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Class A.

CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS,

AT

SIERRA LEONE, THE HAVANA,

RIO DE JANEIRO, AND SURINAM,

RELATING TO

THE SLAVE TRADE.

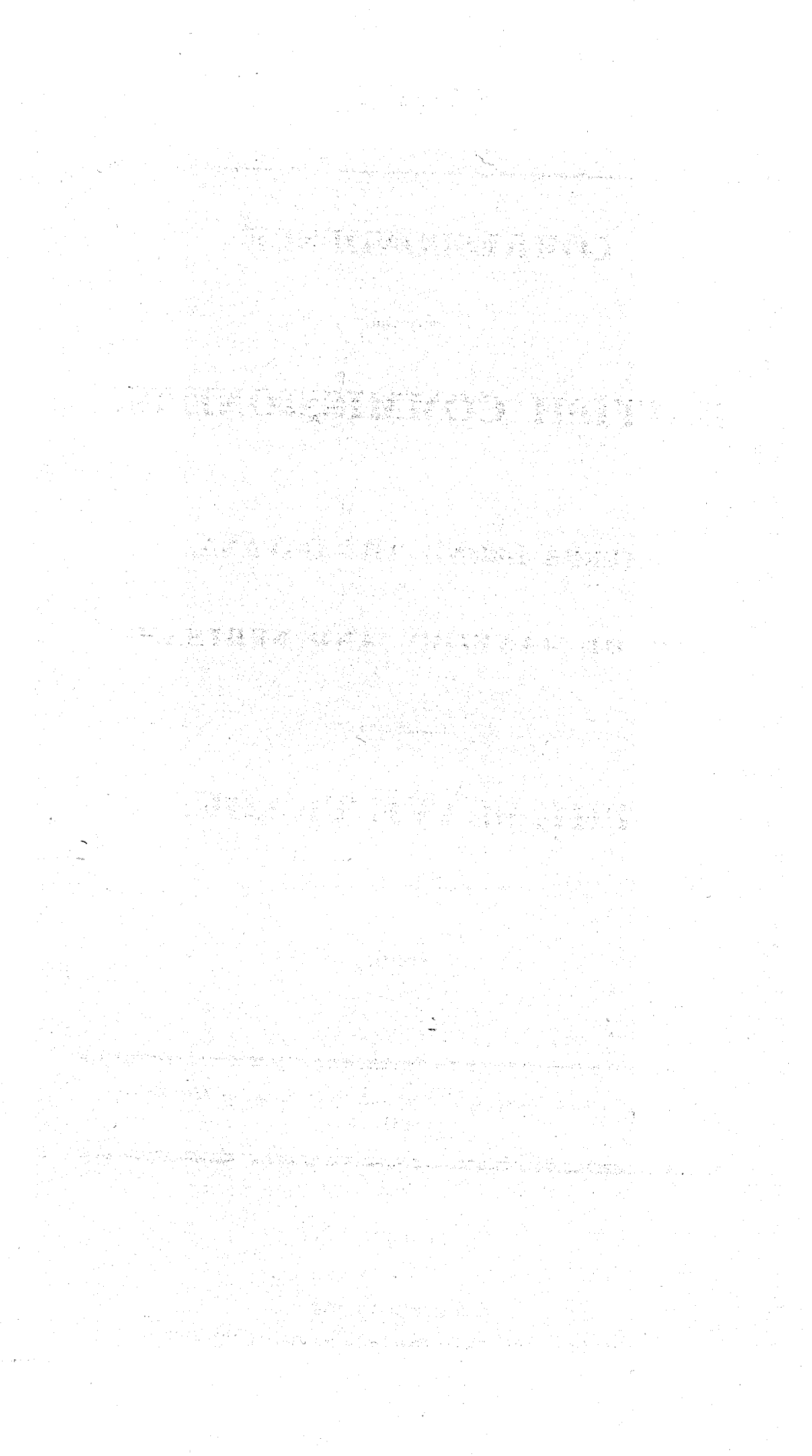
1830.

Presented to both Houses of Parliament, by Command of His Majesty,
1831.

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Class A.

LIST OF PAPERS.

SIERRA LEONE. (General.)

No.		Date & Receipt.	SUBJECT.	Page.
1.	H. M's. Commrs. to the Earl of Aberdeen	- D. Oct. 20, 1829. R. Jan. 27, 1830.	Detention of "La Laure," French schooner	1
2.	William Smith, Esq. to the Earl of Aberdeen	- D. Nov. 3, 1829. R. Jan. 27, 1830.	Appointment of Mr. Samuel Bidwell	3
3.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Jan. 5, R. March 7,	Vessels adjudicated in 1829	3
4.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Jan. 5, R. March 7,	Slaves registered, as emanci- pated, July 5, 1829, to Ja- nuary 5, 1830	5
5.	H. M's. Commrs. to the Earl of Aberdeen	- D. Jan. 23, R. March 7,	Detention of "La Louise,"— released by her Captor	5
6.	William Smith, Esq. to the Earl of Aberdeen	- D. March 22, R. June 3,	Application for conditional leave of absence	6
7.	William Smith, Esq. to the Earl of Aberdeen	- D. April 27, R. June 15,	Mr. Lewis sworn in as Regis- trar	6
8.	The Earl of Aberdeen to William Smith, Esq.	- D. July 2,	Conditional leave of absence granted	6
9.	H. M's. Commrs. to the Earl of Aberdeen	- D. June 15, R. Aug. 17,	Report on slave-trade near Sierra Leone	7
10.	The Earl of Aberdeen to H. M's. Commrs.	- D. Aug. 31,	To inform H. M's. cruizers of the movements of slave- vessels	8
11.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. July 5, R. Sept. 24,	Slaves registered, as emanci- pated, January to July 1830.	8
12.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. July 13, R. Oct. 10,	Seizure of the "Nossa Sen- hora da Guia," at Sierra Leone	9
13.	Sir George Shee to H. M's. Commrs. One Enclosure	- D. Dec. 9,	Mortality on board prizes on their way to Sierra Leone	11
14.	H. M's. Commrs. to the Earl of Aberdeen	- D. Sept. 21, R. Dec. 16,	Report on slave-trade near Sierra Leone	12
15.	Viscount Palmerston to H. M's. Commrs. One Enclosure	- D. Dec. 23,	Instructions to H. M's. cruizers	15
16.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Oct. 18, R. Dec. 27,	Report on slave-trade near Sierra Leone	18
17.	Viscount Palmerston to H. M's. Commrs.	- D. Dec. 31,	Slave-trade near Sierra Leone	19

SIERRA LEONE. (Spain.)

18.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Nov. 21, 1829, R. March 4, 1830.	"Octavio" condemned	20
19.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Nov. 26, 1829, R. March 4, 1830.	"Cristina" condemned	21
20.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Jan. 5, R. March 7,	Abstract of proceedings, 1829	22

LIST OF PAPERS.

No.		Date & Receipt.	SUBJECT.	Page.
21.	H. M's. Commrs. to John Backhouse, Esq. One Enclosure	D. Jan. 5, 1830. R. March 7, —	Cases adjudicated, half-year to January 5, 1831	23
22.	William Smith, Esq. to the Earl of Aberdeen	D. April 3, R. June 3,	"Maria de la Conception" cap- tured	25
23.	William Smith, Esq. to the Earl of Aberdeen	D. April 8, R. June 3,	"Manzanares" captured	25
24.	William Smith, Esq. to the Earl of Aberdeen Two Enclosures	D. April 15, R. June 15,	Slaves of the "Maria de la Conception" and "Manza- nares"	26
25.	William Smith, Esq. to the Earl of Aberdeen	D. April 26, R. June 15,	"Altimara" captured	26
26.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. May 12, R. July 19,	"Maria de la Conception" con- demned	27
27.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. May 12, R. July 19,	"Manzanares" condemned	28
28.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. May 12, R. July 19,	"Altimara" condemned	29
29.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. May 29, R. Aug. 6,	"Loreto," or "Corunera," condemned	30
30.	H. M's. Commrs. to John Backhouse, Esq. One Enclosure	D. July 5, R. Sept. 24,	Cases adjudicated, half-year to July 5, 1830	31
31.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. Aug. 31, R. Nov. 14,	"Santiago," or "Polasqui," condemned	33
32.	H. M's. Commrs. to the Earl of Aberdeen Three Enclosures	D. Oct. 18, R. Dec. 27,	"Atafa Primo" released	34
33.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. Oct. 18, R. Dec. 27,	"Veloz Passagera" condemned	42
34.	H. M's. Commrs. to the Earl of Aberdeen Two Enclosures	D. Oct. 30, R. Dec. 27,	"Nueva Isabelita," or "Nu- mero Uno," condemned	43
35.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. Oct. 30, R. Dec. 27,	"Pajarito" released by her Captor; slaves emancipated by her Owner	45

SIERRA LEONE. (Brazil.)

36.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. Oct. 10, 1829. R. Jan. 27, 1830.	"Santa Jago" condemned	47
37.	The Earl of Aberdeen to H. M's. Commrs.	D. Feb. 28,	Period of the abolition of Bra- zilian slave-trade	48
38.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. Jan. 5, R. March 7,	Abstract of proceedings, 1829	48
39.	H. M's. Commrs. to John Backhouse, Esq. One Enclosure	D. Jan. 5, R. March 7,	Cases adjudicated, half-year to January 5, 1830	50
40.	H. M's. Commrs. to the Earl of Aberdeen	D. Jan. 29, R. April 16,	Abolition of Brazilian slave- trade.	52
41.	H. M's. Commrs. to the Earl of Aberdeen	D. Jan. 29, R. April 16,	Hypothetical case of Brazilian slave-trade	52
42.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	D. Feb. 8, R. April 26,	"Emilia" condemned	52
43.	H. M's. Commrs. to the Earl of Aberdeen Two Enclosures	D. Feb. 20, R. April 26,	"Tentadora" condemned	53
44.	H. M's. Commrs. to the Earl of Aberdeen	D. March 20, R. May 17,	Acknowledgment of approval of conduct in the case of M. de Paiva's protest	57
45.	William Smith, Esq. to the Earl of Aberdeen	D. April 6, R. June 3,	"Nova Resoluçao" captured	57
46.	William Smith, Esq. to the Earl of Aberdeen	D. April 15, R. June 15,	"Nova Resoluçao," slaves landed	58

LIST OF PAPERS.

v

No.		<i>Date & Receipt.</i>	SUBJECT.	Page.
47.	William Smith, Esq. to the Earl of Aberdeen -	D. April 15, 1830. R. June 17, —	Manner in which Brazilians may still carry on the slave-trade - - -	58
48.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. May 4, R. June 29, —	"Emilia" (Brigantine) condemned - - -	59
49.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. May 5, R. June 29, —	"Nao Lendia" condemned - - -	60
50.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. May 15, R. July 19, —	"Nossa Senhora da Guia" condemned - - -	62
51.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. May 15, R. July 19, —	"Primeira Rosalia" condemned - - -	63
52.	H. M's. Commrs. to the Earl of Aberdeen - Two Enclosures	D. May 15, R. July 19, —	"Umbelina" condemned.—Mortality on board prizes on the way to Sierra Leone - -	64
53.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. May 15, R. July 19, —	"Nova Resolucao" condemned - - -	65
54.	H. M's. Commrs. to the Earl of Aberdeen - Two Enclosures	D. May 27, R. Aug. 6, —	"Ismenia."—Presence of the Captor demanded by the Brazilian Commissary Judge -	67
55.	H. M's. Commrs. to John Backhouse, Esq. - One Enclosure	D. July 5, R. Sept. 24, —	Cases adjudicated, half-year to July 5, 1830 - - -	68
56.	Viscount Palmerston to H. M's. Commrs. - Two Enclosures	D. Dec. 10, —	"Voador."—M. Mattos complaint, and the answer thereto - - -	70

SIERRA LEONE. (*Portugal.*)

57.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. Jan. 5, 1830. R. March 7, —	Cases adjudicated 1829 - - -	71
58.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. June 14, R. Aug. 17, —	Importation of slaves, Cape de Verdes - - -	71

SIERRA LEONE. (*Netherlands.*)

59.	H. M's. Commrs. to the Earl of Aberdeen - One Enclosure	D. Jan. 5, 1830. R. March 7, —	Abstract of proceedings, 1829 - - -	73
60.	The Earl of Aberdeen to H. M's. Commrs. -	D. April 7, —	"Jules" and "Jeune Eugenie." Approval - - -	74
61.	H. M's. Commrs. to the Earl of Aberdeen -	D. Sept. 16, R. Nov. 14, —	"Jules" and "Jeune Eugenie." Acknowledgment - - -	74

H A V A N A.

62.	W. S. Macleay, Esq. to the Earl of Aberdeen - Three Enclosures	D. Nov. 28, 1829. R. Jan. 29, 1830.	British subjects serving in slave-vessels - - -	75
63.	W. S. Macleay, Esq. to the Earl of Aberdeen -	D. Nov. 30, 1829. R. March 9, 1830.	Departure of "Iberia." Arrival of the "Ligera," "Amistad Habanera," "Ricardo," and "Almirante" - - -	76

LIST OF PAPERS.

No.		Date & Receipt,	SUBJECT.	Page.
64.	W. S. Macleay, Esq. to the Earl of Aberdeen Five Enclosures	D. Dec. 2, 1829. R. March 9, 1830.	"Gallito" condemned	76
65.	W. S. Macleay, Esq. to the Earl of Aberdeen Five Enclosures	D. Dec. 30, 1829. R. March 9, 1830.	"William Gardner" and "Urraca" sailed. "Nueva Amalia" and "Maria" arrived	81
66.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Dec. 31, 1829. R. March 9, 1830.	"Assumpcion" and "Ligera" sailed	83
67.	W. S. Macleay, Esq. to the Earl of Aberdeen One Enclosure	D. Dec. 31, 1829. R. March 9, 1830.	Slaves registered as emancipated, 1829	83
68.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Jan. 1, R. March 9,	Number of despatches, 1829	84
69.	W. S. Macleay, Esq. to the Earl of Aberdeen One Enclosure	D. Jan. 1, R. March 9,	Cases adjudicated, half year to January 1, 1830	84
70.	W. S. Macleay, Esq. to the Earl of Aberdeen Three Enclosures	D. Jan. 1, R. March 9,	Report on slave-trade	85
71.	W. S. Macleay, Esq. to the Earl of Aberdeen One Enclosure	D. Jan. 13, R. March 9,	"Nueva Amalia" and "Pantica" arrived. "Maria" sailed	89
72.	W. S. Macleay, Esq. to the Earl of Aberdeen One Enclosure	D. Jan. 30, R. March 9,	"Herculina," "Aerostatica," and "Marenerito," arrived	90
73.	The Earl of Aberdeen to H. M's. Commts.	D. April 24,	Additional Article to the Treaty with Spain refused	91
74.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Feb. 20, R. April 26,	"Aguila," "Prueba," and "Primeira," arrived	91
75.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Feb. 24, R. April 26,	British subjects engaged in slave-trade	91
76.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. March 2, R. May 1,	"Aerostatica," "Barbarita," and "Pajarito," sailed. "Planeta," "Segun el tiempo," "Marinero," and "Potosi," arrived	92
77.	W. S. Macleay, Esq. to John Backhouse, Esq. One Enclosure	D. March 4, R. May 1,	British subjects on board the "Midas"	92
78.	W. S. Macleay, Esq. to the Earl of Aberdeen One Enclosure	D. March 17, R. May 1,	"Pajarito," "Marinerito," and "Asturiana," sailed. "Tentativa" and "Segunda Gallega" arrived	94
79.	The Earl of Aberdeen to H. M's. Commts. Three Enclosures	D. May 7,	British subjects on board the "Midas"	95
80.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. April 6, R. May 27,	"Rapido," "Manuelito," and "Gallega," arrived. "Rapido" and "Segunda Gallega" sailed	96
81.	The Earl of Aberdeen to H. M's. Commts. Two Enclosures	D. June 28,	British subjects on board the "Midas"	97
82.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. April 22, R. June 29,	"Manzanares" and "Gallega" arrived. "Bella Juliana" sailed	98
83.	W. S. Macleay, Esq. to the Earl of Aberdeen Five Enclosures	D. April 23, R. June 29,	"Santa Rosa"	98
84.	W. S. Macleay, Esq. to the Earl of Aberdeen Five Enclosures	D. May 6, R. June 29,	"Santiago" captured	101
85.	W. S. Macleay, Esq. to John Backhouse, Esq. One Enclosure	D. May 10, R. July 1,	Presence of the Captor at the adjudication of his prize	105
86.	W. S. Macleay, Esq. to the Earl of Aberdeen Three Enclosures	D. May 22, R. June 29,	"Santiago" condemned	108
87.	The Earl of Aberdeen to H. M's. Commts.	D. July 19,	"Santiago." Crews of prizes	110
88.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. May 28, R. Aug. 1,	"Primeira Gallega" sailed. "Catalana" arrived	111
89.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. June 16, R. Aug. 1,	"Almirante," "Manuelita," and "Pantica," sailed. "Andromaca" arrived	111

LIST OF PAPERS.

vii

No.		Date & Receipt.	SUBJECT.	Page.
90.	The Earl of Aberdeen to H. M's. Commrs.	- D. Aug. 18, 1830.	"Santa Rosa"	- 112
91.	The Earl of Aberdeen to H. M's. Commrs.	- D. Aug. 31, --	To communicate information respecting slavers to H. M's. cruisers	- 112
92.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. June 29, -- R. Sept. 14,	"Emilio," alias "Cæsar," condemned	- 112
	Four Enclosures			
93.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. July 1, -- R. Sept. 14,	Cases adjudicated, January to June 1830	- 116
	One Enclosure			
94.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. July 2, -- R. Sept. 14,	British subjects on board the "Emilio"	- 116
	Two Enclosures			
95.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. July 3, -- R. Sept. 14,	"Prueba" sailed. "Amistad Habanera," "Asumpcion," "Iberia," and "Urraca," arrived	- 117
96.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. July 17, -- R. Sept. 14,	Remarks on the refusal of Spain to accede to the Additional Article	- 118
	One Enclosure			
97.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. July 19, -- R. Sept. 14,	"Indagadora," "Negrito," and "Servando," alias "Gallo," arrived. "Dos Amigos" and "Lyon" sailed	- 120
98.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. July 31, -- R. Sept. 14,	"Barbarita" arrived. "Andromaca," "Urraca," "Joven Maria," "Amistad Habanera," and "Indagadora," sailed	- 121
99.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Aug. 20, -- R. Sept. 27,	"Phoenix"	- 121
	Three Enclosures			
100.	The Earl of Aberdeen to H. M's. Commrs.	- D. Oct. 11, --	British subjects on board the "St. Jago" and "Midas"	- 122
	One Enclosure			
101.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Sept. 13, -- R. Nov. 10,	British subjects engaged in slave-trade, acknowledgment	- 123
102.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Sept. 18, -- R. Nov. 10,	"Indagadora" sailed. "Ligera," alias "Intrepida," arrived	- 124
103.	Viscount Palmerston to H. M's. Commrs.	- D. Nov. 29, --	British subjects on board the "Emilio" and "Midas"	- 124
	Three Enclosures			
104.	Viscount Palmerston to H. M's. Commrs.	- D. Nov. 30, --	British subjects on board the "Midas"	- 126
	One Enclosure			
105.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Oct. 13, -- R. Dec. 16,	Departure of "Negrito," "Corunes," and Montezuma," formerly "Nueva Diana," alias "Fama de Cadiz." Arrival of the "Vingador"	- 126
106.	W. S. Macleay, Esq. to the Earl of Aberdeen	D. Nov. 2, -- R. Dec. 16,	"Marinerito" and "Segunda Gallega" arrived	- 127
107.	Viscount Palmerston to H. M's. Commrs.	- D. Dec. 23, --	Instructions to Cruizers	- 127
108.	Viscount Palmerston to H. M's. Commrs.	- D. Dec. 24, --	Additional Article to the Treaty with Spain	- 128
109.	Viscount Palmerston to H. M's. Commrs.	- D. Dec. 28, --	British subjects on board the "Emilio"	- 128
	One Enclosure			

RIO DE JANEIRO.

110.	H. M's. Commrs. to the Earl of Aberdeen	- D. Jan. 2, 1830. R. March 23, --	No cases adjudicated, July to December 1829	- 129
111.	H. M's. Commrs. to the Earl of Aberdeen	- D. Feb. 12, R. April 22,	Extension of time to Brazilian slave-traders	- 129

LIST OF PAPERS.

No.		<i>Date & Receipt.</i>	SUBJECT.	Page.
112.	The Earl of Aberdeen to H. M's. Commrs.	- D. Aug. 31, 1830.	To communicate information respecting slave-vessels to H. M's. Cruizers	- 129
113.	H. M's. Commrs. to the Earl of Aberdeen	- D. July 7, R. Sept. 15,	No cases adjudicated, January to July 1830	- 130
114.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Sept. 25, R. Dec. 5,	"Eliza" and "Felix Marianna" or "Africano Oriental"	- 130
115.	Viscount Palmerston to H. M's. Commrs.	- D. Dec. 23,	Instructions to Cruizers	- 131

S U R I N A M.

116.	The Earl of Aberdeen to H. M's. Commrs.	- D. June 28, 1830.	Treatment of emancipated slaves	- 132
117.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. July 7, R. Sept. 13,	Inactivity of Dutch Cruizers	- 132
118.	H. M's. Commrs. to the Earl of Aberdeen	- D. Sept. 14, R. Nov. 26,	Treatment of emancipated slaves	- 134

Class A.

CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS,

SIERRA LEONE. (General.)

No. 1.

*His Majesty's Commissioners to the Earl of Aberdeen.—
(Received January 27, 1830.)*

MY LORD,

Sierra Leone, October 20, 1829.

HIS Majesty's ship "Atholl," under the command of Captain Alexander Gordon, on her way from the Cape de Verd Islands to this colony, fell in with, in latitude 9° 30' N., longitude 16° 50' W., a schooner, answering nearly to the description of a Piratical Vessel, which had committed depredations on British ships about the same latitude, and for whose apprehension Captain Gordon had instructions from the Lords Commissioners of the Admiralty. Captain Gordon immediately pursued the strange vessel, and his suspicions of her being the pirate in question were strengthened by her endeavouring, by every manœuvre, to escape. Finding the "Atholl" gain upon her fast, and that escape was impossible, she hove to, and shewed French colours. Captain Gordon, nevertheless, felt it to be his duty to examine her. She was accordingly boarded by Lieutenant Ramsay of the "Atholl," to whom French papers were presented, purporting her to be "*La Laure*," commanded by J. V. Jastram, belonging to M. Felipe Le Moyne, Merchant, of Martinique, and bound from the River Shebar, just without the boundaries of this colony, to the island of Guadaloupe, with a cargo of slaves on board, to the number of 372.

In the course of the investigation, which Captain Gordon conceived himself justified in pursuing, he learnt, that 120 of the slaves on board of "*La Laure*" were on freight, and that they belonged to a Spaniard on board, named Chemin, who had been the Master of a Spanish schooner, called "*Le Manuel*," which was wrecked in the River Shebar in August last. Under these circumstances, Captain Gordon brought her to this colony, where she arrived, in company with His Majesty's ship "Atholl," on the 4th instant. A few days afterwards, Captain Gordon sought to bring "*La Laure*" into the British and Spanish Court of Mixed Commission, for a breach of the Treaty between Great Britain and Spain for the repression of the Slave-trade. This His Majesty's Commissioners felt it to be their duty to refuse.

In a conversation with Captain Gordon, subsequent to such refusal, on the subject, His Majesty's Commissioners acquainted him, that if he could affix a Spanish character upon "*La Laure*," there could be no objection to granting him the permission he required, but, otherwise, she must be assumed to be a French vessel. In such case, His Majesty's Commissioners stated, they could not take upon themselves to do an act, which would form a precedent, and afford a pretext for the Commanders of His Majesty's ships, employed to prevent the illicit traffick in slaves, to visit and search every French vessel they fell in with, under the assumption that such vessel might have slaves on board belonging to the subjects of those Powers, who have entered into Treaties with Great Britain for the suppression of the Slave-trade; a visit and search, which the French Government have not conceded, and which the Government of Great Britain prohibits.

In giving this opinion to Captain Gordon, we were guided by an anxious wish that no act of His Majesty's Commissioners, arising out of the visit and search of French vessels, should create discussions between Great Britain and France, that might affect the harmony which now subsists between the two Governments. It appeared to us, that if our decision was favourable in this case, the Commanders of His Majesty's ships would most likely guide themselves, in future, by that decision, to make experimental seizures under the white flag. The onus of such proceeding would, therefore, rest upon us; which proceeding, not being pursuant to the Treaties and Act of Parliament, under which we have had the honour to be appointed, we could not justify.

Painful as it was to us, my Lord, to see the flag of France covering such an infamous transaction, we conceived, in addition to our foregoing opinion, that our duty would not allow us to interfere in this matter, bearing in mind the instruction of the late Mr. Canning to His Majesty's Commissioners, dated June 2, 1823, not to consider those clauses in the Treaty, which contain general declarations of illegal participation in slave transactions, as grounds of condemnation of ships or cargoes, ostensibly belonging to other Powers, not parties to such Treaties.

If, my Lord, in this unprecedented case in the Courts of Mixed Commission, we have erred in the line of duty we have pursued, we have, most humbly, to solicit your Lordship's indulgence.

Captain Gordon having satisfied himself, by the assertions of some of the crew of "*Le Manuel*," who had, after her loss, shipped on board "*La Laure*" in the River Shebar, that the 120 slaves were Spanish property, determined to take the responsibility upon himself of landing those slaves:— He accordingly did so, on the 12th instant, and placed them under the care of the Colonial Government, to await instructions from His Majesty's Government, how they are to be dealt with. The deposition of 3 sailors, taken before a Magistrate here, positively makes these slaves to be Spanish property. In an instruction from the late Mr. Canning to His Majesty's Commissioners, dated the 17th of November 1823, they were reminded, that, in taking upon themselves the power of delivering over slaves for emancipation, in cases which are not properly cases of forfeiture, they could be justified only by very special circumstances, and the sanction of Government, on a statement of the particular facts; we, therefore, most respectfully beg your Lordship will honour us with instructions,—whether the British and Spanish Court of Mixed Commission can go to the adjudication of those slaves, and pronounce them a legal capture.

Having landed the slaves in question, it was Captain Gordon's intention to proceed with "*La Laure*" to Goree, to deliver her up to the French Authorities there. For this purpose, His Majesty's ship "*Atholl*" and "*La Laure*" got under weigh, and were standing out of the harbour, when some of the crew of the latter informed Captain Gordon, that she was, *bonâ fide*, a Spanish vessel; the papers of which nation were thrown over-board, during the time the "*Atholl*" chased her. Both ships, therefore, returned to the anchorage, and upon Captain Gordon's declaration, "*La Laure*" was admitted, on the 13th instant, into the British and Spanish Court of Mixed Commission, to be proceeded against for a breach of the Treaty. On the morning of the 16th, His Majesty's ship "*Atholl*" left this; and in the afternoon of the same day, a petition, to the following effect, was presented to the Court:—

" *The British and Spanish Court of Mixed Commission, Sierra Leone.*

" In the Case of the Schooner "*La Laure*," J. V. Jastram, Master.

" To their Honours, the Judges of the said Court.

" The Petition of Robert Dougan, on behalf of Alexander Gordon, Esq. Commander of His Majesty's ship-of-war "*Atholl*," and the Officers and crew of the said ship,

" Humbly sheweth,

" That your Petitioner, being now aware that he cannot substantiate the allegation of her being a Spanish vessel, prays, that he may be allowed to

withdraw the papers of the said vessel from before your honourable Court, and that all further proceedings may be stayed.

“ And your Petitioner shall ever pray, &c.

“ (Signed)

Robert Dougan, Proctor.”

The circumstance of the Proctor's inability to substantiate the allegation of her being a Spanish vessel, appeared to the Court to be just grounds for granting the prayer of his petition, and, accordingly, the Acting Registrar was directed to deliver to him “ *La Laure's*” ship's papers, and to stay further proceedings.

Immediately it was known, that “ *La Laure*” had been withdrawn out of the British and Spanish Court of Mixed Commission, she was seized by the Ordnance Store-keeper, (Mr. Birch), who conceived himself authorized to do so, under the Act 5th Geo. IV. cap. 113. sec. 43.

The Collector of the Customs also seized her.

Mr. Birch has since been obliged, we understand, from his not bearing His Majesty's commission, to relinquish his seizure. The Collector is therefore prosecuting her in the Vice-Admiralty Court of this Colony.

We have been thus minute in detailing to your Lordship the circumstances regarding “ *La Laure,*” as they successively occurred, that the whole of the facts, relating to that vessel since her detention, may, at one view, be presented to your Lordship's notice.

We have, &c.

(Signed)

H. J. RICKETTS.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 2.

W. Smith, Esq. to the Earl of Aberdeen.—(Received Jan. 27, 1830.)

MY LORD,

Sierra Leone, November 3, 1829.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, intimating to His Majesty's Commissioners, your Lordship's confirmation of the appointment, which they had provisionally made in favour of Mr. Samuel Bidwell to be their First Clerk, in the room of the late Mr. Magnus, with the full salary of £500 per annum.

I feel assured, that Mr. Bidwell duly appreciates your Lordship's high favour, and that he will, by constant and unremitting attention to the duties of his new appointment, endeavour to prove, that he is not unworthy of your Lordship's patronage.

I have the honour to be, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 3.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to transmit, enclosed, a general list of all the cases, adjudicated in the several Courts of Mixed Commission, established here for the repression of the illicit traffick in slaves, in the year 1829.

By this list your Lordship will perceive, that 23 vessels were condemned, and that 4,777 slaves were emancipated in that period. 156 cases have been adjudicated, and 20,888 slaves emancipated, in the several Courts, from their establishment up to the present date. 672 slaves having been landed, by Captains Owen and Arabin, at Fernando Po, in 1828, as per last return; and Captain Owen having landed there 34 slaves, out of the Netherland schooner “ *Hirondelle,*” and 127 slaves out of the Brazilian schooner “ *Mensageira,*” in the past year, together with 4 having died after emancipation, but before registration; making a collective number of 837; only 20,051 have been registered in this colony.

We have the honour to be, &c.

(Signed)

A. F. EVANS.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

SIERRA LEONE. (General.)

Enclosure in No. 3.

A List of Cases, adjudged in the Courts of Mixed Commission established at Sierra Leone, betwixt 1st January 1829, and 1st January 1830.

Number of Cases adjudged between June 1830, and 1st January 1830.	Number of Vessels Handed between June 1819 and 1st January 1830.	Number of Cases adjudged between 1st January 1829 and 1st January 1830.	NATIONS.	NAMES of VESSELS.	CLASS.	CONDEMNED.	LIBERATED.	Number of Slaves on board at the time of Capture.	Number of Slaves emancipated.	Number of Slaves emancipated and registered.
134	11	1	Spanish.	El Almirante	Brig	Condemned.	None.	455	416	416
135	"	2	"	La Panchita	Schooner	Ditto	"	292	259	259
136	"	3	"	Clarita	Ditto	Ditto	"	261	201	201
137	"	4	"	Octavio	Brig	Ditto	"	366	335	335
138	"	5	"	Cristina	Brigantine	Ditto	"	348	216	216
139	"	6	Portuguese.	Aurelia	Galiota	Ditto	"	29	29	29
140	"	7	"	Vingador	Brig	Ditto	"	222	220	220
141	"	8	"	Hesse	Ditto	Ditto	"	182	166	166
142	"	9	Netherlands.	La Coquette	Schooner	Ditto	"	220	185*	183
143	"	10	"	Jeune Eugenia	Ditto	Ditto	"	50	46	46
144	"	11	"	Hirondelle	Ditto	Ditto	"	112	89†	55
145	"	12	"	Adeline (al)	Fourmi	Ditto	"	None	None	None
146	"	13	"	Jules	Brig	Ditto	"	220	207	207
147	"	14	Brazilian.	Triumpho	Schooner	Ditto	"	127	122	122
148	"	15	"	Bella Eliza	Ditto	Ditto	"	232	215	215
149	"	16	"	Uniao	Brigantine	Ditto	"	405	366	366
150	"	17	"	Andorinha	Brig	Ditto	"	None	None	None
151	"	18	"	Donna Barbara	Schooner	Ditto	"	357	351	351
152	"	19	"	Carolina	Ditto	Ditto	"	420	399‡	397
153	"	20	"	Messenger	Ditto	Ditto	"	353	244||	117
154	"	21	"	Ceres	Ditto	Ditto	"	379	128	128
155	"	22	"	Emelia	Ditto	Ditto	"	486	435	435
156	"	23	"	Santa Jago	Ditto	Ditto	"	209	148	148
								5,625	4,777	4,612

REMARKS.

Total number of slaves emancipated, and registered, between June 1819, and January 1829 - - - - - 15,439
 Total number of slaves landed at Fernando Po, in 1828, as per last return, and not registered here - - - - - 672
 Total number of slaves emancipated, between 1st January 1829, and 1st January 1830, of which number 161 slaves were landed at Fernando Po, and 4 died before registration - - - - - 4,777
 Total number of slaves emancipated, between June 1819, and 1st January 1830 - - - - - 20,888
 out of which number deduct, for the reasons already assigned in the above remarks - - - - - 837
 Total number registered up to this date - - - - - 20,951

*Two of these died before registration.
 †Of these, 34 were landed at Fernando Po, and are, therefore, not registered here.
 ‡Two of these died before registration.
 ||Of these, 127 were landed at Fernando Po, and are, therefore, not registered here.

(Signed) THOS. COLE, Acting Registrar.

A. F. EVANS.
 WM. SMITH.

(Signed)

No. 4.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to transmit, herewith, a certified copy of the return of slaves, registered by the Courts of Mixed Commission in this colony, from the 5th of July 1829, to this date.

1,463 slaves were emancipated and registered, none having died, during the last half year, between the period of emancipation and registration.

We have, &c.

(Signed)

A. F. EVANS.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 4. (*Abstract.*)

Register of Slaves Emancipated, from July 5, 1829, to January 5, 1830.

NAME OF VESSEL.	NUMBER REGISTERED.
Clarita	201
Emelia	435
Ceres	128
Santa Jago	148
Octavio	335
Cristina	216
Total . . .	1,463

(Signed)

THOS. COLE, Acting Registrar.

No. 5.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 23, 1830.

WE have the honour to report to your Lordship, the arrival in this harbour, on the 21st instant, of a brig, named "*La Louise*," commanded by Yves Perrein, which had been detained by His Majesty's ship "*Atholl*," Captain Alexander Gordon, on the 31st ultimo, in lat. $0^{\circ} 9' N.$, long. $8^{\circ} 27' E.$, sailing under the white flag, belonging, and bound to Martinique, with a cargo of 226 slaves on board, who had been shipped in the River Old Calabar. Captain Gordon detained her for being Dutch property, covered by fraudulent French papers.

Mr. Smith saw Captain Gordon's declaration, setting forth the above particulars, in the hands of his Proctor; but no attempt was made to bring her into the British and Netherland Mixed Court of Justice.

This morning "*La Louise*" is not to be seen.

On a private investigation here, it was found to be impossible to substantiate her Dutch character; she was, therefore, delivered up by Lieutenant Ramsay, the Officer in charge, to her Master, and clandestinely left this harbour, last night.

We have, &c.

(Signed)

AL. ML. FRASER.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 6.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, March 22, 1830.

THE number of lamented deaths, which occurred amongst the British Members of the Mixed Commissions, stationed in this colony, during the last awful rainy season, from an epidemic fever, induces an anxiety, on my part, to obtain your Lordship's sanction to quit this place, during the fatal months of June, July, and August.

It is now ascertained, that that epidemic arose, not from any cause in the colony, but had its origin in a large tract of swampy, uncultivated land on the continent opposite thereto, and in its immediate vicinity; thus rendering it extremely probable, that each succeeding rainy season may bring on similar disastrous results.

I have, therefore, most respectfully to solicit your Lordship's favourable consideration of my request, that your Lordship will be pleased to grant me conditional permission to leave this colony during the aforesaid months, in the present, and in each ensuing, year, should my medical adviser urge the danger of remaining here.

I have the honour, &c.

(Signed)

WM. SMITH.

The Right Hon. The Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 7.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

(Extract.)

Sierra Leone, April 27, 1830.

LIEUTENANT-COLONEL FINDLAY, who was sworn into office as His Majesty's Commissary Judge, *ad interim*, yesterday, administered to Mr. Lewis the duly appointed oaths of his office of Registrar, and that gentleman forthwith entered upon the duties thereof.

I trust that, in a very short time, His Majesty's Commissioners will be enabled to report to your Lordship, the adjudication of the cases (10 in number) now pending before the Courts of Mixed Commissions, as the whole of them, with one exception, appear to be clear cases for condemnation.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 8.

The Earl of Aberdeen to W. Smith Esq.

SIR,

Foreign Office, July 2, 1830.

I HAVE received your letter of the 22d of March, 1830, representing the generally unhealthy state of the colony of Sierra Leone, during the months of June, July, and August, and soliciting conditional permission to leave the colony, during those months, in the present, and in each succeeding, year, should your medical adviser urge the danger of your remaining at Sierra Leone during that unhealthy period.

Taking these circumstances into consideration, as well as the constancy with which you have remained at your post, and the zeal with which you have discharged the duties, which have there devolved upon you, I do not hesitate to comply with your request, persuaded that you will not avail yourself of the leave, except in the really urgent case, which is contemplated in your application.

I am, &c.

(Signed)

ABERDEEN.

W. Smith, Esq.

No. 9.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Aug. 17.)

MY LORD,

Sierra Leone, June 15, 1830.

A REPORT has, within these last 2 days, reached this colony, upon unquestionable authority, that there are, at the present moment, no less than 2 vessels, under the French flag, in the Rio Nunez, and 6 vessels, some under French, and some under Spanish, flags, in the Rio Pongos, slaving in those rivers.

At the time the person, who brought this intelligence, left the former river, (about 10 days ago) the 2 vessels, slaving therein, were shipping their cargoes, and our informant anticipates that, by the present time, the vessels in question have either sailed, or are ready to do so.

It is with great regret we submit this report to your Lordship, as the vicinity of those rivers to this must be extremely prejudicial to the commerce of the British trader, who resorts thither for the purchase of hides, ivory, wax, and palm-oil:—and we lament to state that, whilst the natives are excited by slave-dealers to furnish them with a human cargo, those natives are so infatuated with that trade, and with the large profits they thereby obtain, that no inducement, that will allow of profit to parties offering it, will tempt them to turn their attention to the procuration of such articles, as the British trader can lawfully purchase.—In addition to this, the greater the number of slavers in those rivers, the greater the demand for rice and palm-oil, for the food of the slaves; and as slavers also purchase ivory, the three staple articles of the produce of those rivers thus become monopolized by the illicit traffickers, as the natives will ever give the preference, in the sale of those articles of lawful commerce, to parties who purchase their slaves.

Captain Webb, of His Majesty's ship "Medina," during the time that ship was lying here, in the beginning of last month, dispatched 2 boats to the Rio Pongos, for the purpose of examining that river. After an absence of some days, they returned, having found only 2 vessels therein—one French, evidently slaving, and 1 American; a Spanish schooner had left a few days previous to that visit, with a full cargo of slaves, which vessel it was the particular object of Captain Webb to detain.

It is evident that the slave-trade is considerably increasing in those rivers, as 4 vessels had arrived in the Rio Pongos, for the purpose of slaving, within the short space of 3 weeks, that being the elapsed time, between the visit of the boats of His Majesty's ship "Medina," and our informants leaving that river.

The activity which is displayed by slavers, in the bights of Benin and Biafra, engrosses so much of the attention of His Majesty's squadron there, in order to suppress the illicit traffick, that the coast and rivers about Sierra Leone must, unavoidably, at times, be left open to the influence and operations of the slave-dealer.

We are, therefore, of opinion, that if a small vessel, a cutter or a schooner, commissioned by the Lords of the Admiralty, and furnished with the necessary instructions, under the command of a Lieutenant of His Majesty's navy, but subject to the direction of the Governor of this colony, could, consistently with the Treaties between Great Britain and Foreign Powers for the repression of the slave-trade, be stationed here, the different reports, which, from time to time, reach this colony, might be advantageously acted upon, and the slave-trade in the above named rivers, and at the Galinas, where it continues to be unremittingly carried on, would, we confidently anticipate, be greatly reduced. Such reduction would be effected by the vessel, so commissioned, either capturing ships with slaves on board, or by creating such fear in the delinquent parties, from her being constantly in the neighbourhood, as would deter them from venturing, in such numbers at least as they now do, to carry on that traffick.

The present system pursued to suppress the slave-trade, so long as Great Britain continues to be the only Power, zealously endeavouring to effect that humane measure, will, we apprehend, never accomplish that much desired object. Slavers are continually making successful voyages, and returning to the same places for fresh cargoes: thus, whilst this system is continued, and it does not appear possible, under existing circumstances, materially to alter it, the natives of Africa will not believe, that the slave-trade can ever be repressed, and eagerly seek the opportunity to sell their fellow man. By success in this pursuit, they easily obtain their luxuries and comforts,—consequently will not exert themselves in cultivating the natural products of their country, which require manual labour, a labour, which, unfortunately, an African will avoid by every means, short of starvation; the slave-trade to him, being an easy source of profit, requiring no labour, is, as such, an easy source of pleasure also.

Whilst such habits continue to predominate in the African, and so long as his prejudices are fostered, and comforts and luxuries supplied to him by slave-dealers, we cannot but think, that the abolition of the slave-trade, and the consequent civilization of Africa, are measures, which afford little hope of ultimate success.

We have the honour to be, &c.

(Signed)

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

ALEX. FINDLAY.
WM. SMITH.

No. 10.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August 31, 1830.

I HAVE caused communication to be made to the Admiralty, from time to time, of the several despatches, which I have received from you, respecting the movements of vessels, suspected to be intended for illegal slave-trade.

The Lords of the Admiralty have stated to me, that it is hardly possible, that information of this nature can be sent from hence to the African squadron, in time to be of any use; and their Lordships have suggested, that the Commissioners should be directed to endeavour to convey, whenever any direct opportunity may offer, such intelligence, addressed to any of His Majesty's Officers on the other side of the Atlantic.

It appears to me to be probable, that such a course would be attended with benefit to the service, on which you are engaged; and I have, therefore, to direct, that you will comply with the suggestion, which has been thrown out by the Admiralty.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

No. 11.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Sept. 24.)

MY LORD,

Sierra Leone, July 5, 1830.

WE have the honour to transmit, enclosed, to your Lordship, a certified copy of the list of slaves, registered by the Courts of Mixed Commissions, established in this colony, from the 5th of January last, to the 5th instant.

By that list your Lordship will perceive, that the number of slaves emancipated amounted to 2,249, but the number of those, who were registered, amounted only to 2,235.

The deficiency in the number registered, arose in consequence of 4 having died, and 10 having absconded from the charge of the Liberated African Department, after they were emancipated, but before their descriptions could be taken to be registered.

We have the honour to be, &c.

(Signed) ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 11. (Abstract.)

Register of Slaves Emancipated, from January 5th, to July 5th, 1830.

NAME OF VESSEL.	Number Registered.	Number Died before Registration, but Emancipated.	Number Emancipated.
Tentadora - - - -	320	"	320
Emilia - - - - -	148	"	148
Emilia - - - - -	128	"	128
Nao Lendia - - - -	159	"	159
Maria de la Concepcion	79	"	79
Manzanares - - - -	348	1	349
Altimara - - - - -	185*	3	198
Nossa Senhora da Guia	238	"	238
Primeira Rosalia - -	242	"	242
Umbelino - - - - -	163	"	163
Nova Resolucao - - -	42	"	42
Loreta or Coruñera - -	183	"	183
Total - - - - -	2,235	4	2,249

(Memorandum.)—Number Registered up to January 5, 1830 - - - - - 20,051
 " " from January 5, to July 5, 1830 - - - - - 2,235
 Total - - - - - 22,286

* In consequence of 10 men having run away, after their emancipation, from the Hospital at Kissy, where they were placed in charge of the Liberated African Department, their descriptions and names could not be obtained for insertion in the Register.

(Signed) WALTER W. LEWIS Registrar.

No. 12.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Oct. 10.)

MY LORD,

Sierra Leone, July 13, 1830.

WE have the honour to report to your Lordship the following circumstances, relating to the case of a vessel, named the "*Nossa Senhora da Guia*," seized in this harbour on the 5th ult., by the Collector of Customs, for being fitted out and equipped, in this colony, for the slave-trade, contrary to the Act of the 5th Geo. IV. cap. 113; and which said vessel was condemned in the Vice Admiralty Court, established here, on the 30th ult.

The "*Nossa Senhora da Guia*," originally a Brazilian vessel, was captured by the "*Dallas*," a tender to His Majesty's ship "*Sybill*," for being engaged in the illicit traffick in slaves, having then on board a cargo of negroes; and she was condemned, by the British and Brazilian Court of Mixed Commission, as lawful prize to the Crowns of Great Britain and Brazil, on the 13th of May last, as reported to your Lordship in our despatch, marked Brazils, of the 15th of that month.

The "*Nossa Senhora da Guia*" was accordingly sold by publick auction, and was purchased by Mr. Thomas Harrison Parker, late one of the Commissioners of Appraisement and Sale to the Courts of Mixed Commissions.

Previously, however, to Mr. Barber, the present Commissioner of Appraisement and Sale, completing the bill of sale of this vessel, Mr. Parker requested, that, as he had purchased the vessel for a Spaniard, named Salvador Lorens, the bill of sale might be made out in the name of the latter person, for whose account Mr. Parker said he had actually bought her. A copy of Mr. Barber's letter of explanation on this subject, we beg to enclose.

The bill of sale was, therefore, made out in Salvador Lorens' name; that person immediately took possession of the "*Nossa Senhora da Guia*," and, considering the conversion of the property complete, displayed the Spanish flag on board of her.

Mr. Parker also purchased, at publick auction, for the same Salvador Lorens, many leagers and other casks, which had been taken out of vessels condemned in the Courts of Mixed Commissions; and these leagers, and other casks, were shipped on board the "*Nossa Senhora da Guia*."

It now becomes necessary for us to acquaint your Lordship, that Salvador Lorens belonged to the Spanish schooner "*Maria de la Concepcion*," which vessel was captured by His Majesty's ship "*Primrose*," in the Rio Pongos, with 79 slaves on board, on the 24th of March last, and condemned, in the British and Spanish Court of Mixed Commission, on the following 11th of May. The character, therefore, of that man, the shipment of so large a number of water-casks, together with its being publickly known, that he had but lately returned to this colony from the Galinas, as notorious a place for Spaniards to carry on the slave-trade as Whydah, on the leeward coast, is for Brazilians to carry on that traffick, naturally raised strong suspicions of the object to which he was about to apply: the "*Nossa Senhora da Guia*."

These suspicions were further heightened by reports, which have at times reached this colony, that several vessels, that had been sold under decrees of the Courts of Mixed Commissions, and purchased by foreigners, had been, immediately after quitting this, employed in the slave-trade. The capture of 1 vessel, under such circumstances, the Portuguese Brig "*Hosse*," condemned on the 24th of June 1829, afforded proof that those reports were not totally unfounded.

The Collector, therefore, closely watched Salvador Lorens' actions, allowed him to complete his preparations, and cleared out the "*Nossa Senhora da Guia*" for Cuba, on the 4th ult., but early on the morning of the next day, and just before she was about to leave this port, the Collector went on board, and, after a strict search, found she had on board nearly 4,500 gallons of fresh water, with casks capable of containing 1,200 more, and concealed in the run, some slave leg and neck irons, and chains. The Collector thereupon seized the "*Nossa Senhora da Guia*," and prosecuted her to condemnation, in the Vice Admiralty Court, under the 4th section of the "Act to amend and consolidate the laws relating to the abolition of the slave-trade."

It is with regret we acquaint your Lordship, that amongst the British subjects in this colony—a colony specially formed for the suppression of the slave-trade—men were readily found, who, unblushingly, and with the greatest effrontery, stepped forward to advocate and defend the cause of the "*Nossa Senhora da Guia*," notwithstanding the very suspicious character of her Owner and Master, Salvador Lorens, and the actual proofs against her. The Advocate who conducted the Claimant's case, in his anxious desire to exculpate these unlawful proceedings, endeavoured to criminate the Officers of the Courts of Mixed Commissions, by charging them with having left the slave-irons on board of the "*Nossa Senhora da Guia*." This charge was, however, most satisfactorily met and rebutted, upon oath, by the Marshal to the British and Brazilian Court of Mixed Commission (Mr. Lake), whom the Claimant in his defence produced as a witness to prove that particular point.

Salvador Lorens, after he was brought to this colony in the "*Maria de la Concepcion*," left that vessel to her fate, and made the best of his way to the Galinas. At the Galinas he obtained, from a Spaniard, of the name of Pedro Blanco, a notorious slave-dealer there, an order on Mr. Parker for 1,000 dol-

lars; which order is drawn out in the handwriting of Mr Parker's clerk, a black man, named James Smith, who was at that time, as he has frequently been of late, at the Galinas. The order in question was accepted by Mr. Parker, and the amount was applied by him to purchase, for Salvador Lorens, the "*Nossa Senhora da Guia*," and the casks, &c. found on board of her; and for which agency he has charged Salvador Lorens 10 per cent. commission.

The Lieutenant-Governor judged it proper, under these circumstances, immediately to remove Mr. Parker from the office of joint Stipendiary Police Magistrate, which situation he had held for about 12 months past.

The King's Advocate has also had Mr. Parker examined on the charge, which he (the King's Advocate) has, *ex officio*, brought against him, under the 10th section of the Act of the 5th Geo. IV, cap. 113, for being an agent, employed in accomplishing objects and contracts, which have been therein declared unlawful; and Mr. Parker is now at large, on bail to meet the indictment, which, on the above grounds, the King's Advocate will prefer against him at the next ensuing Quarter Sessions of Oyer and Terminer.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 12.

Mr. Barber to W. W. Lewis, Esq.

SIR,

Sierra Leone, July 10, 1830.

IN reply to your application to ascertain, how it occurs, that the name of the purchaser of the "*Nossa Senhora da Guia*" in the account sales, is not the same as that inserted in the bill of sale, both made out by me; Mr. Parker was the purchaser at the auction, and he paid me for the vessel, requesting me to fill up the name in the bill of sale, of Salvador Lorens, of Cuba, whose agent it appears he was on the day of sale. I was not furnished with the name of Salvador Lorens for some days, and, I believe, not until the accounts had been sent in to you for examination.

I remain, &c.

(Signed)

T. H. BARBER,

Commissioner of Appraisement and Sale
to the Courts of Mixed Commissions.

Walter W. Lewis, Esq. Registrar.

No. 13.

Sir G. Shee to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 9, 1830.

YOUR despatch of the 15th of May, on the mortality stated to occur among the slaves of captured vessels, on their passage to Sierra Leone, was communicated to the Admiralty; and I have now to transmit to you, for your information, the accompanying copy of the answer, which has been returned to that communication, stating, that directions have been given to the Officers commanding ships, making captures of slave-vessels with a large number of slaves on board, to send, whenever it may be practicable, a medical man in such vessels to Sierra Leone.

I am, &c.

His Majesty's Commissioners.

(Signed) G. SHEE.

Enclosure in No. 13.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, November 18, 1830.

HAVING laid before my Lords Commissioners of the Admiralty, your letter of the 31st of August last, relative to the mortality, which is stated to occur among the slaves of captured vessels, on

their passage to Sierra Leone; I am commanded by their Lordships to acquaint you, for the information of the Earl of Aberdeen, that their Lordships have ordered copies of your letter, and its enclosures, to be transmitted to the Officer commanding His Majesty's ships on the Western Coast of Africa, with directions to him to give orders, that when it is in the power of the Officers commanding ships, making capture of slave-vessels with a large number of slaves on board, a medical man shall be sent in such vessel; but the small number of medical officers on board His Majesty's ships, renders it unlikely that this can be often done; their Lordships, however, consider, that so soon as the Mixed Commission is removed from Sierra Leone to Fernando Po, the necessity of the measure will be entirely removed.

I am, &c.

(Signed)

JOHN BARROW:

John Backhouse, Esq.
&c. &c. &c.

No. 14.

His Majesty's Commissioner's to the Earl of Aberdeen.—(Received Dec. 16.)

MY LORD,

Sierra Leone, September 21, 1830.

IN making our report to your Lordship, upon the state of the slave-trade in the vicinity of this colony, under date of the 15th of June last, we drew your Lordship's attention to some facts connected therewith, which this despatch, we think, will illustrate and confirm.

No diminution in the traffick in slaves, within the sphere of our own personal observation, has taken place; and painful as it will probably be to His Majesty's Government, and to the friends of the African race, to learn that fact, we must again state to your Lordship our conviction, that that traffick is considerably increasing. In this immediate neighbourhood, the slave-trade is now carried on to an unprecedented extent, under the flags of France and Spain; and it is a prevailing opinion here, that that trade would be increased to an inconceivable degree, if the Courts of Mixed Commissions were not placed so near the scene of such slaver's iniquitous transactions; which operates, in some measure, as a check upon them.

Notwithstanding Brazil has declared the carrying on of the slave-trade, by her subjects, to be piracy, we have information, that Brazilian vessels are continuing, in defiance thereof, that unlawful commerce. In proof of which; we beg to subjoin the following extract from a letter, written from the Rio Nunez by a British merchant, addressed to a gentleman here, who has permitted us to use the same, for your Lordship's information.

"Rio Nunez, August 28, 1830.

"We are cut up in both rivers (Pongos and Nunez) with slavers, French, Spanish, and Brazilian, which materially injures our trade. I hope the new Commodore (Captain Hayes) will remedy this."

We have requested to be informed of the names of, and other circumstances relating to, the vessels so engaged, particularly Brazilian; and if we can be furnished therewith, we shall immediately transmit the information obtained to your Lordship.

The injury to the British trader, which is spoken of in the extract from the letter, which we have given, arises from the causes with which we have previously acquainted your Lordship, viz. the unfortunate infatuation of the African in favour of the slave-trade, and so long as that trade is continued in places where the British merchant resorts for legitimate commerce, he will always be "cut up" by the slaver.

The Galinas to the southward of this colony, has often been reported to your Lordship as a most notorious, as well as a productive, slave port. It still maintains, undiminished, that character. Many vessels, principally Spaniards, are reported to us to be there, at the present time, awaiting cargoes of slaves; and we apprehend, from the want of a cruiser on this part of the coast, they will succeed in safely effecting their object.

Four vessels, under the white flag, were, last month, also waiting for cargoes of slaves at the Plaintain Islands, about 15 miles from, and within sight of, the Bannanas, one of the dependencies of this colony. They were all obliged, from stress of weather, to quit the Plaintains, and 2 of them ran for

shelter under the lee of the Bannanas, where they remained some days, until the boisterous weather abated, and then returned to their original anchorage.

The Master of one of the said vessels went on shore at the Bannanas, and saw the Manager of the liberated Africans stationed on those islands, (Mr. Frederic Campbell) to whom he openly confessed the nature and object of his slaving-voyage; that his 3 consorts were similarly engaged; and that they all expected, very shortly, to get their slaves from the River Sherbro', (near which river the Plainain Islands are situated) as they had each contracted with the natives thereof for their cargoes.

The same person also informed Mr. Campbell, that 25 vessels were fitting out at Nantz when he left France, with the intention of pursuing the same trade in which he himself was engaged.

Without placing reliance upon the latter part of the information thus obtained, we think it will appear clear to your Lordship, that French vessels, or vessels protected by the flag of France, in great numbers, still continue the slave-trade; and we regret our inability to put your Lordship in possession of the names of the before-mentioned 4 vessels, employed in that traffick, the names of their masters, or of the ports in France, or in her colonies, from whence they severally sailed; so that they might, should it have met your Lordship's approval, be denounced to the French Government. But of the fact, as we have stated it, we pledge ourselves to your Lordship.

It thus appears that slavers to the northward, and slavers to the southward, of this colony, continue to exercise unremitting and unceasing exertions in their unlawful pursuits,—pursuits that, we fear, will still continue to elude the vigilance of the British Government.

We are much concerned to observe, that the boundary from this colony, outside of which the slave-trade has, more or less, been constantly carried on, is becoming daily contracted in its circumference. In the neighbourhood of Sierra Leone there are no cruizers,—it has no armed colonial vessel,—there is nothing to intimidate slavers from carrying on their traffick in all directions, close around it. That trade, in fact, is now raging on the very confines of this settlement, reviving those favourable feelings towards that demoralizing traffick, amongst the people of the surrounding countries, which we had hoped had been effectually suppressed, by the liberal encouragement that has been given to them, by the British trader, to pursue other commerce than that of their fellow-creatures. The slave-trade is also spreading wide its baneful influence into the very heart of this colony, and in progress of utterly destroying the little moral influence, that the Christian Religion, after years of labour, may have implanted in the liberated African.

Four liberated Africans are now in gaol, to take their trial, at the next ensuing sessions, for selling some of their liberated brethren into slavery;—an American settler, brought here in 1817, by Paul Cuffee, is also in gaol, to take his trial at the same time, for slave-trading.

The means to controul this growing evil, and to which we took the liberty of drawing your Lordship's attention, in our despatch, of the 15th of June last, still appear to us to be greatly called for,—that of stationing a small vessel of war always here, to be commanded by a Lieutenant of His Majesty's navy, but subject to the direction of the Governor of this Colony, and duly furnished with the signed instructions, according to the several Treaties for the repression of the slave-trade, by the Lords Commissioners of the Admiralty.

Although that measure would afford but a partial remedy, yet it is to be hoped that some good would result from it, in at least restraining the very great extent, to which the slave-trade is now carried on in the vicinity of this colony.

We are of opinion that if the whole of the British squadron, now stationed on this coast, were to pay its undivided attention to the rivers and places about Sierra Leone, the slave-trade therein could not be effectually suppressed. Out of the many vessels employed in that traffick, some would, doubtless, escape, and thus afford encouragement to other slavers to persevere, in hopes of being alike fortunate. But if the slavers were driven therefrom,

those slavers would readily change the scene of their operations, to the coast to leeward, in the Bights of Benin and Biafra, and, most probably, they would be as successful down there as they are now up here.

If we were to estimate the total number of slaves exported from the western coast of Africa, by the few vessels engaged in the illicit traffick, which have of late been captured, to the eastward of Cape Palmas, by the whole of His Majesty's squadron collectively, we should hazard the opinion, and we think justly, that the number of slaves exported from this part of Africa, say from Cape Palmas to Cape Roxo, is now fully as great as the number at present exported from the Bights of Benin and Biafra. Comparatively speaking, only a few Spanish vessels, engaged in the slave-trade, actually go to the latter places, the greater number, by far, come for their cargoes to Bassa, Pequena Bassa, the Galinas, Rio Nunez, Rio Pongos, and other places, all to the westward of Cape Palmas, and within 1 or 200 miles, either way, of this colony. It is no true criterion to judge of the actual destination of Spanish slave-vessels, because they clear out, from the Havana, and other ports of Cuba, for the islands of Princes and St. Thomas, for each vessel, under the Spanish flag, that has this year been captured off the Galinas, and the Rio Pongos, had cleared out for those islands. His Majesty's Commissioner at the Havana, in 1829, reported to your Lordship, that "the Galinas is the most noted of all the slave-trading depôts in Africa, and that Mandingo slaves are particularly esteemed." Mandingo slaves are only to be obtained to the northward of this colony; we think, therefore, that, from what we have now had the honour to lay before your Lordship, we are warranted in entertaining such opinion.

There would, then, appear at present, we regret to say, but little likelihood of the slave-trade ever being completely suppressed, by the present restrictive measures, employed to prevent that traffick, which are totally inadequate to effect so desirable an object.

To suppress the slave-trade, as at present carried on, with any degree of effect, a naval force, sufficiently increased to allow of many fast-sailing vessels, to be constantly cruising between the River Gambia and Cape Palmas, (which part of this coast is only visited at distant periods by a vessel of war, owing to the slave-trade in the Bights of Benin and Biafra, occupying the attention of all the squadron) is, in our opinion, absolutely required. This, together with the consent of the Foreign Powers, who have entered into Treaties for the suppression of the slave-trade, but whose subjects still continue to carry on that traffick, to permit Great Britain to seize and condemn vessels under their flags, if found fitted and equipped for the slave-trade, as such fitting and equipment can never be required for lawful commerce, would render the risk of loss, and consequent ruin, so great to the unlawful slave-trader, as would, we should hope, in a short time, most considerably diminish that traffick. The flag of France would then be the only resort of slave-traders to cover their nefarious transactions; and in that case, we trust, the French Government would concede to Great Britain, the right of search over vessels on this coast, bearing her flag, and that, if found similarly circumstanced in carrying on the slave-trade, to the vessels of the other Foreign Powers, similar penalties should ensue.

The friends of humanity might then look forward with hope, to no very distant period, for the result of their arduous exertions being rewarded, by an extinction of the unlawful exportation of Africans from their native country. Until, however, the aforesaid measures, or measures equally effectual, are applied to put a stop to the slave-trade, we see no hope of its repression.

We have the honour to be, &c.

Signed ALEX. FINDLAY,
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No 15.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 23, 1830.

I HEREWITH transmit to you, for your information, 3 copies of an extract from instructions prepared for the guidance of the Slave-trade Restriction Commissions, and of which instructions copies will be distributed, under the directions of the Lords Commissioners of the Admiralty, to the Commanders of His Majesty's ships and vessels, employed on the several naval stations for the suppression of illegal slave-trade.

I am, &c.

His Majesty's Commissioners.

(Signed) PALMERSTON.

Enclosure in No. 15.

Extracts from the Regulations, for the Guidance of the Commissions appointed for carrying into effect the Treaties for the Abolition of the Slave-trade.

THESE Commissions are framed in pursuance of the following Treaties between His Britannick Majesty, and His Most Faithful Majesty the King of Portugal, His Catholick Majesty the King of Spain, and His Majesty the King of the Netherlands.

The Treaty with Portugal was made on the 28th July 1817, and Ratifications were exchanged at Rio Janeiro on the 27th November 1817.

The Treaty with Spain was made on the 23d September 1817, and Ratifications exchanged at Madrid on the 22d November 1817.

The Treaty with the King of the Netherlands was made the 4th May 1818, and Ratifications exchanged at the Hague on the 25th May 1818.

It may not, in the first place, be improper to take a short review of these Treaties, as they regard the illicit traffick in slaves.

The Treaties between this Country and Portugal, and Spain, and the Acts of Parliament for carrying those Treaties into effect, declare illicit, all traffick in slaves by British ships;—all traffick in slaves by Portuguese or Spanish ships in parts therein specified, and all such traffick in other parts, by Portuguese or Spanish ships, for account of the subjects of any other Government, or bound for any port, not in the dominions of the Sovereign to which the ship may belong.

By the Treaty with the King of the Netherlands, that Sovereign engages within 8 months, or sooner if possible, from the exchange of the Ratifications, to prohibit all his subjects, in the most effectual manner, and especially by penal law the most formal, to take any part whatever in the trade of slaves; and in the event of the measures already taken by the British Government, and to be taken by that of the Netherlands, being found ineffectual or insufficient, the High Contracting Parties mutually engage to adopt such further measures, by legal provision or otherwise, as may, from time to time, appear best calculated to prevent all their respective subjects from taking any share whatever in this nefarious traffick.

It is expressly stipulated by all the High Contracting Powers, that no vessels shall be detained, but those having slaves actually on board: * that they are to be carried as soon as possible for judgment to the nearest place, where one of the Mixed Commissions is sitting, or which the captor thinks he can soonest reach from the spot where the slave-ship shall have been detained; and no cruiser is legally authorized to detain any vessel, unless such cruiser forms part of the British, Portuguese, Spanish, or Netherland Royal Navies, and is furnished with the special instructions, pointed out in the Treaties, for visiting merchant vessels suspected of having slaves on board; the visitation and search are directed to be done in the most mild manner; and in no case is the search to be made by an Officer holding rank inferior to that of Lieutenant in the British, Portuguese, or Netherland Royal Navies; or of Ensign of a ship of the line in the Spanish Navy.

By the Treaty with Spain, it is declared to be illegal at present, for any Spanish subject to carry on the slave-trade, on any part of the coast of Africa, North of the Equator, upon any pretext, or in any manner whatever; and His Catholick Majesty engages that the slave-trade shall be abolished, throughout the entire dominions of Spain, on the 30th May 1820, and after that period it shall not be lawful for any Spanish subject to purchase slaves, or carry on the slave-trade; but the same is then to cease entirely. A term, however, of 5 months, from the said 30th May 1820, is allowed for completing the voyages of those vessels, which shall have cleared out lawfully previous to the said 30th May 1820.

By the Separate Article to the Additional Convention with Portugal, dated London, 11th September, 1817, it is stipulated, that as soon as the total abolition of the slave-trade, for the subjects of the Crown of Portugal, shall have taken place, the two High Contracting Parties agree to adapt, to that state of circumstances, the stipulations of the said Convention, dated 28th July 1817; but in

* N. B. This stipulation has been qualified by subsequent Conventions. Vide the Act 5. Geo. 4, cap 113, pages 1152, 1176, 1186, 1187, and 1188.

default of such alterations, the Additional Convention of that date shall remain in force, until the expiration of 15 years, from the day on which the general abolition of the slave-trade shall so take place, on the part of the Portuguese Government.

All traffick in slaves by the Portuguese, to the northward of the Equator, is prohibited, and the only trading in slaves to the south of the Equator, which is at present allowed to the Portuguese, by the Treaty or Convention of 28th July, 1817, is limited to the territories, possessed by the Crown of Portugal, upon the coast of Africa; viz. the territory lying between Cape Delgado Bay, and the Bay of Laurenco Marques, upon the eastern coast of Africa; and, upon the western coast, all the territory which is situated from the 8th to the 18th degree of south latitude.

By the 2d Article of the Treaty it is declared, that the territories over which the King of Portugal has retained the rights of sovereignty, on the coast of Africa, south of the Equator, are those of Molembo and Cabinda, upon the eastern coast, from the 5th degree 12; to the 8th degree south. This must be an error, as those places are on the western coast of Africa.

Every Portuguese or Spanish vessel engaged in this trade, must be provided with a Royal Passport permitting such traffick.

The Mixed Commissions are to consist of two Commissary Judges, and two Commissioners of Arbitration; one of each to be named by His Britannick Majesty, and the others by the Kings of Portugal and Spain, as they shall be established in their respective dominions. To each Commission is to be attached a Secretary or Registrar, whose appointment is vested in the Sovereign of the country in which the Commission may reside, and the proceedings under the Commissions are to be written down in the language of the country where the same may be respectively established.

The British Government has undertaken to indemnify the proprietors of all Portuguese vessels improperly detained after the 1st of July 1814; but no claim for compensation can be admitted, for a larger number of slaves than was permitted according to the rate of tonnage of the vessel captured; and the individuals having a just claim, are to be paid the same within the space of a year, at farthest, from the decision of each case.

It has been before observed, that no vessels are legally liable to be captured, but those having slaves actually on board for the express purpose of the traffick; so that a vessel having negro servants or sailors on board, is not for that reason to be detained; and no merchantman or slave-ship is to be visited or detained, whilst in the port or roadstead belonging to either of the High Contracting Powers, or within cannon-shot of the batteries on shore, excepting on the Continent of Africa, north of the Equator; but no slave-ship, either Portuguese or Spanish, is to be elsewhere detained near the land, or even on the high seas, south of the Equator, unless after a chase, which shall have commenced north of the Equator; and if any vessel be detained south of the Equator, the proof as to the illegality of the voyage is to be exhibited by the Captor; and in all cases of slave-ships detained to the north of the Equator, the proof of the legality of the voyage is to be furnished by the vessel so detained.

It is stipulated, that notwithstanding the number of slaves found on board any vessel may not agree with the number contained in the passport, yet that shall not be a sufficient reason to justify the detention of the ship.

When a slave-ship shall be detained, the Master thereof, and a part at least of the crew are to be left on board, and the Captor is directed to draw up in writing, an authentick declaration, which shall exhibit the state in which he found the detained ship, and the changes which may have taken place in it; and to deliver to the Master of the slave-ship, a signed certificate of the papers seized on board such detained vessel, as well as the number of slaves found on board. None of the slaves are to be disembarked, till after the vessel shall have arrived at the place where the legality of the capture is to be tried, unless urgent motives, deduced from the length of the voyage, the state of health of the negroes, or other causes, should make a disembarkation (entirely or in part) necessary before the vessel's arrival: the Commander of the capturing ship, however, takes upon himself the responsibility of such disembarkation, and the necessity thereof must be stated in a certificate, in proper form, and the following are considered as proper declarations or certificates, to be used as circumstances may arise.

Form of Declaration of the State of the Vessel at the time of Capture.

I _____ Commander of His Britannick Majesty's ship _____ hereby declare, that on this _____ day of _____ being in or about latitude _____ longitude _____ I detained the ship or vessel, named the _____ sailing under _____ colours, armed with _____ guns _____ pounders, commanded by _____ who declared her to be bound from _____ to _____ with a crew consisting of _____ men _____ boys _____ supercargo _____ passengers, whose names, as declared by them respectively, are inserted in a list at foot hereof, and having on board _____ slaves, said to have been taken on board at _____ on the _____ day of _____ and are enumerated as follows, viz.

	HEALTHY.	SICKLY.
Men		
Women		
Boys		
Girls		

I do further declare that the said ship or vessel appeared [or not] to be seaworthy, and was [or not] supplied with a sufficient stock of water [or not] and provisions for the support of the said negroes and crew, on their destined voyage to

I do further declare

[Here insert any observations on the state and condition of the ship, crew, and slaves, which may appear important to notice, and record.]

To be witnessed by two Officers, of whom the Surgeon to be one, if on board.

Form of Certificate to be given to the Master of a Vessel captured.

I _____ Commander of His Britannick Majesty's ship _____ hereby certify, that on this _____ day of _____ being in or about latitude _____ longitude _____ I detained the ship or vessel, named the _____ sailing under _____ colours, armed with _____ guns, _____ pounders, commanded by _____ who declared her to be bound from _____ to _____ with a crew consisting of _____ men _____ boys _____ supercargo _____ passengers, and having on board _____ slaves, viz.

	HEALTHY.	SICKLY.
Men		
Women . .		
Boys		
Girls		

and that the papers and documents seized by me, on board the said ship or vessel, being marked from No. 1. to No. _____ are enumerated in the following list :

[Here the List is to follow.]

Form of Certificate of the necessity of Disembarking Slaves from a Captured Vessel.

I _____ Commander of His Britannick Majesty's ship _____ hereby certify, that on the _____ day of _____ being in or about latitude _____ longitude _____ I detained the ship or vessel, named the _____ sailing under _____ colours, armed with _____ guns, _____ pounders, commanded by _____ who declared her to be bound from _____ to _____ with a crew consisting of _____ men _____ boys _____ supercargo _____ passengers, and having on board _____ slaves, viz.

	HEALTHY.	SICKLY.
Men		
Women . .		
Boys		
Girls		

I do further declare, that finding it necessary to disembark _____ of the said slaves before the vessel could arrive at _____ to which place it was my intention to send her for adjudication, on account of

[Here insert the cause, such as there not being a sufficient quantity of provisions, or any other circumstance, to justify the disembarkation.]

I did on the _____ day of _____ disembark _____ of the said slaves at _____ where they remained

To be witnessed by two Officers.

The following is recommended as a Form of Proceeding for the guidance of the Commissioners and Registrar, being assimilated, as near as can be, to the proceedings of the High Court of Admiralty; and with the view of making the subject more intelligible, the case of a Portuguese vessel is supposed to be captured by His Britannick Majesty's ship-of-war "Confiance," and carried to Sierra Leone.

The first step to be taken on the part of the Seizor, is immediately on the arrival of the detained vessel in port, to make an affidavit, setting forth when and where the seizure was made, and to which must be annexed, the whole of the papers found on board the detained ship, and that such papers are in the same plight and condition, as when they were found or delivered up.

The following Affidavit is given as a Form for that purpose.

Our Sovereign Lord the King
against

The Ship "Escravo," Pereiro de Mattos, Master, her Tackle, Apparel and Furniture, and the Goods, Wares, Merchandize, and Slaves on board the same, taken by His Majesty's Ship-of-War "Confiance," Sir James Lucas Yeo, Knight, Commander, and brought to Sierra Leone.

Appeared, personally, Sir James Lucas Yeo, Knight, Commander of His Majesty's ship-of-war "Confiance," duly authorized and empowered, according to the provisions of the Additional Convention to the Treaty between His Britannick Majesty and His Most Faithful Majesty, to make seizures of vessels under Portuguese colours, engaged in the slave-trade, being duly sworn, maketh oath, that on the 9th day of the month of May 1819, being in latitude and longitude he seized and detained the ship or vessel called "Escravo," whereof Pereiro de Mattos was Master, by reason that the said ship was employed in the traffick in slaves, contrary to the existing Treaties, entered into with His Britannick Majesty and His Most Faithful Majesty the King of Portugal; and the deponent further maketh oath, that the paper writings and documents, hereunto annexed, marked from No. 1. to No. inclusive, were given or delivered up to this deponent, by the Master of the said ship or vessel, and that the same are now brought and delivered up, in the same plight and condition, as when so received by this deponent, without any fraud, addition, subduction, alteration, or embezzlement whatever, save the numbering and marking thereof.

On the 25th day of May 1819, the said Sir James Lucas Yeo, Knight, was } James Lucas Yeo.
duly sworn to the truth of this affidavit.

Before me

Thomas Gregory, Commissary Judge [or as the case may be.]

It is not absolutely necessary that the affidavit should be made by the Commander of the capturing ship, the Officer in charge of the ship captured is equally competent thereto.

In cases where there shall have been any suppression, concealment, or discovery of papers, the same should be set forth in the affidavit; the circumstances, and the place where the same were concealed or discovered, should be minutely stated, and if any letters or papers were delivered up at any other period, than at the time of capture, that fact should be introduced in the affidavit, together with the name of the person or persons who delivered the same.

In the event of a vessel being captured, and there being no papers found on board of her, it will be necessary that the Captor should make the affidavit conformable to the facts, in order that proceedings may be instituted thereon, such affidavit and papers, or the affidavit accounting for them, being the foundation of the proceedings: and upon the affidavit being brought in before one of the Commissary Judges, or Commissioners of Arbitration, in the presence of the Registrar, a minute of the following tenour should be recorded by the latter Officer, who should keep a book, into which he should enter all the acts, minutes, and decrees had under the Commission, as the same may respectively occur, which, being indexed in the captured ship's name, reference may be easily had to the whole of the proceedings in each case.

The Commissioners are directed to proceed, in the first place, upon the examination of the papers of the vessel, and the depositions, on oath, of the Captain, and two or three, at least, of the principal individuals on board of the detained vessel. The Master is the only individual specifically pointed out, whose examination is absolutely necessary to be taken, leaving it at the option of the Captors, to select any other person belonging to the captured vessel; but it has been usual in Prize Courts, to direct, that either the mate or the boatswain should be one of the other witnesses to be examined; these persons being considered as the most likely to have a correct knowledge of the general circumstances attending the course and employment of the vessel. If there be a Supercargo on board, he should be also examined, as supposed to be intimately acquainted with all the circumstances relating to the cargo, and the trade in which it was engaged.

No. 16.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27.)

MY LORD,

Sierra Leone, October 18, 1830.

WITH reference to our despatch to your Lordship, under date of the 21st ultimo, upon the subject of the slave-trade, at present carried on in the vicinity of this colony; we have now, in farther confirmation thereof, the honour to

forward, enclosed to your Lordship, the copy of a letter which has been addressed by the Assistant Superintendent of Liberated Africans here, to Lieutenant-Governor Findlay; who has transmitted the same to us to lay before your Lordship.

Since the date of our said despatch, His Majesty's brig "Plumper" arrived here; and her Commander, Lieutenant Adams, learning that the rivers to the northward hereof had many vessels in them slaving, immediately proceeded thither, in the hope of capturing some, or of frustrating the intention of all such vessels, engaged in the illicit traffick.

We have not heard of the brig of war's movements, since her departure from this on the 9th instant, but we sincerely trust that she may be successful in the object which her Commander has in view.

We have, &c.

(Signed)

ALEX. FINDLAY.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c.

&c.

&c.

Enclosure in No. 16.

Mr. Cole to Lieutenant-Governor Findlay.

SIR,

Liberated African Department, Freetown, Oct. 7, 1830.

I DEEM it necessary to acquaint your Excellency, that on my late visit to the Mellicouree, (30 miles to the northward of this colony) a Spanish schooner, of about 130 tons burthen, came into that river, under a pretext of procuring rice, but whose object was, no doubt, to purchase a cargo of slaves. She was well armed and manned, and, to avoid detection, had adopted the precaution to anchor as far up the river as she could possibly get. The Captain's name is Victor, who was supercargo of the Spanish brig "El Juan," condemned in December, 1828.

From the information, which I gained from the natives of the Mellicouree, it appears, that this is the only instance of a slave-vessel visiting that river for several years; a circumstance the more to be regretted at this time, as several of our colonists have recently induced the natives to cut and square the teak timber, and have established 5 factories, where it is purchased and shipped for Great Britain. It is, however, much to be feared, that, whilst the slave-traders find they can carry on their criminal proceedings in our vicinity with impunity, that detestable traffick will eventually, as it has done in the Sherbro', supersede the innocent commerce, at present existing between this colony and the Mellicouree.

Your Excellency will, I am sure, excuse the liberty I have taken, in making this representation, being actuated in doing so, solely from a desire to see legitimate trade supported, and a stop put to that abominable traffick, which consigns so many of its unfortunate victims to endless slavery,—as far as the Authorities of the colony have the power of doing so.

I have the honour to be, &c.

(Signed)

THOS. COLE.

Assistant Superintendent.

His Excellency Lieutenant-Governor Findlay.

No. 17.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 31, 1830.

YOUR despatches up to those of the 30th of October, 1830, have been received.

I have communicated to the Board of Admiralty, your despatches of September 21st, and October 18th, reporting the increase of slave-trade in the neighbourhood of Sierra Leone, and suggesting, that a vessel of war, furnished with instructions under the Treaties, should be stationed at that place, and made subject to the orders of the Governor of that Settlement.

The Board of Admiralty have answered, that they cannot comply with this suggestion, as it is contrary to the custom of the service to place any of His Majesty's ships under a Colonial Government; but that strict orders are given to the senior Officer on the African station, for the prevention of the slave-trade, and the protection of the British settlements and commerce.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

SIERRA LEONE. (Spain.)

No. 18.

*His Majesty's Commissioners to the Earl of Aberdeen.—
(Received March 4, 1830.)*

MY LORD,

Sierra Leone, November 21, 1829.

ENCLOSED we have the honour to transmit, for your Lordship's information, our report of the case of the Spanish brig "*Octavio*," captured on the 9th ultimo, in or about latitude $4^{\circ} 10' N.$, longitude $7^{\circ} 20' E.$, by His Majesty's brig "*Clinker*," Lieutenant George William Matson commanding, with 366 slaves on board, who had been shipped, 2 days previously, in the River Bonny.

The illicit traffick in which the "*Octavio*" was engaged was so manifest, that the Court, at its sitting, on the 19th instant, condemned her as lawful prize to the Governments of Great Britain and Spain, and emancipated her surviving slaves, to the number of 335—31 having died since capture.

The "*Octavio*" was armed with 8 carriage guns of a large calibre, with a crew of 40 men, and was prepared for desperate resistance, but, happily, made none, as she was taken by surprize.

We have, &c.

(Signed)

H. J. RICKETTS.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c.
&c.
&c.

Enclosure in No. 18.

Report of the Case of the Spanish Brig "Octavio," Juan Roche, Master.

THE Spanish brig "*Octavio*," commanded by Juan Roche, furnished with a passport from St. Jago de Cuba, signed by Francisco Javier Radillo, the Captain of that port, dated the 6th July, 1829, and numbered Ten, authorizing a commercial voyage to Prince's Island, was captured, on the 9th of October, in or about latitude $4^{\circ} 10' N.$, longitude $7^{\circ} 20' E.$, by His Majesty's brig "*Clinker*," Lieutenant Matson commanding, with 360 slaves on board, said to have been shipped in the River Bonny, on the 6th of the same month.

The "*Octavio*" arrived here on the evening of the 11th of November, having lost 25 slaves by death on the passage; and, on the following morning, was visited by the Surgeon to the Court, who reported "that 7 of the slaves, of whom 3 were in a dying state, laboured under dysentery; that a few were very much emaciated, without other apparent disease; and that many were affected with "*Craw Craw*:" all whom he recommended to be landed immediately, as well to afford them medical attendance, as to lessen the present crowded state of the vessel." 103 of them who were thus sickly, were accordingly disembarked on the 13th, and delivered into the charge of the Liberated African Department. On the 16th following, arrangements in the mean time having been made for their reception, 124 more were landed, which left those remaining on board in a state of as great comfort as those who were brought on shore.

The ship's papers were brought into Court, and filed, on the 12th, duly authenticated by the affidavit of Mr. Saintsbury, Midshipman of His Majesty's brig "*Clinker*," and Prize-master of the "*Octavio*." A monition was, on the same day, prayed for, and granted: it accordingly went forth, and was returned; certified to have been duly served, on the 19th following.

Only 1 witness was presented for examination in this case. This was accounted for by an affidavit of Mr. Saintsbury, stating "that the Master of the "*Octavio*" being in a very sickly state at

the time of capture, was, at his own request, allowed to go on shore; that the cook and steward were detained on board to give evidence, and that, on the passage up, the cook departed this life." Thomas, the steward, was examined on the standing interrogatories, on the 13th instant, and he deposed "that Ignacio Carbonaro, resident at St. Jago de Cuba, was the owner of the vessel; that he there appointed the master to the command; that the vessel sailed under Spanish colours; that the present voyage began, and was to have ended, at St. Jago de Cuba; that she sailed direct from thence to Bonny, where she took on board the whole of the slaves, 367 in number; that 2 days after having shipped them she was captured; that the Owner and the Master of the "Octavio" were the consignees of the slaves; and that they were to have been delivered at St. Jago de Cuba, for the real account, risk, and benefit of both those persons, viz. Ignacio Carbonaro and Juan Roche."

The illegal employment of this vessel in the slave-trade having been proved, the Court, at its sitting on the 19th instant, pronounced sentence of condemnation upon the brig "Octavio," as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's brig "Clinker," Lieutenant Matson, Commander, and decreed the emancipation of the surviving slaves, 335 in number—31 having died since capture, viz. 25 on the passage up, and 6 since her arrival at this port.

(Signed)

H. J. RICKETTS.
WM. SMITH.

Sierra Leone, November 21, 1829.

No. 19.

His Majesty's Commissioners to the Earl of Aberdeen.—
(Received March 4, 1830.)

MY LORD,

Sierra Leone, November 28, 1829.

WE have the honour to forward, herewith, for the information of your Lordship, the report of the case of the Spanish brigantine "Cristina," Joaquim Rodriguez, Master, captured, on the 11th of October last, in latitude 1° 51' N., longitude 5° 51' E., by His Majesty's brig "Black Joke" tender to the "Sybille" under the command of Lieutenant Parrey; having on board 348 slaves, who had been shipped in the River Brass.

The "Cristina," on her passage to Sierra Leone, struck on the Scarcies Bank, and almost immediately filled with water; but we are happy to say no lives were lost by the accident, the slaves having been landed by the assistance of the boats of an English merchant-ship, the "Sappho," then lying in the Scarcies River. Immediately this circumstance was known here, a vessel, called the "Frederick," was dispatched, by the Captor's Agent, for the slaves, which vessel returned, on the 15th November, with 232, the survivors of the number captured; all of whom, being in a very sickly state, were landed on the morning of the 17th.

The illicit employment of the "Cristina" in the slave-trade having been fully proved, the Court pronounced, that she was subject and liable to confiscation, as good and lawful prize to the Governments of Great Britain and Spain, and emancipated her surviving slaves, on the 27th instant.

The great mortality amongst the slaves of the "Cristina," from the period of her capture to the day of her adjudication, arose from that terrible scourge, the small-pox; which breaking out amongst them, in a small vessel, crowded together as they were, spread with rapidity through the whole number on board, and carried off 116 previously to their arrival here, and 16 after they were landed.

We have, &c.

(Signed)

WALTER W. LEWIS.

The Right Hon. the Earl of Aberdeen, K. T.

WM. SMITH.

&c.

&c.

&c.

Enclosure in No. 19.

Report of the Case of the Spanish Brigantine "Cristina," Joaquim Rodriguez, Master.

THE Spanish Brigantine "Cristina," under the command of Joaquim Rodriguez, and owned by Antonio M. Viniegro, of Havana, cleared out at that port, furnished with a Royal Commercial

Passport, on the 16th of February 1829, for a voyage to the Islands of Princes and St. Thomas, and was captured, on the 11th of October last, by His Majesty's brig "Black Joke," tender to His Majesty's ship "Sybille," Lieutenant Parrey commanding, in latitude 1° 51' N., longitude 5° 51' E., with a cargo of slaves on board, said to have been embarked in the River Brass, Bight of Biafra.

On the 16th of November the ship's papers were brought in, and filed, authenticated by the affidavit of the Prize Master, Mr. Slade, who therein further swore, "that the said brigantine, on the 10th of November, struck on the Scarcies Bank, and shortly after filled with water; that himself, and the men under his command, used every possible exertion to get the said vessel off the said bank, but without effect; that every attention was then paid to preserve the lives of the slaves; and that, on the 13th following, a vessel, called the "Frederick," belonging to the Port of Sierra Leone, having arrived to the assistance of the said brigantine, he (deponent) embarked the surviving slaves, the cargo of the said brigantine, on board thereof."

The "Frederick" arrived in this harbour late in the night of the 15th, with 232 slaves on board, 116 having died on the passage to this port, from small-pox. Early on the following morning, Mr. Boyle, the Surgeon to the Court, proceeded on board, and reported, "that most of the people then remaining appeared to have been affected with small-pox, and were very much debilitated; that many had "Craw Craw"; and that about 10 were affected with ophthalmia: from all which circumstances, he recommended them to be landed as speedily as possible." They were, therefore, on the following morning, disembarked at Kissy, and placed in the hospital there, under the charge of the Colonial Government.

The monition, citing all parties interested to appear, went forth on the 16th, and was returned, certified to have been duly served, on the 24th.

On the 18th and 19th, 2 seamen of the vessel, Gregorio Ferrandez and Miguel Henri, were examined on the standing interrogatories. They both swore, "that the present voyage began, and was to have ended, at the Havana; that the River Brass was the only place touched at during the present voyage; and that all the slaves were there taken on board."

On the 21st, the examination of the Master was taken; who corroborated the above evidence, and further swore, "that Don Antonio, a resident of the Havana, was the Owner of the vessel; that he appointed witness to the command of her at that place; and that the slaves were shipped for the real account, risk, and benefit of the aforesaid Don Antonio."

On the 27th of November, the Court met for the adjudication of the "Cristina," and pronounced her to have been, at the time of capture, engaged in the illicit traffick in slaves, and, as such, subject and liable to condemnation, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's brig "Black Joke," tender to His Majesty's ship "Sybille," Lieutenant Parrey, Commander, and emancipated the surviving slaves, 216 in number; 116 having died previous to her arrival in the harbour, and 16 since they had been landed; 348 having been on board at the time of capture.

Sierra Leone, November 28, 1829.

(Signed) WALTER W. LEWIS,
WM. SMITH

No. 20,

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to forward to your Lordship, herewith, an abstract of the proceedings of the British and Spanish Court of Mixed Commission, established in this colony, during the year 1829.

5 Vessels were adjudicated in that Court, which were all cases of condemnation, and 1,427 slaves emancipated.

We have the honour to be, &c.

(Signed)

A. F. EVANS,
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 20.

Abstract of Proceedings under the British and Spanish Mixed Commission at Sierra Leone, from January 1, 1829, to January 1, 1830.

No. 1. The Spanish brig "El Almirante," commanded by Damaso Forgannes, and owned by José Maurin, of the Havana, was furnished with a commercial passport for a voyage to Princes

Island. She was captured, on the 1st of February, 1829, in latitude $3^{\circ} 50' N.$, longitude $4^{\circ} 25' E.$, by the "Black Joke," tender to His Majesty's ship "Sybille," Lieutenant Downes commanding, after a severe action, during which the Master and all the Officers, excepting the third mate, were killed. 466 slaves were proved to have been on board previous to the engagement, and all were shipped at Onim (Lagos). The Court, therefore, condemned "El Almirante," and emancipated the surviving slaves, 416 in number; on the 20th of March, 1829—11 having been killed or missing during the action, and 39 having died since capture.

No. 2. The Spanish schooner "Panchita," Felipe Ramos, Master, and José Duros, Owner, furnished with a commercial passport, dated Havana, the 23th October, 1828, authorizing a voyage to St. Thomas, on the Coast of Africa, was captured, on the 29th of April, 1829, by His Majesty's ship "Sybille," Commodore Collier, in latitude $3^{\circ} 58' N.$, longitude $5^{\circ} 02' E.$, having on board 232 slaves. The evidence proved these slaves to have been shipped, 4 days previous to capture, in the Calabar. The Court, therefore, condemned the "Panchita," on the 24th of June, 1829; at which time her surviving slaves, 259 in number, were decreed to be emancipated—33 having died between capture and condemnation.

No. 3. The Spanish schooner "Clarita," José Rodriguez, Master, was furnished with a Royal passport for a legitimate voyage to St. Thomas, and was captured, on the 17th of August, 1829, in latitude $0^{\circ} 25' 5'' N.$, longitude $8^{\circ} 54' 9'' E.$, by His Majesty's ship "Medina," Captain Edward Webb, with 261 slaves on board. The evidence in this case clearly proved, that these slaves were taken on board in the River Bonny, to which place she had sailed direct, after leaving Havana, and that Pablo Gonzales, a resident there, was the Owner of the "Clarita." The Court met for the adjudication of this case on the 19th of September, and passed sentence of condemnation upon the "Clarita," as good and lawful prize, and decreed the emancipation of her surviving slaves, 201 in number—60 having died between the period of capture and condemnation.

No. 4. The Spanish brig "Octavio," Juan Roche, Master, and Ignacio Carbonaro, Owner, was furnished with a passport from St. Jago de Cuba for a commercial voyage to Prince's Island, and was captured, on the 9th of October, 1829, by His Majesty's brig "Clinker," Lieutenant Matson commanding, in $4^{\circ} 10'$ North latitude, $7^{\circ} 20'$ East longitude, having on board 366 slaves, who were proved to have been embarked in the River Bonny. The "Octavio" was, consequently, condemned, on the 19th of November, 1829, and her surviving slaves, 335 in number, decreed to be emancipated—31 having died previous to adjudication, and since capture.

No. 5. The Spanish brigantine "Cristina," Joaquim Rodriguez, Master, owned by Antonio M. Viniegro, was captured, in latitude $1^{\circ} 51' N.$, longitude $5^{\circ} 51' E.$, by His Majesty's brig "Black Joke," tender to the "Sybille," under the command of Lieutenant Parrey, on the 11th of October, 1829, with 348 slaves on board.

The "Cristina," on her passage up to Sierra Leone, was wrecked on the Scarcies Bank, but no lives were lost; the prize crew, evidence, and slaves having been brought here in a vessel dispatched by the Captor's agent for that purpose.

The evidence having proved, that the slaves were shipped in the River Brass, Bight of Biafra, the Court, on the 27th of November, pronounced the "Cristina" as subject and liable to condemnation, and emancipated the surviving slaves, 216 in number—132 having died, principally of small pox, since capture.

(Signed) A. F. EVANS.
WM. SMITH.

Sierra Leone, January 1, 1830.

No. 21.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received March 7.)

SIR,

Sierra Leone, January 5, 1830.

IN pursuance of the 15th clause of the Act, passed in the 5th year of His present Majesty's reign, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade," we beg leave to enclose, herewith, a return of all the cases of Spanish vessels adjudicated in the British and Spanish Court of Mixed Commission, established in this colony, from the 1st of July 1829, to the 1st instant.

We have, &c.

(Signed) A. F. EVANS.
WM. SMITH.

John Backhouse, Esq.
&c. &c. &c.

Enclosure in No. 21.

Return of Spanish Vessels adjudicated by the British and Spanish Court of Mixed Commission established at Sierra Leone, betwixt the 1st July 1829, and the 1st January 1830.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property Seized.	SEIZOR.	Date of Sentence.	Number of Slaves captured.	Number Adjudicated before.	Total emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Clarita	Aug. 17, 1829	0° 25' 5" N.	8° 54' E.	{ Schooner and 261 slaves . . }	{ Edwd. Webb, Esq. H. B. M. S. Medina . . . }	Sept. 19, 1829	261	60	201	{ Condemned for being engaged in the illicit traffick in slaves. }	{ The schooner and stores sold by public auction, and the proceeds paid into the military chest. }
Octavio	Oct. 9, —	4° 10' N.	7° 20' E.	{ Brig and 366 slaves }	{ George Wm. Matson, Esq. H. B. M. B. Clinker }	Nov. 19, —	366	31	335	Ditto Ditto	{ The brig and stores sold by public auction, but the proceeds remain in the hands of the Commissioners of Appraisement and Sale, the accounts not having yet been returned into the registry. }
Cristina	Oct. 11, —	1° 51' N.	5° 51' E.	{ Brigantine and 348 slaves }	{ F. A. Collier, C. B. Tender (Black Joke) of H. B. M. S. Sybille }	Nov. 27, —	348	132	216	Ditto Ditto	{ The wreck of the brig, and a part of the tackle and apparel saved from the same, were sold by public auction, but the proceeds remain in the hands of the Commissioners of Appraisement and Sale, the accounts not having yet been returned into the registry. }

N. B.—The proceeds of the sale of the schooner "La Pauchita" and stores, reported in the last return as being in the hands of the Commissioners of Appraisement and Sale, have since been paid into the military chest.

(Signed) A. F. EVANS,
WM. SMITH.

(Signed) THOS. COLE, Acting Registrar.

No. 22.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, April 3, 1830.

I HAVE the honour to report to your Lordship the arrival here, on the 31st March, of a Spanish schooner, named the "*Maria de la Conception*," of Matanzas, commanded by D. Santiago Comas, with 79 slaves on board, having been detained, by the boats of His Majesty's ship "*Primrose*," E. J. Parrey, Esq. Commander, in the Rio Pongos, on the 24th of the same month.

The slaves are all healthy, and have been disembarked, and are in the charge of the Liberated African Department.

The inhabitants of the Rio Pongos are notorious for carrying on the slave-trade, yet their general habits of robbery, and false dealing with slavers, render it very dangerous for vessels of so small a size as the "*Maria de la Conception*," (31 tons burthen) to carry on that traffick with them.

It has been reported in this colony, that Spaniards, in larger vessels, well armed, who thereby compelled the persons, with whom they engaged, to complete their contracts, have been successful in carrying off some cargoes of slaves from that river; the "*Maria de la Conception*" is, however, the only one that has been captured there during the last 6 years. A canoc was actually alongside of her, for the purpose of relanding the slaves, when she was boarded; and had the boats of the "*Primrose*" been 15 minutes later, that object would have been perfectly effected.

The "*Maria de la Conception*" makes the 7th vessel awaiting adjudication, and encreases the number of slaves awaiting emancipation to nearly 1,300.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 23.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, April 8, 1830.

I HAVE the honour to report to your Lordship the arrival here, on the 5th instant, of another Spanish slaver, named the "*Manzanares*," Manoel Alcantara, Master, with 348 slaves on board.

The "*Manzanares*" was captured, on the 1st of the present month, off the Galinas, by His Majesty's brig "*Black Joke*," under the command of Acting Lieutenant Coyde, after a chase of 12 hours.

The slaves, after capture, rose upon the crew on board, and, in quelling them, some were very severely wounded. Several amputations of arms, and a leg, have been, in consequence, necessary. Owing to this affair, the exact number of slaves on board at the time of detention, could not be ascertained. 6 died during the few days she was coming up.

The slaves were, otherwise, healthy; their extremely crowded state, however, rendered it very desirable that they should be disembarked. They were accordingly landed, on the 6th instant, and placed in the charge of the Liberated African Department.

The "*Manzanares*" makes the 11th vessel brought before the Courts, already this year; 2 having been adjudicated on the 14th January, and 9 now lying here for that object. The "*Manzanares*" cargo has encreased the number of slaves awaiting the decision of the Mixed Commissions, to about 1,650.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 24.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

MY LORD,

Sierra Leone, April 15, 1830.

I HAVE the honour to enclose, for your Lordship's information, the copy of a letter, which has been addressed to me by Mr. Robert Dougan, Agent to His Majesty's ships "Sybille," and "Primrose," together with a copy of the reply I returned to that gentleman.

From this correspondence, your Lordship will learn, that Captain Fraser was willing to distribute the slaves, captured on board the Spanish vessels, "*Maria de la Concepcion*" and "*Manzanares*," provided that measure met my concurrence, a concurrence I readily gave, for the reasons assigned in my reply to Mr. Dougan.

Mr. Dougan has, since then, personally acquainted me, that the slaves taken on board the aforesaid vessels, amounting to about 420, have been distributed in the mountain villages.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 24.

Mr. Dougan to W. Smith, Esq.

SIR,

Sierra Leone, April 13, 1830.

THE Acting Governor is willing to take charge of, and distribute, the slaves landed from the Spanish schooner "*Maria de la Concepcion*," detained by His Majesty's sloop "Primrose," as also those landed from the Spanish brigantine "*Manzanares*," detained by His Majesty's brig "Black Joke," a tender to His Majesty's ship-of-war, "Sybille," so as to save the Captors any further expense in supporting them.

Will you, Sir, have the goodness to say, if this mode of disposing of the slaves in question, meets with your concurrence.

I have, &c.

(Signed)

ROBT. DOUGAN,

*Wm. Smith, Esq.,**His Britannick Majesty's Commissioner of Arbitration.*

Agent for His Majesty's ships "Primrose" and "Sybille."

Second Enclosure in No. 24.

W. Smith, Esq. to Mr. Dougan.

SIR,

Sierra Leone, April 13, 1830.

I HAVE to acknowledge the receipt of your letter, of this date, acquainting me, that the Acting Governor is willing to take charge of, and distribute, the slaves lately captured by His Majesty's ship "Primrose," and His Majesty's brig "Black Joke," on board the Spanish vessels, "*Maria de la Concepcion*" and "*Manzanares*," and enquiring of me, if such mode of disposing of those slaves, meets with my concurrence.

In reply thereto, I have to acquaint you, that it will always afford me much satisfaction, if, in the performance of my publick duty, I can, in any way, alleviate the sufferings of the unfortunate slaves, captured and brought in here by the squadron, or relieve the Captors of such slaves from heavy expense.

The distribution of the slaves in question, will, therefore, meet with my approval.

I am, &c.

(Signed)

WM. SMITH.

Robert Dougan, Esq.,
Agent to His Majesty's ships "Sybille" and "Primrose."

No. 25.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

MY LORD,

Sierra Leone, April 26, 1830.

I HAVE the honour to report to your Lordship the arrival here, on the 23d instant, of a Spanish schooner, named the "*Altimara*," Pedro Sala, Master.

The "*Altimara*" was detained by His Majesty's brig "Clinker," Lieutenant G. W. Matson commanding, in latitude 4° 4' N., longitude 4° 54' E., on the 27th ultimo, having then on board 249 slaves, and was bound to Cuba.

Twenty-four of the slaves died on the passage up to this port; the greater part of the remaining number, (225,) were, more or less, afflicted with the small-pox.

The "*Altimara*" was, therefore, ordered to proceed with them up the river to the village of Kissy, where they were landed, and placed in the Liberated African Hospital, at present established there, on the 25th ultimo.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 26.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 12, 1830.

WITH our present despatch, we have the honour to enclose a report of the case of the schooner "*Maria de la Conception*," Santiago Comas, Master, sailing under Spanish colours, and furnished with papers, obtained at Matanzas, in the Island of Cuba, but owned by Juan Fernandez, of the Danish Island of St Thomas.

It appears by the ship's papers, that the "*Maria de la Conception*," after leaving Matanzas, went to Porto Rico, and from thence to St. Thomas, from which latter island she cleared out for Cape Verd, on the 4th of August, 1829. She, however, sailed direct from St. Thomas, for the Rio Pongos, and had shipped her slaves (who had been purchased for the account of the said Juan Fernandez,) from a place called Bongolong, and had had them on board 3 days previous to her detention by the boats of His Majesty's ship "Primrose," on the 24th of March.

Sentence of condemnation was, therefore, recorded against the "*Maria de la Conception*," and the 79 slaves taken on board, were decreed to be emancipated on the 11th instant.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 26.

*Report of the Case of the Spanish Schooner "Maria de la Conception,"
Santiago Comas, Master.*

THE Spanish schooner, "*Maria de la Conception*," was captured, on the 24th of March 1830, in the River Pongos, by His Majesty's ship "Primrose," Edward Iggulden Parrey, Esq. Acting-Commander, with 79 slaves on board, who were declared to have been embarked at a place called Bongolong, in that river, on the 21st of the same month.

The "*Maria de la Conception*" arrived here on the 31st of March, with all her slaves, as stated by the Surgeon in his report, in good health; but, on the 2d of April, a petition was made, that the slaves, although at that time healthy, might be landed, on account of the small size of the vessel, (only about 40 tons burden.) This was granted, and they were landed the same day, and given into the charge of the Liberated African Department.

On the 28th of April, the Proctor for the Captor prayed that the ship's papers, in this case, might be filed, and the usual monition, citing all parties interested in the "*Maria de la Conception*" to appear, might go forth. The prayer of this petition having been granted, the papers were filed, duly authenticated by the affidavit of Mr. Bentham, the Prize-Master, and the monition issued on the same day; and it was returned, on the 5th of the following month, certified to have been duly served.

By the ship's papers of the "*Maria de la Conception*," it appears, that she left Matanzas, for Puerto Rico, on the 11th of June 1829, and arrived at that port on the 3d of July following. From Puerto Rico she cleared out, on the 9th of that month, for the Danish Island of St. Thomas; and

from thence she sailed, on the 4th of August, for Cape Verde. The said papers do not mention to whom she belonged.

On the 3d of May, Louis Leuca, the boatswain, the only witness in this case, was examined on the standing interrogatories; an affidavit of the Captor's Proctor having been filed, to account for the absence of the Master, Santiago Comas, who had been also sent to this place to give evidence, but who, on account of the Courts having been so long closed, had, in the interval, departed from the colony.

Louis Leuca deposed, "that the name of the Master of the "*Maria de la Conception*" is Santiago Comas; that Juan Fernandez, a resident at the Island of St. Thomas, was the Owner of the vessel, and appointed the said Master to the command of her at that island; that the present voyage began at St. Thomas, but that he does not know where it was to have ended; that Bongolong, in the Rio Pongos, was the only place touched at during the present voyage; that the whole of the slaves, 79 in number, were embarked at that place; and that they were shipped for the real account, risk, and benefit of the aforesaid Juan Fernandez."

The evidence of this witness having thus clearly established the illicit employment of the "*Maria de la Conception*," the Court, at its sitting, on the 11th of May 1830, condemned the said vessel, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick, by His Majesty's ship "*Primrose*," Edward Iggulden Parrey, Esq. Commander, and emancipated her slaves, 79 in number, none having died since capture.

Sierra Leone May 12, 1830.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 27.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone May, 12, 1830.

WE have the honour to enclose, herewith, for the information of your Lordship, our report of the case of the Spanish schooner "*Manzanares*."

The "*Manzanares*" was commanded by Manoel Alcantara, and was owned by Francisco Muenta, of the Havana, from which port she cleared out, for a mercantile voyage to the Island of St. Thomas, on the 27th of August 1829.

On her voyage to the Coast of Africa, she put into the Cape de Verds to repair a leak, and from thence she went direct to Cape Mount, where she purchased 354 slaves; and was on her return to the Havana, when she was fallen in with, on the 1st of April, in latitude 6° 17' N., longitude 14° 13' W., by His Majesty's brig "*Black Joke*," Acting Lieutenant Coyde, commanding, and, after a chase of 12 hours, was captured.

After the capture of the "*Manzanares*," and before the confusion attendant thereon had subsided, the slaves rose upon the captors, and 1 officer, whom they succeeded in getting down, (Mr. Lane, Assistant Surgeon) was seriously injured by them. They were, however, quelled, but not until several were very severely wounded, who are now in a favourable state of recovery.

A Court was held for the adjudication of the "*Manzanares*," on the 11th instant, when sentence of condemnation was pronounced upon her, as good and lawful prize to the Crowns of Great Britain and Spain, and 349 slaves, 5 having died, were directed to be emancipated.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c.

&c.

&c.

Enclosure in No. 27.

Report of the Case of the Spanish Brigantine "Manzanares," D. Manoel Alcantara, Master.

THE Spanish brigantine "*Manzanares*" was commanded by D. Manoel Alcantara, and furnished with a Royal Passport from Madrid dated the 11th December 1825, which was renewed at the Havana, on the 27th of August 1829, for a commercial voyage from thence to the Island of St. Thomas. She was captured, in or about latitude 6° 17' N., longitude 14° 13' W., on the 1st of April 1830, by His Majesty's brig "*Black Joke*," Acting Lieutenant Coyde, commanding, with 354 slaves on board, who were staid, in the Captor's declaration, to have been shipped at the Gallinas, on the 27th of the previous month.

The "*Manzanares*" arrived at Sierra Leone on the 5th of April, with 349 slaves on board, having lost 5 by death on the passage up, and was, on the following day, visited by the Surgeon to the Court, who reported, "that amongst the slaves were a great many sabre wounds, and 3 amputated stumps, arising from the circumstance of their having mutinied; that there were about 40 cases of diarrhoea, and a few of purulent ophthalmia; and the "*Manzanares*," from her crowded state, was of necessity in an unclean and unhealthy condition; from all which circumstances he recommended, that the slaves should be landed as soon as possible." Directions to that effect were, therefore, given, and they were accordingly landed on the same day, and placed in the charge of the Colonial Government.

The "*Manzanares*" ship's papers were filed on the 30th of April, duly authenticated by the affidavit of Mr. Coyde, the capturing officer; and a Monition having been prayed for, was issued on that day, and returned, on the 7th of May, certified to have been duly served.

On the 3d of May, the Master, Manoel Alcántara, was examined on the standing interrogatories, who deposed, "that he was appointed to the command of the "*Manzanares*" by Don Francisco Muenta, a resident of the Havana; that the said Francisco Muenta was the Owner of the vessel, and of the slaves captured on board of her, who were to have been delivered for his account and risk, at the Havana; that all the said slaves, 354 in number, were shipped at Cape Mount; that Cape Mount and the Cape de Verd Islands, were the only places the "*Manzanares*" touched at since leaving the Havana, where the present voyage began, and where it was to have ended."

On the 6th of May, the other remaining witness, José Lopez Conde, the Second Boatswain, [was examined on the standing interrogatories, and corroborated the Master's evidence, as to the 354 slaves having been shipped at Cape Mount.

The Court, therefore, on the 11th of May 1830, condemned the "*Manzanares*," as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in the illicit traffick in slaves, by His Majesty's brig "*Black Joke*" tender to His Majesty's ship "*Sybille*," Acting Lieutenant Coyde, commanding; and emancipated her surviving slaves, to the number of 349; 5 having died between the period of capture and adjudication.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 12, 1830.

No. 28.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 12, 1830.

WE beg leave most respectfully to enclose, herewith, a report of the case of the Spanish schooner "*Altimara*," Pedro Sala, Master, owned in part by himself, and in part by other Spaniards, resident at the Havana, whose names he would not reveal.

The voyage, in which the "*Altimara*" was detained, began at St. Jago de Cuba, having obtained papers from the Government of that province, dated the 24th October, 1829, and from thence she sailed direct to the River Brass, near Cape Formosa. Having obtained a cargo of slaves in that river, she sailed therefrom on the 23d of March, and was detained, on the following 27th, by His Majesty's gun-brig "*Clinker*," Lieutenant Matson, commanding, in latitude 4° 00' N., longitude 5° 00' E., having on board 249 slaves.

At the time of the detention of the "*Altimara*," the slaves were suffering from small-pox, and 32 died from that cause on the passage up. On her arrival here, the Surgeon to the Courts reported 3 fourths to be suffering from that disease, and that fresh cases were still occurring. The survivors were, therefore, landed at Kissy, and precautions taken, by keeping them separate, to prevent the spread of that fatal disease among the inhabitants of the colony. 19, however, died from the period of their being landed, on the 25th of April, (making a total of 51 deaths) up to the day of the adjudication of the "*Altimara*," which took place on the 11th instant, when she was condemned, as good and lawful prize to the Crowns of Great Britain and Spain, and 198 slaves decreed to be emancipated.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 28.

Report of the Case of the Spanish Schooner "Altimara," Pedro Sala, Master.

THE Schooner "*Altimara*," sailing under Spanish colours, and commanded by Pedro Sala, was furnished with papers from the Government of the Province of Cuba, dated the 24th October, 1829, and she was captured, on the 27th of March, 1830, by His Majesty's gun-brig "*Clinker*," Lieutenant Matson commanding, in or about latitude 4° 00' N., longitude 5° 00' E., with 249 slaves on board, who had been shipped in the River Brass, near Cape Formosa, on the 23d of the same month.

The "*Altimara*" arrived in this harbour on the 23d of April, with 217 of her slaves on board; the Prize Master having deposed, that 32 had died from the time of her capture until her arrival here.

The "*Altimara*" was immediately visited by Dr. Boyle, the Surgeon to the Court, who, in his report, stated the slaves to be suffering severely from small-pox; that 3-fourths were already afflicted with that disorder; and that fresh cases were still occurring; he, therefore, recommended their being early landed at Kissy, and kept entirely separate from the inhabitants of that place.

The vessel accordingly proceeded up the river to that village, where the slaves were landed, on the 25th, as recommended, and placed in the Liberated African Hospital there.

On the 27th of April the Captor's Proctor petitioned the Court, that the ship's papers of the "*Altimara*" might be filed, and that the usual monition might issue; which having been granted, the papers were accordingly filed, duly authenticated by the affidavit of the Prize Officer, Mr. Browne, and the monition issued on the following day, and it was returned on the 6th of May, certified to have been duly served.

On the latter day, the Master, Pedro Sala, and the Surgeon, Miguel Lascuxayn, were examined on the standing interrogatories. The Master swore, "he appointed himself to the command of the "*Altimara*," he being part owner; that he had 3,000 dollars interest in the vessel and cargo; and that the first Mate had about 2,000 dollars interest in the same; that he cannot remember the names of the other part owners, but that they are Spaniards, and resident at the Havana; that the present voyage began at St. Jago de Cuba, and was to have ended there; that the "*Altimara*" sailed direct from thence to the River Brass, where the present cargo of slaves, to the number of 249, was shipped; that he cannot state the names of the owners of such cargo; but that it was to have been delivered at St. Jago de Cuba, for their real account, risk, and benefit."

The Surgeon, in answer to the same interrogatories, deposed, "that he believed the Master and first Mate had an interest in the vessel and cargo; and that the slaves, to the number of 249, were shipped in the River Brass, to which river the vessel had sailed direct from Cuba."

The Court met for the adjudication of the "*Altimara*," on the 11th of May 1830, and her employment in the illicit slave-trade having been unquestionably proved, pronounced sentence of condemnation upon the said vessel, as good and lawful prize to the Governments of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's gun-brig "*Clinker*," Lieutenant Matson, Commander; and decreed the emancipation of her surviving slaves, 198 in number, 51 having died since capture, viz. 32 previous to their having been landed, on the 25th of April, and 19 from that day to the period of passing sentence.

Sierra Leone, 12th May, 1830.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 29.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Aug. 6.)

MY LORD,

Sierra Leone, May 29, 1830.

WE have the honour to enclose, herewith, for the information of your Lordship, our report of the case of the Spanish schooner "*Loreto*," alias "*Corunera*."

The "*Loreto*" was on her way to the Havana, when she was fallen in with, and captured, on the 12th instant, by His Majesty's brig "*Plumper*," Lieutenant John Adams, Commander, having on board 186 slaves, who had been shipped from Little Bassa (a place about 200 miles to leeward of this colony), on the previous 9th of the month.

The "*Loreto*" had been some months obtaining her slaves. She sailed from the Havana on the voyage, in which she was taken, so long ago as the latter end of August last. On her way to the coast she touched at Port Praya (the capital of St. Jago, one of the Cape de Verd Islands), and from thence went direct to Bassa. Off that place she was boarded by His Majesty's ship "*Sparrow Hawk*," on the 25th of December, then said to be procuring rice, and again by His Majesty's brig "*Plumper*," on the 17th of February, said to be slaving, as appears by the boarding Officer's endorsements on her papers.

The original Master, D. Miguel de la Vega, to whom the vessel and cargo is said to have belonged, died on the coast.

From the period of her capture to that of her adjudication was only 15 days, sentence of condemnation having been passed upon the "*Loreto*," alias "*Corunera*," on the 27th instant, at which time the Court also decreed the emancipation of 183 slaves, 2 having been lost overboard in a tornado, on her way hither, and 1 having died after arrival here.

We have, &c.
(Signed) ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 29.

*Report of the Case of the Spanish Schooner "Loreto," alias "Corunera,"
Jozé Garcia Basurto, Master.*

THE Spanish schooner "*Loreto*," alias "*Corunera*," under the command of Jozé Garcia Basurto, was captured, on the 12th of May, 1830, by His Majesty's brig "*Plumper*," John Adams, Esq. Commander, in latitude 5° 24' N., longitude 10° 8' E., having on board 186 slaves, who had been shipped at Little Bassa, on the 9th of the same month.

The "*Loreto*," alias "*Corunera*," was furnished with a royal commercial passport, authorizing a voyage to the Islands of St. Thomas and Princes, and declaring her to be commanded by D. Miguel de la Vega, on whose death, at Little Bassa, Jozé Garcia Basurto, the first Mate, became Master.

The "*Loreto*," alias "*Corunera*," arrived in Sierra Leone Harbour on the 19th of May, with 184 slaves on board; she was immediately visited by the Surgeon to the Court, who reported all her slaves to be in good health, but recommended their being landed as soon as convenient, on account of the exposed situation of the harbour at this particular period of the year. 183 were accordingly landed early on the morning of the 24th of May (the intervention of Sunday preventing their being landed sooner), and delivered into the charge of the Colonial Government. On the day of the "*Loreto's*" arrival, her ship's papers were brought into Court, and filed, duly authenticated by the affidavit of the Prize Master, Mr. Brickwood. The usual monition was also on that day issued, and returned, on the 27th, certified to have been served.

The present Master of the "*Loreto*," alias "*Corunera*," Jozé Garcia Basurto, and the Boatswain, Jozé Rafael Alesso, were examined on the standing interrogatories on the 21st of May.

Jozé Garcia Basurto, the present Master, swore "that he succeeded to the command of the "*Loreto*," alias "*Corunera*," on the death of the original Master, at Little Bassa; that he was originally first Mate; that the present voyage began at St. Jago de Cuba, and was to have ended there; that Havana was the last clearing port, from whence the vessel sailed to Port Praya, for water; and from thence to Little Bassa, for slaves; and that all her slaves were shipped there, for the real account, risk, and benefit of the late Master, who was likewise the Owner of the vessel."

The Boatswain's evidence of the illicit traffick was exactly similar to that of the Master.

The Prize Master, in accounting for the 3 slaves short of the number captured, swore, on the following 22d, that 2 of them were missing on the morning of the 15th, who, he verily believed, had either jumped or fallen overboard on the night of the 14th, during a tornado, and that 1 man died on the night of the 21st.

The Court, having before them indubitable proof of the illicit employment of the "*Loreto*," alias "*Corunera*," in the slave-trade, passed sentence of condemnation upon her, on the 27th instant, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit trade by His Majesty's brig "*Plumper*," John Adams, Esq. Commander, and emancipated her surviving slaves, 183 in number.

Sierra Leone, May 29, 1830.

(Signed) ALEX. FINDLAY.
WM. SMITH.

No. 30.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received Sept. 24.)

SIR.

Sierra Leone, July 5, 1830.

IN pursuance of the 75th clause of an Act, passed in the 5th year of the reign of His present Majesty, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade," we beg leave to enclose, herewith, a return of all the cases of Spanish vessels adjudicated in the British and Spanish Court of Mixed Commission, established here, from the 1st of January last to the 1st instant.

We have, &c.
(Signed) ALEX. FINDLAY.
WM. SMITH.

John Backhouse, Esq.
&c. &c. &c.

Enclosure in No. 30.

Return of Spanish Vessels Adjudicated by the British and Spanish Court of Mixed Commission established at Sierra Leone, betwixt the 1st of January and the 1st of July, 1830.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property Seized.	SEIZOR.	Date of Sentence.	Number of Slaves Captured.	Number died before Adjudication.	Total emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Maria de la Concepcion . . .	Mar. 24, 1830	In the Rio Pongos		{ Schooner and 79 slaves . . }	{ E. J. Parrey, Esq. H. M. S. Pinrose . . }	May 11, 1830	79	"	79	{ Condemned for being engaged in the illicit traffick in slaves. Ditto Ditto	{ Schooner and stores sold by publick auction, and the proceeds paid into the military chest. Ditto Ditto Ditto
Manzanares	April 1, —	6° 17' N. 4° 13' E.		{ Brigantine and 354 slaves . . }	{ F. A. Collier, Esq. C. B. Tender (Black Joke) of H. M. S. Sybille . . }	May 11, —	354	5	349	Ditto Ditto	Ditto Ditto
Alimara	Mar. 17, —	4° 00' N. 5° 00' E.		{ Schooner and 249 slaves . . }	{ G. W. Watson, Esq. H. M. B. Clinker }	May 11, —	249	51	198	Ditto Ditto	Ditto Ditto
Loreto (al.) Corunera	May 12, —	5° 24' N. 10° 8' E.		{ Schooner and 186 slaves . . }	{ John Adams, Esq. H. M. B. Plumper }	May 27, —	186	3	183	Ditto Ditto	Ditto Ditto

N. B.—The proceeds of the sales of the brig "Octavio," and her stores, and the wreck of the brig "Cristina," reported in the last return as being in the hands of the Commissioners of Appraisement and Sale, have since been paid into the military chest.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 31.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Nov. 14.)

MY LORD,

Sierra Leone, August 31, 1830.

WE have the honour to enclose, herewith, for your Lordship's information, our report of the case of the Spanish schooner "*Santiago*," alias "*Polasqui*," condemned this day, in the British and Spanish Court of Mixed Commission, for illicitly trafficking in slaves.

The "*Santiago*" was commanded by Francisco de Paula Golget, formerly an American subject, born in the Floridas, but now owing allegiance to the King of Spain; and was owned by Lorenzo Maso, of St. Jago de Cuba, who fitted her out at that port, for the alleged purpose of a commercial voyage to the Island of Princes, like the generality of Spanish vessels, which are engaged in the illicit traffick in slaves.

The "*Santiago*," having touched at the Danish Island of St. Thomas, proceeded direct from thence to the River Bonny, and shipped, in that river, 165 slaves. She was on her return voyage with them, when she was fallen in with, and detained, on the 3d instant, in latitude 3° 41' N., longitude 7° 32' E., by His Majesty's ship "*Atholl*," Alexander Gordon, Esq., Captain.

The circumstances attending the illicit traffick, in which the "*Santiago*" was engaged, call forth no particular remarks from us, to which we are desirous to call your Lordship's attention; but we think, that we should be compromising our duty, did we not point out to your Lordship, the removal, in this case, of a quantity of spirits, and some medicines, after capture, into the capturing ship.

Although the Prize-Officer, Mr. Henry Bernard, has, in an affidavit, accounted for the reason of their removal, still we think that such removal, together with the causes thereof, should be, by the Captor himself, notified to the Court, by certifying thereto, upon the survey of the stores of the vessel, that is now required to be held at the time of detention, rather than that such information should be obtained, in the first instance, from the witnesses produced in the cause.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 31.

*Report of the Case of the Spanish Schooner "Santiago," alias "Polasqui,"
Francisco de Paula Golget, Master.*

THE Spanish schooner "*Santiago*," alias "*Polasqui*," commanded by Francisco de Paula Golget, cleared out from the port of St. Jago de Cuba, on the 16th of January last, for a commercial voyage to the Island of Princes.

The "*Santiago*" appears to have left St. Jago de Cuba about the end of January, and proceeded to the Danish Island of St. Thomas; from which port she took her ultimate departure for Princes Island, on the 18th of March; but went direct to the River Bonny. Having completed her lading of slaves in that river, she was on her return to St. Jago de Cuba, when, on the 2d day of her voyage, (the 3d of the present month), she was captured, by His Majesty's ship "*Atholl*," Alexander Gordon, Esq. Captain, in latitude 3° 41' N., longitude 7° 32' E., with a cargo of 165 slaves.

Captain Gordon immediately dispatched her to Sierra Leone, for adjudication, where she arrived, after a short passage, on the 23d instant, with 156 slaves on board. The Surgeon to the Court, having, on the same day, inspected the slaves, reported that there were only a few cases of "Craw Craw" and debility; yet, on account of the exposed state of the vessel, at this season of the year, he recommended their being landed as early as convenient. They were, accordingly, disembarked, 155 in number, on the 25th instant, and delivered into the charge of the Liberated African Department, (that being as early a day as the preparations to receive them would admit). On that day, also, an affidavit of the Prize-Master was filed, accounting for the deaths of 10 of them; 9 on the passage up, and 1 in this harbour, after arrival.

The ship's papers of the "*Santiago*," together with the Captor's declaration, were brought into Court, and filed, on the 24th, duly authenticated by the affidavit of the Prize-Master, Mr. Bernard,

Admiralty Mate of His Majesty's ship "Atholl." A motion was, at the same time, prayed for, and granted: it accordingly went forth that day, and was returned, certified by the Marshal to have been duly served, on the 31st instant.

On the 26th, the Master, Francisco de Paula Golget, and the Steward, Manoel Perez, were examined on the standing interrogatories.—The Master swore "that he was born in the Floridas; is a Spanish subject; was an American subject prior to his residence at Cuba; has resided at Cuba for the last 13 years. That he was appointed to the command of the vessel by Lorenzo Maso, a resident of St. Jago de Cuba, who is the owner of the vessel; that the present voyage began at St. Jago de Cuba, and was to have ended there; that Danish St. Thomas was the last clearing port; that the vessel proceeded direct thence to the River Bonny, where she took on board the present cargo of 165 slaves; and that the said slaves were owned by, and consigned to, the aforesaid Lorenzo Maso."

He further swore, "that, at the time of capture, Mr. Bernard, the Prize-Master, sent out of the detained vessel, on board His Britannick Majesty's ship "Atholl," 3 casks, containing about 60 gallons of aquadente, and the medicine-chest, which latter was sent on board witness's vessel again, after the most valuable articles had been taken out."

The Steward, Manoel Perez, after corroborating the Master's testimony, as to the shipment of 165 slaves, in the River Bonny, also swore, "that, at the time of capture, the boarding Officer ordered 3 barrels, each containing about 23 or 24 gallons, of aquadente, and the medicine-chest, from the captured vessel, on board the man-of-war; that, in about an hour after this transaction, the medicine-chest was returned on board the schooner, and was, very soon after, found deficient of several articles, which he knew to have been in the said chest, previous to its having been sent on board the man-of-war."

In answer to the allegation of the removal of spirits and medicines, from the captured vessel to the capturing ship, Mr. Henry Bernard, on the 31st, swore, "that he was ordered, by Commodore Gordon, to send on board the capturing ship, all the spirits that were in the said schooner, to prevent intoxication and insubordination among the crew, which deponent complied with, and sent, as ordered, 3 casks of aquadente on board His Majesty's ship "Atholl;" and, he further swore, "that some medicines were taken from the medicine-chest, for the use of the crew of the said capturing ship, as also for the crew of the said schooner, who were then on board the "Atholl."

Clear and unequivocal testimony having thus been given, of the employment of the "Santiago," alias "Polasqui," in the illicit traffick in slaves, the Court, at its sitting on the 31st instant, pronounced sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick, by His Majesty's ship "Atholl," Alexander Gordon, Esq. Captain, and decreed the emancipation of her surviving slaves, 153 in number,—12 having died between the period of capture and that of adjudication; viz. 9 on the passage up, 1 in the harbour previous to, and 2 after their having been landed.

Sierra Leone, August 31, 1830.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 32.

His Majesty's Commissioners to the Earl of Aberdeen — (Received Dec. 27.)

MY LORD,

Sierra Leone, October 18, 1830.

WE have the honour to enclose to your Lordship, with this despatch, our report upon the case of the Spanish schooner "Atafa Primo," Jozé Maury, Master, which vessel was detained, by His Majesty's ship "Medina," Edward Webb, Esq. Commander, on the 18th of August last, in latitude 3° 22' N., longitude 5° 16' E., and sent here for adjudication, under the Treaty between Great Britain and Spain, for the suppression of the illicit traffick in slaves.

Captain Webb declared, that he detained the "Atafa Primo," for having on board 6 native Africans, detained in irons, as slaves, and, according to the depositions of the said Africans, they were stolen off Grand Bassa, about 10 days previous to capture; and this was corroborated by Mr. Pearne, the Prize Master of the "Atafa Primo," who, in his report to the Court, on arrival in this harbour, on the 4th ultimo, stated "that he had 6 kroomen on board, who were ironed at the time of capture."

The evidence adduced before the Court, however, clearly proved, that the said natives of Africa, by their own admission, were not in irons at the time of capture; that they were not slaves, but went on board the "Atafa Primo" at Grand Bassa, voluntarily, in their own canoe, to obtain employment; that the reason of their not returning on shore, was in consequence of that canoe getting accidentally adrift, and stormy weather preventing the lad left in charge of the canoe, from regaining the said schooner, which vessel was, from the latter cause, at the time the Africans boarded her, obliged to stand off the land to prevent shipwreck.

Much matter was introduced into the evidence, to prove, that it was the intention of the Master of the "*Atafa Primo*," to convert those Africans into slaves; and that, from the fitting and equipment of his vessel, such must be inferred to have been his ultimate object, as he had carried them far down the coast, from their own country, without attempting to land them, and had had them, as they stated, confined in irons. The Court was, however, of opinion, that that position was not borne out by the evidence, there being strong circumstances to believe, that the Claimant had offered to land them; which offer they refused, because war existed between them and the people who inhabited the spot, where they were offered to be landed; and their assertion, that they had been confined in irons was most dubious.

The intention only, of parties under the Spanish flag, to carry on the illicit traffick in slaves, the Court held, did not bring their vessel under the operation of the Treaty for its repression, as the fitting and equipment of a vessel would, alone, prove that intention; which, as the Treaty now exists, would not be sufficient grounds to condemn such vessel. The fact of having on board a slave, or slaves, acquired by the illicit traffick, or having had such on board, brought there for the express purpose of the traffick, simply, authorized the Court to condemn the vessel and cargo, and emancipate such slaves as might have been found on board. In the case of the "*Atafa Primo*" not the slightest proof of the illicit traffick in slaves was brought forward; the Court, therefore, on the 6th instant, decreed the "*Atafa Primo*" to be restored to the Claimant, together with costs of suit, and such special damages and expenses, as he had incurred by the detention of his vessel; and referred the same to the Registrar, to ascertain the amount thereof, and report the same to the Court.

The Registrar having made his report, the Court, at its sitting, on the 16th instant, confirmed the same; (no objection thereto, either on the part of the Claimant, or on the part of the Captor, having been offered,) and thereupon decreed, that Edward Webb, Esq. the Captor in this case, should pay unto José Maury, the Claimant, or unto his lawful attorney or attorneys, for the use of the Owners and Proprietors of the said schooner "*Atafa Primo*," absolutely, and unconditionally, the sum of £134 15s., which the Registrar stated, he was of opinion the Claimant was entitled to, for the detention of his vessel. A copy of the Registrar's report, and a copy of the decree founded thereon, we beg to enclose.

In respectfully referring your Lordship to our report of the case of the "*Atafa Primo*," (the evidence bearing thereon, and our reasons for coming to the conclusion we did, being therein fully set forth) we beg to draw your Lordship's attention to the fact, deposed by the Master, "that the "*Atafa Primo*" and cargo were insured for 24,000 dollars, by some persons residing at Kingston, Jamaica; which insurance had been effected through the agency of a M. Norris, of St. Jago de Cuba." We regret we were not able to elicit further information upon this point, so that we might have been able to acquaint your Lordship with the names of the parties, who are thus stated to have insured the "*Atafa Primo*." For although that vessel cleared out from St. Jago de Cuba, for legitimate trade, to Princes Island, which would, probably, afford a pretext to the parties in question, to defend their so doing; yet there cannot, in our humble opinion, exist the slightest moral doubt, that every Spanish vessel from Havana, or other ports of Cuba, bound to the Coast of Africa, is known to all parties engaged in her, to have in view a slaving voyage.

We are anxious to obtain your Lordship's instructions upon the following point:—had it been proved, that the Africans, who had voluntarily gone on board the "*Atafa Primo*," had been detained against their consent, would such detention (they not having been acquired by an illicit traffick in slaves, nor brought on board for the express purpose of the traffick) have been a sufficient justification to the Court, to have pronounced sentence of condemnation upon that vessel, under the Treaty?

The 1st Article of the Treaty states, that it shall not be lawful for any of the subjects of the Crown of Spain to purchase slaves, or to carry on the slave-trade, on any part of the Coast of Africa, upon any pretext, or in any manner

whatever; and the 9th and 10th Articles of the said Treaty, the 1st Article of the Instructions, and the 1st Article of the Regulations, attached thereto, appear to us, expressly, to limit their operation to vessels found carrying on an illicit traffick in slaves.

We entertain the opinion, and we state it with deference, that, under the Treaty, as it at present exists, the arbitrary detention of Africans, not acquired by an illicit commerce or traffick, would be an act of aggression against such detained parties; but we have strong doubts, whether the Treaty is strictly applicable to cases of such nature.

We further beg, most respectfully, to draw your Lordship's attention to the fact, that Spanish vessels have been in the habit of robbing Brazilian vessels of slaves, a system which, we believe, Spanish vessels will still continue to carry on, where their force is sufficient to awe or overpower the weaker vessel. If, therefore, any Spanish vessel, having slaves on board, obtained by such means, were detained and sent here for adjudication, would the British and Spanish Court of Mixed Commission be authorized in entertaining the question? We beg to state our humble opinion, that the slaves that might, under those circumstances, be on board, would not have been acquired by an illicit traffick in slaves, but would have been acquired by an act of piracy: and, therefore, we think, the question would be for another Tribunal to decide.

It appears to us to be a matter of importance, to ascertain the view which His Majesty's Government may take of these two questions, and we, therefore, most humbly submit them, in order to obtain your Lordship's commands for our guidance, in the event of such cases coming before us for adjudication.

We have, &c.

(Signed)

ALEX. FINDLAY
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 32.

Report of the Case of the Spanish Schooner "Atafa Primo," Jozé Maury, Master.

THE Spanish schooner, "*Atafa Primo*," Jozé Maury, Master, was furnished with a passport by the Authorities at St. Jago de Cuba, in May, 1830, authorizing a commercial voyage to the Island of Princes; and was fallen in with, and detained, on the 18th of August last, in latitude 3° 22' N., longitude 5° 16' E., by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander.

The "*Atafa Primo*" arrived in this harbour, on the 4th of September, in charge of Mr. Pearne, Assistant Master of His Majesty's ship "*Medina*;" who, on being visited by the Marshal to the Court, gave to that Officer a signed statement, in which he declared, "that there were 6 kroomen on board, who were ironed at the time of capture." On the 6th, the Captor's Proctor prayed, that the ship's papers might be filed in Court, and that the usual monition might go forth. The ship's papers were accordingly filed, together with the Captor's declaration, and the monition issued, on the same day; which latter was returned, on the 13th, certified to have been duly served.

The Captor, in his declaration, stated, "that he had detained the schooner, "*Atafa Primo*," sailing under Spanish colours, commanded by Don Maury, who declared her to be bound from St. Jago de Cuba to Princes, with a cargo of rum, tobacco, and powder, and having on board 6 native Africans, detained in irons as slaves, and, according to the depositions of the said Africans, they were stolen off Grand Bassa, about 10 days since."

In support of this declaration, the Master, Jozé Maury, and the Boatswain, Simon Triay, were examined on the standing interrogatories.

The Master deposed, "that the vessel was his own property; that he was also owner of part of the cargo on board, and that Jozé Carreros, Juan Forgos, and Ignacio Maso, all resident at St. Jago de Cuba, were the owners of the remaining part; that the said vessel and cargo were insured for 24,000 dollars, by some persons residing in Kingston, Jamaica, which insurance had been effected through the agency of a M. Norris, of St. Jago de Cuba. That the present voyage began, and was to have ended, at St. Jago de Cuba, which was the last clearing port the vessel sailed from previous to capture. That the first place the schooner touched at, was the Isles de Loss, where she obtained wood and water; but not being able to procure any provisions there, for which purpose those islands had been touched at, the witness went to the Rio Pongos; that he anchored outside of the bar of that river, and proceeded up in a boat; that after remaining there 2 days, witness returned to the Isles de Loss, to land the Pilot he had taken on board at those islands, to conduct him to Rio Pongos; and that from thence he proceeded down the coast; that the first place made, was Grand Bassa, which happened about the 7th of August; that he was seized for having 6 kroomen on

board, who had come on board at Grand Bassa, for the purpose of trading, but, in consequence of stress of weather, they were induced to remain, to assist in getting the schooner under weigh, to stand out to sea, in order to prevent her going ashore. That the storm continued for 3 days, when the land of Grand Sesters was made; that the kroomen refused to be landed there, as the people of that part of the coast were their enemies; that the kroomen were induced to agree with witness to remain on board during the voyage on the coast, as witness was averse to putting back to Grand Bassa, by which he would have lost time; that witness first saw capturing ship, in the latitude of Cape Formosa, about 6 o'clock, A. M.; that the schooner's course was continued, without any additional sail being made, until the capturing ship fired a gun towards witness's vessel; when he had the schooner put about, and stood up to the capturing ship; and that bulk had not been broken since the vessel's departure from Cuba."

Simon Triay deposed, "that he did not know for what reason the "*Atafa Primo*" was detained; that her course was not altered on the appearance of the capturing ship; and that bulk had not been broken since the vessel left St. Jago de Cuba."

On the 11th of September, 3 of the kroomen, named Bottle Beer, Bottle Beer, junior, and Ben Coffee, were examined on behalf of the Captors, on special interrogatories.

Bottle Beer deposed, "that he went on board the "*Atafa Primo*," off Grand Bassa, for the purpose of obtaining employment, as is customary with the natives of that part of the coast, that 5 of his countrymen (who are now on board the "*Atafa Primo*,") and 1 boy, went off in witness's canoe to the schooner. That the weather was calm at the time of their going off, but that the wind became fresh on their making the detained vessel; that the witness, on going on board, saw the Master and Mate, from whom he enquired whence the vessel had come, and was informed that the vessel was a Spanish schooner; that the Master of the vessel then gave witness a glass of rum; that the wind by that time blew heavily, and on witness turning round to look after his canoe, he found it had got adrift; and that, notwithstanding every exertion of the boy, who was left in the canoe, it drifted rapidly ashore. The Master of the schooner, made all sail he could to stand out to sea, although witness entreated him to put back, to let witness's canoe fetch the vessel again; that the said Master, in reply, said 'I have caught you,' and ordered witness, and his 5 companions, to be put in irons, which was accordingly done by placing leg-irons upon the whole of them; that the want of a conveyance on shore from the schooner, which was a long way out to sea, was the reason of witness and countrymen remaining on board; that witness did not say anything to the Master on being put in irons; that no land was made previous to capture; that 10 days elapsed from the period of leaving Grand Bassa and the time of capture; that witness and his countrymen were, during those 10 days, in irons, in the hold of the vessel, and were only allowed to come on deck, once in the morning, and once in the evening of each day, for the purpose of eating their meals; that when the man-of-war bore down upon the schooner, they were brought upon deck, and the irons removed from their legs, and thrown over-board; that witness told some of the crew of the man-of-war's boat, that the Master had stolen him and his companions, and requested they would tell their Officer of it; that when the said boat left the schooner, witness and his countrymen jumped overboard, and were picked up by the said boat, and carried on board His Majesty's ship "*Medina*," "

Bottle Beer, junior, and Ben Coffee deposed to similar facts; and further, "that the Master made them and their other countrymen dress in shirts and trousers, belonging to the sailors, and go forward during the visit of the man-of-war's boat;" but they both stated "that Bottle Beer, their headman, in contradiction to his own testimony, did object to be put in irons, and solicited to know what offence they had committed to be subjected to such treatment." Bottle Beer, junior, further swore, "that he did not state to the Boarding Officer, nor to any of the crew of the man-of-war's boat, the way he and his companions had been treated by the Master, being afraid of the Spaniards."

On the 13th of September, the Proctor for the Captor prayed, that special interrogatories might be put to the Master and the Boatswain; which having been granted, they were examined thereon on the same day.

The Master swore, "that he never gave orders for the 6 Africans being put in irons; that, at the time of the man-of-war's boarding, they were dressed in shirts and trousers, which had been distributed to them by his orders, as they appeared to be cold, from the rain being then heavy; that he, witness, explained to the Boarding Officer the circumstance of those Africans being on board; and those Africans also told the Officer, that they were not slaves; that the said Africans left his vessel, by jumping overboard, after the witness had received the instructions of the man-of-war to proceed on his voyage; and that the man-of-war then again lowered her boat, which picked up the said Africans, and took them on board; that there were 5 or 6 slave-coppers on board, and about 30 slave-irons, which latter, and a part of the former, he bought with the vessel; that the coppers were on board for cooking for the crew, and the irons in case of crew being disorderly; and that there were also 30 or 40 planks on board, for the purpose of repairing the vessel, when necessary, but not for forming a slave-deck."

The Boatswain, in answer to the same interrogatories, swore, "that none of the Africans were ever in irons, between the time of leaving Grand Bassa, and that of falling in with the capturing ship."

This closed the case on the part of the Captors; and, on the 14th of September, a claim was filed on behalf of the Master, "for the said schooner, her tackle, apparel, and furniture, and the goods, wares, and merchandize, on board the same, at the time of capture thereof by His Britannick Majesty's ship "*Medina*," Edward Webb, Esq. Commander, as the sole property of José Maury, Master, as aforesaid, and as protected by the Treaty between Great Britain and Spain, dated the 23d of September 1817, and for all costs, charges, losses, damages, demurrage, and expenses as have arisen, or shall or may arise, by means of the said capture."

To this claim was annexed an affidavit of the Master, in which he stated, "that he verily believed that the said schooner was detained for having on board 6 kroom, or fish, men, natives of Africa; that the said persons had come on board the said schooner, of their own free will, with many others, at a place called Grand Bassa; that they remained on board until the weather proved too tempestuous for them to reach the shore in their own canoes; that, for the safety of the said schooner, this deponent was obliged to make sail; but, upon arrival off Grand Sesters, requested the said persons to go on shore; that they declined landing at Grand Sesters, assigning as a reason, that the country

to which they belonged, and the natives of the Grand Sesters, were at war with each other; that deponent finding it impossible to beat the said schooner from Grand Sesters to Grand Bassa, against the strong current and wind, which prevail in the months of July and August, determined to proceed on his voyage, and land the said persons at Princes Island, where they might obtain a passage to their own country; and was in the prosecution of the said intention, when he was seized and detained by His Britannick Majesty's ship "Medina," as appears by the log-book filed in Court."

The 3 Africans, formerly examined on behalf of the Captors, viz. Bottle Beer, Bottle Beer, junior, and Ben Coffee, were again examined, on the 17th of September, on special interrogatories, put by permission of the Court, on the part of the Claimant, as also Teah, another of their companions, on the 20th.

Ben Coffee, Bottle Beer, junior, and Teah swore, "that an attempt was made by Bottle Beer and Teah to recover their canoe, which accidentally got adrift, by calling out repeatedly to, and urging, the boy therein, to exert himself to regain the vessel; to which no opposition whatever was made by the Spaniards." They all, further, deposed, "that they themselves made no opposition to, nor observation on, their being put in irons; that they were fed on farinha and salt beef; that no additional sail was made upon the appearance of the "Medina;" and that, when they jumped overboard from the "Atafa Primo," the "Medina's" boat had rejoined that ship; that Teah, who was the first man that jumped overboard, retained possession of all their books (certificates of their character), which they had brought off from Grand Bassa; and that there is continual war between the natives of Grand Sesters and their country people." Bottle Beer, Bottle Beer, junior, and Teah, also swore, that no opposition was made by the Spaniards to their conversing with the crew of the man-of-war's boat, when they were on board the schooner, neither was any attempt made to prevent them jumping overboard." And they all (with the exception of Bottle Beer) deposed "that no fee or reward was promised to either of them, by any person, for giving evidence in this case;" whilst Bottle Beer distinctly swore, "that he had been promised, by Captain Webb, a good present, if he talked true, and was a good boy."

Special interrogatories were, likewise, allowed by the Court to be put, on behalf of the Claimant, to the Master, and the Boatswain, but nothing further was elicited from their replies, than what they had already deposed to.

The Proctor for the Claimant then prayed, on the 22d of September, to be allowed to file an affidavit of John Smith, Master Mariner; which being granted, the same was filed accordingly. John Smith deposed, "that he had made several voyages along the coast of Africa, from Cape Sierra Leone to the Gold Coast; that he is not in the habit of entering, in his log book, the visits of the natives on board his vessel, whilst engaged in trade, or sailing along the coast; that he has been necessitated, in consequence of boisterous weather, to run past places on the coast, at which he intended to land kroomen, and land them at other places, which circumstance is by no means an uncommon occurrence with other Ship-masters."

The evidence thus adduced, closed the case on behalf of the Captor and Claimant, and an early day having been prayed for hearing and deciding it, the 6th of October was appointed for that purpose; when the Court met, and, after hearing the Proctors on each side, pronounced the following judgment:—

The case of the Spanish schooner "Atafa Primo," being one of a very novel character, has occupied the serious attention of this Court. The Court, however, consider it a case by no means of a difficult, or complicated description:—the simple fact to be considered is, whether she was, or was not, engaged in the illicit traffick in slaves, by actually having slaves on board, at the time of capture, or having had slaves on board, for that purpose; and the Court cannot but express its conviction, that the Proctors, for both Captor and Claimant, have totally lost sight of that simple fact, through the whole of the voluminous proceedings.

In Spanish cases, evidence of the intention of vessels, under the flag of that nation, to carry on the slave-trade, cannot be entertained by this Court as grounds of condemnation: and the case of the "Atafa Primo" has been greatly clogged, in the attempt to prove such intention; indeed, instead of enlightening the Court, the mass of evidence adduced, the greater part of which is totally irrelevant to the question at issue, is greatly calculated, if it were entertained, to confuse the Court, in arriving at the real merits of the case. But the Court, rejecting the consideration of the evidence that is superfluous, will review the points upon which the case rests.

The Captor, in his declaration, states, "that he detained the "Atafa Primo," for having on board 6 native Africans, detained in irons as slaves;" and, according to the depositions of the said Africans, "they were stolen off Grand Bassa." In corroboration of this, the Prize Master, Mr. Pearne, on arrival in this harbour, signs a statement in writing, which he gives to the Marshal of the Court, "that he had 6 kroomen on board, who were ironed at the time of capture." How stands the fact, to bear out these assertions? The very men themselves, who are stated to be in irons, at the time of capture, swear directly the reverse;—they swear, "they were not in irons at the time of capture." It is perfectly clear, from the evidence filed, that the Officer, who first boarded the "Atafa Primo," from His Majesty's ship "Medina," neither saw, nor heard of, any thing whatever to criminate her, notwithstanding the kroomen swear, "that they told the man-of-war's men, that the Master had caught them;" and it looks exceedingly strange indeed, that those sailors do not appear to have made any communication of that intelligence to their Officer, who appears to have been on board the "Atafa Primo" some time, and had heard the Master's explanation of the reason of the kroomen being on board. That Officer had returned to His Majesty's ship, and the boat, in which he had boarded the "Atafa Primo," was in the very act of being hoisted in, when the kroomen jumped overboard; to which act, be it observed, not the slightest opposition was offered by the Spaniards; nor was any made to their conversing with the Officers and men belonging to His Majesty's ship, when they were on board the "Atafa Primo." A capture is not made, until possession be taken; and when possession of the "Atafa Primo" was taken, the kroomen were actually on board His Majesty's ship. There is, therefore, most unquestionable and indubitable proof, that the kroomen were not in irons at the time of capture, and that the detention of the "Atafa Primo" was determined upon, after they had been picked up by, and reached, His Majesty's ship. The Court enter into this, to shew that the very first position of the Captors is not a correct position.

The men swear they were in irons, which were knocked off when the capturing ship was first observed; but the Court must look at that evidence most cautiously, when 1 of the men, (Bottle Beer) acknowledges to have been promised a reward, "if he spoke true, and was a good boy;" and, although it may be said, that such promise, if true, was made to 1 man only, (the others swearing that none was made to either of them), it is well known to this Court, and to every one having a knowledge of the character of kroomen, that a promise of a reward made to a headman, as Bottle Beer appears to be, will influence those under his controul. And here it is worthy of remark, that although 2 of these men swear, that the headman (Bottle Beer) objected to their being put in irons, (although they themselves did not), and desired to know what offence they had committed, to be subjected to such treatment, Bottle Beer himself swears, he did not say any thing when they were put in irons; thus further rendering that part of their evidence most dubious and unsatisfactory of that fact, as it is difficult to conceive, that men in such circumstances, would not complain.

But the point to which the Court must draw its attention, is this—Has the "*Atafa Primo*" been engaged in the illicit traffick in slaves? and were the kroomen on board acquired by such illicit traffick, or brought there for the express purpose of that traffick? The admission of the men themselves, negatives this most positively;—they swear they all went on board voluntarily, and that, if their canoe had not got adrift, they might have returned on shore; no opposition was offered by the "*Atafa Primo's*" crew to their having free egress to their canoe; none to their jumping overboard then, if they had pleased, to regain their canoe; neither was any opposition made against allowing these men to stimulate the lad, who had been left in charge thereof, to make every exertion to overtake the vessel, which he failed in, owing to the heavy winds then blowing, and the great way the schooner had upon her. Where, then, is the illicit traffick in slaves, in which the "*Atafa Primo*" is said to have been engaged? None. The Court cannot interpret the word traffick in any other than its legitimate and proper meaning, and that is, an exchange of one commodity for another.—Has an exchange of one commodity for another, (and slaves are a commodity within the meaning of the Treaty) in this case, taken place? Certainly not.—The evidence is most clear and unequivocal throughout, that no illicit traffick in slaves, in fact, that traffick of no kind whatever, had taken place up to the period of the "*Atafa Primo's*" capture.

Presuming that these people were detained against their will, such detention would be an arbitrary act on the part of the Master, but the Court cannot construe that act into an illegal trafficking in slaves. It might have been humane, on the part of the Captor, to relieve them from such detention; but it certainly does not bring the vessel within the meaning of the Treaty.

The said Africans certainly were not treated as slaves usually are, by their own shewing. They were fed on farina and salt beef; they were allowed to retain their books (certificates of character); they were allowed freely to converse with the man-of-war's men, which alone, it must be presumed, some attempt would have been made to prevent, if they had really been treated as they aver, together with the Master not having made any attempt whatever to escape, which is corroborated by them, goes far, in the opinion of the Court, to negative their assertion "that they had been caught." And if the Master had wished to have "caught" them, would he not have caught all, and prevented the canoe and the young lad from returning on shore, to acquaint his countrymen with the fate of his friends?

The Master's and Boatswain's account of the accident, by which these men were obliged to remain on board the "*Atafa Primo*," is fully substantiated by the account the men also give of it. It was blowing very heavily from the south, (which off Grand Bassa is directly on shore) when they reached the schooner, and she was in the act of making sail, so Bottle Beer and Teah say, when they got on board; and the Court think, from that circumstance, it may be fairly assumed, that she had been at anchor, although that is denied by the kroomen, but which the ship's log fully confirms. The schooner was, therefore, obliged to stand off, and the canoe accidentally getting adrift, and not being able to overtake the vessel, was the sole cause, as they acknowledge, of their remaining on board; the Court see in this nothing but an accident that might have happened to any ship of any nation; an accident which John Smith, Master Mariner, says, is of frequent occurrence.

The log bears out the Master's assertion, that he stood in afterwards for the land; as, after getting off the land, by steering W. $\frac{1}{4}$ S. W. on the 7th of August, the course is altered, on the 8th of August, to S. E. $\frac{1}{4}$ S. and S. E., which certainly appears to be standing in for the land; and the log has, on the second day after leaving Grand Bassa, a remark, that a town was seen. Although it is not remarked that such standing in was to put the kroomen on shore, the Court think it likely it was for that purpose; and that the place made being Grand Sesters,—a place where they are continually at war with the Grand Bassa people—the kroomen on board preferred to remain where they were, than to be put on shore to be made prisoners of; for how could the Master and Boatswain know so well the fact, of the existence of continued warfare between the people of Grand Bassa and Grand Sesters, unless the kroomen had informed them thereof? and for what purpose could they communicate this intelligence, except not to be landed there? Had they been caught, and treated, and kept in irons below, as slaves, this information, it is to be presumed, would not have been sought for on the part of the Master, nor voluntarily given by the men.

In a former case of a Spanish vessel, condemned in this Court, which was not approved of, the Secretary of State observed to His Majesty's Commissioners, that "on no other grounds than on those stated in the Treaty, or subsequently agreed upon by the High Contracting Parties, could a sentence of condemnation be, with propriety, passed on a Spanish vessel. It was your particular duty, and I feel confident that you will never lose sight of it, to decide, conscientiously, according to the Treaty, and to rely on the wisdom of the legislature to provide a remedy for the inconveniencies that might result therefrom." His Majesty's Commissioners, in a letter to Lord Aberdeen, also expressed, that the consideration, that the sentence of the Court was without appeal; that there was no foreign Commissioner present; and that His Majesty's Commissioners were bound, under a solemn sanction, to frame that sentence, not on their own opinion of the equity or reason of the case, but on an international and formal compact, made them more than ordinarily anxious not to be led away, by a detestation of the traffick, into giving an undue latitude to the means used for suppressing it.

How, then, can this Court condemn the "*Atafa Primo*" for being engaged in an illicit traffick in

slaves, when no such traffick has been made, and the Africans themselves swear that they were not slaves?

It may, possibly, be said, if the "*Atafa Primo*" is allowed to quit this, that, from her fitting and equipment (having leg irons, coppers, and spare plank on board, as acknowledged by the Master) she will, probably, be employed in the slave-trade. It is possible that such may be, hereafter, the case; but the Court cannot look prospectively in these matters, it can only look retrospectively, and, as before said, not condemn for what may take place; it can only condemn for what has actually taken place. This Court is appointed to decide upon the legality of the detention of such slave-vessels, as the Cruizers of the British and Spanish nations shall detain, in pursuance of the Treaty, for carrying on an illicit commerce in slaves. And it is only in the event of those Cruizers finding slaves on board, acquired by an illicit traffick, or having been on board for that purpose, that the Commanders of such cruizers may detain them and bring them before this Court for adjudication. In this case there is a total failure of the proof required. The Court is, therefore, of opinion, that the capture of the "*Atafa Primo*," was premature and irregular, and ought not to have been made. The Court, therefore, decrees the restitution of the "*Atafa Primo*" to the Claimant, together with her tackle, apparel, and furniture, and the goods, wares, and merchandize, laden on board the same, at the time of capture thereof, by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander. The Court further decrees, that the costs of suit, together with such special damages, only, as he can show his cargo has sustained since capture, shall be paid to the Claimant. The Court decrees, that the Claimant is not entitled to demurrage, the "*Atafa Primo*," being considerably under 100 tons burthen.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, October 18, 1830.

Second Enclosure in No. 32.

Mr. Lewis to His Majesty's Commissioners.

Spanish Schooner "Atafa Primo," José Maury, Master.

To the trusty and well-beloved Alexander Findlay, Esq. His Britannick Majesty's Commissary Judge, *ad interim*, and William Smith, Esq. His Britannick Majesty's Commissioner of Arbitration; acting in the absence of Commissioners on the part of His Catholick Majesty the King of Spain.

WHEREAS by your decree of the 6th of October, 1830, you pronounced the said vessel and cargo, to have belonged, as claimed, and decreed the same to be restored to the Claimant, for the use of the Owners and Proprietors thereof, with such costs of suit and special damages only, as have arisen by the detention of the said vessel, by His Britannick Majesty's ship "*Medina*," and referred the consideration of such costs and damages to your Registrar, with directions, that he should report the amount thereof to you. Now I do most humbly report, that having received an account of the same, brought in on behalf of the Claimant, and having taken the same, together with what was urged by the agents of the parties on both sides, into consideration, I am of opinion, that the Claimant is entitled, under your said decree, to the several sums mentioned in the schedule hereunto annexed.

All which is humbly submitted by

(Signed) WALTER W. LEWIS, Registrar.

Sierra Leone October 11, 1830.

In the Case of the Spanish Schooner "Atafa Primo," José Maury, Master.

Schedule of Costs end Damages.

£.	s.	d.		£.	s.	d.	£.	s.	d.
55	13	8	Claimed for cabin stores used on the passage to this port.—Allowed by consent of the parties						
3	0	0	For sewing twine and fishing line, taken by the seamen of the " <i>Medina</i> ."—I have not allowed this charge, as the Master of the schooner, in his examination on the standing interrogatories, stated, that nothing was removed on board the " <i>Medina</i> ," at the time of detention.	45	0	0			

Special damage done to the Schooner.

5	0	0	For damage done to schooner's boat, loss of rudder and oars.						
3	0	0	Ditto, a cat-head, carried away.						
5	0	0	Ditto, damage done to schooner's gun-whale, and iron staunchions.						
			For the three preceding charges, allowed by agreement between the parties						
75	0	0	Claimed for damage done to the schooner's rigging and sails, by being exposed to the weather 2 months.—I do not allow this, as demurrage, if it had been decreed by the Court, would have met this charge.	9	0	0			

£.	s.	d.		£.	s.	d.	£.	s.	d.
380	0	0	Claimed for 2 months wages of Officers and crew, 19 in number, at an average of £10. per head, per month.—I do not admit this charge, as it would have been met by an allowance for demurrage, had the Court decreed the same.						
50	0	0	Claimed for provisions for the crew to subsist upon until they arrive at, or about, the spot where the schooner was detained.—I allow 1s. 3d. per diem, for the maintenance of each of the crew, now 12 in number, and being part of her original crew, for 21 days; in which time it is calculated that the schooner can reach the latitude in which she was detained, and thus be placed, as near as possible, in her original condition	15	15	0	..	..	..
100	0	0	Claimed for deterioration of cargo of said schooner, consisting of damage done to powder during the rainy season, leakage and soakage of spirits, &c. &c.—Allowed by agreement between the parties	..	..	..	17	10	0
50	0	0	Claimed for interest on capital employed—say £4,000. at 5 per cent. for 3 months.—I have not allowed this charge, as the 8th Article of the Regulations for the Mixed Commissions, annexed to the Treaty between His Britannick Majesty and His Catholick Majesty, signed at Madrid, September 23, 1817, only contemplates such charge on the amount of capital employed in the purchase and maintenance of a cargo of slaves.						

Claimed for Expenses to be paid at Sierra Leone.

5	0	0	Anchorage and waterage fee.						
2	10	0	Harbour-Master's fee.				7	10	0
			Allowed by consent of parties	..	..	..
5	0	0	For expenses of wooding.						
5	0	0	Ditto of watering.				5	0	0
			Allowed by agreement between the parties	..	..	..
<hr/>									
40	0	0	Claimed for costs of suit.—Agreed between the parties, that there be allowed	..	..	..	35	0	0
100	0	0	Claimed for freight of the cargo of the said vessel from the place of detention to this port.—I have not allowed this charge, as the vessel has now the same opportunity of earning, in full, her freight, as she had previous to detention	..	..	..
				£15	15	0	15	15	0
<hr/>									
£884	3	8					£134	15	0

Amounting to the sum of one hundred and thirty-four pounds fifteen shillings.

Sierra Leone, October 11, 1830.

(Signed) WALTER W. LEWIS, Registrar.

Third Enclosure in No. 32.

Decree of the Court.

British and Spanish Court of Mixed Commission, Sierra Leone.

Before Alexander Findlay, Esq. His Britannick Majesty's Commissary Judge, *ad interim*, and William Smith, Esq. His Britannick Majesty's Commissioner of Arbitration in the said Court, as associated with the Commissary Judge aforesaid, in the absence of either of the Commissioners on the part of His Catholick Majesty the King of Spain.

PRESENT—Walter William Lewis, Esq. Registrar.

Saturday the 16th day of October, in the year of our Lord, 1830.

Schooner "Atafa Primo," José Maury, Master.

THE Court having heard the Registrar's report read, and having taken that report into consideration, confirm the same. The Court, therefore, doth award and decree, that Edward Webb, Esq. the Captor in this case, do pay unto José Maury, the Claimant, or unto his lawful attorney or attorneys, for the use of the Owners and Proprietors of the said schooner "*Atafa Primo*," absolutely and unconditionally, the sum of £134 15s.; being for costs of suit, and such special damages and expenses as the Registrar has stated the Claimant is entitled to, for the detention of his vessel.

No. 33.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27.)

MY LORD,

Sierra Leone, October 18, 1830.

WE have pleasure in acquainting your Lordship, that the notorious Spanish slave-ship "*Veloz Pasagera*," Jozé Antonio de la Vega, Master, having on board a cargo of 556 slaves, with which she was bound to the Havana, was, after a short, but severe action, captured, on the 7th ultimo, in latitude 5° 8' N., longitude 4° 17' E., by His Majesty's ship "*Primrose*," under the command of Captain William Broughton.

The "*Veloz Pasagera*" arrived here on the 8th instant, and was immediately proceeded against, in the British and Spanish Court of Mixed Commission, for a breach of the Treaty between Great Britain and Spain for the repression of illicit slave-trade.

The facts of such illicit trade, having been fully established, sentence of condemnation was pronounced upon the "*Veloz Pasagera*," as good and lawful prize, on the 16th instant, and the surviving slaves taken on board of her, in number 529, decreed to be emancipated.

Our report upon this case we have the honour to transmit, enclosed, for your Lordship's information.

We solicited the Prize Officer of the "*Veloz Pasagera*," Lieutenant Butterfield, to favour us with a short memorandum of the action, which took place between that ship and the "*Primrose*," in order to communicate the facts thereof to your Lordship. This, however, Lieutenant Butterfield felt delicate in complying with, in consequence of Captain Broughton having reported the action, minutely, to Captain Gordon (the Senior Naval Officer on this coast), for the information of the Lords of the Admiralty. To their Lordships, therefore, we beg to refer your Lordship, for the particulars of this unlawful and daring act, which, according to common report, has been attended with the loss of several lives on the British side, and of many on that of the Spanish, in addition to many on each side being wounded; among the latter, Captain Broughton seriously.

It appears that the Spaniards had the cruelty to station some of the unfortunate men slaves at their guns, to assist in working them, during the action; 5 having been found dead on the main deck of the "*Veloz Pasagera*," who had been killed, and 1 desperately wounded, by the broadsides of the "*Primrose*."

The "*Veloz Pasagera*," whilst on this coast, was boarded 7 times, at different dates, by His Majesty's squadron. The first time she was boarded by His Majesty's ship "*Sybill*," then in Accra Roads, Commodore Collier indorsed upon her papers, that he had warned her crew, not to attempt any resistance against a British vessel, however small the latter, and that, if they resisted, they should be treated as pirates.

The Master, Jozé Antonio de la Vega, having been seriously wounded in the action, was taken on board His Majesty's ship "*Primrose*;" and we learn, that many of the Spaniards were supplied with a boat and provisions, shortly after capture, and sent away to the nearest land they could make.

The Mate, and 22 of the men, came here, in confinement, on board the "*Veloz Pasagera*." They have been landed—have been examined before the Magistrates, and committed to gaol under a charge of murder; which, under the circumstances of the resistance they made, and the lives that were lost in consequence, appears to us, and to the Law-Officers here, a well founded charge.

It is the intention of Lieutenant-Governor Findlay to cause these men to be sent to England, to be dealt with as His Majesty's Government may direct.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 33:

Report of the Case of the Spanish Ship "Veloz Pasagera," Jozé Antonio de la Vega, Master.

THE Spanish ship "*Veloz Pasagera*," was furnished with the usual papers, by the Authorities at the Havana, dated the 21st of August, 1828, authorizing a commercial voyage to the Portuguese Islands, and the Coast of Africa, and stating her to be commanded by Jozé Antonio de la Vega, and to be armed with 24 guns.

The "*Veloz Pasagera*" appears to have left the Havana on the 25th of August, and to have arrived on the Coast of Africa on the 7th of November, 1828. She anchored at Whydah on the 19th of the same month, and seems to have remained on the coast, sometimes at the Islands of Princes and St. Thomas, and at other times in the vicinity of Whydah, until the 4th of September, 1830. She was on her return to the Havana, when fallen in with, on the 7th of that month, in latitude 5° 8' N., longitude 4° 17' E., and detained by His Majesty's ship "*Primrose*," William Broughton, Esq. Commander, with 551 slaves on board (5 others having been found dead on board, after an action, which took place previous to her capture), said to have been shipped in the neighbourhood of Whydah, only 4 days previously.

The "*Veloz Pasagera*" arrived in this harbour on the 8th of October, with 534 slaves on board, having lost 16 by death, on the passage to this port. The slaves were immediately visited by the Surgeon to the Court, who reported, "that, from the circumstance of the necessarily confused state of the vessel, and that of there being 20 ulcer cases, 3 cases just recovering from the small-pox, 10 cases of bowel complaint, and several affected with "*Craw Craw*," amongst them, he recommended their being landed as soon as possible." They were accordingly landed, and delivered into the charge of the Liberated African Department, on the 9th of October.

On the 8th of October, also, a petition was received from the Captor's Proctor, praying that the papers of the "*Veloz Pasagera*" might be filed, and the usual monition go forth; which, having been granted, the ship's papers, and the Captor's declaration, were duly filed, and the monition issued, on that day; which latter was returned, on the 16th, certified to have been duly served.

On the 9th of October, another petition was received from the Captor's Proctor, praying that further papers, found on board the "*Veloz Pasagera*," since capture, might be brought into Court, and filed; the prayer of which petition having been granted, on the same day, the papers were accordingly filed, duly attested by the affidavit of Lieutenant Butterfield, the Prize Master.

On the 11th of October, Alexandro Nocetty, the Mate, and, on the 13th, Juan Bermudez, the Gunner of the "*Veloz Pasagera*," were examined on the standing interrogatories; a certificate from the Surgeon of His Majesty's ship "*Primrose*" having been filed, to account for the absence of the Master, who had been seriously wounded, and, from the want of medical assistance on board the "*Veloz Pasagera*," was not able to proceed to this port.

Both the Mate and Gunner swore, "that the Master's name is Jozé de la Vega; that he resides at Cadiz; that he was the Owner of the vessel; that the present voyage began at the Havana; that the cargo shipped there consisted of aguadente, and 60,000 dollars; that the Havana was the last clearing port; that the vessel has touched at many of the ports on the leeward coast; that resistance was made at the time of capture; that the present cargo of slaves were all purchased from Chacha (de Souza), and shipped from Jackin, a place near Whydah; that the said cargo of slaves were to have been landed at the Havana, where the voyage was to have ended; and that bulk was first broken, and the outward cargo landed, at Whydah." The Mate further swore, "that the cargo of slaves belonged to certain Spaniards, resident at the Havana, but whose names he could not remember."

Clear proof of the illicit employment of the "*Veloz Pasagera*" in the slave-trade, having been thus established, the Court, on the 16th of October, 1830, pronounced sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick, by His Majesty's ship "*Primrose*," William Broughton, Esq. Commander, and decreed the emancipation of her surviving slaves, 529 in number,—21 having died since capture, viz. 16 on the passage to this port, and 5 between the period of arrival and that of condemnation. And the Court further decreed the emancipation of 1 slave, if surviving, stated to have been taken out of the "*Veloz Pasagera*," on board His Majesty's ship "*Primrose*," to receive medical assistance.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, October 18, 1830.

P. S. Since the date of this report, His Majesty's ship "*Primrose*" arrived here, and delivered the above-mentioned slave over to the Liberated African Department, making the total number emancipated 530.

(Signed) A. F.
W. S.

No. 34.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27.)

MY LORD,

Sierra Leone, October 30, 1830.

The Spanish schooner "*Nueva Isabelita*," alias "*Numero Uno*," having on board 141 slaves, who had been shipped at Little and Grand Bassa, and with whom she was on her return to the Island of Cuba, was captured by His Majesty's ship "*Atholl*," Captain Alexander Gordon, on the 17th instant, in latitude 6° 00' N., longitude 14° 40' W.

The "*Nueva Isabelita*" arrived here on the 20th following, and was immediately proceeded against, in the British and Spanish Court of Mixed Commission; and the proofs adduced, of her being employed in the illicit traffick in slaves, being perfectly clear and well established, the Court, on the 29th instant, pronounced sentence of condemnation upon the "*Nueva Isabelita*," alias "*Numero Uno*," as good and lawful prize, to the Crowns of Great Britain and Spain; and, at the same time, emancipated 139 slaves, being the number of survivors taken on board of her,—2 having died previous to adjudication.

Our report of this case, we beg leave most respectfully to enclose, for your Lordship's information.

The Master and Cook of the "*Nueva Isabelita*" having deposed, that half a cask of rum, and the medicine chest, were taken out of that vessel by the Captor; Captain Gordon addressed a letter to us, explanatory of the circumstances, under which he was induced to remove those articles, as well as his reasons for having removed similar articles out of the Spanish schooner "*Santiago*," alias "*Polasqui*," reported to your Lordship in our despatch of the 31st of August last.

Copy of Captain Gordon's letter, we have the honour to transmit herewith.
We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 34.

Report of the Case of the Spanish Schooner "Nueva Isabelita," alias "Numero Uno," Don Filomeno Xiro, Master.

THE Spanish schooner "*Nueva Isabelita*," alias "*Numero Uno*," Don Filomeno Xiro, Master, was furnished with a provincial passport, by the Authorities of the Island of Cuba, dated the 28th of May, 1830, authorising a commercial voyage to Princes Island. She cleared out, from St. Jago de Cuba, also, on the 28th of May, and was captured, on her return voyage, on the 17th of October following, in latitude 6° 00' N., longitude 14° 40' W., by His Majesty's ship "*Atholl*," Captain Alexander Gordon, with 141 slaves on board, said to have been shipped at Little Bassa, on the 10th of that month.

The "*Nueva Isabelita*" arrived in this harbour, on the 20th of October, with 140 slaves on board, 1 having died on the passage up. The slaves were immediately visited by the Surgeon to the Court, who reported, that, although they were particularly healthy, yet, on account of the smallness of the vessel, and the extraordinarily heavy rains at this season of the year, he recommended their being landed as soon as convenient. They were, therefore, disembarked, and delivered over to the Liberated African Department, on the 23d of October.

On the 21st, the ship's papers, and the Captor's declaration, were brought into Court and filed, duly attested by the affidavit of the Prize Officer, Mr. Starmer. The usual monition, having likewise been prayed for, on the same day, was accordingly issued, and returned, certified to have been duly served, on the 28th.

On the 22d, the Master, Filomeno Xiro, and, on the 25th, the Cook, Manuel Purliro, were examined on the standing interrogatories. Both swore, "that Don Jozé Borrás, a resident of St. Jago de Cuba, was the Owner of the vessel, and of the cargo of slaves; that the present voyage began at St. Jago de Cuba, and was to have ended there; that Brava, Cape de Verdes, was the last clearing port the "*Nueva Isabelita*" touched at, previous to capture; that she had proceeded to that island to obtain fresh provisions, water, and wood; that the present cargo consists of slaves, who were all shipped from Little and Grand Bassa; that the outward cargo consisted of dry goods, muskets, powder, tobacco, &c., which was shipped off St. Jago de Cuba; that that cargo was received from an English sloop, belonging to Kingston, Jamaica; and that half a cask of rum, and the medicine chest, were taken out of the captured vessel at the time of detention."

The fact, that this vessel was engaged in the illicit traffick in slaves, having been thus fully proved, the Court met, on the 29th of October, for her adjudication, and passed sentence of condemnation upon the "*Nueva Isabelita*," alias "*Numero Uno*," as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's ship "*Atholl*," Captain Alexander Gordon, and decreed the emancipation of her surviving slaves, 139 in number,—2 having died since capture, viz. 1 coming up, and 1 in harbour.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Second Enclosure to No. 34.

Captain Gordon to His Majesty's Commissioners.

GENTLEMEN,

Sierra Leone, October 30, 1830.

IN consequence of the Master of the "*Nueva Isabelita*" having deposed, that a part of a cask of rum, and a chest of medicines, were taken out of the said schooner, by my orders, I have to explain to the Court, that, on taking possession of a slave-vessel, I have, for the safety of the vessel, ordered any spirituous liquors (which are generally of the ardent kind, called *agua ardente*,) to be removed or thrown overboard, and that the same reason induced me to remove the medicine chest, which might contain deleterious drugs, so as to prevent any improper use being made of them.

I beg further to acquaint you, that the same articles were removed by me from the Spanish schooner "*Santiago*," alias "*Polasqui*," for the same reasons as above stated, and under similar circumstances.

(Signed) ALEX. GORDON, Captain.

To the Judges of the British and Spanish Court of Mixed Commission.

No. 35.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27.)

MY LORD,

Sierra Leone, October 30, 1830.

WE have the honour to report to your Lordship the arrival, in this harbour, on the 24th instant, of the Spanish brigantine "*Pajarito*," of the Havana, commanded by Fortunato Romero, having on board a cargo of slaves, with which she was bound to the Havana, from the River Old Calabar, when fallen in with, and detained, on the 24th ult. (in latitude 4° 22' N., longitude 8° 20' E.,) by Lieutenant Frederick Servante, in command of the "*Puss*," a tender belonging to His Majesty's ship "*Medina*."

The "*Puss*" (formerly the Spanish schooner "*Maria de la Concepcion*,") is the tender attached to His Majesty's ship "*Medina*," which we reported to your Lordship in our despatch of the 16th of September last, that is not duly furnished with the signed instructions, by the Lords of the Admiralty, to make captures under the slave-trade restriction Treaties.

The "*Puss*," we understand, was dispatched from His Majesty's ship "*Medina*," lying at the time at Princes Island; the latter intending to follow her tender shortly afterwards. They, however, did not join after the capture of, and previous to Lieutenant Servante sending the "*Pajarito*" here, by whom the declaration was made.

The capture of the "*Pajarito*" was made near the mouth of the Old Calabar river, about 150 miles distant from West Bay, Princes Island; and, as the "*Puss*" was for 2 or 3 days, after the capture, endeavouring to fall in with His Majesty's ship, without success, it is clear that she was, at the time she made the capture of the "*Pajarito*," acting apart and distinct from the ship to which she is attached. We, therefore, conceived, under the instructions conveyed to us, respecting tenders, that the capture of the "*Pajarito*" was irregular, and that, if brought into the British and Spanish Court of Mixed Commission, it would be the duty of the Court to restore her, in consequence of such irregularity.

Captain Gordon, of His Majesty's ship "*Atholl*," the senior Naval Officer on this station, having arrived here the same day as the "*Pajarito*," we communicated to him the substance of your Lordship's instructions to us, upon the subject of tenders, as His Majesty's squadron has not yet received instructions upon that point, from the Lords of the Admiralty.

On learning our view of the case, Captain Gordon, and the Proctor of the Captor, had some conversation with the Master of the "*Pajarito*," Fortunato Romero; and the result was, that he voluntarily offered to manumit the whole of the slaves he then had on board, in number 233,—293 having been originally shipped, and 60 having died coming up. This arrangement, having for its important object the liberating so many Africans from slavery, was accordingly carried into effect, by Fortunato Romero's own solemn act, on the

27th instant, and they were, on the same day, delivered over,—free men,—to the Colonial Authorities. A notarial copy of the release and manumission of the said Africans we have the honour to transmit, herewith, for your Lordship's information.

The Africans in question have, for the present, been placed at Kissy, for the benefit of medical advice, at the Liberated African Hospital established there; many being in a very bad state of health. On their recovery, however, they will be placed in some of the villages, with allotments of land, as is usual with Africans liberated by the decrees of the Courts established here.

The "*Pajarito*" herself was delivered up to her Master, and quitted this for the Havana, this day.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 35.

*Notarial Copy of the Release and Manumission of the Slaves of the
"Pajarito," by Fortunato Romero.*

I, JOHN SAMO, of Freetown, in the Colony of Sierra Leone, Notary Publick, duly admitted and sworn, and of practice, in the said colony, do hereby certify and attest, unto all whom it may concern, that the deed of release, hereunto annexed, was duly signed and sealed, by Fortunato Romero, therein named, in my presence, and in the presence of Robert Dougan, and Stephen Gabbidon. And I further certify, that the said deed of release was read by me, and explained, to the said Fortunato Romero, through the interpretation of William Rawlins, who was duly sworn faithfully to interpret in the English and Spanish languages.

Dated at Freetown, in the Colony of Sierra Leone,
the 27th day of October 1830.

(L. S.) JOHN SAMO, Not. Pub.

KNOW all Men by these presents, that I, Fortunato Romero, Master of the Spanish brigantine or vessel, called "*Pajarito*," of the burden of 103 tons, or thereabouts, and sole Owner of the cargo laden on board the same, to wit, 293 slaves, natives of Africa, have remised, released, and for ever discharged, and by these presents do, for me, my heirs, executors, and administrators, remise, release, and for ever discharge, Edward Wcbb, Esq. Commander, and the Officers and crew of His Britannick Majesty's ship-of-war "*Medina*," their respective heirs, executors, and administrators, of and from all, and all manner of action and actions, cause and causes of actions, suits, dues, sum and sums of money, controversies, damages, judgments, executions, claims and demands whatsoever, in law and equity, which, against the said Edward Webb, and the Officers and crew of His Britannick Majesty's said ship "*Medina*," I ever had, now have, or which I, my heirs, executors, or administrators, hereafter can, shall, or may have, for, upon, or by reason of the seizure and detention of the cargo of the said brigantine, consisting of 293 slaves, detained, as aforesaid, on the 24th day of September, in the year of our Lord, 1830, by His Britannick Majesty's said ship, or by reason of any matter, cause, or thing whatsoever, from the beginning of the world to the day of the date of these presents. And I, the said Fortunato Romero, do hereby, for myself, my heirs, executors, and administrators, renounce and give up all right, title, interest, property and demand, whatsoever and howsoever, in the said 293 slaves, as aforesaid; and that I, the said Fortunato Romero, do, by these presents, solemnly and voluntarily manumit, and set free, the said 293 slaves, or those that are now surviving; and the said 293 slaves, or the survivors, are hereby manumitted and set free, for ever. And I do further declare, that I, the said Fortunato Romero, have, in myself, lawful and absolute power and authority to grant, deliver, and execute these presents; and the same will warrant and for ever defend against all and every person or persons whomsoever.

In witness whereof, I have hereunto set my hand and seal, at Freetown, in the Colony of Sierra Leone, the 27th day of October, in the year of our Lord, 1830.

(Signed) FORTUNATO ROMERO, (L. S.)

Signed, sealed, and delivered, in the presence of

(Signed)

ROBERT DOUGAN.
STEPHEN GABBIDON.

I, JOHN SAMO, of Freetown, in the Colony of Sierra Leone, Notary Publick, duly admitted and sworn, and of practice in the said colony, do hereby certify and attest, unto all whom it may concern, that the foregoing are true copies of a certain deed of release, executed before me, on the 27th day of October last, and of a certain certificate thereunto annexed.

Dated at Freetown, in the Colony of Sierra Leone,
the 2d of November 1830.

(Signed) JOHN SAMO, Not. Pub.

SIERRA LEONE. (Brazil.)

No. 36.

His Majesty's Commissioners to The Earl of Aberdeen.—
(Received January 27, 1830.)

MY LORD,

Sierra Leone, October 10, 1829.

WE have the honour to forward, herewith, for your Lordship's information, the report of the case of the Brazilian schooner "*Santo Jago*," Jozé Antonio de Souza Paladins, Master.

The "*Santo Jago*" left Bahia, in the end of December 1828, and was captured, on the 7th of August last, in $2^{\circ} 29' 6''$ N. latitude, $6^{\circ} 25' 2''$ E. longitude, by His Majesty's ship "*Medina*," Captain Webb, with 209 slaves on board.

The evidence adduced clearly proving these slaves to have been illicitly shipped at Ajuda (Whydah) in the Bight of Benin, sentence of condemnation was passed upon her, and her surviving slaves were decreed to be emancipated, by the British and Brazilian Court of Mixed Commission, on the 30th ultimo.

We have, &c.

(Signed)

H. J. RICKETTS.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 36.

Report of the Case of the Brazilian Schooner "Santo Jago," Jozé Antonio de Souza Paladins, Master.

THE Brazilian schooner "*Santo Jago*," commanded by Jozé Antonio de Souza Paladins, left Bahia, in the end of December 1828, furnished with an Imperial Passport, numbered 54, and dated the 23d of the same month, purporting her to be owned by Antonio Pereira Franco, and authorizing a voyage to Cabinda, by way of Princes' and St. Thomas' Islands, for a cargo of slaves, whose numbers were not to exceed 275; and she was captured, on the 7th of August last, in latitude $2^{\circ} 29' 6''$ N., longitude $6^{\circ} 25' 2''$ E., by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander, with 209 slaves on board, said to have been shipped at Ajuda, on the 10th of July preceding.

The "*Santo Jago*" arrived in this harbour on the 21st of September. On the 22d, the Surgeon made his report on the state of the slaves, in which he set forth, "that they were in a state of extreme debility, from bad food and a tedious passage; that 1 was affected with the small-pox; and that about 30 were labouring under a severe bowel complaint, and the dangerous accompanying evil of worms, and that "*Craw Craw*" prevailed; taking all which into consideration, and the state of the Kisse Hospital, &c. at present, he recommended that the small-pox case should be immediately sent to Kisse, to be lodged with the other cases of that disease, now under treatment there; and that all the other people on board the "*Santo Jago*" be landed, and lodged in the Liberated African Yard, as soon as the same can be evacuated for their reception."

On the same day the ship's papers were brought into Court, and filed, duly authenticated by the affidavit of Mr. John Tall, Gunner on board His Majesty's ship "*Medina*," and Prize Master of the "*Santo Jago*." A monition was, at the same time, prayed for, and granted, which accordingly went forth, and was returned, certified to have been duly served, on the 29th.

On the 23d, a petition was presented to the Court, by the Captor's Proctor, to allow the whole of the slaves to be landed, which was granted, and they were, on the following day, disembarked, and delivered over to the Liberated African Department.

The witnesses examined in this case, on the standing interrogatories, were the Master, Jozé Antonio de Souza Paladins, on the 23d, and the Mate, Pedro de Souza, on the 24th. The Master swore "that himself and Antonio Pereira Franco, were the sole owners of the vessel; that the said Franco, who resided at Bahia, agreed to his being appointed to the command of the "*Santo Jago*;" that he took possession of her at Bahia; that she sailed under Brazilian colours; and was detained, on the 7th of August, in latitude 2° 12' N., longitude 6° 23' E., for having slaves on board; that the present voyage began at Bahia, and was to have ended there; that Ajuda (Whydah) was the last, and only place, the "*Santo Jago*" touched at during the present voyage; that the whole of the slaves were taken on board there; that himself, and his partner, Antonio Pereira Franco, were the consignees of the slaves on board; and that the said slaves were to have been delivered at Bahia, for the sole account, risk, and benefit of himself and aforesaid partner. The other witness, Pedro Antonio de Souza, who swore that he was a son of the Master, corroborated his father's evidence.

The fact of her having taken her slaves on board to the northward of the Equator, having been thus clearly established, the Court, at its sitting on the 30th ult., pronounced sentence of condemnation upon the schooner "*Santo Jago*," as good and lawful prize to the Governments of Great Britain and Brazil, and as taken in the illicit traffick in slaves, by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander, and decreed the emancipation of her surviving slaves, 148 in number,—65 having died previous to adjudication; viz. 58 on her passage up, and 7 after being landed,—209 having been captured, and 4 subsequently born on board.

Sierra Leone, October 10, 1829.

(Signed) H. J. RICKETTS.
WM. SMITH.

No. 37.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, February 28, 1830.

WITH reference to my previous despatches to you, on the subject of the termination of the legal African slave-trade of Brazil, under the Convention of the 20th of November 1826, between Great Britain and that Country, I herewith transmit to you, for your information, a copy of a despatch,* and of its enclosure, from His Majesty's Chargé d'Affaires at Rio de Janeiro, containing the official notification, by the Brazilian Government, of the time appointed, according to the above mentioned Convention, for the final departure from Africa of Brazilian slave-ships, returning to Brazil from their slave-trading voyages.

I am, &c.

(Signed) ABERDEEN.

His Majesty's Commissioners.

* November 28, 1829.—(Sec Class B.)

No. 38.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

HEREWITH we have the honour to forward to your Lordship an abstract of the proceedings of the British and Brazilian Court of Mixed Commission, established in this colony, during the year 1829

10 vessels were adjudicated in that Court, which were all cases of condemnation, and 2,408 slaves emancipated.

We have, &c.

(Signed)

A. F. EVANS.
WM. SMITH.

The Right Hon The Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 38.

Abstract of Proceedings under the British and Brazilian Mixed Commission at Sierra Leone, from the 1st of January 1829, to the 1st of January 1830.

No. 1. THE Brazilian schooner "*Triumpho*" was furnished with an irregular imperial passport from Bahia, authorizing a slaving voyage to Cabinda, with permission to touch at any of the ports on the Western Coast of Africa; and she was captured, in latitude $3^{\circ} 12' N.$, longitude $5^{\circ} 54' E.$, on the 23d of November 1828, by His Majesty's ship "*Medina*," Captain Suckling, with 127 slaves on board, who were sworn, by the Master and Mate, to have been shipped at Molembo. This was, however, fully disproved by the evidence of 3 other witnesses, who swore, that the slaves were embarked in the River Benin. The Court, therefore, on the 17th of January 1829, condemned the "*Triumpho*," and emancipated 122 slaves, the survivors of those captured.

No. 2. The Brazilian schooner "*Bella Eliza*," Gaspar dos Reis do Fonceca, Master, was captured, on the 7th of January 1829, in latitude $3^{\circ} 13' N.$, longitude $4^{\circ} 42' E.$, by His Majesty's ship "*Medina*," William Benjamin Suckling, Esq., Commander, with 232 slaves on board; all of whom were proved to have been shipped at Lagos. Sentence of condemnation was, accordingly, on the 27th of February, passed upon the "*Bella Eliza*," and the emancipation of 215 slaves decreed;—17 having died between the period of capture and adjudication.

No. 3. The Brazilian schooner "*Uniao*" André Joaquim Ferreira, Master, and José Marques Ribeiro, Owner, was furnished with an imperial passport from Bahia, dated the 12th December, 1828, for a slaving voyage to Cabinda, authorizing her to take on board any number of slaves, not exceeding 370. She was, however, captured, on the 6th of February following, in latitude $2^{\circ} 48' N.$, longitude $5^{\circ} 12' E.$, by His Majesty's ship "*Sybille*," Commodore Collier, with no less than 405 slaves on board; who were proved to have been shipped at Lagos, on the 2d of the same month. She was, accordingly, condemned, and her surviving slaves emancipated, to the number of 366, on the 20th of March, 1829;—39 having died since capture.

No. 4. The Brazilian brig "*Andorinha*" was furnished with an irregular imperial passport, purporting her to be owned by José Joaquim de Oliveira, of Bahia, commanded by José Antonio de Socorro, and authorizing a voyage to Cabinda for slaves, with liberty to touch at the Gold Coast, and at the Islands of St. Thomas and Princes. She was captured, at anchor in Lagos Roads, on the 19th of February last, by His Majesty's ship "*Sybille*," Commodore Collier, C. B. without any slaves on board, but with a great part of her cargo landed.

A claim was made in this case for the vessel and cargo; but no satisfactory reason having been assigned for her touching, and remaining, and delivering the greatest part of her outward cargo, at that notorious slave mart Lagos, deep in the Bight of Benin, the Court, on the 11th of April, 1829, condemned the "*Andorinha*" and cargo, as good and lawful prize.

No. 5. The Brazilian schooner "*Donna Barbara*," Thomas Luiz, Master, and Wenceslao Miguel de Almeida, Owner, was furnished with an imperial slave-passport from Bahia, and was captured, on the 15th of March, 1829, with 357 slaves on board, off Freetown, by the schooner "*Paul Pry*," tender to His Majesty's ship "*Sybille*," under the command of Lieutenant Harvey; having been previously detained, in latitude $3^{\circ} 13' N.$, by the Prize-master of the Brazilian brig "*Andorinha*," and brought to Sierra Leone, where, on her arrival, she was taken possession of by Lieutenant Harvey. A claim was made for this vessel, and such slaves as were on board at the time of her capture by the "*Andorinha*," but the evidence having fully proved those slaves to have been shipped to the northward of the Line, the Court passed sentence of condemnation upon the "*Donna Barbara*," and decreed the emancipation of the surviving slaves, 351 in number, on the 13th of April, 1829;—6 having died since capture.

No. 6. The Brazilian brigantine "*Carolina*," furnished with a passport from Rio de Janeiro, for a commercial voyage to Onim (Lagos), was captured on the 6th of March, 1829, in latitude $5^{\circ} 11' N.$, longitude $4^{\circ} 30' E.$, by the "*Black Joke*," Lieutenant Downes, Commander, tender to His Majesty's ship "*Sybille*," with 420 slaves on board, who were proved to have been shipped at Lagos, the day before capture. She was, therefore, on the 13th of April following, condemned, and the surviving 399 slaves emancipated;—21 having died since capture.

No. 7. The Brazilian schooner "*Mensageira*," Ignacio Alvez Martha, Master, and José Fernandez de Oliveira Penna, Owner, was furnished with an irregular imperial passport, authorizing a slaving voyage to Cabinda, with liberty to touch at Princes Island. She was captured, on the 15th of February, by the "*Cornelia*," tender to His Majesty's ship "*Eden*," on the bar of the Bonny River, with 353 slaves on board. These slaves were proved to have been shipped in the River Bonny; the Court, therefore, on the 24th of June, 1829, passed sentence of condemnation upon the "*Mensageira*," and decreed the emancipation of her surviving slaves.

No. 8. The Brazilian schooner "*Ceres*," owned by Jozé Botelho de Sequeira Mattos Araujo, and Company, of Rio de Janeiro, and commanded by Joao Baptista Bregara, was furnished with an irregular imperial passport for a slaving voyage to Molembo; and was captured by His Majesty's brig "*Plumper*," Lieutenant Greer, Commander, on the 6th of August, 1829, in 1° 30' N. latitude, 9° 16' E. longitude, with 279 slaves on board; whom the evidence of the Master and Mate proved to have been shipped in the River Cameroons. Sentence of condemnation was, accordingly, on the 22d of September, 1829, passed upon the "*Ceres*," and the emancipation of the surviving slaves decreed, 128 in number;—151 of the unfortunate creatures having died since capture.

No. 9. The schooner "*Emilia*," sailing under Brazilian colours, and furnished with an imperial slave passport, purporting her to be owned by Miguel Luiz Vianna, and commanded by Pedro Jozé Netto, was captured by the "*Dallas*," tender to His Majesty's ship "*Sybilie*," on the 16th of August, 1829, off Cape Formosa, with a cargo of 486 slaves on board. The evidence proved these slaves to have been shipped in the River Lagos. The "*Emilia*" was, therefore, on the 22d of September, 1829, condemned, and her surviving slaves, 435 in number, emancipated;—53 having died, and 2 having been born since capture.

No. 10. The Brazilian schooner "*Santo Jago*," Jozé Antonio de Souza Paladins, Master, and part Owner, was furnished with an irregular passport from Bahia, for a slaving voyage to Cabinda, by way of Princes and St. Thomas; and was captured, on the 7th of August last, by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander, in 2° 29' 6" N. latitude, 6° 25' 2" E. longitude, with 209 slaves on board. These slaves were proved to have been shipped at Whydah, for the real account, risk, and benefit of the Master and the other part Owner, Antonio Pereira Franco; sentence of condemnation was, therefore, passed upon the "*Santo Jago*," on the 30th of September, 1829; and her surviving slaves, to the number of 148, decreed to be emancipated;—65 having died since capture.

(Signed)

A. F. EVANS.
WM. SMITH.

Sierra Leone, January 1, 1830.

No. 39.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received March 7.)

SIR,

Sierra Leone, January 5, 1830.

IN pursuance of the 75th clause of an Act, passed in the 5th year of the reign of His present Majesty, intituled "an Act to amend and consolidate the Laws relating to the abolition of the Slave-trade;" and in conformity to the Act, passed in the 7th and 8th years of His said Majesty's reign, intituled "an Act to carry into execution a Convention between His Majesty and the Emperor of Brazil, for the regulation and final abolition of the African Slave-trade;" we have the honour to enclose a return of all the cases of Brazilian vessels, adjudicated in the British and Brazilian Court of Mixed Commission, established here, from the 1st of July, 1829, to the 1st instant.

We have, &c.

(Signed)

A. F. EVANS.
WM. SMITH.John Backhouse, Esq.
&c. &c. &c.

Enclosure in No. 39.

Return of Brazilian Vessels adjudicated by the British and Brazilian Court of Mixed Commission, established at Sierra Leone, betwixt the 1st July 1829, and the 1st January 1830.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property seized.	SEIZOR.	Date of Sentence.	Number of Slaves Captured.	Number Adjudicated before.	Total Emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Ceres.....	Aug. 6, 1829	1° 30' N.	9° 16' E.	{ Schooner and 279 slaves .. }	{ J. M. Greer, Esq. H. B. M. B. Plummer... }	Sept. 22, 1829	279	151	128	{ Condemned for being engaged in the illicit traffick in slaves. }	{ The schooner and stores sold by public auction, and the proceeds paid into the military chest. }
Emelia....	Aug. 21, —	1° 41' N.	7° 18' E.	{ Schooner and 486 slaves .. }	{ F. A. Collier, C. B., H. B. M. M. S. Sybille }	Sept. 22, —	486	53	435	Ditto Ditto	Ditto Ditto
Santa Jago	Aug. 7, —	2° 29' 6" N.	16° 25' 2" E.	{ Schooner and 209 slaves .. }	{ Edwd. Webb, Esq. H. B. M. S. Medina .. }	Sept. 30, —	209	65	148	Ditto Ditto	Ditto Ditto

N. B.—The proceeds of the sale of the schooner and stores of the "*Messenger*," reported in the last return, as being in the hands of the Commissioners of Appraisement and Sale, have since been paid into the military chest.

(Signed) A. F. EVANS.
WM. SMITH.

(Signed) THOS. COLE, Acting Registrar.

No. 40.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 16.)

MY LORD,

Sierra Leone, January 29, 1830.

WE beg leave to acknowledge the receipt of your Lordship's despatch, dated November 30th 1829, transmitting to us the copies of a correspondence, which had passed between your Lordship and the Chargé d'Affaires of the Emperor of Brazil, on the subject of the construction to be given to that stipulation of the Convention with Brazil, of the 20th of November 1826, which regulates the period for the abolition of the African slave-trade of Brazil, and transmitting also, the copy of a letter, which your Lordship had addressed, under date of the 18th November, to the Lords Commissioners of the Admiralty, conveying His Majesty's commands, that the Commanders of His Majesty's Cruizers shall be instructed, that Brazilian slave-ships, which shall have finally quitted the African Coast, on or before the 13th of March 1830, shall not be held to have incurred the liability of being treated as pirates, under the Convention with Brazil, in consequence of being found at sea after the said period, in the *bonâ fide* prosecution of that particular homeward voyage, which had commenced on or before the 13th of March 1830.

These, your Lordship's instructions, shall be the rule of our conduct in cases to which they may apply.

We have, &c.

(Signed)

AL. ML. FRASER.

The Right Hon. the Earl of Aberdeen, K. T.

WM. SMITH.

&c.

&c.

&c.

No. 41.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 16.)

MY LORD,

Sierra Leone, January 29, 1830.

WE have the honour to acknowledge the receipt of your Lordship's despatch, dated the 7th of December 1829, communicating to us, for our information and guidance, the opinion of His Majesty's Advocate-General, upon an hypothetical case, which had been submitted to that Officer; that, after the period stipulated by Treaty, for the abolition of the Brazilian slave-trade, if any Brazilian subjects shall have recourse to bringing negroes from the Coast of Africa, on the plea of the blacks being colonists or servants, who have entered into contracts to serve their importers or agents, during a certain term of years, in consideration of certain money or goods, lent to them, with which they are to purchase their freedom, that act cannot be considered in any other point of view, than as an attempt to continue that trade under another name; and that such Brazilian subjects will be liable to be treated and dealt with, in the same manner, as if they had been more openly and directly engaged in the traffick for slaves.

Should the facts contemplated come under our view, we shall be governed in our conduct by the directions of your Lordship.

We have, &c.

(Signed)

AL. ML. FRASER.

The Right Hon. the Earl of Aberdeen, K. T.

WM. SMITH.

&c.

&c.

&c.

No. 42.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 26.)

MY LORD,

Sierra Leone, February 8, 1830.

ENCLOSED, we have the honour to transmit, for the information of your Lordship, the report of the case of the Brazilian brig "*Emilia*," Joao da Costa Ribeiro, Master.

The "*Emilia*" was furnished with an irregular passport, from the Authorities at Pernambuco, authorizing a voyage to Molembo, for a cargo of slaves, with permission to touch, on her way to that port, at St. Thomas. She, however, went direct to the River Bonny, where her cargo, consisting of 157 slaves, was shipped; and she was captured, on her return voyage, on the 31st of October last, in 3° latitude, North of the Equator, and 7° 30' longitude, East of Greenwich, by His Majesty's brig "Clinker," commanded by Lieutenant George Matson.

The "*Emilia*" was full 2 months from the day of her capture, until her arrival in this port, owing to her very dull sailing; during which period she lost only 4 of her slaves, and 5 between the time of her arrival here, and condemnation.

The facts of the illicit traffick in slaves, having been unquestionably established, and the British and Brazilian Commissary Judges agreeing in opinion, sentence of condemnation was passed upon her, at a sitting of the Court, on the 14th of January; and her surviving slaves, to the number of 148, decreed to be emancipated.

We have, &c.

(Signed)
The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

AL. ML. FRASER.
WM. SMITH.

Enclosure in No. 42.

Report of the Case of the Brazilian Brig "Emilia," "Joao da Costa Ribeiro, Master.

THE brig "*Emilia*," sailing under the Brazilian flag, commanded by Joao da Costa Ribeiro, and owned by Manoel Joaquim Ramos e Silva, was furnished with an irregular passport, from Pernambuco, dated the 12th of May, 1829, authorizing a voyage to Molembo, by way of St. Thomas, for a cargo of slaves; and was captured, on the 31st of October last, in 3° 04' N. latitude, 7° 30' E., longitude, by H. M. brig "Clinker, Lieutenant Matson Commander, with 157 slaves on board, said to have been shipped in the River Bonny a few days previously.

The "*Emilia*" arrived in this harbour on the 30th of December, having lost by death on her passage up, only 4 of her slaves. The Surgeon to the Court went on board of her the following morning, and reported "that, among the slaves, were 15 cases of ophthalmia, 2 very severe; that a great proportion were affected with "Craw-Craw;" and that a few laboured under extreme emaciation:" from all these circumstances he recommended that the sickly slaves, at least, should be immediately landed. 84 were, therefore, disembarked on the 1st of January, and delivered into the charge of the Liberated African Department.

The usual monition was prayed for, and went forth on the 31st of December, and was returned, certified to have been duly served, on the 7th of January following.

On the 1st of January the witnesses in this case were examined on the standing interrogatories. The Master, Joao da Costa Ribeiro swore, "that Manoel Joaquim Ramos e Silva was the Owner of the "*Emilia*," and appointed him Second Master of her at Pernambuco; that upon the death of the First Master, Antonio Freire de Oliveira, in the Bonny, he took the command of the vessel; that the present voyage began at Pernambuco, and was to have ended there; that the Bonny was the last place touched at previous to capture; and that all the slaves were taken on board there, for the real account, risk, and benefit of the aforesaid Owner, Manoel Joaquim Ramos e Silva, with the exception of 2, who were shipped for his own account."

Francisco Rodriguez, the Cook, corroborated the Master's testimony.

The Court met for the adjudication of the "*Emilia*," on the 14th of January 1830, and the fact of her employment in the illicit slave-trade, having been so clearly proved, condemned her as good and lawful prize to the Crowns of Great Britain and Brazil, and emancipated her surviving slaves, 148 in number,—9 having died since capture, viz. 4 on the passage to this port, and 5 between her arrival here and her condemnation.

Sierra Leone, February 8, 1830.

(Signed) AL. ML. FRASER.
WM. SMITH.

No. 43.

His Majesty's Commissioners to the Earl of Aberdeen—(Received April 26.)

MY LORD,

Sierra Leone, February 20, 1830.

WE have the honour, with the present despatch, to transmit, for your Lordship's information, the report of the case of the Brazilian schooner "*Tentadora*," Ignacio Manoel de Oliveira, Master.

The "*Tentadora*" was owned by Joao da Costa, junior, of Bahia, and was furnished with a regular passport from the President of that Province (Viscount Camamú) dated the 5th of August, 1829, authorizing a voyage to Molembo for a cargo of slaves, whose number was not to exceed 360.

It appears that the "*Tentadora*" left Bahia on the 17th of August, and although professing to be bound direct to Molembo, as shewn by one log, (a false one) she actually went direct to Lagos, as shewn by the true log, where she arrived on the 14th of September, and she was captured, on the 1st of November, being the first day of her return voyage, in latitude 5° 26' N., longitude 4° 18' E., by the brig "*Dallas*," tender to His Majesty's ship "*Sybille*," under the command of Lieutenant Edward Lyne Harvey, having on board 432 slaves.

At a Court held on the 14th of January last, for the adjudication of this vessel, the Commissary Judges of the 2 nations unhesitatingly pronounced the "*Tentadora*" to be a legal capture, and condemned her as lawful prize to the Crowns of Great Britain and Brazil; and, at the same time, decreed the emancipation of 320 slaves, the survivors of her cargo of victims,—73 having died on her passage up, and 39 after her arrival in this port.

It is with regret we feel ourselves bound to report to your Lordship, that a number of articles were taken from this vessel, after capture and before adjudication. As the evidence given upon this point did not, in the least, affect the general question of the illicit traffick in slaves, we have not detailed it in our report; but have thought proper to forward an authenticated copy of the whole of the facts deposed to, as well as copy of the minute of Court, recorded upon the subject.

By this it will be perceived, that after capture, and while the "*Tentadora*" was lying in West Bay, Princes, an anchor was taken from her bows, and 2 brass stanchions; together with other things, by the capturing Officer; and that, after her arrival in this harbour, a number of articles were clandestinely removed out of her.

We presume that, if the "*Dallas*" had really been in want of the anchor and other articles, which were taken out of the "*Tentadora*," in West Bay, it was Lieutenant Harvey's duty to have certified the same, for the information of the Court; and that Mr. Seymour, the Prize Officer attached to the "*Dallas*," would have deposed to that fact in extenuation, had such been the case. No notice thereof, however, was taken by either Lieutenant Harvey, or by Mr. Seymour; and, therefore, the Court considered the facts too fully proved to admit of a doubt. It is true Mr. Seymour, in an affidavit he made, relative to the articles which had been clandestinely taken out of the "*Tentadora*," after her arrival here, a copy of which is attached to the other evidence, swore, that nothing was removed out of that vessel in this harbour, to the best of his knowledge and belief; but that affidavit, being qualified, in opposition to 2 that are unqualified, did not, in the opinion of the Court, disprove the alleged facts.

We have, &c.

(Signed)

AL. ML. FRASER.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 43.

Report of the Case of the Brazilian Schooner "Tentadora," Ignacio Manoel de Oliveira, Master.

THE Brazilian schooner "*Tentadora*" was furnished with an imperial passport, from the President of the Province of Bahia, dated the 5th of August, 1829, and numbered 35, purporting her to be owned by Joao da Costa, junior, commanded by Ignacio Manoel de Oliveira, and authorizing a voyage to Molembo for a cargo of slaves. She was captured on the 1st of November following, in latitude 5° 26' N., longitude 4° 18' E., by the "*Dallas*," Lieutenant Harvey commanding, tender to His Majesty's ship "*Sybille*," having on board 432 slaves, who were declared by the Master to have been shipped at Lagos on the 31st of October.

The "*Tentadora*" arrived here on the 14th of December, having lost 73 of her slaves, from severe

diseases, on the passage up. The Surgeon to the Court, on the following morning, visited her, and he recommended that the surviving slaves, from their very crowded state, and the prevalence of "Craw-Craw" and bowel complaint amongst them, should be landed as soon as possible: they were accordingly disembarked, and delivered into the charge of the Liberated African Department, on the 16th.

On the 15th the usual monition was prayed for, which being granted, went forth the same day; and was returned on the 22d, certified to have been duly served.

On the 17th the Master, Ignacio Manoel de Oliveira, and the Cook, Francisco Nogueira, were examined on the standing interrogatories. The Master deposed, "that Joao da Costa, junior, of Bahia, was the Owner of the vessel, and appointed him to the command of her, on the 1st of August last; that the present voyage began at Bahia, and was to have ended there; that Lagos was the only place touched at during this voyage, previous to capture; and that all the slaves were taken on board there, and shipped for the real account, risk, and benefit of the aforesaid Joao da Costa, junior."

The Cook corroborated the Master's evidence as to the slaves having been shipped at Lagos.

The case of illicit traffick having been thus clearly proved, against the "*Tentadora*," the Court, at its sitting on the 14th of January 1830, condemned the said vessel to the Crowns of Great Britain and Brazil, and emancipated her surviving slaves, to the number of 320,—112 having died between capture and adjudication, viz. 73 on the passage up, and 39 between the period of her arrival in this harbour, and her condemnation,

Sierra Leone, February 20, 1830.

(Signed)

AL. ML. FRASER.
WM. SMITH.

Second Enclosure in No. 43.

Papers relative to the Articles removed from the "Tentadora," previous to her Adjudication.

THESE are to certify, that the paper writings, hereunto annexed, numbered from 1 to 6, are true and faithful copies of the minute recorded, and documents filed as evidence, in the registry of the British and Brazilian Court of Mixed Commission established at Sierra Leone, showing, that a number of articles had been taken out of the Brazilian schooner "*Tentadora*," whereof Ignacio Manoel de Oliveira was Master, between the period of her detention and adjudication.

In faith and testimony whereof I have hereunto set my hand, and affixed the seal of the said Commission, at Freetown, in the Colony of Sierra Leone, this 27th day of January, in the year of our Lord, 1830.

(Signed)

THOS. COLE, Acting Registrar.

(No. 1.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

Before Alexander MacLean Fraser, Esq. His Britannick Majesty's Commissary Judge, *ad interim*, and Jozé de Paiva, Esq. His Imperial Majesty's Commissary Judge in the said Court.

PRESENT,—Thomas Cole, Esq. Acting Registrar.

Thursday, the 14th day of January, in the year of our Lord, 1830.

His Imperial Majesty's Commissary Judge, called upon His Britannick Majesty's Acting Commissary Judge, to transmit to his Government copy of the evidence, showing that a number of articles had been taken out of the "*Tentadora*," between the period of her detention and adjudication, such acts on the part of the British Officers, being unauthorized by the Treaties between Great Britain and Brazil, and discreditable to the British Navy: and His Imperial Majesty's Commissary Judge intends to forward certified copies of the same to his Government.

(No. 2.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Thursday, December 17, 1829.

Extract of the examination of the said Master, on the standing interrogatories, viz.:

To the 21st Interrogatory, saith,—That bulk was only broken at Lagos, where the whole of the outward cargo was landed, and bartered for the present cargo of slaves. About 12 days after capture, the "*Tentadora*" was carried to Princes Island, to obtain a supply of wood and water for the slaves, (on the passage to Sierra Leone) at which place a bower anchor was removed out of the vessel taken, to the capturing ship. No slaves have been disembarked, nor has any article of ship's stores, (except the before-mentioned anchor) which were on board at the time of capture, been removed out of the said vessel. The inventory of the stores found on board the "*Tentadora*," at the time she was seized, was only produced for witness's signature, the same day the anchor was removed, and he does not believe that it is included therein; in every other respect the said inventory contains a faithful account of the stores of the said schooner "*Tentadora*."

(Signed)

IGNACIO MANOEL DE OLIVEIRA.

(No. 3.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*" Ignacio Miguel de Oliveira, Master.

Wednesday December 30, 1829.

Joze Egidio, barber on board the said vessel, being produced, sworn, and examined on special interrogatories, put by order of the Court, deposes and saith, as follows:

To the First, saith,—That, since the vessel arrived at Sierra Leone, a boat belonging to a schooner, now fitting out in the harbour for the leeward coast and Brazils, came alongside in the day time, with a white man, respectably dressed, who went forward, and, after having some conversation with one of the European sailors in charge of the prize, gave him a dollar, and returned to his vessel; about 8 o'clock that evening, the same boat came back to the "*Tentadora*," and made 2 other trips in the course of the night, each time taking off coils, and parts of coils, of rope, which were stowed in the hold; witness believes there were 7 altogether. They also carried off, in the same boat, half a barrel of pork, and 3 bags of farina; the Prize-Master was not on board when this circumstance took place; witness has seen the maroon women, who, under pretence of going on board to seek for washing, carry off saucepans, and other things belonging to the vessel, and no notice has been taken by any of the Prize-crew.

To the Second, saith,—That, shortly after the vessel was captured, she was carried to the Island of Princes, to get wood and water, and whilst lying there, a bower anchor, a pair of brass side stanchions, a full barrel of tar, 35 dishes used by the slaves, a tarpaulin, (about 2 $\frac{1}{2}$ fathoms in length) 4 Africans' baskets, a water jar, 1 silver spatula, and 2 ditto probes, were removed to the capturing vessel; he cannot tell by whose orders those articles were so removed, but he knows that an Officer belonging to the tender, and the Prize-Master of the "*Tentadora*," were both present at the time.

(Signed) JOSE ^{his} × Egidio.
Mark.

(Signed) WM. ^{his} × Rawlins.
Mark.

This examination was taken, and the truth thereof sworn to, through the interpretation of William Rawlins, who was first duly sworn faithfully to interpret. Before me,

(Signed) THOS. COLE, Acting Registrar.

(No. 4.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Thursday, December 31, 1829.

Antonio Joaquim, Cook on board of the said vessel, being produced, sworn, and examined on special interrogatories, put by order of the Court, deposeth and saith as follows:—

To the First, saith,—That he has always remained on board the vessel taken, from the time she was detained, until about 7 days back, when the ship's barber, the slave's cook, and himself, were sent to live on shore; that a few days after the slaves were landed, a boat came off to the vessel with a white man, who entered into conversation with some of the sailors in charge of the prize, and after giving one of them (named John,) a dollar, he returned to the boat, and went alongside the schooner, now fitting out for the Brazils. The same night, the before-mentioned boat, with the same crew as was in her in the day time, came back to the "*Tentadora*," and in 3 trips, which occupied about 1 hour, they carried off several coils of rope, a quantity of running rigging, 1 copper boiler, capable of containing 10 gallons, 1 bag of rice, and 1 bag of peas; the whole of the seamen in charge of the prize assisted in getting those articles out of the vessel's hold, and passed them over the bows into the boat. The Prize-master was on shore at this time, and the vessel was placed under the care of "John," one of the seamen. Witness saw 1 silver spatula, and 2 ditto probes, in the possession of 1 of the sailors, which, he has reason to believe, were brought on shore for the purpose of being sold.

To the Second, saith,—That, after the vessel was taken, she was carried to the Island of Princes, to get wood and water, and, that whilst lying there, 1 anchor, 1 barrel of tar, 2 copper boilers, 2 brass side-stanchions, 2 iron saucepans, 3 dozen dishes, (used by the slaves,) and 1 tarpaulin, were removed from the "*Tentadora*," to the tender; he does not know by whose orders they were so removed, but he saw the Officer of the tender and the Prize-master talking together at the time the men were passing them into the boat

(Signed) ANTONIO ^{his} × Joaquim.
Mark

(Signed) WM. ^{his} × Rawlins.
Mark

This examination was taken, and the truth thereof sworn to, through the interpretation of William Rawlins, who was first duly sworn faithfully to interpret. Before me,

(Signed) THOS. COLE, Acting Registrar.

(No. 5.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Saturday, January 9, 1830.

The Master of the said vessel, being produced, sworn, and examined on special interrogatories, put on behalf of the Captors, by permission of the Judges of the said Court, deposeth and saith as follows, viz. :—

To the First, saith,—That there were 2 barrels, containing beef and pork, on board the vessel, at the time the command of her was taken by the Prize-master now in charge, the whole of which was used on the passage to this port.

To the Second, saith,—That he did occasionally make use of salt provisions, which were brought from the capturing vessel.

To the Third, saith,—That since the "*Tentadora's*" arrival in this port, none of his crew ever made known to him that the vessel had been robbed.

To the 4th, saith,—That it has never come to his knowledge, since his arrival in this harbour, that the Prize-master, or any of his crew, have permitted any of the furniture, tackle, or apparel of the vessel to be removed therefrom.

(Signed) IGNACIO MANOEL DE OLIVEIRA.

(Signed) WM. ^{his} × RAWLINS.
Mark

This examination was taken, and the truth thereof sworn to, through the interpretation of William Rawlins, who was first duly sworn faithfully to interpret. Before me,
(Signed) THOS. COLE, Acting Registrar.

(No. 6.)—In the British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Appeared personally, George Alexander Seymour, Mate of His Majesty's ship-of-war "*Sy-bille*," Commodore Francis Augustus Collier, C. B., Commander; who, being duly sworn, deposes and saith, that he is the Prize-officer of the said schooner, and has had charge of her from the date of her capture, on the 1st day of November, 1829, to the present time, and that the said schooner arrived in this harbour, on the 14th December last past; and this deponent further saith, that it has come to his knowledge, that certain persons, being part of the original crew of the said schooner, have deposed, for the information of the Court, that various articles, belonging to the said schooner, have been clandestinely removed therefrom; and deponent further saith, that no article whatever has been taken away, or removed, from the said schooner, during the time deponent has been on board, to his knowledge or belief, or with his consent or connivance.

(Signed) GEO. A. SEYMOUR.

On the 7th day of January, 1830, the said George Alexander Seymour, was duly sworn to the truth of this affidavit.

(Signed) THOS. COLE, Acting Registrar.

No. 44.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received May 17.)

MY LORD,

Sierra Leone, March 20, 1830.

WE beg to acknowledge the receipt of your Lordship's despatch addressed to His Majesty's Commissioners, dated the 2d December 1829.

It is to us a matter of great gratification, that the steps which were taken, upon the occasion of the demand of M. de Paiva, Brazilian Commissary Judge, that his protest against the proceedings of the British and Brazilian Court, previous to his forming one of its Members, should be entered on the journal of the Court, has met your Lordship's approbation.

We have, &c.

(Signed)

AL. ML. FRASER.
WM. SMITH,

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 45.

W. Smith Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, April 6, 1830.

I BEG leave to report to your Lordship, the arrival of a Brazilian brig, named the "*Nova Resoluçao*," detained by His Majesty's ship "*Medina*," Captain Webb, off Cape St. Paul's, on the 1st February, having then on board 43 slaves.

The "*Nova Resoluçao*" arrived here, on the 4th instant, with 42 of the slaves; 1 woman having died on the passage up to Sierra Leone.

These slaves have been landed, and placed in charge of the Liberated African Department.

The "*Nova Resoluçao*" is the 8th slaver now lying here, to be adjudicated.

I have, further, to report to your Lordship, that M. de Paiva, Brazilian Commissary Judge, has consented, that the Colonial Government should distribute the whole of the slaves, that were detained on board the 6 Brazilian vessels, that were here previous to the arrival of the "*Nova Resolucao*," and who had been landed and placed in charge of the Liberated African Department.

The number of slaves, so distributed in the different villages, amounts to about 1,200.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 46.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

MY LORD,

Sierra Leone, April 15, 1830.

I BEG leave most respectfully to acquaint your Lordship, that M. de Paiva, His Imperial Majesty's Commissary Judge, has consented to the distribution of the slaves, captured on board the Brazilian brig "*Nova Resolucao*;" and they have been, accordingly, sent to one of the villages in this colony.

There are no more slaves, at the present moment, in Freetown, in charge of the Liberated African Department.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen K. T.

&c.

&c.

&c.

No. 47.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15, 1830.)

MY LORD,

Sierra Leone, April 17, 1830.

THE carrying on of the slave-trade by Brazilian subjects, having now, under the Convention between Great Britain and Brazil, become piracy, every means that such subjects can invent to carry on that traffick, and to evade the penalty of the law now to be enforced, will, I have no doubt, be tried.

The hypothetical case, which your Lordship was pleased to communicate, for the information of His Majesty's Commissioners, under date of the 7th of December 1829, may probably, ere long, be, in fact, attempted.

Another suppositious case, and one which is of easy execution, suggests itself to me as being extremely probable, and which the Captains of His Majesty's squadron on this coast, think will shortly be carried into effect.

The Islands of Princes and St. Thomas, in the Bight of Biafra, and the Cape de Verd Islands, form the extreme points, within which the illicit traffick in slaves has been successfully carried on, to the northward of the Equator. It is, therefore, apprehended, that Brazilian vessels will, from this time, come to one or other of those islands, as may best suit that part of the Coast of Africa, intended to be the scene of their slave operations, and obtain, by purchase, from the Authorities of such islands, Portuguese papers; which papers, I am informed, can be readily procured for a few dollars. Under the flag of Portugal, thus surreptitiously procured, Brazilian subjects will, most likely, endeavour to avoid the penalty of piracy, and still continue to carry on the slave-trade, with the same success, (unfortunately for the cause of humanity) that has, heretofore, characterized the trade under the flag of their own nation.

I beg, however, to submit for your Lordship's consideration, whether such a perversion of the flag of Portugal can, under the existing compacts between

that Government and Great Britain, be allowed. In my opinion, and I offer it with great deference to your Lordship, it cannot be permitted, for the following reasons:—

The 4th Article of the Treaty between Great Britain and Portugal, signed at Vienna, the 22d day of January 1815, expressly stipulates, that Portugal, in carrying on the slave-trade, will not permit her flag to be used, except for the purpose of supplying the Transatlantic possessions belonging to the Crown of Portugal.

By the 3d and 4th sections of the 1st Article of the Additional Convention to the said Treaty, of the 22d of January 1815, signed at London the 28th of July, 1817, the High Contracting Parties declare, that they consider as illicit any traffick in slaves, carried on under the Portuguese flag, for the account of the subjects of any other Government; and by Portuguese vessels bound for any port not in the dominions of His Most Faithful Majesty. The Brazils, which were, at the time the Treaty was concluded, the Transatlantic possessions of the Crown of Portugal therein alluded to, having become an Independent State, and acknowledged as such by Portugal, I infer, that the trade in slaves, under the flag of the latter Power, can no longer be lawfully carried on;—in fact, strictly speaking, that, from the time Brazil was acknowledged as an Independent State, from that time Portugal, having no Transatlantic possessions of her own to supply with slaves, did, by the said Treaty, totally abolish the slave-trade.

If, however, any doubts should exist in your Lordship's mind, as to this being a correct reading of the Treaty, and that, therefore, the opinion I have formed is not well grounded; I think, that the 3d and 4th sections of the 1st Article to the Convention, will clearly operate to prevent the flag of Portugal from being used in the manner contemplated. For, if Portuguese subjects were really carrying on the slave trade for their own account, under the Portuguese flag, and bound for Brazil, they would be bound for a port not in the dominions of His Most Faithful Majesty; and if they were carrying on that trade, under the same flag, for Brazilian subjects, such would be illicit, as it would be for the account of the subjects of another Government. In each case, therefore, the confiscation of vessels and cargoes, detained under those circumstances, must, in my opinion, follow.

With these views upon the subject—a subject that has claimed my serious reflection—I hold, that vessels, slaving under the Portuguese flag, will be liable, wherever met with, either north or south of the Equator, to be detained for a direct breach of the Treaty and Convention—a breach that will subject them to condemnation.

It is likely that great difficulty will be experienced, in establishing the proof of the nation to which the parties, carrying on the slave-trade under the Portuguese flag, belong. If they could be proved to be Brazilian subjects, notwithstanding they were under a different flag, the penalty of piracy would attach to them; but otherwise, they, in their own persons, may escape the punishment due to such lawless expeditions; although their vessels and cargoes may be confiscated.

The Government of Portugal, I presume, could not successfully maintain that her subjects were injured by such confiscation, and thereupon claim to be indemnified.

I have the honour to be, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 48.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received June 29.)

(Extract.)

Sierra Leone, May 4, 1830.

WE have pleasure in forwarding, herewith, for your Lordship's information, our report upon the case of the Brazilian brigantine "*Emilia*," of Bahia,

Manoel Simoes de Silva, Master; which vessel was detained, on the 9th of December 1829, by His Majesty's ship "Atholl," Captain Alexander Gordon, in latitude 5° 40' N., longitude 3° 54' E., having on board 187 slaves, who had been shipped, the day before, at Whydah, and was condemned, by the British and Brazilian Commissary Judges, on the 1st instant.

The case of the "*Emilia*," presents no extraordinary features, to which it is necessary for us to call your Lordship's attention.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 48.

Report of the Case of the Brazilian Brigantine "Emilia," Manoel Simoes de Silva, Master.

THE Brazilian brigantine "*Emilia*," Manoel Simoes de Silva, Master, was furnished with an imperial passport, signed at Bahia, on the 28th of March 1829, purporting her to be owned by Jozé Joaquim Machado, and authorizing a voyage, for a cargo of slaves, to the port of Molembo.

The said passport was irregular in itself; liberty being granted therein, by the Brazilian Government, for the "*Emilia*" to call at the Gold Coast, and at the Islands of St. Thomas and Princes, on her way to Molembo.

The "*Emilia*" was captured, on her return voyage, on the 9th of December 1829, by His Majesty's ship "Atholl," Captain Alexander Gordon, in latitude 5° 40' N., longitude 3° 54' E., with 187 slaves on board, said to have been shipped the previous day at Adjuda (Whydah).

The "*Emilia*" arrived in this harbour, on the 12th of January last, with 171 slaves on board, having lost 16 by death on her passage up; and she was, on the same day, visited by the Surgeon to the Court, who, in his report, stated, that between 20 and 30 were affected with bowel complaint; that a vast number were in a state of emaciation, without other apparent disease; and that almost all were labouring under "Craw Craw;" from all which circumstances he recommended their being speedily landed.

They were, accordingly, disembarked on the 15th, (the third day after her arrival,) and delivered into the charge of the Liberated African Department.

The usual monition, having been prayed for on the 13th, was granted, and went forth on the same day, and was returned on the 20th, certified to have been duly served.

On the 16th the Mate of the vessel, Manoel Joaquim Barcelar, and on the 21st the Master, Manoel Simoes de Silva, (whose illness had prevented his being the first witness,) were examined on the standing interrogatories.

The Master swore, "that Joao Joaquim Machado, of Bahia, was the Owner of the "*Emilia*," and appointed him to the command of her, at that place, about 11 weeks back; that the present voyage began at Bahia, and was to have ended there; that Adjuda was the last place touched at, during this voyage, previous to capture; that the "*Emilia*" had also touched at Elmina, Awey, and Quitta, for provisions and stock; that the whole of the slaves, 178 in number, exclusive of infants at the breast, were shipped at Adjuda, the day before capture, and were for the real account, risk, and benefit of the aforesaid Machado, with the exception of 23, who belonged to himself and the Mate."

The Mate, in his answers to the same interrogatories, gave a similar account of this unlawful transaction.

The proof of the illicit employment of the "*Emilia*" in the slave-trade, having been thus fully substantiated, the Court, at its sitting on the 1st of May 1830, condemned the said vessel as good and lawful prize to the Crowns of Great Britain and Brazil, and as taken in such illicit employment by His Majesty's ship "Atholl," Captain Alexander Gordon; and emancipated her surviving slaves, 128 in number,—59 having died between the period of their capture, and the 2d of April, that being the day of their location; viz. 19 previous to their having been landed, on the 15th of January, and 40 between that period, and the day upon which they were located.

Sierra Leone, May 4, 1830.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 49.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Sierra Leone, May 5, 1830.

WE have the honour to enclose, herewith, for your Lordship's information, the report of the case of the Brazilian schooner "*Nao Lendia*," of Bahia, commanded by Pedro Jozé Vraga, and owned by Joaquim Jozé de Oliveira, of that city.

The "*Nao Lendia*," like the generality of vessels employed in the illicit traffick in slaves, instead of keeping to the southward of the Equator, and entering solely such ports where the slave-trade was then permitted, according to the express terms of her passport, steered, directly she left Bahia, for the Western Coast of Africa, north of the Equator, and went direct to Lagos, where, in about 10 weeks, she collected together her unhappy cargo of slaves; and she was on her return voyage to Bahia, with 184 of them on board, who had been shipped at Lagos on the 4th of December, when she was fallen in with and detained, on the 10th of the same month (6 days after she had quitted port) in latitude $2^{\circ} 41' 8''$ N., longitude $6^{\circ} 34' 8''$ E., by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander.

The employment of the "*Nao Lendia*" in the illicit traffick in slaves having been unquestionably proved, and the British and Brazilian Commissary Judges agreeing in opinion that she was subject to confiscation, they did, at a Court held on the 1st instant, pronounce sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Brazil, and emancipated 159 slaves, being the survivors of those taken on board of her.

We have, &c.

(Signed) ALEX. FINDLAY.
WM. SMITH.

The Right Hon. The Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 49.

Report of the Case of the Brazilian Schooner "Nao Lendia," Pedro Jozé Vraga, Master.

THE Brazilian schooner "*Nao Lendia*" was furnished with an imperial passport, from the Authorities of the Province of Bahia, dated on the 20th of August 1829, for a slaving voyage to the port of Cabinda, with the usual prohibitory clause, not to enter other ports than those where the slave-trade was then permitted.

The "*Nao Lendia*" was commanded by Pedro Jozé Vraga, and owned by Joaquim Jozé d'Oliveira, of Bahia; and was captured, in latitude $2^{\circ} 41' 8''$ N., longitude $6^{\circ} 34' 8''$ E., on the 10th of December last, by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander, with 184 slaves on board, who had been embarked at Lagos, on the 4th of the same month.

The "*Nao Lendia*" arrived here on the 14th of January, with 172 of her slaves on board, 12 having died on the passage up.

The Surgeon to the Court, having proceeded on board of her, reported, that the slaves were unusually healthy, there being no disease amongst them but "Craw Craw."

On the 23d of January, however, a petition was received, praying, that the slaves might be landed, as disease was making its appearance, from the crowded state of the vessel.

This was granted, and they were disembarked the same day, and placed in the charge of the Colonial Government.

The usual monition was prayed for, and granted on the 16th: it accordingly went forth on that day, and was returned on the 23d, certified to have been duly served.

Owing to the absence of the Master, who was landed, at his own request, at Princes Island, as set forth in an affidavit of the Prize Master (Mr. Voules) filed in the case; the Mate, Francisco da Costa, and the Cook, Louis Oliveira, were the only witnesses examined on the standing interrogatories.

The Mate deposed "that the name of the Master of the vessel taken, is Pedro Jozé Vraga; that Joaquim Jozé d'Oliveira, of Bahia, was the Owner of the vessel; that he appointed the said Master to the command of the "*Nao Lendia*;" that the present voyage began, and was to have ended at Bahia; that Lagos was the last place the "*Nao Lendia*" touched at this voyage, previous to capture; that all the slaves were taken on board there; and that they were shipped for the real account, risk, and benefit of the aforesaid Owner of the vessel."

Louis Oliveira, the Cook, confirmed the Mate's evidence, of the illicit employment of the "*Nao Lendia*."

The Court met, for the adjudication of the "*Nao Lendia*," on the 1st of May 1830; and, it having been clearly proved, that she was engaged in the illicit slave-trade, passed sentence of condemnation upon her, as good and lawful prize to the Governments of Great Britain and Brazil, and as captured by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander; and decreed the emancipation of her surviving slaves, 159 in number;—25 having died during the time of capture and the period of their location, on the 2d April last.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 5, 1830,

No. 50.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 15, 1830.

WE have the honour to forward to your Lordship, herewith, our report upon the circumstances which led to the condemnation of the schooner "*Nossa Senhora da Guia*," Jozé Fernandez Soares, Master, sailing under the Brazilian flag, and owned by Jozé Joaquim d'Oliveira, of Bahia.

The "*Nossa Senhora da Guia*" was furnished with a passport, from the President of the Province of Bahia, allowing her to proceed to Cabinda for a cargo of slaves, with liberty to call at Pernambuco. She, however, sailed direct from Bahia to Lagos, in the Bight of Benin, and shipped, at the latter place, 310 slaves, and she was captured, on the 7th of January, 1830, in latitude 6° 18' N., longitude 3° 30' E., with the whole of them on board, (they having been shipped only the day previous) by the brig "*Dallas*," (tender to His Majesty's ship "*Sybille*,") under the command of Lieutenant Edward Lyne Harvey.

The "*Nossa Senhora da Guia*" unfortunately lost 58 of the slaves on the passage up, which is principally to be attributed to their having had the small-pox amongst them, many of whom were recovering from that disease on her arrival in the harbour of Sierra Leone, on the 19th of February; 14 also died afterwards.

The illicit traffick in slaves having been fully acknowledged, by the witnesses produced in this case, sentence of condemnation was passed upon her, and her surviving slaves, 238 in number, were decreed to be emancipated, on the 13th of May.

We again feel ourselves compelled to notice to your Lordship, that, at the time of the detention of "*Nossa Senhora da Guia*," a four-inch cable, 120 fathoms in length, and a new mainsail, were taken out of her, and carried on board the "*Dallas*." Both the witnesses in this case positively swore to the fact. No mention of this was made in the list of stores sent up with the Captor's declaration, nor was any explanation whatever offered to the Court; the Proctor for the Captor, at the hearing of the case, declaring his inability to afford any.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.*The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

Enclosure in No. 50.

*Report of the Case of the Brazilian Schooner "Nossa Senhora da Guia,"
Jozé Fernandez Soares, Master.*

THE Brazilian schooner "*Nossa Senhora da Guia*," commanded by José Fernandez Soares, and owned by Jozé Joaquim d'Oliveira, of Bahia, cleared out from that port, on the 21st of August, 1829, furnished with an imperial passport, of that date, authorizing a slaving voyage to Cabinda, with liberty to call at Pernambuco. She was captured on the 7th of January, 1830, in or about latitude 6° 18' N., longitude 3° 30' E., by the brig "*Dallas*," Lieutenant Harvey, commanding, tender to His Majesty's ship "*Sybille*," with 310 slaves on board, who were declared to have been shipped, the day before, at Lagos, to which port she had sailed direct from Bahia.

The "*Nossa Senhora da Guia*" arrived here on the afternoon of the 19th of February, with 262 slaves; having lost, on her passage, 58 of them; and was visited, the next morning, by the Surgeon to the Court, who reported, that her slaves were in a very unhealthy state; that there were several cases of dysentery and "*Craw Craw*;" that 3 were labouring under small-pox, and that many were recovering from that disease. He, therefore, recommended, that all should be landed as soon as possible, and that the small pox cases should be sent to the Kissy Hospital. Their disembarkation was, therefore, ordered by the Court, on the 21st of March, and they were delivered over to the Colonial Government.

The ship's papers of the "*Nossa Senhora da Guia*" were filed in Court on the 28th of April, properly authenticated by the affidavit of the Prize-Master, Mr. Kirby. The usual monition was likewise issued on the same day, and returned, certified to have been duly served, on the 5th of May.

On the 29th of April, the examination of the Master, Jozé Fernandez Soares, and of a seaman, Francisco Perreira Vianna, was taken upon the standing interrogatories.

The Master deposed, "that Joaquim Jozé d'Oliveira, of Bahia, was the Owner of the "*Nossa Senhora da Guia*," that the said Oliveira appointed him to the command of her at that port; that the voyage commenced, and was to have ended there; that the vessel sailed direct from thence to Lagos, where the present cargo of slaves was shipped; that Manuel Joaquim de Almeida, the Agent at Lagos of Joaquim Joze d'Oliveira, was the lader of the slaves; that 203 of them were the property of the aforesaid Owner of the vessel; and that the remainder belonged to different persons at Bahia, whose names he could not remember."

Francisco Perreira Vianna, the seaman, confirmed the foregoing evidence of the Master, excepting that he swore, that all the slaves were shipped for the real account, risk, and benefit of Joaquim Jozé d'Oliveira.

The joint testimony of these 2 witnesses, together with the point of capture being to the northward of the Equator, and close off Lagos, having thus clearly established the illicit employment of the "*Nossa Senhora da Guia*" in the slave-trade, the Court, on the 13th of May, 1830, passed sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Brazil, and as taken in such illicit trade by the brig "*Dallas*," (tender to His Majesty's ship "*Sybille*,") Lieutenant Edward Lyne Harvey, commanding; and decreed the emancipation of her surviving slaves, 238 in number,—72 having died between the period of capture and the day of their location, on the 31st of March, viz. 58 coming up, and 14 after her arrival; and also declared 310 to have been on board at the time of the detention of the "*Nossa Senhora da Guia*."

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone May 15, 1830.

No. 51.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 15, 1830.

WE have the honour to acquaint you Lordship, that the Brazilian brigantine "*Primeira Rosalia*," Joao Sabino Master, was detained, on the 23d of January, 1830, by His Majesty's ship "*Sybille*," Commodore Collier, in latitude 3° 24' N., longitude 7° 0' E., having on board 282 slaves.

The "*Primeira Rosalia*" was owned by Manoel Francisco Moreira, of Bahia, and was furnished with a passport by the Visconde de Camamú, the President of the Province, dated the 21st of October 1829, for a legitimate voyage for slaves, to be shipped at the Port of Cabinda.

It appeared by the evidence of the Master and the Cook, that the "*Primeira Rosalia*" had really sailed from Bahia to Cabinda, and from Cabinda she went to Lagos, where the 282 slaves, found on board her, were shipped, 4 days previous to capture.

31 of these unfortunate creatures died from small-pox, on the passage up to this port, where the "*Primeira Rosalia*" arrived on the 26th of February; and although disease then appeared to be at a stand, 9 died between the period of her arrival, and the day of their being located, making a total of 40 deaths.

Sentence of condemnation was passed upon the "*Primeira Rosalia*," and her surviving slaves, 242 in number, were decreed to be emancipated, on the 13th of May.

We beg most respectfully to enclose, for your Lordship's information, a report, detailing the facts of the case.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 51.

Report of the Case of the Brazilian Brigantine "Primeira Rosalia," Joao Sabino, Master.

THE Brazilian brigantine "*Primeira Rosalia*" Joao Sabino, Master, was captured on the 23d of January 1830, by His Majesty's ship "*Sybille*," Commodore Collier, in latitude 3° 24' N., longitude 7° 0' E., having on board 282 slaves, who had been embarked at Lagos, on the 19th of the same month.

The "*Primeira Rosalia*" was furnished with an imperial passport, from the President of the Province of Bahia, dated the 21st of October 1829, which declared her to be owned by Manoel Francisco Moreira, of that city, and authorized a voyage for slaves to Cabinda.

The "*Primeira Rosalia*" arrived here on the 26th of February 1830, with 251 slaves on board, 31 having died on the passage to Sierra Leone.

The Surgeon to the Court, on the following day, proceeded on board the "*Primeira Rosalia*," and reported, that there were a few cases of bowel complaint, "Craw Craw," and debility, arising from small-pox, which latter disorder seemed to be at a stand; from these circumstances, and the crowded state of the vessel, he recommended that the sick slaves, and such as had a delicate appearance, should be landed as soon as convenient. They were all, without any distinction, disembarked on the 1st of March, and delivered over to the Colonial Government.

On the 27th of April, the Captor's Proctor prayed, that the ship's papers of the "*Primeira Rosalia*" might be filed, and that the usual monition might go forth. This having been granted, the papers were, on the following day, brought into Court, duly authenticated by the affidavit of the Prize Officer, Mr. Felmar, when also the monition was issued; and it was returned on the 5th of May, certified to have been executed.

Joao Sabino, the Master, and Luiz de Paula Silva, the Cook of this vessel, were examined on the standing interrogatories, on the 28th of April. The former deposed, "that Manoel Francisco Moreira, of Bahia, was the Owner of the vessel, and appointed him to the command of her; that the present voyage began at Bahia, and was to have ended there; that the vessel sailed from thence to Cabinda, where she anchored, and from Cabinda to Lagos; that 282 slaves were taken on board at the latter place; that Manoel Francisco Moreira had an interest in 119 of those slaves; and that the remainder belonged to himself, and some other persons, whose names he did not remember."

The Cook corroborated the Master's testimony, as to the vessel having taken the slaves on board at Lagos; and added, that the owners of them are, the Owner of the vessel, the Master, the Surgeon, the Boatswain, the Master's Servant, and himself.

The Court assembled for the adjudication of the "*Primeira Rosalia*," on the 13th of May 1830, and having before them such clear proof of her illicit engagement in the slave-trade, condemned her as good and lawful prize to Great Britain and Brazil, and as taken in the illicit traffick by His Majesty's ship "*Sybille*," Commodore Collier; and emancipated her surviving slaves, to the number of 242,—40 having died between the time of their capture, and that of their location, on the 31st of March.

Sierra Leone, May 15, 1830.

(Signed) ALEX. FINDLAY.
WM. SMITH.

No. 52.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 15, 1830.

WE have the honour, with the present despatch, to enclose, for your Lordship's information, our report of the circumstances attendant upon the capture and condemnation of the Brazilian schooner "*Umbelina*."

The "*Umbelina*" left Bahia the latter end of last November, and steered direct for Lagos, where she took on board 377 slaves, and quitted that place, on her return, on the 13th January last. She was detained, on the following 15th, by His Majesty's ship "*Sybille*," Commodore Collier, in latitude 3° 48' N., longitude 4° 12' E., who immediately dispatched her to Sierra Leone, where she arrived on the 13th of March.

The "*Umbelina*" was both owned and commanded by Joao Curdoza dos Santos, of Bahia, who readily deposed to the truth, that the "*Umbelina*" was, at the time of detention, engaged in the illicit traffick in slaves.

Sentence of condemnation, was, therefore, pronounced upon the "*Umbelina*," as good and lawful prize, and the surviving slaves captured on board of her were decreed to be emancipated, at a Court held for that purpose on the 13th of May.

The number of slaves so emancipated, amounted only to 163,—214 having died from the day of the detention of the "*Umbelina*" to that of her adjudication, viz. 194 on the passage up here, and 20 after her arrival.

The unusually great and lamentable number of deaths, that occurred on board this vessel, induced us to request the Surgeon to the Court to explain, as far as his judgment would lead him to a conclusion, by the healths of the survivors, to what cause this was to be attributed. A copy of the reply he sent to us, we beg leave to transmit, herewith, for your Lordship's information upon the subject,

We have, &c.

(Signed)

ALEX. FINDLAY,
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No 52.

Report of the Case of the Brazilian Schooner "Umbelina," Joao Cardozo dos Santos, Master.

THE Brazilian schooner "*Umbelina*," whereof Joao Cardozo dos Santos was Owner and Master, was furnished, by the Authorities at Bahia, with an imperial passport, dated at that city on the 13th of November, 1829, and numbered 66, authorizing a slaving voyage to Cabinda. On the 15th of January 1830, she was fallen in with, and detained, by His Majesty's ship "*Sybille*," Commodore Collier, in latitude 3° 48' N., longitude 4° 12' E., with 377 slaves on board, who had been shipped at Lagos 2 days previously, and she arrived in this harbour on the 13th of March, with 183 of them on board, having lost 194 of the unfortunate creatures on the passage.

On the 15th, the Surgeon to the Court visited the slaves of the "*Umbelina*," and reported, that, notwithstanding the immense mortality on board that vessel, sickness to considerable extent still continued amongst them,—there being about 30 cases of ophthalmia, 20 of bowel complaint, and a few of small pox. He, therefore, recommended that all should be landed, which was accordingly done on the following day, and they were given in charge to the Colonial Government.

The papers of the "*Umbelina*" were filed in Court on the 28th of April, duly authenticated by the affidavit of the Prize-Officer, Mr. Bamber; the monition was issued the same day, and it was returned, on the 5th of May, certified to have been served.

An affidavit of the Prize-Master was, on the 28th of April, filed, accounting for the immense number of deaths that had occurred on the passage up; he deposed, "that those deaths did not ensue through the neglect of himself, or any of his crew"; and produced, in corroboration of his affidavit, an account, from his log, of the dates and the numbers that had successively died, from the time of his departure from the "*Sybille*," till his arrival here.

On the 30th of April, the Master, Joao Cardozo dos Santos, and the Cook, Antonio Jozé Lopez, were examined on the standing interrogatories.

The Master deposed "that he was the Owner of the vessel, and appointed himself to the command of her; that the voyage began at Bahia, and was to have ended there; that the "*Umbelina*" sailed direct from thence to Lagos; that all the slaves were taken on board there; and that they were shipped for his own real account, risk, and benefit."

The Cook fully corroborated the evidence of the Master.

The Court, therefore, on the 13th of May 1830, passed sentence of condemnation upon the Brazilian schooner "*Umbelina*," as good and lawful prize to Great Britain and Brazil, and as taken in the illicit traffick in slaves, by His Majesty's ship "*Sybille*," Commodore Collier; and decreed the emancipation of her surviving 163 slaves; 214 having died between the period of their capture, and the day of their location, on the 31st of March, viz. 194 on the passage to this port, and 20 after her arrival.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 15, 1830.

Second Enclosure in No. 52.

Mr. Boyle to His Majesty's Commissioners.

GENTLEMEN,

Freetown, Sierra Leone, May 14, 1830.

I HAVE the honour to acknowledge the receipt of your letter of this date, requesting my professional opinion, as to the cause of the very great mortality that took place amongst the slaves of the Brazilian schooner "*Umbelina*," during her passage, after capture, to this port.

In reply to which I beg respectfully to submit, that it was not in my power to trace the immediate cause of such unparalleled sickness and death, as that which took place in this case; but, on reference to the generally extensive mortality, which occurs amongst the slaves of captured vessels, brought into this harbour for adjudication, I am confidently of opinion, that the evil chiefly depends on want of knowledge, on the part of the Prize Officers, as to the management of such people, as well as of the treatment of the diseases that ordinarily prevail amongst them.

I have, &c.

His Majesty's Commissioners.

(Signed)

J. BOYLE, Surgeon to the Courts.

No. 53.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 15, 1830.

THE report of the case of the Brazilian brigantine "*Nova Resolucao*," which we now have the honour to enclose, will put your Lordship in possession of the facts which led to the capture of that vessel, in latitude 2° 25' N., longitude 1° 9' E., on the 2d of February last, by His Majesty's ship

"Medina," Edward Webb, Esq. Commander; and to her condemnation, for illicitly trafficking in slaves, on the 13th of May.

The "*Nova Resoluçao*" had on board, at the time of capture, 43 slaves, who had been shipped at a place called Awey, just below Cape St. Paul.

Only 1 of the slaves died on the passage up, and the 42 survivors were decreed to be emancipated on the day the vessel was condemned.

We again regret to acquaint your Lordship, that a number of articles were taken out of the "*Nova Resoluçao*" at the time of capture.

The Master and Cook (the witnesses in the cause) both deposed to certain live stock, rope, muskets, and gunpowder, having been removed out of her into the "Medina;" and, although the First Lieutenant of the "Medina," Mr. Servante, has, in explanation, deposed, that the live stock was taken out for the support and use of that part of the crew of the "*Nova Resoluçao*" taken on board His Majesty's ship, some of whom were sick; that the muskets and gunpowder were taken out for the preservation of the vessel, and have been restored since the "Medina" came into this port, from her cruize to leeward, yet offers none relative to the rope.

M. de Paiva, His Imperial Majesty's Commissary Judge, reflected upon such conduct, and announced his intention, in Court, to report it to his Government.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 53.

*Report of the Case of the Brazilian Brigantine "Nova Resoluçao,"
Januario José da Cruz, Master.*

THE Brazilian Brigantine "*Nova Resoluçao*" was furnished with an imperial passport, dated at Bahia, the 13th of October 1829, numbered 47, authorizing a voyage for slaves to the ports of Cabinda, with liberty to call, on her way there, at the Guinea Coast, and at St. Thomas and Princes Islands. This passport declared her to be owned by Antonio Florindo da Silva Chaves, of Bahia, and commanded by Januario José da Cruz, with the usual prohibitory clause inserted therein,—to enter solely such ports on the Coast of Africa, where the slave-trade then continued to be lawful for the subjects of the Empire of Brazil.

The "*Nova Resoluçao*" was captured, with 43 slaves on board, in latitude 2° 25' 3'' N., longitude 1° 9' 9'' E., on the 2d of February, by His Majesty's ship "Medina," Captain Webb, and arrived in Sierra Leone Harbour on the 5th of April following, having lost but 1 of her slaves on the passage up.

The Surgeon, in his report, stated the slaves to be all in good health, excepting 1 man; yet he recommended that they should be landed, on account of the bad state of the vessel. They were, therefore, disembarked on the 8th of April, and delivered into the charge of the Liberated African Department.

The ship's papers were filed, in this case, on the 28th of April, duly authenticated by the affidavit of Mr. Pearne, the Prize Officer, and the usual monition prayed for and issued on that day, and returned on the 5th of May, certified as having been duly served.

The witnesses examined in this case, upon the standing interrogatories, were, the Master, Januario José da Cruz, and the Cook, Joaquim.

The Master's evidence was taken on the 30th of April, and he swore "that Antonio Florindo da Silva Chaves was the Owner of the vessel, and appointed him to the command of her at Bahia; that the said Chaves is a resident at Bahia; that the voyage began at that port, and was to have ended there; that the vessel sailed from thence direct to Awey; that 43 slaves were shipped there; and that they were for the real account, risk, and benefit of the aforesaid Chaves, excepting 4,—2 of which belonged to himself, 1 to the Mate, and 1 to the Boatswain."

The Cook's evidence corroborated the Master's testimony, as to the illicit traffick in which the "*Nova Resoluçao*" was engaged when captured.

The Court met on the 13th of May, 1830, to pass sentence upon the "*Nova Resoluçao*;" and the British and Brazilian Commissary Judges fully agreeing in opinion, condemned her as good and lawful prize to the Crowns of Great Britain and Brazil, and as captured in the illicit slave-trade by His Majesty's ship "Medina," Edward Webb, Esq. Commander; and emancipated the surviving slaves, 42 in number,—1 having died between the period of capture and adjudication.

Sierra Leone, May 15, 1830.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 54.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received August 6.)

MY LORD,

Sierra Leone, May 27, 1830.

WE have the honour to acquaint your Lordship, that, on the 28th November last, the boats of His Majesty's ship "Eden," under the command of Lieutenant Mercer, detained, in the River Cameroons, the Brazilian brigantine "Ismenia," of Rio de Janeiro, owned by Manoel Jozé Ribeiro Guimaraens, of that city, and commanded by Joao Antonio da Silva.

The "Ismenia" arrived in this harbour on the 10th of January last, and was duly proceeded against, in the British and Brazilian Court of Mixed Commissions, for a breach of the Convention between Great Britain and Brazil, for the repression of the illicit traffick in slaves.

Lieutenant Mercer, the boarding Officer in this case, made the declaration. He therein states, "that on examining her hold, it appeared that her bulk was broken, and a great part of her cargo landed at the town of King Bell, in the Cameroons, who declared that he had received part of her cargo, for the purpose of trafficking, in the country, for slaves, and a number of irons for their confinement; likewise he had some slaves, previously purchased for the "Ismenia," in his charge, which said facts of her having broken bulk, landed a great part of her cargo, likewise her having slaves on shore at King Bell's Town, and being at the time at anchor in the River Cameroons, in latitude 4° 0' 5" N., longitude 9° 20' E., being all contrary to the existing Treaties between His Britannick Majesty and His Imperial Majesty the Emperor of Brazil, I detained the said vessel, for the purpose of being brought before the Mixed Commission Court, for a breach of the said Treaties."

The "Ismenia," had no slaves on board at the time of detention, but was furnished with an imperial passport, to trade for slaves at Cabinda, Zaire, and Molembo, with liberty to touch at Princes and St. Thomas.

The witnesses positively deny the allegations of the Captor, and swear, that the "Ismenia" sustained an injury of the main-mast, in a storm, which obliged them to take her into the River Cameroons to repair it; in which statements, with little variation, they all agree.

The monition, in this case, had been returned, on the 20th of January, and the proceedings were ready to be submitted for the consideration of the Commissary Judges of the two nations, when the case was delayed, until the arrival here, on the 26th ultimo, of Lieutenant-Governor Findlay, who, having assumed the duties of His Majesty's Commissary Judge, *ad interim*, immediately swore Mr. Lewis into the situation of Registrar, the duties of which office he forthwith entered upon.

The "Ismenia's" case, was, therefore, shortly afterwards, brought under the consideration of the British and Brazilian Commissary Judges. In the course of the proceedings consequent thereon, M. de Paiva demanded, that the affidavit of the Captor, substantiating his charges against the "Ismenia," should be filed, before he went to the adjudication of that vessel.

A copy of the letter M. de Paiva addressed to His Majesty's Commissary Judge, *ad interim*, upon the subject, together with a copy of the reply returned to that gentleman, we beg, most respectfully, to enclose.

Although great inconvenience may arise therefrom, in consequence of the Captor having quitted the station, yet, on referring to the 3d Article of the Regulations for the Mixed Commissions, and to your Lordship's despatch to His Majesty's Commissioners here, of the 27th of September 1828, communicating to them the opinion of the King's Advocate, upon the necessity of the presence of the Commander of the capturing ship; in which he states, that either of the Commissioners have a right to demand it; His Majesty's Commissary Judge did not see that he could, justly, offer any objections to M. de Pavia's demand.

Mr. Dougan, the Proctor for Captain Owen, has been informed of this circumstance, that he may communicate with him, in order to obtain the presence of the detaining Officer.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

First Enclosure in No. 54.

M. de Paiva to A. Findlay, Esq.

SIR,

Sierra Leone, May 25, 1830.

IN consequence of the examination, which we have respectively made, of the papers relating to the case of the Brazilian brigantine "*Ismenia*," arbitrarily brought into this port for adjudication—arbitrarily, as will appear on reference to the 5th Article of the Additional Convention to the Treaty of the 22d of January 1815, signed at London the 28th of July 1817; and 1st Article of Instructions for the British ships of war, employed to prevent illicit traffick in slaves; and the 1st Article of the Additional Articles to the Convention relative to the Slave-trade, signed at Lisbon, 15th March 1823; I am, therefore, compelled to require, according to the 3d Article of the Regulations for the Mixed Commissions, the affidavit of the Capturing Officer to be filed in the case, of the correctness of the charges he has, in his declaration, asserted against the "*Ismenia*" before I can go to the adjudication of that vessel.

I have, &c.

(Signed) JOZÉ DE PAIVA, His Imperial Majesty's Commissary-Judge.

*His Excellency Governor Findlay,**His Britannick Majesty's Commissary Judge, ad interim.*

Second Enclosure in No. 54.

A. Findlay, Esq. to M. de Paiva.

SIR,

Sierra Leone, May 25, 1830.

I HAVE had the honour to receive your letter, of this day's date, informing me, that you require the affidavit of the Capturing Officer to be filed in the case of the "*Ismenia*," of the correctness of the charges he has, in his declaration, asserted against that vessel, before you can go to her adjudication.

In reply thereto, I have to acquaint you, that, on referring to the 3d Article of the Regulations for the Mixed Commissions, and to the view His Britannick Majesty's Government take of that point, I find you have a right to demand it; therefore the final sentence of the "*Ismenia*" must be postponed, until the attendance of the Capturing Officer can be obtained.

His Majesty's Commissioners will immediately address the Earl of Aberdeen upon the subject.

I have, &c.

*Jozé de Paiva, Esq.**His Imperial Majesty's Commissary Judge, &c.*

(Signed) A. FINDLAY.

No. 55.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received Sept. 24.)

SIR,

Sierra Leone, July 5, 1830.

IN pursuance of the 75th clause of an Act, passed in the 5th year of the reign of His present Majesty, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade;" and in conformity to that passed in the 7th and 8th years of His said Majesty's reign, intituled "An Act to carry into execution a Convention between His Majesty and the Emperor of Brazil, for the regulation and final abolition of the African slave-trade;" we have the honour to enclose a return of all the cases of Brazilian vessels, adjudicated in the British and Brazilian Court of Mixed Commission, established in this colony, from the first of January last, to the 1st of July 1830.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.*John Backhouse, Esq.**&c. &c. &c.*

Return of Brazilian vessels, adjudicated by the British and Brazilian Court of Mixed Commission, established at Sierra Leone, betwixt the 1st of January and the 1st of July, 1830.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property Seized.	SEIZOR.	Date of Sentence.	Number of Slaves captured.	Number died before adjudication.	Total emancipated.	Decretal part of Sentence, whether forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Tentadora..	Nov. 1, 1829	5° 26' N.	4° 18' E.	{ Schooner and 432 slaves.. }	{ F. A. Collier, Esq., C. B. Dallas, tender, with a boat of H. M.S. Sybille. }	May 1, 1830	432	112	320	{ Condemned for being engaged in the illicit traffick in slaves. }	{ Schooner and stores sold by publick auction; the British moiety of the proceeds paid into the military chest, and the Brazilian moiety paid to His Imperial Majesty's Commissary Judge. }
Emilia....	Oct. 31, —	3° 01' N.	7° 30' E.	{ Brig and 157 slaves..... }	{ G. W. Matson, Esq., H. M. B. Clinker. }	May 1, —	157	9	148	Ditto	Ditto
Emilia....	Dec. 9, —	5° 40' N.	3° 54' E.	{ Brigantine and 187 slaves.. }	{ A. Gordon, Esq., H. M. S. Atholl. }	May 1, —	187	59	128	Ditto	Ditto
Nao Lendia	Dec. 10, —	2° 41' 8" N.	6° 38' 8" E.	{ Schooner and 184 slaves.. }	{ Edward Webb, Esq., H.M.S. Medina. }	May 1, —	184	25	159	Ditto	Ditto
Nossa Senhora da Guia }	Jan. 7, 1830	6° 18' N.	3° 30' E.	{ Schooner and 310 slaves.. }	{ F. A. Collier, Esq., C. B. Dallas, tender, with a boat of H. M.S. Sybille. }	May 13, —	310	72	238	Ditto	Ditto
Primira Rosalia }	Jan. 23, —	3° 24' N.	7° 0' E.	{ Brigantine and 282 slaves.. }	{ F. A. Collier, Esq., C.B.H. M.S. Sybille. }	May 13, —	282	40	242	Ditto	Ditto
Umbelino..	Jan. 15, —	3° 48' N.	4° 12' E.	{ Schooner and 377 slaves.. }	{ F. A. Collier, Esq., H.M.S. Sybille. }	May 13, —	377	214	163	Ditto	Ditto
Nova Resolucao }	Feb. 2, —	5° 25' 3" N.	1° 9' 9" E.	{ Schooner, cargo of merchandise, and 43 slaves..... }	{ Edward Webb, Esq., H.M.S. Medina. }	May 13, —	43	1	42	Ditto	Ditto

(Signed)

ALEX. FINDLAY
WM. SMITH.

No. 56.

Viscount Palmerston to His Majesty's Commissioners.

(Extract.)

Foreign Office, December 10, 1830.

THE Chevalier de Mattos, Brazilian Chargé d'Affaires at this Court, has made a complaint to His Majesty's Government, upon the subject of the alleged illegal capture and condemnation of the Brazilian slave-vessel "Voador," and of the cruel conduct of the Captor, Mr. G. W. Matson, of His Majesty's ship "Clinker;" and I herewith send to you a copy * of that complaint, together with a copy of the answer, that, under the opinion of His Majesty's Advocate General, has been returned to the Chevalier de Mattos, in so far as respects the condemnation of the "Voador."

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

* See Class B.

SIERRA LEONE. (Portugal.)

No. 57.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to enclose, herewith, for your Lordship's information, an abstract of the proceedings of the British and Portuguese Court of Mixed Commission, established in that colony, during the year 1829.

Three vessels were adjudicated in that Court, which were all cases of condemnation; and 415 slaves emancipated.

We have, &c.

(Signed)

A. F. EVANS.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 57.

Abstract of Proceedings under the British and Portuguese Mixed Commission at Sierra Leone, from the 1st January 1829, to the 1st January 1830.

No. 1.—The Portuguese brig, "*Vingador*," was captured on the 15th of January 1829, by His Majesty's ship "*Primrose*," Thomas Saville Griffinhooffe, Esq. Commander, at anchor, off the River Cacheo, having on board 227 slaves. These slaves were proved to have been shipped in Cacheo, a few days previously. Sentence of condemnation was, therefore, passed upon her, and 225 slaves decreed to be emancipated, on the 3d of March,—2 having died previous to adjudication.

No. 2.—The Portuguese galliot, "*Aurelia*," was captured on the 15th of January 1829, off the River Cacheo, by His Majesty's ship "*Primrose*," Captain Griffinhooffe, with 38 slaves on board; for whom passports were shewn by the several passengers on board the "*Aurelia*," declaring them to be domesticks. The evidence, however, clearly proved, that only 9 of these slaves could partake of that character. The Court, therefore, condemned the "*Aurelia*," and emancipated those who were slaves, 29 in number, on the 3d of March 1829.

No. 3.—The Portuguese brig, "*Hossé*," Benito Torrent, Master, was captured on the 23d of March last, in latitude 6° 5' N., longitude 2° 25' E., by His Majesty's ship "*Sybille*," Commodore Collier, C. B., Commander, with 182 slaves on board. These slaves were proved to have been shipped at Whydah. The Court, consequently, on the 24th of June, pronounced sentence of condemnation on the "*Hossé*," and decreed the emancipation of the surviving slaves, 166 in number;—16 having died between the time of capture and condemnation.

(Signed)

A. F. EVANS.
WM. SMITH.

Sierra Leone January 1, 1830.

No. 58.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Aug. 17.)

MY LORD,

Sierra Leone, June 14, 1830.

WE have the honour to forward, herewith, for your Lordship's information, the copy of a letter, addressed by His Majesty's Consul at St. Jago, Cape de Verdes, under date of the 26th of March 1830, to Mr. George Jackson, His Majesty's Commissary Judge at this place, notifying that M. A. Martins, a resident of Boa Vista, had obtained permission, from the Portuguese Government, to import, from the settlements of Bissao and Cacheo, on this coast, annually, 150 slaves, for the alleged purpose of establishing a fishery.

The permission, thus granted by the Portuguese Government to M. A. Martins, is, in our humble opinion, directly at variance with the provisions of the Treaty and Convention, between Great Britain and Portugal, for the repression of the illicit traffick in slaves.

By the 1st Article of the Convention it is stipulated, that the High Contracting Parties consider as illicit any traffick in slaves, carried on by Portuguese vessels, in any harbours or roads on the Coast of Africa, which are prohibited by the 1st Article of the Treaty of the 22d of January 1815;—which said 1st Article of the Treaty makes it unlawful for the subjects of the Crown of Portugal, to purchase slaves, or to carry on the slave-trade, on any part of the Coast of Africa, to the Northward of the Equator, upon any pretext, or in any manner, whatsoever.

If, therefore, His Majesty's cruizers should detain any vessel belonging to M. A. Martins, carrying over slaves from Cacheo to Bissao, under the permission he has obtained for their importation into the Cape de Verde Islands, we shall not hesitate to condemn the vessel, for being engaged in the illicit traffick in slaves, and decree the emancipation of the slaves, who may be found on board at the time of capture.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen K. T.
&c. &c. &c.

Enclosure in No. 58.

Mr. Consul Goodwin to G. Jackson, Esq.

SIR,

British Consulate, St. Jago, Cape de Verde Islands, March 26, 1830.

I HAVE the honour to acquaint you, that I have lately received information, that M. A. Martins, of Boa Vista, hath obtained leave, from the Portuguese Government, to import 150 negroes per annum, from Bissao and Cacheo, for the alleged purpose of establishing a fishery.

I have, &c.

(Signed)

JNO. GOODWIN.

George Jackson, Esq.
&c. &c. &c.

SIERRA LEONE. (Netherlands.)

No. 59.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

ENCLOSED, we have the honour to transmit to your Lordship, an abstract of the proceedings of the British and Netherlands Mixed Court of Justice, established in this colony, during the year 1829.

Five vessels were adjudicated in that Court, which were all cases of condemnation; and 527 slaves emancipated.

We have, &c.

(Signed)

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

A. F. EVANS.
WM. SMITH.

Enclosure in No. 59.

Abstract of Proceedings in the British and Netherland Mixed Court of Justice, Sierra Leone, from the 1st of January 1829, to the 1st of January 1830.

No. 1.—The schooner "*Coquette*," Emile Vincent, Master, with 220 slaves on board, was captured, whilst sailing under French colours, by the "*Horatio*," tender to His Majesty's ship "*Eden*," Captain Owen, charged with being, *bond fide*, a Dutch vessel, illegally trafficking in slaves.

A claim was made for the "*Coquette*" by the Master, under the plea that she was a French vessel, and French property; but her Dutch papers having been produced by Captain Owen, accompanying a subsidiary declaration, and it having also been proved that she was Dutch property, the Court, on the 26th of January 1829, condemned the "*Coquette*," and decreed the emancipation of her surviving slaves, 185 in number;—35 having died between the period of capture and adjudication.

No. 2.—The brig "*Jules*," André Ferraud, Master, was captured on the 6th of January 1829, sailing under Netherland colours, by the boats of His Majesty's ship "*Eden*," under the command of Lieutenant Badgley, on the bar of the Old Calabar River, with 220 slaves on board, who were proved to have been shipped in that river on the 3d of the same month. She was furnished with an incomplete and informal set of French papers, purporting her to be a French vessel; but the evidence clearly proved these papers to be false; and that the Dutch papers, the true papers of the vessel, had been thrown overboard on the approach of the capturing ship's boats. The Court, therefore, condemned the "*Jules*" on the 24th of June, as good and lawful prize; and emancipated her surviving slaves, 207 in number,—13 having died since capture.

No. 3.—The schooner "*La Jeune Eugenie*," Neils Williams, Master, sailing under Netherland colours, was captured on the 6th of January 1829, by the "*Cornelia*," Lieutenant Badgley, Commander, tender to His Majesty's ship "*Eden*," on the bar of the River Old Calabar, with 50 slaves on board, who were shipped in that river on the 3d of the same month.

This vessel was furnished with a set of French papers similar to those of the "*Jules*," but the evidence adduced clearly proved her to be owned by a Dutch subject, residing in St. Eustatius, named Jan Vangheut; and that the Dutch papers, the true papers of this vessel, were thrown overboard on the approach of the capturing vessel. The Court, therefore, condemned her on the 24th of June, and emancipated her surviving slaves, to the number of 46,—4 having died between capture and adjudication.

No. 4.—The Netherland schooner "*Adeline*," alias "*Fourmi*," — Sarassin, Master, was captured on the 9th of February, 1829, by His Majesty's ship "*Eden*," William FitzWilliam Owen, Esq., Commander, in Clarence Cove, Island of Fernando Po, with a cargo of merchandize on board; she having been previously detained under French colours, on the 6th of December 1828, and brought to that island by a boat of the "*Eden*," under the command of Lieutenant Badgley, in the River Akassatora of Brass, for an unprovoked act of hostility committed upon the said boat.

The ship's papers of the "*Adeline*" declared her to be French property; but the witnesses, examined in the case, swore, that these papers were false, and that the true papers, the Dutch, were about the person of the Master, Sarassin, when he jumped overboard, on the night of the 6th of December.

The evidence further proved the "*Adeline*" to be Dutch property, and that at the time of capture she was equipped for the slave-trade, being fitted with a slave-deck, slave-irons, slave-coppers, &c.,

The Court, therefore, at its sitting on the 24th of June, condemned the "*Adeline*," alias "*Fourmi*," her tackle, apparel, and furniture, and the goods, wares, and merchandize, as good and lawful prize.

No 5.—The "*Hirondelle*," sailing under Netherland colours, and commanded by José Carretero, was captured on the 26th of February 1829, within the entrance of the Old Calabar River, by His Majesty's ship "*Eden*," William FitzWilliam Owen, Esq., Commander, with a part cargo of merchandize, and 112 slaves, on board,—34 of whom were landed by Captain Owen at Fernando Po.

The "*Hirondelle*" was furnished with papers purporting her to be a French vessel; but the evidence having proved those papers to be false and fictitious, and that she really was Dutch property, belonging to a merchant residing at St. Eustatius, named Hendrique; and that the true papers of the vessel had been thrown overboard at the time of capture; the Court passed sentence of condemnation upon the "*Hirondelle*," and decreed the emancipation of her 55 slaves, who were at Sierra Leone at the time of passing the sentence (23 having died out of the 78 sent up,) and of the 34 slaves, or the survivors of them, who were landed at Fernando Po, on the 24th of June 1829.

Sierra Leone, January 1, 1830.

(Signed) A. F. EVANS,
WM. SMITH.

No. 60.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, April 7, 1830.

YOUR despatch of the 26th of June, and your letter of March 11, 1829, on the slave-vessel the "*Jules*," and your despatch of the 6th of June, and your letter of the 12th of March 1829, on the slave-vessel the "*Jeune Eugenie*," have been communicated to His Majesty's Advocate-General.

The King's Advocate has reported it to be his opinion, that the fact of the Netherland flag having been flying at the time of capture, was sufficient whereon to justify proceedings against the ships and slaves in the Mixed British and Netherland Court of Commission; that the facts proved upon the trials clearly established the Dutch character of the vessels and their cargoes; and that under these circumstances the sentence condemning them as such, and decreeing the liberation of the slaves, was perfectly just and proper.

His Majesty's Commissioners.

I am, &c.

(Signed) ABERDEEN.

No. 61.

His Majesty Commissioners to the Earl of Aberdeen (Received November 14.)

MY LORD,

Sierra Leone, September 16, 1830.

WE beg leave, most respectfully, to acknowledge your Lordship's despatch, dated the 7th of April, 1830, which we received on the 4th instant, communicating to us the opinion of His Majesty's Advocate-General, upon the cases of the Netherland slave vessels the "*Jules*" and "*Jeune Eugenie*," who has reported, that the fact of the Netherland flag having been flying at the time of capture, was sufficient whereon to justify proceedings against the ships and slaves in the Mixed British and Netherland Court of Commission. That the facts proved upon the trials clearly established the Dutch character of the vessels, and their cargoes; and that, under these circumstances, the sentence condemning them as such, and decreeing the liberation of the slaves, was perfectly just and proper.

It is extremely gratifying to us to learn, that the course we pursued, in regard to the "*Jules*" and "*Jeune Eugenie*" was correct; and we beg to return our humble thanks to your Lordship for the communication, as the circumstances, under which those vessels were seized and condemned, having been approved of, will form, in future, a precedent and guide for our conduct in cases of a similar nature.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c. &c. &c.

HAVANA.

No. 62.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received Jan. 29, 1830.)

MY LORD,

Havana, November 28, 1829.

THE nefarious system of enticing British sailors to desert and embark on board slave-vessels, bound for the Coast of Africa, being, I am sorry to say, more prevalent every day, I addressed a note on the subject to the Captain-General, enclosing a copy of one I had received from Lieutenant Pulling, of His Majesty's schooner "Skipjack." I have now the honour to send a translation of his Excellency's answer.

I have, &c.
(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

First Enclosure in No. 62.

W. S. Macleay, Esq. to the Captain-General:

Havana, November 21, 1829.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to request his Excellency the Captain-General's special attention to the enclosed copy of a letter, which he has received from Lieutenant Pulling, commanding His Majesty's schooner "Skipjack," by which it appears, that British seamen are enticed to desert from His Majesty's ships, while in this port, and inveigled, at the hazard of their lives, to serve on board vessels fitted out for the slave-trade.

As this is an evil of the utmost magnitude, it will be the duty of the Undersigned to state the particulars to his Government, with the least possible delay.

The Undersigned has the honour, &c.
(Signed)

W. S. MACLEAY.

His Excellency the Captain-General.

Second Enclosure in No. 62.

Lieutenant Pulling to W. S. Macleay, Esq.

SIR,

His Majesty's Schooner "Skipjack," Havana, November 19, 1829.

HAVING been informed, in the course of my enquiries for volunteers for His Majesty's service, about 3 days since, that 4 men, (George Anderson, William Scott, John Powell and John Kneall,) who had deserted from His Majesty's ship "Galatea" while in this port, were on board the American schooner "William Gardner," of Baltimore, I made it my immediate duty to find some proof, if possible, of their identity, in order to reclaim them; during this investigation I learned, that, on deserting from His Majesty's ship "Galatea," they had been harboured by a man, commonly called Portuguese Joe, well known in Havana, but whose real name I could not ascertain, who afterwards entered them on board the American ship "United States," Mr. Kennedy, Master, and by the names above stated, and on the day subsequent to the sailing of the "Galatea," again inveigled and took them on board the schooner "William Gardner," of Baltimore. When just prepared to make representations to this effect to the Spanish Authorities, the circumstance was unfortunately mentioned by Mr. Kennedy to the Master of the "William Gardner," and the men again escaped.

It appears to me, Sir, from the conversations I have held with various Masters of merchantmen, as well as from the above circumstances, that the frequent desertions from His Majesty's service, in this port, are all attributable to the same cause. The men, known by the common term of *landlords*, encourage the seamen, by promises of high wages, &c., to desert, harbour them during their own ship's stay in port, encourage them to live expensively, and when completely in their power, place them on board vessels engaged in the traffick of slaves, and this also accounts for the intermixture of English and American sailors in these vessels.

Considering it highly desirable, Sir, to overthrow so detestable a system, and being uncertain when I shall have it in my power to communicate the particulars to the Commander-in-Chief, I have taken the liberty of writing you on the subject, hoping that some means may suggest themselves, to punish the offender in this case, and prevent the future operations of those of his class.

I have the honour to be, &c.
(Signed) J. PULLING, Lieutenant, Commander.

W. S. Macleay, Esq.
His Majesty's Commissioner, Havana.

Third Enclosure in No. 62. (Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, November 25, 1829.

I HAVE received your letter of the 21st instant, enclosing that of the Commander of His Britannick Majesty's schooner "Skipjack," and informing me, that British sailors are enticed to desert from vessels of their nation, and inveigled to serve on board vessels, which, as you say, are intended for the Coast of Africa; and it is my duty to acquaint you, in answer, that this Government has long since established the punishment to be incurred by those persons who receive or conceal deserters, and sailors who have not their papers in the proper form, to prove that they are legally disembarked; but, nevertheless, I have this day issued orders to the Agents of Police, for the most exact execution of those laws, in order to put a stop to disorders so prejudicial in every sense.

God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed) F. D. VIVES.

No. 63.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, November 30, 1829.

ON the 5th instant sailed the Spanish schooner "Iberia," D. Antonio Manubo, for the Coast of Africa.

On the 7th instant arrived in this port the Spanish schooner "Ligera," alias "Intrepida," D. Jozé Ramon Zavala, Master, and on the 24th instant, the schooner "Amistad Habanera," D. Dionisio Urquijo, Master, both vessels having previously landed slaves on the coasts of this island. These 2 vessels were reported by me to the Captain-General, and I have received the customary answer,—that nothing against them is proved by their log-books.

On the 25th instant arrived the brig "Ricardo," D. Marcellino Moran, Master, which sailed from this port so long ago as the 2d October 1828, having been blockaded by one of His Majesty's schooners in the River Bonny; it appears that, after losing a great part of her crew, and a whole cargo of negroes, by sickness, she was obliged to sail for this island in ballast. The expedition consequently has been most ruinous to her Owners.

I have the honour also to inform your Lordship, that the brig "Almirante," which was lately captured on the Coast of Africa, and sold, after condemnation, at Sierra Leone, arrived here lately, under Brazilian colours, in ballast, the object of her present Owners being, it is said, to sell her again to the slave-traders of the Havana.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 64

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, December 2, 1829.

LIEUTENANT JOSEPH SHERER, who now commands His Majesty's schooner "Nimble," arrived here on the 21st ult. with the Spanish schooner

"*Gallito*," which, with a cargo of 136 slaves, and a crew of 16 men, was captured, near the Berry Islands, by the vessel under his command, on the 16th ult.

The Mixed Commission met on the 23d ult., and on the 26th signed the sentence, condemning the captured schooner, and emancipating the 135 slaves, who were delivered over to the Captain-General. I have the honour to enclose to your Lordship, copies of the Captor's declaration and certificates, an abstract of the evidence, and a translation of the sentence.

The "*Gallito*," which is a small schooner of less than 60 tons, sailed from the Havana, on the 18th February last, under the command of D. Francisco Garcia, as if bound for the Isla de Principe. She made, however, direct for the River Pongo, near Sierra Leone, where resides the notorious slave merchant John Ormond, from whose factory, on the 6th October last, she took on board, in exchange for her cargo, 144 negroes. Of these, 8 died before her detention by the "*Nimble*," and 1 after. The "*Gallito*," previous to being captured, was dismasted, owing to her having made some resistance, which was attributed, as usual, by the crew, to their mistaking His Majesty's schooner for a Columbian privateer. One of the crew, Thomas Johnson, is an American citizen, and was accordingly delivered over to the American Consul, by Lieutenant Sherer.

John Ormond, the principal slave-dealer in the Rio Pongo, is a mulatto, and son, I am told, of a Genoese, formerly occupied in this traffick. I believe he has himself made more than one voyage to the Havana, with a cargo of negroes, although he now styles himself a king or prince of the country. The manner in which this man dares to carry on his traffick, in the vicinity of Sierra Leone, will be best shewn by his account current with the Master of the "*Gallito*," a copy of which, together with another of a certificate of his having detained a Spanish sailor, I now have the honour to forward to your Lordship, in the event of its being possible to punish him.

The various individuals of the "*Gallito*" who were examined, have sworn, that Francisco Garcia, the Master, is also the Owner, but in this they have only stupidly perjured themselves; for among the papers annexed to the proceedings, there is the Custom-House Register, by which it appears, that Messrs. Busto and Inclan, Merchants of this city, are the real Owners. These Merchants who have lately become Bankrupts, were Owners, as I have already had the honour of informing your Lordship, of the "*Golondrina*," captured in the beginning of this year, by His Majesty's schooner "*Picklé*." It may also be collected from a scrap of paper, found on board the "*Gallito*" by the Captors, and which appears to be a rough draft of some letter formerly written by D. Francisco Garcia to his Owner, that the schooner "*Pronta*," mentioned in my despatch, dated 10th October last, likewise belongs to D. Ramon Inclan, and sailed, in the course of last summer, from the Rio Pongo, with a cargo of slaves for this island. I fear, therefore, that the above-mentioned part of the African Coast, is much haunted by small Spanish slave-vessels.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 64.

Declaration of the Captor of the "Gallito."

I JOSEPH SHERER, Lieutenant, commanding His Britannick Majesty's schooner "*Nimble*," do hereby certify, that on the evening of November 16, 1829, in latitude 23° 50' N., longitude 77° 30' W., I captured the Spanish slave schooner "*Gallito*," from the Rio Pongo, on the Coast of Africa (near Sierra Leone), as I learn, as well from certain negroes on board who speak English, as from the papers found on board, with a cargo of 136 slaves, and a crew of 16 men, mounting 1 long 9-pounder, and otherwise armed. I also certify, that the said schooner fired at the flag of His Britannick Majesty.

She had on board at the time of capture 6 days' provisions and water.

I further certify, that I have given the Captain, Don Francisco Garcia, the necessary certificate for his papers, which accompany this, from No. 1 to No. 13, and that I have, in every other way, strictly complied with my instructions.

Given under my hand, on board the said schooner, at sea, this 17th day of November 1829.

(Signed) JOSEPH SHERER, Lieut. and Commr.

Witness, (Signed) ALLAN GEORGE BOGLE, Sen. Mid.
R. W. CAMPBELL, Assist. Surgeon.

We, the undersigned, do hereby certify, that, on the capture of the vessel, mentioned on the other side, we attended most strictly to the counting the slaves on board, and found as follows :

	HEALTHY.	SICK.
Men	23	2
Women . .	75	4
Boys	25	1
Girls	6	"
	129	7
	7	
Total	136	

Given under our hand, on board the said schooner, at sea, this 17th day of November 1829.

(Signed) ALLAN GEORGE BOGLE, Sen. Mid.
R. W. CAMPBELL, Assist. Surgeon.

I do hereby certify, that none of the slaves taken in the schooner "Gallito," have died since she has been in possession of His Majesty's schooner "Nimble."

His Britannick Majesty's Schooner "Nimble," (Signed) R. W. CAMPBELL, Assist. Surgeon.
Havana, November 21, 1829.

I do further certify, that, since the delivery up of the above mentioned papers, by the Master of the "Gallito," 9 other documents have been found on board, which are accordingly duly numbered and endorsed by me, in order to be delivered up to the Mixed Commission.

His Britannick Majesty's Schooner "Nimble," (Signed) JOSEPH SHERER, Lieut. and Commr.
Havana, November 21, 1829.

Additional Certificate.

I certify, that 1 negro slave died on board the Spanish schooner "Gallito," since my last certificate, dated 21st November 1829.

Given under my hand, on board His Majesty's schooner "Nimble," in Havana Harbour, this 24th day of November 1829.
(Signed) R. W. CAMPBELL, Assist. Surgeon.

Second Enclosure in No. 64.

Abstract of the Evidence in the Case of the "Gallito."

LIEUTENANT JOSEPH SHERER being sworn, and having shewn his instructions, deposed, that the declaration now produced, in the English language, is signed by him, and truly sets forth the state of the "Gallito" at the time of her detention, with the number of slaves she had on board. The deponent then identified the papers of the vessel, Nos. 1 to 13, as delivered to him by the Master of the slave vessel, and 9 other papers, found afterwards on board, from which were separated, as bearing more essentially upon this case of detention,—1, the muster roll; 2, the passport; 3, the contrasena; 4, the custom-house register; 5, an account current, in the English language, signed by J. Ormond; 6, a certificate, signed by the same person, relative to the detention of a Spanish sailor, on the Coast of Africa; 7, a printed copy of the Treaty between their Britannick and Most Faithful Majesties, for the abolition of the slave-trade; and 8, two log-books.

Mr. R. W. Campbell, Assistant Surgeon of His Britannick Majesty's schooner "Nimble," being sworn, deposed to the truth of the facts set forth in the declaration of the Captor, and identified the certificates, signed by the deponent, by which it appears, that the negroes were reduced to the number of 135, when delivered over to the Captain-General.

Francisco Garcia, a native of Granada, in Andalusia, aged 51, a married man, and a Catholic, being sworn, deposed, that he is by profession Master and Pilot of the Spanish merchant schooner "Gallito,"

which has been brought into this port, by the English schooner of war "Nimble;" that he was detained, by the said vessel of war, about 5 leagues to the eastward of Abacu; that the "Nimble" fired more than 20 shots at the "Gallito," and at last completely dismasted her; that this deponent certainly did return the fire of the "Nimble," but only with 3 shot; that this deponent believes the "Nimble's" attack to have been owing to the "Gallito's" having a cargo of slaves on board, who were embarked in the Rio Pongo, on the Coast of Africa; that the deponent took these slaves on board, because he could not meet with any ivory, or other marketable produce; that this deponent sailed, from this port of Havana, on the 18th February last, with a cargo of aguardiente, gunpowder, and dry-goods, and was bound for the Isla de Principe; that he did not reach Principe, by reason of damage, which the "Gallito" experienced in a storm, to the south of Bermuda; that he was obliged to enter the River Pongo, by reason of the damage he had experienced; that on his arrival in this river the King of the country, called Ormond, in return for the deponent's cargo, gave him 144 slaves to sell here on the said King's account, authorizing the deponent to pay himself out of the proceeds of the sale; that at the time of detention of the "Gallito," there remained alive 136 negroes, 8 having died on the voyage previously; that the "Gallito" touched at no port on her return from Pongo; that 1 negro has died since her arrival in the Havana, thus reducing the number of negroes to 135; that this deponent is the owner and supercargo of the "Gallito;" that the papers now produced, are really the papers of the "Gallito," which were taken from the deponent by the Commander of the English schooner; that there was no cargo on board at the time of detention, except the provisions necessary for the subsistence of the negroes, during the remainder of the voyage.

Vicente Dias Cardoso, a native of Bahia in Brazil, aged 36, unmarried, and a Catholic, being sworn, deposed, that he has been naturalized a Spaniard, and resides in this City of Havana; that, by profession, he is 2d Mate of the Spanish merchant schooner "Gallito;" that this deponent was named to the said office, by the Captain of the said schooner, D. Francisco Garcia; that he sailed from this harbour, on the 18th February last, for the Islands of St. Thomas and Principe, with a cargo of various kinds of goods; that the "Gallito" did not reach either of these islands, she having directed her course for the River Pongo, on the Coast of Africa, where her cargo was landed, and where, there being no ivory, or other merchandize on the spot, the Captain took on board 144 negroes; that the "Gallito" was brought into this port, on account, as this deponent supposes, of having negroes on board, being detained near the Berry Islands, by the English schooner of war "Nimble," on the 16th of this present month, which schooner fired several times at them, the "Gallito" only answering with 3 shot, which were fired, because the crew had heard that there had been in those latitudes a Columbian privateer; that 8 of the negroes having died on the voyage, only 136 were alive at the time of detention; that there was no other cargo on board; that this deponent was taken on board the English schooner, and does not know what passed afterwards, but has heard, that 1 negro died since; that this deponent has always considered D. Francisco Garcia to be the Owner; that the papers now produced, are all the true papers of the "Gallito," together with the account current in English, signed Ormond, and the certificate of the detention at Pongo, of Evaristo Minguez, one of the sailors of the "Gallito."

Jozé de los Santos, native of Vigo, in Galicia, aged 43, unmarried, and a Catholic, being sworn, deposed, that he rates as 3d Boatswain, in the Royal Spanish Navy, and is now serving as Boatswain in the schooner "Gallito," because Bartholomew Martinez, who is mentioned in the muster-roll as Boatswain, did not embark; that his place of Boatswain was given him by Don Francisco Garcia, who took the deponent on board in this port, and sailed from thence for the Isla de Principe, with a cargo of merchandize, but this deponent does not recollect the day of sailing; that the "Gallito" never reached Principe, by reason of a storm, which made them make for the Coast of Africa, and the River Pongo. That here the Captain landed his cargo, but not finding any ivory for sale, he was obliged to take a cargo of negroes, on freight, on account of the Prince of that part of the country, who took the cargo of the "Gallito," and authorized the Captain to repay himself, out of the proceeds of the sale of the negroes, he engaging to return him the balance; that 144 negroes were embarked; that they came in sight of Abacu, without having touched at any place, when they were detained by the English schooner, on account of the slaves on board; that the English schooner fired several times, and was only answered with 3 shot, which were fired by the "Gallito," under the belief that she was a Columbian; that the "Nimble," during the whole time of the chase and firing, displayed the British colours; that 136 negroes were alive at the time of detention, and that 1 has died since their arrival in the Havana; that this deponent has always believed Francisco Garcia to be the Owner; that he knows him to be such; that the papers now produced are really the papers of the vessel, with the exception of those numbered 4 to 6 inclusive, which this deponent believes to be private papers, belonging to the Captain.

[These last mentioned papers were the register, the account current, and the certificate of the detention of Evaristo Minguez.]

Third Enclosure in No. 64.

(Translation.)

Sentence of the Mixed Commission in the Case of the "Gallito."

IN the always most faithful City of the Havana, on the 26th day of November 1829, the Most Excellent Señor Don Claudio Martínez de Pinillos, Conde de Villaneuva, Councillor of State, Intendant, Superintendent-General of the Army, and Royal Revenues, Spanish Commissary Judge in the Mixed Commission, with Colonel D. Rafael de Quesada, and D. William Sharp Macleay, the Commissioners of Arbitration, assembled together by reason of the absence, with permission of his Government, of the British Commissary Judge; and having taken into consideration the proceedings consequent upon the detention (which, after some firing on both sides, the English schooner-of-war

"Nimble," commanded by D. Joseph Sherer, made in latitude 23° 50' N., and longitude 77° 30' W., of the Spanish merchant schooner, "Gallito," D. Francisco Garcia, Master, with a cargo of 136 Bozal negroes, alive, on board at the time of detention, of whom 1 has since died in this port; and it being plainly shewn, as well by the evidence of the Spanish Master, as that of the other witnesses examined, and by the various documents found on board the said Spanish schooner "Gallito," that she sailed from this port, on the 18th day of February of this present year, with papers, and a cargo, for the Isla de Principe; that she directed her course to the Rio Pongo, on the Coast of Africa, where 144 slaves were taken on board, of whom only 136 existed at the time of detention, which number, by the death of 1 more in this harbour, is now reduced to 135. The aforesaid Commissioners resolved, with all due regard to the merits of the case, according to the brief and summary mode of proceeding adopted by the Commission in all such cases, on the truth being made manifest, that they ought to declare, and hereby do declare, the capture of the above-mentioned schooner, "Gallito," and of the 136 negroes found on board, to be good and legal; and that the said schooner, her tackle, apparel, and whatever else she may contain, are subject to confiscation, with the exception of the 135 negroes remaining alive, who are hereby declared to be free from all slavery and captivity. The said Commissioners accordingly direct, that the condemned vessel be valued, under oath, by the principal Masters of the Royal Arsenal, who shall give a proper voucher to that effect; and that she shall be exposed to publick auction in the presence of the Auxiliary Notary of the Real Hacienda, D. Francisco Jozé de Cover, in order that, being disposed of to the highest bidder, the proceeds may be applied to the benefit of the two Governments; the said vessel being, for the present, placed in deposit with D. Jayme Andreu, who shall likewise swear, faithfully to perform his duty, and shall receive her from the Captor, according to formal inventory. The Commissioners shall proceed, moreover, without loss of time, to deliver, as is customary, to the aforesaid 135 negroes, their certificates of emancipation, by means of the Secretary, D. Juan Francisco Cascales, and shall address an official letter, with a certified copy of the sentence, to his Excellency the Captain General, in order that he may take proper measures to carry it into effect, and because the individuals composing the crew of the schooner "Gallito," remain in prison, at his Excellency's disposal; and by this their sentence, the Commissioners, definitively deciding, have thus provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed)

EL CONDE DE VILLANUEVA.
RAFAEL DE QUESADA.
W. S. MACLEAY.

(Signed) JUAN FRANCISCO CASCALES, Secretary.

Fourth Enclosure in No. 64.

John Ormond, Esq. on account with Captain Fran^o. Garcia.

Cr.

Dr.

1829.		DISBURSEMENTS, viz.	
April 10	By goods received from the schooner Gallito - - - \$ 8,753 0	1829.	June 20 By 143 slaves, at \$ 85 58 each - - - - - \$ 12,237 94
May 20	By ditto ditto - - - 556 60		For pilotage
May 30	Cash - - - - - 600 0		Port charges
	Total - 9,909 60		20 bushels of rice
	To be added 25 per cent. - 2,477 40		For fresh stock
	12,387 0		Ship's expences
June 12	By Cash - - - - - 16 0		To 30 gallons of palm-oil
			To 20½ ditto of paint-oil
			To 19 lbs of paint
			To 1 tricle
			To 1 lantern
			By balance due - - - - - 148 0
	Grand total \$ 12,403 0		17 6
			Total - \$ 12,403 0

Bangalane, October 6, 1829.

(Signed)

JOHN ORMOND.

I certify the above to be a true and faithful copy of the original, deposited in the archives of the Mixed Commission.

(Signed)

W. S. MACLEAY.

Havana, November 26, 1829.

Fifth Enclosure in No. 64.

Copy of a Certificate of John Ormond.

Bangalaney, October 6, 1829.

I DO hereby certify to have detained from the schooner "Gallito," commanded by D. Francisco Garcia, one man, of the name Evaristo Mingues, Bosen, on account of bad conduct, and ill beavour, towards his Officers on his passage as well as at the time of the vessel being at anchorage, and for treating his Officers' lives, therefore, with the consent of his Officers and the remaind of the Chiefs

of my dominions, who have tinck propre, for the savete of the Officirs and crew, to exclude him from the list of the said schooner, wherfore I have aply my signature and seal.

(L. S.) To all whom it may concern.

(Signed)

JNO. ORMOND.

I do certify the above to be a true and faithful copy of the original deposited in the Archives of the Mixed Commission,

(Signed)

W. S. MACLEAY.

Havana, November 26, 1829.

No. 65.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, December 30, 1829.

ON the 1st instant the American schooner "*William Gardner*," W. F. Hill, Master, sailed for Galinas, on the Coast of Africa; and it is reported that her object is to aid some Spanish slave-vessels, which are blockaded in that river by His Majesty's cruizers, in bringing off their slaves.

On the 3d instant the Spanish schooner "*Urraca*," D. Jozé Fernando de la Vega, Master, also sailed for the African Coast.

On the 7th instant the Spanish brig "*Nueva Amalia*," D. Francisco Granell, Master, a vessel which I have already had the honour of bringing under your Lordship's notice, in my despatch of the 25th of May last, arrived from Africa. As this vessel was, according to the English and American newspapers, publicly fitted out for the slave-trade at Barcelona, I thought it right to mention the circumstance to the Captain-General; and I now beg leave to enclose copies of the correspondence which has passed respecting her. I have not yet received intelligence of the result of the investigation, which his Excellency has directed to be made into this case of slave-trade.

On the 10th instant the schooner "*Maria*," D. Francisco Romero, Master, arrived here, after having landed a cargo of slaves. This Francisco Romero, I have every reason to believe, is the same person who commanded the "*Maria*," which was destroyed, last year, by His Majesty's schooner "*Skipjack*." The vessel now arrived was not fitted out from the Havana; but, whether she be the same vessel, respecting which I am commanded, by your Lordship's despatch of the 19th of August last, to forward intelligence, I am as yet unable to state; in the first place, because "*Maria*" is one of the most common names for Spanish vessels; and secondly, because the crew of the "*Gallito*" have stated to Lieutenant Sherer, of His Majesty's schooner "*Nimble*," that a Spanish slave-vessel, called "*Maria*," fitted out from Cadiz, was lately taken by one of His Majesty's cruizers on the Coast of Africa. As the force of the schooner arrived, appears to agree with that mentioned in Mr. Bosanquet's note to M. Salmon, of the 17th of June last, perhaps the name of the Master, now stated, will enable His Majesty's Consul at Cadiz to ascertain whether she be the same vessel. I have the honour to enclose copies of the correspondence, which has passed between the Captain-General and myself, on the subject of the "*Maria*" which has arrived. His Excellency allows that she was fitted out in Cadiz.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 65.

W. S. Macleay, Esq. to the Captain-General.

Havana, December 10, 1829.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to acquaint his Excellency the Captain-General, that it having been publicly stated, some months since, in the English and American newspapers, that the "*Amalia*," D. F. Granell, Master, was at Barcelona last

winter, fitting out for the slave-trade on the Coast of Africa, it will be incumbent on the Undersigned to state to his Government, that this vessel, after having landed slaves on the coast, arrived "in ballast" in the port of the Havana, on the 7th instant, from St. Thomas.

The Undersigned has the honour, &c.
 (Signed) W. S. MACLEAY.

His Excellency the Captain-General.

Second Enclosure in No. 65.

W. S. Macleay, Esq. to the Captain-General.

Havana, December 12, 1829.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to apprise his Excellency the Captain-General, that it will be his duty to report to his Government the arrival in this port, from the Coast of Africa, of the Spanish schooner "Maria," D. Francisco Romero, Master, she having previously landed a cargo of slaves on the coasts of this island.

The Undersigned has the honour, &c.
 (Signed) W. S. MACLEAY.

His Excellency the Captain-General.

Third Enclosure in No. 65.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, December 15, 1829.

I HAVE received your letter of the 10th instant, informing me, that, some months since, the English and American papers announced that the brig "Amalia," D. Francisco Granell, Master, was fitted out at Barcelona, last winter, for the slave-trade, to the Coast of Africa, and that it will be your duty to state the arrival of this vessel, in this port, in ballast, on the 7th instant, from St. Thomas, and in obedience to the resolution of the King, my august Master, dated January 2, 1826, I this day have directed the Officer second in command over the naval forces on this station, to make the necessary investigation, of the result of which you shall be duly informed.

God preserve you many years.
 (Signed) F. D. VIVES.

The Commissioner of His Britannick Majesty.

Fourth Enclosure in No. 65.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, December 15, 1829.

I HAVE received your letter of the 12th instant, informing me, that it will be incumbent on you to give information to your Government, of the arrival in this port, of the Spanish schooner "Maria," D. F. Romero, Master, after having landed a cargo of slaves; and I beg to inform you, in answer, that, in obedience to the Royal Order of my august Master, dated 2d January, 1826, I this day have directed the Officer second in command over the naval forces on this station, to proceed to the necessary investigation, of the result of which you shall be duly informed.

God preserve you many years.
 (Signed) F. D. VIVES.

The Commissioner of His Britannick Majesty.

Fifth Enclosure in No. 65.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, December 23, 1829.

IN his letter of the 18th instant, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Commandant of Registers of this city informs me, in his letter dated yesterday, that, having examined the log-books of the Spanish merchant schooner "Maria," which anchored in this port on the 10th instant, coming from Cadiz and St. Thomas, there appears no proof whatsoever that this mercantile expedition has been employed in the prohibited traffick of Bozal negroes. I now beg to inform your Excellency of this, in answer to your letter of the 15th instant, in which you have been pleased to transcribe an answer which you have made to a communication from the Commissioner of His Britannick Majesty, relative to the Spanish schooner "Maria," coming from St. Thomas."

I now transcribe this for your information, and may God preserve you many years.
 (Signed) F. D. VIVES.

The Commissioner of His Britannick Majesty.

No. 66.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, December 31, 1829.

I HAVE the honour to inform your Lordship, that, on the 28th instant, the Spanish schooner "*Asumpcion*," D. Francisco Aizpeitia, Master, sailed from this port, for the Coast of Africa, and on the 29th, the schooner "*Ligera*," D. Jozé Ramon Zabala, Master.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 67.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, December 31, 1829.

I HAVE the honour to enclose copies of the registers of the slaves, emancipated by decree of this Mixed Commission, during the year 1829.

In the interval between the delivery up of the negroes, by the Captor to the Captain-General, and the issuing of their respective certificates of emancipation, there have died, according to the reports of the Captain General,

On board the Golondrina	-	-	0
the Josefa	-	-	4
the Voladora	-	-	1
the Midas	-	-	73
the Gallito	-	-	0

Total dead - 78

The mortality this year on board slave-vessels has been dreadful, and such as materially to diminish the profit arising from this detestable traffick, of which no more striking instance can be given than the "*Midas*." Out of 562 slaves, this vessel embarked on the Coast of Africa, only 208 lived to receive their certificates of emancipation.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 67.

Abstract of the Register of Negroes emancipated by the Mixed Commission, during the Year 1829.

	Name of Vessel condemned.	Males.	Females.	Total.
1	Golondrina	0	0	0
2	Josefa	124	78	202
3	Voladora, <i>alias</i> Mulata	232	98	330
4	Midas, <i>alias</i> Providencia	112	96	208
5	Gallito	107	28	135
	Total emancipated	575	300	875

No. 68.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 1, 1830.

I HAVE the honour to state, that 64 despatches from the Havana, have been addressed by me to your Lordship, during the year 1829.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon the Earl of Aberdeen, K. T.
 &c. &c. &c.

No. 69

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 1, 1830.

IN pursuance of the 75th clause of the Act of 5 Geo. IV. cap. 113, I have the honour to lay before your Lordship the return of the cases adjudicated, during the last half year, by this Mixed Commission.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

Enclosure in No. 69.

Return of Cases adjudicated by the Mixed Commission at the Havana, during the Half Year ending 1st of January, 1830.

Date of Seizure.	Property Seized.	SEIZOR.	Date of Sentence.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
June 27, 1829	{ Spanish Brig <i>Midas</i> , alias <i>Providencia</i> , with 400 negroes	{ Lieutenant <i>Joseph Sherer</i> , commanding His Majesty's Schooner <i>Monkey</i>	July 14, 1829	Forfeiture	{ The schooner, tackle, &c. have all been sold, and nothing remains unsold. The British moiety of the proceeds has been remitted to His Majesty's Principal Secretary of State for Foreign Affairs.
Nov. 16, —	{ Spanish Schooner <i>Gallito</i> , with 136 negroes	{ Lieutenant <i>Joseph Sherer</i> , commanding His Majesty's Schooner <i>Nimble</i>	Nov. 26, —	Forfeiture	{ The schooner, tackle, &c. remain for sale by publick auction, and at present remain in deposit with <i>D. Jayme Andreu</i> .

(Signed)

W. S. MACLEAY.

No. 70.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 1, 1830.

ON the subject of the slave-trade of this island, during the year just expired, I am sorry to be under the necessity of making a report, scarcely less deplorable than that, which I had the honour of laying before your Lordship, for the year 1828. The following abstract will show how little this traffick can be said to have diminished.

In the year 1828, there sailed for the Coast of Africa, from this port, according to the list I have the honour to enclose, no less than 63 vessels. Of these only 2, which cleared out for the Canaries, have returned with lawful cargoes. The remainder must be considered as true slave-traders, of which 1 has returned without a cargo, and another, according to report, has been shipwrecked; 3 are said to have been captured on the Coast of Africa, by His Majesty's cruizers, and 1 by the Columbians, while 6 have been condemned by the Mixed Commission at the Havana, and 35 are known to have safely landed their slaves. With the fate of the other 14 I am not acquainted.

In 1829, the number of vessels which cleared out for the Coast of Africa, being 45, was less than during the preceding year, but the number of arrivals, during the same respective periods, has increased from 28 to 33. From the enclosed lists of arrivals and departures, for 1829, it will be seen, that 2 vessels have succeeded in landing 2 cargoes, within the 12 months, and that several have been able to take 2 departures for the Coast of Africa. Of the 45 vessels which have sailed during the year just expired, 9 have already returned, and 1 has been captured by His Majesty's schooner "Nimble."

The decrease that has taken place in the number of departures, is to be attributed, without doubt, to the comparative failure, during the past year, of these illegal expeditions. His Majesty's cruizers appear to have been more than ordinarily successful, on the Coast of Africa, as well as in these seas. The slave-vessels, moreover, which have arrived, have, in general, suffered so much by mortality, as to reduce most considerably the profits of their voyages. From the utter ruin of the Proprietors of small coffee estates, an extraordinary number of slaves have been brought this year into the market; and, finally, a very general bankruptcy has lately taken place among the shopkeepers of the Havana, who, according to the schedules presented to their creditors, appear to have been extensive holders of shares in slave-vessels. These have all been so many causes tending to depress the traffick; and, indeed, the general ruin of the shopkeepers of the Havana, has been, in a very great degree, attributed to their obstinate gambling in the slave-trade. I am truly grieved, however, to be obliged to state, that I cannot consider the traffick to have received the least check, either from the local Government, or the Government at home. On the contrary, the slave-traders feel more than ever convinced, that they will be protected as far as possible.

The Royal Order of the 30th of June last, of which your Lordship was pleased to transmit me a copy, appears, by the number of notorious slave-vessels, which continue to be allowed to sail for the African Coast, never to have produced the slightest effect.

The arrivals of the "*Fama de Cadiz*," the "*Elena*," alias "*La Paz*," the "*Maria*," and the "*Nueva Amalia*," which have been fitted out in the ports of Spain, and the singular proceedings here in the case of the French vessel "*Le Martin*," will not, certainly, tend to discourage a traffick, of which, however, the impolicy ought to be as manifest as the cruelty. It is my humble opinion, that were Spain really inclined to abolish the slave-trade, she could effect her purpose, so far as regards the inhabitants of this island, with less difficulty than is commonly supposed. An inspection of the various muster-rolls of the vessels condemned by this Mixed Commission, has shown me the truth of what I had long before heard, that not one in 30 of the crew of a slave-vessel is a native of Cuba. In fact, the crews, as well as the most

notorious fitters out of such expeditions, are Europeans; and although the native planters are, of course, glad to procure slaves at the lowest possible price, yet, I believe, the majority of them would have little objection to sacrifice a temporary profit, to the solid advantage of not having their lives and properties endangered by the unlimited increase of the black population. Their feelings on this last head are sufficiently manifested by the anxiety they have of late shown, to get rid of the emancipated negroes.

On the most effectual means of suppressing the traffick, I have nothing to add, to what His Majesty's Commissioners have already stated to their Government. I venture, however, to assure your Lordship, that it is much to be desired, on every account, that some measures should be adopted, to prevent British subjects, from entering on board Spanish slave-vessels. To allure our ignorant seamen by high wages, seems to be a favourite plan, at present, with the slave-trader, and as many have been trained to arms, on board His Majesty's ships, they may, in some cases, render the resistance of slave-vessels much more desperate.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

First Inclosure in No. 70.

List of Departures, for the Coast of Africa, from the Havana, during the Year 1828; with results of the Voyages, as far as is known.

NO.	NATION.	CLASS.	NAME of VESSEL.	NAME of MASTER.	Date of Departure.	RESULT of the VOYAGE.
1	Spanish	Schooner	Indagadora - - -	Manuel Fernandez -	1828. Jan. 3	Retd. June —, 1828
2	Ditto	Ditto	Transito - - -	Jozé Rodriguez -	" 16	" July 14, —
3	Ditto	Brig	Vengador - - -	Jozé Garay - - -	" 30	" Aug. 22, —
4	Ditto	Schooner	Primera Gallega -	Franco. Suarez -	Feb. 6	" Oct. 26, —
5	Ditto	Brig	Firme de Cadiz -	Juan Sandrino - -	" 10	{ Condemned at the Havana.
6	Ditto	Ditto	Gallo - - - -	Ramon Gonzalez -	" 10	Retd. Nov. 11, 1828
7	Ditto	Schooner	Dorotea - - - -	{ Manuel Santiago } { Echevarria - }	" 10	" June 15, —
8	Ditto	Ditto	Xerxes - - - -	Felipe Rebel - -	" 10	{ Condemned at the Havana.
9	Ditto	Ditto	Josefa - - - -	Juan Casal - - -	" 21	Retd. Sept. 16, 1828
10	Ditto	Brig	Cristina - - - -	Franco. de los Reyes	Mar. 6	" Dec. 13, —
11	Ditto	Schooner	Herculina - - -	Andres Cortina -	" 25	" " 7, —
12	Ditto	Ditto	Emprendedor - -	Ramon Clavel - -	" 27	{ Condemned at Sierra Leone.
13	Ditto	Ditto	Missolonghi - -	Juan Larrazabal -	" 27	
14	Ditto	Ditto	Nueva Eloisa - -	Narciso Esteves -	April 9	
15	Ditto	Ditto	Primera - - - -	Domingo Bardier -	" 9	Retd. Nov. 24, 1828
16	Ditto	Ditto	Gallito - - - -	- - - - -	" 14	" Dec. 6, —
17	Ditto	Brig	Recurso - - - -	Juan Jozé Dominguez	" 22	
18	Ditto	Ditto	Nueva Empresa -	Joze S. Juan - - -	" 24	
19	Ditto	Brigantine	Aerostatico - - -	Franco. Garcia -	May 1	" Oct. 16, —
20	Ditto	Schooner	Viscayna - - - -	P. A. de Zaldezondo	" 4	" Dec. 13, —
21	Ditto	Ditto	Tres Manuelas -	Juan Batalla - -	" 15	" Jan. 2, 1829
22	Ditto	Ditto	Juanito - - - -	Manuel Alcantara -	" 15	" Nov. 29, 1828
23	Ditto	Ditto	Graciosa - - - -	Juan Casas - - -	" 15	" Feb. 21, 1829
24	Ditto	Ditto	Clio - - - - -	Francisco Matemala	" 15	" Jan. 24, —
25	Ditto	Ditto	Viva (al.) Coqueta	Jozé Garcia - - -	" 15	
26	Ditto	Ditto	Potosi - - - - -	Andres Larrazabal -	June 1	" Nov. 12, 1828
27	Ditto	Ditto	Manuelita - - -	Jozé Bosch - - -	" 18	" Mar. 10, 1829
28	Ditto	Brig	Juan - - - - -	Ramon Nozedal -	" 18	
29	Ditto	Ditto	Almirante - - -	Andres Inzua - -	" 18	{ Captured on the Coast of Africa.
30	Ditto	Schooner	Nueva Campeadora	Gaspar Prat - - -	" 18	{ Said to have been shipwrecked near Matanzas, only 19 negroes saved.

(continued.)

First Inclosure in No. 70, (continued.)

No.	NATION.	CLASS.	NAME of VESSEL.	NAME of MASTER.	Date of Departure.	RESULT of the VOYAGE.
					1828.	
31	Spanish	Brig	Coradino - - -	Franco. de la Casa -	July 1	
32	Ditto	Schooner	Pantica - - - -	Miguel Romero Vega	" 1	Retd. April 11, 1829
33	Ditto	Ditto	Indagadora " - -	Manl. Dias de Medina	" 1	" Dec. 7, 1828
34	Ditto	Ditto	Georgiana - - -	Domingo Borell -	" 15	
35	Ditto	Ditto	Favorita - - -	Anto. Betancourt -	" 28	
36	Ditto	Ditto	Segun el Tiempo -	Jozé Escardo - -	" 28	" April 10, 1829
37	Ditto	Ship	Amistad - - -	Manuel Gonzalez -	Aug. 1	} These two vessels cleared out for the Canaries, and appear to be engaged in lawful trade.
38	Ditto	Brig	Triton Palmero -	Antonio Gonzalez -	" 1	
39	Ditto	Schooner	Golondrina - - -	Antonio Carabajal -	" 1	} Condemned at the Havana.
40	Ditto	Ditto	Balzain - - - -	Roque Quintana -	" 1	
41	Ditto	Ditto	Triple Union - -	Santiago Manzana -	" 1	} Captured by the Columbians.
42	Ditto	Ditto	Repetidora - - -	Felipe Dominguez -	" 13	
43	Ditto	Ship	Veloz Pasagera -	Jozé de la Vega -	" 25	} Reported to be captured on the Coast of Africa.
44	Ditto	Schooner	Cubana (al) Marinera	Antonio Zavala -	Sept. 18	
45	Ditto	Ditto	Transito - - - -	Jozé Rodriguez -	Oct. 2	Retd. Feb. 19, 1829
46	Ditto	Ditto	Voladora (al) Mulata	Bonifacio Echelacu	" 2	} Condemned at the Havana.
47	Ditto	Ditto	Constancia - - -	Joaquin Bergallo -	" 2	
48	Ditto	Brig	Ricardo - - - -	Marcellino Moran -	" 2	} Returned without slaves, Nov. 25, 1829.
49	Ditto	Ship	Fama de Cadiz -	Jozé Anto. Salcedo	" 2	
50	Ditto	Schooner	Amistad - - - -	Manuel Fernandez -	" 5	Retd. July 22, 1829
51	Ditto	Ditto	Josefa (al) Fortuna	Ramon Casal - -	" 11	" May 21, —
52	Ditto	Brig	Segunda Teresa -	Saturnino Escull -	" 12	} Condemned at the Havana.
53	Ditto	Schooner	Constanza - - -	Antonio Moniel -	Nov. 1	
54	Ditto	Ditto	Aerostatica - - -	Pedro Manegal -	" 1	Retd. Sept. 21, 1829
55	Ditto	Brig	Panchita - - -	Jozé Zuloaga - -	" 10	" April 11, —
56	Ditto	Ditto	{ Midas (al) Pro- } videncia - - - }	Ildefonso Martinez	" 25	Returned.
57	Ditto	Schooner	Mercedita - - -	Vicente Sancho -	Dec. 4	} Condemned at the Havana.
58	Ditto	Ditto	Primera Gallega -	Francisco Cabieses	" 4	
59	Ditto	Ditto	Potosi - - - -	Anto. Larrazabal -	" 8	Retd. June 30, 1829
60	Ditto	Brig	Servando - - -	Santiago Echevarria	" 8	" May 30, —
61	Ditto	Schooner	Veloz - - - -	F. A. Sarria - -	" 13	" July 4, —
62	Ditto	Brig	Vengador - - -	Agustin Capera -	" 24	" Aug. 22, —
63	Ditto	Schooner	Indagadora - - -	Ildefonso Garcia -	" 27	" " 28, —
						" July 20, —

ABSTRACT.

Returned without Slaves - - - -	1
Returned and landed Cargoes - - - -	35
Condemned at the Havana - - - -	6
Said to be captured on the Coast of Africa - - - -	3
Engaged in lawful trade to the Canary Islands - - - -	2
Captured by Columbians - - - -	1
Shipwrecked - - - -	1
Unknown result - - - -	14
Total = - - - -	63

Second Enclosure in No. 70.

List of Departures from the Havana, for the Coast of Africa, during the Year 1829, with the result of the Voyages, as far as is known.

No.	Date of Departure.	NATION.	CLASS.	NAME.	MASTER.	REMARKS.
	1829.					
1	Jan. 13	Spanish	Schooner	Juanita - - - -	Santiago Alonzo -	Retd. July 20, 1829
2	Feb. 1	Ditto	Brig	Doris - - - -	Juan Bautista Arrati	" Sept. 26, —
3	" 1	Ditto	Schooner	Primera - - - -	José Benito Pardo -	" July 12, —
4	" 1	Ditto	Ditto	Viscayna - - - -	José A. Balandra.	
5	" 5	Ditto	Ditto	{ Loreto (al.) Coru- ñesa - - - - }	Felipe Basagoyti -	" Aug. 1, —
6	" 6	Ditto	Ditto	Herculina - - - -	Franco. de la Casa.	
7	" 12	Ditto	Ditto	Tres Manueles - -	Victoriano Laguna.	
8	" 18	Ditto	Ditto	Gallito - - - -	Franco. Garcia -	{ Condemned at the Havana.
9	" 22	Ditto	Brig	Rapido - - - -	Antonio Cortina.	
10	" 22	Ditto	Ditto	Cristina - - - -	Joaquin Rodriguez.	
11	Mar. 6	Ditto	Ditto	Pajarito - - - -	José Villanueva -	Retd. Oct. 4, 1829
12	" 6	Ditto	Schooner	Repetidora - - -	{ José Fernandez de la Vega.	
13	" 8	Ditto	Ditto	Transito - - - -	Franco. Galloso -	" Sept. 30, —
14	" 28	Ditto	Ditto	Segunda Gallega -	Juan José Pequeño.	
15	April 1	Ditto	Ditto	{ Ligera (al.) In- trepida - - - }	José Ramon Zavala	" Nov. 7, —
16	" 1	Ditto	Ditto	{ Clarita (al.) Cen- tella - - - }	José Rodriguez.	
17	" 1	Ditto	Ditto	Fenix - - - -	Franco. de la Torre.	
18	May 1	Ditto	Ditto	Pronta - - - -	Fortunato Romero -	" Oct. 8, —
19	" 1	Ditto	Ditto	Aerostatica - - -	José Maury.	
20	" 2	Ditto	Ditto	Prueba - - - -	Juan Martinez.	
21	" 31	Ditto	Ditto	Manuelita - - - -	Domingo Bardier.	
22	June 1	Ditto	Brigantine	Marinerito - - -	{ Domo. Anto. de Castro.	
23	" 1	Ditto	Schooner	Pantica - - - -	Antonio Pulles.	
24	" 1	Ditto	Ditto	Segun el tiempo -	José Cando y Casas.	
25	" 14	Ditto	Ditto	Planeta - - - -	Pedro Manejas.	
26	" 14	Ditto	Ditto	Amistad Habanera -	Antonio Urquijo.	Retd. Nov. 24, —
27	" 24	Ditto	Brig	Aguila - - - -	Mariano Carbo.	
28	July 21	Ditto	Schooner	Primera Gallega -	Franco. Cabieses.	
29	Aug. 10	Ditto	Ditto	Primera - - - -	Gabriel Perez.	
30	" 12	Ditto	Ditto	Potosi - - - -	Juan Bautista Zavala.	
31	" 18	Ditto	Ditto	Tentativa - - - -	J. M. Aurteneche.	
32	" 31	Ditto	Brig	Manzanares - - -	Manuel Alcantara.	
33	" 31	Ditto	Schooner	{ Loreto (al.) Coru- ñesa - - - }	Miguel de la Vega.	
34	Sept. 15	Ditto	Ditto	Indagadora - - -	Juan José Rodriguez	
35	Oct. 7	Ditto	Brig	Venjador - - - -	Agustin Capera.	
36	" 18	Ditto	Ditto	Servando - - - -	Franco. Saenz.	
37	" 18	Ditto	Schooner	Barbarita - - - -	Gaspar Prats.	
38	" 26	Ditto	Brig	Maria - - - -	Ildefonso Garcia.	
39	" 26	Ditto	Schooner	Transito - - - -	José Vicente Torres	
40	Nov. 5	Ditto	Ditto	Iberia - - - -	Antonio Mancebo.	
41	Dec. 1	American	Ditto	William Gardner -	W. F. Hill - - -	{ Sailed from Ga- linas with 1 passenger.
42	" 3	Spanish	Ditto	Urraca - - - -	{ José Fernando de la Vega.	
43	" 17	Ditto	Ditto	Amistad Habanera -	Juan Bauta. Arrati.	
44	" 28	Ditto	Ditto	Asumpcion - - - -	Franco. Azpeitia.	
45	" 29	Ditto	Ditto	{ Ligera (al.) Intre- pida - - - }	José Ramon Zavala	

Third Enclosure in No. 70.

List of Arrivals of Slave-Vessels, at the Havana, during the Year 1829.

N ^o .	NATION.	CLASS.	DATE of ARRIVAL.	NAME of VESSEL.	NAME of MASTER.	REMARKS.
			1829.			
1	Spanish	Schooner	Jan. 2	Tres Manuelas -	Juan Batalla - -	Landed 480 negroes near Jeruca.
2	Ditto	Ditto	" 24	Clio - - - - -	Franc ^o . Matemala.	
3	Ditto	Ditto	Feb. 19	Transito - - - -	Pablo Gonzalez.	
4	Ditto	Ditto	" 21	Graciosa - - - -	Juan Casas.	
5	Ditto	Ditto	Mar. 10	Manuelita - - - -	Jozé Bosch.	
6	{ French under Dutch colours }	Brig	" 12	Le Martin - - - -	Denis de Trobriant -	Landed her slaves at St. Jago de Cuba, and afterwards arrived at Matanzas.
7	Spanish	Schooner	April 10	Segun el tiempo -	Jozé Escardo.	
8	Ditto	Ditto	" 11	Aerostatica - - -	Pedro Manegal.	
9	Ditto	Ditto	" 11	Pantica - - - - -	Miguel de la Vega.	
10	Ditto	Ditto	May 21	Amistad Habanera -	Manuel Fernandez.	
11	Ditto	Ditto	" 30	Gallega - - - - -	Franc ^o . Cabieses.	
12	Ditto	Ditto	June 30	Mercedita - - - -	Vicente Sancho.	
13	Ditto	Ditto	July 4	Potosí - - - - -	Andres Larrazabal.	
14	Ditto	Ditto	" 12	Primera - - - - -	Jozé Pardo.	
15	Ditto	Ditto	" 20	Indagadora - - - -	Ildefonso Garcia.	
16	Ditto	Ditto	" 20	Juanita - - - - -	Santiago Alonzo.	
17	Ditto	Ship	" 22	{ Fama de Cadiz } { (al.) Nueva Diana }	Jozé Ant ^o . Salcedo	Fitted out from Cadiz.
18	Ditto	Schooner	" 30	Constancia - - - -	Franc ^o . Garcia.	
19	Ditto	Ditto	Aug. 1	Loreto (al.) Coruñesa	Franc ^o . de Abarroa.	
20	Ditto	Brig	" 22	Servando - - - - -	Manl. de Santiago.	
21	Ditto	Schooner	" 27	Elena (al.) La Paz	Manl. Prendes Hevia	Fitted out from Cadiz.
22	Ditto	Brig	" 28	Vengador - - - - -	Agustin Capera.	
23	Ditto	Schooner	Sept. 21	Constancia - - - -	Antonio Ferrer.	
24	Ditto	Brig	" 25	Restauracion - - -	— Felice - - - -	This vessel was not fitted out from the Havana.
25	Ditto	Ditto	" 26	Doris - - - - -	Franc ^o . de Inza.	
26	Ditto	Schooner	" 30	Transito - - - - -	{ Jozé Guillermo } { Salgada. }	
27	Ditto	Brig	Oct. 4	Pajarito - - - - -	Juan Vicenté Torres	
28	Ditto	Schooner	" 8	Pronta - - - - -	Fortunato Romero.	
29	Ditto	Ditto	Nov. 7	Ligera (al.) Intrepida	Jozé Ramon Zavala.	
30	Ditto	Ditto	" 24	Amistad Habanera -	Dionisio Urquijo -	Landed her slaves at Santiago de Cuba.
31	Ditto	Brig	" 25	Ricardo - - - - -	Marcellino Moran -	
32	Ditto	Ditto	Dec. 7	Nueva Amalia - - -	Franc ^o . Granell -	Returned without slaves. Fitted out from Barcelona.
33	Ditto	Schooner	" 10	Maria - - - - -	Franc ^o . Romero -	

No. 71.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 13, 1830.

I HAVE the honour to enclose a translation of the final answer I have received from the Captain-General, respecting the "Nueva Amalia." I have

since received a similar answer in the case of the Spanish schooner "*Pantica*," D. Antonio Pullis, Master, which arrived in this port on the 1st instant, after having landed a cargo of slaves on the coast.

The schooner "*Maria*," which arrived on the 10th ultimo, sailed again for the Coast of Africa, on the 11th instant, under the command of D. Jozé Rodriguez.

I have, &c.

(Signed.)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 71.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, January 7, 1830.

IN his letter of the 5th instant, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Commandant of Registers of this island informs me, in a letter dated to day, that having examined the log-books of the Spanish brig "*Nueva Amalia*," which anchored in this port on the 7th ultimo, after a voyage from Barcelona and San Tomas, he finds no proof of this mercantile expedition having been concerned in the prohibited traffick of negroes. This information I now transcribe for your Excellency, in answer to your letter of the 15th ultimo, in which you have been pleased to enclose to me, the answer you made to a letter of the Commissioner of His Britannick Majesty, having reference to this said brig "*Nueva Amalia*."

I now transmit this for your information, and may God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed) F. D. VIVES.

No. 72.

W. S. Macleay Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 30, 1830.

ON the 16th instant the slave schooner "*Herculina*," D. Francisco Torralvo, Master, arrived here from the Coast of Africa; also, on the 19th, the schooner "*Aerostatica*," D. Manoel Aldecoa, having landed her slaves at Santiago de Cuba; and, on the 21st, the large brig "*Marinerito*," D. Juan Tobares, Master, which is said to have landed no less than 560 slaves on the north coast of the island.

With respect to the "*Herculina*" and "*Marinerito*, I have received from the Captain-General the usual form of letter, stating that nothing implicating them in the prohibited traffick is to be found in their papers. On the subject of the "*Aerostatica*," his Excellency's answer being somewhat different, I have the honour to enclose a translation.

I have the honour to be, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 72.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, January 29, 1830.

IN his letter of yesterday, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Commandant of the Registers of this province informs me, in his letter, dated the 22d instant, that the Spanish merchant schooner "*Aerostatica*," which sailed for the Islands of Principe and St. Thomas, on the 28th of April last, under the command of D. Jozé Mauri, returned to this port on the 18th instant from Cuba, and with a new Captain, D. Manuel Aldecoa, who has delivered up his log-book for the voyage, from the said port of Cuba to the Havana, stating, at the same time, that the Captain and crew, who brought the vessel to Cuba, have remained there, and that he is only responsible for the voyage, which he has taken charge of to this port. In consequence of this, the Commandant of Registers says, that he is ignorant of the events that may have occurred in the voyage to the abovementioned islands. And I now have to inform your Excellency, that

I have written to the Military Commandant of the Province of Cuba, directing him to investigate the log-books and other papers of the said vessel, which relate to her voyage from the Islands of Principe and St. Thomas; and this I beg leave to state to your Excellency, by way of provisional answer to the despatch, dated yesterday, in which you have been pleased to transcribe the note, of the same date, which the British Commissioner addressed to your Excellency, on the subject of the "*Aerostatica*."

I now transcribe the above for your information, and may God preserve you many years.
The Commissioner of His Britannick Majesty. (Signed) F. D. VIVES.

No. 73.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, April 24, 1830.

I HAVE to transmit to you, for your information, and for any observations which you may have to submit thereupon, for the consideration of His Majesty's Government, the accompanying copy of a despatch,* and of its enclosures, from His Majesty's Envoy at Madrid, containing the refusal of the Government of His Catholick Majesty to accede to the proposition, which was renewed to them, for the conclusion of an article, whereby ships fitted up evidently for the purposes of illegal slave-trade, should thereby be liable to confiscation, but adding a Royal order, under date of the 4th of March 1830, addressed to the Captains-General of Cuba and Puerto Rico, and purporting to enjoin, that the Articles of the Treaty of 1817, shall in future be rigourously observed.

I am, &c.

(Signed)

ABERDEEN.

His Majesty's Commissioners.

* Mr. Addington, March 8, 1830.—See Class B.

No. 74.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received April 26.)

MY LORD,

Havana, February 20, 1830.

ON the 4th instant arrived in this port, the large slave-brig "*Aguila*," commanded by Mariano Carbo, and on the 5th the schooner "*Prueba*," commanded by Juan Martinez. I have received from the Governor the customary form of answer, respecting both these vessels, as well as respecting the schooner "*Primera*," D. Canuto Diaz, Master, which arrived here on the 13th instant, after landing a cargo of slaves.

I am, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 75.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received April 26.)

MY LORD,

Havana, February 24, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches, of the 18th November and 7th of December last, with their respective enclosures, on the subject of the British sailors who may be implicated in the slave-trade; and I beg leave to state, that, in obedience to your Lordship's commands, I shall afford all the aid in my power, to any course of proceeding that the British Admiral on this station may adopt, with respect to the 5 men found on board the "*Midas*."

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 76.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received May 1.)

MY LORD,

Havana, March 2, 1830.

ON the 22d ult. 2 schooners took their departure for the Coast of Africa, namely, the "*Aerostatica*," commanded by Manuel Aldecoa, and the "*Barbarita*," commanded by Salvador Felice; and yesterday sailed for the same destination, another notorious schooner, called "*Pajarito*," D. Fortunato Romero, Master.

On the 16th ultimo, the schooner "*Planeta*," D. Pedro Manegat, arrived in this harbour, in ballast, as did the schooner "*Segun el Tiempo*," D. Jozé Escardo, Master, on the 22d ult.; the brig "*Marinero*," D. Manuel Izquierdo, on the 23d ult.; and the schooner "*Potosi*," D. Juan Bantista Zavala, on the 26th ult. All these vessels, having previously landed slaves on the coast, were duly reported by me to the Governor; but his Excellency has been pleased to return, in each case, the usual answer,—that nothing has been found in their log-books to criminate them.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 77.

W. S. Macleay, Esq. to J. Backhouse, Esq.—(Received May 1.)

SIR,

Havana, March 4, 1830.

ON considering the circumstances attending the capture of the 5 British subjects on board the slave-vessel "*Midas*," and their being ordered for immediate trial to England, I think it possible that Admiral Fleeming may not deem it necessary to apply to me, for more evidence than what he himself can furnish, by the testimony of the officers and crew of the capturing vessel. As I know, however, the necessity of going into Court with the case for the prosecution being made as clear as possible, and, moreover, the inconvenience of any further loss of time, I take the liberty of enclosing a duly certified copy of the muster-roll of the "*Midas*," that is, of the paper which first induced me to desire Lieutenant Sherer to ascertain how many British subjects were on board the vessel. It is a paper of importance, inasmuch as it shews, that British subjects did embark at the Havana, on board an armed slave-vessel, bound for the Island of St. Thomas, on the Coast of Africa. The names, indeed, with the exception of Francis Jozé, do not agree with those which I believe to be the real names of the 5 British subjects found on board; but it is clear, that the names in the muster-roll of the persons, whose domiciles are stated to be Ireland, Baltimore, Portland, and New York, are not English names, and, therefore, we may fairly presume, that the persons, (whether Englishmen or Americans) there alluded to, entered on board the "*Midas*" under fictitious names, a circumstance which goes far to prove a guilty knowledge on their part of what they were about.

Although the list of names is, in fact, the only part in this document, of any importance in the prosecution of these 5 men, I have thought it best to let His Majesty's Government have it entire, and certified by the Secretary of the Mixed Commission, as the recognized and duly sworn keeper of our archives. Knowing, however, that human life may, in some degree, depend on this document, I have myself carefully collated the copy with the original, and, with the exception of the letter V in the name *Guillermo Vil* of the copy, being, in my opinion, an N in the original, I consider it to be a perfectly correct copy. This discrepancy indeed, is of little consequence, and the awkward manner in which the names are written, makes it impossible to ascertain which is the correct mode of reading the name in question.

I have only further to observe, that the muster-roll is the only paper of the "*Midas*" that makes any mention of the names of her crew.

I have, &c.

(Signed)

W. S. MACLEAY.

John Backhouse, Esq.

&c.

&c.

&c.

Enclosure in No. 77.

(Translation.)

Muster-Roll of the "Midas."

PROVINCE OF HAVANA.

I, DON JOSE DE ALCALA Y GUERRA, Knight, decorated with the Cross and Insignia of the Royal and Military Order of St. Hermenegild, Captain of the Royal Navy, and Principal Commandant of the Registers of this ever faithful Island of Cuba, do, by this present, grant a license to Don Ildefonso Martinez, Captain of the brig "*Midas*," of 205 tons burden, to enable him to undertake a voyage from this port to that of St. Thomas, with 67 mariners, whose ranks, names, and native countries, are stated hereunder:—

Rank.	Names.	Country.
Captain and Master's Mate.	The above Martinez	Cartagena.
Actual Master	Don Gabriel Galan	Navarra.
Third Master's Mate	Don Juan Antonio Suntacha	Biscay.
Supernumerary	Don Joaquin Bravo	Galicia.
Ditto	Don Antonio Corme	Asturias.
Ditto	Don Jozé Domingo Novoa	Cartagena.
Boatswain	Juan Espinosa	Cartagena, in Spain.
Second Boatswain's Mate	Joaquin Pico	Barcelona.
Third ditto	Jélmo Ruyol	Majorca.
Carpenter	Jozé Pastrana	Port Royal.
Gunner	Ferdinand Reyes	Cartagena, in Spain.
Cooper	Cayetano Llorente	Barcelona.
Steward	Franco. Salar	Santander.
Cook	Antonio Alberto	Genoa.
Cook's Mate	Franco. Jozé	Jamaica.

SAILORS.—(ABLE SEAMEN.)

Names.	Country.	Names.	Country.
Francisco Agustin	Manilla.	Jozé Enrique	Maracaybo.
Martin Fernand	San Pedro de Arena.	Bernardo Tunell	Mahon.
Bartolome Marnez	Almasardel.	Pedro Llorente	Tarragona.
Franco. Onder	Bilbao.	Franco. Gonzale	Canary Islands.
Felipe Marino	Galicia.	Pedro Martinez	Tarragona.
Vicente Villar	Galicia.	Jozé de Arango	Braga.
Antonio Fernandez	Vivero.	Jozé Vidal	Vigo.
Andres de la Peña	Cadiz.		

ORDINARY SEAMEN.—(STRIPLINGS.)

Names.	Country.	Names.	Country.
Jozé Difeo	Cadiz.	Juan Roiz	Tortosa.
Marcelino Ferrol	Cartagena, in Spain.	Manuel Baquer	Cadiz.
Antonio Bahamonde	Valencia.	Franco. Garcia	Cartagena, in Spain.
Bernardo Manuel	Santander.	Juan Bujeda	Caracas.
Bernardo Salas	Majorca.	Jozé Silva	Viana.
Vicente Serra	Teneriffe.	Alfonso Bonavides	Cadiz.
Jozé Maria España	Santander.	Manuel Gomez	Port St. Mary.
Felipe Gomez	Corunna.	Gillermo Vil	Sweden.
Juan Marrel	Teneriffe.	Alexander Martinez	Baltimore.
Pablo Ferrer	Iviga.	Juan Mott	Ireland.
Antonio Collado	Malaga.	Tomas Bral	Baltimore.
Telesforo Fabian	Manilla.	Pedro Mot	Poland.
Jozé Badió	Quesada.	Juan Pacad	Ireland.
Manuel Silva	Lisbon.	Andres Calle	New York.
Manuel Morales	Isla de Leon.	Juan Bonis	Denmark.
Juan de la Rosa	Canary Islands.	Cayetano Ignacio	Corunna.
Juan Benito	Port St. Mary.		

BOYS.

Names.	Country.	Names.	Country.
Francisco Soto	Dasponte.	Andres Chavarrri	Vigo.
Jozé Casanova	Ferrol.	Jozé Dias	Canary Islands.

Surgeon..... Don Francisco Cano, Jaen.

Seven Superior Officers,—9 Warrant Officers,—15 able seamen,—33 ordinary seamen,—4 boys.
Total 68:—according to the muster when the brig sailed from the Havana, 1828.

Precautions to be attended to by the Captains and superior Officers on board Spanish Merchant Ships belonging to the Isle of Cuba.

I enjoin to the Captains and superior Officers, as their paramount duty, good government, proper conduct, and prudent management, so as to set the example of harmony and circumspect behaviour. When obliged to reprimand and punish, they will keep within the bounds of prudence and regularity; for violence and indecorum irritate men's minds, and instead of preventing disorders, lead to fresh ones. They ought to be mindful, that blind obedience in inferiors becomes irksome when superiors enforce it, after living with the former upon too familiar a footing. No vessel shall depart from her respective province, without having entered into a formal contract with her crew, and giving notice of it to the Notary of the Marine. It is in cases of short coasting trips, alone, that this agreement may be drawn up by the parties concerned among themselves, the crew signifying their consent formally, under their own hands; whereupon the document must without fail be sent to the respective Commandant of the Province to receive his approbation. The Captains will exert their utmost care that no frauds against the King's revenue shall be committed on board their vessels; for if any contraband article should be seized there, the parties will understand that they lose all right of reclaiming it. As to any crimes, of whatever description, committed on the high seas, on the coasts, or in ports, on board larger or smaller vessels, let the Captain take notice, that the cognizance of such belongs exclusively to the Tribunals of the Marine, without whose interposition he is not to allow any accommodation or detention, or any act of jurisdiction, as far as the competency of the Spanish Marine Courts extends. Furthermore, the Captain shall not carry on board any passenger, without entering his name in the muster-roll, though such passengers may be provided with passports from Governors or other Authorities.

The 68 individuals above-mentioned are those, which have been presented to me, as forming the crew of the said vessel, and they shall have permission to perform the voyage without interruption. On their return, the same persons shall be obliged to attend, and shall exhibit the present licence, in which shall be certified their arrival and departure, at and from the ports at which they may touch, by the different Military and Naval Authorities, as well as any remarkable occurrences relating to the crew in question. All which is to be observed by the above Captain, lest he incur the penalties specified in the Royal Ordinances, and the Cedula of His Majesty.

Havana, November 22, 1828.

JOSE DE ALCALA.

Armament merely for the requisite defence of the Vessel:—

4 carronades, 18-pounders; 4 guns, 10 pounders; 37 muskets; 32 pistols;
31 cutlasses; 20 boarding-pikes; with the necessary ammunition.

The above is a copy of the original muster-roll, appended to folio 25 of the proceedings instituted respecting the detention of the Spanish merchant-brig "*Midas*," with a cargo of negroes, by the "*Monkey*," English armed schooner, which proceedings are deposited in my office, as I herewith certify, and of which I have had a copy taken in four leaves, including the present, all marked with my initials, in my own hand-writing, to be delivered to His Britannick Majesty's Commissary of Arbitration.

(Signed)

JUAN FRANC^o. CASCALES, Secretary.

Havana February 27, 1830.

Which Signature is verified by Mr. Macleay.

No 78.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received May 1.)

MY LORD,

Havana, March 17, 1830:

ON the 1st instant, sailed for the Coast of Africa, the schooner "*Pajarito*," D. Fortunato Romero, Master; and on the 7th instant, the schooner "*Marinerito*," D. Antonio Pulles, Master; and the schooner "*Asturiana*," D. Jozé Dordal, Master.

On the 2d instant, 2 schooners arrived in this port, after having landed their cargoes of slaves on the coast, viz. the "*Tentativa*," D. Jozé Maria Aurteneche, Master; and the "*Segunda Gallega*," D. Jozé Gonzalez, Master. I have received the customary answer from his Excellency the Captain-General, respecting these vessels, announcing, that nothing has been found in their log-books to implicate them in the prohibited traffick.

I beg leave to enclose a copy of a note, which I have received from his Excellency, relative to the "*Aerostatica*," which, as I had the honour of stating to your Lordship in my despatch of the 30th ult., landed her slaves at Santiago de Cuba.

The Captain-General has likewise informed me, that it having appeared that the schooner "*Amistad Habanera*," mentioned to your Lordship in my despatch of the 30th of November last, had, previously to coming into the Havana, been at Santiago de Cuba, enquiries were made of the Commandant of Registers at the last-mentioned port, as to the state of her papers when she arrived there, which Officer answered, that he had examined her papers, with

strict reference to the Royal Order of the 2d of January 1826, and had found not the slightest proof of her having been engaged in the illicit traffick. However this may be, I beg to assure your Lordship, that 2 more notorious slave-vessels than the "*Aerostatica*" and "*Amistad Habanera*" do not sail from the Port of the Havana, and that, at this present moment, they are both on the Coast of Africa, the "*Amistad*" having sailed from the Havana on the 17th of last December, and the "*Aerostatica*" on the 22d of February last.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 78.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, March 15, 1830.

IN his letter of the 13th instant, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Military Commandant of Registers of the Province of Cuba, thus writes me, under date of the 16th ultimo:—'In answer to your letter of the 31st ultimo, in which you are pleased to transcribe for me the letter addressed to you by the Principal Commandant of Registers, relative to the arrival in this port of the Spanish schooner "*Aerostatica*;" I have, in the first place, to inform you, that I permitted D. Manuel Aldecoa to replace D. José Maury as Captain, because this Officer was sick, and has his family resident in this city, it appearing to me but proper not to risk the life of a man in his state of health, and who might with justice have protested against me if I had acted otherwise. As to the Royal Order of the 2d January 1826, which you call to my attention, never having lost sight of a punctual fulfilment of it, I made the most severe examination of the papers of the vessel, and found in them not the slightest cause to suspect, that she had been employed in the prohibited traffick of negroes. I likewise have to inform you, that, on the arrival of the said vessel in this port, the crew claimed the payment of their wages then due, as also did the Captain, on account of his bad health and remaining on shore. The Consignee of the vessel acceded to the demand, not being aware that the object of the crew, in demanding their wages, was to desert, as in fact the greater number have done; and I regret to state, that, as in the case of the "*Amistad Habanera*," notwithstanding the most diligent research, I have not been able to apprehend any of the deserters.' I now transcribe this, with reference to your Excellency's letter of the 26th January last, and my provisional answer, of the 28th of the same month, relative to this vessel."

I now beg to transmit you the above for your information, and may God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed) F. D. VIVÉS.

No. 79.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, May 7, 1830.

YOUR despatches of this year's series, up to that of the 20th of March last, have been received, together with your letter of the 4th of March last, transmitting a copy of the muster-roll of the "*Midas*."

I herewith transmit to you the copy of a communication which has been received at this Office from His Majesty's Treasury, by which you will perceive that the 5 British subjects who were found on board the "*Midas*," were in confinement on board of one of His Majesty's ships at Jamaica, at which place it was intended that they should be brought to trial.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

Enclosure in No. 79.

The Hon. J. Stewart to J. Backhouse, Esq.

SIR,

Treasury Chambers, December 17, 1829.

I AM commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you, for the information of the Earl of Aberdeen, with reference to the letter of this Board of the 28th

ultimo, the enclosed copies of a letter from the Secretary to the Admiralty, and of a further report from Mr. Rothery, dated the 5th instant, respecting the 5 British seamen, seized on board the Spanish slave-ship "*Midas*;" and I am to acquaint you, that my Lords have signified their approval of the orders given by the Board of Admiralty in this case.

John Backhouse Esq.
&c. &c. &c.

I am, &c.

(Signed)

J. STEWART.

First Sub-Enclosure in No. 79.

J. Barrow, Esq. to G. R. Dawson, Esq.

SIR,

Admiralty-Office, November 26, 1829.

HAVING laid before the Lords Commissioners of the Admiralty, your letter of the 21st instant, with its enclosure, respecting the seizure and condemnation, at Havana, of the Spanish slave-brig "*Midas*," with 5 British subjects on board; I have it in command to acquaint you, for the information of the Lords Commissioners of His Majesty's Treasury, that my Lords have had this subject under consideration, in consequence of a communication from the Earl of Aberdeen, and on the 7th instant, gave directions to Vice-Admiral the Hon. Charles Elphinstone Fleeming, to cause the 5 British subjects, found amongst the crew of the Spanish slave-ship "*Midas*," and any other British seamen found under similar circumstances, to be delivered to the Civil Authorities of the nearest British Colony which may be in possession of a Commissioner, under the Act 46 Geo. III. in order to their being brought to punishment, in case His Majesty's Principal Secretary of State for the Colonial Department, shall, in the exercise of his discretion, think fit to direct proceedings to be instituted against them, conformably with the Acts of the 5th Geo. IV. cap. 113, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade." And a communication was, at the same time, made to the Foreign and Colonial Departments respectively.

I have it further in command to request, that you will move their Lordships to inform this Department, whether they wish different orders on this subject to be now given to the Vice-Admiral.

G. R. Dawson, Esq.

I am, &c.

(Signed)

JOHN BARROW.

Second Sub-Enclosure in No. 79.

Mr. Rothery's Report.

To the Right Honourable the Lords Commissioners of His Majesty's Treasury.

MAY IT PLEASE YOUR LORDSHIPS,

IN obedience to your Lordships' commands, I have perused and considered the annexed letter from the Secretary to the Admiralty, transmitted in Mr. Stewart's letter of this day's date, respecting the 5 British seamen seized on board the Spanish slave-ship "*Midas*."

And, with reference to my report to your Lordships, of the 10th ultimo, I do further, most humbly, report, that it did not appear from any of the documents which had been then transmitted to you, that either His Majesty's schooner "*Monkey*," or the 5 British seamen in question, who were then at the Havana, were about to be sent to any British Colony in the West Indies. From the information I have since received, it now appears, that these men are in confinement on board one of His Majesty's ships, under the command of Vice-Admiral the Hon. C. E. Fleeming, at Jamaica.—I am, therefore, humbly of opinion, that it would be more advisable that they should be proceeded against in that island, under the Commission established in that colony, and consequently, the directions, given by the Lords Commissioners of the Admiralty, appear to me to be proper to be acted upon.

All of which is, &c.

(Signed)

WM. ROTHERY.

Vernon-Place, Bloomsbury-Square, December 5, 1829.

No. 80.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received May 27.)

MY LORD,

Havana, April 6, 1830.

THE Spanish brig "*Rapido*," D. Juan Antonio Cortina, Master, arrived here on the 16th ult., and the schooner "*Mannelita*," D. Domingo Vardier, Master, on the 24th ult., and the schooner "*Gallega*," D. Francisco Cabieses, Master, on the 7th instant. All these 3 vessels having, previously to their arrival, landed negroes on the coast, I addressed the usual communication to the Captain-General, informing him, that it would be my duty to report them

to your Lordship, and I have received from his Excellency an assurance, that, on the examination of their respective log-books, no proof exists to implicate them in the prohibited traffick.

The brig "*Rapido*" sailed from this port on the 22d of February last year, but whether she be identical with the brig "*Rapido*," alias "*San Pedro*," mentioned in your Lordship's despatch of the 19th of August last, I have not been able to ascertain, from not having the name of the Master, under whose command this last vessel sailed from Cadiz. Although the "*Rapido*," now arrived, cleared out from this port for the Island of St. Thomas, it is very possible that she may have called at Cadiz, in order to complete the assortment of her cargo for the African market.

On the 4th instant, the "*Segunda Gallega*," D. Santiago Manzana, sailed again for the Coast of Africa.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. The Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 81.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, June 28, 1830.

I HAVE received, and have transmitted to the Admiralty, your letter to Mr. Backhouse, of the 4th of March last, together with its enclosure, being a copy of the muster-roll of the "*Midas*;" and I have now to transmit to you, for your information, the accompanying copy of the answer, which has been returned by the Admiralty to the communication in question.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

Enclosure in No. 81.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, May 11, 1830.

WITH reference to your letter of the 2d instant, respecting 5 seamen, supposed to be British subjects, found on board the "*Midas*" slave-vessel, I am commanded by my Lords Commissioners of the Admiralty to transmit to you, herewith, for the information of the Earl of Aberdeen, a copy of a report from their Lordships' Solicitor on this subject.

I am, &c.

J. Backhouse, Esq.

(Signed)

J. BARROW.

&c. &c. &c.

Sub-Enclosure in No. 81.

Mr. Jones' Report.

SIR,

Lancaster-Place, May 8, 1830.

I TAKE the liberty to acquaint you, for the information of my Lords Commissioners of the Admiralty, that, in obedience to their Lordships' commands, signified to me by Mr. Barrow's letter of yesterday's date, I have perused the letter of Mr. Backhouse, which accompanied the same, with its enclosures, relative to the case of the 5 seamen, supposed to be British subjects, found on board the "*Midas*" slave-vessel, and that it does not occur to me, that any other steps can be taken, than what I humbly submitted to their Lordships, in my report, of the 6th of November last, on this case.

The certified copy of the muster-roll of the "*Midas*," transmitted by Mr. Macleay in his letter of 4th of March last to Mr. Backhouse, appears to have been so transmitted, under an idea that these men were to be put on their trial in England, and that it would afford proof of their being British subjects; but in this respect, as I humbly submit, Mr. Macleay is in error.

The original muster-roll, as well as any other paper belonging to a ship, may be offered in evidence, in any proceeding against the ship, her Master and Owners, because the Masters and Owners must be presumed, and will be deemed, to be privy to every document relating to, and found on board

the ship, but as against the individuals of the crew, I am clearly of opinion, that it cannot be made legal evidence, to shew of what countries they are natives, without any additional proof, that the entries relating to those individuals, were made with their privity, or from representations they had given of themselves, a fact which must be positively proved, and cannot be presumed; and that, if there be no other evidence than the muster-roll, to shew that these men are British subjects, it appears to me, with great deference, that a prosecution against them, in case any such shall be instituted by the Colonial Department, must fail, for without legal proof of their being British subjects, either by their own admissions, or by the knowledge of others, the enactments contained in the 9th and 11th sections of the Act 5. Geo. III. cap. 113, cannot, I apprehend, be enforced against them.

The Right Hon. J. W. Croker,
&c. &c. &c.

I am, &c.
(Signed) CHARLES JONES.

No. 82.

W. S. Macleay, Esq. to The Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, April 22, 1830:

ON the 7th instant, the notorious schooner "Gallega," D. Francisco Cabieses Master, arrived in this port, after having landed a cargo of slaves. The Captain-General has returned the usual form of answer to my denunciation of this vessel.

The schooner "Bella Juliana," D. Jozé Escardo, Master, sailed yesterday for the Coast of Africa.

I have already had the honour of informing your Lordship, that the brig "Manzanares," D. Manuel Alcantara, Master, sailed from this port for the Coast of Africa, on the 31st August last. It appears now, that on her voyage out, she plundered the American vessel "Candace," from Boston. The American Government has, in consequence, ordered the "Manzanares" to be seized, wherever she may be fallen in with, and we have for a month or 6 weeks past, had the mouth of this harbour and Mantanzas watched by American schooners of war. The United States frigate "Falmouth," Commodore Elliot, Commander, has likewise arrived in the Havana, on the same errand; and Commodore Elliot informs me, that he has obtained from the Captain-General his promise to issue a general order to all the out-ports of this island, directing that wherever the "Manzanares" may arrive, she shall be immediately seized, and her crew lodged in prison.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 83.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, April 23, 1830:

LIEUTENANT TULLOH, commanding His Majesty's schooner "Pincher," while cruising off the north coast of this island, on the 10th instant, fell in with a suspicious schooner, which he chased at night into the harbour of Matanzas. On the following morning he applied to the Governor of that City, for leave to examine her, but his application having been referred to the Assessor of the Matanzas Government, this Officer thought proper to refuse Lieutenant Tulloh's request. He consented, however, to give up the name of the vessel, which turns out to be the schooner "Santa Rosa," fitted out in Spain for the slave-trade, the Commander, D. Vicente Ricoma, and her Consignees, Messrs. Perez and Co., of Matanzas. On Lieutenant Tulloh's furnishing me with copies of his correspondence with the Governor of Matanzas, I transmitted them, with the note (a copy of which I have the honour to enclose) to the Captain-General, and I now beg leave to lay before

your Lordship a translation of His Excellency's answer. It seems to me, after the strong report of the Assessor of the General Government, that it will be difficult for this vessel to escape punishment. I understand from good authority, that she landed about 300 slaves at the mouth of the Canemar, one of the two rivers which empty themselves into the Bay of Matanzas.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 83.

Lieutenant Tulloh to the Governor of Matanzas.

SIR,

H. B. Majesty's Schooner "Pincher," Matanzas, April 11, 1830.

HAVING occasion to believe that the two top-sail schooner, under Spanish colours, now at anchor in this harbour, is the same vessel chased by me yesterday evening, in His Britannick Majesty's schooner under my command, whose appearance leads me to believe her from the Coast of Africa with slaves, I have to request, agreeably to the Treaties existing between the Crowns of Spain and Great Britain, you will be pleased to give the name of the said Vessel, Master, Owner, Consignee, and Cargo, at the time of the Custom-house Officer's boarding her, when she arrived in this port; at the same time, beg leave to remind you of the Treaty, wherein both Parties mutually assist each other in similar cases to this. I have done this agreeably to Article 5 of the Treaty of 23d September 1817.

Should this vessel have landed her cargo during the night, I beg leave to recommend her being speedily searched, to elucidate the fact, and at the same time recommend one of my Officers being allowed to assist in the search.

I have, &c.

(Signed)

W. S. TULLOH, Lieut. and Com.

His Excellency the Governor of Matanzas.

Second Enclosure in No. 83.

(Translation.)

The Governor of Matanzas to Lieutenant Tulloh.

SIR,

Matanzas, April 12, 1830.

HAVING referred to the Assessor of this Government your letter of the 11th instant, expressing your suspicions of a Spanish schooner, which has entered this port, having landed negroes on the coast, and stating various circumstances in support of your opinion, I now transcribe, word for word, the Assessor's answer—

"Señor Governor,—Having considered the letter of the Commander of His Britannick Majesty's schooner "Pincher," which you have been pleased to send me, translated into our language, together with the report made by the visiting Adjutant, I could not help feeling surprised at the pretension of the said Commander, in desiring permission for an Officer, under his command, to be present at the examination of the Spanish schooner, called "Santa Rosa," which has anchored to-day in this port. He founds his pretension on the suspicions of the said schooner having brought Bozal negroes from the Coast of Africa; he observes, that Art. 5 of the Treaty concluded between our Sovereign and the King of Great Britain, provides, that the subjects of both shall mutually assist in the discovery and prosecution of the persons implicated in the illicit traffick in slaves. Although, unfortunately, there does not exist in this "Asesoría" a copy of the before-mentioned Treaty, I cannot believe that the Article cited has the latitude which the Commander of the "Pincher" wishes to give to it; for it is not credible that any nation, however abject and humbled, could authorize foreigners to visit her vessels in her very ports, and to prosecute and chastise crimes which it is her own interest to punish. Such a nation, thus careless of preserving the respect due to her flag, and the inviolability of her ports and territory, must necessarily be supposed devoid of every noble feeling towards herself, as well as of all moral and physical force. The Commander of the "Pincher" has no proofs of that infraction of the Treaty, of which he complains; he only states presumptions, and it is very strange that, for a mere presumption, he should desire to be present at the examination of this vessel, and should require assistance, in order to ascertain, ashore, whether there has been effected a landing of slaves. This conduct, besides being indecorous, must also be deemed offensive to your delicacy and well-known rectitude, inasmuch as it implies that this Officer has not that confidence in the measures which you may dictate in the affair, that is due to so faithful a servant of His Majesty. Nevertheless, you have already ordered what you considered necessary for the examination of the vessel in question, from which operation, according to the report of the visiting Adjutant, there results no proof whatever of her having brought negroes from the Coast of Africa, which, likewise, is to be inferred from the visit of the Custom-house and other Officers of the Royal Revenue. I therefore think that you ought to write, as above, to the Commander of the "Pincher," in answer to his said letter, and at the same time to issue the strictest order, for the Commandant of Police to repair, with the troops under his command, to the spot, where it is presumed this imaginary disembarkation has been made, and there to proceed to the most scrupulous

investigation. And as, in my opinion, the final consideration of this affair, and indeed the entire cognizance of it, belongs exclusively to his Excellency the Captain-General of the Island, I beg likewise to suggest, that, notwithstanding what I have already observed, his Excellency be made acquainted, by express, with the original proceedings, a copy being reserved in case of any miscarriage."

"God preserve you, &c.

(Signed)

"FELIZ DE ACOSTA."

"Matanzas, April 12, 1830."

"Item.—It being necessary to collect the log-book and other papers of the schooner "*Rosa*," in order that, together with these proceedings, the whole may be sent to his Excellency; you can likewise give orders to this effect, and also furnish the Commander of the "*Pincher*" with the information which he asks, as to the name of the Vessel, her Captain, and her Consignees. The date as above.

(Signed) "ACOSTA."

In conformity with the above opinion, I have now to inform you, in answer to your said letter, that at an early hour this morning, the party set out for the coast, to examine the spots which you have pointed out to me, and that, moreover, I have instructed persons in my confidence to ascertain whether there really has been effected a disembarkation of negroes. I have likewise to acquaint you, that the schooner "*Rosa*" in question, is from San Tomas, that her Captain is Vicente Ricoma, and that she is consigned to Perez, Brothers, &c. Merchants, of this place.

God preserve you many years.

(Signed)

CECILIO AYLLON.

Third Enclosure in No. 83.

Lieutenant Tulloh to W. S. Macleay, Esq.

SIR,

H. M. Schooner "Pincher," Havana, April 13, 1830.

I HAVE the honour to inform you, that on Saturday afternoon, the 10th instant, being off Port Ycacos, on my passage up the Bahama Channel, at $\frac{1}{2}$ past 4 P. M., a strange sail was seen to the westward. His Majesty's schooner under my command was immediately disguised, as the stranger, (a large two topsail schooner) was nearing us. At 5 she hauled off, and made all sail, which was done forthwith on board this vessel. At sun-set we had neared the chase sufficiently to see the people on her decks, and that she was a very suspicious vessel. At 7.30. we lost sight of chase, and continued to steer the same course during the night, keeping close to the entrance of Matanzas. On the morning of the 11th the fog clearing off, the stranger was discovered close into the entrance of that harbour. I followed her in, anchoring in that port, and forwarded the Governor of that place a letter; the copy of which I beg leave to enclose, likewise his answer to the same.

This vessel proves to be the "*Rosa*," from the Coast of Africa, and, from the best information I could gain, had landed 120 slaves during the night, near the River Canomo. I left Matanzas for this place to lay the proceedings before you, leaving it to your consideration for the result.

I have the honour to be, &c.

(Signed)

W. S. TULLOH, Lieutenant and Commander.

W. S. Macleay, Esq. His Majesty's Commissioner.

Fourth Enclosure in No. 83.

W. S. Macleay, Esq. to the Captain-General of Cuba.

Havana, April 15, 1830.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to enclose to his Excellency the Captain-General, the copy of a letter he has just received from Lieutenant Tulloh, commanding His Majesty's schooner "*Pincher*," with 2 other documents, relative to a vessel from the Coast of Africa, which this Officer chased into the Port of Matanzas on the night of the 10th instant. As it will be the duty of the Undersigned to transmit these documents to his Government, he takes this opportunity, according to his instructions, of making known his intention to the Captain-General, and avails himself of the occasion to repeat to his Excellency, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Fifth Enclosure in No. 83.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana April 22, 1830.

ALMOST at the same moment that I received your letter of the 15th instant, in which you enclose me a copy of one addressed to you by Lieutenant Tulloh, commanding His Britannick Majesty's schooner "*Pincher*," on the subject of the arrival, in the Port of Matanzas, of the Spanish schooner

"*Rosa*," suspected of having brought a cargo of negroes, I received another from the Governor of the said city, with the proceedings which he caused to be adopted in the investigation of this affair, in consequence of the statement made to him by the said Commander; and having now myself referred the whole to the Second Assessor-General of this Government, he has advised me, under date of the 20th instant, as follows:—

"Most Excellent Sir,—The Spanish schooner "*Rosa*," from the Island of St. Thomas, commanded by D. Vicente Ricoma, which anchored in the Port of Matanzas, to avoid being captured by His Britannick Majesty's schooner "*Pincher*," is truly to be suspected of having been concerned in the introduction of Bozal negroes; as it is not likely, that she could have come from that place in ballast. There are likewise other considerations and circumstances against her, to be deduced from the few papers taken from her, and which afford sufficient ground for an investigation, particularly as the known zeal of your Excellency is excited by the Commissioner of His Britannick Majesty, in his letter of the 15th instant. Under such circumstance it appears to me, that your Excellency should desire the Governor of Matanzas to secure immediately the muster-roll, log-book, invoices, clearances, certificates of visit, title-deed, correspondence, and whatever other papers may be found on board, and making thereof an inventory, to transmit them here without loss of time; that, in like manner, he ought to send, with all due security, for the disposal of your Excellency, the Captain, Officers, and crew, in order to form the necessary proceedings; that the vessel ought to be put under an embargo, making a formal inventory of her tackle, apparel, and whatever she may contain, leaving to the discretion of the said Governor to dictate the proper means for her preservation. Your Excellency will please likewise to direct the said Governor to transmit whatever proceedings, information, or reports, he may have since collected, with regard to the landing of negroes by the said vessel, without omitting circumstantial certificates of the visits, which ought to have been made to her by the Civil Authorities, and by the administration of the Royal Revenues. Of these various papers, with those now before me, a file may be formed, which ought to be transmitted to the *Escribano de Semana* for ulterior proceedings. Such is my opinion, saving the superior judgment of your Excellency."

Agreeing with the above opinion, I now transcribe it, for your information, in answer to your letter, and beg to add, that I have already taken measures for the accomplishment of what is therein expressed, in order that the affair may be prosecuted, when you shall be duly informed of the result.

God preserve you many years.

(Signed) F. D. VIVES.

The Commissioner of His Britannick Majesty

No. 84.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, May 6, 1830.

I HAVE the honour to report to your Lordship, that His Majesty's sloop "*Sparrowhawk*," Captain Thomas Gill, Commander, when off the Moro of Santiago de Cuba, on the 9th ult, detained the Spanish schooner "*Santiago*," of 43 tons, commanded by D. José Rivet, and having on board 108 negroes. Captain Gill being at the time, as I understand, bound to Jamiaca for Admiral Colpoys's despatches, in order to take them to New Providence, did not conceive himself justified in accompanying the detained vessel to the Havana, but dispatched her with the negroes, the Master, and one black sailor, to this place, in charge of Mr. Robert Boyle Miller, as Prize-Master, with 4 men of the "*Sparrowhawk*." It appears that, on the 10th ult., when the Prize-Master went on board the "*Santiago*," she had 3½ feet water in her hold, and that, subsequently, her state became gradually so bad, as, on the 22d ult., to occasion fears of her going to pieces, the Prize-Master's difficulties being much increased by 2 of his men having fallen ill of fever. Mr. Miller, as appears by his log-book, consequently endeavoured to run her ashore on Cape San Antonio, in order to save the lives of those under his charge; but most providentially on the 23d, when he found it impossible to keep the vessel clear with the pumps, His Majesty's sloop "*Slaney*," Captain C. Parker, Commander, hove in sight. The "*Slaney*" was at the time conveying the Lord Bishop of Jamiaca to Port Royal, on his return from a visitation to the Honduras, and seeing the signal of distress made by the "*Santiago*," Captain Parker ordered his carpenter on board, to report on her state. A copy of this report, dated the 24th ult., I have the honour to enclose to your Lordship, by which it will appear, that she had then 6 feet water in the hold, and was in a sinking state. Captain Parker, therefore, immediately ordered the vessel to be abandoned, and, saving a few trifling articles from the wreck, he transferred the negroes to the "*Slaney*," and came on with them to this port, where he arrived on the 27th ult. A copy of the

letter addressed to His Majesty's Commissioners on his arrival, by Captain Parker, is herewith enclosed. In consequence of this letter, I requested the Governor to lose no time in taking charge of the negroes, and summoned a Court of the Mixed Commission, which met on the 29th ult. and following days. I have the honour to enclose a copy of Captain Parker's certificate of the state of the negroes, at the time they were delivered up to the Captain-General, as also an abstract of the evidence produced before the Mixed Commission, and a translation of the provisional decision of this Court, signed on the 5th instant. By this last document your Lordship will perceive, that the Spanish Commissioners still adhere to the opinion expressed in their letter of the 5th of February, 1829, a translation of which I had the honour to enclose in my despatch of the 10th of February 1829. They still declare the general necessity of the presence of the Commander of the capturing vessel. This I could not admit, but I conceived myself bound to agree with my Colleagues, that the Treaty required more evidence to be produced than had been presented in this case of the "*Santiago*," because the 3d Article of the Regulations for these Mixed Commissions, as annexed to the Treaty, specifies, that the Court shall "receive the depositions on oath of the Captain, and of 2 or 3 at least of the principal individuals on board of the detained vessel. And it is a singular circumstance attending this case of detention, that we have no evidence whatever respecting the crew of the "*Santiago*," of whom only the Captain and a negro sailor have been presented to the Mixed Commission.

The final decision must consequently stand over until the appearance of Captain Gill. I did not certainly see any necessity for addressing the Captain-General on this subject, and even acquainted my Colleagues, that I had privately taken, what I conceived to be effectual, measures for securing the Captor's speedy presence; but they conceived, that a letter from them to the Captain-General, enclosing the Court's provisional decision, would be the more formal mode of proceeding.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. The Earl of Aberdeen, K. T.
&c. &c. &c.

P. S.—11th May, 1830. I have the honour to acquaint your Lordship, that I have just received a private letter from Vice-Admiral Colpoys, acquainting me, that Captain Gill may be momentarily expected in the Havana; and having shewn it to the Captain-General, his Excellency informs me, that he does not conceive it necessary for him to take any further steps in the matter of a despatch to Admiral Colpoys. (Signed) W. S. M. L.

First Enclosure in No. 84.

Captain Parker to His Majesty's Commissioners.

GENTLEMEN,

His Majesty's Sloop "Slaney," at Sea, April 27, 1830.

I BEG leave to inform you, that on the 23d of April, between latitude 22° 30' N., and longitude 85° 30' W., His Majesty's sloop "*Slaney*," under my command, fell in with the Spanish slave-schooner, "*St Jago*," and on examination found she was detained by His Majesty's sloop "*Sparrowhawk*," for illicit traffick, and that Mr. Miller, (Mate) had received directions from Commander Gill, to take charge of her, and proceed to the Havana to bring her to trial; but that in consequence of the vessel having sprung a dangerous leak, and otherwise in great distress, he was under the necessity of representing to me, that she was unable to reach the Havana, and therefore requested I would render him such assistance as I should find most expedient.

The First Lieutenant and Carpenter of the "*Slaney*" were directed to proceed on board, to examine her, and report to me their opinions on the real state of the "*St. Jago*." They found her to be so defective and totally unseaworthy, that I was compelled to remove the slaves (107 in number) on board the "*Slaney*," and also to direct Mr. Miller and his crew to abandon the vessel.

I have to request you will be pleased to make the necessary application to the proper Authorities, for the immediate landing of the slaves, in order that I may be enabled to proceed in the execution of the Commander in Chief's orders, without delay.

I am, &c.

(Signed)

CHARLES PARKER, Commander.

His Britannick Majesty's Commissioners of the Slave-trade, Havana.

Second Enclosure in No. 84.

The Carpenter of the "Slaney" to Captain Parker.

SIR,

Schooner "St. Jago" at Sea, April 24, 1830.

IN compliance with your order, to endeavour to stop the leaks of this vessel, I find it impossible, the wooden ends of the schooner having started off down to the keel, the main piece of the rudder and her foremast sprung, and some part of her forefoot gone, having 6 feet water in her hold, and in a sinking state. I deem it impossible to render her fit to prosecute her voyage, and await your further orders.

I am, Sir, &c.

(Signed)

WILLIAM BROWN, Carpenter.

Charles Parker, Esq. Commander of H. M. Sloop "Slaney."

Third Enclosure in No. 84.

Captain Parker's Account of the Slaves.

CERTIFIED Account of the slaves on board His Majesty's sloop "Slaney," taken out of the schooner "St. Jago" of Cuba, at Sea, (when in distress) detained by His Majesty's sloop "Sparrowhawk."

Havana, April 28, 1830.

SLAVES.	HEALTHY.	SICK.	NUMBER.
Men	16	2	18
Women . .	36	2	38
Boys	18	1	19
Girls	29	1	30

105 and one infant just born.

Total 106, of whom 1 died this day at 3 P. M., remaining 105, delivered up to the Captain-General.

Signed and
sworn to by

{ CHARLES PARKER, Commander.
{ JOHN WEST, Surgeon.

Fourth Enclosure in No. 84.

Abstract of the Evidence in the Case of the "Santiago."

CAPTAIN CHARLES PARKER, Commander of His Britannick Majesty's sloop "Slaney," being sworn, deposed, that the letter, dated 27th of April of this year, and addressed to the British Commissioners, is signed by him, and that the contents thereof are true, except that instead of 107 negroes, which he therein states to have received on board the "Slaney," as the cargo of the schooner "Santiago," it appears, on counting them anew, that there were only 106, the mistake having, no doubt, arisen from the confusion at the moment of receiving them on board; that 1 negress died last night, thus reducing the number, this morning delivered up to the Governor, to 105 negroes; that the deponent took also on board the "Slaney" 2 persons belonging to the crew of the "Santiago," namely, the Captain, whose name the deponent is ignorant of, and a black sailor, named Alexander Journée, also 5 persons belonging to the "Sparrowhawk," viz. Mr. Miller, Mate, and 4 sailors, whose names this deponent does not know; that this deponent ordered the "Santiago" to be abandoned, on account of being utterly unseaworthy, in the opinion of the Carpenter ordered to survey her, as appears by the report of this Officer in the English language now produced; that the deponent is not, and never was, in possession of any documents whatever belonging to the "Santiago;" that this deponent has delivered up the Master of the "Santiago" to the Captain-General, but not the sailor, Alexander Journée, because he believes him to be a British subject; and he founds this belief, as he has stated to the Governor, on the man's having confessed that he is a native of Jamaica; that the deponent does not, however, know whether Journée may not have been naturalized a Spaniard.

Mr. William Brown, first Carpenter of His Britannick Majesty's corvette "Slaney," being

sworn, deposed, that the certificate, now produced, of the state of the schooner "*Santiago*" on the 24th of April, is the same this deponent gave to Captain Parker, and that the contents thereof are true.

Mr. Robert Boyle Miller, Mate of His Britannick Majesty's sloop "*Sparrowhawk*," being sworn, deposed, that the schooner "*Santiago*" was given into the deponent's charge by Thomas Gill, Esq., Commander of the English sloop-of-war, "*Sparrowhawk*," together with the instructions which the deponent now exhibits in the English language; that the documents of the "*Santiago*," delivered to this deponent by Captain Gill, were those now produced, (viz. a licence of the Military Commandant of Registers, in the City of Cuba, in lieu of a Royal passport, the muster-roll, 3 log-books, of which 2 are in Italian, and the other in the English language, and finally 2 letters, the first of which appears to be signed by Antonio Joaquin Luyando, and the other by Jozé Torres, and Jozé Vicente Cabrerás) and that this deponent had never in his possession any other papers belonging to the "*Santiago*"; that the said slave-vessel was detained in front of Santiago de Cuba, but in what latitude this deponent does not now recollect, although it ought to be stated in one of the 3 certificates of the Captor, now produced to the Court; that this deponent did not, at the time of the "*Santiago's*" detention, go on board of her, and therefore did not receive her papers from the Master; that when this deponent took the command of the said slave-vessel, there were on board 108 negroes, with an infant child, making in all 109; that 2 negroes threw themselves into the sea and perished, and another died, so that the number was reduced to 106, who were taken on board the "*Slaney*," by Captain Parker; that 1 negress has died since the arrival in this port, so that the number, delivered up to the Captain-General, is 105; that the "*Santiago*" was detained by the "*Sparrowhawk*," on the 9th of this month; that Captain Parker fell in with the slave-vessel on the 23d, and took the negroes and crew on board; that when this deponent took command of the schooner, he found more than 3 feet water in the hold, and that a new leak was discovered on the 20th of April; that this deponent cannot affirm that the crew of the "*Santiago*," including the Captain, consisted of 13 persons; that all were at first taken on board the "*Sparrowhawk*," but that the Master with 1 sailor soon returned, and that these 2 individuals have arrived in this port; that the "*Sparrowhawk*" sailed then for Santiago de Cuba, according as this deponent understood from Captain Gill to be his orders; that Captain Gill shewed this deponent a Treaty between Great Britain and Spain, printed in English and Spanish, which this deponent believes to relate to the abolition of the slave-trade, because it was similar to one which the English ship-of-war, "*Bann*," had when she was cruising on the Coast of Africa, having this deponent on board; that Captain Gill did not deliver to the deponent this Treaty with the other papers; that the only articles saved by the "*Slaney*" from the "*Santiago*" were, as well as this deponent recollects, 2 sails, namely, a foresail and jib, a compass, a deep sea lead and line, a log-glass, and some buckets which served for platters to the negroes; that the "*Santiago*" was abandoned on the 24th instant; that this deponent having been ordered on board the "*Slaney*," does not exactly know why more articles were not saved from the "*Santiago*," but he supposes, that as the slave-vessel was sinking, the people in charge from the "*Slaney*," did not think it prudent to wait longer in her; that besides, there was no sort of cargo on board the "*Santiago*," and that the main-sail was no doubt left on board, in order that it might present some visible object in the night, to any other vessel in danger of running foul of the wreck.

D. Jozé Rivet, a Catholick, aged 28, being sworn, deposed, that he is a native of Barcelona, but a resident in Leghorn, in Italy, from his youth, unmarried, and by profession Master and Mate of the schooner "*Santiago*;" that this deponent sailed from Santiago de Cuba with a cargo of aguardiente, cotton goods, and other merchandize, and having on board a crew, including the Master, of 15 men, and that the place of her destination was the Isla de Principe; that, by reason of tempestuous weather, they could not make Principe, but were forced to sail for a place on the African Coast, called Bras, in Calabar; that there the King of the country took possession of the cargo, engaging to pay for it in ivory and palm-oil; but these articles not being forthcoming, and the crew of the "*Santiago*" getting sick from the insalubrity of the place, the deponent urged the King to fulfil his contract, and that he was then told that the only mode of being paid for his cargo was to take on board negroes, whom this deponent was, thereupon, forced to admit on board his schooner; that 144 negroes were consequently embarked; that the "*Santiago*" sailed from Africa on the 9th of last February; that the place of her destination was the South Coast of this Island, where, however, she did not arrive, having been detained, about 15 miles from the Moro of Santiago de Cuba, by the British corvette-of-war "*Sparrowhawk*;" that the Commander of the "*Sparrowhawk*" sent on board an Officer and 4 men; that 108 slaves were alive at the time of detention; that this deponent's papers were taken from him, and on the following day a document in the English language was given him, which he has now in his chest in the prison; and that then all the crew of the "*Santiago*," the deponent included, were carried on board the "*Sparrowhawk*"; that the deponent remained on board the corvette 14 hours, and returned on the day following the detention to the schooner, with a sailor, called Alexandro, and found there on board an Officer, Prize Master, with 3 sailors and a soldier; that, on the 10th of April, the said Officer made sail for the Havana, the vessel then making a great deal of water, and having provisions on board for 12 days, but no other cargo whatever; that, on the 22d or 23d of the same month, being off Cape San Antonio, they fell in with the corvette-of-war which has brought them into this port; that the "*Santiago*" was then in a very bad state, owing to her leak having increased so much that it was impossible for her to continue her voyage, and that the carpenter of the sloop-of-war not being able to stop her leaks, the only resource remaining was to abandon her; that the English Captain received on board all the negroes and other persons then existing on board the "*Santiago*," but could not save more effects from her than 1 sail and a very small quantity of provisions; that the papers now produced are really and truly the same with which the deponent was sailing at the time of detention, and the same to which refers the paper given to him by the Commander of the "*Sparrowhawk*;" that the letter signed Luyando belonged to the Mate, Pedro Paris, who died on the Coast of Africa; and that the other letter, signed Torres and Cabrerás, belonged to the Boatswain, whom this deponent left on board the capturing vessel; that 105 negroes were in existence when the "*Santiago*" arrived in this port; and that of the

3 dead since the "*Santiago*" left Santiago de Cuba, 2 had thrown themselves into the sea; that the Owner of the "*Santiago*" is the Boatswain, D. Jozé de Torres, left on board the "*Sparrowhawk*"; and that the deponent was Master, First Pilot, and Supercargo of the said schooner.

Alexander Journée, a Catholick, negro, aged 23 years, being sworn, deposed, that he was born at Curaçoa, though a resident of Jamaica; that he is unmarried, and by profession a sailor, on board the schooner "*Santiago*"; that the deponent was appointed to the "*Santiago*" by the Captain, D. Jozé Ribet; that he embarked on board at Santiago de Cuba; that the schooner's cargo, at that time, consisted of aguardiente, and other merchandize, with which they sailed for Bras, on the Coast of Africa; that there the cargo was landed and taken possession of by the King of the country, who, in payment thereof, delivered up 142 slaves, as well as this deponent recollects; that this deponent does not remember the day the "*Santiago*" sailed from Africa, but knows that they sailed for this Island of Cuba, and that they were only 7 leagues from the Moro of Santiago de Cuba when the English corvette-of-war "*Sparrowhawk*" detained them; that, at the time of detention, there were 108 negroes on board; that an English Officer took possession of the papers of the schooner; that all the crew of the "*Santiago*" were at first taken on board the "*Sparrowhawk*"; that the following day the Captain and this deponent were sent back to the schooner, where they found in possession an English Officer, 3 sailors, and a soldier of marines; that the schooner was detained in April last, but on what day this deponent does not recollect; that the schooner was leaky; that she had provisions on board for several days, but no other cargo, except slaves; that, when off Cape San Antonio, they fell in with the British vessel-of-war "*Slaney*," and the schooner making then much water, the former vessel took on board the slaves and all the crew, the "*Santiago*" being abandoned; that the deponent left the rest of the crew of the "*Santiago*," in number 8, on board the "*Sparrowhawk*," and knows nothing of their destination.

Fifth Enclosure in No. 84.

(Translation.)

Provisional Decree of the Mixed Commission in the Case of the "Santiago."

Havana, May 5, 1830.

IT not being legally proved, that Don Thomas Gill, the Commander of the corvette of His Britannick Majesty, "*Sparrowhawk*," was provided with those instructions, mentioned in the 9th and 11th Articles of the Treaty between their Catholick and Britannick Majesties, concerning the abolition of the traffick in slaves, and which authorize the visitation and detention of slave-vessels; and it further appearing that he has not presented the formal declaration, which he ought to make, before this Commission, agreeably to the terms of Article 5 of the Regulations, and in which, according to Article 6 of his Instructions, he ought to have mentioned the state in which he found the detained vessel, a declaration in this case the more essential, as Don Charles Parker, Commander of the British sloop-of-war "*Slaney*," not only ordered the "*Santiago*" to be abandoned near Cape San Antonio, on account of her leaky state, which rendered it impossible for her to continue her voyage to this port, but took the negroes and crew on board his own ship; and lastly, it further appearing, that no declaration, as required by the 3d Article of the said Regulations, has been given into Court, to explain the cause why the Captor sent back, on board the merchant schooner "*Santiago*," only her Master and one sailor, and detained all the rest of her crew on board his own corvette, notwithstanding that the 6th Article of his Instructions directs him to leave on board the detained vessel, the Captain, and a part, at least, of her crew; and as the above-mentioned documents and proofs are necessary, in the spirit of the above-mentioned Treaty, to enable the Court to judge and determine with accuracy, a letter should be written by the Court to his Excellency the Governor and Captain-General, enclosing a copy of this provisional decree, in order that his Excellency may write a despatch to the Vice-Admiral of the Naval Forces of His Britannick Majesty, at Jamaica, requesting him to direct the Commander of the "*Sparrowhawk*" to present himself before this Court, with the crew of the "*Santiago*," in order to give all necessary evidence, and praying all possible speed, in order that further expenses may neither be incurred nor increased, and that the final sentence of the Court may be issued within the time specified by the 1st Article of the above-mentioned Regulations; His Britannick Majesty's Commissioner of Arbitration, on his particular part, stating, that while he agrees to the necessity of delay, in the present case of detention, on account of the evidence before the Court not being, in his opinion, sufficient, according to the Treaty, to justify a final sentence, he must, at the same time, declare, that he does not deem the presence of the Captor, before this Commission, to be in every case necessary.

(Signed)

VILLANEUVA.

QUESEDA.

W. S. MACLEAY.

No. 85.

W. S. Macleay, Esq. to J. Backhouse, Esq.—(Received July 1.)

SIR,

Havana, May 10, 1830.

WITH reference to my despatch to the Earl of Aberdeen, I beg leave to observe, that it seems to me most expedient that the Spanish Government should be induced to place the same construction on the Treaty, which His Majesty's Government has done, with respect to the question of the presence of the Commanders of capturing vessels. In the particular case of the "*San-*

tiago," the presence of Captain Gill has become necessary, from the mode in which he has executed his instructions; but I cannot do otherwise than observe, that had this Officer placed the evidence against the "*Santiago*," in the most satisfactory state, my Spanish Colleagues, proceeding on their general construction of the Treaty, would still have demanded his presence. It is needless to expatiate upon the inconvenience, delay, and expense that must result from the Spanish Government thus continuing to interpret the Treaty, in a manner different from His Majesty's Officers. Trusting, therefore, that this important point may soon be satisfactorily arranged between the two Governments, I would next venture to suggest, that as the Officers of His Majesty's cruizers, who do not come in with their prizes, must themselves decide what evidence will be required of them, there is an absolute necessity for their being furnished with the most full instructions. I believe that, at present, they are only supplied with a part of the Treaty, and not at all with those forms of proceedings, drawn up for the guidance of these Mixed Commissions by His Majesty's Government, and formally adopted in the Havana, with the consent of the Court of Madrid. I venture, therefore, humbly to propose, that His Majesty's cruizers be furnished with the whole of the Treaty, and with the abovementioned forms of proceeding. Hitherto, as the Captor has invariably accompanied his prize to the Havana, it was the business of His Majesty's Commissioners to see that his papers were all in order before he came into Court; but now, when the Captor may absent himself, they, of course, cannot assist him; and if his papers are forwarded to the Court incorrect, or insufficient, they find themselves, instead of being (as bound by oath) impartial judges, placed in the situation of his advocates. When once the Commissioners, whether English or Spanish, are allowed to become the advocates of their respective countrymen, and do not strictly abide by the Treaty, it is manifest that this Mixed Commission will be of little use towards the restriction of the slave-trade; for, independently of the continual contentions that will result, the British part of the Commission is always liable to be outvoted by the Spanish. I beg leave, therefore, earnestly to request, that His Majesty's cruizers be furnished, henceforward, with the most full instructions, and be ordered to obey them implicitly. Of the absolute necessity of this, I can give no better example than this case of the "*Santiago*," detained by Captain Gill, copies of whose only 3 certificates, I now enclose. He forwarded no letter, or other paper, to the Commission.

1. The first difficulty made by the Spanish Commissioners was, as to there being no sufficient proof of the "*Sparrowhawk*" having been in possession of the instructions which, according to Art. 9 of the Treaty, authorize a British vessel-of-war to detain a Spanish slave-vessel. On this point, I conceive Mr. Miller's evidence sufficiently conclusive, but my Spanish Colleagues thought not, and argued that Captain Gill's not having the Treaty in his possession, was a fair inference from the fact of his not having complied with its provisions. It is to be observed that he himself states nothing whatever on the subject.

2. Captain Gill was bound by Art. 6 of the Instructions, to leave on board the slave-vessel the Captain and a part, at least, of his crew. By Art. 3 of the Regulations, the Commission must receive the depositions, on oath, of the Captain and 2 or 3, *at least*, of the principal individuals on board the detained vessel. Captain Gill, however, only sends 2 of the crew to the Havana, and selects these 2, so that neither of them happen to be Spaniards, which is the more singular, as the Owner of the slave-vessel, a Spaniard, was on board; and to judge from the names in the muster-roll, the individuals forwarded to the Havana were the only persons in the "*Santiago*" not Spaniards. Captain Gill, indeed, has stated nothing whatever to the Mixed Commission respecting the crew, but certainly he has no right to dispose of them as he pleases.

3. By Art. 6 of the Instructions, the Captor "is bound to draw up in writing an authentick declaration, which shall exhibit the state in which he found the detained ship, and the changes which have taken place in it." Captain Gill has forwarded to the Commission nothing of the sort. A form

of the declaration he ought, in virtue of the above Article, to have sent, is given in the rules laid down, as beforementioned, for the guidance of the Mixed Commissions. But Captain Gill has given no classification of the negroes of the "*Santiago*," as to age, sex, or health; and, indeed, the first classification which has been made of them, seems to be drawn up by the Salvor, Captain Parker.

4. Captain Gill was bound by the above Article of the Instructions, and according to the beforementioned form of declaration, given in the course of proceeding, laid down for these Commissions, to declare whether the "*Santiago*" was sufficiently supplied with provisions for her intended voyage to the Havana, and, above all, whether or not she was sea-worthy. Captain Gill has not made any such statement; but that the "*Santiago*" was not sea-worthy, is sufficiently clear, from the following extract from the Prize-Master's log, April 10, 1830:—

"One P. M. so received my final orders, and parted company with the "*Sparrowhawk*," for the Havana. Found 3 feet water in the hold. Employed at the pumps."

It is impossible to suppose that any British Officer could have dispatched 115 human beings on a long voyage, in such a vessel, had he been aware of her state; and I therefore infer, that if Captain Gill had known that his duty was to certify the "*Santiago's*" state, at the time of detention, he would have ordered her to be surveyed, and thus would have been prevented from placing so many human lives in imminent danger.

5. By the 6th Article of the Instructions, "the Captor is bound to deliver to the Captain of the slave-ship, a signed certificate of the papers seized on board the said vessel." By the form of such certificate, as given in the aforesaid rules, it appears that the papers ought to be numbered and endorsed by the Captor. Captain Gill did neither. He takes them from the Master of the slaver; gives a receipt for them, and forwards them, without any envelope, by Mr. Miller, to the Mixed Commission, accompanied by a certificate, which, probably owing to his not being acquainted with the Spanish language, gives quite an erroneous description of them. Fortunately, the Master of the slaver at once acknowledged these papers before the Mixed Commission; but if he had not, these papers, being erroneously described by the Captor, and neither numbered or endorsed by him, would have been very difficult to identify, particularly as the Prize-Master could only depose, that he received them loose from Captain Gill. I, therefore, would suggest, that every Captor be directed to number and endorse the papers of a detained vessel, as soon as he receives them. For purposes of identification it is indeed scarcely safe in the Captor to attempt to describe their purport, unless he be well versed in the Spanish language.

In making the foregoing remarks, I trust that I shall not be understood to intend any thing prejudicial to Captain Gill, whom I have heard to be a most deserving Officer; my only object being to state such facts, as will shew the necessity of His Majesty's cruizers being henceforward furnished with the whole of the Treaty, and the rules of proceeding drawn up for the guidance of these Commissions. The "*Sparrowhawk*" is, I learn, just arrived on this station; she cannot, therefore, be expected to be acquainted with the disgraceful state of the coasts of this island; and I thus may be allowed to make another remark, that when any Officer appoints a prize crew to a detained vessel in these seas, it ought not only to be sufficient to navigate, but also to defend her. Had the "*Santiago*" fallen in with a pirate, or had she even been run ashore at Cape San Antonio, as Mr. Miller was endeavouring, at the time she was providentially descried by the "*Slaney*," the consequences would have been dreadful. No one acquainted with these islands, can doubt as to what would have been the fate of the prize crew; nay, had they even arrived in this harbour, they would not have been safe, until the slave-vessel could have been formally taken possession of by the Captain-General, as will appear from the circumstances of the "*Monkey*," stated in my despatch to the Earl of Aberdeen, of last year on that subject.

John Backhouse, Esq.

(Signed)

I have, &c.
W. S. MACLEAY.

&c. &c. &c.

Enclosure in No. 85.

Copies of three Certificates of Captain Gill.

I, THOMAS GILL, Commander of His Majesty's sloop "Sparrowhawk," hereby declare and certify as follows, viz. that on the night of the 9th of April, at or about 9 P. M. being in latitude 19° 18' N., and longitude 76° 27' W., I fell in with and detained the schooner "Santiago," Don Jozé Ribet, Master, having actually on board 108 slaves, said to be from Bras, on the African Coast, and bound to St. Jago de Cuba.

Given under my hand on board His Majesty's sloop "Sparrowhawk," at sea, this 10th day of April 1830. (Signed) THOMAS GILL, Commander.

These are to certify to the Court of Mixed Commission at Havana, or whom else it may concern, that 108 slaves were on board the schooner "St. Jago," D. Jozé Ribet, Master, detained by His Majesty's sloop "Sparrowhawk," under my command, for illicit traffick in slaves, and sent to Havana for adjudication, this 10th day of April 1830.

(Signed) THOMAS GILL, Captain.

These are to certify, that at the time of the detention of the schooner "St. Jago," there were on board 108 slaves, and the following papers, viz. 1 register, 1 despatch from Cuba, 1 article and list of crew, a private log paper, said to be the Captain's slave-commission, and the schooner's log.

Given under my hand, on board His Majesty's sloop "Sparrowhawk," at Sea, the 10th of April 1830. (Signed) THOMAS GILL, Commander.

No. 86.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, May 22, 1830.

CAPTAIN GILL, commanding His Majesty's sloop "Sparrowhawk," arrived in this port on the 17th instant, and I have now the honour to transmit, herewith, to your Lordship, a copy of this Officer's amended declaration, of the detention of the Spanish slave-schooner "Santiago," an abstract of his evidence with respect to her crew, whom he landed at Santiago de Cuba, and also a translation of the final sentence of the Mixed Commission, emancipating the 105 slaves, delivered up to the Captain-General, by Captain Parker, of His Majesty's sloop "Slaney."

It appears from the papers of the "Santiago," and the evidence of her Master, that armed with 8 muskets and 12 swords, she sailed from Santiago de Cuba with 15 men, including the Captain, on the 10th of August last, and that having embarked 144 slaves at a place, according to the Master, called Bras, on the Calabar Coast, she left Africa on the 9th of February last.

The Court has adjudged the detention of the "Santiago" to be legal, without the Captor having produced that minimum number of the individuals of her crew, which the 3d Article of the Regulations annexed to the Treaty, requires the Commissioners to examine. While they overlook this difficulty in the present case, the Spanish Commissioners have felt themselves bound to state to me, that they hope such mistakes will be avoided in future. And, indeed, I am convinced, that one of the most effectual modes of checking this detestable traffick, is for His Majesty's Officers to lodge the crews of the slave-traders in the common prison of the Havana. It may be true that they are not punished there as they deserve, but still they are imprisoned for a time, and hitherto, have in general been drafted by Admiral Laborde into his ships-of-war. In my opinion, the trade ought to be rendered both dangerous and irksome, in order to inspire a salutary dread of it, in the minds of the common sailors, a class of men, who, from slave-traders, pass readily into pirates, and who clearly suffer little by the emancipation of the slaves, they are employed to convey from Africa.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

P. S.—24th May, 1830.—I have the honour to inform your Lordship, that with respect to the sailor, Alexander Journée, the Dutch Consul tells me, that he has no instructions from his Government how to act in such cases.

(Signed)

W. S. M^cL.

First Enclosure in No. 86.

Amended Declaration of the Captor.

I, THOMAS GILL, Esq., Commander of His Britannick Majesty's ship "Sparrowhawk," do declare, that on the evening of the 9th of April last, at about the hour 11. 30., being then in or about the latitude of 18° 50' N., and longitude 76° 31' W., I detained the schooner "Santiago," sailing under Spanish colours, of about 43 tons burthen, commanded by José Rivet, who declared her to be bound from Bras, on the Coast of Africa, to the Island of Cuba, with a crew consisting of 9 men, and 1 boy, (including the Captain,) and having on board 108 slaves, said to have been taken on board at Bras, on the Coast of Africa, in or about the middle of February last. I do further declare, that the Officers, consisting of Senior Lieutenant, Second Lieutenant, and Master, who actually went on board the schooner to survey her, and all on board her, did not report to me, that the said schooner was unfit to proceed on her voyage to the Havana.

I further certify, that the above Officers did report to me, that the schooner was supplied with a sufficient quantity of provisions and water, for the support of the said negroes and crew on their destined voyage to Havana, and that they saw no obstacle to her proceeding forthwith.

I do further declare, that the major part of the unhappy crew were in so dreadful a state of disease, (and I offer proof to this fact, one of the unhappy men died whilst at anchor off Smith's Island, in the Harbour of St. Jago de Cuba, and was there buried,) that, having been sent on board, humanity prevented me sending them back, which otherwise I should have done. I further declare, that I was anxious to deliver them up to the proper Authorities at St. Jago de Cuba, but having waited on the Governor 3 times, and not having been able to see him, also the Intendant, whom I could not see, and no one of them having sent to me, I resolved to land them, but not before I had the poor suffering people nearly 3 hours waiting in a boat off the landing place, ready to be received, and whose lives I considered to be in imminent danger, their friends weeping and lamenting, and begging they might be given up to them. Under such circumstances, I trust no blame can be attached to me, since a humane feeling alone for so much misery induced me to give them up to those, whom the poor creatures claimed as their friends. I, however, must further declare, that, notwithstanding all my care and anxiety, one other poor unfortunate man died one hour after he had landed, so it was reported to me.

Witnesses, (Signed) JOHN JAMES ALLEN. THOMAS GILL,
JOHN JEWELL, Assistant Surgeon. Commander.

Havana, May 17, 1330.

Second Enclosure in No. 86.

Abstract of Captain Gill's Evidence.

CAPTAIN THOMAS GILL, Commander of His Britannick Majesty's sloop-of-war "Sparrowhawk," being sworn, and having shewn his instructions, deposed, that the documents in the English language, now produced, are the same the deponent delivered to Mr. Miller, who was, by the deponent's order, charged to bring the Spanish merchant schooner "Santiago" to this port; that the other documents now produced, viz: the licence of the Comandante de Matriculas of Cuba, the muster-roll, the 2 private letters, and the 3 log-books, are the same and only papers which this deponent found on board the "Santiago," and which the deponent then gave to Mr. Miller, in order that they might be delivered up to the Mixed Commission; that the Officers of the "Sparrowhawk," whom this deponent sent on board the schooner, never informed him of the bad state of the vessel, or that she was unfit to proceed alone to this port; that she had on board plenty of provisions for the voyage;—that the deponent transferred all the crew of the schooner to his own ship, in consequence of the bad state of their health, and that he detained them there, in order that they might receive the assistance that humanity demanded, merely sending back to the "Santiago" the Master and one sailor, who were not so unwell as the rest; that the bad state of the crew will best appear from the declaration in the English language, which the deponent now hands in to Court; that, immediately after dispatching the "Santiago" to the Havana, the deponent proceeded to Santiago de Cuba, and there landing, he waited personally on the Governor of that City, in order to acquaint him of the ill state of health in which the crew of the schooner were, and in order to induce him speedily to take charge of them, so that this deponent might continue his voyage to Jamaica, for the correspondence of his Vice-Admiral, which he was directed to carry to New Providence; that, not being able to see the Governor, the deponent went to the house of the Intendant, and could not see him either; that the deponent then gave orders for the crew of the "Santiago" being brought on shore, being still confident, that the Authorities would give orders for their being taken charge of, but, at last, seeing that 3 hours had passed away since they were at the wharf, and without any person appearing; and that the sufferings of these unfortunate beings increased so much that one of them died; the deponent had no other resource, than to leave them in the hands of their relations and friends, who claimed them, in order to afford them assistance in such critical circumstances; that the deponent, in delivering up the crew did not think it necessary to write to the Authorities of Cuba, because, as he went on shore, he expected to have more satisfactorily explained his wishes verbally, by means of an interpreter; and further that, if he had written to the Authorities of Cuba, there would have been a double delay, as this deponent could not have understood their answer in the Spanish language.

Third Enclosure in No. 86.

(Translation.)

Sentence in the Case of the "Santiago."

IN the always most faithful City of the Havana, on the 21st day of May, in the year of our Lord 1830, the Most Excellent Señor Conde de Villanueva, Counsellor of State, Intendant, Superintendent-General of the Army and Royal Revenues, Commissary Judge of the Mixed Commission, and the Commissioners of Arbitration, Don Rafael de Quesada, Alcalde of this said City, and Don W. S. Macleay, being assembled together, by reason of the absence, with permission of his Government, of the British Commissary Judge; and having taken into their consideration the proceedings consequent upon the capture, which His Britannick Majesty's sloop-of-war "Sparrowhawk," commanded by Don Thomas Gill, made on the night of the 9th of April last, and in latitude 19° 18' N., and longitude 76° 27' W., of the Spanish merchant schooner "Santiago," D. Jozé Rivet, Master, with a cargo of 108 Bozal negroes on board at the time of capture, which schooner was on her way to this port, under charge of Mr. Miller, (Mate), and 4 men of the said sloop-of-war, with the Captain and one sailor of the "Santiago," the other individuals of her crew being detained on board the sloop-of-war, when, by reason of her leaky state, the said schooner, not being able to complete her destined voyage to the Havana, was fallen in with, on the 23d of April, in latitude 22° 23' N., and longitude 85° 30' W., by Captain Charles Parker, Commander of His Britannick Majesty's sloop "Slaney," who saw himself under the necessity of transferring on board his own vessel the negroes and other people, and of ordering the "Santiago" to be abandoned, with the exception of certain fragments saved from the wreck, and which are set forth in the inventory, in pages 56 and 58 of these proceedings; Captain Parker, with the "Slaney," arriving in this port on the 27th of the said month of April, and the slaves being then reduced to 105, owing to the death of 3 during the interval between the detention and the arrival of the "Slaney" in harbour; and it fully appearing, from the declarations of the Captor and others, as well as from the Master and sailor of the "Santiago," no more of the crew having been examined by the Court, as ought to have been done, according to Article 3d of the Regulations annexed to the Treaty, because the Captor discharged them at Cuba, for the reasons alleged in his declaration and certificate; which want of evidence gave rise to the provisional decree of the 5th of this month, the whole circumstances of this particular case offering, practically, difficulties and grievous expenses that might have been avoided, if the prize had been brought into this port by the capturing vessel; and it further appearing, from the documents found on board, that the "Santiago" sailed from the Port of Santiago de Cuba in the month of August 1829, with papers and cargo, for the Isla de Principe, and that she arrived on the Coast of Africa, at a place called Bras, where she embarked 144 slaves, who were reduced to 108 at the time of her capture, and that, owing to 3 more negroes having perished before the arrival of the "Slaney" in this port, the number was farther reduced to 105; therefore the aforesaid Commissioners declare, with due regard to the merits of the case, and according to the brief and summary form of proceeding adopted in all such cases, on the truth being made known to them, that the capture of the schooner "Santiago," and of the negroes on board, is good and legal; that the articles saved from the said schooner, and mentioned in an inventory annexed to these proceedings, are liable to confiscation; and finally, that such of the aforesaid negroes as may still be in existence, are free, for ever, from all slavery and captivity. In consequence thereof, The Commissioners direct, that the aforesaid articles, saved from the wreck, be valued by the principal Masters of the Royal Arsenal, according to the usual form of proceeding, and that they be sold at publick auction, in the presence of the Notary of the Royal Finance Department, Don Francisco Jozé de Cower, in order that the proceeds may be applied to the benefit of the two Governments: The Commissioners further direct, that the aforesaid negroes may be supplied, without further loss of time, with their certificates of emancipation, by the Secretary of this Mixed Commission, according to the usual form, and that a letter be addressed to his Excellency the Captain-General, enclosing a copy of the sentence, and informing him, that the individuals of the crew of the detained schooner, now in prison, remain at his Excellency's disposal; and by this their sentence, definitively judging thus, have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed)

CONDE DE VILLANUEVA
RAFAEL DE QUESADA.
W. S. MACLEAY.

(Signed) JUAN FRANCO. CASCALES, Secretary.

No. 87.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, July 19, 1830.

I HAVE communicated to the Board of Admiralty your despatches, relative to the detention of the Spanish slave-vessel the "Santiago," off the Coast of Cuba, by His Majesty's sloop "Sparrowhawk;" and the Admiralty have returned for answer, that their Lordships are of opinion, that, under the peculiar circumstances of this case, Commander Gill was justified in taking so large a proportion of the crew of the slave-vessel on board the "Sparrowhawk," and in landing them at St. Jago, but their Lordships will direct the Ad-

miral in the West Indies, to instruct the Commanders of His Majesty's ships to take care to send the number of the crews, required by the Treaties, to the Havana, to give evidence before the Mixed Commission, and also to pay particular attention to the other formalities required.

His Majesty's Commissioners. I am, &c.
(Signed) ABERDEEN.

No. 88.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received August 1.)

MY LORD,

Havana, May 28, 1830.

ON the 1st instant, the schooner "*Primera Gallega*," D. Antonio Musar, Master, and on the 13th, the schooner "*Primera*," D. Gabriel Perez, Master, sailed from this port, both for the Coast of Africa.

On the 8th instant, the brig "*Catalana*," D. Jayme Ricoma, came into this port, in ballast, after having landed a cargo of slaves on the coast. She was fitted out at Barcelona, I understand, and it is lamentable to perceive, that, while the traffick has very visibly decreased from the Havana, during the last 6 months, it appears to get more vigorous from the mother country. In the case of the "*Catalana*," I have received the customary form of answer from the Captain-General, who informs me, moreover, that on the examination of her papers, by the Comandante de Matriculas, the certificate of a British Officer was found among them, stating that on visiting her, he found nothing on board to justify her detention.

I have some reason to believe the traffick to be more active on the more distant parts of the South Coast of this Island, and Lieutenant Tulloh, of His Majesty's schooner "*Pincher*," acquaints me, that in those more remote places, he has seen several instances of slave-vessels escaping, by the stratagem of transhipping their negroes on board coasting vessels, provided with passports from the Local Authorities, and so landing them under the protection of the 7th Article of the Instructions annexed to the Treaty. I anticipate, however, considerable decrease in the slave-trade soon, from the great fall that has taken place lately in the value of Colonial produce.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

No. 89.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received August 1.)

MY LORD,

Havana, June 16, 1830.

ON the 21st ultimo, the brig "*Almirante*," which was brought here from Sierra Leone for sale, cleared out from the Havana for Bahia de todos los Santos, under the command of D. Jozé Ramon Zavala. But from circumstances there is great reason to believe, that the final destination of the vessel is the Coast of Africa.

On the 27th ultimo, the Spanish schooner "*Manuelita*," D. Marcelina Rodriguez, Master, and on the 8th instant, the schooner "*Pantica*," D. Pedro Manegat, Master, sailed for Africa.

On the 4th instant, the Spanish brig "*Andromaca*," D. Jozé Lucas Villavaso, Master, arrived in this port, after landing a cargo of slaves on the coast. The Captain-General has returned the usual form of answer to my report of her arrival. I understand that this vessel also was fitted out for the trade from Spain.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 90.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August, 18, 1830.

I HAVE received the despatches of Mr. Macleay, up to that of the 12th of June.

His Majesty's Government learnt with satisfaction, from Mr. Macleay's despatch of the 23d of April, that the Colonial Authorities had declared, that an investigation should be made into the circumstances attending the case of the "*Santa Rosa*," strongly suspected of having been concerned in illegal slave-trade.

As I have not received any communication from you on this subject, since the date above mentioned, I conclude that you have not yet learnt from the Authorities the issue of this investigation; and I have, therefore, to instruct you to make application in the proper quarter, in order to learn the result of this affair, for the information of His Majesty's Government.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

No. 91.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August 31, 1830.

I HAVE caused communication to be made to the Admiralty, from time to time, of the several despatches, which I have received from you, respecting the movements of vessels suspected to be intended for illegal slave-trade.

The Lords of the Admiralty have stated to me, that it is hardly possible, that information of this nature can be sent from home to the African squadron, in time to be of any use; and their Lordships have suggested, that the Commissioners should be directed to endeavour to convey, whenever any direct opportunity may offer, such intelligence, addressed to any of His Majesty's Officers on the other side of the Atlantic.

It appears to me to be probable, that such a course would be attended with benefit to the service on which you are engaged; and I have, therefore, to direct, that you will comply with the suggestion, which has been thrown out by the Admiralty.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

No. 92.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, June 29, 1830.

CAPTAIN RICHARD KEANE, commanding His Majesty's sloop "*Victor*," arrived in the Havana on the 22d instant, with the Spanish brigantine schooner "*Emilio*," alias "*Cesar*," which he detained in latitude 19° 12' N. and longitude 75° 14' W., with a cargo of 192 negroes on board, and having a crew of 20 men.

I have the honour to transmit to your Lordship a copy of the letter, which the Captor addressed to the Mixed Commission, a copy of his declaration and certificates, with an abstract of the evidence produced before the Mixed Commission in this case of detention, and also a translation of their final sentence, which was signed on the 28th instant.

The "*Emilio*," of 85 Spanish tons, armed with 1 4-pounder, 8 muskets, 7 cutlasses, and ammunition to correspond, sailed on the 29th October last, under the command of D. Fernando Lescaya, from Santiago de Cuba direct

for New Calabar, on the Coast of Africa. There she took on board, in exchange for a cargo of dry goods, rum, &c., about 210 or 212 slaves, who were reduced by death to 192, at the time they were detained by the "Victor," on the 11th instant, not far from Santiago de Cuba, their port of destination.

Two of the negroes died in the interval between the capture of the "*Emilio*" and her arrival in port, and 2 more have died since, thus making the number delivered up by Captain Keane to the Captain-General to be 188.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

First Enclosure in No 92.

Captain Keane to the Commissioners at the Havana.

HONOURABLE GENTLEMEN,

H. B. M's. Sloop "Victor," Havana, June 22, 1830.

I HAVE the honour to acquaint you, that I have this day arrived in the Havana, in His Majesty's sloop "Victor" under my command, which, on the 11th instant, detained in latitude 19° 12' N., and longitude 75° 12' W., the Spanish brigantine schooner "*Emilio*," commanded by Don Fernando Lescaya, having a crew of 20 men, including the Captain, and a cargo of 192 negroes on board.

One of the crew, and 2 of the negroes have died since the capture.

I feel it my duty to state, that 2 of the crew are British subjects; one invalided from His Majesty's frigate "*Blanche*," in 1825 or 1826.

The British subjects are, of course, amenable to the laws of their country, for being engaged in this most nefarious traffick.

In bringing the vessel before the Mixed Commission for adjudication, I beg leave to state, that her papers, as delivered to me by the Master, duly endorsed by me, and numbered 1 to 3 inclusive, have been given up by me to His Britannick Majesty's Commissioner.

I have the honour to be, &c.

(Signed)

R. KEANE, Commander.

His Excellency, and the other Honourable Members of the Mixed Commission.

Second Enclosure in No 92.

Captor's Declaration in the Case of the "Emilio."

I, RICHARD KEANE, Esq. Commander of His Britannick Majesty's sloop "Victor," do hereby declare the unmentioned facts, relating to the detention, by me, of the Spanish brigantine schooner "*Emilio*," viz.:—that on the 11th day of June 1830, being in command of His Britannick Majesty's sloop "Victor," at sea, in latitude 19° 12' N., and longitude 75° 12' W., I came up with, and sent on board of the said brigantine schooner "*Emilio*," a Commissioned Officer, (Lieutenant William Sidney Smith), who found negroes on board, including men, women, and children, to the number of 192; that in consequence of this fact, and she being in reality a trader in slaves, I ordered Lieutenant William Sidney Smith to return on board, and, with Mr. Hewlett, (Mate), 9 seamen and 3 marines, to take charge of her, and accompany me to this port. The "*Emilio*" being short of provisions, and water, she was furnished by me therewith; and for security against a rising of the "*Emilio's*" crew, I took 17 of them on board His Britannick Majesty's sloop under my command, (one of whom, of the name of Samuel More, died on the morning of the 19th instant), where they have been victualled and provided for, according to the rules of the British service.

Two negroes have died since capture, (as per enclosed certificate from Lieutenant William Sidney Smith, the Officer in charge); and the accompanying paper contains a list of every article, found on board the said brigantine at the time of detention.

And I further declare, that the state of the health of the men, women, boys, and girls, negroes, is as follows, viz.:—

State.	Men.	Boys.	Women.	Girls.	Total.	Remarks.
Healthy . . .	53	26	57	43	179	At Capture . . 192
Sick	3	3	1	4	11	Dead 2
Total	56	29	58	47	190	Total 190

(Signed) JAMES GORDON, Assist. Surgeon His Majesty's Sloop "Victor."

Given under my hand, on board His Britannick Majesty's sloop "Victor," in the Harbour of Havana, this 22d day of June, 1830. (Signed) R. KEANE, Commander.

I do further declare, that the Master of the brigantine schooner "*Emilio*" told the boarding-Officer, Lieutenant William Sidney Smith, that the said brigantine schooner was bound from the Bight of Biafra, on the Coast of Africa, to St. Jago de Cuba. (Signed) R. KEANE, Captain.

Certificates of the Deaths of Negroes.

No. 1.—This is to certify, that since the detention of the Spanish slave-vessel "*Emilio*," on the 11th instant, by His Britannick Majesty's sloop "*Victor*," and placed under my charge, there have died on board her, the following slaves:—

On the 11th instant, 1 male.
On the 14th instant, 1 ditto.

Total 2 males.

Given under my hand, on board the "*Emilio*," in Havana Harbour, this 22d day of June 1830.
(Signed) WILLIAM SIDNEY SMITH,

(Signed) JAMES GORDON, Assist. Surgeon, of H. B. M's. sloop "*Victor*."
Lieut. of H. B. M's. sloop "*Victor*."

No. 2.—This is to certify, that this day, 1 slave boy has died on board the detained Spanish vessel "*Emilio*," under my charge.

Given under my hand, on board the "*Emilio*," in Havana Harbour, this 24th day of June 1830.
(Signed) WILLIAM SIDNEY SMITH,

(Signed) JAMES GORDON, Assist. Surgeon of H. B. M's. sloop "*Victor*."
Lieut. of H. B. M's. sloop "*Victor*."

No. 3.—This is to certify, that this day, 1 slave girl has died on board the detained Spanish vessel "*Emilio*," under my charge.

Given under my hand, on board the "*Emilio*," in Havana Harbour, this 25th day of June 1830.
(Signed) WILLIAM SIDNEY SMITH,

(Signed) JAMES GORDON, Assist. Surgeon of H. B. M's. sloop "*Victor*."
Lieut. of H. B. M's. sloop "*Victor*."

Third Enclosure in No. 92.

Abstract of Evidence in the Case of the "Emilio."

CAPTAIN RICHARD KEANE, commanding His Britannick Majesty's sloop "*Victor*," being sworn, and having shewn his instructions, deposed, that the declaration now produced is signed by the deponent, and that the contents thereof are true; that the documents, numbered 1 to 3, delivered up by the deponent to the British Commissioner, viz: the muster-roll, patent of navigation, and log-book of the brigantine schooner "*Emilio*," are the only papers this deponent found on board the detained vessel.

William Sydney Smith, Lieutenant of His Britannick Majesty's sloop "*Victor*," being sworn, deposed, that he is Prize-Master of the "*Emilio*," and that the paper certifying the death of 2 negroes previous to entering this port, as well as the other papers now produced, are duly signed by the deponent; that he now delivers in certificates of the death of 2 other negroes, a boy and girl, who have died since arrival in harbour; that, with respect to the inventory of the detained vessel delivered into Court, this deponent must state, that 3 jibs do not now exist, one having been cut up to mend the others; that every thing else, mentioned in the inventory, except this jib, and the provisions which were consumed by the negroes, still exist, in readiness to be delivered up to the Mixed Commission, and that since the inventory was delivered to the British Commissioner, 43 pieces of African cloth have been discovered on board, and that possibly other articles, not in the inventory, may yet be found, on the negroes being taken out of the vessel.

James Gordon, Assistant-Surgeon of His Majesty's sloop "*Victor*," being sworn, deposed, that the various certificates of the deaths of negroes on board the "*Emilio*," now produced, are duly signed by the deponent.

Don Fernando Lescaya, 35 years of age, a native of Santiago de Cuba, unmarried, and a catholic, being sworn, deposed, that he is Master of the Spanish brigantine schooner "*Emilio*," alias "*Cesar*;" that his vessel was detained by His Britannick Majesty's sloop-of-war "*Victor*," on the south side of this island, about 14 leagues from land; that the said sloop-of-war has brought the "*Emilio*" into this port, on account of having found a cargo of Bozal negroes on board; that this deponent took these negroes on board at New Calabar, on the Coast of Africa, to the number of 210, as well as this deponent recollects; that, when the English sloop-of-war detained the "*Emilio*," on the 11th of this month of June, there were 192 negroes of the cargo alive, of whom 2 died before the arrival in this harbour; that this deponent understands that 2 more have died since; that all the provisions of the "*Emilio*" were consumed in maintaining the crew and negroes round to the Havana; that there was no other cargo on board the detained vessel; that the "*Emilio*" sailed from Santiago de Cuba on the 29th October last, with a cargo of dry goods, rum, &c., directly for that point on the Coast of Africa, where the negroes were embarked; that this deponent is the Owner and Supercargo of the "*Emilio*;" that the papers now produced, viz. first, the muster-roll; secondly, the license of the Comandante de Matriculas of Cuba, in lieu of royal passport; and thirdly, the log-book, are the same with which the "*Emilio*" sailed from Africa, and which this deponent delivered to the English Commander.

D. Juan Rosendorf, aged 42, a native of Copenhagen, in the Kingdom of Denmark, and now resident in the West Indian Island of St. Thomas, unmarried, and a protestant, being sworn, deposed, that he is First Mate of the brigantine schooner "*Emilio*," which was detained by the English corvette "*Victor*," 40 miles from the south side of the island, on the 12th of this month; that the "*Emilio*" was brought to the Havana on account of having Bozal negroes on board; that 211 or 212 negroes were indeed taken on board the "*Emilio*" at New Calabar, on the Coast of Africa; that this deponent cannot state the exact number of negroes embarked, but that some died on the passage; that the deponent cannot state how many remained alive at the moment of detention, or even if there were more than 190; that there was no cargo on board; that the provisions were all used by the slaves and crew; that this deponent knows not how many negroes have died since the detention, because he was carried on board the "*Victor*;" that the "*Emilio*" left Cuba on the 29th or 30th of October last, and directed her course straight for the Coast of Africa, having on board a cargo of dry goods, aguardiente, &c.; that this deponent knows no other Owner or Supercargo of the "*Emilio*" than Don Fernando Lescaya, her Master; that the papers now produced, numbered 1 to 3 inclusive, are the papers of the "*Emilio*;" that the log-book is written by this deponent, with the exception of a short time that he was confined by fever on the Coast of Africa.

Antonio Fernandez, aged 28, native of Cartagena de Levante, but now resident in the City of Cuba, unmarried, and a catholic, being sworn, deposed, that he is Boatswain of the brigantine schooner "*Emilio*," detained at sea by His Britannick Majesty's sloop "*Victor*," on account of having Bozal negroes on board; that it was at New Calabar, on the Coast of Africa, that the "*Emilio*" embarked 212 slaves, of whom only 192 remained alive at the moment of detention; that there was no cargo on board the "*Emilio*," and that her provisions have all been used; that 2 negroes died after the detention, and before the "*Emilio's*" arrival in the Havana; that this deponent knows not whether any others have died since; that the "*Emilio*" sailed direct from Cuba for the Coast of Africa, with a cargo of aguardiente, &c.; that this deponent was appointed Boatswain by D. Fernando Lescaya, who is Master and Owner of the "*Emilio*;" that the papers now produced are truly those of the detained vessel; that this deponent cannot sign the present declaration, on account of a wound in his right hand.

Fourth Enclosure in No. 92.

Sentence in the Case of the "Emilio," alias "Cesar."

IN the always most faithful City of the Havana, on the 28th day of June 1830, the Most Excellent Señor Conde de Villanueva, Counsellor of State, Intendant, Superintendent-General of the Army and Royal Revenues, Spanish Commissary Judge of the Mixed Commission, and Colonel Don Rafael de Quesada, Alcalde of this City, and Don William Sharp Macleay, Commissioners of Arbitration, this last being also the British Commissary Judge elect, being assembled together, and having taken into consideration the proceedings consequent upon the capture, which His Britannick Majesty's corvette "*Victor*," commanded by Don Richard Keane, made on the 11th instant, in latitude 19° 12' N., and longitude 75° 12' W. of the merchant brigantine schooner "*Emilio*," alias "*Cesar*," D. Fernando Lescaya, Master, Owner and Supercargo, having on board at the period of detention, 192 Bozal negroes, of whom 4 have died previously to the 25th instant, according to the certificates annexed to the proceedings, thus reducing the number of negroes to 188; and it being fully proved, as well by the declarations of the various witnesses examined, as by the papers found by the Captors on board the said brigantine schooner, that she sailed from the port of Santiago de Cuba on the 29th of October 1829, with papers and a cargo for the Isla de Principe, but made direct for New Calabar, on the Coast of Africa, where she took on board about 210 slaves, of whom 192 were found alive at the period of detention, the others having died on the passage, and 4 more having died after the detention, the number was reduced, on the 25th of this month, to 188. Whereupon the Commissioners resolve, that they ought to declare, and do hereby declare, with all due consideration to the merits of the case, and according to the brief and summary mode of proceeding adopted in all similar instances, on the truth being made known, that the capture of the brigantine schooner "*Emilio*," together with 43 pieces of African cloth, (manifested by the Prize Master in his declaration folio 4th of these proceedings, but by mistake not inserted in the inventory of the "*Emilio*," drawn up on the 11th instant, at the moment of detention), and of 192 negroes found on board, is good and legal, and that the said brigantine schooner, with all her tackle and apparel, and the above mentioned 43 pieces of African cloth, are subject to confiscation, while the above-mentioned 188 negroes are free from all slavery and captivity. And the Commissioners order, that the said vessel be valued, under oath, by the principal Masters of the Royal Dock Yard, and the African cloth by other intelligent persons, and that the whole be sold at publick auction before the Escribano of the Royal Finance Department, Don Francisco Jozé Cower, and that the proceeds thereof be applied to the benefit of the two Governments, the said vessel being for the present, as well as every thing on board, placed in deposit with, and under the charge of Don Jayme Andreu, who shall likewise swear faithfully to perform his duty, and shall receive her from the Captor, according to formal inventory. The Commissioners shall likewise proceed, without further loss of time, to deliver the above-mentioned 188 negroes, or such of them as may be alive, their certificates of emancipation, through the medium of their Secretary, as is customary, and they shall likewise address a letter, with a certified copy of this sentence, to his Excellency the Captain-General, in order that he may take the proper steps to give it effect, and because the crew of the said brigantine schooner remain in prison at his Excellency's disposal. And by this their sentence, definitely judging, thus have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed)

CONDE DE VILLANUEVA.
RAFAEL DE QUESADA.
WILLIAM SHARP MACLEAY.

(Signed)

JUAN FRANCISCO CASCALES, Secretary.

No. 93.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 1, 1830.

AGREEABLY to the 75th clause of Act of 5 Geo. IV. cap. 113, I have the honour to lay before your Lordship, the return of the cases adjudicated during the last half year, by this Mixed Commission.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 93.

Return of Cases Adjudicated by the Mixed Commission at Havana, during the Half Year ending 1st July 1830.

Date of Seizure.	Property Seized.	SEIZOR.	Date of Sentence.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
1830.			1830.		
April 9	{ Spanish schooner Santiago, with 108 negroes alive on board . . }	{ Captain Thomas Gill, commanding H.M.'s sloop Sparrowhawk . . }	May 21	Forfeiture	{ This schooner foundered at Sea after capture ; the crew and negroes being saved, together with a very few trifling articles, by His Majesty's sloop Slaney. These articles have not yet been sold, and remain in deposit with D. Jayme Andreu.
June 11	{ Spanish brigantine schooner Emilio, alias Cesar, with 192 negroes alive on board }	{ Captain Richard Keane, commanding H.M.'s Sloop Victor . . . }	June 28	Forfeiture	{ This vessel, tackle, &c. remain for sale by publick auction, and at present remain in deposit with D. Jayme Andreu.

(Signed)

W. S. MACLEAY.

No. 94.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 2, 1830.

I AM sorry to state that, among the very miscellaneous crew of the brigantine schooner, "*Emilio*," alias "*Cesar*," Captain Keane found 3 British subjects, viz. Samuel Moore, Robert King, and William Murray. Moore, who was Carpenter of the slave-vessel, died before her arrival at the Havana, and on my being asked by Captain Keane, what he should do with the other 2 men, I directed him to detain them, and addressed to the Captain-General the note, a copy of which I have now the honour to enclose.

Robert King is, according to his own confession, a native of Dublin, who invalided from His Majesty's frigate "*Blanche*," on the South American Station, in 1825 or 1826. He is now in the very last stage of sickness.

William Murray is a man of colour, and native of the Bermudas. Neither of these men appear to have entered their names on the muster-roll, but

perhaps they may have entered under Spanish names. Still, as the Mixed Commission did not stand in any need of their evidence, I considered the present to be a fair opportunity of urging the right of His Majesty's Naval Officers to detain such British subjects as they may have discovered to be engaged in this illicit traffick under the Spanish flag. The Spanish Commissioners wrote on the 26th ultimo to the Captain-General, urging his Excellency to demand these men, as in the case of the "*Santiago*," formerly condemned, but, whether, from the arguments upon which they grounded their opinion not being considered very valid, or from some other cause, the Governor has addressed no letter to me on the subject, and I have heard no more about it. On the 29th the "*Victor*" sailed with the 2 men on board.

I beg leave to enclose a translation of the letter, which the Spanish Commissioners addressed, on this subject, to the Captain-General.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 94.

W. S. Macleay, Esq. to the Captain-General.

Havana, June 23, 1830.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to acquaint his Excellency the Captain-General, that His Majesty's sloop "*Victor*," commanded by Captain Keane, has arrived in this port with the Spanish brigantine schooner "*Emilio*," alias "*Cesar*," which was captured off Punta Escondida, on the south coast of this island, on the 11th instant, with a cargo of 192 negroes, and having a crew of 20 men, including the Master, Don Fernando Lescaya.

The Undersigned is sorry to say, that since the period of detention, 1 of the crew has died and 2 of the negroes.

The Undersigned, in consequence of orders from His Majesty's Government, is obliged to instruct Captain Keane to detain 2 of the men, viz. Robert King and William Murray, as British subjects, (the first of whom invalidated from His Majesty's frigate "*Blanche*," in 1825 or 1826,) and to place them at the disposal of His Majesty's Government.

The Undersigned, in placing the rest of the crew and the negroes at his Excellency's disposal, to abide the sentence of the Mixed Commission, requests that such of the former may be forthcoming, as may be required to give their evidence before the Commissioners.

The Undersigned has the honour, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Second Enclosure in No. 94.

(Translation.)

The Spanish Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, June 26, 1830.

FROM the declaration which we have just taken, and from the other evidence produced in the case of the brigantine schooner "*Emilio*," detained by His Britannick Majesty's corvette "*Victor*," on account of having Bozal negroes on board, it appears that Captain Richard Keane intends to detain 2 individuals of the crew of the "*Emilio*," as being subjects of His Britannick Majesty. Wherefore we the Undersigned, Spanish Commissioners, cannot refrain from observing to your Excellency, that those 2 individuals ought also to be placed, until the definitive sentence shall have been issued, at the disposal of the Mixed Commission, in conformity with Article IX of the Treaty for the abolition of the slave-trade, and with Article I of the Instructions annexed to the Treaty, which authorize Spanish or English vessels-of-war to detain slave-vessels, and having detained them, to bring them for judgment before one of the Mixed Commissions, and likewise, because the abovementioned 2 individuals having been found under the Spanish flag, and being now in a Spanish port, ought to be delivered up to the Spanish Authorities, until it shall be sufficiently proved that they really are subjects of another nation.

God preserve your Excellency many years.

(Signed)

EL CONDE DE VILLANUEVA.
RAFAEL DE QUESADA.

His Excellency the Captain-General.

No. 95.

W. S. Macleay, Esq. to the Earl of Aberdeen. — (Received September 14.)

MY LORD,

Havana, July 3, 1830.

ON the 28th ultimo, the Spanish schooner "*Prueba*," D. Antonio Ferreira, Master, sailed for the Coast of Africa.

On the 16th June arrived the schooner "*Amistad Habanera*," D. Juan Bautista Arrarte, Master; on the 21st ultimo, the schooner "*Asumpcion*," Don Francisco Azpeitia, Master; and on the 25th ultimo, the schooner "*Iberia*," Don Antonio Solan, Master, and the brig "*Urraca*," D. Juan Casas, Master, all from the Coast of Africa, after having landed cargoes of slaves on the coasts. The Captain-General has returned me the usual form of answer respecting each of these 4 arrivals.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon the Earl of Aberdeen, K T.

&c.

&c.

&c.

No. 96.

W. S. Macleay, Esq. to The Earl of Aberdeen. — (Received September 14.)

MY LORD,

Havana, July 17, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, dated the 24th of April last, transmitting, for the information of His Majesty's Commissioners, and for any observations which they may have to submit thereupon to the consideration of their Government, copies of a despatch, and of its enclosures, from His Majesty's Envoy at Madrid, by which it appears, that the Spanish Government has refused to accede to the conclusion of an Article, declaring ships, obviously fitted up for the slave-trade, to be thereby subject to condemnation, but, at the same time, has issued a Royal Order, enjoining a rigorous observation in future, of the stipulations of the Treaty of 1817, to the Captains-General of Cuba and Puerto Rico. The above refusal of the Spanish Government I learn with extreme regret, because, while it is particularly painful to be obliged to submit any observations to your Lordship's consideration, that would imply doubts to exist in my mind as to the sincerity of Spain in issuing the new order, I cannot blind myself to obvious facts. By this decree the Treaty is once again directed to be scrupulously observed, but without the least enquiry into the cause of the Spanish laws, on the same subject, having been so long inefficacious, or the least censure on those, whose duty it was to have carried them into effect. I cannot, therefore, but agree with His Majesty's Envoy at Madrid, in entertaining doubts of the efficacy of any such Royal Order, after what has notoriously taken place under decrees of nearly the same tenour. Indeed, I conceive myself justified in even going farther, and in stating, that its inefficacy is demonstrated by the following simple facts. This Royal Order was issued on the 4th March last. Another Royal Order, dated the 8th of the same month, was published here in the "*Diario*," on the 15th May, so that we may fairly presume the preceding Royal Order, to have been in the hands of the Havana Authorities about the same time. Now, since the 15th May last, 8 vessels, as will appear by the enclosed list, have entered the Port of the Havana, after landing their cargoes of slaves, and what is still more distressing, 6 have sailed for the Coast of Africa, 3 of them publicly, and 1 (an American brig) cleared out so lately as yesterday. Whatever objections Spain may entertain to exposing her sailors, implicated in this traffick, to the penalties of piracy, whatever arguments she may have discovered, to support her refusal to subject vessels fitted up for the slave-trade to condemnation, I must confess, if she be sincere in her declared wish to repress this nefarious species of commerce, that it is impossible for me to understand, how she should still permit vessels, notoriously fitted up for the slave-trade, to sail publicly for the Coast of Africa, from the Havana, with Government Passports, and often under convoy. Nay this is, if possible, still more inconceivable, when we may, in fairness, conclude, that the Captain-General ought, long since, to have furnished his Government, with those lists of vessels cleared out for the Coast of Africa, which were required of him by the Royal Order of 30th June 1828.

I have already had the honour of observing, that the present Royal Order, so far from laying down any new regulation for the repression of the traffick, does not even take the least notice of the necessity of more exactly exe-

cutting the Cedula of December, 1817, and the Royal Order of 2d January, 1826, and merely confines itself to requiring a punctual observance of the Treaty, without specifying in what particular respect this has been already infringed. It may be necessary to state to your Lordship, that here is an erroneous idea too prevalent in the Havana, that the stipulations of the Treaty are complied with, when the Mixed Commission is allowed the full exercise of its duties, with regard to vessels captured by His Majesty's cruizers; and my experience of the Spanish mode of interpreting Royal Orders, serves to convince me, that the above omission of any mention of the former Spanish laws on the subject of the slave-trade, would render this Royal Order a nullity, even if it ever came into the hands of the Captain-General. The truth is, that those Spanish laws were made to give full effect to the Treaty, and it is of the direct or indirect breach of those laws that His Majesty's Government have most to complain. I must, therefore, declare, that, instead of this new Royal Order being, as Mr. Salmon declares, *energetic*, it is, in my humble opinion, even more feeble than the many preceding ones on the same subject. Nearly 12 years have been allowed to elapse, in open contempt of the King's Orders, and still blame is attached no where; decree after decree has been made, and eluded, and at this very late period, the Treaty is merely directed to be observed, while not the slightest precaution is taken to amend the notorious inefficiency of the present state of the Spanish law. When I venture to make use of the words "notorious inefficiency," I mean, in the eyes of the Havana Authorities, for I am bound to believe, that the Spanish Tribunals really deem these laws to be faulty, or they would never have allowed *every* vessel, denounced to them by His Majesty's Commissioners, to have escaped punishment.

But there is still another remark, which it is my duty here to make humbly to your Lordship. The Royal Orders of 30th June, 1828, and of 4th March, 1830, the 2 latest on the slave-trade, have never yet been published in the Havana. Why should these decrees alone not be promulgated? They not only have never appeared in the "Diario," as I cannot but think they would have done, had they related to any other subject, but I have never heard their existence mentioned in any society. They might as well, therefore, as far as the Havana is concerned, have never been issued. The first of them involved a strong censure of an Auditor-of-War, and therefore reasons may be imagined for its having been suppressed from the knowledge of the publick, but this last Royal Order is liable to no such objection, and merely requires a scrupulous observance of the Treaty. Now, I will venture to express my firm conviction, that no Royal Order on the subject of the slave-trade, supposing it to have been received from Madrid, can ever have any the slightest efficacy in the Havana, unless it be made publickly known in the official organ of the Local Government. Certain laws have been, for years, hitherto eluded, or at least not carried into execution, surely then, it is necessary, and barely just, to inform the publick, that these laws are henceforward to be rigorously executed, if such be really the intention. It appears even more necessary, when we reflect that the slave-traders, as I have before had the honour of stating to your Lordship, imagine themselves to be protected by their Government.

I have mentioned above, that 6 vessels have sailed from this port for Africa, since the 15th of May last, and it may possibly be urged that, compared with the 2 preceding years, this is a very small number, and argues some disposition in the Local Authorities to repress the traffick. But the law is as clearly made useless, if one publick departure for the African Coast be allowed as if 20 licences were given, and I am sorry to state, that the diminution of the number of departures this year is to be attributed, not in any degree to preventive measures, on the part of the Spanish Government, but solely to the present very distressed state of colonial agriculture, and to the heavy losses which some of the slave-traders have experienced by captures.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 96.

List of 8 Slave-vessels arrived in the Havana from the Coast of Africa since the 15th of May 1830.

Date.	Class.	Name.	Observations.
4th June	Brig	Andromaca	
16th —	Schooner	Amistad Habanera.	
21st —	Ditto	Asumpcion	
25th —	Ditto	Iberia	
25th —	Brig	Urraca	{ Landed her slaves at Trinidad, on the South coast.
3d July	Schooner	Indagadora	
4th —	Brig	Negrita	{ Reported from the Cape de Verds, but in reality a slave-vessel.
16th —	Schooner	Barbarita	

List of 6 Slave-vessels sailed from the Havana, for Africa since the 15th May 1830.

Date.	Class.	Name.	Observations.
21st May	Brig	Almirante	{ Cleared out for Bahia in Brazil.
27th —	Schooner	Manuelita	
8th June	Ditto	Pantica	
28th —	Ditto	Prueba	
14th July	Brig	Dos Amigos	Cleared for St. Thomas.
16th —	Ditto	Lyon	{ Dispatched to the Coast of Africa, it is said, in order to give aid to blockaded slave-vessels.

Havana, July 17, 1830.

No. 97.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 19, 1830.

ON the 3d instant, arrived in this port, after landing a cargo of slaves, the schooner "*Indagadora*," D. Juan Jozé Rodriguez, Master. I reported her to the Captain-General immediately on her arrival, but his Excellency has returned me the usual form of answer.

On the 4th instant arrived the brig "*Negrito*," D. Antonio Malbar, Master; and on the 9th, the brig "*Servando*," alias "*Gallo*," D. Francisco Saenz, Master. Neither of these vessels were reported to the Captain-General, because, the first having entered as from the Cape de Verde Islands, and not having been fitted out from the Havana, I did not learn that she had landed slaves on the coast, until some days after her arrival in port, and when it was too late to expect any investigation. The "*Servando*" was not denounced, because, although a noted slave-trader, she left the Coast of Africa without slaves, the Master's story being, that, after he had waited for many

weeks at the place to which he was dispatched, the natives, owing to some quarrel, rose and massacred the whole of the factory, obliging this slave-vessel to return without a cargo.

On the 10th instant, sailed for the Island of St. Thomas, the Spanish schooner "*Dos Amigos*," D. Jozé Ramon Mujica, Master; and on the 16th instant, the American brig "*Lyon*," J. Mackenzie, Master, cleared out for the Coast of Africa. I beg to call your Lordship's attention to this last vessel, which has been publickly cleared out for the Coast of Africa, by Messrs. Zangroniz and Co. of this City.

I have, &c.
(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

P. S.—27th July, 1830.—I beg leave to state to your Lordship, that I am told the brig "*Lyon*" did not finally sail until to-day, and that she was cleared out as a Spanish vessel.

(Signed) W. S. M·L.

No. 98.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 31, 1830.

I AM sorry to have to state to your Lordship further proofs of the inefficiency of the late Royal Order.

On the 16th of July arrived, after landing a cargo of slaves, the "*Barbarita*," Don Gaspar Prats, Master; and I have had the usual form of answer respecting her from the Captain-General.

On the 19th instant, the Spanish brig "*Andromaca*," Don Ramon Gonzalez, sailed for the Coast of Africa; and on the 25th, no less than 3 vessels, viz. the brigs "*Urraca*" and "*Joven Maria*," commanded respectively by Domingo Antonio de Castro, and Antonio Gonzalez Carabajal, with the notorious schooner "*Amistad Habanera*," Don Juan Bautista Arrarte, Master.

This day also has sailed the schooner "*Indagadora*," Don Angel Ximenes, for the same destination.

I have, &c.
(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 99.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 27.)

MY LORD,

Havana, August 20, 1830.

ON receiving the letter, a copy of which I have the honour to enclose, from His Majesty's Consul at New Orleans, I addressed a copy of it to his Excellency the Captain-General. The schooner "*Phoenix*," therein stated to have been captured by the United States schooner "*Grampus*," sailed, as I had the honour of reporting to your Lordship at the time, from this port for the Coast of Africa, on the 1st of April of last year. There is some reason to believe, however, that she has been engaged in piracy since that period, and that the slaves she had on board at the time of capture were taken from some other slave-vessel.

I beg leave to enclose a copy of my note to the Captain-General, and a translation of his Excellency's answer.

I have, &c.
(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 99.

His Majesty's Consul at New Orleans to W. S. Macleay, Esq.

SIRS,

British Consulate, New Orleans, July 23, 1830.

A FEW days since, the "Grampus," United States schooner, brought in the Spanish schooner "Phoenix," of Havana, having detained her off Haiti on suspicion of piracy; the crew were brought up 2 days since before the United States Court, when no evidence appearing against them, they were discharged. The schooner is in the hands of the Marshal, and awaits the instructions from Washington as to her cargo, which consists of 74 Africans.

The "Phoenix" of Havana was formerly the "Trimmer" of New Orleans, about 70 tons burthen, had on board about 90 slaves, of whom 74 are now living.

I am, &c.

The British Commissioners.

(Signed)

GEORGE SALKELD, Consul.

Second Enclosure in No. 99.

*W. S. Macleay, Esq. to the Captain-General.**Havana, August 16, 1830.*

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to enclose to his Excellency the Captain-General, a copy of a letter, which he has received from His Majesty's Consul at New Orleans, dated the 23d ultimo, and which details an infraction of the Treaty for the abolition of the slave-trade, on the part of the Spanish schooner "Phoenix." As the Undersigned will have to transmit the particulars of this affair to his Government, he begs previously to lay them before his Excellency.

The Undersigned has the honour, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Third Enclosure in No. 99.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, August 19, 1830.

WITH your letter of the 16th instant, I have received a copy of the letter addressed to you by the Consul of His Britannick Majesty in New Orleans, and which relates to a breach of the Treaty for the abolition of the traffick in slaves, on the part of the Spanish schooner "Fenix," of the Havana, and I beg to inform you, in answer, that if this vessel should ever come into this port, she shall be instantly proceeded against, according to the Royal Orders which refer to such cases.

God preserve you many years.

Señor D. W. S. Macleay.

(Signed)

F. D. VIVES.

No. 100.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, October 11, 1830.

I HAVE received your several despatches, up to that of the 20th of August.

With reference to the facts and observations, contained in your despatches on the "Santiago" and "Midas," and especially with reference to the questions arising out of the circumstances of Ribet, the Master of the "Santiago" and Journée, a black sailor belonging to that vessel, both of them individuals who were suspected to be British subjects, I have to transmit to you, for your information and guidance, the accompanying copy of a letter, which has been addressed by the Secretary to His Majesty's Treasury, to one of the Under Secretaries of State for this Department, containing the opinion of the Lords of His Majesty's Treasury, upon the course to be pursued in respect to the case in question, and to other cases which may arise, involving questions similar to those which have been raised on the present occasion.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

Enclosure in No. 100.

The Hon. J. Stewart to J. Backhouse, Esq.

SIR,

Treasury Chambers, September 17, 1830.

I AM commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you, for the information of the Earl of Aberdeen, that they have had under consideration your letter of the 10th of July last, on the subject of the detention of the Spanish vessel "Santiago," on a charge of having been concerned in illegal slave-trade; and the attention of their Lordships having been directed to the question, which involves the national characters of Ribet, the Master, and Journée, a black sailor belonging to that vessel, it appears to my Lords, that the circumstances of suspicion attaching to the Master are, that he confessed, while on board His Majesty's ship "Slaney," that he was a native of Malta, and it is represented that his Italian pronunciation, and almost utter ignorance of the Spanish language, tended to confirm that confession. It however appears, by his examination on oath before the Mixed Commission Courts, that he was a native of Barcelona, and a resident of Leghorn. Under these circumstances, there being no further evidence, it seems impossible to ascertain the truth, and though it is most desirable to enforce the law against British subjects engaged in the slave-trade, yet my Lords are of opinion, that, in the present instance, there is not sufficient proof to put this individual on his trial, and, therefore, that it would not be advisable to give any directions with regard to this person.

With regard to the national character of Alexander Journée, the other individual who was sent to Havana, the suspicion which attaches to his being a British subject, appears to be somewhat stronger. The facts stated certainly raise a strong suspicion, but do not, in the opinion of my Lords, amount to that degree of proof, which would be deemed requisite to ensure a successful result to a prosecution, and considering the expense incidental to bringing this person to trial, and the improbability of obtaining evidence to prosecute to a conviction, my Lords do not consider it to be necessary to give any directions with respect to this person also.

My Lords observe, that the Commissary Judge, in his letter of 7th May, requests to be furnished with directions on the following points, viz:

1st.—Whether a frank confession, made to the Mixed Commission by any British sailor who may be taken in a Spanish slave-vessel, and which tends to her condemnation, gives him a claim to favourable consideration on the part of His Majesty's Commissioners.

2d.—Whether His Majesty's Commissioners, or Naval Officers, are justified in refusing to deliver up to the Local Government, a person whom they may believe to be a British subject, and whom they may know to have been captured on board a Spanish slave-vessel.

3d.—As to the particular test, by which His Majesty's Commissioners ought to determine a man to be a British subject, who declares a false name and birth-place, or makes a false entry in the muster-roll of a slave-vessel, a plan without doubt which all Englishmen engaged in this nefarious traffick, will adopt, as soon as the affair of the "Midas" shall be made more publick. My Lords are of opinion, that it is impossible to give any conclusive answers to these questions, or to furnish the Commissary Judge with any precise and definite instructions on this subject. In the present state of the law, in order to convict any person engaged in the slave-trade, out of His Majesty's dominions, it is necessary to establish, by evidence, that the individual prosecuted is a British subject; it very frequently happens, perhaps in a majority of cases, that national character is most difficult of proof, and it is certainly impossible to foretell what specific proof will be requisite in any particular case, to ensure a conviction. The admission of the individual, that he is a British subject, and the making of false entries, are circumstances only, which, in conjunction with other facts, may make such a case, or would induce a jury to find that the person prosecuted was a British subject, and consequently guilty of the offence charged. It appears to my Lords, that the only directions which can be given to any British Authorities, likely to meet with cases of this kind, are, that they should, in every case where a person found engaged in the slave-trade, is suspected of being a British subject, exercise their best judgment and discretion in determining whether there is sufficient *prima facie* evidence to prove that the individual is a British subject. If the circumstances warrant an affirmative conclusion, my Lords conceive that the offender should be detained, and sent by the first opportunity to the most convenient part of the British dominions, with a full statement of all the facts, and the evidence which can be adduced, that His Majesty's Law Advisers may then determine whether a prosecution should be commenced or not. My Lords are well aware, that in this, or in any other course, there may be many difficulties, but they are decidedly of opinion, that some measures should be adopted to prevent, on the one hand, the mischief of ineffectual prosecutions, and on the other, the very serious evil of the offence becoming more frequent by impunity.

J. Backhouse, Esq.
&c. &c. &c.

I am, &c.

(Signed)

J. STEWART.

No. 101.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received November 10.)

MY LORD,

Havana, September 13, 1830.

I AM honoured by the receipt of your Lordship's despatch, dated 28th June last, transmitting, for the information of His Majesty's Commissioners, a copy of a letter, dated 13th May, 1830, and addressed by the Secretary of

the Admiralty, to Mr. Backhouse, on the subject of the 5 men captured on board the "*Midas*," together with its enclosure, being a copy of the Report of the Solicitor of the Admiralty on the same subject.

I observe the opinion of the latter gentleman to be, that the muster-roll of the "*Midas*" cannot be made legal evidence, to shew of what countries the 5 men in question are natives, without additional proof, that the entries relating to those individuals were made with their privity, or from representations they had given of themselves, I confess my inability to meet this objection, as it is not to be supposed that any person in the Havana will come forward to give evidence against persons concerned in the slave-trade. But although I have ever suspected the existence of the difficulty now brought forward by the Solicitor of the Admiralty, I thought it my duty, in a case of such urgent importance, to forward to England the best evidence in my power, which was a certified copy of the muster-roll.

I have every reason to believe, from Lieutenant Sherer's communications to me, that these men, or at least a part of them, did admit to that gentleman, that they were British subjects; but of course this fact can be best established in England, where Lieutenant Sherer now is.

In consequence of the difficulties which occurred in bringing these 5 prisoners to trial at Jamaica, and at St. Christopher's, they were brought back to this port in the month of April last, being then on their way to England, on board His Majesty's ship "*Barham*," bearing the flag of the Vice-Admiral, the Hon. C. E. Fleeming. I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 102.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received November 10.)

MY LORD,

Havana, September 18, 1830.

I HAVE the honour to inform your Lordship, that, on the 31st July last, the Spanish schooner "*Indagadora*," D. Angel Ximenes, sailed from this port, to the Coast of Africa.

I have also to state, that the Spanish schooner "*Ligera*," alias "*Intrepida*," arrived in the Havana on the 9th instant, after having previously landed a cargo of slaves. She came into port under the command of D. J. ozé Ramon Zavala, and I have this day received from the Captain-General a communication, stating, that although nothing in her log-book has appeared to implicate her in the prohibited traffick, there have evidently occurred certain disputes on board, between the Master and his crew, that will require further investigation on the part of the Local Government.

I have &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 103.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, November 29, 1830.

WITH reference to your despatch of July 2d, respecting the British subjects found on board the Spanish vessel "*Emilio*," condemned for illegal slave-trade.

I herewith transmit to you, for your information, the copy of communi-

ications which have been received at this Office, from the Admiralty, and from His Majesty's Treasury, by which you will perceive, that the Lords of His Majesty's Treasury are of opinion, that the men in question should be delivered up to the Civil Authorities, at the nearest British colony, which may be in possession of a Commission under the Act 41 Geo. III, cap. 54, for the purpose of their being brought to trial, and that measures have been taken under their Lordships' directions, for carrying this proceeding into effect.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

First Enclosure in No. 103.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, November 5, 1830.

IN reference to your letter of the 30th of September last, and the papers that accompanied it, in which it is represented, that the 3 British subjects, Samuel Moore, Robert King, native of Dublin, and William Murray, a man of colour and native of Bermuda, were found serving on board the Spanish vessel "Emilio," alias "Cesar," captured by His Majesty's sloop "Victor," and condemned at the Havana for illegal slave-trade; I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Aberdeen, that their Lordships have given directions to Vice-Admiral Colpoys, to cause the said Robert King, and William Murray, who are stated to have been on board the "Victor," when she left the Havana, on the 29th of June, (Samuel Moore being dead), to be delivered up to the Civil Authorities, at the nearest British colony in possession of a Commission under the Act of the 46th Geo. III. c. 54, for the purpose of their being brought to trial.

I am, &c.

(Signed)

J. BARROW.

J. Backhouse, Esq.
 &c. &c. &c.

Second Enclosure in No. 103.

G. Dawson, Esq. to J. Backhouse, Esq.

SIR,

Treasury Chambers, November 18, 1830.

THE Lords Commissioners of His Majesty's Treasury having had under their consideration your letter of the 28th September last, and its enclosures, on the subject of the capture, by the Officers and crew of His Majesty's corvette "Victor," of the Spanish galliot "Emilio," for illegal traffick in slaves; I am commanded to transmit to you, for the information of Secretary the Earl of Aberdeen, the enclosed copy of my Lord's minute of the 26th ultimo, in order that the intentions of my Lords, as regards the British subjects found on board the said slave-ship, may be communicated to His Majesty's Commissioners at the Havana.

I am, &c.

(Signed)

GEO. R. DAWSON.

John Backhouse, Esq.
 &c. &c. &c.

Third Enclosure in No. 103.

Copy of Treasury Minute, dated 26th October, 1830.

(17621.)—READ report of Mr. Rothery, dated 19th instant, on a memorial from H. B. Barwis, on behalf of the Officers and Crew of His Majesty's corvette "Victor," seizers of the Spanish galliot "Emilio," otherwise "Cesar," together with a letter from Mr. Backhouse, dated 28th ultimo, with enclosures on this subject, in which Mr. Rothery submits, that the Captors are, by the Act 5 Geo. IV, c. 113, entitled to the sum of £1,920, being a bounty of £10. upon each of the slaves seized and found on board the said vessel at the time of capture, which sum is payable out of the Consolidated Fund of the United Kingdom. And with regard to the fact of British subjects having been found on board this vessel, a communication should be made to the Admiralty of the circumstances, in order that these men may be delivered up to the Civil Authorities, at the nearest British colony, which may be in possession of a Commission under the Act 46 Geo. III, cap. 54, for the purpose of their being brought to trial; and it will be advisable that the Secretary of State for Foreign Affairs should also be informed thereof, in order that the same may be communicated to His Majesty's Commissioners at the Havana.

Prepare warrant for issuing out of the Consolidated Fund, to the Commander, Officers, and Crew, of His Majesty's corvette "Victor," the sum of £1,920, being a bounty of £10. on each of the slaves seized, and found on board the said Spanish galliot "Emilio," otherwise "Cesar."

Acquaint Mr. Barwis with the above decision, for the information of the Captor, and state to him, that my Lords cannot at present give any directions regarding the proceeds of the vessel and cargo, as the account of sales has not yet been transmitted, nor the proceeds remitted to this country.

With regard to the fact of British subjects having been found on board the "Emilio," alias "Cesar," my Lords deeming it of importance that these men should be brought to trial, and it appearing that they were on board His Majesty's ship "Victor," when she left the Havana, on the 29th June, whose destination is unknown to their Lordships; desire that a letter be written to the Secretary of the Admiralty, requesting that he will move the Lords of the Admiralty to cause directions to be given for the delivery of these individuals to the Civil Authorities at the nearest British colony, which may be in possession of a Commission under the Act of the 46 Geo. III, cap. 54; and my Lords desire that a copy of Mr. Backhouse's letter of 28th September, and of Macleay's despatch of 2d July last, together with an extract of so much of Mr. Rothery's report, as relates to these British subjects, may be transmitted to the Secretary of the Admiralty, for the information of that Board, as regards the circumstances of this case.

No. 104.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, November 30, 1830.

WITH reference to your despatch of the 13th of September, on the subject of the British subjects found on board the Spanish vessel "Midas," I herewith transmit to you, for your information, the copy of a letter from the Admiralty, stating that the men in question were brought to trial at the last Admiralty Sessions, and adding, that Commissions under the 46 Geo. III, cap. 54, have been issued for the Islands of Jamaica and St. Christopher, under which offences against the slave-laws may be tried in either of those islands.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

Enclosure in No. 104.

J. Barrow, Esq. to Lord Dundas.

MY LORD,

Admiralty-Office, November 19, 1830.

HAVING laid before my Lords Commissioners of the Admiralty your Lordship's letter of the 15th instant, with its enclosure from His Majesty's Commissioners at the Havana, respecting 5 individuals, supposed to be British subjects, who were captured on board the "Midas," condemned for illegal slave-trade, by the Mixed British and Spanish Commission at the Havana; I have it in command to acquaint your Lordship, for the information of the Earl of Aberdeen, that the 5 men alluded to were brought to trial at the last Admiralty Session. 3 were convicted upon admissions made by themselves, that they were British subjects, and the 2 others, against whom no such admissions could be proved, were (in the absence of evidence that they were British subjects) acquitted.

With reference to the latter part of Mr. Macleay's letter of the 13th of September last, addressed to the Earl of Aberdeen, it is observed, that Commissions under the 46th Geo. III. cap. 54, have been issued for the Islands of Jamaica and St. Christophers, under which, by virtue of the Act 5th Geo. IV. cap. 113, sec. 48, offences against the slave-trade laws may be tried in either of those islands.

I am, &c.

Lord Dundas,
&c. &c. &c.

(Signed) JNO. BARROW.

No. 105.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received December, 16.)

MY LORD,

Havana, October 13, 1830.

TWO Spanish brigs sailed on the 1st instant from this port, for the Coast of Africa, viz.: the "Negrito," D. Jozé Azpeitia, Master, and the "Coruñes" D. Jozé Maria Pequeño, Master.

I have also the honour to inform your Lordship, that on the same day, the Spanish brig "*Vengador*," D. Agustin Capera, arrived in the harbour, after having landed on the coast about 600 slaves. The answer I have just received from the Captain-General on the subject of this brig, is exactly similar to that which his Excellency made me last year, when I denounced the same vessel for having then landed 586 slaves, as mentioned in my despatch of 3d September 1829.

I am sorry to have likewise to state, that the Spanish ship "*Montezuma*" sailed to-day for the Coast of Africa. She was formerly the notorious "*Nueva Diana*," alias "*Fama de Cadiz*," to which your Lordship's attention has been so often drawn, as well by His Majesty's Chargé d'Affaires at Madrid, as by His Majesty's Commissioners at the Havana. She mounts 24 guns, and is commanded by D. Jozé Villanova.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon the Earl of Aberdeen, K. T.
 &c. &c. &c.

No. 106.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received December 16.)

MY LORD,

Havana, November 2, 1830.

I HAVE the honour to acquaint your Lordship, that 2 Spanish schooners have lately arrived in this port from the Coast of Africa, having, previously to their coming into harbour, landed their slaves on the coast. The "*Mari-nerito*," Don Ramon Aquilleiro, Master, entered on the 19th ultimo, and the "*Segunda Gallega*," Don Santiago Manzana, Master, on the 22d ultimo. The answers I have received from the Captain-General, on the subject of these slave-schooners, are of the usual form.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

No. 107.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 23, 1830.

WITH reference to the letter, which was addressed on the 10th of May, 1830, by Mr. Macleay to Mr. Backhouse, I herewith transmit to you 3 copies of an extract from the Instructions,* which have been framed for the guidance of the Slave-trade Restriction Commissions, and of which copies are about to be distributed, under the directions of the Lords Commissioners of the Admiralty, to the Commanders of His Majesty's ships and vessels employed on the several naval stations, for the suppression of illegal slave-trade.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

* For Enclosure, see No. 15.

No. 108.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 24, 1830.

I HAVE received your despatches up to that of the 2d of November last. I herewith enclose to you, for your information, the copy of a despatch * which I have this day addressed to His Majesty's Minister at Madrid, instructing him to urge the Government of His Catholick Majesty to agree to the conclusion of an Article, similar to that which is annexed to the Treaty between Great Britain and the Netherlands, whereby vessels, which appear to be evidently fitted up for the slave-trade, are, on that account, when found in prohibited latitudes, liable to be detained and condemned under the Mixed Commissions for the restriction of illegal slave-trade.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

* See Class B.

No. 109.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 28, 1830.

WITH reference to my despatch of the 29th of November, and to prior despatches, on the subject of British subjects found on board of the "*Emilio*" slave-vessel, condemned at the Havana, I herewith send to you, for your information, the copy of a letter received at this Office from the Admiralty, reporting the disposal of William Murray and Robert Key, the 2 British subjects in question.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

Enclosure in No. 109.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, December 20, 1830.

IN reference to my letter of the 5th of last month, respecting the 2 British subjects, William Murray, and Robert King, found serving on board the Spanish vessel "*Emilio*," alias "*Cesar*," captured by His Majesty's sloop "*Victor*," and condemned at the Havana for illegal slave-trade; I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of Viscount Palmerston, that it appears by a letter from Vice-Admiral E. G. Colpoys, dated at Halifax, the 12th October last, that the former, who is a black man, and a native of Bermuda, he had ordered to be released, as it appeared he had deserted from the vessel, when he discovered she was to be engaged in illicit traffick, although he was subsequently forced on board again, but did not receive any wages, neither did his name appear in the muster-roll; and that with regard to the other man, Robert King, the Vice-Admiral had directed, that he should remain on board the "*Victor*," until her return to England.

I am, &c.

J. Backhouse, Esq.

&c. &c. &c.

(Signed)

JNO. BARROW.

RIO DE JANEIRO.

No. 110.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 23.)

MY LORD,

Rio de Janeiro, January 2, 1830.

WE have the honour to inform your Lordship, that no slave-vessel has been brought into this port, by any of His Majesty's ships, for adjudication, since our last half-yearly report.

We have, &c.
(Signed)

WM. PENNELL.
ALEX. CUNNINGHAM.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 111.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

Rio de Janeiro, February 12, 1830.

WE have the honour to acknowledge the receipt of your Lordship's despatches of the 30th of November, and 7th of December last, the former with 5 enclosures, respecting the extension of time to the 13th of March, 1830, for the sailing of Brazilian slave-ships from the Coast of Africa; and the latter, respecting the importation of negroes, under the plea of their being colonists, or servants.

We shall not fail to consider the instructions contained in these despatches, as the rule of our conduct in the cases, to which they may apply.

We have, &c.
(Signed)

WM. PENNELL.
ALEX. CUNNINGHAM.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 112.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August 31, 1830.

I HAVE caused communication to be made to the Admiralty, from time to time, of the several despatches which I have received from you, respecting the movements of vessels suspected to be intended for illegal slave-trade.

The Lords of the Admiralty have stated to me, that it is hardly possible, that information of this nature can be sent from hence to the African squadron, in time to be of any use; and their Lordships have suggested, that the Commissioners should be directed to endeavour to convey, whenever any direct opportunity may offer, such intelligence, addressed to any of His Majesty's Officers on the other side of the Atlantic.

It appears to me to be probable, that such a course would be attended with benefit to the service on which you are engaged; and I have, therefore, to direct, that you will comply with the suggestion, which has been thrown out by the Admiralty.

I am, &c.

His Majesty's Commissioners,

(Signed)

ABERDEEN.

No. 113.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Sept. 15.)

MY LORD,

Rio de Janeiro, July 7, 1830.

WE have the honour to inform your Lordship, that no slave-vessel has been brought into this port, by any of His Majesty's ships, for adjudication, since our last half yearly report.

We have, &c.

(Signed)

WM. PENNELL.

ALEX. CUNNINGHAM.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 114.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 5.)

MY LORD,

Rio de Janeiro, September 25, 1830.

WE have the honour to inform your Lordship, that the barque "*Eliza*," under Brazilian colours, with 519 slaves, and the brig "*Africano Oriental*," alias "*Felix Marianna*," under Portuguese colours, with 376 slaves, embarked in the Ports of Mosambique, arrived here on the 6th instant.

The Brazilian Government ordered the Judge of Contraband to proceed against these vessels; but the Owner of the "*Eliza*," who is also the Consignee of the "*Africano Oriental*," availed himself of the 4th Article of the Alvarà of 1818, to bring both cases before the Mixed Commission for adjudication; his petition to this purport is dated the 14th instant.

These cases do not come within the purview of the printed regulations for the guidance of the Mixed Commission, which contemplate a captor, or a prosecutor, whose duty it would be diligently to adduce evidence of illegal traffick; we are, therefore, obliged to act under circumstances requiring more than ordinary circumspection.

We enclose copy of a letter, which Mr. Acting Commissary Pennell deemed it expedient to address to His Majesty's Chargé d'Affaires, with regard to the preliminary steps taken in this business, and the progress of which will command our anxious attention, with a view to the just discharge of our official functions. We regard the conduct of this Government touching these vessels, as affording evidence of its *bond fide* intention to respect the Stipulations of the Abolition Treaty.

We have, &c.

(Signed)

WM. PENNELL.

ALEX. CUNNINGHAM.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 114.

W. Pennell, Esq. to A. Aston, Esq.

SIR,

Rio de Janeiro, September 17, 1830.

WITH reference to our conversation, respecting the cases of the 2 vessels, the "Eliza" and "Felix Marianna," seized in this harbour with slaves on board, and referred, by order of the Brazilian Government, to the Judge of Contrabands, I have the honour to inform you, that, on the 14th instant, when I attended at the Mixed Commission, I found a petition from the Owner and Consignee of the above-named vessels, addressed to the Judges thereof, praying that the cause might be tried by that tribunal, in place of its being tried by the Judge of Contraband. My Brazilian Colleague recommended, that we should address ourselves to the Government, in the first instance, with a view to its sanction and support. My opinion was, that we should accede to the petition in the usual form, grounding it on the 4th Article of the Alvarà of January 1818. My Colleague acquiesced in this opinion, and the prayer of the petition was immediately granted in the usual Brazilian form.

I shall be very desirous, before the merits of the case comes before me as Judge, to receive your opinion touching any anterior proceedings, that my position may require, with a view to their propriety and legality—an opinion which I shall always receive with the highest deference.

I have, &c.

Arthur Aston, Esq.
&c. &c. &c.

(Signed) WM. PENNELL,
Consul-General and Acting Commissary-Judge.

No 115.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 28, 1830.

I HEREWITH transmit to you, for your information, 3 copies of an extract from Instructions* prepared for the guidance of the Slave-trade Restriction Commissions, and of which Instructions copies will be distributed, under the directions of the Lords Commissioners of the Admiralty, to the Commanders of His Majesty's ships and vessels, employed on the several naval stations for the suppression of illegal slave-trade.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

* See Enclosure in No. 15.

SURINAM.

No. 116.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, June 28, 1830.

I SUBMITTED, for the opinion of His Majesty's Advocate-General, your despatch of the 20th July, 1829, relating to the refusal, which has been returned to an application, which you had made to the Local Authorities at Surinam, for information touching the state of the negroes, in respect to whom sentence of emancipation has been decreed by the Court of Mixed Commission, of which you were members; and I have to acquaint you, that the King's Advocate has given it as his opinion, that the Judges of the Mixed Commission Courts, established under the provisions of the Treaty with the Netherlands, for the abolition of the slave-trade, have not authority, as such, officially to interfere with respect to the treatment of the negroes, who, in conformity with the 6th Article of the Regulations for the establishment of those Courts, shall have been delivered over to the Government, for the purpose of being employed as free labourers.

The functions of the Commissioners are merely of a judicial nature, and naturally cease, when the sentence, decreeing the emancipation of the negroes, has been carried into effect by the delivery of them to the Government.

The question, how far the stipulations of the Treaty, by which each Government binds itself to guarantee the liberty of such portions of the individuals, as shall be respectively consigned to it are fulfilled, is, in the opinion of the King's Advocate, matter for communication and explanation between two Governments.

The King's Advocate is, therefore, of opinion, that if His Majesty's Commissioners at Surinam shall have received any information, upon which they think they can rely, that the provisions of the Treaty have not been observed, with respect to the emancipated negroes in that colony, it will be their duty to communicate it to His Majesty's Government, for the purpose of enabling them to demand the necessary explanations from the Government of the Netherlands; but that the Commissioners are not entitled to require "that the Governor-General should communicate to *them* the present numbers and conditions, and the mode of treatment adopted towards the negroes by those persons, under whose charge they are, in order that they may the transmit the same to their Government."

I have instructed His Majesty's Ambassador at the Court of the King of the Netherlands to request, from the Government of the Netherlands, the required information, and I will communicate to you the result of the enquiry.

I am, &c.

(Signed)

ABERDEEN.

His Majesty's Commissioners.

No. 117.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Sept. 13.)

MY LORD,

Surinam, July 7, 1830.

WE are happy to inform your Lordship, that the former complaints of the Commission, in regard to the absence of ships-of-war from this station, have

been attended to by the Netherlands Government at home, and that we are now never without one, and frequently with 3 men-of-war in the harbour.

We enclose, for your Lordship's perusal, a list of the ships-of-war which have arrived here, or departed hence, from the 1st of May, 1829, to the last of June of the present year, with the times of their arrival and sailing, and the period they have remained at this port.

With respect to the last point, we beg to call your Lordship's attention to a circumstance, of which we feel doubtful of our competence to take notice to the Colonial Government here. From the time of the arrival to the time of the departure of any ship-of-war, it appears a settled rule for her never to take a cruize, and there is only one instance to the contrary, since we have been in the colony, (the "Panther," Captain Buys), which took a cruize of 16 days to Cayenne last year.

This inactivity, on the part of the naval force, must give ample opportunities to the introduction of African slaves, and the escape of the vessel afterwards; and we are induced to make the above circumstances known to your Lordship, from a report that was in circulation, a short time ago, of a slave-trader being off this coast. We had not sufficient evidence of the fact, nor had we the means of procuring it, or of ascertaining if a landing actually took place, so as to enable us to make an application to the Governor; but if one of the men-of-war, then lying in the river, had been cruising off the coast, there would then have been no difficulty in arriving at the truth or falsehood of such a report.

With the exception of the above report, we feel great satisfaction in having it in our power to inform your Lordship, that it is our firm belief, that not a single instance of illicit importation of negroes has taken place, since we have been in the colony.

We have, &c.

(Signed)

J. H. LANCE.

CAMPBELL J. DALRYMPLE.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 117.

List of Dutch Ships of War which have arrived at Surinam, or departed thence, from the 1st May 1829 to the 30th June 1830.

Date.	Name of Vessel.	Name of Captain.	Time of remaining in Port.
May 2, 1829	Arrived De Valch	Capt. Van Ess	
— 14, —	Sailed De Panther	— Buys, for St. Eustatius	
June 13, —	Arrived De Panther	— Buys	
Aug. 23, —	Sailed De Valch	— Van Ess, for the Islands	16 Weeks
Sept. 29, —	Arrived De Proserpine	— Van Den Bosch	
— 27, —	Sailed De Panther	— Buys, for Cayenne	15 Weeks
Oct. 13, —	Arrived De Panther	— Buys	
— 19, —	Sailed De Proserpine	— Van Den Bosch, for St. Eustatius	5 Weeks 6 days
— 24, —	Arrived De Pallas	— Van Der Velde	
Nov. 28, —	Sailed De Pallas	— Van Der Velde, for the Islands	5 Weeks
Dec. 27, —	Arrived De Valch	— Van Ess, now in port	6 Months, 3 days
Jan. 24, 1830	Sailed De Panther	— Buys, for the Islands	13 Weeks, 2 days
— 28, —	Arrived De Courier	— Van Straten	
Feb. 13, —	Arrived De Proserpine	— Van Den Bosch	
April 12, —	Sailed De Proserpine	— Van Den Bosch, for Europe	8 Weeks, 2 days
— 13, —	Sailed De Courier	— Van Straten, for the Islands	10 Weeks, 5 days
May 22, —	Arrived De Sireine	— De Graaf, now in port	5 Weeks, 4 days
June 13, —	Arrived De Zecmecmo	— Moolenaur, now in port	2 Weeks, 3 days
— 30, —	Arrived De Panther	— Buys, now in port	

No. 118.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Nov. 26.)

MY LORD,

Surinam, Sept 14, 1830.

WE have the honour to acknowledge the receipt of your Lordship's despatch of the 28th of June, 1830, informing us of the opinion of His Majesty's Advocate-General on the subject of our despatch of last year, relating to the refusal which had been returned to an application, which we had made to the Local Authorities, for information touching the state of the negroes, on whom sentence of emancipation had been decreed by the Court of Mixed Commission in this colony.

We beg to lay before your Lordship the cause of our application to the Governor for that information.

For the last 5 or 6 years the Colonial Government has had under its charge from 800 to 1,000 negroes, part of them emancipated by a decree of the Mixed Court, and most of the remainder the result of different seizures made by the Authorities here, since the abolition of the slave-trade, which last appeared to possess an ill-defined species of freedom, and the Government itself seemed to doubt whether they were free or slaves. About 3 years ago, at the suggestion, and by the advice, we believe, of General Van den Bosch, the Commissary-General of His Majesty the King of the Netherlands, it was thought proper to take a good number of these negroes, who were then dispersed about the colony at the different military posts, performing the duties of Officers' servants, or other light work, and to transport them to a river called the Sarramacca, about 8 hours distant from the town, and there to begin and establish a large sugar plantation on the account of the Government. As the work on sugar estates is more severe than any other labour in the colony, discontent soon arose among the negroes, and, from time to time, it has been found necessary to have recourse to just the same punishments as are inflicted on slaves, to keep them in a proper state of subordination. Conceiving that the negroes, who had been emancipated by sentence of the Mixed Court, had a right to some different and better treatment than the above, we endeavoured all in our power to ascertain, if they formed part of the gang on the new sugar plantation; but, failing altogether to get any information we could rely on, we thought our best course was to address his Excellency the Governor, whose answer we transmitted to your Lordship; and it is so difficult to discover the truth of any thing here but what passes before our own eyes, that we are still unable to furnish your Lordship with any further information on the subject.

We, therefore, shall anxiously await the result of the enquiry, which, your Lordship informs us, you have instructed our Ambassador at the Court of the King of the Netherlands to make, and which your Lordship has kindly undertaken to transmit to us.

We have, &c.

(Signed) J. H. LANCE.
CAMPBELL J. DALRYMPLE.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.