amp;c.

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

(signed) *Wm. Pennell.*1st Enclosure  
in N° 62.

Mr. Consul Pennell to the Vice President of Bahia.

Sir,

Bahia, May 28, 1827.

I HAVE the honour to inform your excellency, that from a copy of an entry taken from the register-office it appears that the brig "Tiberio" arrived here from Molembo the 25th instant, after a passage of twenty-three days, with 520 slaves on board, fifteen passengers, and a crew of thirty-two persons, and that 134 slaves died on the passage.

The number of slaves embarked in the "Tiberio" being 654, exceeds considerably the number she is authorized to embark, even by the present mode of admeasurement, and forms one of those abuses which his excellency Don Nuno Eugenio de Lossio e Sulbiz, in his letter addressed to me on the 10th April last, promises to redress by every means in his power.

Besides this representation, founded on documents, this vessel and the slaves, according to general report, came not from Molembo, but from the north of the Line, and the deaths arose either from the violence exercised on the passage, for the purpose of keeping the slaves in subjection, or from suffocation:—this report is countenanced by the unusual number of deaths in so short a passage.

This is the first instance in which I have allowed myself to make any official representation to your excellency respecting the slave trade, founded on common report; if I had not

not thus restricted myself I should have had to have denounced a *great majority* of the importations of slaves into this city as importations from the north of the Line; but in this instance, as the parties implicated have, by the entry in the register, admitted of one infraction of the law, and which may have led to the calamitous results on the passage, the common feelings of humanity will, I am persuaded, justify me in this deviation from my usual path, even if it shall appear on investigation that the report in question is ill founded.

I beg to remark, that the great number of passengers on board the "Tiberio" appears to afford a more than usual facility for obtaining a knowledge of the truth.

I have the honour, &c.

(signed) Wm. Pennell, British Consul.

His Excellency the Vice President of Bahia,  
&c. &c. &c.

P. S. I regret to add to this despatch that the schooner "Nova Virgem" is lately arrived with 350 slaves, and this number exceeds by ninety-two what her admeasurement allows; this information is founded on written documents.

(signed) W. P.

Mr. Consul Pennell to the Vice President of Bahia.

Sir,

Bahia, May 30, 1827.

WITH reference to my letter of the 28th instant respecting the brig "Tiberio," and the schooner "Nova Virgem," I have the honour to inform your excellency, that I have since been officially informed that the English brig of war the "Conflict," captured on the 3d April last the Brazilian brig "Bahia," in the port of Ané, (north of the Line) without slaves, and for which capture the owner of the brig seeks redress from the British government.

It is stated by the claimant, that the "Conflict" put the crew of the "Bahia" on board the schooner "Tentadora," who were afterwards transferred to the "Nova Virgem." The latter arrived here the 25th instant, and reported from Molembo in twenty-one days, and she has brought five passengers, lately belonging to the captured brig "Bahia;" namely Joao Guilhomo, (third pilot,) and four seamen.

As there is in these circumstances much ground for suspicion, particularly as only five of the crew arrived in the "Nova Virgem," I submit to your excellency's consideration, whether the said five seamen should be examined, or any other steps be taken for the purpose of ascertaining whether the voyage of the "Nova Virgem" be a *bonâ fide* voyage from Molembo, or whether it be an illicit voyage from Ané, or some other port north of the Line.

I need not remark to your excellency the improbable circumstances which are alleged to have taken place, by which the crews of the vessels captured to the north of the Line so regularly arrive here in vessels from the south (Molembo).

I have the honour, &c.

(signed) Wm. Pennell, British Consul.

His Excellency the Vice President of Bahia,  
&c. &c. &c.

Mr. Consul Pennell to the Vice President Bahia.

Sir,

Bahia, May 31, 1827.

IT is with deep regret that I state to your excellency, that in my letter of the 6th October 1825, to the president of this province, I pointed out the Sumaca "Caridade," as having brought a larger number of slaves to this city than her admeasurement allowed, and that although (as I understand) the case was undeniable, yet no penalty ensued. This impunity may have encouraged the transgressions adverted to in my letter of the 28th instant to your excellency, and which in the case of the brig "Tiberio" appears to have led to that melancholy sacrifice of human victims which I have noticed.

I have the honour, &c.

(signed) Wm. Pennell, British Consul.

His Excellency the Vice President of Bahia,  
&c. &c. &c.

P. S. Since writing this letter I have had the honour to receive your excellency's of yesterday's date.

N° 63.

N° 63.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received July 25.)

(Extract.)

Bahia, June 1, 1827.

WITH reference to my despatch of yesterday, I have the honour to enclose a copy and a translation of the vice-president's letter of the 30th ultimo, by which you will perceive that he has directed some process, as regards the excessive number



BRAZIL.

number of slaves imported in the brig "Tiberio," with a view to the punishment of the offenders, but that he declines instituting any inquiry respecting the death of 134 slaves on board the same brig, and respecting her illicit voyage.

Your instructions direct me to make a temperate representation to the local authorities of such cases as the present, but as I am persuaded that it is not your intention that I should enter into any controversy with them, but rather that I should confine myself to that representation, I shall not make any argumentative reply to the vice-president's letter.

(signed) *Wm. Pennell.*

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

Enclosure  
in N° 63.

The Vice-President of Bahia to Mr. Consul Pennell.

Sir,

Government of Bahia, May 30, 1827.

WHEN I received your letter, dated the 28th instant, in which you informed me that it appeared, from a part of the port-register, that the brig "Tiberio" had entered, on the 25th, from Molembo, after twenty-three days passage, bringing on board 520 captives, (fifteen passengers, and thirty-two crew,) 134 slaves having died on the voyage, which joined to 520 forms a total of 654, a number considerably greater than was permitted to her to convey, seeing the admeasurement made by the Intendency of the Marine, this government had already expedited orders to the judge of the Custom-house to take legal cognizance, and to impose the penalties of the law on those who should be proved accomplices of such a transgression, and that the same should be practised with respect to the schooner "Zeferina," it having equally appeared by a part of the register that she had brought ninety-two slaves more than she was permitted by her admeasurement; by which step I am convinced that I have not only fulfilled my duty, but also satisfied your late representation.

With regard, however, to the report being general, as you say, that the greater number of the importations of slaves into this city come from ports to the north of the Equator, and that perhaps this infraction of the treaty led to the calamitous results which took place during the short voyage of the "Tiberio," which has induced you, moved by sentiments of humanity, to represent this object officially for the first time, I am inspired with equal sentiments by such a calamity, and would proceed with the greatest rigour of the law against those who should be proved to be violators thereof, if proofs, rather than simple rumours, would permit me to use my authority: these rumours, however, have against them the certainty, that there is an armed force in the seas on the coast of Africa, north of the Line, which by its activity does not permit that in the adjacent ports the illicit traffic in slaves should be carried on. It appears to me, moreover, that no speculator would propose to himself so great a risk as is that of fortune and credit, in order to obtain such uncertain profits, as have been just shown by the recent capture of vessels, which, as their owners affirm, had resorted there for the purpose of carrying on a licit commerce in gold and ivory.

However, immediately on sufficient proofs being presented to me, with which I can proceed against the transgressors of the Articles of the Treaty concluded between his Majesty the Emperor of Brazil and His Britannic Majesty, you may be assured that I will not wait for the least representation on your part in order to fulfil what is incumbent on me.

William Pennell, Esq.  
&c. &c. &c.

(signed) *Manoel Ign<sup>o</sup> Da C<sup>a</sup> Meneses.*

N° 64.

N° 64.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received August 30.)

(Extract.)

Bahia, June 9, 1827.

I HAVE the honour to enclose a list of the vessels which have arrived from, and sailed for, Africa from this port, from the 1st of April to this date. Of the last, four vessels arrived here with slaves, three are from the north, (with 1,306 slaves) and one from the south of the Line (with 128 slaves).

I found this assertion on common report, accredited and uncontradicted.

I observe the departure of two vessels unusually small, one of thirteen (the accuracy of which is doubtful) and the other of fourteen tons, for the coast of Guinea; these, I am told, are not to bring slaves, but to facilitate the operations of other slave vessels, for the purpose of better eluding the increased vigilance which has lately been exercised by our squadron.

(signed) *W. Pennell.*

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

LIST of Vessels arrived at Bahia from Africa, from 1st of April to 9th June 1827;  
taken from the Register kept at the Arsenal.

Date of Arrival.	Vessel's Name.	Master's Name.	Whence.	Days of Passage.	Tonnage.	SLAVES.			
						Alive.	Dead.		
1827:									
April 2.	2ª Rosalia - - -	Ant <sup>no</sup> Vieira dos Santos - -	Onim - - -	43	76	-	-	American.	
- 11.	Uniao Felis - - -	Joze dos Santos Pacheco - -	Ambris - - -	43	-	189	-		
- 13.	Zeferina - - -	Joze da Roza, junior - -	Molembo - - -	30	126	246	-		
- 15.	Caçadora - - -	Joze Barboza - - -	D° - - -	29	191	303	-		
- 20.	Velos - - -	Franc° de Souza Pereira - -	Coast of Mina - -	23	184	-	-		
- 21.	Sao Benedito Felis - -	Ign <sup>ci</sup> ° dos Santos Moreira - -	Molembo - - -	32	135	105	-		
- 23.	Esperança - - -	Dom <sup>os</sup> Joze de Brito - -	D° - - -	26	175	111	-		
May 1.	Ceylon - - -	Josiah West - - -	Coast of Mina - -	38	-	-	-		
- -	D. Anna - - -	Joze da Roza Ferreira - -	Angola - - -	23	137	302	14		
- 12.	Eclipse - - -	Joao Ant <sup>no</sup> de Faria - -	Sierra Leone - -	33	80	-	-		
- 15.	Santo Amaro - - -	Jaoa Borges - - -	Angola - - -	28	171 $\frac{1}{2}$	251	-		
- 25.	Tiberio - - -	Franc° Pinto de Aro Vianna - -	Molembo - - -	23	299 $\frac{3}{4}$	520	134		
- -	Nova Virgem - - -	Joze Caetano Silveira - -	D° - - -	21	103 $\frac{1}{2}$	350	-		
June 8.	1ª Rosalia - - -	Joao Machado - - -	D° - - -	29	194 $\frac{1}{2}$	436	-		
- 9.	Sao Vicente Ferreira - -	Joao Dias de Carvalho - -	Cabinda - - -	38	73 $\frac{1}{4}$	128	-		
						2,941	148		

(signed) W. Pennell, Consul.

LIST of Vessels sailed from Bahia for Africa, from 1st April to 9th June 1827;  
taken from the Register kept at the Arsenal.

Date of Sailing.	Vessel's Name.	Master's Name.	Where bound.	Tonnage.	
1827:					
April 5.	Caridade - - -	Joze Ramos Gomez - - -	Coast of Mina - -	106	American.
- 11.	Pinha da Franca - - -	Boaventura Gomez da Silva - -	D° - - -	13	
- 14.	Emilia - - -	Estevao Nonato Ferreira - -	Cabinda - - -	106	
- 27.	Cysheus - - -	Robert Bau - - -	Coast of Mina - -	-	
May 12.	Diligente - - -	Franc° Gomez do Almeida - -	Cagongo - - -	182	
- -	Henriquetta - - -	Joao Cardozo dos Santos - -	Cabinda - - -	256	
- 19.	Sao Joze Especulador - -	Sebastiao Ferreira Cavalleiro - -	Angola - - -	166 $\frac{3}{4}$	
- 21.	Agua da Bahia - - -	Joze Gomez de Mello - -	Cabo Lopo - - -	112	
- -	Despique - - -	Ant° de Lacerda Pechoto - -	Molembo - - -	71 $\frac{3}{4}$	
- 30.	Constituição - - -	Thomas Luis - - -	Coast of Mina - -	102	
- -	Petu - - -	Pedro Valentin - - -	D° - - -	14	
- 31.	Caçadora - - -	Joze Barboza - - -	Ambriz - - -	191	

(signed) William Pennell, Consul.

BRAZIL.

N° 65.

N° 65.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received August 30.)

(Extract.)

Bahia, June 16, 1827.

I HAVE the honour to inform you, that the Brazilian brig "Felicidade" arrived here on the 9th ultimo from Lisbon, where it appears she was measured 144 tons.

She has cleared out, and is now ready for sea, for Cabinda, with liberty to touch at Lisbon. She has been re-measured here, and has obtained a passport (N° 18, dated June 9, 1827) to import 505 slaves, making her admeasurement for the slave trade 202 tons.

I am informed that she was built for the slave trade in France, by orders from hence, and that this is her first voyage.

(signed) *Wm. Pennell*, Consul.

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

N° 66.

N° 66.

Mr. Consul Pennell to Mr. Secretary Canning.—(Received Aug. 30.)

(Extract.)

Bahia, July 4, 1827.

THE brig "Henriquetta" sailed hence for Africa on the 12th May last, after information had been received here that our cruizers had captured on the coast of Guinea all Brazilian slave vessels with or without slaves on board, founded on "new orders" recently received from the English Government; in consequence this vessel sailed with instructions not to anchor, and with other precautions, to elude the dangers created by these "new orders," and she arrived here on the 30th ultimo, (being an absence of only forty-nine days) with a cargo of 544 slaves, having been only a few days in what is called by the trade dangerous latitudes.

I enclose a memorandum of the unproved, but undoubted, illicit voyages of this vessel since March 1825. It is estimated that the profit on these six voyages amount to about 80,000*l.*; and that her last voyage alone more than compensates for the loss of three vessels which have been recently captured belonging to the same owner.

(signed) *Wm. Pennell*, Consul.

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

Enclosure  
in N° 66.

MEMORANDUM of the Voyages of the Brig "Henriquetta" from the Coast of Africa;  
taken from a Register kept at the Arsenal at Bahia.

Date of Arrival.	MASTER'S NAME.	Whence.	Days of Passage.	Number of Negroes.	Remarks.
1825.					
March - 13.	Joao Cardozo dos Santos -	Molembo -	19	504	
November 3.	- Ditto - - -	Ditto - -	18	504	
1826.					
March - 11.	- Ditto - - -	Ditto - -	23	441	
October 1.	- Ditto - - -	Ditto - -	21	524	
1827.					
March - 26.	- Ditto - - -	Ditto - -	25	523	
June - 30.	- Ditto - - -	Cabinda -	17	544	
				3,040	

Bahia, July 4, 1827.

(signed) *Wm. Pennell*.

N° 67.

N° 67.

Mr. Consul Pennell to the Earl of Dudley.—(Received December 20, 1827.)

(Extract.)

Bahia, October 4, 1827.

I HAVE had the honour to receive your Lordship's despatch of 28th of June last, with instructions to communicate to His Majesty's Envoy at Rio de Janeiro direct, every occurrence respecting illegal slave trade, transmitting copies of such communications to your Lordship for the information of His Majesty's Government.

I shall not fail to observe this instruction.

(signed) *Wm. Pennell.*

The Right Hon. Viscount Dudley,  
&c. &c. &c.

N° 68.

N° 68.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received March 11.)

(Extract.)

Maranham, January 10, 1827.

IN reference to my despatch of this series dated October 18, 1826, I regret to state that the reasonable expectations I then formed of the ultimate condemnation of the Brazilian slave vessel at Para, the "Pedro Primeiro," have not been realized.

By the last advices from that port, dated the 21st ultimo, it appears, that notwithstanding the undeniable illegality of the said vessel's voyage from Africa, and the subsequent lawless proceedings on the Brazilian coast, the authorities at Para have accepted a bond for the vessel, and allowed her to sail on the 17th ultimo from Para, bound ostensibly to Ceara, but in all probability again to the northern coast of Africa. Part of the negroes who were landed from her at Jury are still there, and the others have been by degrees smuggled into this port on board of coasters.

The schooner "Carolina" sailed from hence for the Cape de Verd Islands on the 15th ultimo, and will be no doubt again employed in the illicit slave-trade.

This schooner when put up at auction after condemnation, was, by the most irregular proceedings, secured to the original owners for the small sum of 575,000 milreas, that is, about a sixth of her value, or of the price she would have fetched if fairly sold.

The communication between this port and Rio de Janeiro being now more dilatory and uncertain than ever, I beg leave to transmit a statement of the importation of slaves into Maranham during the year ending 31st of December 1826; by it is shown that only three vessels arrived from Africa, and that the negroes landed from them would all have been emancipated if the operation of the laws had not been impeded, because they were all from prohibited ports. The negroes by these three vessels amounted to 481, and therefore there is only left a lawful import, coastwise, of 130 slaves during the year.

(signed) *Robert Hesketh.*

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

BRAZIL.

Enclosure  
in N° 68.

## ACCOUNT of SLAVES Imported into the Port of Maranham during the Year 1826.

Date of Arrival.	Description of Vessels.	NAME OF VESSELS.	NAME OF MASTERS.	Where from.	Number of Slaves Embarked.	Died in the Passage.	Number of Slaves Landed.	REMARKS.
1826.								
January 2.	Schooner Sumaca	Adelaide (coaster)	Joze Teixeira Pinto	Acaracú	33		33	
" 10.	" d°	Avizo (ditto)	Manoel Affonso	d°	18		18	
" 25.	" d°	Espadarte (ditto)	Antonio Joze de Carvalho	Parahiba	7		7	
" 30.	Schooner	Carolina	Victor Nobre de Brito	Cacheo	135	2	133	Condemned as an illegal trader.
February 5.	Brig d°	Joaquina (coaster)	Joaquim Gonçalves Maya	Pernambuco	13		13	
March 18.	Brig d°	Bizarrria Triunfante (ditto)	Joao Antonio Ribeiro	d°	12		12	
April 10.	Schooner	Emilia (ditto)	Antonio da Silva Pereira	d°	4		4	
June 22.	Sumaca d°	Acávia (ditto)	Manoel Gonçalves da Costa	Acaracú	15		15	
" "	Brig d°	Gerves	Joze Gomes Cardias	Rio de Janeiro	25		25	
" 25.	Brig	Resolução (coaster)	Joao Gomes Velludo	Aracaty	8		8	
" 26.	Schooner	Nove de Março	Joze Fernandez de Pinho	Cacheo	86		86	
July 31.	Brig d°	Dois Amigos	Pascoal de Sz <sup>a</sup> Neri Masseio	Bahia	1		1	
" "	" d°	Camoens	Joze Joaqui <sup>m</sup> de Souza Fojo	Pernambuco	6		6	
August 13.	" d°	Pedro Primeiro	Jacinto Joze da Silva	Cacheo	160			
Sept. 30.	" d°	Andorinha do Norte	Joze da Silva Santos	Pernambuco	8		8	
Oct. 29.	Schooner	Andorinha	Manoel Pedro dos Reys	Rio de Janeiro	15		15	
Dec. 5.	Brig	Bom Fim	Antonio Joaquim	Pernambuco	7		7	
					553	2	391	
							160	Smuggled as above.
							551	Total.

\* The slaves imported by these vessels were either creole negroes, or such as have been long in this colony.  
 † Doubtful whether new or taught negroes, and from what part of Africa originally imported.

\* Legal proceedings against this vessel impeded by the president.

† The sudden departure of this vessel for Para was sanctioned by the president; the slaves were landed on this coast, and are now being gradually smuggled into Maranham.

† Both men-of-war.

Smuggled as above.

Total.

(signed) Robert Hesketh.

N° 69.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received May 28.)

Sir,

Maranham, March 19, 1827.

ON the 14th instant I had the honour to receive by the post from Pernambuco the despatch, dated September 23, 1826, remarking on what took place at this port with the slave-vessel "Nove de Março."

For your approbation of my exertions on this occasion, even though unsuccessful, I hope, Sir, you will accept my humble and most grateful thanks.

I have the honour to be, &amp;c.

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

(signed) *Robert Hesketh.*

N° 70.

N° 70.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received June 7.)

(Extract.)

Maranham, April 26, 1827.

I BEG leave to state that a passport to proceed to Africa for slaves was granted by the vice-president of this province, Romualdo Antonio Franco de Sa, dated March 8, 1827, for a brig under Brazilian colours, called the "Provincia do Maranhao," of 320 tons burthen, Joao Vaz de Sam Paio, master, and the owner, Sebastiao Pinto, a resident in this city. This passport is intended to authorize the following voyage; the vessel to sail from hence to Lisbon, and from thence to the ports of Moçambic, Molembo, Cabinda, Angola, or any port on the south coast of Africa, and then to return to any Brazil port with 800 slaves.

On the 21st of February last a schooner called the "Imperatriz," Thomé Joaquim Rodrigues Palavra, master, arrived at this port from Bahia, having on board 132 negroes, all originally from the northern coast of Africa, belonging to a nation called in this place Minas, or Nagees. On inquiring, I found that these negroes were part of a cargo brought to Bahia by that vessel from Africa, and shipped at the island of Corisco, and no doubt imported surreptitiously in Bahia, but as the custom-house authorities there had granted regular documents for the duties and entries of these negroes as legal slaves, all application regarding them to the authorities here would have been fruitless.

(signed) *Robert Hesketh.*

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

N° 71.

N° 71.

Mr. Consul Hesketh to Mr. Secretary Canning.—(Received July 19.)

Sir,

Maranham, May 22, 1827.

I HAD the honour to receive yesterday the despatch of the slave-trade series, dated December 30, 1826.

I beg leave, Sir, most respectfully to declare the high gratification I feel in receiving the flattering and encouraging approbation which in that despatch you have been pleased to bestow on me for the manner I performed my duty while acting under your orders respecting the African slave trade.

I have the honour to be, &amp;c.

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

(signed) *Robert Hesketh.*

NETHERLANDS.

## NETHERLANDS.

N° 72.

N° 72.

Sir Charles Bagot to Mr. Secretary Canning.—(Received January 27.)

Sir,

Brussels, January 2, 1827.

I HAVE had the honour to receive your despatch of the 29th of last month, transmitting to me the copy of a letter from His Majesty's Commissioners in Surinam, enclosing copies of three papers which had been made public by the Netherland Authorities in that colony, in regard to the registration of slaves; and I had yesterday an opportunity of conveying to the minister of foreign affairs the expression of His Majesty's high satisfaction at this new proof of the unabated zeal with which his Netherland Majesty continues to co-operate with His Majesty in his endeavours for the suppression of the traffic in slaves.

I have the honour, &amp;c.

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

(signed) *Charles Bagot.*

N° 73.

N° 73.

Viscount Dudley to Sir Charles Bagot.

Sir,

Foreign Office, April 30, 1827.

I SEND herewith to your excellency the copy of a despatch from His Majesty's Commissioners at Surinam, dated the 1st of February last, reporting, that since the month of June 1826 they have been wholly without any naval assistance towards fulfilling the objects of the Treaty subsisting between Great Britain and the Netherlands for the abolition of African slave trade.

I have to desire that your excellency will communicate to the government of the King of the Netherlands the facts contained in the enclosed despatch, together with the expression of His Majesty's confidence that the Netherland Government will lose no time in taking steps to remedy the evil here represented.

I am, &amp;c.

(signed) DUDLEY.

His Excellency Sir Charles Bagot, G. C. B.  
&c. &c. &c.

N° 74.

N° 74.

Sir Charles Bagot to Viscount Dudley.—(Received May 10.)

My Lord,

Brussels, May 8, 1827.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 30th of last month, enclosing the copy of a letter from His Majesty's Commissioners at Surinam, reporting that since the month of June last there has been no assistance given on that station by the navy of his Netherland Majesty, towards fulfilling the objects of the Treaty between His Majesty and this country for the prevention of the traffic in slaves.

I shall take an immediate opportunity of making a representation to his Netherland Majesty's government upon this subject.

I have the honour to be, &amp;c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Charles Bagot.*

N° 75.

N° 75.

Sir Charles Bagot to Viscount Dudley.—(Received June 8.)

My Lord,

Brussels, June 5, 1827.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22d of last month, transmitting to me printed copies of the papers relative to the slave trade, which have been laid before the two Houses of Parliament during the present session.

I have the honour to be, &amp;c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Charles Bagot.*

N° 76.

N° 76.

Viscount Dudley to Sir Charles Bagot.

Sir,

Foreign Office, June 13, 1827.

WITH reference to the despatch from Mr. Secretary Canning to your excellency, of the 21st July 1826, I send to your excellency the accompanying copies of a despatch and of its enclosures from His Majesty's Commissioner at Sierra Leone, dated the 31st of March last\*, containing a further proof of the irregularities which are practised in the Netherland West Indian colonies, in the granting of ships papers, to the furtherance of illegal slave trade.

I have to desire that your excellency will communicate these papers to the Government of his Netherland Majesty, and will express to them the confidence which His Majesty's Government feel that the necessary steps will be taken to put an end to the evil here represented.

I am, &amp;c.

(signed) DUDLEY.

His Excellency Sir Charles Bagot, G. C. B.  
&c. &c. &c.

N° 77.

N° 77.

Sir Charles Bagot to Viscount Dudley.—(Received June 23.)

My Lord,

Brussels, June 18, 1827.

IMMEDIATELY after the date of my despatch of the 8th of last month I had an opportunity of speaking to Monsieur Verstolk upon the subject of your Lordship's despatch of the 30th of April, representing the want of naval assistance on the part of the Netherland Government at Surinam towards fulfilling the objects of the Treaty between the two countries for the suppression of the African slave trade.

In the course of my conversation with Monsieur Verstolk I put into his excellency's hands a copy of Monsieur Lefroy's letter to Mr. Secretary Canning, of the 1st of February, with a request that he would have the goodness to communicate the substance of it to the minister of marine and colonies.

Enclosed I have the honour to transmit to your Lordship the copy of a note verbale which Monsieur Verstolk delivered to me this morning, stating the general orders which had been already given for the constant maintenance of a sufficient naval force in the neighbourhood of Surinam; and your Lordship will observe, that it appears by this note that while it is proposed to renew these orders to the governor of Curaçao, it is also intended to send in the course of the year two more vessels of war to that station.

I have the honour to be, &amp;c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Charles Bagot.*

\* See Class A. N° 82.



## NETHERLANDS.

## Note Verbale of Baron Verstolk.

Enclosure  
in N° 77.

MONSIEUR le gouverneur de Curaçao, et autres îles qui en dépendent, est instruit des intentions du gouvernement, qu'il se trouve assidument un bâtiment de guerre de l'escadre des Pays-Bas aux Indes Occidentales sous ses ordres, dans la proximité de Surinam, pour reprimer la traite des nègres.

Il est possible que des causes imprévues, comme la nécessité où l'on s'est trouvé de réparer l'un ou l'autre des bâtimens stationés à Curaçao, ou d'en faire momentanément emploi pour un service extraordinaire, aient occasionné quelque interruption dans le séjour d'un bâtiment aux environs de Surinam, mais sûr est il qu'en Mars dernier la corvette "la Pallas," se trouvait à Surinam à l'effet d'empêcher tout commerce illicite, et attendu que le département de la marine et des colonies a le projet d'envoyer encore à la station de Curaçao une couple de bâtimens pendant le courant de l'année, M. le gouverneur de Curaçao aura suffisamment les moyens pour tenir la main aux instructions, qui lui ont été données dans le tems, et qui par surabondance vont être renouvelées.

Translation.

THE governor of Curaçao and of its dependencies is already informed of the intentions of the government, according to which there is always stationed off Surinam a ship of war, detached from the Netherlands squadron in the West Indies, and at his disposal, with the view of checking the slave trade.

It is possible that unforeseen causes, such as the necessity of repairing one or other of the ships stationed at Curaçao, or of employing them for a short time upon some extraordinary service, may have occasioned some interruption in the stationing of a ship off Surinam; but there is no doubt, that during the month of last March the "Pallas" sloop of war was cruising off Surinam for the purpose of preventing all prohibited traffic; and as the department for the marine and for the colonies designs to send in the course of the present year to the station of Curaçao two ships more, the governor of Curaçao will be in possession of sufficient means for carrying into effect the instructions given him heretofore, and which are about to be repeated.

N° 78.

N° 78.

Sir Charles Bagot to Viscount Dudley.—(Received June 25.)

My Lord,

Brussels, June 22, 1827.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 13th instant, transmitting to me the copy of a despatch from His Majesty's Commissioner at Sierra Leone, reporting the detention and condemnation of the brig "Lynx," sailing under Netherland colours, and having on board 265 slaves.

In the note which I yesterday addressed to the minister of foreign affairs, and of which I enclose a copy, I transmitted to his excellency a copy of Sir Neil Campbell's despatch, and I at the same time pointed out to his notice the fresh evidence which it afforded of the continuance of those practices to which I had last year occasion, more than once, to call his attention.

I have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) Charles Bagot.

Enclosure  
in N° 78.

Sir Charles Bagot to Baron Verstolk.

Brussels, 21st June 1827.

IN conformity with the instructions which he has received from his Government, the undersigned, &c. has the honour to transmit herewith to his Excellency the Baron Verstolk, &c. the copy of a despatch which has been addressed to Mr. Secretary Canning by His Majesty's Commissioners at Sierra Leone, reporting the condemnation by the British and Netherland Mixed Court of Justice of the brig "Lynx," sailing under Netherland colours, and detained with 265 slaves on board, on the 9th of January last, by His Majesty's ship "Esk."

In communicating these papers to M. Verstolk, the undersigned is particularly directed to point out to his excellency's notice the fresh evidence which they afford of the continuance of those practices to which he had the honour to call his excellency's attention by his notes of the 11th June and 27th of July last, and of the facility with which papers are still granted by some of the Netherland colonial authorities to vessels which are in reality engaged in the African slave trade.

The undersigned is directed to express to M. Verstolk the confidence which is felt by His Majesty's Government that his Netherland Majesty will take such further measures as his Majesty may deem most effectual for the prevention of this most serious evil, and he has the honour at the same time to renew to his excellency the assurance, &c.

(signed) Charles Bagot.

His Excellency the Baron Verstolk de Soelen,  
&c. &c. &c.

N° 79.

N° 79.

Sir Charles Bagot to the Earl of Dudley.—(Received October 29.)

My Lord,

The Hague, October 26, 1827.

IN my despatch of the 22d of June last I had the honour to enclose to your Lordship the copy of a note which I had addressed to the minister of foreign affairs, for the purpose of again calling his serious attention to the great irregularities which were still practised in the Netherland West Indian colonies in granting papers to ships notoriously engaged in the slave trade; in further proof of which I transmitted to him a copy of Sir Neil Campbell's report to Mr. Secretary Canning, of the case of the brig "Lynx," condemned for this offence on the 21st of February last as prize to His Majesty's ship "Esk."

Enclosed I transmit to your Lordship a copy of the answer to this note, which I received yesterday from M. Verstolk, and by which your Lordship will learn that the Netherland government has since taken such measures upon this subject as will I trust prove effectual for the remedy of similar abuses in future.

I have the honour to be, &amp;c.

(signed) *Charles Bagot.*The Right Hon. The Earl of Dudley,  
&c. &c. &c.

Baron Verstolk to Sir Charles Bagot.

Le Haye, le 23 Octobre 1827.

Enclosure  
in N° 79.

LE soussigné, ministère des affaires étrangères, ayant reçu les données nécessaires pour répondre à la note, que son Excellence Sir C. Bagot, &c. lui a fait l'honneur de lui adresser le 21 Juin dernier, touchant les facilités avec lesquelles on continuerait à délivrer dans les possessions des Indes Occidentales du royaume des Pays-Bas, de lettres de mer à des bâtimens employés en suite à la traite des nègres, s'empresse de faire part à son Excellence, que le ministère de la marine et des colonies prévenu par le commissaire juge des Pays-Bas à la cour mixte de Sierra Leone, que plusieurs navires, et entre autres le brick négrier le "Lynx," qui se trouve plus particulièrement designé dans la note de M. l'Ambassadeur, avaient été capturés, naviguant sous le pavillon des Pays-Bas, avec des papiers de St. Eustache, en a pris occasion pour appeler très sérieusement l'attention de l'administration de cette colonie sur la dite circonstance, et que cette démarche qui date du 31 Octobre 1826, a paru avoir eu son effet, attendu que d'après des nouvelles transmises récemment par le commissaire juge précité aucun navire sous le pavillon des Pays-Bas n'a été capturé et conduit à Sierra Leone, pendant le premier semestre de 1827.

Le soussigné peut encore ajouter, que M. le général major Van de Bosch, nommé commissaire général du roi pour les Indes Occidentales, a été chargé par ses instructions d'examiner sur les lieux-mêmes quelles seraient les ordonnances qu'il conviendrait d'adopter, à fin de mettre un terme à l'abus, qui se ferait du pavillon des Pays-Bas pour la traite des nègres, et que le ministère de la marine et des colonies lui a remis à cet effet copie de toutes les pièces qui se rapportent à la dite matière.

Le soussigné se flatte que son Excellence Sir C. Bagot reconnoitra dans la présente communication, combien le gouvernement de Pays-Pas, a à cœur de prévenir le renouvellement des plaintes sur cet objet, et il saisit cette occasion pour lui réitérer, &c.

(signé) *Verstolk de Soelen.*Son Excellence Sir Charles Bagot,  
&c. &c. &c.

The Hague, 23d October 1827.

Translation.

THE undersigned, minister for foreign affairs, having procured the particulars necessary for returning an answer to the note which his Excellency Sir Charles Bagot, &c. has done him the honour to address to him, on the 21st of June last, respecting the facility with which, in the West India possessions of the kingdom of the Netherlands, ships papers continued to be furnished to vessels thereafter engaging in the slave trade, is anxious to acquaint his Excellency, that the department for the marine and the colonies, upon being informed by the Netherland Commissary of the Mixed Commission at Sierra Leone that several vessels specified in his Excellency's note, and among others the "Lynx" negro brig had been taken sailing under the Netherland flag, and provided with papers from St. Eustatius, has availed itself of that opportunity, in a very pointed manner, to direct the attention of the government of that colony to the circumstance alluded to, and that this intimation, conveyed under date of 31st October 1826, seems to have produced the desired

NETHERLANDS.

effect, inasmuch as it appears, from the information lately transmitted by the above-mentioned commissary judge, that no vessel carrying the Netherland flag has been captured and conducted to Sierra Leone during the first six months of 1827.

The undersigned is enabled to add, that Major-general Van de Bosch, appointed the King's commissary-general for the West Indies, has been instructed to inquire on the spot what steps it would be expedient to adopt in order to put a period to the abuse hitherto made of the Netherland flag in respect of the slave trade, and that the department for the marine and the colonies has accordingly furnished him with copies of all the documents bearing on this subject.

The undersigned flatters himself that his Excellency Sir Charles Bagot will conclude, from the present communication how solicitous the Netherland government is to prevent the repetition of complaints on this head.

(signed) *Verstolk de Soelen.*

His Excellency Sir Charles Bagot, G. C. B.  
&c. &c. &c.

N° 80.

N° 80.

The Earl of Dudley to Sir Charles Bagot.

Sir,

Foreign Office, November 3, 1827.

I HAVE received your excellency's despatches of this series up to the 26th October last.

I am glad to observe the very satisfactory assurances which are contained in the note from M. Verstolk of the 23d October, on the subject of the irregularities which have been practised in the issue of licenses to vessels trading from the Netherland colonies in the West Indies; irregularities which had given facilities to the illegal traffic in slaves.

I am, &c.

(signed) DUDLEY.

His Excellency Sir Charles Bagot, G. C. B.  
&c. &c. &c.

## FRANCE.

N° 81.

N° 81.

Viscount Granville to Mr. Secretary Canning.--(Received January 27.)

(Extract.)

Paris, January 1, 1827.

I HAVE to acknowledge the receipt of your despatch of the 29th of December 1826.

The law for the more effectual prevention of slave-trading by the subjects of France has been already submitted to the consideration of the Chamber of Peers, and will probably pass through both chambers.

(signed) GRANVILLE.

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

N° 82.

N° 82.

Mr. Secretary Canning to Viscount Granville.

My Lord,

Foreign Office, February 26, 1827.

THE accompanying copy of a communication from the Admiralty gives an account of the slave trade now openly carried on upon the western coast of Africa under the French flag.

It appears from the communication in question, that eleven French vessels, having on board 2,577 slaves, have been met with by the squadron under Commodore Bullen on the coast above mentioned, between the 3d day of August, and the 23d day of November 1826, comprising a period of little more than three months.

The fact of the many gross instances of French slave trade thus met with in so short a period of time, and within so narrow a space, corroborates the statement of Captain Bullen, that the flag of France now absorbs nearly the whole of this disgraceful traffic.

The captains of these French traders, it appears, as if secure of indemnity under the cover of their flag, do not scruple openly to avow their undertakings.

The accompanying list contains the names of the vessels, their masters, and their owners, the number of men and of guns of which their crew and force consist, the amount of their tonnage, the places to which they belonged, the ports from whence they came, the spots to which they were bound, the dates and places where they were met with, and the number of slaves they had on board; in fact, every detail that can be wanted to ensure the conviction of the offenders.

The accompanying letter from Commodore Bullen contains particulars revolting to humanity, of the transactions in which these slave vessels were concerned.

Surely if the government of his most christian Majesty continue to have at heart, as they have so often declared, the putting down of this nefarious traffic, they will not omit this opportunity of proving the sincerity of their professions, by instituting the most severe inquiry into the transactions, by inflicting due and public punishment upon the offenders, and by issuing the strictest orders to their authorities, colonial and others, for the prevention of similar slave-trade undertakings under cover of the flag of France.

I am, &amp;c.

(signed) GEORGE CANNING.

His Excellency Viscount Granville,  
&c. &c. &c.

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

Sir,

Admiralty Office, January 30, 1827.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, an extract of a letter from Commodore Bullen, dated at the island of St. Thomas, on the coast of Africa, the 26th November last, with a

542.

copy

Enclosure  
in N° 82.

FRANCE.

copy of the list therein referred to, of French slave vessels boarded by His Majesty's squadron on the African station.

I am, &amp;c.

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

(signed) *John Barrow.*

Sub-Enclosure  
(A.)  
in N<sup>o</sup> 82.

Commodore Bullen to J. W. Croker, Esq.

H. M. S. "Maidstone," S. Anna da Chaves Roads,  
Island St. Thomas, November 26, 1826.

(Extract.)

BEING completed on the 28th, I weighed in chase of the French schooner "Le Daniel," with 200 slaves, described in the accompanying list. I must again, although extremely sorry to trespass so much on their Lordships' time, call their attention to the enormous extent to which the French still continue to carry on the slave trade in this coast. This vessel was in a most horrid crowded state, her slave-deck being only two feet five inches in height, and although only two days out from the Old Calabar was very sickly. The daring miscreant refused to heave-to, although my colours were flying, until my shot fell a considerable distance over him. He had also the audacity, four days afterwards, to stand into West Bay, Princes Island, where I was lying with two of the squadron wooding and watering. I again despatched a boat out to board him, and found that the night I first intercepted him off the river Cameron, in consequence of the heavy rain which commenced shortly after I brought him to, the slaves quarrelled among themselves regarding the right of precedence of those below to get on deck for fresh air, and those who had already the possession of it, when, shocking to relate, nineteen fell victims.

The "North Star" shortly after this boarded the "Victor," with 497 slaves from the Bonny, in a very crowded, sickly state, and although but out a few days twenty had died, and two more were expected that evening; on the 2d, 5th, and 15th instant, "L'Heniter" with 203, "L'Henriette" with 427, and "La Felicie" with 348, were successively boarded by the "Esk," and the boat of His Majesty's ship under my command; the latter, upon Lieutenant Tucker's arriving on board, and requesting the particulars of her cargo, the master assured him he had nothing in but palm-oil, ivory, &c. and bound to Mobille; but upon my lieutenant looking into her hold, and perceiving the slaves, he smiled, and calmly told him he had 348 on board, was out two days from river Gabon, and that his vessel was in such a leaky condition as scarcely able to be kept free. This fellow had then before him a voyage of several weeks to Martinique.

Captain Clavering in his late visit to the river Benin, boarded three vessels, described in the accompanying list, all of which had part of their cargoes on board. When they have hitherto perceived British boats coming up to examine them, they have repeatedly disembarked their cargoes, to avoid, either from shame or other motives, being detected in the actual fact; in this instance, however, no effort was offered to avoid the search; on the contrary, upon Lieutenant Wilson of that ship expressing his astonishment to one of the masters that he had not landed his slaves, he with the greatest carelessness told him, that as he knew the French cruizers were seldom on the coast, and never during the rains, he had nothing to fear from the visits made to him by the British men of war. The "Conflict" has during the last two months visited the rivers Bonny, Calabar, and Cameroons, and so extensive is the trade carried under the French flag in those rivers that they monopolize the whole, and not a Spaniard was found in either. In the Bonny, four French brigs alone were waiting the completion of their cargoes: one of them, the "Confidence" of Nantz, landed 400 on Lieutenant Wakefield's arrival. In the old Calabar, two vessels, a ship and a brig, were lying, the former "L'Arion" of Marseilles, owned by Toussaint, Benet and Sons, had only seven Frenchmen on board out of her crew of thirty-two persons, and was cleared out at St. Thomas, West Indies, by the French consul, Hurault de Ligny. Since I left Sierra Leone on the 3d of August last, 2,577 slaves have been found on board French vessels by the squadron under my orders, the whole of whom are more particularly described in the accompanying return. It was my intention to have visited the before-mentioned rivers, but the tremendous rains which we have experienced this season, more severe than any hitherto, entirely frustrated my attempts.

Their Lordships must fully perceive that three fourths of the slave-trade is now carried on by that nation, and unless something is done to prevent it ere long, few vessels will show any other colours than white, when the papers seem to be so easily and readily obtained from their possessions in the West Indies; whether correct or false, it is impossible for us to determine. The rainy season having now pretty nearly ceased, I am happy to say the squadron are again getting tolerably healthy. Lieutenant Tour, of the "Esk," Lieutenant Campbell, of the Royal Marines, and Mr. Rogan, surgeon of the North Star, have, however, been invalidated for ill health. In the vacancy occasioned by the former, I have appointed Mr. J. S. Tollervy, Admiralty-mate of the "Esk," which I trust will meet with their Lordships' approbation.

I have also to acquaint their Lordships, that the "Intrepida," Spanish schooner, captured by the "Esk" on the 10th of August last, with a cargo of 252 slaves, and sent up in charge of the master of that ship, was in so sickly a condition that 57 died previous to her condemnation.

(signed) *Charles Bullen.*

RETURN of French Vessels boarded with Slaves by the African Squadron under the Command of Commodore Bullen. C. B. between 3d day of August and 23d day of November 1826.

Boarding Vessel.	Date.		Place.		NAME OF			Rigged.	Number of		Time of Sailing.	WHERE			Number of Slaves.	REMARKS, &c.
	Lat.	Long.	Vessel.	Master.	Owner.	Men.	Cuns.		Tons.	From.		Bound.	Belonging.			
Brazen	Aug. 5	Off Princes Island	Levrier	Justram	Bonaffé	35	6	189	Brig	R. Bonny	Surinam	Guadaloupe	367	{ Consigned to Messrs. Jouffrein and Co. { These vessels were completing their cargoes. { Slaves in a very sickly state; 20 had died already, and 2 expected that evening. { Her slave deck 2 feet 5 inches in height. This fellow afterwards had the audacity to stand into West Bay, Princes Island, where the squadron were assembled, and was again boarded by my boats on the 4th November. In the intervening time his slaves had quarrelled amongst themselves, and 19 were killed. { Upon Lieut. Tucker's boarding him, he stated his cargo to consist of palm-oil, &c. Afterwards upon the slaves being discovered, he told him the number, and said the vessel was so leaky he could scarcely keep her free.		
Esk	10	—	Maria Modelin	Lestiert	Delie	12	2	94	Schooner	—	Martinique	Martinique	115			
Redwing	Sept. 28	River Benin	L'Hersilie	Auglade	Auglade	24	1	76	—	Martinique	—	—	106			
—	—	—	La Caravane	Quorniam	Quorniam	22	—	65	—	—	—	—	99			
—	—	—	Eliane	Bouit	Bouit	21	—	57	Brig	—	—	—	15			
Conflict	Oct. 3	Old Calabar	Justin	Tardy	{ Tardinde } Roche	24	4	124	Brigantine	St. Barto.	—	—	200 & upwards.			
North Star	6	Off Isld. St. Thos.	Victor	Jardan	Rauson & Co.	22	2	198	—	Guadaloupe & R. Bonny	Guadaloupe	Guadaloupe	497			
Maidstone	28	Off R. Cameron	Le Daniel	Achille le dise	Guillon	15	1	85	Schooner	O. Calabar	—	Point à Pitre	200			
Esk	Nov. 2	4.0. N. 5.0. E.	L'Heniter	Auglave	Hastings	15	1	67	d°	St. Thomas's, West Indies.	Martinique	Martinique	203			
—	5	Off Fernando Po	L'Henrietta	Salony	Robberith	29	6	193	Brig	R. Bonny	D°	St. Malo	427			
Maidstone	15	Off Princes Island	La Felicie	Desseyras	Revette	37	6	196	—	R. Gabon	D°	Martinique	348			
													Total - -	2,577		

(signed) Cha. Bullen, Commodore.

FRANCE.

Sub-Enclosure  
in N<sup>o</sup> 82.

FRANCE.

N° 83.

N° 83.

Mr. Secretary Canning to Viscount Granville.

My Lord,

Foreign Office, February 27, 1827.

IN reference to my despatch to your Excellency of yesterday, on the subject of the slave trade, carried on under the flag of France, upon the western coast of Africa; I furnish your Excellency with the extract of a communication received by the Colonial Department, from His Majesty's Governor of Sierra Leone, containing matter corroborative of the assertion, as to the facility with which papers are obtained for vessels in the French West Indies, to enable such vessels to proceed from thence to Africa, with the purpose of trading in that quarter illegally for slaves.

I am, &amp;c.

(signed) GEORGE CANNING.

His Excellency Viscount Granville, G. C. B.

&amp;c. &amp;c. &amp;c.

Enclosure  
in N° 83.

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

Sir,

Downing-street, February 14, 1827.

I HAVE received the Earl Bathurst's directions to transmit to you, for the information of Mr. Secretary Canning, the enclosed extract of a despatch, with its enclosure, from Governor Sir Neil Campbell, stating that the slave trade on the western coast of Africa is increasing, in consequence of the facility with which it is asserted that foreign vessels may obtain the protection of the French flag, and in consequence also of the connivance of the Portuguese authorities at the proceedings of vessels engaged in the traffic in slaves.

I am, &amp;c.

Joseph Planta, jun. Esq.

(signed) R. W. Hay.

&amp;c. &amp;c. &amp;c.

Sub-Enclosure  
(A.)  
in N° 83.

Governor Sir Neil Campbell to Earl Bathurst.

(Extract.)

Sierra Leone, November 29, 1826.

ANOTHER occurrence which has been made known to me since my return, relating to slave trade and piracy in this vicinity, is what is detailed in the enclosure.

The surgeon of "Le Felix," M. Salaberry, informs me that the French papers, with the regular seal of office, are obtained without difficulty by stealth and breach of trust, from subordinate persons in the departments (at Guadaloupe and Martinique) of the marine. The object of calling at the Cape de Verd Isles was to see a Signior Martinez, formerly Deputy to the Cortes, who holds an appointment under the governor, or who has considerable influence with him, by which they were to obtain Portuguese papers, or other facilities for their slave-trading with the Portuguese factories between this and the Gambia, and which is openly carried on by the Governor at Bissao, with the chiefs on all the rivers, to obtain cargoes for foreign vessels, and for large canoes from the Cape de Verd Islands, and coasting traders, who also frequent the different ports between this and the Gambia, for any other articles of commerce as well as slaves.

Sub-Enclosure  
(B.)  
in N° 83.

Statement of the Surgeon of "Le Félix."

Sierra Leone, le 28 Novembre, 1826.

ARRIVANT à St. Thomas, le 23 Fevrier de cette année, venant de la Guadaloupe, je trouvai dans le dit Port de St. Thomas, le brig Espagnol "Le Félix," Capitaine Maury, du port de St. Jago de Cuba, armé de 10 canons, dont 4 de 12, 2 de 9, et 4 carronades de 18, qui se trouvait en armement pour la côte d'Afrique. Il me proposa de faire le voyage avec lui en ma qualité de chirurgien. J'acceptai sa proposition.

Nous sortimes de St. Thomas le 25 Mars, nous étions 56 hommes d'équipage, tout compris. Le brig "Le Félix" arbora dans le dit port son pavillon Espagnol, avec lequel nous sortimes à la Mer. Deux ou trois jours après être sortis, le Capitaine Maury m'appelle dans la chambre, et me dit: Docteur, voici nos papiers François que j'ai fait venir de la pointe à Pitre, Guadaloupe. Me les ayant montré, il me pria de remplir le rôle d'équipage qui se trouvait en blanc, revêtu seulement des signatures de la marine, ce que je fis. Il me dit, vous allez porter sur le rôle le nom de Théophile Cruvelier comme capitaine, conservant toujours le nom de "Félix" au brig.

Le 1<sup>er</sup> Mai nous arrivâmes à Bonavista, Cap Verd, sans avoir rencontré aucun bâtiment de guerre à la mer. Nous fûmes dans ce port dans l'intention d'y voir Don Manuel Martinez, que notre capitaine connoissoit, et tâcher de faire des affaires avec lui. Celui ci ce trouvant absent, nous en partimes le 5 du même mois, et fimes route pour Rio Pongo, où

nous

nous mouillâmes. Le capitaine fut à terre pour se procurer un pilote de la barre, et vit un nommé Hurtis, qui lui offrit 375 esclaves pour notre facture. Il ramena 2 pilotes qui nous échouèrent sur un banc. Nous nous vîmes forcés de nous mettre sous voile, après avoir vidé presque toutes nos pièces à eau, afin d'alléger le navire.

Le lendemain matin nous aperçûmes une goëlette Americaine qui sortoit de Rio Pongó pour se rendre à Rio Nuñez. Nous la fîmes mouiller. Notre capitaine fût à son bord, s'informer du capitaine Americain, s'il connoissoit Rio Nuñez. Il lui répondit que oui. Il lui demanda s'il pensoit que nous pourrions faire des esclaves dans cet endroit là. Il répondit également par l'affirmative.

Nous nous mêmes immédiatement sous voile, suivant la goëlette précitée, et nous mouillâmes au village de Vassassy, dans la dite Rivière, qui se trouve à la distance à peu près de 75 milles de la barre, le 8 Juin dernier.

Le 10 nous mîmes notre facture à terre, et notre capitaine prit des arrangemens avec trois individus du pays, qui prirent nos marchandises, se rendant cautions, et s'obligeant de nous donner 350 captifs, dans l'espace de 2 mois. L'un est nommé Macandy, qui est le Roi du Pays; le second, Carmot, chef du village de Guayquiry; et le troisième, David, chef du village de Vassassy. Après avoir resté dans la rivière près de cinq mois, et n'ayant pu obtenir de ces fripons que 106 nègres, et 12 que nous achetâmes d'un reste de facture, le capitaine éternua, le 3 Novembre, de descendre la rivière, et de se payer sur les pirogues qu'il rencontrerait, en captivant tous les individus qu'elles contiendraient. Il effectua effectivement son plan, car, le 6 ou le 7 du courant, il en fit saisir une appartenant à M. Bateman, laquelle avoit 6 nègres à bord, dont 4 nageurs et 2 negrillons qu'il esclavisa sur le champ. Nous trouvâmes dans la dite pirogue qui étoit chargée de sel deux petites caisses pleines de nos marchandises, des pièces de mouchoirs entières, des Indiennes, &c. &c. (preuve évidente que M. Bateman a aidé les nègres à nous voler.)

Le 8 dans l'après diner nous laisser mouiller près d'un endroit périlleux, où nous attendions la pleine mer, pour continuer de descendre la rivière. Il fût sonder, dans un canot, l'endroit, où se trouvoit un roche au milieu de la dite rivière où nous touchâmes en entrant. Le 9 il fit appareiller au petit jour. On le prévint que la roche étoit devant nous. Il ne voulût rien écouter, et fit gouverner droit sur elle, où le navire se causa dans le moment et tomba sur tribord. Dans l'espace de 10 minutes il se trouva plein d'eau. Voyant cela on fit monter les esclaves sur le pont; on les embarqua et on les mit à terre. Une fois sur la plage nous leur donnâmes deux ciseaux à froid, et deux marteaux, pour qu'ils ôtassent leurs fers, et par conséquent leur donnâmes leur liberté. Cela terminé, nos primes du bord quelques vivres et de l'eau, 45 fusils qui étoient de l'armement du brig, 19 sabres d'abordage, 72 machettes restantes de la traite, 500 cartouches, 2 boites de mitraille, contenant chacune 350 balles, 2 barils de poudre de 25lbs, et le capitaine avoit pour sa défense personnelle un paire de pistolets, un poignard, et un sabre. Avant de quitter le navire il ordonna de mettre le feu à bord, pour que les nègres du pays ne profitassent de rien. Tout l'équipage débarqué, il nous dit; nous allons nous porter sur l'isle qui se trouve près de la barre, et là le premier bâtiment qui entrera ou sortira nous le prendrons pour aller chercher fortune ailleurs. Vous savez tous qu'il y a à Vassassy une goëlette qui est en partance pour Sierra Leone, et qui nous conviendrait parfaitement. C'étoit celle de M. Parker.

Nous descendîmes à quelque distance du brig. Nous aperçûmes un bateau qui remontoit la rivière. Le capitaine crie: à bord, mes enfans! Mais le bateau se trouvant être la propriété de M. Castagnet, il ne fit mouiller pour quelques instans, et défendit expressément de ne rien toucher au dit bateau.

Ayant bien réfléchi, je dis à mon capitaine; monsieur, je ne me suis point embarqué avec vous pour faire le pirate; les intentions que vous venez de manifester sont trop évidentes pour suivre votre exemple, qui est celui d'un homme sans caractère et sans honneur. Je remonte chez M. Castagnet avec son bateau, les 3 officiers et 12 matelots suivent mon exemple.

Arrivé chez M. Castagnet, j'y trouvai M. Parker qui faisait des préparatifs de départ; je le prévins des intentions et dispositions de notre capitaine; je lui annonçai qu'il avoit été se réfugier à l'île, et qu'il l'attendait. D'après mes informations, Messieurs Samo, Parker et Castagnet, décidèrent à se réunir et sortir armés, accompagnés de quelques pirogues du pays, ce qu'ils firent. On descendit à l'île le 20 du courant. On parcourut toute l'île qu'on visita avec grande précaution, et on trouva que le capitaine en étoit parti, avec les 22 matelots qui lui restoient. On reconnût l'endroit où ils sejournerent.

(signé) *A. Sallaberry.*

Sierra Leone, November 28, 1826.

Translation.

ON arriving at St. Thomas on the 23d February of this year, on my way from Guadaloupe, I found in the said port of St. Thomas the Spanish brig the "Felix," Captain Maury, of the port of St. Jago de Cuba, armed with ten cannons, of which four were twelve pounders, two of nine, and four carronnades of eighteen, which vessel was in a state of equipment for the coast of Africa. He proposed to me to sail with him in my quality of surgeon. I accepted his proposition.

We left St. Thomas on the 25th of March, being, including all, a crew of fifty-six men. The brig, the "Felix," hoisted her Spanish flag in the said port, and with it we went out to sea. Two or three days after we had left, Captain Maury called me into his room, and said to me: "Doctor, here are my French papers, which I have caused to be sent from Point à Pitre, Guadaloupe." Having shown them to me, he requested me to fill up the register



## FRANCE.

of the crew which was left blank, furnished only with the signatures of the marine, which I did. He said to me, "you must place on the roll the name of Theophilus Cruvelier, captain, retaining however, for the brig the name of "Felix."

On the 1st of May we arrived at Bonavista, Cape Verd, without having met any ship of war at sea. We went to that port with the intention of seeing Don Manuel Martinez, who was known to our captain, and to endeavour to do business with him. That person being absent, we set off on the 5th of the same month, and steered for Rio Pongo, where we anchored. The captain landed to procure a pilot for the bar, and saw a person named Hurtis who offered him 375 slaves for our factor. He brought off two pilots, who ran us aground on a bank. We were obliged to set sail, after having emptied almost all our water-barrels in order to lighten the ship.

The next morning we got sight of an American schooner which had left Rio Pongo to go to Rio Nunez. We made her anchor. Our captain went on board of her to learn from the American captain if he knew Rio Nuñez. He replied in the affirmative. He asked him if he thought that we could procure any slaves in that place; he again replied in the affirmative.

We immediately set sail, following the aforesaid schooner, and on the 8th of June anchored in the said river at the village of Vassassy, which is about seventy-five miles distant from the bar.

On the 10th we landed our factor, and our captain made arrangements with three individuals of the country, who took our merchandize, giving securities and binding themselves to give us 350 captives in the space of two months. One is named Macandy, who is the king of the country. The second, Carmot, chief of the village of Guayquiry, and the third, David, chief of the village of Vassassy. After having remained in the river nearly five months, and not having been able to obtain from these knaves more than 106 negroes, besides twelve whom we bought from a residue of the factor, the captain, on the 3d of November, resolved to descend the river, and to pay himself out of the boats which he might meet, by capturing all the individuals they contained. In fact, he effected his plan; for on the 6th or 7th of the month he caused one to be seized belonging to Mr. Bateman, which had six negroes on board, four rowers, and two young negroes, of whom he made slaves on the spot. We found in the said boat, which was laden with salt, two small chests full of our merchandize—whole pieces of handkerchiefs, printed calicoes, &c. &c.—(an evident proof that Mr. Bateman had assisted the negroes to plunder us.)

On the 8th, in the afternoon, we anchored near a perilous place, where we waited for high-water in order to continue our descent of the river. The place was sounded in a boat, and a rock found in the middle of the said river, on which we had touched as we entered. On the 9th he caused us to set sail at dawn of day; he was warned that the rock was before us; he would hear nothing, and caused us to steer right towards it, when the ship struck, and fell to the starboard; in about ten minutes she was full of water; on this the slaves were made to get upon the deck, they were disembarked, and landed; when they were on shore, we gave them two chisels of tempered steel and two hammers, to enable them to take off their irons, and consequently gave them their liberty; that done, we took from on board some victuals and water, forty-five muskets which belonged to the equipment of the brig, nineteen boarding sabres, seventy-two cutlasses, remaining from the slave trade, 500 cartridges, two boxes of grape-shot, containing each 350 balls, two barrels of powder of twenty-five pounds, and the captain, for his personal defence, took a brace of pistols, a poignard, and a sabre: before quitting the ship, he commanded the vessel to be set on fire, so that the negroes of the country might not make profit of any thing; all the crew being disembarked, he said to us, "we are going to the island which lies near the bar, and there we will capture the first ship which goes out, or comes in, and then try our fortune elsewhere. You all know that there is a schooner at Vassassy, which is on the eve of departure for Sierra Leone, and which would exactly suit us." It was the vessel of Mr. Parker.

We descended some distance from the brig, and observed a boat which ascended the river. The captain called out "on board my boys!" but the boat turning out to be the property of Mr. Castagnet, he caused it to be anchored immediately, and expressly forbid any thing in the boat to be touched.

Having well reflected, I said to my captain, "Sir, I did not embark with you to become a pirate, the intentions you have just manifested are too evident for me to follow your example, which is that of a man without character and honour." I went back to Mr. Castagnet with his boat; the three officers and twelve sailors following my example.

Arrived at Mr. Castagnet's I found Mr. Parker there, who was preparing for his departure; I informed him of the designs and arrangements of our captain, announcing to him that he had taken refuge on the island, and that he was lying in wait for him. On hearing my account Messrs. Samo, Parker and Castagnet determined to meet and go forth armed, accompanied by some boats of the country, which they did, and went to the island on the 20th current. We traversed the whole island, which we searched with great care, and found that the captain had left it with twenty-two sailors who remained with him. We discovered the place where they had sojourned.

(signed) A. Sallaberry.

FRANCE.

N° 84.

N° 84.

H. C. J. Hamilton, Esq. to Mr. Secretary Canning.—(Received March 15.)

Sir,

Paris, March 12, 1827.

I HAVE the honour to acknowledge the receipt of your despatches of the 26th and 27th of February last (addressed to Viscount Granville), on the subject of the slave trade, now openly carried on upon the western coast of Africa, under the French flag, and the facility with which papers are obtained for vessels in the French West Indies, to enable such vessels to proceed from thence to Africa, for the purpose of illegal trade for slaves in that quarter; and I shall lose no time in bringing the subject under the consideration of the French government.

I have the honour to be, &amp;c.

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

(signed) *Hamilton Hamilton.*

N° 85.

N° 85.

Mr. Secretary Canning to H. C. J. Hamilton, Esq.

Sir,

Foreign Office, March 26, 1827.

THE accompanying papers contain statements as to slave trade, said to be carried on under the flag of France, in various points to the eastward of the Cape of Good Hope.

You will communicate these accounts to the government of his most Christian Majesty, adding an expression of confidence, on the part of the British Government, that the government of France will take an early opportunity of instituting an inquiry into the facts alleged, with a view of putting down the illegal traffic, and of punishing those who shall be found to have offended against the humane wishes of the King of France in respect to the slave trade.

I am, &amp;c.

H. C. J. Hamilton, Esq.:  
&c. &c. &c.

(signed) **GEORGE CANNING.**

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

1st Enclosure  
(A.)  
in N° 85.

Sir,

Downing-street, March 8, 1827.

I AM directed by Earl Bathurst, to transmit to you the enclosed extract of a letter from the Commissioners of Inquiry at the Mauritius, dated 25th October 1826, and the copy of another, dated 21st November, relative to a trade in slaves, which is alleged to be carried on by the French to a considerable extent at one of the islands on the west coast of Sumatra, called "Pulo Nyas," and I am to request that you will lay the same before Mr. Secretary Canning for his information.

I am, &amp;c.

Joseph Planta, jun. Esq.  
&c. &c. &c.

(signed) *R. W. Hay.*

The Commissioners of Inquiry at the Mauritius to Earl Bathurst.

1st Enclosure  
(B.)  
in N° 85.

(Extract.)

Mauritius, October 25, 1826.

WE do ourselves the honour to inform your Lordship, that since the dispatch of our letter to your address of the 18th instant a Dutch ship has arrived at this port from Padang, the principal Dutch settlement on the west coast of Sumatra, and we were surprised to learn from the master of this ship (an Englishman), that the slave trade was universally believed there to be carried on by the French to a considerable extent at one of the islands on the west coast, called Pulo Nyas, which had been a principal slave mart, previous to the abolition of the trade in slaves formerly carried on by the Dutch in those seas.

As this ship, the "Padang," was upon the point of departure for England and Holland, and as it was alleged that rumours prevailed at Padang, that the French slaving vessels, in their voyages to Bourbon, attempted occasionally to introduce slaves into Mauritius through the medium of the island of Rodrigues, a dependency situated to the eastward of this colony, we considered it our duty to take the evidence of Captain Rogers; and we have now the honour to enclose it to your Lordship, in order that you may judge of the nature of the information he possesses on the subject, and the sources from which he derived it.

We think it right to add that, although from the situation of these islands, great facilities exist for the illicit introduction of slaves into this colony and its dependencies, yet we have

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no authentic information which would justify us in assuming that the reports prevalent at Padang are correct, in so far as they impute to the inhabitants of this island and its dependencies, a participation in the crimes of the French slave traders. We are assured by the registrar of slaves that very few Malay slaves exist in the colony, and the progress of the new registration, under the provisions of the Order in Council of 30th January 1826, will determine, in a short time, the actual number in the colony, as they are readily distinguished from the African slaves.

We beg leave to add, that although the evidence of Captain Rogers, of the ship "Padang," requires confirmation from more direct sources, yet we have no reason to doubt the authenticity of his statements; which we are induced to transmit to your Lordship, as connected with the subject of our last despatch, and as other communications on the same subject are likely to be made to England.

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

(signed) *W. M. E. Colebrooke.*  
*W. Blair.*

1st Enclosure  
(C.)  
in N<sup>o</sup> 85.

Evidence of Captain Rogers, of the Dutch ship "Padang."

YOU are a native of England I believe?—I am.

You command the Dutch ship the "Padang"?—I do.

What is the port from whence you took your last departure?—From Padang, on the west coast of Sumatra.

Are the Dutch authorities established at that station?—They are: it is their principal station on the west coast.

Are you aware if the slave trade has been entirely suppressed in that quarter by the Dutch?—I believe it has, to the extent that no slaves are allowed to be brought into their settlements.

Have you any information whether it is carried on there by any other European nation?—Only by the French; and confined, I believe, to the island of Nyas, off that coast, and which was an old mart for slaves.

Under what flag do the French carry on this slave trade?—Under different European flags, particularly the English, Dutch and French flags.

Do you know from whence the vessels engaged in this traffic clear out, and to what ports they carry their slaves?—They clear out, principally from the Island of Bourbon, to which colony, I am informed, they carry their slaves.

Do these vessels trade on the coast of Sumatra?—They ostensibly trade in coffee, pepper, and other produce, with the ports of Sumatra, but they chiefly exchange dollars and cloths for gold dust, with which they make their purchases of slaves at Pulo Nyas.

Where do they obtain the gold dust?—From Padang, to which place it is brought from various parts of Sumatra.

Did any of these vessels visit Padang while you were there?—Several of them.

Was it generally known that these vessels were engaged in the slave trade?—Not at the time, but from the frequent communication by boats with the northern parts of Sumatra, and with Pulo Nyas itself, information of their being engaged in that trade has been generally acquired, and it is quite notorious.

What course do these vessels take when they quit Padang?—They go to the northern ports, and take their final departure from Nyas.

By what description of men are these vessels usually commanded and navigated?—Generally by Frenchmen, or Creoles, of Bourbon.

Of what burthen are they in general, and of what description?—They are generally from 50 to 120 tons burthen, and are light fast-sailing vessels, drawing little water.

Have you ever been on board one of these vessels?—I have.

Did they appear to be equipped in a particular manner, so as to denote that they were engaged in the slave trade?—I have had no opportunity of seeing them in that manner equipped.

Can you state how long it may have been the practice for these vessels to frequent those coasts?—It has become most notorious within the last two years, but they were known to have frequented those coasts at an earlier period.

Have you been long a resident in those countries?—I have been established at Padang for several years, though occasionally absent.

Are there any English or Dutch cruisers on the west coast of Sumatra?—There are some Dutch cruisers on the west coast, but they seldom go so far to the northward as to Pulo Nyas.

What is the object of these French vessels in hoisting the English and Dutch flags?—In frequenting the different parts on the west coast they take the flag of the nation that is most acceptable to the inhabitants, on which account they occasionally hoist the English flag, and sometimes the Dutch.

Have you received any information as to the manner in which these slaves are procured?—They are obtained in the wars carried on between the tribes on the island, which are promoted with the object of procuring slaves for sale.

Have you understood that the French take an active part in these wars, or whether they confine themselves to the purchase of the captives?—I believe they in general purchase their slaves.

Have

Have you any knowledge of the number of vessels from Bourbon that are engaged in the slave trade at Pulo Nyas, or elsewhere in those seas?—I have authority for stating that about eighty vessels are engaged in the slave trade from Bourbon, of which from fifteen to twenty are employed in carrying slaves from Pulo Nyas.

Can you state your authority for this information?—I have derived it from various sources, but particularly from the captain and supercargo of a French ship, called the "Bourbon," which arrived at Padang from the ports of France and Bourbon, in the month of September last, and which had left Bourbon in August.

Do you recollect his name?—I do not.

The ship "Bourbon" I conclude was not engaged in the slave trade?—She was not, she came for a cargo to Padang and the northern ports.

Have you any information respecting the treatment of the slaves on board these vessels, or the number they receive on board?—I have heard that the treatment of the slaves in these vessels is not unusually severe, but that they are very crowded.

Are you aware whether the slave trade formerly carried on at Nyas had been suppressed previously to the French engaging in it?—I believe not, and that the French from Bourbon have at all times been more or less engaged in it.

What is the course that these vessels are understood to take in their passage from Nyas, and do they touch at any intermediate ports?—It is reported at Padang, but I cannot state on what authority, that they sometimes make an attempt to introduce slaves into Mauritius, and with this object occasionally touch at the island of Rodrigues, which lies in their track to Bourbon, and where they can ascertain whether any British cruisers are on the Mauritius coast.

Have they a fair wind from Rodrigues to Mauritius and Bourbon?—They have always an easterly wind, which is fair.

Are they understood to visit any other of the dependencies of this colony?—It is understood that they sometimes visit the northern islands, the Seychelles.

Have you ever been at Rodrigues?—I have never landed there.

Are you aware if it is frequently visited by small vessels from the Mauritius?—It was frequently visited by small vessels for fish and turtle. I have no recent information concerning this intercourse.

Have you ever heard where the Bourbon vessels fit out that are engaged in the slave trade?—At Bourbon.

Have the Dutch government established any president at Pulo Nyas?—The Dutch government have hoisted their flag at Pulo Nyas, and a functionary has resided there, but not with any power: no troops are on the island.

Have you ever been informed of the number of slaves taken from Nyas by the French vessels?—Not precisely; but I think that the number cannot be less than 1,000 slaves in a year.

What is the length of the voyage from thence to Rodrigues and Bourbon?—Generally a month, but sometimes less.

Do they obtain provisions and water on the Sumatran coast, for the support of the slaves on the voyage?—They obtain these supplies from Nyas itself, which is a very fertile island.

What is the average value of the slaves purchased at Nyas?—The average value in gold dust, is from 50 to 100 Spanish dollars for each slave.

Are slaves procured by the French from any other ports of the eastern archipelago?—I am not aware that they are.

Have the Dutch authorities in general taken any active measures for the suppression of the slave trade in those seas?—They have prohibited the admission of slaves into their settlements, but have not had it in their power to take any active measures to suppress the slave trade.

Did the captain of the ship "Bourbon" speak of the slave trade carried on by his countrymen in these seas, as likely to attract the attention of the French government with a view to its suppression?—No; he merely mentioned it incidentally.

Have you seen many of the natives of Pulo Nyas?—I have seen a great many of them.

What in general is their character?—They have in general appeared to me to be a quiet, harmless and industrious race, but not so intelligent as the Malays.

Is there any trade between the coast of Sumatra and Pulo Nyas?—Small vessels carry on a trade between the coast and that island, bringing supplies of cocoa nuts and rice, in exchange for various articles in request with the islanders.

Have you ever visited Pulo Nyas yourself?—I have been in sight of the island, but I have never landed on it.

(signed) *Edward Rogers,*  
Partner in the firm of Vanden Berg & Co. at Padang,  
and Commander of the Dutch ship "Padang."

A true copy of the original evidence, as given by Captain  
Rogers before the Commissioners of Inquiry,

(signed) *W. J. Mactril,*  
Chief Clerk to the Commission of Inquiry.

## FRANCE.

Commissioners of Inquiry at the Mauritius to Earl Bathurst.

1st Enclosure  
(D.)  
in N° 85.

My Lord,

Mauritius, November 21, 1826.

I N transmitting the duplicate of our despatch of the 25th October last, we have the honour to state, for your Lordship's further information, that the island of Diego Garcia, 7. 15. S. 72. 32. E. one of the chagos Archipelago, and a dependency of this colony, was visited, in the month of March last, by a vessel under French colours, called the "Chicken," which was suspected at the time, and has since been found, to have been employed in the conveyance of a cargo of slaves from Pulo Nyas to Bourbon. We have collected much evidence upon the subject of this transaction, but which it may be desirable to reserve until the completion of our inquiries.

The vessel put into Diego Garcia for refreshment on her voyage from the eastward, and the circumstance, when reported to the governor, was made known by him to Commodore Christian. Two other vessels touched at the island about the same period, the one under Dutch, and the other under English colours; these vessels had some Malays on board, but no proof has appeared of their being slaves; the inhabitants of the island furnished supplies to all these vessels. Diego Garcia is described to be possessed of an excellent harbour, and yields an abundant supply of water; it is in the track of ships bound from the eastward. The island has been settled from Mauritius, and the slaves employed in the cultivation of cocoa-nuts, and the preparation of cocoa-nut oil, are superintended by regisseurs or agents, deputed by the proprietors who are resident in Port Louis.

Some other islands of the same cluster (Les six Isles) have been settled by the inhabitants of Seychelles, to which they refer; but in none of these islands do we find that any public functionary resides, and being situated, as well as Rodrigues, beyond the limits of the naval command, they are not visited by the ships of this squadron.

We have, &amp;c.

The Right Hon. Earl Bathurst, K. G.  
&c. &c. &c.(signed) W. M. E. Colebrooke.  
W. Blair.2d Enclosure  
(A.)  
in N° 85.

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

Sir,

Downing-street, March 12, 1827.

I AM directed by Earl Bathurst to transmit to you, for the information of Mr. Secretary Canning, the extract of a despatch from the governor of the Mauritius, dated the 29th of October 1826, accompanied by the copy of a letter from Commodore Christian, with the extract of one from Captain Acland, relative to the slave trade, as still carried on by French vessels on the east coast of Africa.

I am, &amp;c.

Joseph Planta, jun. Esq.  
&c. &c. &c.

(signed) R. W. Hay.

2d Enclosure  
(B.)  
in N° 85.

Lieutenant General Sir G. Lowry Cole to Earl Bathurst.

(Extract.)

Mauritius, October 29, 1826.

I TAKE this opportunity of forwarding to your Lordship the copy of a letter from Commodore Christian, with the extract of one from Captain Acland, and the substance of a representation from Amease, relative to the slave trade, as still carried on by French vessels on the east coast of Africa.

(signed) G. L. Cole.

The Right Hon. Earl Bathurst, K. G.  
&c. &c. &c.2d Enclosure  
(C.)  
in N° 85.

Commodore Christian to Lieutenant General Sir G. Lowry Cole.

Sir,

"Owen Glendower,"

Port Louis, September 10, 1826.

I HAVE the honour to enclose, for your Excellency's information, an extract of a letter from Captain Acland, of His Majesty's sloop "Helicon," respecting the slave trade, with the copy of a representation made to me by Amease, the interpreter.

I am, &amp;c.

His Excellency Sir G. Lowry Cole, G. C. B.  
&c. &c. &c.(signed) H. H. Christian,  
Commodore.2d Enclosure  
(D.)  
in N° 85.

Captain Acland to Commodore Christian.

(Extract.)

"Bell Buoy," off Port Louis, Mauritius,  
September 1826.

WE did not reach Oibe until the 23d June, where we anchored on the following day. From the best information I could obtain, it appears the French have much forsaken this port in quest of slaves, arising partly from the Imaum's territories being forbid to import them, and partly from the heavy duties levied by the Portuguese on all foreign vessels shipping slaves, and lastly,

lastly, from the high price slaves bear amongst the Portuguese for their own exportation to the Brazils, which mostly takes place towards the termination of the S. W. monsoon.

The Portuguese commander informed us that the French carried on the trade very actively to the northward of Cape Delagardo.

We arrived off Mougorella on the 4th of July. We observed a brig bearing a very large red ensign and pendant, and a schooner just under weigh, with French colours, laden with blacks; on our approaching the harbour we observed her to heave about, beat in again, and with the assistance of many boats land her cargo in haste, marching them in pairs across the beach towards the factory, which we understood afterwards to be the abode of the captain of the schooner; upon our boarding her we found that the captain and most of the crew had deserted her, taking with them colours and papers.

From the papers which the captain sent on board for my inspection shortly after, I ascertained her to be the French schooner "P'Union," of thirty-three tons, belonging to Bourbon, commanded by Monsieur Frisco, and owned by Messrs. Robins, (frères.)

The vessel under the red flag proved to be the French brig "le Louis," belonging to Bourbon, of 196 tons, mounting six guns, commanded by Monsieur Oyouz, and owned by Monsieur Monfort. The surgeon who went on board to see their sick reported to me her being nearly ready for sailing, her water being completed, and her masts overlaying the casks ready for the reception of slaves.

This place appears to be as great a mart for French slave-dealers as the Mozambique is for the Portuguese, being beyond the territories of the latter, and situated at the extreme of the Imaum of Muscat's. Being at such a distance, it is not sufficiently under his control to protect it from such an iniquitous trade (which the French are so wilfully guilty of actively encouraging) amongst the unenlightened negroes.

I have also to remark to you, that since my return to this port I have ascertained from the books at the post-office that the two above-mentioned vessels have been in this harbour this year, and I have little doubt it was for the purpose of refitting.

Finding, on leaving Mougorella, that a considerable portion of my cruize had expired, I made the best of my way to Zanzibar, having by report been led to believe that an extensive traffic in slaves was carried on there.

On my arrival I was surprised to find the harbour destitute of shipping.

From all the conversation and intercourse which both myself and officers have held with the governor, and other persons of this island, I have every reason conscientiously to believe that there is a sincere desire of actively checking any slave-dealing within the powers of Muscat with all foreign states.

As a further earnest on the part of the governor to abolish slave-dealing with foreign powers, I have to inform you, that I have been given to understand that he lately seized a dow immediately on her return to Zanzibar, for having sold slaves to a French vessel at Monfier, the captain of which he sent prisoner to the Imaum.

Owing to our short stay at the Seychelles, I had no opportunity of forming my conclusions respecting the slave trade at that place.

(signed) C. Acland.

Commodore Christian.

#### Representation of Amease, the Interpreter.

THE principal places on the coast of Zanzibar where the slave trade is at present carried on are in the bays of Mongro, Lindy, Macindanee, and Kaswanree. For the last three years about eight French vessels resorted thither, making generally two voyages annually, and carrying away from 150 to 300 slaves at a time. From all the information I have been able to collect, I believe the French are the only Europeans who purchase slaves along the coast, and that they do not carry them to the Mauritius or Seychelles, but to the island of Bourbon. The slaves, as they arrive from the interior of the country, are brought in small numbers by canoes along the coast from Zanzibar, Quilon, &c. and are purchased by Arab merchants, who keep them till a vessel arrives, in consequence of which there is little difficulty in procuring a cargo, and ships seldom require to remain longer in the bays than six weeks.

Although these bays are said to be under the dominion of the Imaum of Muscat, and there are many of his subjects residing there, yet no governor being present, or men with the Imaum's authority, to enforce the law, the slave trade is carried on openly, and probably without his knowledge.

Having been engaged several years ago by Captain Moresby, of His Majesty's ship "Menai," in making a treaty with the Imaum of Muscat for the suppression of the slave trade on this coast, I am confident he would use further means to put a stop to it, if proper representations were made to him. It would not be necessary to send an armed force to these bays, but one or two men with the Imaum's authority residing at each, could prevent the French from purchasing a single slave; and from knowing the disposition of the Imaum, I have no doubt but that he would readily comply with any proposal to that effect. As the minister of the Imaum with whom Captain Moresby drew up the treaty is now dead, it would be useful to continue the enforcement of it, that it might be renewed, as the present minister will not consider himself bound by the acts of his predecessor, further than he may see it his interest. The island of Mombas also, being now abandoned by the English, and the Arabs of that place doing what they can to induce the French to resort thither, appli-

cation

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cation to the Imaum to take possession of it again, could it be done without bloodshed, would prevent the slave trade recommencing in that quarter. Sometimes slaves in small numbers are carried from Zanzibar, Quilon, and other places where there are Arab governors, to the bays frequented by the French; an application to the Imaum to prevent such a proceeding would be immediately attended to.

N° 86.

N° 86.

H. C. J. Hamilton, Esq. to Mr. Secretary Canning.—(Received April 2.)

Sir,

Paris, March 30, 1827.

ON the receipt of your despatch, dated the 26th and 27th of February last, addressed to Viscount Granville, I sent to the Baron de Damas, on the subject, a note, of which the enclosed is a copy; and I have now the honour to forward to you a copy of the answer, which I have just received from his excellency.

I have the honour to be, &c.

(signed) *Hamilton Hamilton.*

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

1st Enclosure  
in N° 86.

H. C. J. Hamilton, Esq. to the Baron de Damas.

Monsieur le Baron,

Paris, March 15, 1827.

I HAVE the honour to submit to your Excellency two despatches from His Majesty's government on the much agitated topic of the slave trade still pursued upon the western coast of Africa.

Although there are, I believe, no features strictly new apparent in the statements communicated by these despatches, yet some circumstances are disclosed of a very flagrant and aggravated kind, and to these I would draw the particular and serious attention of the French government.

The first of the two despatches enumerates the French vessels met with by the British commodore commanding on the coast above mentioned; and they are so many, and the period in which they were met is so brief, that it appears as if this horrible traffic were monopolized nearly by ships bearing the French flag.

In the second place, it shows so little scruple to be felt by the captains of these traders in openly acknowledging the traffic they pursue, that we are warranted in inferring them to be confident and secure of indemnity under the cover of their flag.

And yet so minutely does it detail, in the next place, all the particulars which can possibly have relation to these vessels, that the conviction of the offenders, were the case submitted to judicial decision, would not admit of the slightest doubt.

The second despatch transmits information supplied by His Majesty's governor of Sierra Leone in proof of the exceeding facility with which the necessary papers are furnished to ships in the French West Indies for the purpose of pursuing the said nefarious traffic on the western coast of Africa, and it is such as must place the complicity of the French colonial authorities in that quarter in the clearest light.

On the anticipations felt and expressed by the government of the King my master as to the sincerity of the French government in their endeavours to suppress the slave trade, it is at this moment superfluous, I trust, to enlarge. The legislature of the country has the subject now once more under its solemn consideration; and I will therefore venture only to add my hope that the decision may prove such as, by arraying against this revolting traffic the very energies which have hitherto so mainly served to encourage and sustain it, will the more effectually consummate its abolition, and that no other regrets will hereafter be associated with the remembrance of it, than that this consummation had been so long delayed.

I avail myself, &c.

His Excellency the Baron de Damas,  
&c. &c. &c.

(signed) *Hamilton Hamilton.*

2d Enclosure  
in N° 86.

The Baron de Damas to H. C. J. Hamilton, Esq.

Monsieur,

Paris, le 23 Mars 1827.

J'AI reçu, avec la lettre que vous m'avez fait l'honneur de m'écrire les différentes pièces qui l'accompagnaient, et qui signalent, comme faisant la traite des noirs sur la côte d'Afrique, plusieurs navires sous pavillon Français, et munis de papiers qu'on suppose délivrés par les autorités de quelques unes des colonies Françaises.

Je me suis empressé de transmettre ces documens au ministre de la marine, avec invitation de prendre des renseignemens sur les faits qui y sont exposés, et d'en faire poursuivre les auteurs.

Au

Au surplus, Monsieur, l'assentiment unanime que viennent d'obtenir les nouvelles mesures de repression proposées par le gouvernement du Roi, prouvent que, d'accord avec lui, l'opinion publique en France n'est pas moins qu'en Angleterre prononcée contre cet infame trafic; elles donnent l'espérance fondée, qu'ainsi que je l'annonçais dès l'année dernière à son Excellence Lord Granville, le gouvernement de sa Majesté est parvenu à couper le mal dans sa racine.

Hamilton Hamilton, Esq.  
&c. &c. &c.

Recevez, Monsieur, &c.

(signé) *Le Baron de Damas.*

Sir,

Paris, 23d March 1827.

Translation.

I HAVE received, enclosed in the letter which you have done me the honour to write to me, several documents denouncing a number of vessels under the French flag as carrying on the slave trade on the coast of Africa, and furnished with papers supposed to have been made out by the authorities of some of the French colonies.

I have lost no time in transmitting these documents to the department for the marine, requesting they would make inquiry into the facts therein stated, and set on foot prosecutions of the parties implicated in those facts.

For the rest, Sir, the unanimous approbation bestowed on the additional measures of repression proposed by the King's government proves that, in accordance with His Majesty, the public feeling in France is not less expressed than in England against this infamous traffic; those measures favour the well-grounded hope that, according as I stated it last year to his Excellency Lord Granville, the government of His Majesty has succeeded in cutting off the evil at the root.

Hamilton Hamilton, Esq.  
&c. &c. &c.

Receive, Sir, &c.

(signed) *The Baron de Damas.*

N° 87.

N° 87.

H. C. J. Hamilton, Esq. to Mr. Secretary Canning.—(Received April 2.)

Sir,

Paris, March 30, 1827.

I HAVE the honour to acknowledge the receipt of your despatch of the 26th instant, on the slave trade, and I shall fulfil the instructions it conveys to me, without delay.

I have, &c.

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

(signed) *Hamilton Hamilton.*

N° 88.

N° 88.

H. C. J. Hamilton, Esq. to Mr. Secretary Canning.—(Received April 16.)

Sir,

Paris, April 13, 1827.

IN obedience to the instructions contained in your despatch of the 27th of February last, I transmitted to the French government, in a note, of which I enclose a copy, copies of the several enclosures it conveyed, regarding that traffic, as now pursued under the flag of France, to the eastward of the Cape of Good Hope. To that communication the Baron de Damas has sent the answer, of which I enclose a copy, stating that the documents in question have been submitted to the minister of marine, with a request that due inquiry into the circumstances alleged may be instituted, and judicial measures directed against the individuals guilty of the traffic.

I have, &c.

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

(signed) *Hamilton Hamilton.*

H. C. J. Hamilton, Esq. to the Baron de Damas.

1st Enclosure  
in N° 88.

Monsieur le Baron,

Paris, April 4, 1827.

THE accompanying documents comprehend statements as to the slave trade, said to be carried on under the French flag in various points to the eastward of the Cape of Good Hope.

In communicating them, through your Excellency, to the Government of his most Christian Majesty, I am directed to express the confidence entertained by the British Government,



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vernment, that that of France will, at an early opportunity, institute an inquiry into the circumstances alleged therein, with a view to suppress the illegal traffic, and to punish the individuals who shall be found to have contravened the humane intentions directed by the King of France to that object.

His Excellency Le Baron de Damas,  
&c. &c. &c.

I avail, &amp;c.

(signed) *Hamilton Hamilton.*2d Enclosure  
in N° 88.

The Baron de Damas to H. C. J. Hamilton, Esq.

Monsieur,

Paris, le 11 Avril, 1827.

J'AI reçu, avec la lettre que vous m'avez fait l'honneur de m'écrire le 4 de ce mois, les divers documens qui l'accompagnaient relatifs à la traite des noirs qui aurait lieu sous pavillon Français sur différens points à l'est du Cap de Bonne Espérance.

Je me suis empressé de les transmettre au ministre de la marine, avec invitation de prendre des informations sur les faits qui y sont signalés, et d'ordonner les poursuites nécessaires contre les individus qui seraient reconnus pour s'être livrés à cet odieux trafic.

J'ai l'honneur, &amp;c.

Hamilton Hamilton, Esq.  
&c. &c. &c.

(signé) *Le Baron de Damas.*

Translation.

Sir,

Paris, April 11, 1827.

I HAVE received, along with the letter which you did me the honour to write to me on the 4th instant, the different documents enclosed in it, relative to the slave trade, represented to be carried on in various quarters eastward of the Cape of Good Hope.

I immediately transmitted them to the minister of the marine, requesting he would inquire into the facts therein stated, and give orders for the necessary proceedings against the individuals ascertained to have engaged in that odious traffic.

I have the honour, &amp;c.

Hamilton Hamilton, Esq.  
&c. &c. &c.

(signed) *The Baron de Damas.*

N° 89.

N° 89.

H. C. J. Hamilton, Esq. to Mr. Secretary Canning.—(Received May 3.)

Sir,

Paris, April 30, 1827.

I THINK it my duty to transmit to you the enclosed copy of the law for the suppression of the slave trade, which, having been passed by both Chambers of the Legislature, has just been published in the government paper.

I have, &amp;c.

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

(signed) *Hamilton Hamilton.*Enclosure  
in N° 89.

Loi relative à la Répression de la Traite des Noirs.

CHARLES, par la Grace de Dieu, Roi de France et de Navarre;

A tous ceux qui ces présentes verront, salut:

Nous avons proposé, les chambres ont adopté, nous avons ordonné et ordonnons ce qui suit:

Art. 1. Les négocians, armateurs, subrécargues, et tous ceux qui, par un moyen quelconque, se seront livrés au trafic connu sous, le nom de traite des noirs; le capitaine ou commandant, et les autres officiers de l'équipage; tous ceux qui sciemment auront participé à ce trafic, comme assureurs, actionnaires, fournisseurs, ou à tout autre titre, sauf toutefois l'exception portée en l'Article 3, seront punis de la peine du banissement, et d'une amende égale à la valeur du navire et de la cargaison prise dans le port de l'expédition.

L'amende sera prononcée conjointement et solidairement contre tous les individus condamnés. La navire sera en outre confisqué.

Art. 2. Le capitaine et les officiers de l'équipage seront déclarés incapables de servir à aucun titre, tant sur les vaisseaux et bâtimens du Roi, que sur ceux du commerce Français.

Art. 3. Les autres individus faisant partie de l'équipage seront punis de la peine de 3 mois à 5 ans d'emprisonnement.

Sont toutefois exceptés ceux desdits individus qui, dans les 15 jours de l'arrivée du navire, auront déclaré au commissaire de marine ou aux magistrats dans les ports du royaume, au gouverneur, commandant, ou aux autres magistrats dans les îles et possessions Françaises, aux consuls, vice-consuls et agens commerciaux du roi dans les ports étrangers, les faits relatifs au susdit trafic dont ils auront eu connaissance.

Art. 4. Les arrêts et jugemens de condamnation en matière de traite seront insérés dans la partie officielle du "Moniteur," par extraits, contenant les noms des individus condamnés,

damnés, ceux des navires et des ports d'expédition. Cette insertion sera ordonnée par les cours et tribunaux, indépendamment des publications prescrites par l'Article 36 du Code Pénal.

Art. 5. Les peines portées par la présente loi sont indépendantes de celles qui doivent être prononcées conformément au Code Pénal pour les autres crimes ou délits qui auraient été commis à bord du navire.

Art. 6. La loi du 15 Avril 1818, est abrogée,  
La présente loi, discutée, &c.

Si donnons en mandement à nos cours et tribunaux, &c.

Donné en Notre Château des Tuileries, le 25<sup>me</sup> jour du mois d'Avril, l'an de grace, 1827, et de notre règne le 3<sup>ème</sup>.

Par le Roi :

(signé) Charles.

Le Pair de France, Ministre, Secrétaire d'Etat,  
de la Marine et des Colonies,  
(signé) Comte de Chabrol.

Law relating to the Repression of the Slave Trade.

Translation.

CHARLES, by the Grace of God, King of France and Navarre :

To all who see these presents; greeting:

We have proposed, the Chambers have adopted, we have decreed, and do decree as follows:—

Art. 1. The merchants, ship-owners, supercargoes, and all those who in any shape whatever engage in the traffic known under the name of the Slave Trade; the captain or commander, and the other officers of the crew; all those who shall have wilfully participated in the traffic, as insurers, proprietors, contractors, or under any other denomination, with the exception of those described in Article 3, shall be punished with banishment, and with a fine equal to the value of the vessel, and of the cargo taken on board at the port from whence they sailed.

The fine shall be levied, conjointly and generally, upon all the persons condemned. The vessel shall also be confiscated.

Art. 2. The captain and the officers of the crew shall be declared incapable of serving under any rank, either on board the ships and vessels of the King, or on board French merchant vessels.

Art. 3. The other individuals of the crew shall be punished with an imprisonment of from three to five years.

Such of the said individuals, however, shall be exempted from punishment, as within fifteen days of the arrival of the vessel shall have been made known to the commissary of marine, or to the magistrates in the ports of the kingdom, to the governor, commandant, or to the other magistrates in the French islands and possessions, or to the consuls, vice-consuls, and commercial agents of the King in foreign ports, the facts which have come to their knowledge relative to the said traffic.

Art. 4. The decrees and judgments of condemnation, in cases relating to the traffic, shall be inserted in the official part of the "Moniteur," in abstract, describing the names of the condemned individuals, those of the vessels and of the ports from whence they sailed. This insertion shall be ordered by the courts and tribunals, independently of the publications prescribed by Article 36 of the Penal Code.

Article 5. The penalties inflicted by the present law are independent of those which may be pronounced, conformably to the Penal Code, in respect of other crimes or offences which may have been committed on board the vessel.

Art. 6. The law of the 15th of April, 1818, is hereby repealed.

The present law discussed, &c.

Wherefore we command our courts and tribunals, &c.

Given in our Palace of the Tuileries, the 25th day of April, in the year of Our Lord 1827 and of our reign the third.

By the King :

(signed) Charles.

The Peer of France, the Minister, Secretary of State  
of the Marine and Colonies,

(signed) Count de Chabrol.

N° 90.

N° 90.

Viscount Dudley to H. C. J. Hamilton, Esq.

Sir,

Foreign Office, May 8, 1827.

YOUR Despatches of the slave trade series have been received up to the 30th of April last, inclusive.

His Majesty's Government have learnt with much satisfaction the enactment of the Bill for the better suppression of the slave trade (a copy of which was enclosed in your despatch of the 30th April), affording proofs of the sincere desire of the

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King, the government, and the people of France, to repress a practice so replete with evils to humanity.

Little will be left to desire in this respect, if the provisions of that bill shall be found to produce an effect correspondent with the humane spirit which appears in its enactment.

You will avail yourself of a convenient opportunity to express, verbally, to the French minister, the sentiments of His Majesty's Government, to the above effect.

I am, &amp;c.

H. C. J. Hamilton, Esq.  
&c. &c. &c.

(signed) DUDLEY.

N° 91

N° 91.

H. C. J. Hamilton, Esq. to Viscount Dudley.—(Received May 17.)

My Lord,

Paris, May 14, 1827.

I HAVE the honour to inform you, that I have obeyed the orders contained in your Lordship's despatch of the 8th instant, of the slave trade series, directing me to communicate verbally to the minister for foreign affairs the satisfaction with which His Majesty's Government has learnt the enactment in this country of a bill for the better suppression of that odious traffic, which affords proof of the sincere desire of the King, the government, and the people of France, to repress a practice so replete with evils to humanity, and leaves little to be desired, if its provisions shall be found to produce an effect correspondent with the humane spirit which appears in its enactment.

I have the honour to apprise your Lordship that the above orders have been fulfilled, and that, in answer, the Baron de Damas assured me, that the French government are sanguine in their expectations of the success of the law; that even previously to its having passed the Chambers, the decisions of the courts of law had evidently operated powerfully towards the suppression of the traffic; and that if the government persisted in its enactment, it was only that assurance might be made doubly sure.

I have, &amp;c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Hamilton Hamilton.*

N° 92.

N° 92.

Viscount Granville to Viscount Dudley.—(Received June 7.)

My Lord,

Paris, June 1, 1827.

I HAD the honour to receive last night your despatch of the 22d of May, transmitting to me printed copies of the papers presented to both Houses of Parliament, relative to the slave trade.

I have, &amp;c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Granville.*

N° 93.

N° 93.

Viscount Granville to Viscount Dudley.—(Received June 11.)

My Lord,

Paris, June 8, 1827.

I ENCLOSE herewith the copy of a note from the Baron de Damas, written in reply to a communication made by Mr. Hamilton to his Excellency, of the 15th March last, on the subject of the slave trade continuing to be openly carried on upon the western coast of Africa under the French flag, and on the facility with which papers are obtained for French vessels in the French West India islands, to proceed from thence to Africa, for the purpose of illegal trade in slaves.

I am

I am happy to perceive that, since the adoption of the regulations by the two Chambers, during the last session, for the more effectual repression of this odious traffic, there appears to be, on the part of the government of his most Christian Majesty, a sincere desire to carry into effect those regulations.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

I have, &c.  
(signed) *Granville.*

The Baron de Damas to Viscount Granville.

Enclosure  
in N° 93.

Monsieur l'Ambassadeur,

Paris, le 1<sup>er</sup> Juin, 1827.

SUR la communication que je lui ai donnée des pièces qui accompagnaient la lettre de M. Hamilton, du 15 Mars dernier, relative à plusieurs navires appartenant aux colonies Françaises et prévenus de faire la traite des noirs, le ministre de la marine vient d'appeler à cet égard la surveillance des gouvernemens de la Martinique et de la Guadeloupe, et d'ordonner les poursuites nécessaires contres les individus qui seraient reconnus pour se livrer à cet infâme trafic.

Quant aux expéditions représentées comme délivrées par les autorités de nos colonies, cette circonstance a déjà été signalée au gouvernement à la suite de l'arrestation de différens bâtimens; examen fait des papiers trouvés à bord, il a été facile d'y reconnaître tous les caractères du faux; il n'est pas hors de vraisemblance et de probabilité que les doubles expéditions, dont il est fait mention dans les derniers documens qui m'ont été remis par M. Hamilton, ont pu avoir la même origine; il n'en sera pas moins donné suite aux informations propres à enlever aux spéculateurs le moyen de masquer leurs coupables operations.

J'ai l'honneur, &c.

(signé) *Le Baron de Damas.*

Son Excellence Lord Granville,  
&c. &c. &c.

Sir,

Paris, June 1, 1827.

Translation

HAVING communicated to the minister of marine the documents enclosed in Mr. Hamilton's letter of the 15th of March last, relative to several vessels belonging to the French colonies, accused of carrying on the slave trade, he has directed the attention of the governments of Martinique and Guadeloupe to this subject, by ordering the necessary proceedings to be instituted against such persons as should notoriously have engaged in that infamous traffic.

As to the papers said to have been furnished by the authorities in our colonies, this circumstance has already been brought under the notice of the government on occasion of the detention of several vessels; for, upon examining the papers found on board, it was easy to discover in them all the characters of deception. It may be presumed, and it is not at all improbable, that the double sets of ship's papers, mentioned in the last documents which have been put into my hands by Mr. Hamilton, may possibly be derived from the same quarter. Still, however, such instructions shall be sent out as will be most likely to deprive the speculators of the means of masking their nefarious transactions.

I have the honour, &c.

(signed) *The Baron de Damas.*

His Excellency Lord Granville,  
&c. &c. &c.

N° 94.

N° 94.

Viscount Granville to Viscount Dudley.—(Received July 26.)

My Lord,

Paris, July 23, 1827.

THE enclosed extract from the "Moniteur" of yesterday contains a report from the French naval station on the coast of Africa, and as it indicates an improved spirit in the execution of the regulations of the French Government for the suppression of the slave trade, I have thought fit to transmit it to your Lordship.

I have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Granville.*

Report from the French Naval station on the coast of Africa.

Enclosure  
in N° 94.

Station Extérieure d' Afrique, le 7 Fevrier 1827.

EN traversant le Golfe de Bénin, la frégate de Sa Majesté "la Flore," a communiqué avec la corvette Anglaise "Esk," qui avait à bord les équipages de 2 bâtimens négriers, l'un et l'autre ayant des papiers Français. L'un d'eux, le brick "l'Elina" avait fait côte à l'entrée de la rivière Saint Jean, et l'équipage de ce brick "l'Elina" avait trouvé moyen de

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de se rendre, par des criques qui communiquent d'une rivière à l'autre, à bord d'un autre brick, mouillé dans le troisième rivière du cap formose ; ce second brick, nommé "le Lynx," peu de jours après la sortie de la deuxième rivière, fût chassé et arrêté, sous pavillon Hollandais, par la corvette de Sa Majesté Britannique "Esk," qui, pour le tromper, avait arboré pavillon Blanc.

"La Flore" a été prendre connaissance de terre dans le nord du Cap Formose, et, autant qu'il a été possible de s'en assurer, à-peu-près vis-à-vis la rivière Dos Ramos, en suivant la côte: elle a pu facilement ensuite se rendre à l'entrée de la rivière Bonni. La frégate est restée mouillée par neuf brasses d'eau vis-à-vis la Pointe Fohée et à vue de la Pointe de Rough-Corner: de ce mouillage "la Bressanne," ainsi que le grand canot de "la Flore," avec un détachement de 30 hommes, ont été expédiés pour explorer la rivière. M. le Lieutenant de Vaisseau Lefèvre, commandant "la Bressane," et l'expédition, est entré en rivière dans la journée du 21 Janvier, et le 24 il en est réparti, conduisant avec lui les navires "l'Elise," Capitaine Trobriant, et "le Destin," Capitaine Amouroux, l'un et l'autre soupçonnés d'être destinés à faire la traite des noirs. Il résulte de l'examen des papiers et de l'interrogatoire des capitaines de ces bâtimens, ainsi que des visites exercées à leurs bords, que toutes les circonstances se réunissent pour prouver leur culpabilité.

"L'Elise" a été expédiée de Nantes, avec un équipage de 11 Hommes, et il lui avait été positivement défendu d'en prendre un plus grand nombre: mais le capitaine a jugé à propos d'augmenter son équipage, d'embarquer un médecin comme passager pour Ténériffe, de prendre en outre quatre autres passagers; enfin, d'embarquer des matelots par dessus le bord à Madère, et de se compléter ainsi un équipage de 25 hommes.

Sa cuisine, ses fers, et ses chaudières de traite sont à bord; son entrepont est entièrement disposé pour recevoir les noirs, et les ignames destinés à la nourriture des noirs sont également à bord. On a assuré que déjà même toute la traite du brick "l'Elise" était prête à être embarquée lorsque ce bâtiment a été arrêté.

En pareille circonstance, les Anglais, quand ils arrêtent un bâtiment, vont aussi quelquefois à terre s'emparer des noirs qu'il peut avoir déjà traités, et les considèrent comme pris sur le bâtiment même; mais pour en agir ainsi, il aurait fallu qu'il eût été possible d'acquiescer la certitude positive et la preuve juridique, que des esclaves arrêtés dans un magasin à terre font partie de telle ou telle cargaison, et qu'ils n'appartiennent plus au Souverain du Pays.

"Le Destin," goëlette expédiée de Nantes en 1825, à touché à Saint Thomas, au retour d'une première expédition: là, elle a augmenté son équipage (il n'était que de 11 hommes au départ de Nantes, il paraît avoir été porté à 20). Six ou 7 hommes, et entr'autres un médecin, embarque d'abord comme passager, sont sur cette goëlette sous des noms supposés. Ce sont des nouveaux venus, qui ont pris les noms des morts et des débarqués dans une première expédition.

"Le Destin" a été arrêté ayant à bord un très-grand nombre de pièces à eau, un entrepont prêt à être monté, une cuisine de traite, et toutes les dispositions convenables pour recevoir une cargaison de noirs dans un entrepont recouvert de caillebotis. Ce navire avait à bord la majeure partie des marchandises de sa cargaison.

En arrivant sous l'Île du Prince "la Flore," a retrouvé "la Bressanne." L'une et l'autre ont eu connaissance d'une goëlette portant pavillon blanc, qui faisait route pour le port Saint Antoine. "La Bressanne," beaucoup plus rapprochée que "la Flore" du mouillage, l'a poursuivie jusques dans le fond de la baie, et s'en est immédiatement emparée. Cette goëlette, nommée "l'Hermoine," expédiée de Saint Barthélemy, sous pavillon Français, et ayant à bord 123 noirs de traite, et 2 esclaves de la Guadeloupe dans son équipage, après avoir pris des vivres et de l'eau à Saint Antoine, devait continuer sa route pour la Pointe-à-Pitre, sous le commandement du Sieur Gouy; elle faisait beaucoup d'eau. Après lui avoir donné des vivres et de l'eau, et l'avoir fait réparer, en ayant le soin de mettre, chaque jour, les noirs à terre, le commandant de la station l'a expédiée le 7 Février pour Cayenne, sous le commandement de M. Guizolphe.

"L'Hermoine" venait de la rivière Formose; les noirs paraissaient avoir beaucoup souffert.

Le brick "le Destin" et la goëlette "l'Elise," que M. le Commandant Massieu de Clerval venait de retrouver sur la rade de St. Antoine, allaient être expédiés pour Gorée, et "la Flore," devait ensuite reprendre la mer, accompagnée de "la Bressanne," après avoir fait l'eau et le bois qui leur étaient nécessaires.

Les Portugais de l'Île du Prince font eux-mêmes la traite d'une manière très-active; ils paraissent avoir des signaux de convention avec les négriers de toutes les nations qui fréquentent ces parages, et ils les préviennent de la présence des navires de guerre. C'est ainsi qu'avant-hier matin, un brick-goëlette, dont on n'a pu voir le pavillon, entré dans la baie avec presque calme, au point du jour, et ne pouvant apercevoir la frégate; mais des signaux du fort l'ont engagé à chercher à prendre le large, et le grand canot de "la Flore," ainsi que le brick "l'Elise," qui avait été armé et qui était remarqué par des canots, ont été vainement expédiés contre ce bâtiment suspect.

Indépendamment des 3 bâtimens dont il vient d'être fait mention, la station Française a également arrêté dans ces parages, pour motifs de contravention en matière de traite des noirs, les navires "l'Amazone," de Saint Pierre (Martinique); "la Créole," de la Basse-terre (Guadeloupe); "la Diane," "les Deux Frères," et "la Louise," armés à Saint Thomas des Antilles.

Ces 5 bâtimens, ainsi que les navires Français "l'Elise" et "le Destin," dont nous ayons déjà annoncé l'arrestation dans notre numéro du 3 de ce mois, ont été déclarés confisqués

finqués par jugemens rendus à Gorée dans le courant des mois d'Avril et Mai derniers, lesquels ont prononcé en même tems l'interdiction des capitaines.

Nous avons fait connaître précédemment (numero du 3 Juin) la saisie et la confiscation de la goëlette "l'Hermoine."

Ainsi, dans les premiers mois de cette année, huit navires ont été capturés à la côte d'Afrique par les bâtimens de la station Française, pour contravention aux dispositions prohibitives de la traite des noirs.

Exterior Station of Africa, 7th February 1827.

Translation.

IN crossing the Gulf of Benin, His Majesty's frigate the "Flora" spoke the "Esk" English schooner, having on board the crews of two negro vessels, both of which were furnished with French papers. One of the two vessels, the brig "Elina," had entered the mouth of the river Saint John, and the crew of the brig "Elina" had contrived by means of creeks which connect one river with another, to approach another brig lying at anchor in the third river of Cape Formosa; the second brig, denominated the "Lynx," in a few days after her departure from the second river, was chased and detained under Dutch colours, by His Britannic Majesty's brig the "Esk," which, to deceive the former, had hoisted a white flag.

The "Flora" examined the shore to the northward of Cape Formosa, and was, as far as it was possible to form a judgment with any certainty, nearly opposite the river Dos Ramos, while standing along the coast; she afterwards found no difficulty in gaining the entrance of the river Bonny. The frigate cast anchor in nine fathoms water, opposite Point Foehee, and within sight of the Point Rough-Corner: from that anchoring-place the "Bressane," as well as the launch of the "Flora," were detached with thirty men, to explore the river. Lieutenant Lefebvre, commander of the "Bressanne," and of the expedition, entered the river on the 21st January, and left it again on the 24th, taking with him the vessels "Elise," Captain Trobriant, and the "Destin," Captain Amouroux, both of them suspected of being fitted out for the slave trade. It is evident, from an examination of their papers, and from the interrogatory of the captains of these vessels, as well as from the search of the latter, that there is no doubt of their being guilty.

The "Elise" sailed from Nantes, with a complement of eleven men, under an express order not to take out a larger number. But the captain thought proper to make additions to his crew, to embark a physician as passenger for Teneriffe, and to take on board four passengers more; finally, he engaged some common sailors at Madeira, and thus procured for himself a complete company of twenty-five men.

The kitchen, the irons, and the coppers used in slave-vessels, are on board; the space between decks is entirely laid out for the reception of negroes, and a quantity of yams, the common food of blacks, is likewise shipped. It is asserted, that all the negroes intended for the brig "Elise" were ready to be sent on board when she was stopped.

When, on similar occasions, the English seize a vessel, they will sometimes go on shore to take away also the blacks which she may have already purchased, considering them as found on board the vessel herself; but to justify such a proceeding, they ought previously to possess the means of positively satisfying themselves, and of producing such evidence as is admissible in a court of justice, that a number of slaves confined in a receptacle on shore constitute part of such or such a cargo; and that they are no longer the property of the sovereign of the country.

The "Destin," schooner, fitted out at Nantes in 1825, touched at St. Thomas on her return from a first voyage. At that island she augmented her crew, which, at her departure from Nantes had consisted only of eleven men, to twenty. Six or seven individuals, and among others a physician, who was, in the first instance, taken on board as a passenger, are in this schooner under fictitious names; for, though but lately arrived, they have assumed the names of certain persons, who had either died or disembarked during the first voyage.

At the time of her seizure, the "Destin" had a large number of water-casks on board, and was provided with fittings ready to put up between decks, as well as with a kitchen used in the slave trade, and with all other conveniences for receiving a cargo of negroes, the whole space between decks being covered with gratings. This vessel had shipped the greater part of the merchandize intended for her cargo.

On arriving off Princes Island, the "Flora" met with the "Bressanne," both of them reconnoitred a schooner, bearing a white flag, and steering for port St. Antonio. The "Bressanne," being much nearer to the anchoring-ground than the "Flora," pursued the schooner to the very bottom of the bay, and instantly took her. This schooner, whose name is the "Hermione," sailed from St. Bartholomew's under the French flag. She had on board 123 blacks for sale, and among her crew were two slaves from Guadaloupe. After taking in provisions and water at St. Antonio, she was to have continued her voyage to Pointe-à-Pitre, under the command of Mr. Gouy. She was very leaky. The commander of the station, after supplying her with provisions and water, and giving her the needful repairs, taking also care to send the negroes on shore every day, dispatched her on the 7th February, under the command of Mr. Guizolphe, to Cayenne.

The "Hermione" was proceeding from the river Formosa; her blacks seemed to have undergone great sufferings.

The brig "Destin," and the schooner "Elise," which the commander, Massieu de Clerval had again found in the road of St. Antonio, were going to be dispatched to Gorée, and

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and the "Flora" was subsequently to put again to sea, in company with the "Bressanne," after providing themselves with the necessary supplies of water and wood.

The Portuguese of Princes Island carry on a brisk traffic in slaves. They have, it would seem, agreed upon certain signals with the negro-dealers of every nation resorting to that latitude, by means of which they give them notice whenever any ships of war are in sight. Accordingly, in the morning of the day before yesterday, a schooner brig, the flag of which was not discernible, had entered the bay at day-break, when she could not discover the frigate, and while it was nearly calm; but signals from the fort, warning her off, she stood out to sea, and it was to no purpose that the "Flora's" launch, and the brig "Elise," which had been armed, were sent in pursuit of the suspected vessel.

Independently of the three vessels just mentioned, the French ships on that station have likewise detained in those latitudes, on account of a transgression of the laws relative to the slave trade, the vessels, "l'Amazone," of Saint Pierre, Martinique; the "Creole," of Bas-saterre, Guadaloupe; and "la Diane," "les Deux Frères," and "la Louise," fitted out at St. Thomas, one of the Virgin Islands

These five vessels, as well as the French ones, "l'Elise" and "le Destin," whose detention we have already stated in our publication of the 3d instant, were declared to be confiscated by the adjudications pronounced at Gorée, during the months of April and May last, whereby, at the same time, the captains were suspended.

In our publication of the third, we have already stated the seizure and confiscation of the schooner "Hermione."

Hence it is clear that, during the first months of this year, eight vessels have been captured on the coast of Africa, by the French ships posted on that station, for having disregarded the prohibitions against the slave trade.

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The Earl of Dudley to Viscount Granville.

My Lord,

Foreign Office, November 13, 1827.

I TRANSMIT, herewith, to your Excellency, the copy of a letter from the Colonial Office, containing one from the governor of His Majesty's Island of Mauritius, enclosing the copy of a deposition of a French sailor, named Aubin, who had deserted at the Mauritius from on board of a French vessel named the "Pauline."

Suspicion naturally attaches to the evidence of a person in the situation of Aubin; I do not, therefore, instruct your Lordship to make it the subject of a formal representation to the French government. The account, however, which he gives of the slave trade, carried on between Bourbon and the eastern coast of Africa, is so full, and the details which he furnishes of the mode in which the slaves were disposed of, and of the persons to whom they were given in charge at Bourbon are so particular, that I cannot but think that the government of France would judge it to be worth while to institute inquiries at the island of Bourbon for ascertaining their truth. You will, therefore, take an opportunity of communicating the papers, with this view, to the French ministry.

I am, &amp;c.

His Excellency Viscount Granville, G. C. B.  
&c. &c. &c.

(signed) DUDLEY.

Enclosure  
in N° 95.

R. W. Horton, Esq. to Lord Howard de Walden.

My Lord,

Downing-street, October 13, 1827.

I AM directed by Mr. Secretary Huskisson to transmit to you, for the information of the Earl of Dudley, the enclosed copy of a letter from Lieutenant General Sir Lowry Cole, governor of the Mauritius, accompanied by the copy of a deposition taken before the acting chief commissary of police, of a Frenchman named Aubin, giving a full account of the slave trade, as carried on between Bourbon and the east coast of Africa, by vessels under the French flag.

I have, &amp;c.

The Lord Howard de Walden,  
&c. &c. &c.

(signed) R. W. Horton.

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(A.)  
in N° 95.

Lieutenant General Sir Lowry Cole to R. W. Hay, Esq.

My dear Sir,

(Private.)

June 25, 1827.

I DEEM it advisable to forward to you the copy of a deposition, taken before Mr. Finnis, the acting chief commissioner of police, of a French sailor, named Aubin, and who had deserted in this port from a French vessel called the "Pauline."

You

You will perceive that Aubin gives a very full account of the slave trade, as carried on between Bourbon and the east coast of Africa, by vessels under the French flag; and although I cannot take upon myself to vouch for the truth of his declaration, I have thought it my duty to send the same to you.

Believe me, &c.

R. W. Hay, Esq.  
&c. &c. &c.

(signed) Lowry Cole.

Deposition of L. J. B. Aubin, late a Sailor on board the "Pauline."

AUJOURD'HUI, le 22. Mai 1827, au bureau de police, pardevant nous John Finnis, commissaire en chef de police, est comparu le nommé Pierre Etienne Chauvillon, novice à bord du brick Français la "Pauline," Capitaine Bernard, parti ce jour, lequel a été déclaré ce jour déserteur au moment de l'appareillage du dit navire. A lui demandé son véritable nom, son âge, sa nation, et sur quel navire il est arrivé à Bourbon; a répondu se nommer Louis Jean Baptiste Aubin, âgé de 16 ans, Hollandais, né à St. Laurent, embarqué à Nantes sur le Navire Français "la Delphine," Capitaine Berteau, en qualité de novice, à trois piastres par mois; être arrivé à Bourbon il y a environ un an. A lui demandé pourquoi il a quitté "la Delphine" à Bourbon; a répondu, qu'il en a déserté, attendu que n'ayant que de faibles appointements, il a déserté à Bourbon, parcequ'il savait que tous les marins y avaient 20 piastres par mois:—a lui demandé sur quel navire il s'est embarqué après avoir déserté de "la Delphine," a répondu qu'il a déserté de la "Delphine" pour s'engager à bord de la goëlette Française "l'Union" Capitaine Fresque, s'étant engagé avec le dit capitaine après sa désertion à quinze piastres par mois, en qualité de novice pour aller à un voyage à la côte d'Afrique:—a lui demandé combien de jours après sa désertion de "la Delphine" il a rallié "l'Union" et nous dire ce qu'il a fait depuis: a répondu que 5 jours après sa désertion de "la Delphine" il s'est rendu à bord de "l'Union," (sans avoir passé au bureau des classes) qu'il y a trouvé un autre matelot nommé Joseph, déserteur à bord de "l'Union" comme lui par dessus bord: que le même jour ils ont appareillé sans visite d'aucune autorité, quoique le capitaine ait envoyé à bord de la corvette de sa Majesté très Chrétienne "Le Colibry," pour annoncer que sa goëlette allait appareiller; qu'environ 14 jours après le navire est arrivé à Mongale, côte d'Afrique, où il a mouillé; qu'ils n'y ont trouvé aucun autre navire au mouillage; que huit jours après leur arrivée, deux bâtimens de guerre Anglais, dont un brick peint en noir, et l'autre, un trois mats, peint comme la samarangue, dont il ne connaît pas le nom; qu'il y avait à bord du brick en question, un Français, qui était maître charpentier et qui a parlé au déclarant; que la même jour de l'arrivée des deux dits bâtimens, les officiers vinrent visiter "l'Union," qu'une visite stricte s'y fit dans l'intérieur, et que le lendemain les mêmes officiers y revinrent, et qu'une nouvelle visite s'y fit; qu'ils ne trouvèrent aucune chose contraire; que le docteur du bâtiment de guerre déclara au Capitaine Fresque, qui se disait malade, qu'il n'était pas bien indisposé; que les deux bâtimens de guerre, trois jours après leur mouillage à Mongale en appareillèrent pour aller mouiller à Lundi et à Jeudi, deux petites îles à 7 lieues de Mongale, à l'effet d'arrêter "l'Union," à son départ; que cette déclaration leur a été faite par des Arabes, qui sont arrivés de ces deux îles pour en informer le Capitaine Fresques; que le 17e jour après leur arrivée, dans la même journée ils embarquèrent 180 noirs, qui furent portés le long du bord par des Arabes dans leur pirogue, les quels furent payés environ 40 piastres d'Espagne par tête; que ces piastres furent prises à Bourbon; que le même jour, vers quatre heures du soir, ils appareillèrent, et que les noirs en se rendant à bord avaient les chaînes aux pieds, au col, et avec des oreilles; que plusieurs qui sont rendus à bord du dit navire qui n'avaient pas encore été mis aux fers, l'ont été par l'équipage d'ordre du capitaine; que cinq noirs étaient admis à manger dans la même gamelle, qu'on leur ôta les fers pour les laisser manger, et qu'après qu'ils avaient fini, on les leur remettait; que la plupart des noirs furent achetés du nommé Bonamour, Arabe, second chef de Mongale; que quarante jours après leur départ de cette dernière île, ils reçurent un coup de vent qui leur fit perdre deux mats; qu'ils relâchèrent dans le sud de Madagascar, même jour; qu'il ne connaît pas le nom du lieu, mais qu'ils y ont été remarqués par le brick Français "le Victor," Capitaine Dubois, qui leur a dit sur l'interpellation du Capitaine Fresque, qu'il avait 300 et quelques noirs à bord, tous Mozambiques; que "le Victor" a pris, dans la même journée, une vingtaine de barriques d'eau et a fait voile pour Bourbon; que "l'Union" s'est fait réparer dans le lieu qu'ils ont relâché, où ils lui ont fait mettre deux mats qui ont coûté 60 piastres, et ont pris 27 barriques d'eau; que 18 jours après leur relâché, ils ont fait voile pour Bourbon, où ils sont arrivés le treizième jour à 4 ou 5 heures du soir, et que le débarquement des 180 noirs s'est fait au Bois Rouge, île Bourbon; que ces hommes ont été mis immédiatement à terre par les bateaux pêcheurs de la côte, et que l'arrangement a été fait par lui par les pêcheurs au capitaine de 5 piastres par tête; et qu'ils ont été tous mis chez M. Manville, habitant au Bois Rouge, lequel a la réputation de recevoir tous les noirs nouveaux qui débarquent dans ce lieu; que lui comparant, et le nommé Joseph, déjà mentionné furent aussi débarqués au Bois Rouge parcequ' étant déserteurs, on a craint la visite des bâtimens de guerre; qu'ils ont accompagné les noirs à St. Denis sur l'habitation du Capitaine Fresque, où ils ont été déposés; que quinze jours après il s'est embarqué sur le brick Français "les Deux Clementines," Capitaine Pagelet (qui commande aujourd'hui le brick "le Lévrier"); que deux jours après ils ont appareillé de St. Denis; et 17 jours de traversée les ont fait arriver au Cap des Courants (Mozambique) sans avoir rencontré aucun navire; qu'aussitôt leur arrivée le capitaine

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capitaine et le seconde furent à terre, où ils firent l'acquisition de leur chargement, qui leur fût conduit à bord par les Arabes, au nombre de 345 noirs, et 55 femmes; que les noirs ont été payés 40 piastres, et les femmes de 30 à 35 piastres; qu'ils ont été conduits à bord avec les chaînes au pieds, mains, et au col; que ces noirs firent beaucoup de difficulté pour s'embarquer, mais qu'ils y étaient forcés par les coups qu'on leur infligeait; qu'ils n'ont trouvé dans l'endroit aucun navire pendant leur séjour; et qu'au bout de 51 jours ils ont appareillés du Cap des Courants et sont arrivés au Bois Rouge, île Bourbon, après une traversée de 69 jours, sans avoir rencontré aucun navire; que le débarquement s'est opéré à 11e heures du soir, par des pirogues appartenant à M. Manville où les noirs ont été déposés: que par des signaux fait du bord par des flambeaux hissés aux mats on a immédiatement envoyé les pirogues déjà mentionnées, qu'ils ont appareillés immédiatement du Bois Rouge, et ont mouillé de grand Matin à St. Denis; qu'il a été payé de ses gages comme il s'était engagé à 15 piastres par mois, et une gratification de 60 piastres; que dans leur traversée ils n'ont perdu qu'un seul noir, qui appartenait à un des matelots; qu'il a omis de déclarer qu'avant de partir du Bois Rouge, ils y ont débarqué tout ce qui pouvait compromettre "la Clementine," c'est à dire, les fers marmittes, et les pièces à eau, que les nattes ont été jetées à la mer; qu'il a resté 6 jours à terre à St. Denis, et s'est embarqué à bord du brick Français "la Pauline," Capitaine Carle; que le porteur d'expédition est M. Bernard, et que le véritable Capitaine est M. Carle; qu'il s'est engagé à 20 piastres par mois pour venir à Maurice, et s'en retourner à Bourbon:—à lui demandé, comment il arrivait que d'après la déclaration du capitaine il est porté sur le rôle d'équipage sous le nom de Pierre Etienne Chauvallon, et qu'il se déclare s'appeler Louis Jean Baptiste Aubin; a répondu que quand il a été question de son embarquement, il s'est présenté au commissaire des classes pour le billet d'embarquement, que comme le bureau était fermé et qu'il était 4 heures de l'après midi, il lui dit de se rendre pour le moment à bord des "Deux Clementines," et qu'il lui enverrait son billet le lendemain; que conformément à cette promesse, il s'y est rendu; et que le Capitaine Carle lui dit, qu'il venait de lui déserté deux hommes, et qu'il pouvait prendre le nom d'un de ceux qui avaient déserté, Pierre Etienne Chauvallon, et qu'un autre matelot qui se trouverait à bord remplacerait le nommé Jean Baptiste Chavron; et que son véritable nom était Baderne: à lui demandé qu'elle est la cargaison que "la Pauline," a prise ici, à répondu que sa cargaison consistait en riz, et en sucre, pour Bourbon: à lui demandé s'il sait où doit se diriger "la Pauline" de Bourbon, à répondu qu'elle doit se rendre de nouveau à Mozambique pour chercher des noirs: à lui demandé s'il n'a pas d'autres déclarations à faire, à répondu, que non, et plus n'a été interrogé; lecture faite, l'interrogé a dit, que ses réponses contenaient vérité, et qu'il y persistait; requis de signer, a déclaré le savoir, et a signé avec nous, les jour, mois, et an, que d'autre part.

(signé) *John Finmiss.**Louis Jean Baptiste Aubin.*

Est de nouveau comparu, ce jour 23 May 1827, pardevant nous John Finmiss, commissaire en chef de police, le nommé Jean Baptiste Aubin, novice, déserteur du brick "la Pauline," lequel a déclaré qu'il y a 4 mois et demi, que, se trouvant à Bourbon, il y a vu le nommé Honoré, Matelot embarqué à bord du brick "le Zéphir," qui lui a dit que ce navire faisait de l'eau, pour partir immédiatement pour aller à Gambane, côte de Mozambique, a fin d'y chercher des noirs; que la goëlette "le Victor," se trouvait, il y a environ deux mois et demi à Bourbon, et que le nommé Joseph, matelot du dit navire, lui dit qu'il faisait despositions pour partir, et qu'ils allaient à Jeudi, côte de Mozambique, pour y chercher des noirs; que le brick "les Deux Frères," armateur M. Desroche, se trouvait, il y a environ trois mois, à Bourbon; que lui déclarant devait s'y embarquer avec le Capitaine Laroche, et que ce navire devait aller à Mozambique pour chercher des noirs; que le brick "le Lévrier," Capitaine Eagelet, se trouvait à Bourbon, il y a environ trois mois, prêt à partir pour Mozambique pour chercher des noirs, et que lui comparant a dû s'embarquer à bord de ce même navire allant à Ohive; qu'il y a environ 4 mois et demi à cinq mois, que venant à Bourbon, ils reconnurent, étant sur "l'Union," qui était chargé des noirs, le brick "la Mouche," qui partait Mozambique, allant y chercher des noirs; qu'il y a deux mois et demi, que se trouvant à Bourbon il y a vu un petit brick Hollandais appelé "le Chiecken," qui était disposé à partir pour aller à Mozambique chercher des noirs, et que ce navire faisait constamment le même voyage, qu'il y a trois mois qu'il a aussi vu à Bourbon la goëlette "la Petite Clementine," se disposant à partir pour Mozambique, allant y chercher des noirs; que le brick "le Louis," se trouvait, il y a environ 5 mois, à Bourbon, et qu'il allait partir pour Mozambique, pour y chercher des noirs: qu'il déclare de plus, que tous les bricks et goëlettes armés à Bourbon, ne font d'autres voyages que ceux du commerce des esclaves; qu'à son départ de Bourbon sur "la Pauline," il y a deux mois et demi, il y a vu 7 à 8 navires; que tous se préparaient à aller à Mozambique prendre des noirs: à lui demandé comment les bâtimens qui font la traite des noirs peuvent se procurer les équipages suffisants à Bourbon: a répondu que chaque bâtiment de France qui arrive à Bourbon, est assuré de perdre des hommes, par l'embauchage des bâtimens négriers: que ces mêmes navires sont obligés de s'en retourner en France faibles en équipage, par ce qu'ils ne peuvent pas se procurer aucun matelot: à lui demandé s'il a eu connaissance que quelques matelots de Maurice aient été portés à Bourbon pour alimenter les négriers: a répondu qu'il n'en a pas entendu parler, mais qu'il a vu à bord de la goëlette "l'Union, sur la quelle il a fait le voyage de Mozambique, avec des noirs, un nommé Jn. Pierre, créole de Maurice, qui

lui

lui a dit qu'il avait été gendarme ici, et qu'aujourd'hui ce même Jean Pierre, est embarqué en qualité de matelot sur le brick goëlette "le Jeune Bellier," qui fait le voyage de Madagascar à Bourbon, ayant des noirs à bord; et le comparant à de plus déclaré que si on voulait le mettre à bord d'un bâtiment de guerre Anglais, qu'il se fesait fort de faire découvrir et arrêter tous les bâtimens qui font la traite des noirs, qu'il livrera les marchands qui les vendent, et qu'il connaît de plus le dépôt des noirs à la côte de Mozambique après leur acquisition; et plus n'a déclaré: lecture faite, l'interrogé a dit que ses reponses contenaient vérités, et qu'il y persistait; requis de signer, a signé avec nous les jour, mois et an, que d'autre part.

(signé) *Louis J. B. Aubin.*

(signé) *John Finnis.*

Translation.

THIS day, the 22d May 1827, at the office of police, before us, John Finnis, commissary-in-chief of police, appeared the person named Peter Stephen Chauvellon, a young sailor on board the French brig "la Pauline," Captain Bernard, this day departed, who was declared a deserter at the moment of the said ship's getting under weigh. He being asked his true name, age, nation, and in what ship he had arrived at Bourbon, replied, that he is named Louis John Baptiste Aubin, is sixteen years old, a Dutchman, born at St. Laurent, embarked at Nantes in the French ship "Delphine," Captain Berteau, as a novice, at three dollars a month, and that he arrived at Bourbon about a year ago. He being asked why he quitted the "Delphine" at Bourbon, replied, that he deserted, because having but scanty wages, and knowing that all seamen at Bourbon had twenty dollars a month, he chose so to do. He being asked in what ship he embarked after having quitted the "Delphine," replied, that he deserted from the "Delphine" to go on board the French schooner "l'Union," Captain Fresque, having engaged with the said captain after his desertion for fifteen dollars a month, in quality of a novice, to go on a voyage to the coast of Africa. He being asked in how many days after he had left the "Delphine" he joined the "Union," and to tell us what he had done since then, replied, that five days after his desertion from the "Delphine" he went on board the "Union," (without having gone to the Bureau des Classes;) that he there found another sailor, named Joseph, a deserter on board of the "Union," like himself, above deck; that the same day they set sail without the visit of any authority, although the captain sent on board the brig of his most Christian Majesty the "Colibry," to announce that his schooner was going to set sail; that about fourteen days afterwards the ship arrived at Mongale, coast of Africa, where it anchored; that they found no other ship at anchor there; that eight days after their arrival two English ships of war arrived, one of which was a brig, painted black, and the other, one of three masts, painted like the "Samarangue," the name of which he does not know; that on board of the brig alluded to there was a Frenchman, who was master carpenter, and who spoke to the deponent; that on the same day that the said two ships arrived, the officers came to visit the "Union," and that a strict search was made in the interior of it, and the next day the same officers returned and made a fresh search; that they found nothing wrong; that the surgeon of the ship of war declared to Captain Fresque, who said he was ill, that he was not much indisposed; that the two ships of war, three days after their anchorage at Mongale, set sail to go to anchor at Lundi and Jeudi, two small islands seven leagues from Mongale, in order to stop the "Union" at her departure; that that declaration was communicated to them by Arabs who came from the said two islands expressly to give Captain Fresque the intelligence; that on the seventeenth day after their arrival they embarked 180 blacks, who were brought on board by Arabs in their boat, for which about forty dollars of Spain were paid per head, which dollars had been taken at Bourbon; that the same day, about four in the evening, they set sail, and that the negroes on coming on board had irons on their feet and neck; that several who had gone on board the said ship, who had not before been put in irons, were then put in irons by the crew, by order of the captain; that five blacks at a time were admitted to eat in the same porringer; that they took off their irons to let them eat, and after they had finished, they were put on them again; that the greater part of the negroes were purchased from Bonamour, an Arab, second chief of Mongale; that forty days after their departure from the last island, they received a blast of wind which caused them to lose two masts; that they stood in for a harbour to the south of Madagascar on the same day; that he does not know the name of the place, but that they were towed in there by the French brig the "Victor," Captain Dubois, who told them, in answer to Captain Fresque's inquiry, that there were upwards of 300 blacks on board, all Mozambiques; that the "Victor" afterwards, on the same day, took in twenty barrels of water, and sailed for Bourbon; that the "Union" got repaired in the place into which they put, where they caused two masts to be put into her, which cost sixty dollars, and took in twenty-seven barrels of water; that eighteen days after they had put in they set sail for Bourbon, where they arrived on the thirteenth day, at four or five in the evening, and that the disembarkation of the 180 negroes took place at Bois Rouge, Isle of Bourbon; that these men were immediately landed by the fishing-boats of the coast, and that the captain, through him, had arranged with the fishermen for five dollars per head, and that they were all placed with M. Manville, a planter at Bois Rouge, who is reputed as the receiver of all the newly imported negroes who are disembarked at that place; that he, the deponent, and the person called Joseph already named, were also disembarked at Bois Rouge, because being deserters they were afraid of the visit of the ships of war; that they

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they accompanied the negroes to St. Denis, to the plantation of Captain Fresque, where they were deposited; that fifteen days afterwards he embarked in the French brig "Les Deux Clementines," Captain Pagelet, (who now commands the brig "Levrier"); that two days afterwards they set sail from St. Denis, and that seventeen days sailing brought them to the Cap des Courants (Mozambique), without having met with any ship; that immediately on their arrival the captain and the second landed, where they got their cargo, which was brought on board by the Arabs to the number of 345 negroes and fifty-five women; that the blacks were paid for at forty dollars, and the women at from thirty to thirty-five dollars; that they were taken on board with irons on their feet, hands and neck; that these negroes made great objection to embark, but that they were forced so to do by the blows that were given to them; that they found no ship in the place during their stay, and at the end of fifty-one days they set sail from the Cap des Courants, and arrived at Bois Rouge, Isle of Bourbon, after a passage of sixty-nine days, without having met any ship; that the disembarkation was effected at eleven in the evening by boats belonging to M. Manville, in which the negroes were placed; that by signals made from on board by torches hoisted at the masts, the boats aforesaid were immediately sent off; that they instantly sailed from Bois Rouge, and were soon anchored at St. Denis; that he was paid his wages as agreed, at fifteen dollars a month, and a present of sixty dollars; that on their passage they lost but one negro, who belonged to one of the sailors; that he omitted previously to declare, that before leaving Bois Rouge they had disembarked every thing which could compromise the "Clementine," that is to say, the irons, kettles and water-casks; that the mats were thrown into the sea; that he remained six days ashore at St. Denis, and embarked on board the French brig the "Pauline," Captain Carle; that the person who dispatched the ship is M. Bernard, and that the true captain is M. Carle; that he engaged himself at twenty dollars a month to go to Mauritius, and to return to Bourbon; asked how it happened, that, after having at the instance of the captain put himself on the ship's register under the name of Pierre Etienne Chauvillon, he now declares himself to be Louis Jean Baptiste Aubin? he replied, that when it was questioned if he was going on board, he presented himself to the commissary of classes for the ticket of embarkation; that as the office was shut, and it was four o'clock in the afternoon, he told him for the instant to go on board the "Deux Clementines," and that he would send him his ticket the next day; that conformably with that promise he did go on board, and that Captain Carle told him that two men had just deserted, and that he could take the name of one of these deserters, Pierre Etienne Chauvillon, and that another sailor who was on board would replace the one called Jean Baptiste Charron, whose real name was Baderne; asked, what cargo the "Pauline" took in here? he replied, that her cargo consisted of rice and sugar for Bourbon; asked, if he knew whither the "Pauline" was bound from Bourbon? he replied, that she was going again to Mozambique in quest of negroes; asked, if he had any more declarations to make? he replied in the negative; and the declarations he had made being read, the deponent declared that he had spoken the truth in his replies, and that he persisted therein; required to sign them, and he did sign with us, the day, month and year above mentioned.

(signed) *Louis Jean Baptiste Aubin.*

(signed) *John Finnis.*

Again appeared, on the 23d May 1827, before us, John Finnis, commissary-in-chief of police, the person named Louis Jean Baptiste Aubin, novice, deserter from the brig "la Pauline," who declared that, four months and a half ago, being at Bourbon, he there saw the person named Honoré, a sailor, embarked on board the brig "le Zéphir," who told him that that ship took in water to go immediately to Yambane, on the Mozambique coast, in order to seek negroes there; that the schooner "le Victor" had been at Bourbon for two months and a half, and that Joseph, a sailor of the said ship, told him that preparations were making for departure, and that they were going to Jeudi, on the coast of Mozambique, to seek negroes there; that the brig "les Deux Frères," equipped by M. Desroche, was at Bourbon about three months; that he, deponent, was going to embark with Captain Laroche, and that that ship was going to Mozambique to seek negroes; that the brig "le Levrier," Captain Pagelet, was at Bourbon about three months ago, ready to set off for Mozambique to seek negroes, and that he, deponent, was to have embarked on board of the said ship going to Ohive; that it is about from four and a half to five months ago, that, coming from Bourbon, being in the "Union," which was laden with negroes, they met the brig "la Mouche," which was going to Mozambique to seek negroes; that two months and a half since, being at Bourbon, they saw a small Dutch brig, called the "Chicken," which was preparing to go to Mozambique to seek negroes, and that that ship was constantly making the same voyage; that three months since he saw at Bourbon, the schooner, "la Petite Clementine," preparing to depart for Mozambique to seek negroes; that the brig the "Louis" was about five months ago at Bourbon, and that it was going to Mozambique to seek negroes; that moreover he declares, that all the brigs and schooners fitted out at Bourbon go on no other voyages than the slave trade; that at his departure from Bourbon, on board the "Pauline" two months and a half ago, he there saw seven or eight ships, which were all preparing to go to Mozambique to take in negroes:—asked, how the ships which carry on the slave trade could obtain sufficient crews at Bourbon? he replied, that every French ship which arrives at Bourbon is sure to lose men, who are decoyed away by

the negro vessels; that the said ships are obliged to return to France with very scanty crews, because they cannot obtain any sailors:—asked, if he knew any sailors of the Mauritius, who had been taken to Bourbon to fill up the negro vessels? he replied, that he never heard speak of it, but that he saw on board the schooner "Union," in which he sailed from Mozambique with negroes, a person named Jean Pierre, a creole of Mauritius, who told him that he had been a gendarme here, and that the aforesaid Jean Pierre is now embarked as a sailor on board the schooner brig "Le Jeune Bellier," which sails from Madagascar to Bourbon with blacks on board; and the deponent further sets forth, that if he could be put on board of an English man of war, he would be able to discover and arrest the ships which carry on the slave trade; that he would deliver up the merchants who sell the slaves, and that moreover he knows the depôt of negroes on the Mozambique coast, where they are placed after being obtained; and nothing more has he declared: reading being made thereof, the deponent said, that his answers contained truths, and that he persisted therein; required to sign, he did sign with us, the day, month, and year above mentioned.

(signed) *John Finnis.*

(signed) *Louis J. B. Aubin.*

N° 96.

N° 96.

Viscount Granville to The Earl of Dudley.—(Received November 19.)

My Lord,

Paris, November 16, 1827.

I HAVE to acknowledge the receipt of your Lordship's despatch of the 13th instant, with its enclosures, and agreeably to your directions I have communicated the contents of them to the French government.

I have the honour to be, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Granville.*

N° 97.

N° 97.

Viscount Granville to The Earl of Dudley.—(Received December 11.)

My Lord,

Paris, December 3, 1827.

HAVING communicated to the French government, in the note of which I enclose a copy, the deposition transmitted by your Lordship in your despatch of the 13th November last, made by the French sailor, Aubin, at the Mauritius, showing the continued prosecution of the traffic in slaves between Bourbon and the eastern coast of Africa by vessels under the French flag, I have just received from his excellency the minister of foreign affairs the answer, of which I have the honour to transmit a copy.

I have, &c.

The Right Hon. The Earl of Dudley,  
&c. &c. &c.

(signed) *Granville.*

Viscount Granville to the Baron de Damas.

1st Enclosure  
in N° 97.

Monsieur le Baron,

Paris, Nov. 16, 1827.

I TRANSMIT herewith to your Excellency the copy of a letter from the Governor of His Majesty's Island of Mauritius, enclosing the copy of a deposition of a French sailor, named Aubin, who had deserted at the Mauritius, from on board a French vessel, named the "Pauline."

Although suspicion may be attached to the evidence of a person in the situation of Aubin, still the account which he gives of the slave trade carried on between the island of Bourbon and the eastern coast of Africa is so full, and the details which he furnishes of the mode in which the slaves were disposed of, and of the persons to whom they were given in charge at Bourbon, are so particular, that I cannot but think that the government of his most Christian Majesty will deem it expedient to cause inquiries to be instituted at the island of Bourbon, for ascertaining their truth.

I avail myself, &c.

His Excellency the Baron de Damas,  
&c. &c. &c.

(signed) *Granville.*

## FRANCE.

The Baron de Damas to Viscount Granville.

2d Enclosure  
in N° 97.

Monsieur l'Ambassadeur, Paris, le 1<sup>er</sup> Decembre, 1827.  
 J'AI reçu, avec la lettre que votre Excellence m'a fait l'honneur de m'écrire, la déclaration faite aux autorités de l'Île Maurice par le nommé Aubin, matelot Français, relativement au commerce d'esclaves qui aurait lieu entre l'Île Bourbon et la côte orientale d'Afrique. Je l'ai transmise au ministre de la marine, avec invitation de prendre des renseignements sur les faits qu'il sont rapportés, et qui bien que permettant quelque doute sur leur exactitude, n'en exciteront pas moins toute l'attention du gouvernement.

J'ai l'honneur, &amp;c.

Son Excellence Le Vicomte Granville,  
&c. &c. &c.

(signé)

*Le Baron de Damas.*

Translation.

Sir, Paris, December 1, 1827.  
 I HAVE received the letter which your Excellency has done me the honour to write to me, and along with it the deposition made before the authorities of the Isle of Mauritius by a French sailor of the name of Aubin, relative to the traffic in slaves represented by him to be carried on between the Isle of Bourbon and the eastern coast of Africa. I have transmitted the deposition to the minister of the marine, requesting him to cause inquiries to be made respecting the facts alleged in it, which, though liable to some doubts in respect of their accuracy, will, nevertheless, induce government to pay every attention to them.

I have the honour to be, &amp;c.

His Excellency Viscount Granville,  
&c. &c. &c.

(signed)

*The Baron de Damas.*

## DENMARK.

DENMARK.

N° 98.

N° 98.

The Right Hon. H. W. W. Wynn to Viscount Dudley.—(Received June 27.)

My Lord, Copenhagen, June 11, 1827.  
 I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22d ultimo, enclosing papers, marked A. and B., relative to the slave trade, which have been laid before Parliament in the course of the present session.

I have, &amp;c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed)

*H. W. W. Wynn.*

## SWEDEN.

SWEDEN.

N° 99.

N° 99.

The Hon. J. Bloomfield to Viscount Dudley.—(Received June 30.)

My Lord, Stockholm, June 15, 1827.  
 I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22d ultimo, enclosing two copies 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, &amp;c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed)

*J. Bloomfield.*

## UNITED STATES.

N° 100.

N° 100.

Albert Gallatin, Esq. to Viscount Dudley.

My Lord,

Upper Seymour-street, June 1, 1827.

A NUMBER of Africans, found on board of vessels illegally engaged in the slave trade, have come into the possession of The United States, by the capture and condemnation of such vessels under their slave trade laws. Measures have been taken by government, and in most instances carried into effect, for returning the persons thus rescued to their native country. But some difficulties having occurred in cases where they belonged to interior provinces of Africa, I have been charged by my government to inquire, whether that of his Britannic Majesty would be disposed to afford facilities to the landing and safe passage through His Majesty's possessions on the coast of Africa of such Africans as may have come, or may hereafter come, in the possession of The United States in the manner above mentioned, and whom the American government may desire to restore to the particular territories to which they respectively belong. From the nature of the object in view, and the generous interest which Great Britain takes in arresting the progress of the traffic by which the Africans referred to came into the possession and fall under the protection of The United States, the President confidently hopes that the facilities which may be necessary will be accorded by His Majesty's government.

I pray your Lordship to take the matter into consideration, and to accept the assurances, &c.

The Right Hon. Viscount Dudley,  
&c. &c. &c.

(signed) *Albert Gallatin.*

N° 101.

N° 101.

Viscount Dudley to Albert Gallatin, Esq.

Sir,

Foreign Office, July 7, 1827.

I RECEIVED and transmitted for the consideration of the proper department the note which you did me the honour to address to me on the 1st of last month, inquiring, on the part of the government of The United States, whether, with a view of restoring liberated Africans to the particular countries to which they belong, His Majesty's government would be disposed to facilitate the safe passage through the British possessions on the coast of Africa of such natives of that country as may have come, or may hereafter come, into the possession of The United States, by the condemnation of vessels engaged in the slave trade.

I have to request that you will assure the President of The United States, that His Majesty's government have a strong disposition to afford every practicable assistance to the government of The United States for accomplishing the humane object which they have in view.

At the same time, I feel bound not to conceal from you, that His Majesty's Government entertain much apprehension of the practicability of any general measure for restoring captured Africans to their homes; and that, without a more particular opportunity of considering the details of those measures which the government of the United States may have in contemplation, as connected with the special circumstances of the settlements, at which it may be proposed to land the individuals in question, and with the mode in which they are to be passed to their particular countries, His Majesty's Government must hesitate in pledging themselves decidedly to an undertaking, which in the end they may find themselves unable to carry into execution, and the failure of which would only aggravate the misfortunes of the unhappy persons whom it was designed to relieve.

I am, &amp;c.

(signed) DUDLEY.

Albert Gallatin, Esq.  
&c. &c. &c.

HAYTI.

HAYTI.

N° 102.

N° 102.

Mr. Consul General Mackenzie to Mr. Secretary Canning.—  
(Received March 3, 1827.)

Sir,

Port-au-Prince, December 30, 1826.

I HAVE the honour to acknowledge the receipt of your despatch dated the 22d of May last, with its six accompanying enclosures, being the slave trade papers presented, by His Majesty's command, to Parliament.

Since my arrival in this island, I have found that there is not the smallest disposition to enter into slave dealings among the people of the country; on the contrary the Government are not unwilling to repress the trade even by acts which might be deemed piratical.

In the month of May or June 1818, the Haitian ship-of-war "Wilberforce," met with a Spanish slaver on her way to Cuba, and captured and brought her into the harbour of Port-au-Prince, where the slaves were liberated.

The supercargo claimed them; the President refused to give them up, but offered to resign the vessel. This being declined, he appealed to the courts—his advocate was stoned by the mob—the ship and cargo were both condemned,—and the Spaniard was lucky enough to escape from the island before he could be arrested for the costs.

I have the honour to be, &amp;c.

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

(signed) *Charles Mackenzie.*