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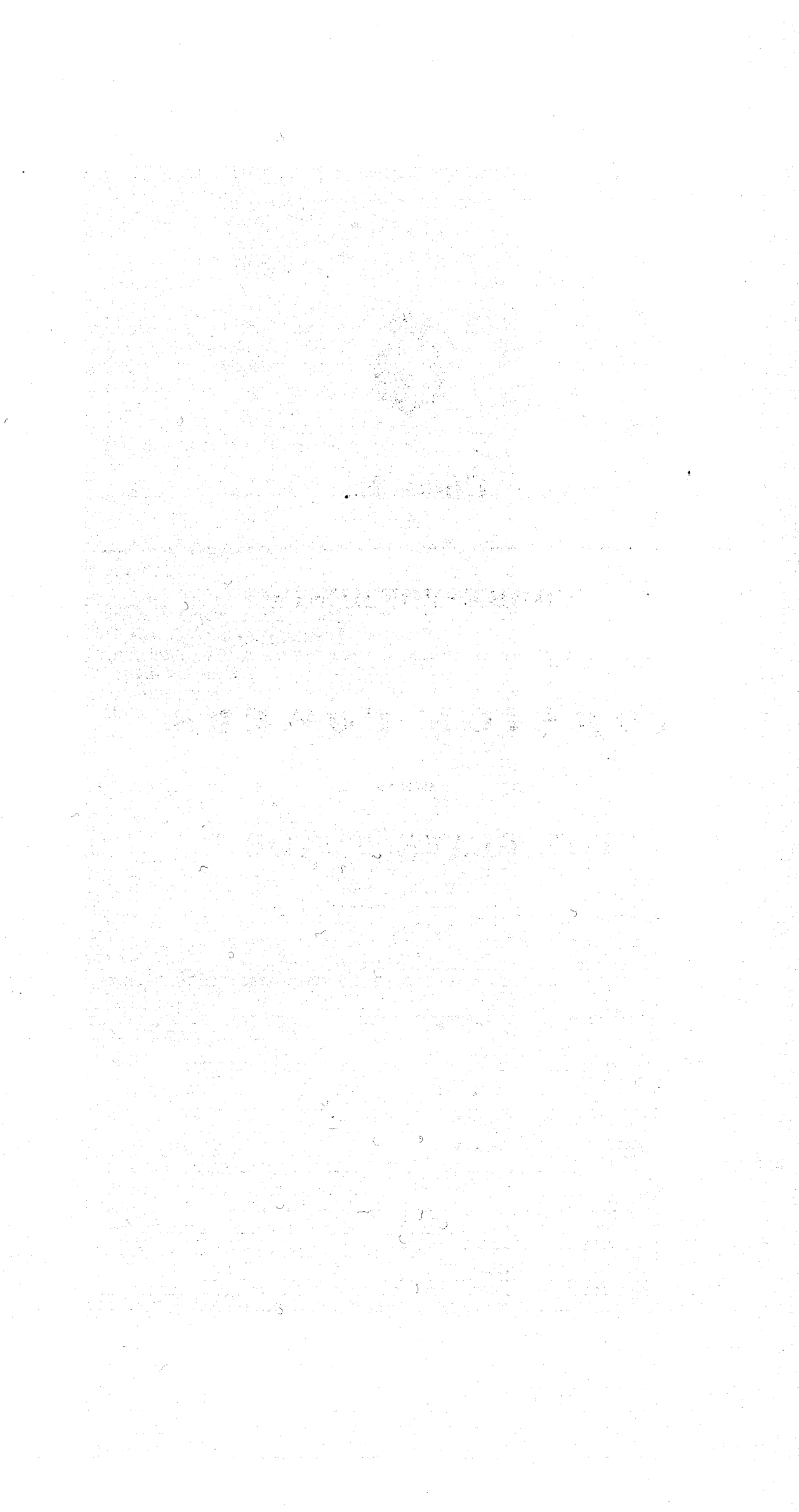
WITH

FOREIGN POWERS.

RELATING TO

THE SLAVE TRADE.

1835.



Class B.

CORRESPONDENCE

WITH

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THE SLAVE TRADE.

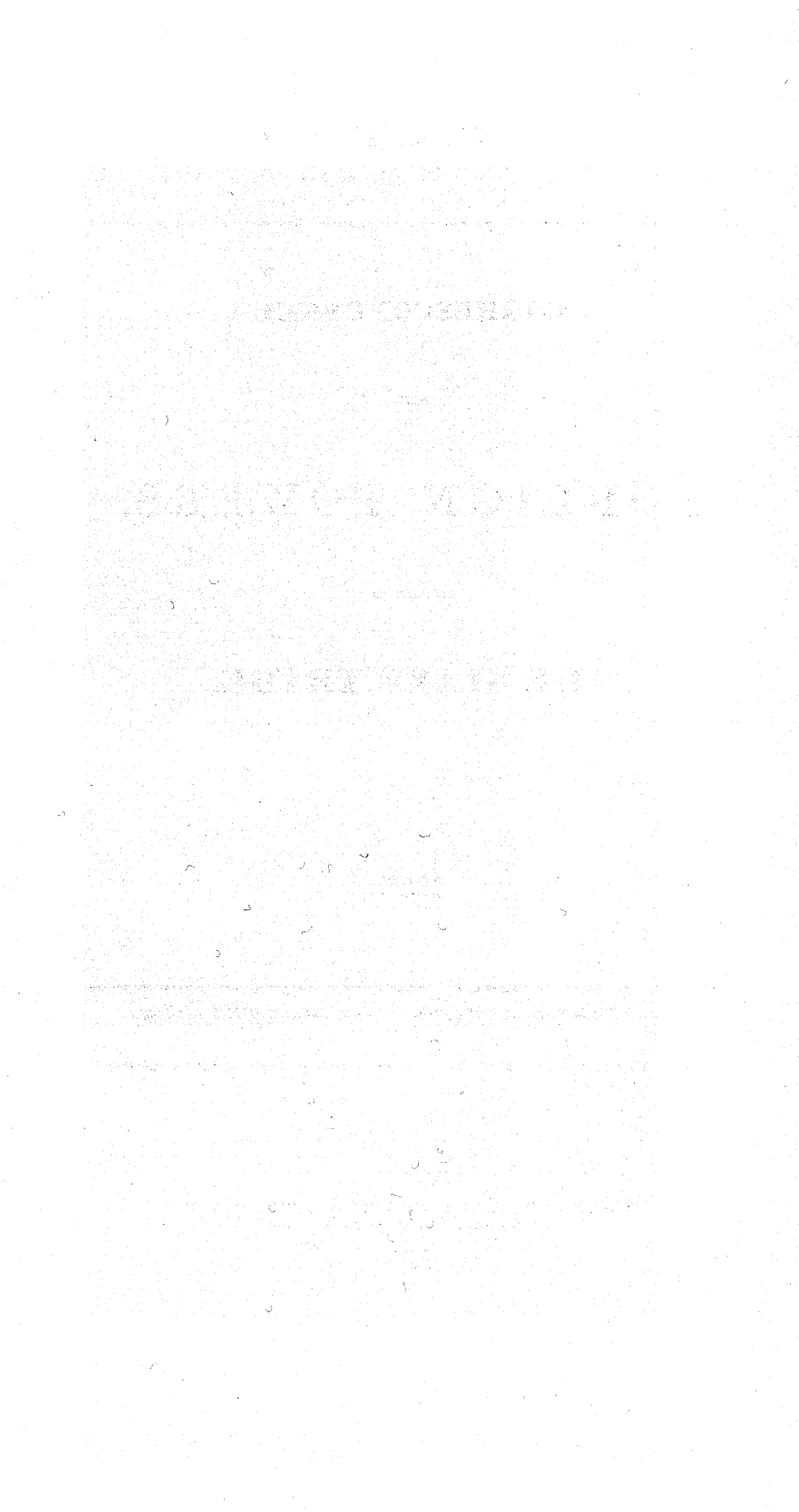
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1836.



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Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS.

SPAIN.

No. 1.

John Backhouse, Esq., to Mr. Consul Tolmé.

SIR,

Foreign Office, 17th January, 1835.

I AM directed, by His Grace the Duke of Wellington, to call your special attention to the 26th clause of your General Instructions, by which you are directed to keep a watchful eye upon all undertakings for trading in slaves within the district of your Consulate.

You will from time to time report to the Secretary of State the particulars of any such undertakings of which you may be able to obtain information, whenever they may occur, and by whomsoever they may be carried on, whether by the subjects of Spain or by those of Great Britain, or by the subjects of any other Nation, and you will add to such Reports your observations upon the manner in which these undertakings are conducted, and your opinion as to the best mode of defeating them.

You will communicate to the Commissioners at the Havana the substance of such Despatches as you may address to the Secretary of State upon this point.

Charles Tolmé, Esq., &c.
Havana.

I have, &c.
(Signed) J. BACKHOUSE.

No. 2.

(Extract.)

The Duke of Wellington to Mr. Villiers.

SIR,

Foreign Office, 27th February, 1835.

I HEREWITH send to you the Copy of a Despatch which I have received from His Majesty's Commissioners at the Havana, upon the subject of the treatment of the negroes emancipated by sentence of the Mixed Court of Commission established at that place, under the Treaty between Great Britain and Spain for the abolition of Slave Trade.

This Paper adds another proof to the many which the experience of years has given, that it is desirable that His Majesty's Government should, through the Commissioners, have some voice in the formation, and some power in watching over the fulfilment, of the conditions upon which the negroes emancipated are distributed to private individuals.

G. Villiers, Esq.
&c. &c.

I am, &c.
(Signed) WELLINGTON.

Enclosure in No. 2.

Havana Commissioners to the Duke of Wellington, 26th December, 1834.

(See Class A.)

No. 3.

The Duke of Wellington to Mr. Villiers.

SIR,

Foreign Office, 27th February, 1835.

I HEREWITH transmit to you the Copy of a Despatch, (dated the 1st of January, 1835,) which I have received from His Majesty's Commissioners at the Havana, containing a Report upon the state of the Slave Trade, in the Island of Cuba, during the year 1834. The prevalence of that trade, the impunity with which it is carried on, the absence of all real inquiry into the cases, notwithstanding continual remonstrances to the Local Authorities from His Majesty's Commissioners, notwithstanding also repetitions of remonstrances upon the same subject from His Majesty's Government to that of Spain, all conspire to denote that the Local Government of Cuba protects this detestable trade under the positive Instructions of the Spanish Government at home.

You will avail yourself of the information conveyed in these Papers, to assist your efforts to induce the Queen Regent's Government to abolish the trade; and, bearing in mind, in all your Communications on this head with the Spanish Government, that it is an object which His Majesty's Government have much at heart, you will not cease your endeavours till you shall have attained the desired result.

G. Villiers, Esq.
&c. &c.

I have, &c.
(Signed) WELLINGTON.

Enclosure in No. 3.

(See Class A.)

No. 4.

(Extract.)

The Duke of Wellington to Mr. Villiers.

SIR,

Foreign Office, 14th April, 1835.

I DEEPLY regret, for the sake of humanity, that all your able and earnest appeals to the Spanish Ministry, to vindicate the pledge given in their Treaties upon the subject of the Slave Trade, have not yet been answered on the part of the Government of the Queen Regent by a corresponding feeling.

I now forward to you the Case of the Spanish schooner, "*Indagadora*," in which Don Felipe del Campo, designated in the Ship's Papers as the Owner of the vessel, is said, by the Authorities of Cadiz, to be an "established merchant, resident in that city," and in which the Captain of the same vessel, Manuel Espinosa, has frankly declared, that he himself, with his wife and family, reside at Cadiz, that he is half-owner of the vessel and slaves; and that his object was to sell them at the Havana, for the joint benefit of himself and the other individual just mentioned. You will state the Case to the Spanish Ministry, and you will urge them to institute a trial against the offenders, bring the guilty parties to conviction, and punish them severely. I hope that your representation of a Case of this flagrant nature, in the mother-country itself, will not be fruitless. Such conduct may, at least, prevent the spreading into Spain of that wide connection with Slave Trade of which His Majesty's Government have so long had fruitlessly to complain in respect to Cuba.

G. Villiers, Esq.
&c. &c.

I have, &c.
(Signed) WELLINGTON.

Enclosure in No. 4.

Sierra Leone Commissioners to Viscount Palmerston, 28th November, 1834.

(See Class A.)

No. 5.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 28th April, 1835.

I SEND to you a Copy of a Despatch which I have received from His Majesty's Commissary Judge at the Havana, in reference to a question, whether

the presence of the Commander of a capturing ship is essentially necessary to the due adjudication of a prize, under the Treaty with Spain for the abolition of the Slave Trade. It appears to be very desirable that this question, which was discussed some years ago between the British and Spanish Commissioners at the Havana, should now be finally settled between the two Governments concerned. I send to you a Copy of the Correspondence* which passed upon the subject in the years 1827, 1828, and 1830, between His Majesty's Commissioners at the Havana and His Majesty's Government.

You will see that a difference of opinion exists on the point between the British and Spanish Commissioners, and that His Majesty's Advocate-General, having had the Case referred to him in 1828, declared it to be his opinion that the presence of the Commander of the capturing ship is not necessary, under the Treaty, for the due adjudication of the prize; although, if it should be considered essential, under the circumstances of any special Case, the Commissioners, or either of them, may, in such Case, require it.

The circumstances of the arrangement now in progress, between the two Governments of Great Britain and Spain, for the transmission of liberated negroes from the Havana to Trinidad, will naturally make the Spanish Government desirous that the final adjudication of detained Slave-Trade vessels should not be delayed, after the arrival of the vessels at the Havana, longer than the proper forms to be observed may render necessary. I trust, therefore, that the Government of Spain will acquiesce in that view of the subject, which has always appeared to His Majesty's Government to be the correct interpretation of the Treaty. You will point out to the Spanish Government that, under any other interpretation of the Treaty, the adjudication of detained vessels will, in many cases, be indefinitely deferred, without any substantial reason; and you will remark that it never could have been the intention of the High Contracting Parties to the Treaty that, in each case of capture, the Commander of the ship should be taken off his cruising-station, for an indefinite time, to attend at the port of adjudication.

You will consequently express the hope of His Majesty's Government, that the Spanish Minister will authorise you to state that Instructions will be sent out, without further delay, to the Spanish Commissioners at the Havana, not to insist on the presence of a Captor at the adjudication of a prize, unless in those special cases where the defective state of the evidence may appear imperatively to require it, for the furtherance of the ends of justice, in which cases it will still be desirable that the right of requiring the presence of the Captor should be retained by the Commissioners, collectively and individually.

G. Villiers, Esq.
&c. &c.

I have, &c.
(Signed) PALMERSTON.

* See Printed Papers Class A. 1827, 1828, and 1830.

Enclosure in No. 5.

Havana Commissioner to Viscount Palmerston, 23d February, 1835.

(See Class A.)

No. 6.

General Alava to Viscount Palmerston.

(Translation.)

54, Harley Street, 1st May, 1835.

His Excellency the Minister for Foreign Affairs of Her Catholic Majesty communicates to the Undersigned, under date of the 14th ultimo, that the Spanish ship, "*Cazador*," coming from Cadiz, had been detained at Gibraltar, being suspected of intending to engage in the prohibited Slave Trade; and at the same time instructs the Undersigned to request His Britannic Majesty's Government to be pleased to instruct the Governor of that fortress to permit that vessel to return either to Cadiz, whence she had sailed, or to any other port of the Peninsula, under the firm persuasion that the Government of Her Catholic Majesty will take the most efficacious precautions for preventing and punishing any transgression of the laws that may appear, as well as for impeding a recurrence, or visiting him who should be guilty of it with the severest penalty.

The Undersigned, in conformity with orders from his Government, has the honour to address himself to his Excellency, Viscount Palmerston, hoping that his

Excellency will be pleased to issue the necessary Instructions to the Governor of Gibraltar to release the said vessel, so that she may return to Cadiz or any other Spanish port; when Her Catholic Majesty will direct the proper measures to be taken for preventing any ulterior attempt on the part of the said vessel to carry on the hateful Slave Trade, and for punishing her Master and crew according to the laws, and with all the rigour of them, if he should have transgressed them. The Treaties now subsisting between Spain and England do not authorise the said ship to be declared a good prize, except before the Mixed Commission, created in virtue of those Treaties; and the good faith and solicitude, with which Her Catholic Majesty endeavours to have the stipulations in force between the two Powers scrupulously observed, hold out the safe guarantee that the crime of the Master of the "*Cazador*" will not go unpunished, if it should turn out to have actually been committed.

For these reasons the Undersigned flatters himself, that the Government of His Britannic Majesty will comply with a request which is so just, the rather as Her Catholic Majesty's Government is at this very moment diligently employed, in definitively arranging with the English Minister in Madrid the new Treaty for carrying completely into effect the abolition of a traffic alike abhorred and reprobated by both Sovereigns and Governments.

The Undersigned avails himself, &c.
(Signed) MIGUEL RICARDO DE ALAVA.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

No. 7.

Mr. Brackenbury to Mr. Bidwell.

DEAR SIR,

Foreign Office, 6th May, 1835.

I BEG to enclose an Extract of a Letter that I have received from my son the Pro-Consul at Cadiz, containing some facts which it may be important that His Majesty's Government should possess, on the subject of the seizure and detention at Gibraltar of the Spanish slave-ship, "*El Cazador*."

Ever, &c.
(Signed) J. M. BRACKENBURY.

John Bidwell, Esq.
Superintendent of the Consular Service.

Enclosure in No. 7.

Extract of a Letter from J. M. Brackenbury, Jun., His Majesty's Pro-Consul at Cadiz, dated April 20th, 1835.

You will not be sorry to learn that Sir William Houstoun has seized and detained the Spanish brig, "*Cazador*," M. Piero, Master, who sailed from this on the 23d ultimo, nominally for St. Thomas and the Havana, touching at Gibraltar to complete her cargo. This vessel belongs, like many others employed in a similar traffic, to Pedro Martinez and to Pedro Felipe del Campo, both of this city.

She had eleven guns on board (though she had permission to carry only eight) and sixty men. She was consigned at Gibraltar to Mr. William Sherwill. Lieutenant Campbell, R.N., in the absence of Captain Sherriff (who had been at Malta for the last month), went on board under some pretext, and finding the vessel fitted out for a slave-expedition, reported the circumstance to the Lieutenant-Governor, Sir William Houstoun, who instantly seized her; neither Captain Hacket, of the "*Jaseur*," nor Lieutenant Campbell, daring to take the responsibility on themselves.

It is said that as many as six hundred barrels of gunpowder have been since landed from her, and deposited in the Government Stores, and that hand-cuffs, manacles, &c. &c., for men, women, and children, were found in abundance, ready for use.

The circumstance of the seizure will be sent home by the "*African*," so that if you like to interest yourself about it, you can tell your friends at the Foreign Office, at the Admiralty, and at the Colonial Office, that the Owners of the "*Cazador*" now are, and have been for many years past, engaged most deeply in the Slave Trade; that they owned this very vessel, and employed her in the Slave Trade under the Spanish flag, first calling her "*Pedro*;" that she was captured with slaves on board by one of our cruisers, was sold and condemned as a prize; that her former Owners re-purchased her when she thus became a British vessel, and was called the "*Duke of Wellington*," burthen 357 tons; that she arrived here on the 22d August, 1833, commanded by Mr. John White, accredited agent of Mr. Arthur Anderson, of Lime Street, London, with a Licence, No. 63,361, granted by the Commissioners of His Majesty's Customs, on the 24th July, 1833, signed by H. Legge and G. R. T. Villiers, and was regularly transferred by the said Agent to her present Owners; that they forthwith fitted her out again, under the Spanish flag, and sailed her from hence on the 12th November, 1833, under a

third name, "*El Cazador*," direct from this Port for the Coast of Guinea, where she took a very valuable cargo of slaves, which were safely landed at the Island of Cuba, and which were most profitably sold in the Havana.

Thus has this brig been the property of the present Owners, under the names of "*Pedro*," "*Duke of Wellington*," and "*El Cazador*." These facts may be of importance to the Government, and may lead to the condemnation of her a second time.

Pedro Felipe del Campo is ostensibly the sole Owner, but it is perfectly known here, that he is the agent of Pedro Martinez, the wealthy Spaniard of this city, who has made all his money in the Slave Trade. I am rejoiced at this seizure; because I hope it will put a stop to vessels in that traffic touching at Gibraltar to complete their outfit.

No. 8.

Viscount Palmerston to General Alava.

Foreign Office, 8th May, 1835.

THE Undersigned has had the honour to receive the Note which was addressed to him on the 4th instant, by General Alava, &c., stating that the Spanish vessel, "*Cazador*," had been detained at Gibraltar, on suspicion of being intended for the illegal traffic in slaves; and requesting that she may be permitted to return to Cadiz, or to some other port in the Peninsula, under the assurance that the Spanish Government will take effectual measures for preventing and punishing any violation of the laws in this Case.

The Undersigned has lost no time in causing the necessary inquiry to be made into the circumstances of this Case, the result of which he will have the honour of communicating to General Alava with the least possible delay.

General Alava,
&c. &c.

The Undersigned &c.
 (Signed) PALMERSTON.

No. 9.

Mr. Villiers to the Duke of Wellington.—(Received May 11.)

MY LORD DUKE,

Madrid, 2d May, 1835.

I HAVE the honour to inform your Grace, that on the 30th ultimo I received a Despatch from Sir William Houstoun, transmitting to me Copies of his Despatch, dated 19th April, to Lord Aberdeen, together with its Enclosures, respecting the detention of the Spanish brig, "*El Cazador*," and reporting to me the steps which had been taken upon the subject by the Legal Authorities of Gibraltar.

I lost no time in communicating the matter to M. Martinez de la Rosa; and I yesterday addressed a Despatch to Sir W. Houstoun, of which I have the honour to enclose the Copy to your Grace.

I have, &c.
 (Signed) GEORGE VILLIERS.

His Grace the Duke of Wellington, K. G.
&c. &c. &c.

Enclosure in No. 9.

Mr. Villiers to Sir William Houstoun.

SIR,

Madrid, 1st May, 1835.

I HAVE had the honour to receive your Excellency's Despatch, dated 23d ultimo, together with its Enclosures.

I lost no time in communicating to M. de la Rosa the whole of the circumstances connected with the seizure and detention of the Spanish brig, "*El Cazador*," taking care to draw His Excellency's attention to the respect which had been shown to the Spanish flag, and to the precautions used by your Excellency in the execution of your important and indispensable duty.

M. de la Rosa appeared much surprised by my communication, and said he had received no other information upon the subject than that grounds for suspicion existed against "*El Cazador*." He could not, however, deny that these suspicions were converted into proofs by the information I had given him, and that the parties had undoubtedly rendered themselves liable to punishment.

His Excellency asked if any legal process had been instituted against them. I replied, that I was not aware that the trial had actually commenced; but that the Captain and crew had been arrested in the

territory of Great Britain, while offending against the British laws, for which they would unquestionably be tried, and afterwards punished, if found guilty by the competent authority.

I have, &c.

(Signed) GEORGE VILLIERS.

Sir William Houston, G. C. B.
 &c. &c. &c.

No. 10.

Mr. Villiers to Viscount Palmerston.—(Received May 21.)

MY LORD,

Madrid, 12th May, 1835.

I HAVE the honour to enclose the Copy of a Note which I have addressed M. Martinez de la Rosa, in pursuance of the instructions contained in the Duke of Wellington's Despatch, marked Slave Trade, of the 14th of April.

I avail myself of this opportunity to draw your Lordship's attention to the fact, that certain British subjects appear to be actively engaged in the Slave Trade. Both the "*Indagadora*" and the "*Cazador*" (lately seized at Gibraltar) were vessels previously condemned and sold by the Mixed Courts of Justice, and afterwards disposed of by Mr. Arthur Anderson, of Lime-street, London, to Don Pedro Felipe del Campo of Cadiz; and in both cases a Mr. W. Sherwill, at Gibraltar, appears to have shipped the goods, which he must have well known were intended for the purchase of slaves.

I have, &c.

(Signed) GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G. C. B.
 &c. &c. &c.

Enclosure in No. 10.

Mr. Villiers to M. Martinez de la Rosa.

SIR,

Madrid, 6th May, 1835.

I AM instructed by my Government to inform your Excellency of the condemnation of the Spanish brig, "*Indagadora*," by the Mixed Courts of Justice at Sierra Leone.

This vessel was captured by His Majesty's brigantine, the "*Griffon*," on the 31st October last, on the Coast of Africa, bound to the Havana, and had on board three hundred and seventy-five slaves.

The "*Indagadora*" was commanded and manned by Spanish subjects, whereof the Captain, Manuel Espinosa, has judicially declared, that he resides with his wife and family at Cadiz, where the vessel was fitted out; and that he was half-owner of the ship, and of the cargo of slaves who were found on board; and that his object was to sell that cargo at the Havana, for the joint benefit of himself and the other half-owner, Don Pedro Felipe Campo, a Spanish merchant established at Cadiz.

By the Ship's Papers, however, it would appear that Don Pedro Felipe Campo, of Cadiz, is sole Owner of the vessel, and that the cargo of slaves was purchased by goods shipped on board the "*Indagadora*" at Cadiz on his account; and I beg here particularly to draw the attention of your Excellency to the fact, that this Don Pedro F. Campo is the same merchant to whom belongs the slave-ship, "*Cazador*," lately seized in the Port of Gibraltar.

The laws of Spain, founded upon the Treaty of 1817, for the abolition of the traffic in slaves, as promulgated in the Royal Cedula of December in the same year, and as repeatedly confirmed by subsequent Royal Orders, denounce the severest penalties against all Spanish subjects, whether in the Peninsula or elsewhere, who shall be found engaged, or anywise concerned in the inhuman traffic. In conformity, therefore, with these laws, and in the spirit of the Treaty by which the two countries are solemnly pledged to each other, it is my imperative duty to call upon your Excellency to take measures for bringing those individuals, who appear to have been concerned in this disgraceful Case, and who are, at this moment, within the jurisdiction of the Spanish Courts, to an immediate trial, that in case of conviction they may be severely punished, as a warning and example to many others, who are, it is much to be feared, guilty of similar transgressions.

There is another circumstance which is likewise especially worthy of your Excellency's notice—that the "*Indagadora*" is a vessel which has already been condemned before the Mixed Courts at Sierra Leone under another name, but, being well adapted for carrying on this traffic, was bought up with that object, and has once more fallen into the hands of justice, again probably to be sold and rebought, and run the same course, if measures are not previously taken for rendering it impossible that captured vessels should be re-employed in similar pursuits.

I have, &c.

(Signed) GEORGE VILLIERS.

His Excellency Don Francisco Martinez de la Rosa,
 &c. &c. &c.

No. 11.

*Viscount Palmerston to Mr. Villiers.**Foreign Office, 22d May, 1835.*

SIR,

I THINK it right to acquaint you, for your information, that an arrangement has already taken effect at Cuba, by which negroes liberated under the Mixed Commission at the Havana are, after adjudication, transferred from thence to Trinidad.

Under this arrangement the expense of transshipping those negroes is paid by Spain: this expense includes the cost of the passage of the negroes; of some clothing which is given to them, under the arrangement made; and of their food and medicine, from the time of adjudication up to the time of their delivery to the British Authorities at Trinidad.

The detailed terms of this arrangement are scattered through a long Correspondence, but they have been embodied in one Despatch addressed to Mr. Fox, His Majesty's Envoy at Rio de Janeiro, who has been instructed to make an arrangement on a similar principle with the Government of Brazil, and I enclose to you a Copy of this Despatch*, as best adapted to give to you information on the subject.

His Majesty's Government have deemed it right, that the negroes, previously to shipment, should be inspected by a medical and by a civil Functionary, under the British Commissioners, and it is not yet decided whether the expense under these two points shall be borne wholly by the Spanish, or in equal shares by that and by the British Government.

I enclose to you the Copy of the Instruction † which was recently issued upon this point to His Majesty's Commissioners at the Havana: a similar Instruction upon these points was also addressed to His Majesty's Commissioners at Rio de Janeiro, and formed an Enclosure in that Despatch to His Majesty's Envoy in Brazil, of which you are herewith furnished with a Copy.

An application has been received from Honduras by His Majesty's Government, praying that an arrangement upon the plan already adopted as to Trinidad may be extended to Honduras, with the view of giving to that Colony also the benefit of the labour of negroes liberated at the Havana.

His Majesty's Commissioners at the Havana have been instructed to entertain favourably this proposition.

I transmit herewith to you, for your information, the Copy of the application ‡ from Honduras, and the Copy of the Instruction § which was sent with it to His Majesty's Commissioners at the Havana.

You have thus before you the whole of the arrangement, at present in course of execution, for relieving the Island of Cuba from negroes liberated under the Mixed Commission Court at the Havana.

I am, &c.

(Signed) PALMERSTON.

G. Villiers, Esq.

&c. &c.

* To Mr. Fox, March, 11, 1835.

† To Havana Commissioners, Jan. 31, 1835. (See Class A. No. 76.)

‡ Colonial Department, 6th April, 1835. (See Class A. Enclosure in No. 99.)

§ To Havana Commissioners, April 14, 1835. (See Class A. No. 99.)

No. 12.

*Viscount Palmerston to General Alava.**Foreign Office, 27th May, 1835.*

THE Undersigned, &c. has the honour to acquaint General Alava, &c., that His Majesty's Government has caused inquiries to be made into the Case of the "*Cazador*," on the subject of which vessel a Note was addressed to the Undersigned by General Alava, on the 1st of May, 1835, and it appears, from those inquiries, that the offence with which the "*Cazador*" is charged is that she was actually occupied in completing, in a British port, her equipment for Slave Trade.

The Undersigned is happy to be able to assure General Alava, that, in the preliminary proceedings which have taken place at Gibraltar, on the subject of the "*Cazador*," the Lieutenant-Governor of that fortress has carefully observed the respect which is due to the Spanish flag; and has manifested, throughout his Communications upon this subject with the Spanish Consular Agent at Gibraltar, the

courtesy and consideration required by the relations of friendship subsisting between the Governments of Great Britain and Spain.

But as the act which is imputed to the "*Cazador*" is a breach of British law, committed within British territory, it necessarily follows that the trial of the offence must take place in a British, and not in a Spanish, Court of Justice; and, under these circumstances, the Undersigned regrets that His Majesty's Government are precluded from complying with the application made by General Alava, by order of his Court, that the vessel in question may be permitted to return to Cadiz, or to some other port in the Peninsula, there to have inquiries made into the Case, and to be adjudged accordingly by the Spanish laws.

The Undersigned has further to acquaint General Alava, that, by recent advices from His Majesty's Envoy at Madrid, it appears, that His Majesty's Envoy, having learnt the particulars of the Case from the Lieutenant-Governor of Gibraltar, has communicated them to the Spanish Government.

General Alava,
&c. &c.

The Undersigned, &c.
(Signed) PALMERSTON.

No. 13.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 10th June, 1835.

You will see, from the accompanying Copies of an Address from the House of Commons to His Majesty, and the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this Country for the extinction of the abominable traffic in slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Spanish Government, and earnestly to press upon them the immediate conclusion of the negotiations with which you are charged upon this subject.

G. Villiers, Esq.
&c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 14.

Mr. Villiers to Viscount Palmerston.—(Received July 8.)

(Extract.)

MY LORD,

Madrid, 28th June, 1835.

I HAVE at length the satisfaction of transmitting to your Lordship the Slave Treaty, which has been this day signed by M. Martinez de la Rosa and myself.

To detail to your Lordship all the delays which have been created, and the difficulties which have attended the final adjustment of the Treaty, would be endless; nor is it now necessary to advert to them further than to account for the delay of a month, which has taken place since I had the honour to receive your Lordship's Despatch, marked Slave Trade, No. 6, enclosing to me Copies of the Note and Memorandum which your Lordship had addressed to General Alava, upon the counter-project of the Spanish Government.

The full powers which M. M. de la Rosa received in the month of April last, for the conclusion of the Treaty, were given to him in his capacity of Minister of State; Her Majesty, the Queen Regent, renewed these powers a few days since, and directed M. M. de la Rosa to complete the negotiation which he had been about to bring to a close when he quitted office.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

I am, &c.
(Signed) GEORGE VILLIERS.

No. 15.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 28th July, 1835.

I HAVE received your Despatch, marked Slave Trade, of the 28th June, together with the Treaty for the more effectual suppression of the Slave Trade, which was signed on that day by you and M. Martinez de la Rosa, on behalf of your respective Governments.

I have to signify to you the King's most gracious approbation of your conduct throughout the difficult and long protracted negotiation which you have, with so much zeal and ability, thus brought to a satisfactory termination.

The Ratification of the Treaty by His Majesty is preparing, and will be sent to you as soon as completed, in order to be exchanged against the Copy of the Treaty to be ratified by her Majesty the Queen Regent of Spain.

There appear some few verbal errors in the English version, which however may be rectified by means of a Memorandum, which will be sent to you, to be signed by the Plenipotentiaries at the time of the exchange of the Ratifications.

G. Villiers, Esq.
&c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 16.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 4th August, 1835.

I TRANSMIT to you herewith His Majesty's Ratification of the Treaty, concluded on the 28th of June by you and M. Martinez de la Rosa, as the Plenipotentiaries of His Majesty and of the Queen Regent of Spain, for the more effectual suppression of the traffic in slaves; and I am to desire that you will exchange the same against a similar Instrument ratified by the Queen Regent of Spain on behalf of Her Catholic Majesty.

I also enclose a Certificate, to be signed by you and the Spanish Minister on the exchange of the Ratifications, which Certificate you will return to me, together with the Spanish Ratification.

G. Villiers, Esq.
&c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 17.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 3d September, 1835.

I HEREWITH transmit to you, for your information, Copies of Papers, marked A and B, relative to the Slave Trade, which have this day been presented by His Majesty's command to both Houses of Parliament.

G. Villiers, Esq.
&c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 18.

Mr. Villiers to Viscount Palmerston.—(Received September 10.)

(Extract.)

MY LORD,

Madrid, 31st August, 1835.

I HAVE the honour to transmit to your Lordship the Queen Regent's Ratification of the Treaty concluded on the 28th of June, for the more effectual suppression of the traffic in slaves.

I have, &c.

(Signed)

GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

No. 19.

Mr. Villiers to Viscount Palmerston.—(Received October 28.)

MY LORD,

Madrid, 14th October, 1835.

I HAVE the honour to enclose the Translation of a Note which I have received from M. Mendizabal, communicating the intention of the Spanish Government, under the seventh Article of the Treaty, lately concluded for the abolition of the Slave Trade, to transfer to Puerto Rico the seat of the Mixed Court of Justice now established at the Havana.

The reason of this change I understand to be that the great number of liberated negroes at the Havana are considered to be dangerous to the tranquillity of the slave population of Cuba; and the Spanish Government are desirous that the future liberation of negroes should take place at Puerto Rico, where there will exist no grounds for the apprehensions entertained at the Havana.

I have, &c.

(Signed)

GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

Enclosure in No. 19.

(Translation.)

M. Mendizabal to Mr. Villiers.

SIR,

Madrid, 10th October, 1835.

I HAVE the honour to communicate to you, for the information of the British Government, that Her Majesty the August Queen Regent, in consequence of the seventh Article of the Treaty lately concluded with His Britannic Majesty, for the complete abolition of the Slave Trade, and taking at the same time into consideration the great number of negroes existing in the Havana, has been pleased to resolve, that one of the two Mixed Courts of Justice created by the said Treaty, and which, in virtue of the stipulations in the said Article, is to reside in one of the Colonial Possessions of Her Catholic Majesty, shall be held and fix its residence in the Island of Puerto Rico, as the most convenient point for carrying into effect the object of its creation, and to which place the Mixed Commission, which, in virtue of the Treaty of 23d September, 1817, now resides at the Havana, is to be removed in order to discharge its duties, until the formation of the new Court.

I avail, &c.

(Signed)

JUAN ALVAREZ Y MENDIZABAL.

The British Minister,
 &c. &c.

No. 20.

(Extract.)

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 29th October, 1835.

I HEREWITH transmit to you the Copy of a Despatch which I have addressed to His Majesty's Commissioners at Sierra Leone, and at the Havana, enclosing Copies of the Treaty which you concluded, on the 28th of June last,

with the Plenipotentiary of Her Catholic Majesty, for the entire suppression of the Slave Trade in Spain.

The Admiralty and the Colonial Department have been requested to take such steps as appertain to them for carrying into effect the Treaty in question.

You will urge the Spanish Government to address, without delay, Instructions to the Spanish Commissioners at Sierra Leone, and the Havana; to the Commanders of Spanish cruizers, and to such other Spanish Functionaries as it may concern, so that the Treaty may receive the respect which is due to so solemn a compact.

G. Villiers, Esq.
&c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 21.

The Hon. W. F. Strangways to Mr. Villiers.

SIR,

Foreign Office, 31st October, 1835.

I AM directed by Viscount Palmerston to transmit to you, herewith, six Copies of the Treaty which was concluded and signed on the 28th of June last, by Martinez de la Rosa and yourself, on the part of His Majesty and the Queen of Spain, having for its object the entire suppression of the Slave Trade of Spain.

I am, &c.
(Signed) W. FOX STRANGWAYS.

G. Villiers, Esq.
&c. &c.

No. 22.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 25th November, 1835.

I HAVE received your Despatch, Slave Trade, of the 14th October, with the Translation, therein enclosed, of a Note from M. Mendizabal, stating the intention of the Spanish Government to transfer to Puerto Rico the seat of the Mixed Court of Justice now resident at the Havana.

The fear felt in Cuba of the ill consequences which might arise from an accumulation of liberated Africans in that island affords a just ground to the Spanish Government for the transfer of the Commission from Cuba; and, under the Treaty, it is for the Spanish Government to determine the residence of that Court of Justice which is to sit within the Spanish Dominions.

Before His Majesty's Government, however, take the steps which they are prepared to take, in compliance with the desire of the Spanish Government on this matter, you will point out, for the consideration of the Spanish Government, that slave-ships captured in the West Indies have usually been taken when endeavouring to make Cuba; and that such vessels will, if sent to Puerto Rico for adjudication, have to beat up to windward the whole way; and that on this account they will have a long and difficult passage with their negroes on board, from the point of capture to the place of adjudication, and it is well known that the mortality among negroes is great when confined, under such circumstances, in vessels far too small for their proper accommodation.

Perhaps the Spanish Government, adverting to these circumstances, may be able to select some spot to which this inconvenience may not attach.

Whenever they shall finally decide, intimation of their decision will be transmitted to His Majesty's Commissioners at the Havana.

I am, &c.
(Signed) PALMERSTON.

G. Villiers, Esq.
&c. &c.

No. 23.

Viscount Palmerston to Mr. Brackenbury.

SIR,

Foreign Office, 25th November, 1835.

I HEREWITH transmit to you Copies of Papers received at this Office from the Colonial Department, containing accounts of the "*Cavallo Marino*," a vessel under Russian colours, supposed to be fitting out at Cadiz for the Slave Trade.

You will collect what intelligence you can respecting this vessel, and you will transmit Copies thereof to me, and communicate the details thereof to the Lieutenant-Governor of Gibraltar, and to His Majesty's Naval Officers on the Coast.

I am, &c.

(Signed) PALMERSTON.

*J. M. Brackenbury, Esq.**His Britannic Majesty's Consul, Cadiz.*

Enclosure in No. 23.

Mr. Hay to the Hon. W. F. Strangways.—(Received November 18.)

SIR,

Downing Street, 17th November, 1835.

I AM directed by Lord Glenelg to transmit to you, for the consideration of Viscount Palmerston, the accompanying Copy of a Letter, and of its Enclosure, which have been received from Mr. Oxberry, of Gibraltar, respecting a vessel under Russian colours, which is suspected of having gone to the Port of Cadiz to complete her equipment for Slave Trade.

Upon this subject, Lord Glenelg apprehends that it will be expedient to make some communication to His Majesty's Consul at Cadiz; and he leaves it therefore to Lord Palmerston to convey such intimation to the Board of Admiralty as may correspond with the Instructions which his Lordship may deem it proper to give to the Consul.

I am, &c.

(Signed) R. W. HAY.

Hon. W. Fox Strangways,
&c. &c. &c.

Sub-Enclosure A. in No. 23.

Mr. Oxberry to Lord Glenelg.

MY LORD,

Gibraltar, 29th October, 1835.

I TOOK the liberty of addressing your Lordship on the 19th instant, per packet, alluding to steps I had taken to carry the intentions of His Majesty's Government into effect, in regard to the fitting out, in this port, of vessels for slave-voyages.

In furtherance of this object, and understanding that a large and very beautiful ship, under Russian colours, arrived in this port on the 21st June last, called the "*Cavallo Marino*," under the command Giovanni de Georgio, reported to be from Algiers, with a crew of 8 men, and consigned to William Sherwill, now a convicted felon, for his agency in the "*Cazador*." I was anxious to get information respecting her, as a vessel of her description was reported to be fitting at Cadiz for the Slave Trade, and I wrote accordingly to my Correspondent there for information, and received the Reply a Copy of which I have the honour to enclose.

As there are now at Cadiz some of His Majesty's vessels-of-war, a watch might be kept on this vessel.

I have, &c.

(Signed) J. R. OXBERRY.

Lord Glenelg,
&c. &c.

Sub-Enclosure B. in No. 23.

to J. R. Oxberry, Esq.

MY DEAR SIR,

Cadiz, 26th October, 1835.

I HAVE before me your favour of the 22d instant, in reply to which I must inform you that the Greek bark you allude to came into this port metamorphosed into a Russian vessel, under which flag she still is lying here at Pantales, having on board three Greeks of its original crew. The Spaniard that bought her is the very owner of the "*Cazador*," a Mr. Pedro Felipe Campo; consequently its destination is not doubtful. However, when they will begin to load her, I dare say still for the Slave Trade, I shall instantly apprise you of it, and give you every particular for your intelligence (*y gobierns*).

Said Mr. Campo and a friend of his, Don Pedro Martinez, both deeply concerned in the "*Cazador*," have been fined by your Court £10,000 sterling each, I understand; therefore, you may be sure that in future their names never will appear any more in any expedition of that inhuman nature. I will thank you very much your sending me a Copy of the Judgment of the "*Cazador*," against which

sentence Messrs. Martinez and Campo have appealed in England, where it seems it has been admitted, and they both entertain the fairest hopes of ultimate success.

J. R. Oxberry, Esq., Gibraltar.

No. 24.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 26th November, 1835.

WITH reference to your Despatch, Slave Trade, of the 2d of May last, respecting the Spanish vessel, "*Cazador*," detained at Gibraltar on a charge of having been occupied in completing, at that place, her equipment for the Slave Trade, I send to you, for your information, the accompanying Copy of a Despatch from Sir Alexander Woodford, communicated to me by the Colonial Department, together with the Copy of a Report from the Attorney-General of Gibraltar, stating the progress and final results of the legal proceedings in the Case of that vessel.

I refer you, for further details of the proceedings, to the "*Gibraltar Chronicle*" of the 3d October, 1835.

G. Villiers, Esq.
&c. &c.

I am, &c.
 (Signed) PALMERSTON.

First Enclosure in No. 24.

Sir Alexander Woodford to Lord Glenelg.

MY LORD,

Gibraltar, 13th October, 1835.

I HAVE the honour of transmitting, for your Lordship's information, the accompanying Report from the Attorney-General, detailing the progress and final results of the legal proceedings in the Case of the "*Cazador*."

Mr. Cochrane has assigned his reasons for not pressing the prosecution of the crew, and, although some disappointment has arisen from the verdict of the Jury in the cases of the Captain and the Mate, I trust that the general issue of the trial will prove satisfactory to His Majesty's Government, and that the traffic in the Slave Trade at Gibraltar has received a death-blow.

I have also the honour to forward, herewith, Copies of the Judgments pronounced in these Cases; and I beg leave to draw your Lordship's attention to that part of Mr. Cochrane's statement, relating to the condemnation of M. Martinez's property.

Mr. Sherwill has been committed to the Provost prison. He is a man of infirm health, and it is not very probable that he will survive his confinement.

Lord Glenelg,
&c. &c.

I have, &c.
 (Signed) A. WOODFORD.

Second Enclosure in No. 24.

Mr. Cochrane to Sir Alexander Woodford.

SIR,

Gibraltar, 10th October, 1835.

WITH reference to my Letter of the 12th ultimo, I have now the honour of stating to your Excellency, for the information of the Secretary of State, that on the 29th September the Judge of the Vice-Admiralty Court condemned the "*Cazador*" and that part of the cargo claimed by the Owner of the vessel, but made no order respecting the cargo claimed by M. Martinez, and shipped by Mr. Sherwill, at Gibraltar. He also pronounced for the penalties prayed for by the libel, viz. 10,000*l.* against the Master Del Campo, Martinez, and Mr. Sherwill, respectively. From this Judgment the Claimant's Counsel yesterday asserted an appeal on behalf of Del Campo, Martinez, and Mr. Sherwill. As the Judgment has been published in the "*Gibraltar Chronicle*," I would suggest to your Excellency the expediency of transmitting it to the Secretary of State. There, therefore, yet remains to be adopted some course of proceeding for procuring the condemnation of Martinez' property, in accordance with the views entertained by the Judge on this part of the subject, and there also still remains to be decided the question between the Government and Commander of His Majesty's ship, "*Jaseur*," as to who was the Seizer of the "*Cazador*."

The Admiralty Sessions commenced on the 28th September, the Judge of the Admiralty, Civil Secretary, and Captain of the Port, being the Commissioners, who, of their own accord, immediately committed Mr. Sherwill to the custody of the Provost-Marshal. On the 30th, the Grand Jury brought into Court a true Bill against Mr. Sherwill for felony, under the 5th Geo. 4, and true Bills against the Master, Supercargo, and two Mates of the "*Cazador*," for felony, and against the remainder of the

crew, consisting of fifty-five seamen, for the misdemeanor. William Sherwill was accordingly put upon his trial on the 2d instant, and on the following night the Petit Jury found a verdict of guilty against him, which they accompanied with a recommendation in his favour, in consideration of his advanced age. The Commissioners immediately sentenced him to three years' imprisonment, with hard labour, in the Provost of Gibraltar. The four principal Officers of the "*Cazador*" were tried on the 7th instant, by a Jury *de medietate lingue*, who acquitted the Master and two Mates, and found the Supercargo guilty, who was immediately sentenced to fourteen years' transportation.

Previously to this most unexpected acquittal of the Master and Mates, I had determined upon not proceeding further upon the Bill found by the Grand Jury against the seamen of the "*Cazador*," for several reasons. The chief importance of these prosecutions seemed to rest on the case of Mr. Sherwill as a British merchant. He was convicted after a most minute and impartial investigation, that consumed two entire days, upon evidence of the most satisfactory description. The Jury did not hesitate an hour in deciding upon his guilt, although they had received no judicial direction from the Commissioners, beyond the bare recital of the evidence, which was exclusively on the side of the prosecution; and, notwithstanding the anxiety which it may naturally be supposed they would feel in such a case, they were unable to discover, as there really did not exist, a single circumstance in extenuation of the prisoner's guilt. They therefore confined themselves to a recommendation alike creditable to their intelligence and humanity. As, therefore, the Commissioners awarded to Mr. Sherwill the lowest punishment that the statute admits of in case of felony, I felt myself compelled to believe, that even if I should succeed in convicting the seamen, of which I entertained very serious doubts, the Commissioners would deem the imprisonment of six months, which these foreigners had already undergone, a much more than adequate punishment for the misdemeanor, for which the state prescribes two years' imprisonment as the highest punishment. The conviction of the seamen would, therefore, have exposed the Court and Jury, who had been already much harassed during the present sessions, to a laborious and tedious trial for no end; and as I then felt confident of the conviction of the Officers, the acquittal of the seamen would, I believe, tend to weaken the salutary effect of these prosecutions. The Act of Parliament, in describing the offence of the seamen, confines itself to the words "enter and embark," and I think that the Commissioners would have entertained doubts if the indictment could be sustained by the circumstances of this case, the original shipment of the crew having taken place at Cadiz.

The acquittal of the Master and Mates upon evidence that produced a clear conviction of their guilt, in the minds of all who heard it, except the Jury, left me in no doubt as to the propriety of following up my previous determination respecting the seamen, who, upon being admonished by the Court, and told that they were not prosecuted, from motives of clemency on the part of the Crown, were therefore immediately discharged.

Sir Alexander Woodford, K.C.B.
&c. &c. &c.

I have, &c.
(Signed) J. COCHRANE.

No. 25.

Mr. Villiers to Viscount Palmerston.—(Received December 6.)

MY LORD,

Madrid, 28th November, 1835.

I HAVE the honour to enclose the Copy of a Note which, in obedience to the Instructions contained in your Lordship's Despatch, marked Slave Trade, of the 29th ultimo, I have addressed to M. Mendizabal, requesting that Instructions may be sent to the Spanish Authorities at the Havana, and Sierra Leone, to carry into immediate effect the conditions of the Treaty, concluded on the 28th June last, for the suppression of the Slave Trade.

I have, &c.
(Signed) GEORGE VILLIERS.
The Right Hon. Viscount Palmerston, G.C.B. *

&c. &c. &c.

Enclosure in No. 25.

Mr. Villiers to M. Mendizabal.

SIR,

Madrid, 23d November, 1835.

I HAVE received from my Government a Copy of the Instructions which have been addressed to the British Commissioners at Sierra Leone, and at the Havana, desiring them henceforward to act and adjudge according to the principles and regulations of the Treaty concluded on the 28th June last, between the Plenipotentiary of Her Catholic Majesty and myself, for the entire suppression of the Slave Trade of Spain.

Similar steps have been taken by the Admiralty and the Colonial Department of England, in order that such conditions of the Treaty as appertain to those Departments may be carried into immediate effect.

I am instructed to urge upon your Excellency to address without delay corresponding Instructions to the Spanish Commissioners at Sierra Leone and the Havana, to the Commanders of Spanish

cruizers, and to such other Spanish Functionaries as it may concern, in order that the Treaty may receive the respect which is due to so solemn a compact.

I have, &c.
(Signed) GEORGE VILLIERS.

His Excellency Don Juan Alvarez y Mendizabal,
&c. &c. &c.

No. 26.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 12th December, 1835.

I HEREWITH transmit to you the Copy of a Letter which I have received from the Colonial Department, upon the subject of a traffic in British slaves recently discovered to have been carried on in the West India Possessions of Foreign Powers.

I have to desire that you will call the attention of the Spanish Government to this subject, and urge them to afford to the Government of His Majesty their cordial and zealous co-operation for the purpose of preventing the evil complained of.

You will take especial care to explain to the Spanish Minister, that since the 1st of August, 1834, the negroes in His Majesty's Colonies are free British subjects; and that it is impossible for Great Britain to permit British subjects, whatever their colour may be, to be kidnapped into a foreign Country, and there to be held in slavery.

I am, &c.
(Signed) PALMERSTON.

G. Villiers, Esq.
&c. &c.

First Enclosure in No. 26.

Sir George Grey to Mr. Backhouse.

SIR,

Downing Street, 20th November, 1835.

I AM directed by Lord Glenelg to transmit to you, for the information of Viscount Palmerston, the enclosed Copy of a Despatch addressed to Sir Evan Murray Macgregor, the Governor-General of the Leeward Islands. It relates to a traffic in British slaves recently discovered to have been carried on to a considerable extent in the Islands of St. Thomas and Porto Rico.

In April, 1834, in pursuance of Instructions from the Lords Commissioners of the Admiralty, an inquiry was instituted by Vice-Admiral Sir G. Cockburn, commanding on the West India Station, in the course of which evidence was obtained by Captain Hamilton, of His Majesty's ship, "Comus," that within the last two years many slaves belonging to British subjects resident in Anguilla had been removed by them (contrary to Act 5, Geo. 4, c. 113) to St. Thomas, where some were sold, others detained and used as slaves by their British owners, others transferred to Porto Rico, to be sold there.

In consequence of this, on the 21st of August, Instructions were sent from this Office to Sir Murray Macgregor, directing him, in conjunction with Sir George Cockburn, to take the most effective measures for bringing the offenders to justice; for reclaiming from the Authorities at St. Thomas and at Porto Rico such slaves as had been already removed and sold; and for suppressing any similar removals in future. The proceedings instituted in pursuance of these Instructions have led to a variety of disclosures, into the particulars of which it is not necessary to enter: but from the general result of them it is to be feared that no effective security exists at present against similar compulsory removals of negroes in future; and that some of those already removed may not be recovered without difficulty and delay.

It is true that the Governors of St. Thomas and Porto Rico have shown every disposition to give up to the British Authorities all who have been claimed; stipulating only for repayment to the proprietors, in all cases in which the purchase has been legal, of their full value. But neither of those Governors seems to have given any satisfactory assurance, either that in the case of all past purchases of this description, the payment of the just value of the slave shall be the only condition required, or that in future all similar purchases should be held illegal.

In the absence of such assurances, it is to be apprehended that the owners of British negroes, now held in slavery in foreign islands, conceiving that they will not be compelled to give them up against their will, and counting on the anxiety of the British Government to recover them, may be tempted to ask exorbitant prices; and moreover, that the ample prices already given may stimulate the persons already engaged in this traffic to pursue it with increased activity.

On these two points, therefore, Lord Glenelg would suggest to Viscount Palmerston the expediency of obtaining from the respective Governments distinct assurances.

With reference to the first, his Lordship does not think it unreasonable to allow full compensation for all slaves thus purchased previous to the 1st of August, 1834, provided it be distinctly announced that the foreign owner of any slave, who shall be proved to have been illegally transferred from a British Colony, shall upon receiving his full and fair value be compelled to give him up at once; and that this engagement shall hold good, whether the negro in question shall have been smuggled from the British Colony or fraudulently passed at the Custom-house as a domestic slave in attendance on

the person of his owner; and whether he shall have passed directly into the hands of his present owner, or been transferred from owner to owner, or from island to island. It is not unnecessary to insist upon this, because the Governor of Porto Rico is reported to have given it as his opinion that a negro, whose present owner "can produce Documents of purchase at St. Thomas, Curaçao, or other places, allowing the exportation of slaves, cannot (though originally taken from a British island) be esteemed a British subject;" an opinion to which Lord Glenelg can by no means assent, since it cannot reasonably be allowed that the injured man should continue to suffer because the person by whom the injury was done may have escaped detection. In every such instance, therefore, his Lordship conceives that the British Government (without imputing any blame to the present master) would undoubtedly expect the restoration of the slave on the same conditions as in other cases.

With respect to the second point on which his Lordship recommends that assurances should be obtained from the respective Governments, namely, that all future transactions of this kind should be pronounced illegal, it may be necessary that those Governments should be reminded of the new position in which all British negroes now stand. Since the 1st of August, 1834, every British negro thus dealt with must be viewed as a free British subject carried off and sold into slavery. Such an injury Lord Glenelg conceives His Majesty's Government ought not to permit any subject of Great Britain to endure, or any Foreign Power in amity with Great Britain directly or indirectly to countenance. His Lordship begs, therefore to call Viscount Palmerston's attention to the expediency of claiming, from the Governments of those Countries, whose subjects may by possibility be implicated in this traffic, the recognition of the right on the part of Great Britain to demand gratuitous restitution of all British subjects so detained in slavery, and the punishment of those by whom they may have been wilfully deprived of their liberty.

Some intimation of this nature appears to his Lordship the more necessary to be made, because the Reports of the Local Authorities who have been employed in investigating these proceedings are calculated to suggest an apprehension, that in consequence of the great ignorance of the apprentices, similar removals may, in spite of their changed condition and proclaimed rights, be still effected; and even if claims for compensation should not hereafter be advanced by the parties, or countenanced by the Authorities, much difficulty might nevertheless be thrown in the way both of the discovery and the restitution of them. Under the circumstances of those islands, and in the state of feeling which prevails in them with regard to this traffic, Lord Glenelg apprehends that, without a cordial co-operation on the part of the foreign Governments, it may be difficult to take effectual securities against it.

It is with a view of obtaining this co-operation, that his Lordship would request Viscount Palmerston to make such communications on the two points above-mentioned to the Governments of Denmark, Spain, Sweden, France, and Holland (being the Countries possessed of Colonies which have been, or might be, concerned in these transactions), as may seem to him best calculated to attract their attention to the subject, and to engage them to unite with His Majesty's Government in their endeavours to prevent this practice from being carried on henceforward.

J. Backhouse, Esq.
&c. &c.

I am, &c.
(Signed) GEORGE GREY.

Second Enclosure in No. 26.

Lord Glenelg to Sir Murray Macgregor.

SIR,

Downing Street, 29th August, 1835.

I HAVE the honour to acknowledge the receipt of the following Despatches, together with their Enclosures, relative to the felonious removals of slaves from Anguilla to St. Thomas: namely,—

No. 201.	(General)	dated	29th September, 1834.
„ 261.	(Antigua)	„	27th December, 1834.
„ 92.	(Anguilla)	„	20th April, 1835.
„ 103.	(Anguilla)	„	7th May, 1835.
„ 116.	(Anguilla)	„	26th May, 1835.
„ 134.	(Anguilla)	„	17th June, 1835.

Having considered the proceedings in Court, the further disclosures which these proceedings led to, the measures subsequently adopted, and the Reports of the various Officers employed upon this service, I have pleasure in expressing my approval of all that has been done. It is my wish that you should proceed in the same manner, and with the same diligence and judgment, in reclaiming the slaves who have been removed to Porto Rico, and those who have been since discovered in St. Thomas, and any others who may hereafter be discovered under like circumstances. You will at the same time take great care to have the cases well authenticated, and to give no more than a just compensation to the proprietors.

You state it as your opinion that the Danish and Spanish Government might, if it were thought proper, be called on to refund the sums thus laid out. I apprehend, however, that such a claim would be resisted, on the ground that these removals are in violation only of British law, and not of any international compact: and His Majesty's Government do not propose therefore to make a demand which they would not think themselves entitled to insist upon.

If, indeed, a repetition of such re-purchases could be contemplated, they would no doubt tend directly to encourage the traffic: but you will recollect that no similar case can occur again. Any person so removed, and sold subsequently to the 1st of August, 1834, is in the position of a free British subject kidnapped and reduced to slavery in a foreign Country. Every such person may undoubtedly be demanded, and must be given up by the foreign Government of that Country, without any compensation.

The most direct and efficient means for preventing the apprentices from being removed for sale in future, will be by making this effect of the Abolition Act distinctly known, both to the apprentices in the British Islands and the Authorities and inhabitants of the foreign.

I have to request that you will take the necessary steps for communicating their rights in this respect to the negroes in Anguilla, or any other island in your Government where they may be exposed to

the like hazard: and I on my part shall request Lord Palmerston to communicate on the subject with the Governments of Denmark, Spain, Sweden, France, and Holland; being the Countries possessed of Colonies in which slavery is recognised, requesting them to direct the Governors of such Colonies to co-operate with us in suppressing this traffic by all means in their power; and to cause to be delivered up to the British Authorities, without any expense, any British negroes who shall be found hereafter to have been removed to a foreign Colony against their will, or sold into slavery.

In the mean time it will be proper that those Officers, whose agency may be employed in the re-purchase of the negroes yet unrecovered, should apprise those with whom they communicate on the subject that any negroes who shall be removed in future, and purchased in a foreign Colony, will be re-claimed as free British subjects unlawfully holden in slavery; and that His Majesty's Government will expect every assistance from all foreign Authorities in effecting their restoration without purchase; and will by no means be induced to make any payment on account of them.

This, I think, if duly understood, would be of more avail than any additional force in the Custom-house of Anguilla. At the same time it will be well to direct the present Officers, in case of any ship leaving the Island with apprentices on board, to take care that they are not in ignorance of what has happened to others on similar occasions, or of their right to remain in the Island if they please.

Your representation of the state of Anguilla, of its poverty, of the inadequate maintenance of the apprenticed labourers, the lawless habits of the residents, the partiality of the Jurors, the suspicion attaching to the President, and the implied insufficiency and avowed dissatisfaction of the Special Justices, has received my most careful consideration.

I had already recognised the expediency of sending out a Stipendiary Magistrate; and I have the honour to inform you that Thomas Eggar, Esq., was appointed to that office on the 29th June last, with directions to lose no time in going out. Any measures which personal inspection and local knowledge may enable that Gentleman hereafter to devise for the improvement of the Island, or any which you yourself may suggest and recommend with the like view, will be duly attended to.

In the mean time, the character of the President, and the suspicions which prevail against him, demand immediate attention. I must request, therefore, that you will lose no time in inquiring into the grounds of these suspicions; and if, after giving him a full opportunity of explanation, there shall appear to you to be sufficient evidence of his having been concerned in this illegal traffic, you will proceed to remove him from his office.

With regard to the apparent impossibility of obtaining a verdict against a slave-owner in Anguilla I am sorry that I cannot suggest any remedy. But the impracticability of the Jury makes it more important that nothing should be lost by any remissness on the part of the prosecution. I am happy to find that you consider the prosecutions in these cases to have been efficiently conducted; and you may hold yourself authorised to draw a Bill on me for such a remuneration as Mr. Claxton's services seem to you to desire.

Sir Murray Macgregor,
&c. &c. &c.

I have, &c.
(Signed) GLENELG.

No. 27.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 22d December, 1835.

I HEREWITH transmit to you the Extract of a Despatch* which I have received from His Majesty's Commissioners at the Havana, dated the 30th September, 1835.

You will communicate the substance of that Paper to the Spanish Government; and you will draw the attention of the Spanish Minister to the circumstances therein detailed, in the Cases of the "*Matilde*" and "*General Mina*."

The laxity of the Colonial Authorities in proceeding with the inquiry, as to slaves said to have been landed from on board of these vessels, corroborates a rumour prevalent in Cuba, that the Local Government receives, on account of each negro landed, a certain sum of money, to be applied to the works of the Island.

I am, &c.

G. Villiers, Esq.
&c. &c.

(Signed) PALMERSTON.

* Class A. No. 124.

No. 28.

Mr. Brackenbury to Viscount Palmerston.—(Received December 29.)

MY LORD,

Cadix, 12th December, 1835.

IN acknowledging your Despatch of the 25th ultimo, enclosing me Copies of Papers from the Colonial Department, I have the honour to acquaint your Lordship that the Russian barque, "*Cavallo Marino*," is still lying in this harbour,

I will cause the strictest inquiries to be made respecting this vessel, and will communicate the result to your Lordship, to the Lieutenant-Governor of Gibraltar, and to His Majesty's Naval Officers on this station.

I have &c.

(Signed) J. M. BRACKENBURY, JUN.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

No. 29.

Mr. Villiers to Viscount Palmerston.—(Received February 5.)

MY LORD,

Madrid, 24th January, 1836.

I HAVE the honour to inform your Lordship that I, some time since, wrote to His Majesty's Consul at the Havana, in order to ascertain the effect which had been produced in the Island of Cuba by the Slave Treaty, and whether, in his opinion, it would prove sufficient for the beneficial purposes it was intended to effect.

By a Letter from Mr. Tolmé, dated 30th November, I learned, with surprise and disappointment, that up to that time no official announcement of the Treaty had been received, or at least promulgated in the Island, although it was ratified on the 30th of August last, and the Spanish Government stands pledged to carry it into immediate execution. Rumours had circulated that a Treaty had been concluded between the British and Spanish Government, and they had served for a time to check the fitting-out of slave-ships; but, upon their not being confirmed, the ordinary speculations were again entered into, and with the wonted publicity and knowledge of the Authorities.

Under these circumstances, I have thought it my duty to address a Note to M. Mendizabal, of which I have the honour herewith to enclose a Copy to your Lordship.

I have, &c.

(Signed) GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 29.

Mr. Villiers to M. Mendizabal.

SIR,

Madrid, 21st January, 1836.

I HAVE the honour to inform your Excellency that I have received an official Communication, by which I learn, that, even so late as the 30th November last, no Instructions issued by the Spanish Government, in pursuance of the Treaty, for the complete abolition of the Spanish Slave Trade, concluded in Madrid on the 28th June last, have reached the subaltern Authorities of the Havana, whether orders on the subject may have been transmitted by the Government to Cuba.

Under the Convention entered into by Her Majesty the Queen Regent, and signed in a spirit of so much benevolence and good faith by his Excellency, M. Martinez de la Rosa, I confess that I had hoped a different system would have been followed from that which was pursued by the Spanish Government on this subject since the celebration of the former Treaty of 1817.

And now I am far from believing that the fault has arisen with the Government of Madrid. It is for this reason that I am the more anxious that your Excellency should be immediately informed of the general ignorance which exists in the Island of Cuba of any official Instructions that may have been forwarded on the subject.

If the fault should be with the principal Spanish Authority of Cuba, and he imagines that, by the delay which is made in communicating to the merchants and other inhabitants of the Havana the engagements into which the Government of Her Majesty has entered, he thereby favours the persons concerned in the traffic in slaves, he is grievously mistaken: he is, in fact, preparing for them a series of losses and disappointments.

The British Government, on its part, has taken, and is now occupied in taking, ample measures for carrying into execution all the Articles of the Treaty, as far as lies in its power: the result of which will probably be the capture of a great many slave-ships which have been fitted out, confiding in the absence of the necessary notice on the part of the Spanish Government.

I need not suggest to your Excellency, that such loss and disappointment falling upon these individuals will necessarily be made the subject of just complaint against the Government, and that the effect will be far more injurious than any timely communication could have been.

I trust that this representation will induce your Excellency to lose no time in causing the omission of which I complain to be immediately rectified, as I cannot for a moment doubt that it is the intention of your Excellency to follow up the execution of this Treaty with the same loyalty and good faith in which it was contracted.

I have, &c.
(Signed) GEORGE VILLIERS.

His Excellency Don Juan Alvarez y Mendizabal,
§c. §c. §c.

No. 30.

(Extract.) *Mr. Villiers to Viscount Palmerston.—(Received February 20.)*

MY LORD,

Madrid, 7th February, 1836.

I HAVE the honour to enclose the Translation of a Note, which I have received from M. Mendizabal in reply to the one which I addressed to him, upon learning from His Majesty's Consul at the Havana that the Slave Treaty had not been promulgated by the Captain-General of Cuba.

Upon the receipt of this Note I immediately waited upon M. Mendizabal, and told him frankly that the Government of Her Catholic Majesty appeared to have taken all the measures dictated by an intention faithfully to fulfil a solemn engagement; but that it was not to be endured that such intentions should be frustrated, and a Treaty with England not only violated, but unnoticed, by an Authority in a Colonial Possession of Spain.

M. Mendizabal admitted he could give no answer, or offer any justification upon this head.

Our conversation ended by his Excellency assuring me that he would take such steps as may be in his power for remedying any evils that may have been occasioned by the delay.

I have, &c.
(Signed) GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G.C.B.
§c. §c. §c.

Enclosure in No. 30.

M. Mendizabal to Mr. Villiers.

(Translation.)

SIR,

Palace, 3d February, 1836.

I HAVE had the honour to receive the Note which you were pleased to address to me on the 21st ultimo, complaining, by order of the British Government, that even so late as the 30th of November last, no Instructions issued by the Spanish Government respecting the Treaty concluded between Spain and Great Britain for the complete abolition of the Slave Trade, had been received by the Authorities in the Havana: and in reply I beg to inform you, that the necessary Royal Orders and Instructions were addressed, under date of the 25th July of last year, from this Office to the Captains-General of the Havana and Puerto Rico, enjoining them the faithful execution, on their part, of the above-mentioned Treaty, as also to regulate their conduct in conformity with the stipulations therein contained. Those Orders and Instructions have been lately reiterated to the above-mentioned Authorities, and printed Copies of the Treaty forwarded to them for circulation and for the information of the parties interested in the said traffic; all which will prove to you that Her Majesty's Government has not omitted to take every measure within its reach to give to the Authorities in its ultramarine Possessions timely information of the new engagements contracted by Spain in virtue of the Treaty of the 28th of June last: and still the Government, not being satisfied with these dispositions, will again communicate to the Captains-General of Cuba and Puerto Rico the above-mentioned Orders, desiring them to carry the same into immediate execution, and to report the reasons which may have delayed their execution.

I avail, &c.
(Signed) JAUN ALVAREZ Y MENDIZABAL.

G. Villiers, Esq.
§c. §c.

No. 31.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 22d February, 1836.

I HAVE received and laid before the King your Despatch, Slave Trade, of the 21th ultimo, enclosing a Copy of a Note, which you had addressed on the 21st of January last, to M. Mendizabal, pressing the Spanish Government for the immediate despatch of Orders to the Authorities of Cuba, to carry into execution the Treaty concluded on the 28th June last, between this Country and Spain, for the effectual abolition of Spanish Slave Trade.

His Majesty's Government highly approve of the step you took. Advices from the Havana, dated the 23d December last, show that up to that period the Treaty had not been officially published in Cuba; and that no notice had been taken of it by the Colonial Authorities of the Island.

You will not cease to press for the despatch of the required Orders, if they have not yet been sent.

You will further remind the Spanish Government, that by the 2d Article of the Treaty they were bound to promulgate throughout the Dominions of Her Catholic Majesty, within two months after the exchange of the Ratifications, a Penal Law inflicting punishment on all subjects of Spain who should take any part whatever in the traffic in slaves; and you will call upon the Spanish Government to fulfil that engagement.

It appears by the accompanying Papers that the slave-traders of Cuba grow more hardy in consequence of their belief that they may carry on their trade without being interfered with by the Government of the Island; and an Advertisement has recently appeared in one of the daily Newspapers of the Havana, openly announcing the sale of bozal, or *newly-imported, negroes* from Africa.

The explanation given of this occurrence is so unsatisfactory as to leave no other conclusion than that the fact stated in the Advertisement was correct.

You will do all you can to induce the Spanish Government to put an end to this state of things in Cuba; and I trust that I shall hear that your efforts have been successful.

G. Villiers, Esq.
&c. &c.

I am, &c.
(Signed) PALMERSTON.

Enclosures in No. 31.

Havana Commissioners to Viscount Palmerston, 17th November and 1st December, 1835.

(See Class A. 130, 133.)

No. 32.

Mr. Villiers to Viscount Palmerston.—(Received March 21.)

MY LORD,

Madrid, 12th March, 1836.

IN obedience to the Instructions contained in your Lordship's Despatch, marked Slave Trade, of the 22d ultimo, respecting the appearance of Advertisements in the public Papers of the Havana, for the sale of bozal negroes, I have addressed a Note to M. Mendizabal, of which I have the honour to enclose a Copy to your Lordship.

I have, &c.
(Signed) GEORGE VILLIERS.
The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 32.

Mr. Villiers to M. Mendizabal.

SIR,

Madrid, 10th March, 1836.

I HAVE the honour to inform your Excellency that I have received the Instructions of His Majesty's Principal Secretary of State for Foreign Affairs, to represent to the Spanish Cabinet the

PORTUGAL.

No. 33.

Lord Howard de Walden to the Duke of Wellington.—(Received Feb. 23.)

MY LORD DUKE,

Lisbon, 12th February, 1835.

HAVING received information that a French schooner, late the "*Minerva*," or "*Mercury*," which entered this Port some months ago, was suspected of being destined for the Slave Trade, and that within a few days she had hoisted the Portuguese colours, and had changed her name to "*Esperança*," I spoke to Count Villa Real on the subject, pressing his Excellency to cause her proceedings to be watched, which he assured me should be done. Not relying, however, upon the Portuguese Government, I suggested to Rear-Admiral Sir William Gage to keep a good look-out, and not to allow her to slip away without my receiving notice, and his sending an Officer, if possible, on board.

On Sunday morning last the schooner weighed anchor, and dropped down to Belem. The Admiral, immediately she was under sail, sent an Officer on board, on the plea of inquiring whether she was going to the Island of Madeira. The answer he received was, that she was going straight to the Cape de Verde Islands, and from thence to the Coast of Africa, for a cargo of palm-oil and gold-dust. The Officer, while on board the schooner, observed that the crew was very strong, and that she carried eight long guns. I had previously ascertained that she was commanded by a most active Officer, late in Don Miguel's service, and who was the only one who had distinguished himself in the naval combat against Admiral Napier.

Under these circumstances I thought it expedient to write immediately to Count Villa Real on the subject. I herewith enclose Copies of my Note and of His Excellency's Answer, which I have just received.

Previous to receiving Count Villa Real's Answer I had obtained further information, strengthening the ground of suspicion against the "*Esperança*," viz., that she belonged to the parties by whom the "*Hercules*," a brig which returned from the Coast of Africa to this Port a short time ago (owing to the death of the Captain, Supercargo, and a majority of the crew), was owned, and whose destination was talked of previous to sailing, almost as publicly as that of the vessel now in question, the "*Esperança*." I therefore addressed a second Note to His Excellency, a Copy of which I also enclose, suggesting the propriety of investigating the Papers, &c. of the "*Hercules*," with a view to ascertain whether there had been anything suspicious in her proceedings which would be likely to corroborate the suspicions against the "*Esperança*."

The Commander of the "*Hercules*," who died on the Coast of Africa, was (as is the Captain of the "*Esperança*") a man infinitely above the class of Commanders of fair traders, in his station of society, but I understand a man of loose and wild character.

The transfer of the "*Esperança*" from her French to a Portuguese Owner is suspected to be only a fictitious one. The Papers connected with the transfer were taken to the American Consul for the attestation of the signatures of the parties, but that Gentleman refused to have anything to say to them, as did also the British Vice-Consul.

I have, &c.

(Signed) HOWARD DE WALDEN.

His Grace the Duke of Wellington, K.G.

&c.

&c.

&c.

First Enclosure in No. 33.

Lord Howard de Walden to Count Villa Real.

MONSIEUR LE COMTE,

Lisbon, 8th February, 1835.

I AM sorry to be obliged to call your Excellency's attention to the circumstance of the schooner, "*Minerva*," about which I spoke to you on Thursday, as being suspected of fitting-out for the Slave Trade, having this day left the Port of Lisbon.

It appears that this vessel has not only for some time been suspected, but has been talked of notoriously, as equipping for the Slave Trade. It also appears, that until within a few days she had always hoisted the French flag, but that latterly she has displayed the Portuguese ensign. It is understood that she belongs to the same parties, M. Schoffer, an Austrian, M. Perfuma, an Italian, and Mr. Verdier, a Frenchman, by whom the "*Hercules*," a vessel also believed to have been intended for the Slave Trade, which has returned within a day or two from the Coast of Africa (in ballast!) owing to the loss of her Captain and a great portion of her crew, is owned; and that she has latterly obtained new Papers, either from the admission of a Portuguese into partnership, or through nominal transfer to a Portuguese.

I am informed that the "*Minerva*," since called the "*Mercure*," has changed her name, and is now under that of the "*Esperança*;" and that she has a strong crew, and mounts eight guns; and that she professes to be going to the Cape de Verde Islands, from thence, for a cargo of palm-oil and gold-dust, to the Coast of Africa, from which the "*Hercules*" has returned in ballast.

I trust your Excellency will consider this case sufficiently strong to merit the closest investigation on the part of the Portuguese Government, and that they will consider it expedient to call on the parties by whom she is owned to give Bond that she is not to be employed in the traffic in slaves. I would also request your Excellency to have the goodness to put me in possession (with as little delay as possible) of an account of this vessel, her Register and Papers, &c., in order that every facility may be afforded for her detection by His Britannic Majesty's cruisers, in case they should fall in with her out of her course, under false colours, or having equipped for the stowage of slaves.

Your Excellency is already aware of the strong suspicion existing, that, in direct violation of the Treaties existing between Portugal and Great Britain, for the suppression of the Slave Trade, this inhuman traffic is frequently actually promoted by the Portuguese Authorities themselves. Your Excellency has assured me of the sincere disposition of the Government to put an end to this disgrace to a civilised Nation, for which object I feel confident the whole of both Chambers of the Cortes would unanimously co-operate in consenting to any vigorous measure brought forward by the Ministers.

I trust, therefore, that the circumstances attending the departure of the "*Esperança*," alias "*Minerva*," may induce Her Most Faithful Majesty's Government to recognise the expediency of entering into an early consideration of the project I have already submitted to your Excellency, in order that, as far as depends on them, every facility may be afforded for mitigating and checking this horrible traffic, and that the stigma under which the Portuguese Nation still suffers may thus be finally and honourably effaced.

(Signed) HOWARD DE WALDEN.

His Excellency Count Villa Real,
&c. &c. &c.

Second Enclosure in No. 33.

Count Villa Real to Lord Howard de Walden.

MY LORD,

Department of Foreign Affairs, 10th February, 1835.

THE Queen's Government, inspired with the most sincere desire to prevent any attempts at unlawful traffic in slaves, did not fail to take measures in order to discover if the schooner, "*Minerva*," formerly French property, and now called the "*Esperança*," as belonging to Portuguese, is equipped, armed, and fitted out in such a manner as to confirm the suspicions of her being intended for the Slave Trade on the Coast of Africa, as your Lordship supposes, in consequence of the circumstances mentioned in your Note of the 8th instant. In consequence of the orders given, the embargo has been placed on the said vessel, until no doubt remains as to her destination, and, after the Case has been examined into, I will transmit to your Lordship the result, together with a description of the schooner, in case there should not be sufficient cause to make her be disarmed, in order that your Lordship may warn the Commanders of the vessels of the British Navy, which cruize on the Coast of Africa, to watch the said schooner, and to take the proper steps if there should be found in her voyage and employment any violation of Treaties or irregularity in her Papers. I must, however, acquaint your Lordship that, if the destination and object of the schooner are justified, and all motives for suspicion removed, she will be immediately released and permitted to continue her voyage, since it would be very improper to cause delay or difficulties in the free circulation of commerce, or to impede, on account of mere suspicions, unproved, the speculations of trade with lawful objects. In this case, however, I will not fail to communicate to your Lordship every information as to the reasons on which such a decision would be grounded.

Lord Howard de Walden,
&c. &c. &c.

God preserve you, &c.

(Signed) CONDE DE VILLA REAL.

Third Enclosure in No. 33.

Lord Howard de Walden to Count Villa Real.

MONSIEUR LE COMTE,

Lisbon, 10th February, 1835.

THE impression is so strong in Lisbon that the "*Hercules*" brig, just returned from the Coast of Africa, was fitted out for the Slave Trade, and that she has returned from an expedition,

unsuccessful only in consequence of the great mortality among her crew, that it is my duty to bring the circumstance under the notice of your Excellency, feeling confident that the Government of Her Most Faithful Majesty, acting up to the professions so repeatedly made of their sincere desire to put a stop to the nominally clandestine, though notorious, equipment of slave-traders, in the Port of Lisbon, will cause a strict investigation to be made as to the proceedings of this vessel, with a view either to ascertain whether any just grounds exist for the suspicion entertained against her and her owners, or to exonerate them from an imputation which must be so injurious to the character, and painful to the feelings of any fair mercantile trader.

(Signed) HOWARD DE WALDEN.

His Excellency Count Villa Real,
 &c. &c. &c.

No. 34.

Lord Howard de Walden to the Duke of Wellington.

MY LORD DUKE,

Lisbon, 21st February, 1835.

In conformity with your Grace's Instructions conveyed to me in your Grace's Despatch, marked Slave Trade, of the 31st of December last, I addressed myself to the Portuguese Government, complaining of the encouragement which was given by the Portuguese Authorities at Princes Island and St. Thomas to the Slave Trade, as illustrated by the Case of the "*Apta*."

I have the honour to enclose a Copy of the Note which I addressed to the Count Villa Real on the subject, together with a Copy and Translation of his Excellency's Answer, assuring me that Orders will be sent to the Authorities to try and punish, according to law, the authors and accomplices of the crime, they being responsible for any negligence in enforcing the law and in carrying into effect the Convention with Great Britain of 28th July, 1816.

I have, &c.

(Signed)

HOWARD DE WALDEN.

His Grace the Duke of Wellington, K.G.
 &c. &c. &c.

First Enclosure in No. 34.

Lord Howard de Walden to Count Villa Real.

MONSIEUR LE COMTE,

Lisbon, 9th February, 1835.

I have been instructed, by His Grace the Duke of Wellington, to call the attention of the Government of Her Most Faithful Majesty to the continued connivance of the Portuguese Authorities at Princes Island and St. Thomas, at the worst description of illegal Slave Trade, which has been exemplified by the following Case, that of the "*Apta*," a small schooner-boat, built and owned at Princes Island, which was detained by His Majesty's sloop, "*Trinculo*," in December, 1833.

I have the honour to enclose, for the information of the Portuguese Government, a Copy of the Report made respecting her by the British Commissioners at Sierra Leone.

Your Excellency will observe that the "*Apta*," only thirty feet long, and eleven feet beam, had fifty-four slaves on board, together with a crew of ten persons. On what the sufferings of these human beings must have been it would be almost an insult to your Excellency to make any comment, so fully convinced am I of the sincere horror and detestation with which your Excellency views the continuance of the daily miseries caused by this traffic in slaves.

The particular point, however, to which I have to solicit your Excellency's attention, is that respecting the strictest observance of their duties by the Portuguese Authorities, and the most rigorous enforcement, by the Government, of the Alvará of His Most Faithful Majesty, dated at Rio de Janeiro, 29th January, 1818.

The Slave Trade Commission at Sierra Leone being of opinion that, if the first Article of that Law be honourably enforced, no adventurer would venture to embark in a speculation such as that in which the "*Apta*" has been engaged, and thus a comparatively effectual check may be caused to the Slave Trade, until the period may arrive for its final and entire abolition.

I will only further trespass on your Excellency's time for the purpose of repeating the assurances of the sanguine anticipations of His Majesty's Government that the Portuguese Government will fulfil the expectations which have so long been held out, and that Portugal will, at length, by the conclusion of the Treaty the Draft of which is now in your Excellency's hands, efface that stain which so long as the Slave Trade of Portugal shall last, will rest upon the national flag.

I have, &c.

(Signed)

HOWARD DE WALDEN.

His Excellency Count Villa Real,
 &c. &c. &c.

Second Enclosure in No. 34.

(Translation.)

Count Villa Real to Lord Howard de Walden.

MY LORD,

Palace of Necessidades, 12th February, 1835.

IN answer to the Note which your Lordship addressed to me, dated the 9th instant, relative to the traffic of slavery said to exist on the Coast of Africa, through the connivance of the Portuguese Authorities in the Islands of St. Thomas and Princes, I have the honour to participate to your Lordship that I have written to the Minister of the Interior, to reprehend those Authorities for their scandalous behaviour, and to order that the authors and accomplices of such crimes may be proceeded against and punished according to law; they being responsible for any negligence they may manifest in the execution of the law, and of the Convention with Great Britain dated the 28th of July, 1816.

God preserve, &c.
(Signed) CONDE DE VILLA REAL.

Lord Howard de Walden,
&c. &c. &c.

No. 35.

Lord Howard de Walden to the Duke of Wellington.

MY LORD DUKE,

Lisbon, 21st February, 1835.

WITH reference to my Despatch, of the 12th instant, respecting the supposed slavers, "*Esperança*" and "*Hercules*," I now enclose Copies of the Note on the subject which I have received from the Duke of Palmella, in answer to the Notes addressed by me to Count Villa Real, and of its Enclosures, which contain a description of the former of these vessels.

The "*Esperança*" sailed last Sunday, and I understand that the "*Hercules*" is also preparing for sea. Although the supposed destination of the above vessels is matter of notoriety, and even the names of the parties supposed to be mysteriously connected with them are freely spoken of, I fear that the precautionary formalities respecting their Papers are so well observed that it would be next to impossible to prove any thing against them here. In case, however, of capture under *suspicious* circumstances, I have thought that information connected with the fitting-out of these vessels might perhaps be considered as worthy of some consideration.

I have, &c.

(Signed) HOWARD DE WALDEN.

His Grace the Duke of Wellington, K.G.
&c. &c. &c.

First Enclosure in No. 35.

(Translation.)

Duke of Palmella to Lord Howard de Walden.

MY LORD,

Palace of Necessidades, 19th February, 1835.

IN addition to the Note which my predecessor addressed to your Lordship, dated the 10th instant, participating to have communicated to the Minister of Marine that the necessary directions should be given to prevent the sailing of the schooner "*Esperança*," and to have asked for a description of the vessel, I have the honour to transmit to your Lordship the enclosed Copies of the Note I have just received from the Minister of Marine, and of the Passport and Bill of Health given to that vessel, as well as the description of her. By the Note of the Minister of Marine, your Lordship will know that the wishes of the Government of Her Majesty, to put an end to the prohibited traffic of slavery, are so sincere, that every possible diligence has been made to discover some legal authority for detaining the said vessel suspected of being destined for that traffic, as your Lordship states in the Note to my predecessor, dated the 8th instant, to which he replied in a Letter to which this serves as an addition; but the Supreme Tribunal of Marine having been consulted on the case, no legal means existed to authorise the desired detention.

God preserve your Lordship.
(Signed) PALMELLA.

Lord Howard de Walden,
&c. &c. &c.

Second Enclosure in No. 35.

(Translation.)

Office of Marine and Colonial Affairs,
17th February, 1835.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

IN consequence of the Despatch which your Excellency was pleased to address to me under date of the 10th instant, regarding the suspicions entertained by the British Minister at this Court, that the schooner or brig, "*Minerva*," now the "*Esperança*," was about to proceed from this port to be

engaged in the Slave Trade, I had the honour, on the 11th of the present month, to acquaint your Excellency that the Supreme Tribunal of Marine would be consulted on the subject; who, not having found legal grounds for the detention of the said schooner, have therefore ordered her to proceed on her voyage; but as your Excellency in your said Despatch likewise asked for a statement of the marks and a description of the vessel, as well as a Copy of her Passport, I have therefore the honour to transmit to you Copies, signed by the Chief Clerk of this Office of State, Antonio José Maria Campelo, of the Bill of Health and Passport, together with a statement of the marks and description of the said schooner.

God preserve your Excellency.

(Signed) AGOSTINHO JOZE FREIRE.

His Excellency Senhor Conde de Villa Real.

A True Copy.

(Signed) THEODORO JOZE PINHEIRO.

(Translation.)

Agostinho José Freire, Councillor of State, Grand Cross of the Order of Nossa Senhora da Conceição de Villa Vicoza, and Minister and Secretary for Marine and Colonial Affairs, &c.

I make known unto all who may see this Passport, that the brig called the "*Esperança*," whereof Manoel Pedro de Carvalho is Master, and João Gomez de Oliveira e Silva, Owner, is about to sail from the Port of the City of Lisbon to the Cape de Verde Islands and the Ports of Africa, whence she will return to the same city of Lisbon as is proved by Legal Documents presented at this Office of State; all the above parties being Portuguese, and subjects of this kingdom, and no foreigner having any part in the said brig.

Given in Lisbon, on the 5th of December, 1834.

(Signed) AGOSTINHO JOZE FREIRE.

By Order of His Excellency,

(Signed) JOAQUIM PEDRO DA COSTA.

Registered at folio 115 of the 29th Book of Ship's Passes.

Office of Marine and Colonial Affairs, 5th December, 1834.

(Signed) JOAQUIM PEDRO DA COSTA.

I declare that the Master, Felix Cosme Madail, goes in the place of Manoel Pedro de Carvalho.

Office of Marine and Colonial Affairs, 9th December, 1835.

(Signed) JOAQUIM PEDRO DA COSTA.

Office of Marine and Colonial Affairs, 9th February, 1835.

(Signed) ANTONIO JOZE MARIA CAMPELO.
Chief Clerk.

(Translation.)

No. 348.—The Commission of the Public Health of the Kingdom make it known, that from this City and Port of Lisbon proceeds on a voyage to Cape de Verde, and ports in Africa, the Portuguese brig called the "*Esperança*," whereof is Master Felix Cosme Madail, with a crew of thirty-three men, including the said Captain.

Lisbon, 9th February, 1835.

(Signed) AUGUSTA XAVIER DA SILVA,
Assistant-Secretary.

(Seal of the Royal Arms.)

Registered at folio 60 of the 10th Book of Bills of Health.

(Signed) MANOEL GERARDO MONTEIRO DE SEIXAS.

Office of Marine and Colonial Affairs, 12th February, 1835.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Chief Clerk.

(Translation.)

Description of the Hull and Rigging of the brig, "Esperança."

The hull low and long; great beam with little shear; cutwater with small projection, having a bust figure-head; the upper part of the stern arched; has two worked mouldings, with a small division between them, being ornamented on the quarter-pieces with foliage in relief; the chain-plates very long and formed of single bars of iron; the dead-eyes within the rail; five port-holes on each side, of the usual size, three of them being amidships, and one at each extremity; she has four other false ports on each side; quarter-cloths on the outside of the stanchions; the top-side painted white, but the streak is rather narrow; the bottom painted green between wind and water; the rest of the vessel black; the cabouse is fixed before the mainmast; she has stern-davits; her plank is very smooth, with a fine seam; the lower masts rake aft and are very taunt; the bowsprit much steeved; long yard-arms, principally the top-gallant yards; she has no sprit-sail yard, having in its place irons from the cat-heads; a wood martingale; the bowsprit-gear single; a fore-spencer; flying jib-boom top-gallant masts, with royal poles; open tops; top-mast cross trees with two cross trees each; four lower shrouds; the lan-yards being within the rail; three top-mast shrouds, two top-mast back-stays, two top-gallant and royal back-stays; main-stay and spring-stay; has no spring-stay to the fore mast.

I did not observe anything singular in the appearance of her rigging. Her appearance at a distance is imposing; but when near looks like a merchant-man.

There is nothing in her ensemble arranged in a warlike manner.

(Signed) JOAO PAULINO VIEIRA,
First Lieutenant and Assistant to the Inspector.

No. 36.

Lord Howard de Walden to the Duke of Wellington.

MY LORD DUKE,

Lisbon, 26th February, 1835.

I TRANSMIT to your Grace a Copy of another Note, which I have addressed to the Duke of Palmella, respecting the supposed slave-trader, "*Esperança*."

The case against her being so strong, I thought it expedient to press the Government as hard as I could on the subject, and to give as much notoriety as possible to the whole proceeding, in the hope that it might accelerate the conclusion of the proposed Treaty for the total abolition of the Slave Trade. The Duke of Palmella called on me yesterday, and, after admitting the disgraceful negligence and possible connivance of the various Authorities who were concerned in allowing the departure of the "*Esperança*," informed me that the Government had decided to bring in a Bill forthwith, declaring the Slave Trade to be piracy, adding that he thought that this Act emanating from themselves would have a better effect if it preceded the negotiation of the proposed Treaty. I of course highly approved of this decision of the Portuguese Government, and encouraged his Excellency to lose no time, so as to counteract the bad effect produced by the case of the "*Esperança*."

I have only further to add on this subject, that I am informed that the "*Esperança*," besides mounting eight long guns, has ten more (as described to me, raking-pieces) in her hold, that she has a great quantity of gunpowder and ammunition on board; that she is insured, partly at Lisbon and partly at Cadiz, against capture by Portuguese or British cruizers, and that M. Pedro Carvalho, who is reported in the Ship's Papers to have transferred the command to the Mate, sailed in her. It is supposed that, although she has thirty-two men on board, she will take in more at the Cape de Verde Islands; that she will there alter her rigging to that of a schooner, her masts being so set that it can be done with the greatest ease; and that she will assume her former name of the "*Mercure*," having still preserved her figure-head, that of Mercury. The subject of her departure and destination have become quite notorious, and the sum expected to be cleared by the parties concerned in the enterprise is put at 40,000*l*.

I, however, am not without apprehensions that the vessel may in fact be destined for a rover under Don Miguel's colours; that she may be destined to harrass the trade of Portugal in her distant Possessions; and that the sort of notoriety which has been attached to her equipment, as for the Slave Trade, may have been encouraged by her Captain, Pedro Carvalho, who is *part Owner*. There could be but little doubt, that if so disposed he could do, for a considerable time, infinite mischief to the Portuguese trade, with profit to himself, with perfect impunity, and, at any time, seek a retreat in the distant South American Provinces.

Captain Carvalho, the individual above mentioned, Commander of one of Don Miguel's vessels in the combat with the Queen's fleet, after being captured, was entrusted by Admiral Napier with one of the most valuable of the prizes which he brought into Lisbon. The Admiral was anxious to have obtained his pardon and his re-instatement into the Portuguese service; but Don Pedro, having unfortunately met him at the Arsenal, on the day of his arrival in the Port of Lisbon, treated him personally and publicly with great and ill-judged harshness, and thus alienated a good Officer who was desirous of making his peace, and of being admitted under the Queen's banner.

I have, &c.

(Signed)

HOWARD DE WALDEN.

His Grace the Duke of Wellington, K. G.

&c.

&c.

&c.

Enclosure in No. 36.

Lord Howard de Walden to the Duke of Palmella.

MONSIEUR LE DUC,

Lisbon, 23d February, 1835.

I HAVE the honour to acknowledge the receipt of your Excellency's Note of the 19th instant, conveying to me the information that no legal grounds of detention having been discovered against the supposed slave-brig, "*Esperança*," she had been allowed to proceed on her voyage.

Your Excellency has been obliging enough to forward to me a description of the vessel as requested by me, for which I beg to return you many thanks.

With reference to this latter Paper, however, there is so extraordinary a comment at the conclusion, when coupled with an omission most remarkable, considering the minute details entered into in other respects, that I am induced again to call your Excellency's attention to the subject, and to request the favour of some further information. The description of the "*Esperança*" (as certified by Lieutenant João Paulina Vieira) concludes with the phrase, that there is *nothing warlike* in her appearance. On this point opinions certainly *may* differ, as far as outward appearance goes, although the shape of her hull, masts, rigging, &c., was extremely remarkable, and to many professional and experienced eyes stamped her at once with the character of being calculated for an armed rover or slaver; but when I find that eight long guns which the "*Esperança*" actually mounted, have been *overlooked* by Lieutenant Joao Paulina Vieira, and I learn that she had actually sailed five days previous to the description of the said Officer being forwarded to me, I cannot but consider the credit of the Portuguese Government somewhat affected by the general proceeding as connected with her departure.

I have the most entire confidence in the sincerity of the assurances made to me, both by your Excellency as well as the Count Villa Real, of the anxious desire of the Government to put an end to the repeated violation of the Laws and Treaties by Portuguese Authorities, in conniving at the fitting-out of vessels in the ports of Her Most Faithful Majesty notoriously destined for the Slave Trade. I will, therefore, in calling your Excellency's attention to the circumstance above alluded to, only request further that you will favour me with a Copy of the *Licence* empowering the "*Esperança*" to carry eight long guns, as well as give me a reference to the Portuguese Law which regulates the *arming* of private traders, and the penalties enacted for so doing without legal authority. Your Excellency must be aware that should the "*Esperança*" be found armed by the British cruizers, after the description furnished by your Excellency, and which will be forwarded to them, grounds will at once be afforded for her detention in the omission of the particulars respecting her right to carry arms.

I will only further request that your Excellency will be so obliging as to inform me whether M. Manoel Pedro de Carvalho, who *was in command* of the "*Esperança*" the day she dropped down to Belem, and on which I a second time addressed your Excellency's predecessor respecting her, is now in Lisbon; or whether, although having transferred the command of the brig, as appears by the Certificates, to Felix Cosme Madail, he nevertheless has accompanied her on her voyage.

I must, concluding, remark that if any discretionary power is vested in the Government respecting the arming of private traders, it appears somewhat incautious to have extended this privilege to a vessel of the class of the "*Esperança*," not a native-built vessel, about which there is, to say the least, a character of mystery, commanded as she was (until detained on my representation to the Government) by the most active of the naval Officers lately in Don Miguel's service, without requiring security from substantial parties here that she shall be engaged only in *fair and lawful trade*.

I have, &c.

(Signed) HOWARD DE WALDEN.

P. S. I have been informed, on the most respectable authority, that the "*Esperança*" has been deeply insured, partly at Lisbon and partly at Cadiz, against capture by either British or Portuguese cruizers.

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

No. 37.

The Duke of Wellington to Lord Howard de Walden.

MY LORD,

Foreign Office, 15th April, 1835.

I HAVE received your Lordship's Despatch, marked Slave Trade, of the 26th of February of this year.

I send to you the Copy of a Despatch * from His Majesty's Commissioners at Sierra Leone, reporting that, in the Case of the Portuguese schooner, "*Felicidad*," condemned for illicit Slave Trade, the vessel was laden with slaves for the Cuba market by the Portuguese Governor of Bissao.

His Majesty's Government will not permit themselves to doubt that such a flagrant instance of disobedience to the humane intention of the Government of Portugal, committed by an individual in the high charge of Governor of a colony, will be visited by his Sovereign with the severity which it deserves.

You will therefore communicate to the Portuguese Minister the facts of this Case, and will express the confidence of His Majesty's Government that the proper steps will be taken by the Authorities of Her Most Faithful Majesty, for the vindication of the Laws and Treaties of Portugal upon the subject.

I am, &c.

Lord Howard de Walden,
&c. &c. &c.

(Signed) WELLINGTON.

* See Class A. No. 46.

No. 38.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 13th May, 1835.

HIS Majesty's Government have received from the Committee of British Merchants superintending the affairs of the Gold Coast a Statement, of which I herewith transmit to your Lordship a Copy, reporting the circumstances of an outrage said to have been recently committed against the Town of Winnebah, one of the stations on the Gold Coast, formerly occupied by the late African Company, and still under the protection of the British flag.

It appears that this outrage was committed, on or about the 12th of March, 1834, by a Portuguese brig, the "*Theresa*," under the command of Pedro Jozé Matto, who, being unable to conclude, at his own price, a bargain with the natives for some canoes, which were intended, it is believed, for the Slave Trade, wantonly commenced firing on the town, wounded a British soldier who went off to the "*Theresa*" for explanation, and killed a native on the beach.

In stating the particulars of this Case to the Portuguese Government, you will express the confident expectation of His Majesty's Government that they will cause an immediate investigation to be made, with a view to the discovery and the due punishment of the perpetrators of this wanton outrage.

Lord Howard de Walden,
&c. &c. &c.

I am, &c.
(Signed) PALMERSTON.

First Enclosure in No. 38.

Mr. Hay to Mr. Backhouse.

SIR,

Downing Street, 5th May, 1835.

I AM directed by Mr. Secretary Grant to transmit to you, for the consideration of Viscount Palmerston, Copies of a Letter and of its Enclosures which have been received from the Committee of Merchants superintending the affairs of the Gold Coast, reporting the circumstances of an outrage which was committed in the month of March in the preceding year by a Portuguese vessel, supposed to be engaged in the Slave Trade, against the Town of Winnebah, one of the stations on the Gold Coast, which was formerly occupied by the late African Company.

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

I am, &c.
(Signed) R. W. HAY.

Sub-Enclosure in No. 38.

The Committee of Merchants for the Affairs of the Gold Coast to Mr. Hay.

SIR,

63, Lincoln's Inn Fields, 23d April, 1835.

IN the month of July last the Portuguese brig, "*Theresa*," Jozé Pedro Matto, Master, from Bahia, obviously intended to carry off a cargo of slaves, anchored off the Town of Winnebah, at which place he landed in order to procure a supply of canoes, being bound either to Whydah or Badagry. The natives (although expressly contrary to the President Maclean's orders) agreed to furnish them; but in the course of the negotiation some dispute arose, when the Master returned to his ship, and, without any provocation, commenced firing on the town. Mr. Buckman, a British trader residing there, immediately despatched a canoe with a soldier to ascertain the cause of this unwarrantable attack, when on reaching the vessel he was furiously assailed by the Master with a sabre, which obliged him promptly to leap overboard and pull for the shore; but, previously to his reaching it, a shot was fired from the Portuguese which killed one of the natives on the beach. The friends of the murdered negro immediately put the body into a canoe, and pulled on board the "*Theresa*" to obtain redress, when the same outrageous conduct was pursued, and none could be procured. The ship sailed for her destination, and, upon these particulars being communicated to the President, he lost no time in transmitting them to Captain Meredith, of His Majesty's ship, "*Pelorus*." We beg to transmit a Copy of the President's Letter to Captain Meredith, and his Reply.

You will observe by this Correspondence that, with a view to the protection of the British traders resident at Winnebah, and to prevent the supply of canoes (without which the Slave Trade cannot be carried on at Whydah and Badagry), the President had allowed the British flag to be hoisted, and had stationed a soldier at that place. We are concerned to find that, on the present occasion, these measures have not produced the desired effect. As the best means, however, in our power of checking the Slave Trade on the Gold Coast, it may still be desirable that the British flag should be continued both at Winnebah and Dixcove, and also at Apollonia, if the present dispute there should be terminated in such a manner as to permit it. The first, Winnebah, is a station where there was formerly a fort, which was abandoned in the year 1803 for some act of delinquency on the part of the natives, who have repeatedly applied for the fort being restored, which has hitherto been refused. It is a very extensive corn country, and large quantities have been exported at various times to the West Indies and

Madeira. Dixcove is a trading-station, and produces the finest gold dust, also timber for the repair of Cape Coast Castle and Accra; there is a cove, or small harbour, where vessels of light burden can be hove down and careened. Apollonia is also productive in very good gold, and, from being the most windward fort occupied by the late African Company, was always considered of consequence for its ready communication with those to leeward, the earliest information of importance being conveyed by land from that place.

R. W. Hay, Esq.
 &c. &c.

We have, &c.
 (Signed) GEORGE BARNES.
 ROBERT BROWN.
 M. FORSTER.

Second Enclosure in No. 38.

Mr. President Maclean to Captain Meredith.

SIR,

James Fort, British Accra, 25th July, 1834.

As President of the Council of Government, appointed by His Majesty's Government to protect the British Settlements upon this part of the Coast, I feel it my duty to make you acquainted with the commission, by a Portuguese armed slaving-vessel, of a most cruel and unprovoked outrage on the inhabitants of a small town, named Winnebah, which is under the protection of the British flag, in order that, if possible, the perpetrators of the outrage may be yet brought to justice. The facts are shortly these: on or about the 12th of March last the vessel in question anchored in Winnebah Roads; the Master landed, and expressed a wish to purchase from the natives some canoes; the latter agreed to sell him the canoes; but some dispute took place between them and the Master as to the price, which it appears greatly irritated the latter, who returned to his vessel without concluding the bargain. On reaching his vessel he immediately commenced firing upon the town; on which a mulatto trader residing there, named Buckman, sent off one of my soldiers (stationed there) to demand the reason of such conduct on the part of the Master, and offering at the same time to cause justice to be done to him by the natives, if he had any just cause of complaint against them; the soldier, on getting on board, was not even allowed to speak, but was instantly attacked with great violence by the Master, who inflicted upon him several wounds with a sabre. The soldier, glad to escape, made for the shore with all speed; but before he reached it, a shot passed over his head, and killed on the beach a young man, by almost cutting his body asunder. Upon seeing this, the friends of the murdered lad placed his body in a canoe, and went off to the vessel, but were received as the soldier had been. A messenger was then despatched to me at Cape Coast Castle, which is fifty miles distant from Winnebah, with a full account of the circumstances, as above related. Foreseeing that, before I could reach Winnebah Roads with a force sufficient to capture the vessel, the Portuguese would take the alarm and sail off, I sent an express messenger with orders that the Winnebah people should amuse the Master, by offering to be willing to compromise the matter; but before the arrival of the messenger the vessel had sailed. The vessel is a brigantine or hermaphrodite brig, named "*Theresa*," under Portuguese colours, and had cleared out last from Bahia; the name of the Master is Pedro Jozé Netto. From the anxious inquiries which I have made on the subject, I believe that I may venture to pledge myself that the foregoing statement is substantially, if not strictly, correct, and can be confirmed on oath.

I would now beg leave to suggest that, under these circumstances, no doubt can exist as to the legality, certainly none as to the justice and propriety of using every means within your power (consistently with your Instructions) to effect the capture of the above-named vessel, at least of the person of her Master. Should you, or any of His Majesty's ships under your orders, be so fortunate as to succeed in doing so, I have the honour to assure you that the charge shall be fully substantiated by the clearest evidence. In conclusion I would remark, that the natives of Winnebah, in agreeing to supply a vessel, evidently a slaver, with canoes, were acting in contravention to my express orders. You are, however, aware that, with the limited means placed at my disposal, it must be impossible for me to prevent, at all times, transactions which are so profitable, and, therefore, so tempting to the natives of the coast.

Captain Meredith,
 &c. &c.

I have, &c.
 (Signed) GEORGE MACLEAN,
 President.

Third Enclosure in No. 38.

Captain Meredith to Mr. President Maclean.

*His Majesty's Sloop, "Pelorus," Accra Roads,
 25th July, 1834.*

SIR,

I HAVE the honour to acknowledge the receipt of your Letter this day, detailing an account of an outrage committed, on or about the 12th of March last, by the Portuguese brigantine, "*Theresa*," Pedro José Netto, Master, in firing on the Town of Winnebah, by which one of the natives lost his life, and ill using and wounding one of the soldiers stationed there when expostulating with them on the subject, and further requesting steps might be taken for the detention of this vessel that they may answer for the above outrage.

I beg to state to you that the cruisers on this station shall have orders, on falling in with the above vessel, to detain her for the purpose of the inquiry.

Mr. President Maclean,
 &c. &c. &c.

I have, &c.
 (Signed) RICHARD MEREDITH,
 Commander and Senior Officer.

No. 39.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 10th June, 1835.

I DEEPLY regret to find, from your Lordship's Despatch, Slave Trade, of the 5th of April, 1835, that you have not yet succeeded in inducing the Portuguese Government to conclude with your Lordship the Treaty, a Draft of which was transmitted to your Lordship so long ago as the 8th of September, 1834.

Your Lordship will see, from the accompanying Copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this Country for the extinction of this abominable traffic.

I have His Majesty's commands to instruct you to communicate these Papers to the Portuguese Government, and earnestly to press upon them the immediate signature of the Treaty in question.

Lord Howard de Walden,
&c. &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 40.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 9th July, 1835.

I HEREWITH transmit to your Lordship the Copy of a Despatch which I have received from His Majesty's Commissioners at Sierra Leone, reporting the Case of the Portuguese vessel, "*Maria*," condemned at Sierra Leone, on a charge of having been concerned in Slave Trade.

The Case of the "*Maria*" appears to furnish another of those instances (unfortunately of too frequent occurrence) in which the Authorities of Princes Island, if they have not actually connived at the infraction of the laws for the suppression of the Slave Trade, have at least been guilty of a culpable want of vigilance in preventing the violation of them.

It appears from the statement herewith furnished, that the Owners and Master of the condemned vessel reside at Princes Island; no difficulty, therefore, can exist in enforcing against these offenders the penalties of that law which they have violated.

For the purpose of facilitating the necessary proceedings in this Case, you will communicate to the Portuguese Government the accompanying Papers, containing the evidence of the guilt of the offenders; and you will, at the same time, express the confident persuasion of His Majesty's Government that proper notice will be taken, by the Government of Her Most Faithful Majesty, of the conduct pursued by the Local Authorities of Princes Island in the early part of this undertaking.

Lord Howard de Walden,
&c. &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 41.

Lord Howard de Walden to Viscount Palmerston.—(Received July 17.)

(Extract.)

MY LORD,

Lisbon, 27th June, 1835.

I HAVE the honour to enclose a Copy of a Note which I have addressed to the Duke of Palmella, transmitting to his Excellency the Address of the House of Commons on Slave Trade, and His Majesty's Reply.

I have, &c.

(Signed) HOWARD DE WALDEN.
The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

First Enclosure in No. 41.

*Lord Howard de Walden to the Duke of Palmella.**Lisbon, 22d June, 1835.*

THE Undersigned, &c., has received the commands of the King to communicate to the Government of Portugal the Address of the House of Commons on the subject of Slave Trade, and His Majesty's Answer thereto, a Copy of which the Undersigned has the honour to transmit to his Excellency the Duke of Palmella.

The Undersigned is further instructed to express the deep regret felt by His Majesty's Government at the unwillingness evinced by the Government of Portugal to proceed to the negotiation of the Treaty for the total abolition of the Slave Trade—a project for which was submitted by the Undersigned to his Excellency, so far back as the month of October, 1834.

The Undersigned has duly reported to His Majesty's Government the constant and repeated assurances which he had received from his Excellency, as well as Count Villa Real, while at different periods holding the Portfolio of the Foreign Department, that they would proceed forthwith with the negotiation of the Treaty in question, after the preliminary step of the introduction of a law, enacting that Slave Trade be considered as piracy; which course was considered by them as preferable, with reference to the dignity and independence of action of the Queen.

His Excellency moreover assured the Undersigned that a law to that effect had been submitted to the Cortes, and that it had fallen to the ground only in consequence of the late period of the Session at which it was introduced, and the difficulty attending its being brought under consideration, on account of the various important measures which occupied, towards its close, the whole attention of the Cortes.

Previous to his late retirement from office his Excellency had promised to furnish the Undersigned, at his request, with a Copy of this proposed Law; the Undersigned has since in vain attempted through his own exertions to obtain one. The Undersigned has therefore the honour to renew his request for a Copy of the Law in question, as some evidence to His Majesty's Government, and to the British House of Commons, of the intention, at least, as well as of the earnest desire expressed by his Excellency and the late Government, to abolish the horrible traffic in slaves.

The Undersigned, feeling confident that the Government, as at present constituted, cannot be less desirous to relieve Portugal from the stigma under which she labours, of not only suffering but encouraging the continuance of the Slave Trade, which is carried on under the Portuguese flag, cannot too strongly claim the fulfilment of the pledge given by himself and the preceding Government, by bringing under the early consideration of the present Government the project of a Convention which the Undersigned submitted to the Government under his Excellency's Presidency, so far back as the month of October, 1834.

The Undersigned, &c.

(Signed) HOWARD DE WALDEN.

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

Second Enclosure in No. 41.

(Translation.)

*The Duke of Palmella to Lord Howard de Walden.**Foreign Office, 10th July, 1835.*

THE Undersigned, Minister and Secretary of State for Foreign Affairs, has the honour to acknowledge the receipt of the Note which the Envoy Extraordinary and Minister Plenipotentiary of His Britannic Majesty, addressed to him, under date of the 22d of last month, respecting the illicit traffic of the Slave Trade, and enclosing a Copy of the Message which the House of Commons addressed to His Britannic Majesty on that matter, and of the Reply given to the said Message.

The same Note contains the expression of the regret which the British Government feels at the delay which there has been on the part of the Portuguese Government in going forward with a Treaty for the total abolition of the said traffic—a delay which appears to be attributed to a want of good will, and not to accidental circumstances.

With reference to this insinuation, the Undersigned is bound to declare, that such a suspicion has no foundation, since Her Most Faithful Majesty did not hesitate, at the first instant in which the business was laid before her, to empower her Ministers to enter into the views of the British Cabinet in that respect. The difficulties, however, which presented themselves during the two laborious Sessions of the Legislative Chambers, are so notorious, as well as the important events which, for the space of a year, have in that direction occupied the whole attention of the Portuguese Government, that no one can in reality be surprised at their not having had time to discuss, in the said Chambers, the project of law which this Government had prepared, to impose weighty penalties on the Portuguese subjects guilty of so odious a traffic—a law which it seemed fitting to promulgate, before concluding a new Treaty for the repression of the said traffic on the high seas, and which now can only be discussed in the next Session.

On the other hand, it should not be lost sight of that there already exists in full force the Convention concluded in the year 1817, between Portugal and Great Britain, relative to the same object. In the said Convention Her Most Faithful Majesty recognised, from that period and thenceforth, as illegal traffic in slaves—1, that which was carried on by vessels of any foreign Nation, in the colonies of the Coast of Africa belonging to Portugal; 2, that which was carried on even in Portuguese vessels cleared out from any Portuguese Port on the Coast of Africa to the north of the line; 3, that even which was carried on by Portuguese vessels cleared out from Portuguese ports of the coasts of Africa to the south of the line, in all cases in which they were not for the *bonâ fide* transporting of slaves to the Portuguese Ports and Dominions on the opposite side of the Atlantic. This Convention was concluded when Brazil was still united to the Crown of Portugal, and solely kept in view the still suffering it, because the transport of slaves coming from the Portuguese Ports of the African coast to the south of the line was at that time thought to be indispensable.

In the said Convention it was stipulated, that the cruizers of the Royal Navies of the two Nations,

furnished with powers to that end, might make prize on the high seas, of vessels of the said two Nations, suspected of carrying on the illicit traffic of slaves.

Since that epoch Brazil separated herself from Portugal, and therefore the sole hypothesis in which the above-mentioned traffic could be considered as permitted by Portuguese vessels was put an end to, seeing that Portugal has now no longer her colonies out of Africa whither she transports slaves. The said Convention is still in force, and, consequently, with a latitude far more ample than that which it formerly had; and this is so far so considered to be the case, that the British cruisers have continued to make prize of various Portuguese vessels suspected or convicted of the contraband of slaves, justifying themselves (as it would appear to the Undersigned) solely by the stipulations of the existing Convention.

The observations here made serve at least to prove that the delay in replying to the last propositions of his Government, of which the Minister of His Britannic Majesty complains, is not of so prejudicial a nature as might be supposed, were it not for the casualty of there being a Treaty already in existence between the two Governments, containing the most essential stipulations of the new Convention which it is sought to conclude, since all traffic in slaves in Portuguese vessels is actually already to be deemed illicit, and the cruisers of the Royal Navies of both Nations are already empowered to suppress it, and act conformably to that authorisation.

That which is besides most necessary, and which the Portuguese Government cannot as yet, unhappily, effect, from the reasons above stated, is to impose severe punishments on those Portuguese subjects who, in the colonies of the Coast of Africa, promote or aid in the surreptitious embarkation of slaves from any of the said ports whatsoever.

These considerations, which the Undersigned has found himself able to point out, in order to set the affair which is being treated of in its true point of view, are not however any hindrance to the Government of Her Most Faithful Majesty, in immediately consenting to enter upon the negotiation of the new Treaty which has been proposed to it, even previous to the promulgation of the law which it has in view to present to the Chambers; this new Treaty, having for its object solely to declare, in a manner more clear and explicit, that the traffic in slaves in the Portuguese Colonies of the Coast of Africa is abolished, and to take fresh measures to authorise the cruisers of both Nations to consider as illicit the traffic in slaves between the said Colonies and Brazil, which at this day no longer forms a part of the Portuguese Monarchy, giving, by this means, its true interpretation to that which was stipulated by the Convention of 1817.

A similar proposition to that which has been received from the Government of His Britannic Majesty has in like manner been received on behalf of the Governments of Brazil and of France; and Her Most Faithful Majesty will not hesitate in acceding to them all. The details of this measure will need discussion, in order to simplify it as much as possible, and thus to render more clear and more effective the stipulations which shall be agreed upon.

The Undersigned is furnished with Orders and precise Instructions for immediately entering into conference with Lord Howard de Walden upon this matter, as may suit his Lordship's convenience, with the view of discussing the projects transmitted by his Lordship to this Secretaryship of State, and of concluding with all possible despatch an arrangement on those bases.

The Undersigned, &c.
(Signed) PALMELLA

Lord Howard de Walden,
&c. &c. &c.

No. 42.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 27th July, 1835.

WITH reference to your Lordship's Despatches, marked Slave Trade, of the 12th, the 21st, and the 26th of February last, respecting two vessels, the "*Minerva*," alias "*Esperança*," and the "*Hercules*," recently fitted out at Lisbon, apparently for Slave Trade, I hereby transmit to your Lordship the Copy of a Despatch upon this subject from His Majesty's Commissioners at Sierra Leone, in answer to the Communication which I had made to them of the information contained in your Lordship's Despatches above-mentioned.

I am, &c.

Lord Howard de Walden,
&c. &c. &c.

(Signed) PALMERSTON.

Enclosure in No. 42.

His Majesty's Commissioners at Sierra Leone to Viscount Palmerston, 23d May, 1835.

(See Class A, No. 60.)

No. 43.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 3d September, 1835.

I HEREWITH transmit to your Lordship, for your information, two Copies of Papers, marked A and B, relating to the Slave Trade, which have this day been presented, by His Majesty's command, to both Houses of Parliament.

I am, &c.

Lord Howard de Walden,
 &c. &c. &c.

(Signed) PALMERSTON.

No. 44.

Consul-General Read to Viscount Palmerston.—(Received September 24.)

MY LORD,

St. Michaels, 7th August, 1835.

IN transmitting your Lordship the enclosed Translation of an official Note which I judged it my duty to make to the Prefect, *ad interim*, of this Province, on the 14th instant, I trust your Lordship will approve of my having so done.

No reply has been made, and the vessel sailed next day without examination of her hold and cabin, or interrogation of her crew.

In the verbal communications of the 6th and 11th instant, alluded to in my Note, I thought that the Prefect showed a disposition to inquire into the matter; but the three Members, who are appointed his official Councillors in all matters relative to the Prefect's duty, were evidently averse to any interference with this vessel, alleging that they are without Instructions whatever, regarding the Slave Trade, from the Portuguese Government, which defect I however supplied, by producing the British Acts of Parliament and Copies of the several Treaties with Portugal contained in Hertslett's collection.

I can, however, discern a decided apathy and indifference amongst the Portuguese in general towards any active measures for the suppression of this inhuman traffic, which has so long engaged the attention of His Majesty's Government, and nothing short of its being declared piracy by every Government will, in my humble opinion, effect the total abolition.

I have written to Lord Howard de Walden, transmitting his Lordship a Copy of my Note to the Prefect, and have given his Lordship a description of the vessel, which I herewith subjoin.

I have, &c.

(Signed) W. HARDING READ.

The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

Description of the "Margaret."

A very long vessel, of great breadth of beam; sits very low in the water; painted with a narrow white streak; apparently from two hundred and fifty to three hundred tons, heavily brig-rigged forward, schooner-rigged aft; carries a small main top-sail, but with a powerful press of canvas under full sail; very long flying jib-boom; apparently pierced for fourteen or sixteen guns; I believe, of Baltimore construction, from her appearance at a distance, viewed with a telescope of great power.

Her cargo, consisting of gunpowder, arms, tobacco, and negro slop-clothing; has a Portuguese on board for second Officer, the principal being a Spaniard; and has a motley crew, many of them are raw hands, and is not very smart in fitting her canvas; said to be bound for Princes Island, a notorious depôt for slaves, the Governor being one principally concerned in that trade. Should any opportunity afford of immediate conveyance of intelligence to the Coast of Africa, *a via* Madeira, through the Consul there, she may yet be captured off Princes Island, or on her way back to Cuba.

Enclósure in No. 44.

Consul-General Read to the Prefect of the Azores.

*General Consulate of His Britannic Majesty at Ponta Delgada,
Island of St. Michael, 14th August, 1835.*

THE Undersigned, Consul-General of His Britannic Majesty in these Islands of the Azores, has the honour to represent to his Excellency the Prefect, *ad interim*, of this eastern province thereof, that notwithstanding the motives and reasons weighed in the Sessions of the 6th and 11th days of this month, wherein the Undersigned had the honour of verbally representing the case of the brigantine, "*Margaret*," arrived at this island from the Port of Havana, in the Island of Cuba, on her voyage to Princes Island, on the Coast of Africa, situated northward of the Equator, in which he demanded of this Government to scrutinize into the real destination, nature of the cargo and of the crew, and legality of the Passport of the said vessel, the Undersigned renews his application in this official manner, because not only from the public voice and opinion, but also from further inquiries he has made, he is obliged to declare that the said vessel is not merely suspected, but is in fact really destined for the nefarious traffic of negroes on the Coast of Africa; and therefore, in favour of humanity, and as the representative of his Nation, that has made, and is still making, the greatest sacrifices to endeavour to put an end to this horrible trade in human blood, which is so opprobrious to the civilised and cultivated Nations of Europe, it being certain that almost all the Nations, and especially the Portuguese, have by the most solemn Treaties guaranteed the total extinction of this infamous traffic: on consideration of which, and in conformity with the Instructions and Orders which the Undersigned has received from the British Government, to impede by every means in his power the continuation of such trade, he therefore requires of this Government,—

1. To proceed immediately to the detention of the said vessel, and searching of her cabin and hold for the arms which are secreted and intended for the purchase of slaves; also of her cargo, which is contraband; also that the Captain, Officers, and crew, may be put into safe custody, without being allowed communication with each other, and in order that they may be separately interrogated by the competent Authority, to elicit the truth relative to the arming and equipment of the said vessel, she not being *bonâ fide* a Portuguese vessel, nor navigated conformably to the laws of Portugal, nor ought to have been admitted as such in this Custom-house.

2. That having made her passage from the Havana to this port, chiefly manned with American and English seamen engaged at very high wages, in order to get the vessel out of the reach of the British cruisers stationed in the vicinity of the Havana; the said seamen have been dismissed at this island, and ought to be judicially interrogated also.

3. That all these measures may be frustrated and rendered nugatory, if secrecy and promptness be not used in their execution; and as the vessel is intended to depart to-morrow, and may possibly clandestinely slip away to-day, if the Captain and other persons belonging to her, and who are now on shore, should get news of what is intended to be done. These, therefore, ought immediately to be secured to prevent their absconding.

4. The fact of their having on board refused all access to the cabin ought to have caused suspicion in the minds of the Officers of the respective visits, as this vessel has no more privilege than English vessels, that are subject to search in every part, as well in the hold as in the cabin, where the trunks and boxes of the Master and crew are examined and turned over by the tobacco-contractor, &c.

5. That the Government of Portugal having solemnly promised to prevent, and use every means in its power to prohibit in the ports of its Dominions the continuation of this traffic, it follows that none of these preventive measures can be censured as violent; but, on the contrary, as necessary, and proceeding from the denunciation which the Undersigned hereby makes of this vessel, to whom at least will belong the satisfaction of having performed his duty as Consul, and who will, without loss of time, inform officially the Government of His Britannic Majesty of this affair, as also the Envoy Extraordinary Minister Plenipotentiary at the Court of Her Most Faithful Majesty in Portugal.

The Undersigned avails, &c.

(Signed) WILLIAM HARDING READ.

*His Excellency the Prefect, ad interim, of this Eastern Province
of the Azore Islands, in Ponte Delgada.*

No. 45.

Lord Howard de Walden to Viscount Palmerston.—(Received October 12.)

MY LORD,

Lisbon, 3d October, 1835.

NOT having received the information respecting the suspected slave-schooner, the "*Minerva*," alias "*Mercury*," alias "*Esperança*," which I requested of the Count Villa Real, whilst Minister for Foreign Affairs, in my Note of the 8th January, transmitted to his Grace the Duke of Wellington in my Despatch, marked Slave Trade, of the 12th of February; and considering the moment opportune for calling the Duke of Palmella's attention to the Slave-Trade question, I addressed a Note to his Excellency on this subject, of which I enclose to your Lordship a Copy, as well as a Copy and Translation of his Excellency's Reply.

I have, &c.

(Signed) HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 45.

Lord Howard de Walden to the Duke of Palmella.

MONSIEUR LE DUC,

Lisbon, 12th September, 1835.

SOME months ago I addressed a Note to the Count Villa Real, your Excellency's predecessor in Office, requesting certain information respecting the departure from the Port of Lisbon of the notoriously suspected slave-vessel, the "*Minerva*," alias "*Mercury*," alias "*Esperança*." I think your Excellency will not consider me impatient if I take the liberty of bringing this subject to your Excellency's recollection.

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

I have, &c.
 (Signed) HOWARD DE WALDEN.

Second Enclosure in No. 45.

Duke of Palmella to Lord Howard de Walden.

MY LORD,

Palace of Necessidades, 23d September, 1835.

YOUR Lordship having stated in the Note which you addressed to me on the 12th instant that you had not yet received the information, which at various times you had requested of my predecessor, respecting the schooner, "*Esperança*," called also "*Minerva*," and "*Mercury*," and which was strongly suspected to have sailed from the Port of this Capital, in order to be employed in the Slave Trade, I think it right to observe to your Lordship that the Note to which your Lordship refers was answered by my predecessor on the 10th of February last, and subsequently by me on the 19th, as your Lordship will ascertain to be the case by the registration of your Note, No. 12, on the 23d of the same month. It is true that the last Note, in which your Lordship requests fresh explanations upon the subject in question, has not yet been answered, and I have now again requested the Secretary of State for the Marine Department to enable me to answer in the manner required by your Lordship.

I will not lose this opportunity of observing to your Lordship, that as the two Governments are on the point of arranging together the measures which they are to adopt for the more effectual prevention of the Slave Trade, both by opposing in every possible manner the equipment of vessels destined for this unlawful traffic, and by transmitting to the Authorities in the Colonies most peremptory orders not to give any countenance to it, it appears to be less necessary to revert to what has passed upon the subject, as we should rather turn all our attention to the means of preventing it for the future; and I can assure your Lordship that you will find the utmost readiness in the Government of the Queen to accede to all proposals tending to this desirable result.

Lord Howard de Walden,
&c. &c. &c.

God preserve you, &c.
 (Signed) PALMELLA.

No. 46.

Lord Howard de Walden to Viscount Palmerston.—(Received October 12.)

MY LORD,

Lisbon, 3d October, 1835.

I HAVE the honour to transmit to your Lordship Copies of a Correspondence which has taken place on the subject of the departure of a vessel, the "*Margarida*," supposed to be destined for the Slave Trade, from the Island of St. Michaels, consisting of Mr. Consul Read's Despatch, enclosing his official representation to the Prefect of the Eastern Province of St. Michaels, of a Note which I addressed, in consequence, to the Duke of Palmella, and of his Excellency's Answer.

I have, &c.
 (Signed) HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

First Enclosure in No. 46.

Mr. Read to the Prefect of the Azores.

(See Enclosure in No. 44.)

Second Enclosure in No. 46.

Lord Howard de Walden to the Duke of Palmella.

MONSIEUR LE DUC,

Lisbon, 12th September, 1835.

IT is with feelings of the deepest disappointment that I have found myself so repeatedly called upon, and with so little success, to represent to the Government of Her Most Faithful Majesty the direct encouragement given by the Portuguese Authorities to the inhuman traffic in slaves. I have just received from His Britannic Majesty's Consul, at the Azores, a report of a vessel, *notoriously* believed to be fitted out for the Slave Trade, having been allowed to leave the Port of Ponte Delgada, without even the ordinary visit which is observed towards all British merchantmen, and in disregard to the official representations made by His Britannic Majesty's Consul.

I transmit to your Excellency the Copy of a Note addressed, on the subject, by Mr. Consul Read to the Prefect, to which he has not even deigned to reply, in case that public Functionary himself should have neglected to forward it for the information of the Portuguese Government.

It is unnecessary for me to expatiate on the disgrace which is thus continually brought upon the Nation at large, upon the Government, and the Queen's flag, by the conduct of the Portuguese Authorities in the distant Colonies of Portugal, and I have the distressing reflection now brought to mind, that in no one single instance, out of the many representations which I have brought, by the King's command, under the notice of the Government of Portugal, making known specific cases of encouragement of or connivance at this infamous traffic, has any one satisfactory answer been returned by the Portuguese Government; nor, as far as I have been able to learn, has any one of the guilty, or suspected, or accused persons, been either proceeded against judicially, visited by any declaration of Her Majesty's displeasure, or removed from situations where there exists any reason to believe that this system of encouragement to the traffic in slaves is still carried on in the fullest activity, in direct infraction of Treaties, to the disgrace of the national flag, at the expense of the reputation and good faith of the Government, and the honour of the Queen of Portugal.

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

I have, &c.
 (Signed) HOWARD DE WALDEN.

Third Enclosure in No. 46.

The Duke of Palmella to Lord Howard de Walden.

MY LORD,

Foreign Office, 23d September, 1835.

I HAVE to acknowledge the receipt of your Lordship's Note of the 12th instant, in which you complain of the protection given by the Portuguese Authorities to the Slave Trade, and send me, in support of that complaint, a Copy of a Note which the British Consul-General in the Azores addressed to the Prefect of the Eastern Province of that Archipelago, requesting him to examine with all diligence into the case of the brig-schooner, "*Margaret*," come from Havana and bound to Princes Island, whose equipment, together with other circumstances, raised the suspicion that she was employed in the said traffic—a Note to which the said Prefect paid no attention, and gave no answer. I have the honour to acquaint your Lordship, that as there appears in fact to have been culpable negligence on the part of the Prefect, in not paying attention to the above-mentioned Note of the British Consul-General in the Azores, Her Majesty the Queen has immediately ordered the said Prefect to give to Her Secretary of State the reason for his conduct on that occasion; and, as soon as his Answer shall have been received, Her Majesty's Government will take all the measures proper to be taken upon the subject.

Lord Howard de Walden,
 &c. &c. &c.

God preserve you, &c.
 (Signed) PALMELLA.

No. 47.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 29th October, 1835.

I HEREWITH transmit, for your information, two Copies of a Treaty, which was concluded on the 28th of June last, between His Majesty and Her Majesty the Queen of Spain, having for its object the entire suppression of the Slave Trade of Spain.

The Ratifications of this Treaty were exchanged at Madrid, on the 27th of August last.

I am, &c.
 (Signed) PALMERSTON.

Lord Howard de Walden,
 &c. &c. &c.

No. 48.

Lord Howard de Walden to Viscount Palmerston.—(Received November 17.)

MY LORD,

Lisbon, 31st October, 1835.

I HAVE the honour to enclose to your Lordship a Copy and Translation of a Note from the Duke of Palmella, transmitting to me a Copy of a Circular which, at my request, his Excellency has addressed to the Portuguese Consuls, and to the Secretaries of State, as Instructions to persons in authority under the different departments, calling on them, strictly and actively, to further the intentions of the Government, in enforcing the laws prohibiting the Slave Trade, in accordance with the solemn engagements of Treaties contracted by the Crown of Portugal.

I have, &c.

(Signed)

HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 48.

(Translation.)

*The Duke of Palmella to Lord Howard de Walden.**Foreign Office, 24th October, 1835.*

THE Duke of Palmella presents his compliments to Lord Howard de Walden, and has the honour to transmit to him the accompanying Copy of a Circular which his Lordship requested, and which is about to be sent to the Portuguese Consuls, and to the different Secretaries of State, by whom it will be made known to their subordinates, in order that the provisions of the said Circular may be executed.

(Signed)

PALMELLA.

Lord Howard de Walden,

&c. &c. &c.

Sub-Enclosure in No. 48.

(Translation.)

Circular.

It having been made manifest to Her Majesty the Queen, that, in disobedience to the laws, and to the scandal of civilization and of humanity, there have been frequent repetitions of the criminal abuse of secretly equipping foreign vessels in Portuguese ports, and Portuguese vessels in foreign ports, for the purpose of being employed in the barbarous and detestable traffic in slaves, Her Majesty is pleased to order that, in using all measures of scrupulous vigilance for this object, you should proceed in a more efficient manner to put a stop to these iniquities, or to call down upon the heads of the refractory the rigour of the existing laws.

The August Predecessors of Her Most Faithful Majesty, acknowledging the cruelty of this tyrannical trade, restricted it as far as the ideas of their times seemed to allow, without prejudice to their colonies. The Decree of the 14th October, 1751, prohibits, under severe penalties, the passing of negroes to lands not belonging to the Portuguese Dominions, wherein the cruel necessity of slavery is taken for granted; the Decree of the 19th September, 1761, prohibits the importation of slaves into those Countries and the Islands adjacent to them; other Decrees, of a more recent date, mitigated the barbarity of the Slave Trade; and, finally, the Decree of the 26th January, 1818, published subsequently to the Convention of 1817, between Great Britain and Portugal, declares illegal all traffic in slaves carried on by Portuguese subjects, with certain exceptions, which no longer have weight now that the Brazils have ceased to form a portion of the Portuguese Monarchy.

Her August Majesty having then taken into her consideration the well-founded complaints which have been submitted to her Royal Presence, of the infractions which have been committed of the laws in force against this odious traffic; and being determined, as soon as possible, to propose legislative enactments, in order to ensure in a more effective manner its total extinction, she has been pleased, in the mean time, to decree the exact bringing to public justice and confinement of offenders, as is already directed in the Decree of the 26th January, 1818; and she authorises you besides to take, provisionally, whatever measures you may think fit, in those cases in which, on account of the separation of the Brazils, it may be indispensably necessary to add to the provisions of the above-mentioned Decree and the existing law, in order that offenders may not be able to escape the punishment which the law inflicts on their atrocious crime.

The which I transmit to you for your information, and in order that you may execute it.

Palace of Necessidades,
22d October, 1835.

God preserve you, &c.

(Signed) PALMELLA.

A True Copy.

(Signed) J. LEOPOLD BAYARD.

No. 49.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 9th January, 1836.

I HEREWITH transmit to you the Copy of a Despatch which I have received from His Majesty's Commissioners at Rio de Janeiro, together with Copies of its Enclosures, containing the Extract of a Despatch addressed by the Brazilian Chargé d'Affaires at Lisbon to the Imperial Government at Rio de Janeiro, and the Copy of a Note which that Gentleman, on the 16th of April, 1835, addressed to the Government of Her Most Faithful Majesty.

In this Note your Lordship will see that the Brazilian Chargé d'Affaires remonstrates with the Portuguese Government against the use of the Portuguese flag to cover the trade in slaves; states the frauds which are practised for covering with impunity, through these means, that illicit traffic, asserts that "the negligence, and perhaps connivance, of Portuguese Agents in foreign States, and of Portuguese Authorities in the Colonies," greatly facilitate the perpetration of these frauds; points out the obstacles which these frauds oppose to the success of the efforts made by the Government of Brazil to suppress the traffic; and urges strongly that measures may be taken by the Government of Her Most Faithful Majesty to prevent these evils in future.

You will make use of the contents of this Communication, in supporting the representations which you yourself have been instructed to make, upon similar grounds, to the Government of Portugal.

Lord Howard de Walden,
&c. &c. &c.

I have, &c.
 (Signed) PALMERSTON.

Enclosure in No. 49.

Rio de Janeiro Commissioners to Viscount Palmerston, 17th September, 1835.

(Class A.)

No. 50.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 5th February, 1836.

I TRANSMIT to you herewith Copies of Papers which I have received from the Admiralty, showing the prevalence of the Slave Trade under the protection afforded to it by Portugal.

I have received His Majesty's commands to desire that your Lordship will forthwith communicate these Papers to the Government of Her Most Faithful Majesty, accompanying them by a Note, of which I send your Lordship a Draft.

Lord Howard de Walden,
&c. &c. &c.

I am, &c.
 (Signed) PALMERSTON.

First Enclosure in No. 50.

Mr. Wood to Mr. Backhouse.

SIR,

Admiralty, 29th January, 1836.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Viscount Palmerston, an Extract of a Letter from Rear-Admiral Campbell, with Copies of the Enclosures therein referred to, respecting the traffic in slaves on the Coast of Africa by Spanish and Portuguese vessels.

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

I am, &c.
 (Signed) C. WOOD.

Second Enclosure in No. 50.

Extract of a Letter from Rear-Admiral Campbell to Mr. Wood.

The "Thalia," at Ascension, 14th December, 1835.

THE traffic in slaves appears to be carrying on to a most extraordinary extent, both to the northward and southward of the line, by Spanish and Portuguese vessels. I enclose, for their Lordships' information, a Copy of a Report upon the subject from Lieutenant Mercer, commanding the "Charybdis," and also Extracts of two Letters from Acting-Commander Paget, of the "Trinculo."

Third Enclosure in No. 50.

Lieutenant Mercer to Admiral Campbell.

*His Majesty's brig, "Charybdis," Princes Island,
6th September, 1835.*

SIR,

I HAVE the honour to acquaint you that, after quitting you off St. Helena, I was unable to fetch Bengulla, owing to light adverse winds and a strong northerly current, and that, on the 6th August, I made the land twenty miles to the southward of St. Paul de Loando, at which place I anchored on the 7th, where I found thirty-two Portuguese vessels of all classes, and one Spanish, trading for slaves. Several of the Portuguese vessels were boarded by the "Charybdis," and found to have their slaves on board; and, although under Portuguese colours, I have every reason to suppose they were Brazilian property, as more than two-thirds of them belonged to ports in the Brazils, and were bound there.

An Officer was sent to wait upon the Governor of St. Paul de Loando respecting the boat stolen from Table Bay, but could gain no intelligence of her. At 7^h 30' p. m. of the same day I weighed and proceeded along the coast to Ambriz; on the 9th hove-to in Ambriz Roads, and boarded the Spanish brigantine, "*Isabelle Segunda*," a remarkably fine vessel, well armed, with a crew of forty-nine men, and will carry off the coast about five hundred slaves. Found lying here, also, an English schooner and an American brig trading for ivory, and from the former vessel I had the mortification to learn that a Spanish brig, with four hundred and fifty slaves on board, had sailed two days previous to my arrival. On the 11th anchored in the River Congo, where I found, twenty miles from the entrance, four Spanish vessels, and one Portuguese, waiting for their cargoes of slaves, six hundred of whom were collected in the factory ready for shipping. We had great difficulty in gaining the distance up the Congo, owing to the strong current, averaging four and five knots an hour.

Whilst at anchor in the Congo, a trading-boat belonging to Cabinda came alongside, the owner of which informed me of one Portuguese and three Spanish vessels trading for slaves at that place. I next proceeded to Loango, passing Cabinda in the night.

At daylight, on the 16th, sent the gig to board the vessels in Loango Bay, where she found an English and two Spanish brigantines, the latter trading for slaves and the former for ivory; from her I again obtained the annoying intelligence that a very fine Spanish brig, with five hundred slaves, had sailed only the morning before at ten o'clock.

In consequence of which information I made all sail in pursuit, and as the wind had been very light and calm since her departure, I was led to suppose by a little exertion I should overtake her; but after forty-eight hours' chase of ninety-five miles W.N.W. of Loango, having swept both day and night without success, I hauled in for the land.

From the Master of the English brigantine at Loango I also learned that two Spanish schooners were trading for slaves (supposed to carry about three hundred and fifty each) at Mayumba Bay, the next place of trade to the southward, but at present were on their way to the Island of Annabon for a supply of farina for the slaves.

On the 23d of August anchored in the River Gaboon, having run along the coast from Mayumba. Found lying here two small Spanish schooners trading for slaves, and will carry from two hundred and thirty-two hundred and fifty each, three French brigs, and one English schooner, the "Pitt" of Bristol, trading for ivory and camwood. I was detained here a day, for the purpose of recovering some property belonging to the Master of this vessel, which the natives had kept back from him. At this place there were two full cargoes of slaves, amounting to seven hundred, ready for shipping.

From the Gaboon I proceeded to Fernando Po, at which place three days' fresh meat and vegetables were procured for the ship's company, and from thence I worked up along-shore to the westward of the Bonny, when I stretched over to Princes Island in search of the Senior Officer, where I anchored this day.

The information I collected at the different ports visited by the "Charybdis," south of the line, relative to the Slave Trade, and the number of vessels employed in that traffic annually, enables me to make the following statement:—

Number of Vessels.	From what Ports, &c.	Whither Bound.	Under what Colours.	Average Number of Slaves in each.	Total.
65	St. Paul de Loando	Brazils	Portuguese	350	22,750
10	Ambriz	Cuba	Spanish	400	4,000
15	Congo	"	"	400	6,000
15	Cabinda	"	"	400	6,000
12	Loango	"	"	400	4,800
6	Mayumba	"	"	350	2,100
4	Camina	"	"	350	1,400
127					47,050

At Bengulla there is also considerable traffic in slaves by vessels under Portuguese colours.

Should you, Sir, from the above Report, be induced to send a cruiser in that vicinity, I have only to add that I should feel highly favoured by the "Charybdis" being nominated, as I am confident that had my orders, during the visit of inspection, allowed me to have remained a few days off either of the ports specified, great success must have been the result.

Rear-Admiral P. Campbell, C.B.
Commander-in-Chief.

I have, &c.
(Signed) S. MERCER,
Lieutenant and Commander.

Fourth Enclosure in No. 50.

Draft of a Note to be presented by Lord Howard de Walden to the Portuguese Minister.

THE Undersigned, &c., has received from his Government the accompanying Papers, which he has been instructed to communicate to the Government of Her Most Faithful Majesty.

These Papers demonstrate that, notwithstanding the assurances so frequently given, by the Government of Portugal, of their anxious disposition to second the indefatigable efforts made by the British Government to put down the traffic in slaves, that trade still continues to be openly and actively carried on under the Portuguese flag; and the Convention of 1817, between Great Britain and Portugal, is daily becoming less effectual for the attainment of the object for which it was framed.

The Portuguese Government has repeatedly declared that Portugal has no interest in the continuance of the Slave Trade; and, indeed, since the separation of Portugal from Brazil, the subjects of Portugal are prohibited, absolutely and without limitation, from carrying on that trade.

But the stipulation in the Convention of 1817 which prohibits the detention of any Portuguese slave-vessel found anywhere to the south of the Equator, unless she shall have been chased from some spot on the north of the Equator, has led the traders to frequent those places in Africa which are south of the line; because, in those places, they are virtually protected by the Treaty.

It will be seen from the accompanying statement, that all along that portion of the western coast of Africa which is possessed by Portugal the Slave Trade is publicly carried on; and that, in ports belonging to the Crown of Portugal, vessels are permitted to take in cargoes of slaves, and to lie at anchor with those slaves on board; even in the very presence of the cruisers, which are employed under the Orders of both Governments, for the sole purpose of suppressing the Slave Trade.

The Papers which the Undersigned has now the honour to communicate further demonstrate that this trade is carried on with all those circumstances of attendant atrocity which aggravate even its inherent guilt; that, in these slave-ships, hundreds of negroes are during long voyages crammed into spaces far too small to contain them without the greatest degree of bodily suffering; that the slave-traders, when chased, are in the habit of throwing overboard into the sea those negroes whose health has broken down under the torture of their confinement; and that, in order to lighten their ship, and facilitate their escape, they actually drown such of their cargo as are not likely to be profitable for sale in the market to which they are going.

It is now upwards of a year since the Undersigned, by direction of his Court, proposed to the Government of Her Most Faithful Majesty a Treaty for the prevention of these abominations; and the British Government has been waiting ever since in the constant hope that this Treaty would be accepted by Portugal.

The Undersigned is now instructed again to press the Government of Her Most Faithful Majesty to redeem the pledges so often given on this subject, by concluding, without further delay, a Treaty which shall effectually prevent the Slave Trade from being carried on by Portuguese capital, or by the subjects or flag of Portugal.

His Majesty's Government confidently trusts that this renewed appeal to the good faith and justice of the Cabinet of Lisbon will not be made in vain; and that a Convention will at last be concluded, such as the interests of humanity and the honour of the two Crowns imperatively require.

No. 51.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 19th March, 1836.

THE accompanying Copy of a Despatch and of its Enclosure, from His Majesty's Commissioners at Sierra Leone, gives an account of the Case of the schooner, "Theresa," recently condemned at Sierra Leone, with a cargo of two hundred and two slaves on board, embarked in that vessel as objects of commerce.

In this Case it was proved before the Commissioners that the vessel was Portuguese, the Master and all the crew were Portuguese subjects; that the Owner of the vessel was also a Portuguese subject, and resident at the Portuguese Settlement at Whydah; that the Owner of the slaves was also a Portuguese subject, and resident at Whydah; that he was a known slave-dealer, and father-in-law of the Owner of the vessel.

That the vessel came from Whydah to Princes Island, for the express purpose of obtaining Papers for the *Costa de Mina*, with which she might hope to trade with impunity in slaves; and that the Authorities in Princes Island granted these Papers, with which she returned to Whydah, and thence proceeded to Lagos, and shipped there the cargo of slaves with which she was condemned.

You will point out these facts to the attention of the Portuguese Government, and add the observation made by the Commissioners, that in every case of Portuguese vessels which had come before the Court at Sierra Leone, throughout the year 1835, the vessels had been furnished from the Provisional Government at Princes Island with the Papers enabling them to carry on immediately their Slave Trade.

In communicating these points to the Portuguese Government your Lordship will express the expectation of His Majesty's Government, that the Government of Portugal will not any longer permit the Authorities at Princes Island to afford these facilities to the proscribed trade in slaves; but will, on the contrary, take measures to put down the trade, wherever it may be in their power; and that they will further cause proceedings to be adopted for bringing to punishment those Portuguese subjects mentioned in the accompanying Despatch who are notoriously dealers in this hateful traffic.

I am, &c.
(Signed) PALMERSTON.

Lord Howard de Walden,
&c. &c. &c.

Enclosure in No. 51.

Sierra Leone Commissioners to Viscount Palmerston, 31st December, 1835.

(See Class A, No. 59.)

No. 52.

Lord Howard de Walden to Viscount Palmerston.—(Received March 29.)

MY LORD,

Lisbon, 20th March, 1836.

HAVING received information of the arrival, in the Port of Lisbon, of a Portuguese vessel, the "*Paquete de Madera*," which is strongly suspected of having been recently employed in the Slave Trade, I addressed to the Marquis de Loulé a Note, of which I have the honour to enclose a Copy, calling upon his Excellency to take measures for the punishment of those persons who have been employed in the expedition in question, in contravention of the laws of Portugal, and of the Instructions recently issued by Her Most Faithful Majesty's Government.

I have, &c.
(Signed) HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

First Enclosure in No. 52.

Lord Howard de Walden to the Marquis de Loulé.

Lisbon, 17th March, 1836.

THE Undersigned, &c., has the honour to inform the Marquis de Loulé, &c., that he has received information of the arrival in the Port of Lisbon of a Portuguese schooner, "*Paquete de Madera*," A. G. Henriquez, Master, Supercargo and Owner, Gil of Lisbon, which vessel the Undersigned has the strongest reason for suspecting has been lately employed in the Slave Trade.

The Undersigned feels confident, that he has only to awaken his Excellency's attention to the character of this vessel to ensure his taking every measure called for, in virtue of the solemn engagements of Treaties, and in fulfilment of the repeated assurances made by the Portuguese Government, in the name of Her Most Faithful Majesty, to bring to punishment all the persons connected with this late expedition, who may in any way have been guilty of a violation of the laws of Portugal, or of any infraction of Her Most Faithful Majesty's Instructions, issued last year to the heads of establishments under the different departments of the State as well as to the Governors of colonies.

The Undersigned trusts now confidently to the honour of His Excellency, that the Portuguese Government will not allow, in the present instance, of a repetition of proceedings such as took place last year, in the Case of the "*Esperança*," the circumstances attending whose departure from Lisbon were as injurious to the good faith of the Portuguese Government as they were disgraceful to the Authorities immediately intrusted by them.

The Undersigned takes this opportunity of calling his Excellency's attention to the circumstance of his not having yet received an Answer to that Note which he addressed to the Portuguese Government, on the subject of the departure of the "*Esperança*," the notoriously suspected slave-trader.

The Undersigned, &c.

(Signed) HOWARD DE WALDEN.

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

Second Enclosure in No. 52.

Port of Belem, 15th March, 1836.

ARRIVED the Portuguese schooner, "*Paquete de Madera*," A. G. Henriquez, Master, Supercargo and Owner, Gil of Lisbon, from the Havana, in twenty-eight days, with sugar and coffee, about seventy tons, and a very fast sailer. She sailed from Lisbon about eight months since on the Slave Trade; took in at Mozambique two hundred slaves; landed said slaves at the Havana, and obtained a very high price for them. This vessel was chased by two British cruizers, but escaped by superior sailing. A few days before leaving the Havana a very fine brig, under Portuguese colours, bound to the Coast, was taken by a British cruizer; she had on board forty thousand dollars, part produce of a cargo of six hundred slaves said brig had already landed on the Island. Slaves are in great demand, and are readily disposed of at very high prices. Said brig sailed from Lisbon nine months since; supposed to be the brig commanded by the late Captain Manoel Pedro, in Don Miguel's service, and who died on the Coast, as said vessel, when she left Lisbon, was well armed, having eighteen guns, which was the reason of her being taken for having arms without a license.

Asserted, that the "*Paquete de Madera*," after discharging her cargo here, will again sail for the Coast, as the profit of these voyages is immense. Calculated, that the Owner will make by this single voyage seventy contos of reis.

No. 53.

(Extract). *Lord Howard de Walden to Lord Palmerston.*—(Received April 7.)

MY LORD,

Lisbon, 26th March, 1836.

HAVING received your Lordship's Despatch of the 5th of February, of the Slave Trade series, I duly fulfilled your Instructions by communicating the Enclosures therein to the Portuguese Government, in the Note to the Marquis de Loulé, of which your Lordship transmitted to me the Draft.

I have, &c.

(Signed)

HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 54.

Lord Howard de Walden to Viscount Palmerston.—(Received April 7.)

MY LORD,

Lisbon, 26th March, 1836.

THE Marquis de Loulé has again assured me that the law which the Portuguese Government have so often pledged themselves to bring forward, and of which I have so often reminded his Excellency, enacting that Slave Trade should be declared piracy, should be presented to the Cortes in a few days. Understanding, however, from his Excellency, that the text was not quite agreed upon, I suggested the adoption of those Clauses in the Act of Congress * relating to piracy comprehending Slave Trade, which would at once constitute a satisfactory law, and which I submitted to his Excellency for the consideration of the Portuguese Government.

I have, &c.

(Signed)

HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

* See Hertslett's Treaties, Vol. III., pages 468 and 482.

No. 55.

Lord Howard de Walden to Viscount Palmerston.—(Received April 15.)

MY LORD,

Lisbon, 2d April, 1836.

I HAVE the honour to transmit to your Lordship the "*Diario do Governo*" of this day's date, containing the Project of Law for the total abolition of the Slave Trade throughout the Portuguese Dominions, which was presented to the Cortes by the Minister of Marine.

I have, &c.

(Signed) HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 55.

(Translation.)

*Extract from the "Diario do Governo," Lisbon, 2d April, 1836.**Chamber of Peers, 26th March, 1836.**Project of Law for the Abolition of the Slave Trade in the Portuguese Dominions.*

ARTICLE 1.

THE commerce of the exportation of slaves, by land and by sea, is prohibited in all the Territories of the Portuguese Monarchy, from the day on which the present Law shall have been published in the Capital of each of them, whether those Territories be to the northward or southward of the Equator, or whether they be even those in which this commerce has been permitted under the Treaty of the 22d of January, 1815, and of the additional Convention of the 28th June, 1817.

ARTICLE 2.

The importation of slaves by sea into those Territories is likewise prohibited, while nevertheless the importation of them by land is permitted.

ARTICLE 3.

The sons and daughters of the slaves inhabiting the Portuguese Territories, who shall be born from the day of the publication of this Law forward, shall by its benefit be born entirely free, though their mothers be slaves; and the owners of the latter shall be obliged to maintain those children to the age of twelve years, on pain of losing the said female slaves, who shall be declared free, and of a fine of from twenty to forty thousand reis in each case, which fine shall be applied in favour of those manumitted female slaves.

ARTICLE 4.

To obviate any fraud which may be committed with respect to the slaves living at the time of the publication of the present Law, all the masters of them shall be obliged, during the first fifteen days posterior to that of the publication, to present to the Municipal Chamber of the District in which they may be settled a List of the slaves possessed by them, with a specification of their sex, age, and particulars of person, and, within fifty days, the slaves themselves, on purpose that, upon ascertaining their identity and existence, they may be matriculated in a book kept for the purpose. After the expiration of the sixty-five days of the above two terms, a Certificate extracted from that book, stating that the individual applying for it is not matriculated in that book, shall serve the latter in the way of a Letter of liberation. The Matriculation and the Certificates copied from it shall be made out gratis.

ARTICLE 5.

The sale, exchange, or gift of the slaves thus matriculated, which shall have taken place from the publication of this Law forward, is permitted and shall be valid, if the purchaser or the persons exchanging be domiciliated in the territories of the east or west Coast of Africa, provided that it be effected by a public Deed, and that the latter be within eight days entered in the respective book containing the Matriculation of the sold, exchanged, or given slave or slaves. If this entry be wanting, the Certificate of the non-entry and the presentation of the Deed of Sale shall serve the sold, exchanged, or given slave or slaves as a Letter of Manumission.

ARTICLE 6.

The change of dominion over the slaves, by means of succession, shall likewise be entered in the Matriculation-book within fifteen days, to count from the delivery of the slaves. In default of such entry, the Certificate of the non-entry and that of the Deed of Partition shall serve the slaves as a Letter of Manumission.

ARTICLE 7.

If any of the slaves thus matriculated die, the master of them shall be obliged, within fifteen days after that of the death, to give information of it to the Municipal Chamber, on purpose that his or her name may be expunged in the Matriculation-book. The transgression of this Article shall be punished with the loss of a slave for every slave of whose death he shall not have given notice, which slave shall be selected by the competent Authority from among all those he possesses, and such slaves shall forthwith be declared free. A transgressor possessing no slave shall pay a fine of one hundred and sixty thousand reis.

ARTICLE 8.

In case any Portuguese subject, or any other colonist, should desire to pass with the slaves in his possession from the Portuguese Settlements on the east and west coasts of Africa to any other Portuguese Settlement on the same east or west coasts of Africa, he shall be at liberty to do so on the following Conditions:—

1. That he present himself with the Certificate of the Matriculation of the slaves whom he wishes to carry, and with the slaves themselves, to the Director of the Custom-house of the district whence he departs, to enable the latter to verify their identity.

2. That he produce before the Director of the Custom-house a proper security, equal to double the value of the slaves in question, as a pledge of his actually going to land them at the place where he declares it to be his intention of settling.

ARTICLE 9.

The Certificate of the Matriculation shall be entered in the books of the Custom-house, with the Declaration that the identity of the slaves has been verified; and, after signing the Tender of Security, there shall be inserted in the Certificate of Matriculation the verification of the slaves at the Custom-house, the security proffered by him, and the place to which he removes; and the Certificate shall thereafter be delivered to the party, to serve him as his voucher or title.

ARTICLE 10.

A Certificate of the entry made at the Custom-house shall be sent officially by the Director of it, in a closed Letter, to the President of the Municipal Chamber of the district in which the owner of the slaves has declared he intends to reside. The President of the Municipal Chamber of that district, if the proprietor of those slaves has not appeared before him within six months from the date of the Certificate of the entry at the Custom-house, shall officially give information of it to the Director of the Custom-house who has transmitted to him the Certificate, to the end that the latter may, by the competent means, require the security to be realised by the payment of the secured sum, which shall be applied as directed by Article 15. To release the surety shall be lawful only in case he can prove the shipwreck or death of the person for whom he became security.

ARTICLE 11.

The slave-owner who in this manner changes his residence shall present himself, the instant he arrives at the place of his destination, to the Municipal Chamber of the district, with the slaves and with the respective Certificate of their Matriculation, as entered at the Custom-house whence he took his departure, in order that the Chamber may have it registered, after verifying the identity of the slaves, and may give him a Certificate of the presentation, with the view of enabling him, on the strength of it, to require the cancelling of the security he gave at the place from which he sailed.

ARTICLE 12.

No Passports shall be given to merchant-ships for the east or west coasts of Africa, unless their Owners, Captains, or Masters, have signed a Document, importing that they will not receive on board thereof any slaves but such as, by Article 8 of this law, are permitted to be conveyed from one place to another on the Coast of Africa. The transgression of this Article shall be punished by five years' labour on board the galleys, and by a fine amounting to the value of the vessels, one half of which to be applied in behalf of the slaves freed by the benefit of the present law, and the other half to go to the informers.

ARTICLE 13.

In the Passports given to the merchant-vessels for the east and west coasts of Africa, it shall always be distinctly specified that, should they be met with in contravention of this law by the Portuguese ships-of-war, it shall be lawful for the latter to capture them.

ARTICLE 14.

Masters of Portuguese merchant-vessels, proceeding to any of the ports on the east and west coasts of Africa, shall be obliged, as soon as they have cast anchor, to send to the Director of the respective Custom-house the Passport of the vessel, which the Director of the Custom-house shall retain in his possession till the day of the departure of the vessel. On that day he shall deliver it to one of the Officers of the Custom-house deserving his confidence, and for whom he shall be responsible, in order that the latter, having repaired on board the vessel, and found, on making the search enjoined him, that the Master carries no slaves, may deliver it to him in the act of his making sail, and after weighing anchor; and of his having done so he shall make a written Report to the Director of the Custom-house, who shall deposit the Report in its archives.

ARTICLE 15.

Every contravention of the provisions of this law is declared a public crime, to prosecute which is the special duty of the Royal *Procuradores* and their Delegates, and is likewise in the competence of any individual of the people.

ARTICLE 16.

The transgressions of this law shall be punished with the loss of the slaves who may be the object of those transgressions, and who shall become free immediately; with the loss of the transport in which the slaves shall have been conveyed; with the penalty of from five to ten years' labour on board the galleys; and with a fine tantamount to the value of the slaves, which shall be applicable, together with the value of the vessel, to the benefit of the captors and informers.

ARTICLE 17.

In regard to the transgression of this law, there is no direction respecting the particular cognizance to be taken of them, and the imposition of penalties.

ARTICLE 18.

The Justices *de direito* of the respective districts shall be competent to take cognizance of the

transgressions of this law; from whose sentences, however, there shall always lie an appeal, respecting the point of law, to the Supreme Tribunal of the Marine of the Kingdom, except in the cases mentioned in Article in which judgment has been pronounced without appeal.

ARTICLE 19.

The Consuls and Vice-Consuls of her Most Faithful Majesty, in any port resorted to by Portuguese ships, are charged with the execution of the present Law, and on being informed of any contravention of it, it shall be lawful for them to apply to the Authority of the Country for the detention of the vessel and the imprisonment of the delinquents, causing thereafter the vessel, the prisoners, and the cargo, to be delivered up to the Department of the Marine, for it to direct its Auditor-General to take cognizance of the whole transaction. The Consul or Vice-Consul proved to have been remiss in the execution of this Article shall be punished with the loss of his office, and shall be disqualified from holding any other, which punishment shall be made public by the official press.

ARTICLE 20.

The present Law shall be published in the usual way by the Governors of the Dominions beyond sea as soon as they receive it; and they shall likewise give a Copy of it to each of the Chambers, to the respective Custom-houses, and to the Justices *de direito*. The Department for Foreign Affairs shall send a Copy to the Consuls and Vice-Consuls of Portugal in all Countries.

ARTICLE 21.

Are repealed all laws to the contrary, &c.

(Signed) VISCONDE DE SA BANDEIRA.

No. 56.

Viscount Palmerston to the Baron de Moncorvo.

Foreign Office, 30th April, 1836.

THE Undersigned, &c., has received His Majesty's commands to bring under the consideration of the Portuguese Government, through the Baron de Moncorvo, &c., a matter which not only His Majesty's Government, but the British Nation, have long had most earnestly at heart; and with respect to which His Majesty's Government think they are entitled to claim the co-operation of Portugal, and cannot permit themselves to doubt that such co-operation will be obtained.

The subject to which the Undersigned is desirous of drawing the attention of the Government of Portugal is the trade in slaves—a trade which has long been denounced as criminal by all the Nations of Europe, but which, to the disgrace of Christendom, still continues to be carried on to a lamentable extent.

England and Portugal are among the Powers which were the earliest to declare their determination to put an end to this traffic; but very different have been the degrees to which they have respectively followed out, by their acts, the principles which they have both professed.

In England this matter has long excited a deep and general interest, and as early as the year 1806 the two Houses of Parliament addressed the King, “be-
“ seeing His Majesty to take such measures as in His wisdom He should judge
“ proper, for establishing, by negotiation with Foreign Powers, a concert or
“ agreement for abolishing the African Slave Trade.”

The Crown, in accordance with this Address, entered at once into communication with the several Foreign Powers with whom Great Britain was then in alliance; and Portugal, the most ancient and intimate Ally of England, was the first of the European States with which negotiations were opened.

The Undersigned begs to direct the attention of M. Moncorvo to the points and progress of these negotiations.

In April, 1807, Great Britain made the first overture to Portugal on this subject, and urged her Ally, on the broad ground of humanity and justice, to determine to abandon the traffic.

His Majesty's Envoy at Lisbon was instructed to remind the Portuguese Ministers that, “by a concurrence of the majority of the principal maritime
“ Nations of Europe, this disgraceful traffic had been prohibited.” He was desired to “represent to them the general benefit which would result from the
“ accession of the Government of Portugal to the fullest extent of the measures
“ which the British Legislature had finally determined to adopt” on the question; and in case the Sovereign of Portugal “should persist in allowing his subjects to
“ prosecute the traffic,” he was to declare that “His Majesty had an undoubted
“ right to require that their commercial operations should be confined to their

“usual haunts, and should not be extended to the tracts of coast which His Majesty had determined to abandon, and leave to the undisturbed possession of its native inhabitants.”

The Portuguese Minister stated in reply, that “no hesitation would be made by Portugal to give an assurance, in any mode that might be deemed expedient, that Portuguese traders should forbear from those tracts of the Coast where the trade had been abandoned by Great Britain,” but that it was “utterly impracticable,” at that time, for Portugal to go the length of “abolishing the traffic.”

In the following year, 1808, this overture was followed up. Great Britain declared the abolition of the trade to be a necessary link in the ties of friendship which had so long subsisted between the two Crowns, and which had been cemented by the blood and treasure of Great Britain, spent in the defence of Portugal.

In April, 1808, the British Minister intimated to the Portuguese Court, that, “in any Treaty which should contain the final arrangement of the relations between the two Countries, he should be instructed to propose an Article, having for its object the gradual disuse, and ultimate, and not distant, abolition of the Trade;” and he added, that Great Britain “expected, that so long as that trade should be continued by the Portuguese, they should at least abstain from furnishing slaves to other Nations.” The British Minister stated, in another communication at that period, that Great Britain was especially anxious that “the Portuguese Government, even if in other places the trade should still continue, would at once abandon the traffic in slaves at Bissao, situate in the midst of a territory in which the Slave Trade was then nearly disused, and where its continuance interrupted the endeavour to afford to that coast protection and repose.”

In 1809 the negotiation came to a definite result. A Treaty of Alliance was signed between Great Britain and Portugal, and in one Article of that Treaty the principle of abolition “was recognised in its full extent.” This Treaty, indeed, was not ratified by Great Britain, as it contained two stipulations “directly contrary, the one to the fundamental Municipal Law, and the other to the maritime policy of Great Britain.” But in the following year, 1810, another Treaty between the two Powers was concluded and ratified, the tenth Article of which declared that “the Prince Regent of Portugal, being fully convinced of the impolicy and injustice of the Slave Trade, has resolved to co-operate with His Britannic Majesty in the cause of humanity and justice, by adopting the most efficacious means for bringing about a gradual abolition of the Slave Trade throughout the whole of his Dominions; and, actuated by this principle, engages that his subjects shall not be permitted to carry on the Slave Trade on any part of the Coast of Africa not actually belonging to His Royal Highness’s Dominions, in which that trade has been discontinued and abandoned by the Powers and States of Europe which formerly traded there;” reserving, however, to his own subjects, the right of trading in slaves “within the African Dominions of the Crown of Portugal,” and specially at “Molembo and Cabinda, and in those parts” of the Costa da Mina “belonging to or claimed” by that Crown.

The important events which agitated Europe during the following three years, from 1811 to 1814, interrupted the efforts of the British Government for the final abolition of the Slave Trade; but the fortune of war placed a great portion of the western coast of Africa under the immediate control of Great Britain; and, for a time, the Slave Trade in those quarters was practically annihilated.

Upon the re-establishment of the peace of Europe, in 1814, the Slave Trade revived; and the Parliament of Great Britain, always on the watch on this subject, and stimulated by the declared sentiments of the people, again implored “His Majesty that the most strenuous exertions might be made at the Congress about to be held at Vienna, to obtain from the assembled Powers a general and solemn engagement, under the most binding and effectual sanctions, that this traffic, the foul and formidable enemy of the happiness and civilization of Africa, should, at a definite and fixed period, certainly not more distant than five years, be abolished, utterly and for ever.”

Negotiations for the accomplishment of this object were, in consequence, set on foot at the Congress of Vienna.

At this period the Government of Great Britain endeavoured, by a large and pecuniary sacrifice, to reconcile with the particular interests of Portugal the humane purpose which Great Britain had in view; and a separate Treaty, framed with that intent, was concluded with Portugal, for the immediate limitation of the trade.

At the same time, the proposition for fixing a definite period for the entire and final abolition was discussed in Congress at Vienna. But while other European Powers agreed, on that occasion, to abandon the Slave Trade within the time that was proposed, the Portuguese Minister was instructed to attempt to prolong the duration of this inhuman traffic; and on the 20th January, 1815, he objected, on the part of his Sovereign, to the term of five years, as not being sufficiently long; adding however, that His Royal Highness, acting on the Treaty of 1810, "would not refuse to adopt the term of eight years for the final cessation of the trade;" but he qualified even this admission by a declaration, that "the ulterior measures to be taken on this subject must depend upon the issue of commercial discussions between Great Britain and Portugal."

On the day subsequent to that on which this declaration was made the Portuguese Minister concluded his separate negotiation with the British Plenipotentiary, by signing the Convention of the 21st January, 1815; and on the following day the two Ministers also signed a further Treaty on the subject of the Slave Trade.

Under the "Convention," Great Britain, in "consideration of the 'Regulations' to be adopted in the Treaty," consented to pay the sum of three hundred thousand pounds to Portugal: and, under the "Treaty," Great Britain, "in consideration of the stipulations thereof," further consented to remit all further repayments on a loan of six hundred thousand pounds, which had been made in London, in 1809, for the service of Portugal.

The "Stipulations" and "Regulations" of the Treaty were, that "Portugal should determine, by a separate Treaty, the period at which the Portuguese trade in slaves shall universally cease and be prohibited, throughout the entire Dominions of Portugal;" that, "until such general and final abolition," she would make it "unlawful" for her subjects to purchase or trade in slaves upon the Coast of Africa, except those parts only to the south of the line which are the "actual or claimed" Dominions of Portugal; and that she would prevent her subjects from engaging in, and her flag from being used for, that trade, "except for the purpose of supplying the transatlantic Possessions of Portugal."

England fulfilled faithfully her part of the Treaty, by the payment of the sums stipulated as the price of the concessions to be made by Portugal. But the stipulation entered into by Portugal immediately to limit the trade, and her engagement to fix afterwards, by Treaty, a definite period for its entire cessation, led to no result whatever; although she joined in the Declaration made on the 8th of the following month, by the Powers assembled in Congress, expressing their concurrent and earnest "desire" to obtain "the universal and definitive abolition of the Slave Trade"—and proclaiming it to be "a scourge which has long desolated Africa, degraded Europe, and afflicted humanity."

Two years afterwards, on the 9th of July, 1817, the British Parliament, moved by information received from various quarters, presented an Address to His Majesty, stating that "the crime of Slave Trade is carried on with fresh and continually increasing activity; and the stipulations to put limits to this evil—stipulations purchased by this country at the price of large sacrifices—are constantly and almost openly disregarded;" and concluding by an earnest entreaty to the Sovereign of this Country, "to leave no effort untried to bring the present evil to a speedy and immediate termination."

Experience had demonstrated that the only effectual means of putting down the crime were to be found in arrangements under that general concert which had been suggested in the Address of Parliament in 1806.

Portugal at length, by an additional Convention with Great Britain, signed on the 28th July, 1817, consented, in a limited degree, to the agreement proposed to her.

By that Convention Portugal specified the limits within which the Slave Trade of her subjects should, under the previous Treaty, be considered as lawful.

Those limits which had previously been described as the "actual" or "claimed" Dominions of Portugal, were, by this Convention of 1817, specified to be those parts in south latitudes which lie between the 5th and the 18th degree on the

western, and between Cape Delgado and Lorenzo Marquez on the eastern coast of Africa.

Portugal, furthermore, by this Convention, granted to British cruizers a right of search; and gave to a Commission, composed of British and Portuguese subjects, a power to condemn vessels found actually laden with slaves to the north of the Equator. She reserved to herself the task of preventing the Slave Trade in those parts south of the Equator in which it was no longer lawful; and His Most Faithful Majesty specially engaged to promulgate, within two months in the capital, and as soon as possible in the other parts of his Dominions, "a law which should prescribe the punishment of any Portuguese subjects who might in future participate in an illicit traffic in slaves."

The law promulgated in Portugal on the 26th of January, 1818, in pursuance of this stipulation, denounced punishment on those Portuguese subjects only who traded in slaves to the north of the Equator, and omitted any mention whatever of those other illegal traders, the punishment of whom Portugal had specially reserved to herself; and, as far as the British Government is aware, no penalty has, up to the present moment, ever been extended to Portuguese subjects slave-trading south of the line, or elsewhere beyond the limits permitted by the Convention of 1817.

By a separate Article, signed 11th September, 1817, the two High Contracting Parties agreed, "as soon as the total abolition of the Slave Trade for the subjects of Portugal shall have taken place, to adapt to that state of circumstances the stipulations of the additional Convention of the 28th July, 1817, and that, in default of such alterations, that additional Convention shall remain in force until the expiration of fifteen years from the date of the abolition by the Portuguese Government."

In the Congress assembled at Aix-la-Chapelle, in 1818, the Portuguese Plenipotentiaries were again urged to fix the time when the Slave Trade should be abolished by Portugal; but the Portuguese Plenipotentiaries required, as an "indispensable condition of the final abolition," that His Britannic Majesty should make such a change in the system of commercial intercourse between Great Britain and Portugal as, according to the declaration of the British Minister, amounted to "sacrifices on the part of a single Power which one State could not expect of another, as an indispensable condition of a general measure having for its object the good of humanity alone."

The principal Powers of Europe, whose Representatives were assembled in that Congress, concurring in the opinion thus expressed on the part of Great Britain, addressed simultaneously, and in concert, a Letter to the Sovereign of Portugal, beseeching him to fix a time when "Portugal would ensure the triumph of the Declaration of the 8th of February, 1815, by means of an Act decreeing the abolition of the Slave Trade in all parts and for ever."

This endeavour was unavailing. The King of Portugal declined to accede to the wishes of the Sovereigns, alleging that, by such a step, he should "revolt the opinions of the proprietors in the colonies, and inflame the minds of the slaves themselves."

The British Parliament, steadily bent upon abolition, again addressed the King on the 7th of July, 1819. They observed, that "one Power alone" (meaning Portugal) "has hitherto forborne to specify the period at which the traffic shall be absolutely abandoned," and they urged His Majesty to "renew his endeavours for the attainment of that object."

In the next year the British Government made another effort, by offering to revise an Article in the Treaty of 1810, favourable to Great Britain, provided Portugal would fulfil the expectations she had held out in 1815, that her trade in slaves should be abolished in 1823.

The sacrifice thus offered by Great Britain was declared by Portugal to be insufficient; and all that could be obtained from her was a general and vague assurance, "that His Most Faithful Majesty would always adhere faithfully to the engagements he had contracted and to the principles he had professed on this head."

But these professions produced no practical results, and the Slave Trade of Portugal flourished as much as ever, and was aided by the connivance and encouragement of the Officers of the Government.

In the year 1819 evidence was obtained tending to prove that a Portuguese

vessel, the "*Nova Felicidade*," detained for slave-trading, had been equipped by the Portuguese Governor of Princes Island.

Representations were repeatedly made by Great Britain against these and other similar infractions of the Treaties; but the delinquents went unpunished, and the illegal trade went on.

In September, 1820, in order to check the evil, a stipulation was proposed to Portugal, by which a slave-vessel might be condemned without having any slaves on board at the time of detention, if any slaves had been on board of her during the voyage in the course of which she was detained.

This stipulation was not agreed to.

In 1821, His Majesty's Envoy to the Court of His Most Faithful Majesty was instructed to make a fresh effort to obtain a general prohibition of the Slave Trade throughout the Dominions of Portugal, represented as being the "only one of the Powers who were assembled at Vienna which still upheld and legalised this inhuman traffic."

This effort was ineffectual.

In the year 1822 the Commissioners at Sierra Leone reported facts, established by evidence, proving, as they observed, "that the trade was carried on by means of combined arrangements and co-operating parties, at the Cape de Verde Islands, Bissao, and Cacheo, including persons holding the highest stations, and principally charged with the maintenance of the laws of their country, and the Treaties of their Sovereign, at each of those places."

Amongst the persons specially implicated in these transactions were the Governors of the Cape de Verde Islands, of Bissao, and of Cacheo.

Soon afterwards Brazil declared her separation from Portugal; and in the latter end of 1822 the British Envoy at Lisbon reminded the Portuguese Government, that Great Britain had a right, under Treaty, to require from Portugal the abandonment of the Slave Trade whenever she should no longer have any transatlantic Dominions for which to continue it; and the British Envoy formally declared the resolution of His Majesty's Government "to exercise the rights which might accrue to it under the Treaty, from the change in the relations between Portugal and Brazil."

The Portuguese Minister replied, that this declaration was at any rate premature; and he still expressed and defended a wish that, even in the contemplated contingency of a separation of Brazil from the mother-country, the Slave Trade might be continued by Portugal, as a lucrative branch of commerce.

An Officer of high character in His Majesty's Navy, who at that time visited the islands of St. Thomas and Princes, stated in an official Report, that "in both those islands every person, without exception, from Ferrara Gomez, the Governor, to the lowest free black, was engaged in Slave-Trade adventures in some way or other."

In March, 1823, Portugal so far relaxed from her adherence to Slave Trade as to agree to the stipulation, by which a slave-vessel might be condemned on account of her having had slaves on board during the voyage in the course of which she was captured.

It was then becoming more and more probable, that Brazil would obtain from the mother-country a recognition of her independence; and Count Palmella, early in the following year, declared to Sir E. Thornton his disposition to consent at once to the total abolition of the Slave Trade, adding that "Portugal could have no interest in it in case of the independence of Brazil."

A formal representation was immediately made by Great Britain to Portugal, expressing the "gratification of His Majesty" at these sentiments, and stating the readiness of the British Government to enter immediately into negotiation for the abolition of the trade by Portugal, who now stood "single among civilized nations," in the maintenance of the commerce.

The Portuguese Minister observed in answer, 11th September, 1834, that "the dispositions of his Government, which he had already made known in respect to the abstract measure of the abolition, had not varied; but that at the moment, and in the actual disturbed state of Brazil, the abolition of the traffic would be ill-timed;" and he gave a verbal explanation of that last expression, by saying that the abolition on the part of Portugal would be "a virtual acknowledgment of the independence of Brazil."

The independence of Brazil having at last been acknowledged by Portugal,

His Majesty's Ambassador at Lisbon was instructed, in September, 1826, "to obtain, from the new Minister for Foreign Affairs, a written pledge for the concurrence of his Government in a stipulation for the final and total abolition of the Portuguese Slave Trade."

The Portuguese Minister, Don F. D'Almeida, in reply to this appeal, declared, October 2d, 1826, in a Note to Sir William A'Court, "that the Portuguese Government acknowledged that the moment was come to put an end to the inhuman traffic in slaves, and that, consequently, it would have no objection to insert in the Treaty," then in contemplation between Great Britain and Portugal, "an Article by which His Most Faithful Majesty should bind himself, not only to the total abolition of the Slave Trade in the Dominions of Portugal, but also to co-operate with His Britannic Majesty for the total extinction of so barbarous a traffic in the Countries where it unfortunately exists."

In furtherance of this declaration, the Portuguese Minister, at the close of the Session, in December of that year, laid before the Portuguese Chambers the project of a law "for the abolition of the infamous Slave Trade."

The British Government did not learn that the law so proposed ever made any progress in the Portuguese Chambers.

A consideration of the internal difficulties in which Portugal became involved withheld His Majesty from pressing, for some years after that time, the conclusion of the promised compact. But the declarations of the Authorities of Portugal against the trade checked for a time the progress of the evil.

Accounts, however, reached His Majesty's Government, that the Cape de Verde Islands still continued to afford shelter to the illegal traffic in slaves; and that the Authorities in those islands encouraged it by granting Passports, by means of which large quantities of slaves were annually imported into those islands from Bissao, Cacheo, and other places.

The pretence under which these importations took place was sometimes that the slaves were domestic servants, and at other times that they were to be employed in a fishery.

These accounts were transmitted to the Government of Portugal: promises were made that the offenders should be punished and the practice prevented; and the Portuguese Slave Trade fell off during the two or three following years.

But statements received in 1831 showed that the Portuguese Settlement of Cacheo "continued a notorious slave-mart, and afforded large supplies of slaves to undiminished numbers of slave-vessels." In the case of the "*Rosa*" six Bills of Lading of slaves, signed by one resident at that place, were brought at one time to the notice of the Commissioners at Sierra Leone. The "*Nympha*," slave-trader, came out regularly armed, and giving battle to the cruizers, actually attempted to take them. The "*Hebe*," slave-vessel, started for the trade from the very capital of Portugal.

His Majesty's Government, through the British Agent at Lisbon, communicated these facts to the existing Government of Portugal, reminded them of the engagements of their Country, and called upon them to issue a Declaration, "announcing the final and total abolition of the trade, and their determination to suppress it, according to the terms of the additional Article to the Treaty of 1817.

No answer whatever was given to this representation, although the Government of Portugal was more than once pressed upon the subject by His Majesty's Agent at Lisbon.

In December of 1832 Great Britain urged Portugal, as well as all the other Powers who by Treaty have stipulated for the condemnation of slave vessels, to agree to the breaking-up of vessels so condemned.

The Portuguese Government replied that it would abide by the decision to be taken on this subject by other Nations similarly situated; and that it would ascertain the determination of those Governments, and give, in common with them, a decisive answer.

Other Governments have agreed to the stipulation; but the decisive answer promised by Portugal has not yet been received.

In 1834 His Majesty's Commissioners at Sierra Leone, in transmitting their account of the cases of Slave Trade which had recently been brought before them, observed that "the traffic in slaves under the Portuguese flag appears now to be carried on to as great an extent as it was before Brazil ceased to belong to Portugal," that "thirty Portuguese vessels were a short time past engaged in

“slaving in the Bights of Benin and Biafra, and in the rivers emptying themselves therein;” that “the destination of these vessels would be to Cuba;” and that “to the flag of Portugal has thus been transferred the carrying of slaves, which had been so successful under that of” other Powers.

The conclusion thus drawn by the Commissioners was supported by facts stated from other quarters.

His Majesty’s Government then felt it to be its imperious duty to press the Government of Portugal to fulfil the promise made in 1826, by agreeing to positive stipulations with this country for the entire suppression of the Slave Trade of Portugal.

A Draft of a Treaty for the total extinction of Portuguese Slave Trade was sent out in September, 1834, to His Majesty’s Envoy at Lisbon, who was instructed to state to the Portuguese Minister, that His Majesty’s Government “could not doubt that the Government of Portugal would be eager to redeem its various pledges, by the conclusion of such a Treaty.”

For nine months the Treaty remained unnoticed in the hands of the Government of Portugal, and His Majesty’s Envoy was never able during that period to induce the Portuguese Minister to enter upon the consideration of the proposed measure.

The two Houses of Parliament in May, 1835, addressed the King, praying His Majesty to press upon his Allies those stipulations which were essential to the suppression of the trade; and they specially called His Majesty’s attention to the “conduct pursued by the Government of Portugal, which was bound, not only by the most solemn Treaties, but by the receipt of large sums of money, and by the remission of debts due to this Country, totally to abolish this nefarious traffic;” and they “besought His Majesty to revise those Treaties, in order to make one solemn league or Treaty,” wherein should be contained stipulations for the condemnation of vessels equipped for Slave Trade, for an extension of the right of search, for the effectual destruction of every condemned slave-vessel, and for a Declaration that Slave Trade shall be piracy.

His Majesty’s Envoy at Lisbon was instructed to communicate this Address to the Portuguese Government, and earnestly to urge the immediate signature of the Treaty.

In answer to this Communication the Duke of Palmella, on the 10th of July, 1835, consented at length “to enter on the consideration of the new Treaty;” “giving by this means,” as the Duke observed, “its true interpretation to that which was stipulated by the Convention of 1817.”

The Duke further declared, on the 23d of September, 1835, the utmost readiness, on the part of the Government of the Queen, to accede to all proposals for the more effectual suppression of the trade; and the Marquis of Saldanha assured His Majesty’s Envoy a few days afterwards, that “he was perfectly ready to consent to the entire abolition of the trade.”

These declarations were followed by the Circular of the 22d of October, 1835, to all Portuguese Functionaries, stating that the Convention of 1817 had declared illegal “all traffic carried on by Portuguese subjects *on the Coast of Africa*, with exceptions which have no longer any weight now that the Brazils have ceased to form a portion of the Portuguese Monarchy;” and reminding those Functionaries that the Slave Trade now carried on under the Portuguese flag is but for the supply of other Powers, and is forbidden by laws promulgated in Portugal so long ago as the year 1761.

Finally, the Marquis de Loulé, in his Note to Lord Howard de Walden, of the 12th of December, 1835, gave the assurance that “the Government of Her Most Faithful Majesty will persevere in their efforts to extinguish the Slave Trade wherever they find it.”

The Undersigned will now briefly state the degree to which this trade is carried on by Portugal, in spite of all the stipulations and in the face of all the assurances which he has just recited.

Not one single restriction which Portugal has stipulated by Treaty to impose upon the Slave Trade has as yet taken effect; not one of her own laws against the trade has yet been put in force; not one of the professions of her Government has been followed up by acts, giving proof of the sincerity of her declarations.

The trade exists in all its enormity in those very places where, in the year 1807, Portugal was urged to suppress it, and where, in her earliest compact with Great Britain, she agreed to put an end to it; and it has actually broken out in new and additional channels.

All along the Coast of Africa, north as well as south of the line; all along the Coast of Brazil; all round the Island of Cuba; wherever a slave is to be bought or sold, vessels with the Portuguese flag are ready to commit the crime. Nor has the capital itself of Portugal been, in the last year, free from these undertakings.

It is not for the Colonies of Portugal; it is not for any part of the Portuguese Dominions; that the Trade is thus carried on. No national interest can now be pleaded as a motive for the perpetration of the offence.

The ships of Portugal now prowl about the ocean, pandering to the crimes of other Nations; and, when her own ships are not sufficiently numerous for the purpose, her flag is lent as a shield to protect the misdeeds of foreign pirates.

The Ministers of Brazil, in a formal representation recently made to the Portuguese Government, have declared that the difficulty now experienced by the Brazilians in suppressing the Slave Trade in their own country, arises mainly from the guilty practices of the Portuguese Authorities in allowing Brazilian vessels to hoist the Portuguese flag, in order to cover slave-trading adventures.

At St. Paul de Loanda the Portuguese vessel, "*Maria da Gloria*," was furnished with a Certificate and Manifest from the Customs, stating that her cargo consisted of gum-copal, hides, and mats, and "that this was a true and correct account" of the cargo of the vessel. The Master gave Bond to the Authorities that "he would not take away any person whatever from the place without the permission of the Governor." The Governor granted to the vessel a "Licence to depart without hindrance from the forts;" and a Passport enjoining all Allies of "Portugal not to molest her in her voyage."

The vessel thus protected cleared out, and, according to the Master's own words on deposition, immediately "shipped four hundred and thirty-two negroes from the shore at Loanda, after the said vessel had cleared the shoals at the mouth of the port."

Thirty-two vessels laden with slaves rode at one time at anchor in the bay, trusting in insolent security to the unmerited respect shown by the British cruizers to the flag of Portugal.

The practice of transporting slaves from the African Coast to Princes Island and to the Cape de Verde Islands, on various pretexts, has never been relinquished. The vessels used for this purpose are so little adapted for the cargoes they receive; the slaves are so crowded in them; and are subjected during the passage to such complicated sufferings; that, even if the trade itself were legitimate, the way in which it is carried on would deserve the severest condemnation.

The Authorities at Princes Island give such ready connivance to this trade, that all the Portuguese slave-vessels, which during the last year have been carried into Sierra Leone, were found to have on board Papers from those Authorities, allowing the vessels to trade to the Costa da Mina, the place where they had taken in their illegal cargoes.

At Whydah the most powerful Portuguese merchants, and among others the noted "De Souza," are acknowledged slave-agents, carrying on this trade openly and with impunity.

At Cacheo slaves are embarked in sight of the Local Authorities.

At Bissao, where, even in the earliest stage of the negotiation, Portugal agreed to suppress the Slave Trade, the very Governor himself last year loaded the "*Felicidad*" with African slaves for the Cuba market.

The cruelty with which the trade is carried on has not been lessened in these latter days. It has been stated, during the very last year, that "in these slave-ships hundreds of negroes are, during long voyages, crammed into spaces far too small to contain them without the greatest degree of bodily suffering; that the slave-traders, when chased, are in the habit of throwing overboard into the sea those negroes whose health has broken down under the torture of their confinement; and that, in order to lighten their ship and facilitate their escape, they actually drown such of their cargo as are not likely to be profitable for sale in the market to which they are going."

These assertions are borne out by evidence now before the Portuguese Govern-

ment. Yet the persons who commit these enormities remain unpunished, and continue in the exercise of authority;—and the Portuguese Government itself declares, that the trade so carried on has been prohibited by a law promulgated in Portugal so far back as the year 1761.

Great Britain cannot any longer be satisfied with the professions, the declarations, or the unexecuted laws of Portugal, on this subject. The result proves that nothing will put the trade down but a power given to search, to condemn, and to destroy, all vessels, which may be found engaged in or equipped for Slave Trade, under the Portuguese flag, or for Portuguese account, and in any part of the world.

The Undersigned is willing to believe that he may understand the recent declarations of the Marquis de Loulé, as expressing the determination of the Government of Portugal to fulfil its engagements, by concluding this long looked for compact.

Yet still the negotiation lingers, and every proposition which has as yet been brought forward by Portugal in the course of these negotiations, even up to the present day, has had for its object to weaken the force of stipulations proposed by Great Britain for the extinction of the trade.

The Undersigned, in closing this long and painful recital, feels that the facts which he has enumerated speak so forcibly as to require no additional comments.

He simply, but earnestly, entreats the attention of the Government of Portugal to the circumstances he has detailed; and he implores, in His Majesty's name, Her Most Faithful Majesty not to delay to redeem the honour of Portugal, by concluding this long promised Treaty.

The Undersigned avails himself of this occasion to renew to the Baron de Moncorvo the assurances of his distinguished consideration.

(Signed) PALMERSTON.

No. 57.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 30th April, 1836.

I HEREWITH transmit, for your Lordship's information, the Copy of a Note which, by His Majesty's commands, I have this day addressed to the Baron de Moncorvo upon the subject of the Slave Trade of Portugal.

(Signed) PALMERSTON.

*Lord Howard de Walden,
&c. &c. &c.*

No. 58.

The Baron de Moncorvo to Viscount Palmerston.—(Received 3d June 1836.)

LE Soussigné, &c., eut l'honneur de recevoir la Note que lui adressa en date du 30 Avril dernier, Son Excellence Monsieur le Vicomte Palmerston, &c.; et il s'empessa de la porter à la connaissance de son Gouvernement, malgré que le Soussigné savait déjà qu'un nouveau Traité était au point d'être signé, entre les Gouvernemens de Portugal et de la Grande-Bretagne, dans le but d'abolir autant que les circonstances le permettront, et d'une manière plus effective, l'horrible commerce dit Traite des Nègres sur les côtes d'Afrique.

Comme le sujet de la Note de Son Excellence ne contenait guères autre chose qu'une suite de plaintes portées contre le Gouvernement Portugais, et quelques unes de ces plaintes étaient même assez graves; telle que le Portugal avaient manqué de sa part à l'exécution des Traités existants sur ce même objet, le Soussigné croit de son devoir de répondre à ces accusations; et il espère de pouvoir prouver que, dans tant de circonstances inattendues qui sont survenues, son Gouvernement a toujours cherché à remplir les engagements qu'il avait contracté.

Premièrement, le Soussigné prendra la liberté de remarquer à Son Excellence que les infractions commises au sujet de la Traite des Nègres ne doivent être nullement portées à charge du Gouvernement Portugais, qui n'y consentit jamais, mais au vil intérêt de quelques sujets ; et dans ce cas, non seulement de Portugais, mais des personnes appartenantes à tant d'autres nations, et même des sujets de Sa Majesté Britannique, ne resteraient exempts d'une pareille accusation, malgré qu'il ne serait que trop difficile de le prouver, à cause des précautions avec lesquelles ils trempent dans ces négociations.

Il est bien vrai que pendant les dernières trente années, à peu près, le Gouvernement de Sa Majesté très Fidèle n'a pas pû suivre avec activité une série de mesures nécessaires pour exécuter toutes ses promesses à ce rapport, et pour que ses ordres expédiés à ses Autorités coloniales fussent dûment exécutés. Mais le Soussigné ne peut pas accorder le principe avoué, que la loi du 26 Janvier 1818, n'avait pas ordonné des mesures efficaces pour abolir la traite sur la côte d'Afrique au sud de l'Equateur, dans ces ports qui n'étaient pas exceptés dans la Convention du 28 Juillet 1817 ; car on ne donnait des passeports que pour ces ports excéptés ; et, selon la Convention, tous les navires qui seraient rencontrés sans ces passeports étaient sujets à être condamnés. Outre ça les allegations d'infractions rapportées dans la Note de Son Excellence prouvent elles-mêmes que ceux qui s'engageaient dans un tel trafic, et dont les bâtimens étaient pris, pour la plupart perdaient bâtimens et cargaison par les arrêts de la Commission Mixte, sans que le Gouvernement Portugais ait jamais fait des démarches pour les protéger ; et plus d'une fois le même Gouvernement contribua à ces condamnations. Il ne serait donc juste de dire que ces infractions restaient constamment impunis.

Le Soussigné a maintenant reçu l'ordre d'assurer Son Excellence que le Gouvernement de Sa Majesté très Fidèle désire sincèrement de voir mettre une fin à un commerce qui repugne tant à ses principes d'humanité comme il est préjudiciel à la vraie prospérité des possessions Portugaises en Afrique ; mais le Gouvernement Portugais reconnaît franchement que rien n'est plus difficile à obtenir que ce but si desirable ; car on ne doit pas se faire illusion des obstacles à vaincre. Des habitudes, quoique reprouvés par les lumières de notre siècle, existaient dans ces contrées, où la cupidité de plusieurs individus qui amassaient de grandes fortunes par cette traite, et qui ne trouvent aisément un autre débouché à leurs spéculations, exige de grands moyens de coercion dont le Gouvernement Portugais ne peut pas disposer, parcequ'il ne les possède point.

C'est avec autant de regret que de franchise que Sa Majesté très Fidèle reconnaît qu'il est malheureusement trop vrai qu'à beaucoup de reprises il a été soupçonné, et quelquefois même prouvé, qu'il y avait de la part des Autorités locales dans les possessions Portugaises assez de connivence entre elles et les personnes engagées dans la Traite des Nègres ; elle espère, cependant, de voir une fin à de pareilles causes d'accusations, et dans ce but son Gouvernement cherche, autant qu'il lui est possible, à nommer aux emplois dans ces dites possessions des personnes naturelles de Portugal, et qui par leurs caractères et leurs conduites méritent toute la confiance du Gouvernement. Mais encore ici des difficultés se présentent souvent ; car un très petit nombre de personnes respectable veulent accepter des emplois dans des contrées si éloignées, qui ne leur offrent guères que très-peu d'avantages, en même temps que leurs santés, et même leurs existances, risquent immensément dans des pays si malsains. Sa Majesté très Fidèle espère néanmoins que sur les dispositions du Nouveau Traité, et sur les mesures à prendre dans le sens des dispositions de ses Articles, la contrebande dans ce commerce si repugnant à l'humanité deviendra si difficile qu'à la longue elle cessera tout-à-fait, et alors cette traite n'existera plus, à la grande satisfaction du Gouvernement Portugais, autant que des autres nations civilisées.

Le Soussigné, &c.

(Signé) LE BARON DA TORRE DE MONCORVO.

Londres ce 2 Juin 1836.

(Translation.)

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her most faithful Majesty, has had the honour to receive the Note addressed to him on the 30th of April last, by his Excellency Viscount Palmerston, &c. and he did not delay to communicate it to his Government, although he was aware that a new Treaty was on the point of being signed between the Governments of Portugal and Great Britain, for the purpose of abolishing, as far as circumstances will permit, and in a more effectual manner, the horrible Traffic in Slaves on the Coast of Africa.

As the Note contains scarcely anything but a series of charges against the Portuguese Government, and some of these are of a serious character,—such as that Portugal had failed to execute the treaties existing upon this subject,—the Undersigned deems it his duty to reply to these accusations; and he hopes to be able to prove that, under the many unexpected circumstances which have occurred, his Government has always endeavoured to fulfil the engagements which it has contracted.

In the first place, the Undersigned will take the liberty to remark to his Excellency that the infringements of the Treaties on Slave Trade ought in nowise to be laid to the charge of the Portuguese Government, which never consented to them, but must be attributed to the cupidity of certain individuals; and in this case not only the subjects of Portugal, but also those of many other countries, and even subjects of His Britannic Majesty are not exempt from a similar accusation, although it would be very difficult to prove such an accusation, on account of the precautions adopted by those who engage in these undertakings.

It is quite true that during the last thirty years the Government of Her most faithful Majesty has not been able to follow up with vigour a series of measures necessary for fulfilling all its promises upon this subject, and for securing the due execution of the orders transmitted to its colonial authorities. But the Undersigned cannot admit the principle brought forward, that the law of the 26th January 1818 did not enact effectual measures for the abolition of the traffic on the Coast of Africa south of the Equator, in those ports which were not excepted under the Convention of 28th July 1817; for no passports were granted but for the excepted ports, and, according to the Convention, all ships met with without those passports were liable to be condemned. Besides the allegations of infringements contained in the Note of his Excellency prove of themselves that the persons who engaged in such a traffic, and whose vessels were taken, generally lost both vessels and cargoes by the sentences of the Mixed Commission, without the Portuguese Government having ever taken any steps to protect them; and more than once that Government contributed to those condemnations. It would not be just therefore to say that those infractions remained always unpunished.

The Undersigned has now received directions to assure his Excellency that the Government of Her most faithful Majesty desires sincerely to see an end put to a commerce which is as repugnant to its principles of humanity as it is prejudicial to the real prosperity of the Portuguese possessions in Africa; but the Portuguese Government frankly acknowledges that nothing is more difficult of attainment than this very desirable object, for we must not delude ourselves with respect to the obstacles to be overcome. Certain habits, reprobated by this enlightened age, were prevalent in those countries, and the cupidity of many individuals, who were amassing large fortunes there by this trade, and who do not easily find another channel for their speculations, requires stronger measures for coercing them than are possessed by the Government of Portugal.

Her most faithful Majesty, with as much regret as frankness, admits that it is unfortunately too true that in many repeated instances it has been suspected, and sometimes even proved, that there has been on the part of the local authorities of the Portuguese possessions a considerable connivance between them and persons engaged in the Slave Trade. Her Majesty hopes, however, to see an end to such grounds of accusation, and for this purpose Her Government endeavours as much as possible to select for the appointments in those countries individuals natives of Portugal, and who by their character and their conduct deserve the entire confidence of the Government. But here also difficulties frequently present themselves, for only a very small number of respectable persons will accept appointments in countries so distant, which hold out to them but few advantages, whilst at the same time their health, and even their lives, are at great risk in countries so unwholesome. Her most faithful Majesty hopes, nevertheless, that under the provisions of the new Treaty, and under the measures to be adopted in the spirit of the provisions of its articles, the illicit proceedings in a trade so repugnant to humanity will become so difficult that at length they will cease entirely, and then this trade will no longer exist, to the great satisfaction of the Portuguese Government, as well as of other civilized nations.

The Undersigned, &c.
(Signed) LE BARON DA TORRE DE MONCORVO.

NETHERLANDS.

No. 59.

The Hon. G. S. S. Jerningham to the Duke of Wellington.—(Received Jan. 25.)
 MY LORD DUKE, *The Hague, 23d January 1835.*

I HAVE the honour to transmit to your Grace herewith a Copy of Baron Verstolk de Soelen's Reply to my Note announcing the appointment of Mr. Samo as Commissary Judge to the Mixed British and Netherlands Commission at Surinam, and requesting the recognition of that Gentleman in the said character.

I have, &c.

(Signed)

G. S. S. JERNINGHAM.

His Grace the Duke of Wellington, K.G.
 &c. &c. &c.

Enclosure in No. 59.

Baron Verstolk de Soelen to the Hon. G. S. S. Jerningham.

(Translation.)

SIR,

In acknowledging the receipt of the Note which you did me the favour to address to me on the 16th instant, to announce to me the nomination of Mr. John Samo as Commissary Judge of the Mixed Netherlands and British Commission, established in Surinam, in virtue of the Treaty existing between the two Governments, for the repression of the Slave Trade, I have the honour to inform you that I have communicated this appointment to the Colonial Department, requesting at the same time that it may be communicated to the authorities at Surinam, in order that Mr. John Samo may be recognised in the capacity above-mentioned.

I take this occasion, &c.,

(Signed)

VERSTOLK DE SOELEN.

The Hon. G. S. S. Jerningham,
 &c. &c. &c.

No. 60.

Viscount Palmerston to the Hon. G. S. S. Jerningham.

SIR,

Foreign Office, 3d September 1835.

I HEREWITH transmit to you, for your information, three Copies of Papers marked (A) and (B), relating to the Slave Trade, which have this day been presented by His Majesty's command to both Houses of Parliament.

I am, &c.

Hon. G. S. S. Jerningham.

(Signed)

PALMERSTON.

No. 61.

Viscount Palmerston to the Hon. G. S. S. Jerningham.

SIR,

Foreign Office, 29th October 1835.

I HEREWITH transmit for your information two Copies of a Treaty which was concluded on the 28th of June last, between His Majesty and Her Majesty the Queen of Spain, having for its object the entire suppression of the Slave Trade of Spain.

The Ratifications of this Treaty were exchanged at Madrid on the 27th of August last.

I am, &c.

Hon. G. S. S. Jerningham.

(Signed)

PALMERSTON.

No. 62.

Viscount Palmerston to the Hon. G. S. S. Jerningham.

SIR,

Foreign Office, 12th December 1835.

* I HEREWITH transmit to you the Copy of a Letter which I have received from the Colonial Department, upon the subject of a traffic in British slaves recently discovered to have been carried on in the West Indian Possessions of Foreign Powers.

I have to desire that you will call the attention of the Dutch Government to this subject, and urge them to afford to the Government of His Majesty their cordial and zealous co-operation for the purpose of preventing the evil complained of.

You will take care to explain to the Dutch Minister that since the 1st of August 1834, the negroes in His Majesty's Colonies are free British subjects, and that it is impossible for Great Britain to permit British subjects, whatever their colour may be, to be kidnapped into a foreign country and there to be held in slavery.

I am, &c.

Hon. G. S. S. Jerningham.

(Signed)

PALMERSTON.

* Enclosure in No. 69. Colonial Department, November 20, 1836.
(See Enclosure in No. 26, page 15.)

No. 63.

The Hon. G. S. S. Jerningham to Viscount Palmerston.—(Received January 10.)

MY LORD,

The Hague, 8th January 1836.

I HAVE the honour to transmit to your Lordship herewith a Copy of the Note which I addressed to Baron Verstolk in execution of the Instruction contained in your Lordship's Despatch, marked Slave Trade, of the 12th of December last, together with a Copy of his Excellency's Reply.

I have, &c.

(Signed)

G. S. S. JERNINGHAM.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 63.

The Hon. G. S. S. Jerningham to Baron Verstolk de Soelen.

M. LE BARON,

The Hague, 19th December 1835.

It having been discovered by my Government that a traffic in British slaves has been carried on in the West Indian Possessions of Foreign Powers, I have been instructed to call the attention of the Netherland Government to the subject, and to urge them to afford to the Government of His Majesty their cordial and zealous co-operation for the purpose of preventing the evil complained of.

I am directed especially to explain to your Excellency that, since the 1st of August 1834, the negroes in His Majesty's Colonies have been free British subjects; and that it is impossible for Great Britain to permit British subjects, whatever their colour may be, to be kidnapped into a foreign country and there to be held in slavery.

His Excellency the Baron Verstolk de Soelen,

(Signed)

G. S. S. JERNINGHAM.

&c.

&c.

&c.

Second Enclosure in No. 63.

(Translation.)

Baron Verstolk de Soelen to the Hon. G. S. S. Jerningham.

SIR,

The Hague, 5th January 1836.

THE measures of prohibition, with regard to the Slave Trade, in force in the West Indian Possessions of the Netherlands render the introduction of slaves from the British Colonies almost impossible; nevertheless, in consequence of the desire expressed in the note which you did me the honour to address to me, under date of the 19th of December last, this Government has again given orders, recommending especially to the Governor-General of the West Indies, as also to the commanders of vessels in those parts, to look strictly to the repression of the abuses you have pointed out, should any such take place.

In communicating these orders to you, I take the occasion, &c.

The Hon. G. S. S. Jerningham,

(Signed)

VERSTOLK DE SOELEN.

&c.

&c.

&c.

BRAZIL.

No. 64.

Mr. Fox to Viscount Palmerston.—(Received 13th January 1835.)

MY LORD,

Rio de Janeiro, 13th November 1834.

THE Legislative Assembly of Brazil refused, or rather omitted, during the last Session, notwithstanding the urgent representations of the Government, to make any provision or assign any funds for the maintenance of liberated slaves during the time that must elapse before any satisfactory arrangement can be concluded for their removal out of the country. A provisional measure was adopted by the Minister of Justice, upon his own responsibility, as I had the honour to relate to your Lordship in my Despatch marked Slave Trade of the 15th of October last, for employing the liberated negroes, on the account of Government, at the Public Works. But it has been found that their number greatly exceeds what can be employed in this manner, without creating a loss to the Government which the Legislature has not afforded the means of covering. There are, likewise, among the number, a vast many women and young children, who cannot, of course, be made to labour at the Public Works at all, and whom the Government is consequently left without the means of supporting.

Under these circumstances it has been found necessary to recur, provisionally, and for a certain portion of the liberated negroes, to the original plan of Apprenticeship, as prescribed in the Convention of 1817, and in the Alvará of 1818.

I have the honour herewith to forward Translations of the Order issued by the Government for this purpose, and of the improved Regulations under which the system of Apprenticeship will now again, provisionally, be carried into effect. These Regulations are far more precise and available than any that have heretofore been enforced; and no precaution seems to be omitted, which human foresight could suggest, for securing humane treatment to the Apprentices, and their eventual deliverance from slavery. But notwithstanding all these plausible precautions, the public voice in Brazil is so decidedly against the liberation of blacks, under any circumstances (legislation having here a long way preceded the moral feeling of the community), the profits arising from the breach of the law are so great, and to enforce the execution of any law whatever in this country is so difficult, that I should still entertain great apprehensions for the ultimate fate of the negroes, if they were to remain long under the conditions above specified; and I therefore feel equally desirous as before, that the Brazilian Government may succeed, in some quarter or other, in the negotiations that have been entered into, for disposing of the emancipated blacks out of Brazil.

I have, &c.

(Signed) H. S. FOX.

P. S. The enclosed Paper refers to a portion of the liberated blacks being placed at the "House of Correction." This does not mean that they are in confinement, but that they are employed as labourers (together with other blacks belonging to the Government) at an extensive public work which is being constructed in the neighbourhood of Rio de Janeiro, and which is destined, when built, to be a House of Correction.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 64.

Regulations for the Apprenticing of Liberated Negroes.

Department of Justice.

(Translation.)

Palace, 29th October 1834.

THE Regency, in the name of the Emperor Don Pedro II., seeing that no measure has been approved by the Legislative Body for the prompt re-exportation of Africans illegally introduced into the Empire, as had been urged by the Imperial Government, and as was determined by the law of the 7th November 1831,—seeing the expenses incurred for those already placed in the House of Cor-

rection,—and considering that a great part of this expense is without any profitable return, inasmuch as it is incurred for women and children, who are of no use in the works carried on in the said house, and induced by other considerations, as to what would be the best mode of treatment and of civilization of the Africans: orders, that you shall act in concert with the Head of the Police, who is now officially instructed on that point. You shall let out on hire the services of such of those Africans there in custody who are not required for the above-mentioned works, and in adopting this measure you will follow exactly the Instructions annexed to this Order, signed by the Councillor J. Carneiro de Campos, Under Secretary of State for the Department of Justice.

God preserve you, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.
The Judge of the Orphan Court of this City.

Instructions annexed to the Order of this Day.

Rio de Janeiro, 29th October 1834.

I. Having set apart such of the Africans whom the Chief of the Police, together with the Inspecting Committee of the works of the House of Correction, and the proper Administrator, shall judge necessary to assist in the works referred to, preferring those who have already begun to learn trades, and who have most shown an inclination to work, the services of the number remaining of either sex are to be let out on hire under the following conditions:—

1. Only persons of this Municipality, and of known probity and integrity, are to be allowed to hire them; and the only preference to be shown among these is towards those who offer the highest sum per annum for the services of the said Africans.

2. That the lessees shall subject themselves, by the terms on which they hire them, to deliver up the before-mentioned Africans immediately after a decision on their fate by the General Assembly, or that the Government shall proceed to re-export them; and they shall clothe them and treat them with all humanity, allowing the Curador to visit them monthly in order to ascertain whether the contract is duly fulfilled in this respect.

3. That the persons who hire the services of the women shall be required to take with them some of the children, and to bring them up with every care, allowing on this account some abatement in the amount of hire to be paid for them. The discretion and judgment of the Judge will order this distribution in such manner as may be found most expedient and conducive to the ends of humanity.

4. On the death of any of these Africans, the lessee shall be required to make it known immediately to the proper Justice of Peace, so that an inquest may be held, in the form laid down by the Decree of the 12th April 1832, and to the Curador, in order that he may be present, and he shall deliver to the Magistrate the instrument of indenture, for the purpose of being duly recorded. The Magistrate is then to deliver it to the Chief of the Police, in order to erase from the list the names of such Africans.

5. Should it happen that any of them run away, the lessee shall immediately give notice of it to the Justice of Peace of his district, and to the Chief of the Police, that the requisite orders may be issued for their apprehension; and if not recovered, he shall be obliged to prove the escape, and to show that he took measures for the apprehension of the party. And, inasmuch as in this particular there is great opportunity for abuse, the Judge is urgently recommended to make choice of persons of great respectability and integrity, to whom alone the hire of these persons will be permitted, notwithstanding that suspected persons, or those of doubtful character, may bid more for their services than the first mentioned.

6. That at the time of their being made over to the lessees, the Judge shall make known to the Africans, through the medium of an interpreter, that they are free, and that they are to enter service in return for their food, clothing, and support, and are to receive a small sum which is to be paid annually into the hands of the Curador, to be placed in deposit in the office of the Magistracy where they were hired, which sum shall go towards defraying the expense of their re-exportation whenever it may take place.

II. In the deed of hire, or indenture, the Judge will cause to be delivered to the African, in a small tin box which will be suspended to his neck, a letter declaring that he is free, and that his services are hired to
The said letter containing a description of the marks, name, sex, and supposed age of the African.

III. The Judge shall name a Curador, who must be approved by the Government, and will have to perform the following duties:—1. To regulate the expenditure that may be necessary for the support of the Africans, as well for those whose services are hired, as for those who are employed in the public works, declaring to the competent authorities what sum is to be applied to their use, and to support their state of freedom. 2. To receive yearly the amount that may be agreed for, and to cause the same to be delivered, together with the necessary documents, to the Judge who assigned them. On the amount received on this account 10 per cent. will be awarded to the Curador for his trouble. 3. The Judge will examine into the mode of drawing out the instruments with the requisite clearness, and will have to pay to the Curador the sum due to him for the performance of his duties. 4. On the completion of the contract for hire, the persons who have hired the services of the Africans shall be declared in the public newspapers, how many each person has hired, and the names, sex, age, and description of each individual hired.

(Signed) JOAO CARNEIRO DE CAMPOS.

ILLUSTRIOS AND EXCELLENT SENHOR,

Rio de Janeiro, 17th October 1834.

THE Regency having deigned, in the name of the Emperor, Don Pedro II., to attend to my Report on the measures to be adopted in regard to the Africans unlawfully introduced into the Empire, in conformity to the "Aviso" of the 13th instant communicated to me, I have the honour to lay it, before your Excellency in order to be presented to the Regency.

Convinced of the existing and absolute impossibility of carrying into effect the provisions of Article 2. of the law of the 7th November 1831, by the positive re-exportation of the above-mentioned Africans to any part of Africa in which an asylum could be secured to them, inasmuch as there exist in this plan insuperable difficulties, notwithstanding the good-will of the Imperial Government and its acknowledged activity, and being ultimately persuaded that the Regency, in the name of the Emperor, is in this case

under the urgent necessity of adopting a temporary and provisional measure in place of that prescribed by the said law—a measure that may coincide with, and be sufficient to fulfil, the philanthropic objects that caused the prohibition of the introduction of Africans, and combining the advantage of these unfortunates with the fulfilment of treaties and the furtherance of the national prosperity, it appears to me that no other could be adopted more proper and advantageous than that pointed out in the above-mentioned "Aviso." This measure fulfils in fact all that was recommended, and adapts itself to the spirit of the law, is dictated by humanity, and besides, in conformity with the provisions of Article 5 of the Alvará of 26th June 1818, has also in its favour the circumstance of calling for a legal definitive enactment, and supposing it to be revoked *de jure* by a subsequent decision of the Legislature, if it is not in fact to be considered as actually so, inasmuch as the carrying into effect and execution of the latter enactments depend entirely on the existence of circumstances without which they must continue to be impracticable.

I must not forget to add, that the Judge to whom is to be confided the execution of the proposed measure will be that of the Orphan Court, and that the Curador will be appointed by that Judge, and approved by the Government.
God preserve you, &c.

No. 65.

His Grace the Duke of Wellington to Mr. Fox.

SIR,

Foreign Office, 11th February 1835.

I HEREWITH transmit to you the Copy of a Despatch which I have received from His Majesty's Commissioners at Sierra Leone; and the Copy of a Letter which has been received from the Admiralty, with the Opinion of the Solicitor to that Board upon circumstances attending the alleged murder of several of the Crew of His Majesty's Ship "Redwing," by the Crew of the Spanish vessel "*Pelicano*."

I have to instruct you to urge the Government of Brazil to institute an Inquiry for the purpose of discovering the persons who, in the Papers enclosed herewith, are stated to have been witnesses of the murder, and to have subsequently reached Brazil in a vessel called the "*Disuniao*."

You will further urge the Government of Brazil to cause these persons, or the survivors of them, when found, to be examined touching all the circumstances attending the slaughter of the Prize Crew of the "Redwing;" in order that upon their depositions a Requisition from His Majesty's Government may be founded, and addressed to the Spanish Government, either to bring the Delinquents to justice, according to the Laws of Spain; or, if that Government shall disavow the "*Pelicano*" and its acts, to require that they may be delivered up, so that they may be brought to justice before a British Tribunal.

I enclose to you herewith for your information the Copies of prior Correspondence upon this subject, as noted in the Margin of this Letter.

I am, &c.

H. S. Fox, Esq.

(Signed)

WELLINGTON.

&c. &c. &c.

First Enclosure in No. 65.

The Sierra Leone Commissioners to the Duke of Wellington, 12th September 1834.

(Class A. 1834, No. 26.)

List of prior Correspondence.

From Havana Commissioners	Jan. 18, 1826.	1 Enclosure.
To Sierra Leone Commissioners	Feb. 23, "	6 Enclosures.
To Havana Commissioners	Feb. 23, "	"
" " "	May 2, "	"
From Sierra Leone Commissioners	May 20, "	1 Enclosure.
From Havana Commissioners	July 12, "	"
" " "	Dec. 8, "	"
From Sierra Leone Commissioners	April 5, 1827.	2 Enclosures

Second Enclosure in No. 65.

Mr. Dawson to Mr. Backhouse.

SIR,

Admiralty, 27th January 1835.

WITH reference to your Letter of the 17th instant, transmitting the Copy of a Despatch from His Majesty's Commissioners at Sierra Leone, affording further information relative to the murder of several of the crew of His Majesty's sloop "Redwing" by the crew of the Spanish brig "*Pelicano*," I am commanded by my Lords Commissioners of the Admiralty to transmit to you a Copy of a Report on this subject from their Lordships' Solicitor, and to request that you will lay the same before his Grace the Duke of Wellington, in order that his Grace may take such measures as he may think necessary.

I am, &c.

J. Backhouse, Esq.

GEO. R. DAWSON.

&c. &c. &c.

Sub-Enclosure A. in No. 65.

Mr. Jones to Mr. George Dawson.

SIR,

Lancaster Place, 24th January 1835.

IN obedience to the Commands of my Lords Commissioners of the Admiralty, signified to me in Mr. Barrow's Letter of the 20th instant, transmitting a Copy of a Despatch, dated the 12th of September last, addressed to Viscount Palmerston from Sierra Leone, with its Enclosure, relating to the murder of several of the crew of His Majesty's sloop "Redwing," stated to have been committed by the crew of the Spanish brig "Pelicano," to report my opinion whether any steps can be taken to bring the parties concerned in this atrocious proceeding to justice, I take the liberty humbly to submit the following report to their Lordships' consideration.

The facts stated in this Despatch are, that in the month of October 1825 the Spanish brig "Isabella," with two hundred and seventy-three slaves on board, was captured by the "Redwing" in the Old Calabar River, and put into the charge of a prize crew, whose names are not stated, but whom I have ascertained, by an examination of the muster-roll of that ship, to have consisted of the several persons named in the List extracted therefrom, and which is herewith enclosed; that the "Isabella," a few days after she had parted with the "Redwing," fell in with and captured a Brazilian schooner called the "Disunião," to which latter vessel part of the "Redwing's" prize crew was transferred; and that these two prizes, on their passage to Sierra Leone, were re-captured by the Spanish brig "Pelicano," after a sharp engagement, in the course of which, and after its close, the whole of the British crew and many of the Brazilians (probably the crew of the "Disunião") were killed; that immediately after the action the slaves found on board the "Disunião" were divided between the two Spanish vessels (the "Isabella" and "Pelicano"), whose crews plundered her, and then allowed her to proceed to Rio de Janeiro, where she arrived in the early part of 1826, with only five persons on board, all in a mutilated state from the knives of the pirates. This statement, although it does not appear to be supported by any eyewitnesses to the facts, may probably be a correct relation of the transaction, and, so far as respects the slaughter of the "Redwing's" crew, is confirmed by the muster-book, in which they are entered as discharged to the "Isabella" at the period above mentioned, and are not afterwards found in the "Redwing's" muster-book.

The "Pelicano" is called a pirate brig, as all ships armed and engaged in the slave trade are generally called; but whether she was a ship without legal papers, and not authorized or recognized by any civilized state, so that her crew might be comprehended within the designation usually given to pirates as enemies of all mankind, may be very doubtful. If the brig and her crew were of this description, I should be of opinion that they might be brought to justice, under the Commission which the Colonial Government of Sierra Leone possesses for the trial of piracies, murders, and other offences committed on the sea; but if, on the contrary, the "Pelicano" was legally commissioned or authorized for navigation by the Government of Spain, it appears to me that redress for this atrocious act can only be properly obtained by a representation to, and remonstrance with, that Government, which, I humbly think, alone possesses, according to the Law of Nations, the right to try and punish offences committed on the sea by its own subjects. Nor do I think it clear that a charge of murder could be sustained in our courts in the case of persons slain in an engagement which takes place in a period of peace between ships of different states, arising out of the hostility, which may be deemed a sort of warfare, existing on the Coast of Africa between the dealers in slaves and those whose duty it is to stop that traffic.

At present the only persons whose names are known, and who are supposed to have been implicated in this transaction, are Joze Sagara, the master of the "Pelicano" at the period of the engagement, and Joze Mauri, who is stated to have been the mate, and to have afterwards had the command of her; but this has been denied by Mauri, on his examination before the Commission, on which occasion the only evidence produced against him was that he had been heard to boast of having taken a part in the transaction, which boast was likewise denied by him, and which of itself the Commission decided (correctly as it appears to me) to be not sufficient to detain him in custody. Under these circumstances, the measures which I humbly submit as proper to be adopted, are, first, to discover the five persons, or some of them, who are stated to have gone in a mutilated state to Rio de Janeiro in the "Disunião," and to cause them when found to be examined touching all the circumstances attending the slaughter of the prize crew of the "Redwing," and upon their depositions to found a Requisition to the Spanish Government, either to bring the parties to justice, according to the law of Spain, or if that Government shall disavow the "Pelicano" and its acts, to require that they may be delivered up, so that they may be brought to justice before a British Tribunal.

Herewith I return the papers sent to me on this subject.

Right Hon. George Dawson,
&c. &c. &c.

I am, &c.
(Signed) CHARLES JONES.

Sub-Enclosure B. in No. 65.

A List of Officers and Men sent from His Majesty's sloop "Redwing" on board the "Isabella" slave ship, 5th October 1825.

Officers—Mr. James Stewart, assistant surgeon; Mr. James Harman Fitzmaurice and Mr. Charles Reynolds Jackson, mates.

Seamen—George Smith, George Hill, William Lewis, William Edging, William Johnson, John Lock, and Richard Brown.

Marines—Alfred Nane and Robert Beale.

Boy—Henry Lewis.

Supernumerary Natives—Tom Freeman and Jacky Crew.

Spaniards, part of the crew of the prize "Teresa"*—Augustin Ires, or Enas, Manuel Alvares, Sant Jago Costa, and Joze Lareyha.

* These men volunteered to navigate the "Isabella."

No. 66.

Mr. Fox to Viscount Palmerston.—(Received Feb. 25, 1835.)

MY LORD;

Rio de Janeiro, 18th December 1834.

IN pursuance of the Instructions contained in your Lordship's Despatch, marked Slave Trade, of the 8th of October last, I have addressed the enclosed Letter to the Brazilian Minister for Foreign Affairs, for the purpose of conveying to the knowledge of the Imperial Government the Opinion formed by His Majesty's Government upon the case of the "*Maria da Gloria*," captured under Portuguese Colours off the Harbour of Rio de Janeiro, while engaged in the illegal traffic of slaves; and upon the extent of Jurisdiction which ought to be exercised by the British and Brazilian Court of Mixed Commission at Rio de Janeiro, in cases similar to that of the vessel in question; urging at the same time upon His Excellency the wishes entertained by His Majesty's Government, that the Brazilian Commissioners should be furnished with Instructions equally founded upon the above Opinion. I have not yet received any answer to this communication.

I have, &c.

(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 66.

Mr. Fox to Senhor Aureliano de Souza.

(Copy.)

SIR,

Rio de Janeiro, 15th December 1834.

HIS Britannic Majesty's Government have had under their serious consideration the case of the slave vessel "*Maria da Gloria*," captured under Portuguese colours off the harbour of Rio de Janeiro, in the month of December 1833, and the circumstances of the subsequent trial and liberation of that vessel by the Court of Mixed Commission for the prevention of illegal slave trade, established in this capital.

After a careful review of the whole proceedings, His Majesty's Government have come to the opinion, supported by that of the King's Advocate, to whom the case was referred, that the jurisdiction of the British and Brazilian Court of Mixed Commission, sitting at Rio de Janeiro, did and ought to extend to the trial and condemnation of vessels captured under circumstances similar to those of the "*Maria da Gloria*," while engaged in the illegal traffic of slaves.

His Majesty's Government observe, that the "*Maria da Gloria*," although navigated under the flag of Portugal, and with Portuguese papers, was proved to have been fitted out at Rio de Janeiro, and that there could be no doubt she was destined to return to some port in Brazil; that the owner, although a Portuguese by birth, was resident at Rio de Janeiro, and carrying on business as a merchant in that city; that it is a principle of the law of nations that the national character of a merchant is to be taken from the place of his residence and of his mercantile establishment, and not from the place of his birth; that in this transaction, therefore, the owner of the "*Maria da Gloria*" was to be considered as a Brazilian subject, and as such bound by the laws of Brazil and by the engagements which the Brazilian Government has contracted with other States; and that the British and Brazilian Court of Mixed Commission did consequently possess the requisite jurisdiction in this case, and might with propriety have admitted the usual proceedings to be instituted touching the vessel and the slaves, with a view to the condemnation of the former and to the emancipation of the latter.

I am directed to convey to the knowledge of His Imperial Majesty's Government, that the Government of His Britannic Majesty have addressed instructions to the British Commissioners at Rio de Janeiro, founded upon the opinion above declared, with a view to the future proceedings of the Commission in cases similar to that of the "*Maria da Gloria*;" and I am at the same time to express to your Excellency the anxious wish entertained by my Government, that instructions of a like import and intent may be furnished by the Government of Brazil to the Brazilian members of the Mixed Commission.

I avail myself of this occasion to renew to your Excellency, &c.

(Signed)

H. S. FOX.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,

&c.

&c.

&c.

No. 67.

Mr. Fox to Viscount Palmerston.—(Received Feb. 25, 1835.)

MY LORD,

Rio de Janeiro, 23d December 1834.

A VESSEL, called the "*Rio de la Plata*," bearing the Monte-Videan Flag, and having 521 African negroes on board, was brought into Rio de Janeiro on the 15th instant, in charge of a British Officer and Prize Crew, under the following circumstances:—

It appears that the vessel was detained on the 29th November, in latitude $21^{\circ} 6' S.$, longitude $18^{\circ} W.$, by His Majesty's Ship "Raleigh," Captain Quin Commander, the "Raleigh" being on her passage to the Cape of Good Hope and the East Indies. She was ordered to be conveyed to Sierra Leone for adjudication; but the Officer in charge, Lieutenant Murray, of His Majesty's Ship "Raleigh," finding it impossible, by reason of the damaged state of the vessel, to reach that destination, brought her into Rio de Janeiro. A survey, by competent officers from His Majesty's Squadron, has pronounced her to be incapable of again going to sea.

It appears that the "*Rio de la Plata*" is provided with Papers as a Monte-Videan vessel, and also with a License from the Monte-Videan Government to transport black colonists from Africa to the Uruguay. The negroes are entered ostensibly on the Ship's Papers as free agricultural apprentices. But notwithstanding all this, it has been found, upon examining various documents discovered on board the vessel, and from other sources of evidence, that there exist such strong grounds for believing the whole to be a slave-trading adventure on account of Brazilian subjects, that the Lieutenant in charge, acting upon his own responsibility, and with the help of the best legal advice to be obtained in this city, has resolved to bring the vessel for adjudication before the Mixed British and Brazilian Commission established at Rio de Janeiro. A sufficiency of preliminary evidence has been adduced to satisfy the Court of Commission that there exist grounds for entertaining the Case.

The cause is one of much nicety, and its decision will be of the most extreme importance, with a view to putting down the Monte-Videan Slave Trade. There has all along been a strong probability and presumption, amounting almost to moral certainty, that the unfortunate negroes, nominally embarked in Africa as free colonists for Monte-Video, and under Licenses from the Monte-Videan Government, are in fact destined as slaves for the Brazilian market. Many of these cargoes of Africans are clandestinely landed on the coast of Brazil, without being carried to the Oriental Republic at all: others, that in conformity with the license are marched into the interior of the Oriental territory, have from thence been easily passed over into Brazil as slaves; and there is good reason to believe that the Brazilian dealers on the coast of Africa keep open a regular debtor and creditor account with their correspondents in the town of Rio de Janeiro for the value, as saleable commodities, of the identical blacks shipped apparently as free colonists for the Uruguay.

The rising up thus of the African Slave Trade under the Flag of Monte-Video is peculiarly galling to Great Britain. When the Slave Trade Conventions were entered into with Brazil, the territory of Monte-Video was a Brazilian province, and its inhabitants bound by the laws and obligations of this Empire. It was at the suggestion of Great Britain, and under her mediation, that the subsequent War between Brazil and Buenos Ayres was terminated by raising the Banda Oriental into a separate State; and by virtue of this act of mediation, the Monte-Videans are now enabled, as an independent community, to escape from the engagements contracted for them when subjects of Brazil, and to defy the people of England in an object the most dear to their benevolent and humane feelings.

Lieutenant Murray having represented to me the miserable condition of the poor negroes stowed on board a small craft in an almost sinking state, in the midst of pestilential and putrid provisions, and during the present insufferable heat of the weather, I applied to the Brazilian Government (although without much expectation of success) to allow of their being landed, and deposited in a place of safety on shore, pending the proceedings before the Commission. I am happy in being able to add, that the Minister Aureliano de Souza at once complied with my request. The whole of the blacks were landed within twenty-four hours of the application being made, and are now placed at Praia Grande, on the opposite side of the Harbour, under as secure a guard as can be obtained in this country. I have the honour to enclose Copies of the Correspondence which I held upon this subject with Lieutenant Murray, and with the Brazilian Minister. I also enclose the Copy of a Letter addressed to me by the Consul of the Republic of the Uruguay, calling for explanations respecting the detention of the Brig "*Rio de la Plata*," and of the answer which I returned to his communication.

I have, &c.

The Right Hon. Viscount Palmerston, G.C.B. (Signed)

H. S. FOX.

&c.

&c.

&c.

First Enclosure in No. 67.

Lieutenant Murray to Mr. Fox.

SIR,

Brig "Rio de la Plata," Rio de Janeiro, 18th December 1834.

HAVING been despatched from His Majesty's ship "Raleigh," on the 29th November last, in latitude 21° 6' S., longitude 18° W., in the brig "Rio de la Plata," under Monte-Videan colours, with 521 slaves on board, for the purpose of proceeding to Sierra Leone for adjudication, but in consequence of the unseaworthy state of the vessel obliged to bear up for this port, I beg leave to acquaint you therewith, and to inform you that as I consider there are good grounds to bring this vessel for adjudication before the British and Brazilian Mixed Commission established in this city, I have taken measures accordingly.

In the mean time it is my duty to represent to you the great distress of the vessel and also the miserable condition of the slaves, and I transmit herewith a copy of a report of survey held by the officers of His Majesty's ship "Spartiate."

The vessel can scarcely be kept free with the pumps, and I cannot be answerable that she will not sink at her anchors. The slaves are in a wretched and emaciated state from bad food and close confinement (the vessel being only 202 tons). The farinha now on board is much damaged by the salt water, as appears by the report of survey, and there remains of that only a five days' consumption.

I have, therefore, to request you will be pleased to make such application as you may think requisite to the Brazilian Government, to appropriate some secure place on shore for the reception of the slaves, as it is my firm conviction that unless they are immediately removed, very great loss of life will ensue.

Finally, I most respectfully request that you may be pleased to suggest, under the peculiar circumstances of this distressing case, some means by which these unfortunate beings may be preserved from starvation.

I have the honour, &c.,

(Signed)

J. H. MURRAY,

*Lieutenant of His Majesty's ship "Raleigh," in charge of the brig "Rio de la Plata."**H. S. Fox, Esq.,
&c. &c. &c.*

Sub-Enclosure in No. 67.

Report of Survey held by the First Lieutenant, Master, Boatswain, and Carpenter of His Majesty's Ship "Spartiate."

"The butt ends in a general state of decay, as well as the wooden ends, fore and aft.

"The stern-post is apparently loose, and she requires a general caulking. She makes so much water that her pumps will scarcely keep her free; and the farinha being stowed in bulk, in the run of the vessel, has become damaged, but to what extent we are unable to declare without discharging the same. And we further find that her sails and rigging are much worn, and we are of opinion that the said brig is not in a fit state to go to sea."

Second Enclosure in No. 67.

Mr. Fox to Lieut. Murray.

SIR,

Rio de Janeiro, 18th December 1834.

I HAVE the honour to acknowledge the receipt of your letter of this day's date, representing to me the embarrassing situation in which you are placed, in charge of the brig "Rio de la Plata," detained by His Majesty's Ship "Raleigh," under suspicion of being engaged in the illegal traffic of slaves. I am sorry to say that I do not see in what way it will be in my power to render assistance in this business. I will certainly, according to your request, apply to the Brazilian Government, to know whether they can receive the blacks, and have them deposited in some place of safety on shore; but I must add, that I do not think there is the least prospect of the Government consenting to do so; and even if they did, there would be a strong probability of the blacks being stolen away, and sold fraudulently into the country as slaves. With respect to the maintenance of the blacks, and the preservation of the vessel, previously to and pending the proceedings which you propose to institute before the Mixed Commission at Rio de Janeiro, I apprehend there is no other course to be pursued than to provide for these things at the charge of the captor,—as is the practice, I believe, in all cases of vessels detained by His Majesty's ships of war under similar circumstances.

But I do not feel that I have any authority to deliver my opinion officially upon this subject.

I have the honour, &c. &c.

Lieut. Murray, R. N.

(Signed)

H. S. FOX.

Third Enclosure in No. 67.

Mr. Fox to Senhor Aureliano de Souza.

SIR,

Rio de Janeiro, 19th December 1834.

THE brig "Rio de la Plata," having 521 African negroes on board, was brought into this harbour four days since, in charge of a British officer and prize crew, under the following circumstances. The vessel was detained by His Britannic Majesty's ship "Raleigh," under suspicion of being engaged in the illegal traffic of slaves, on account of Brazilian subjects, although sailing under the flag of Monte Video. She was ordered to be conveyed to Sierra Leone for adjudication; but the officer in charge, Lieut. Murray, of His Majesty's ship "Raleigh," finding it impossible, by reason of the damaged state of the vessel, to reach that destination, brought her into Rio de Janeiro. He has now resolved to consign her for adjudication to the British and Brazilian Court of Mixed Commission established in this city. He represents to me, however, that the vessel is in a ruined and sinking

state; and that from bad air, want of sufficient space, and above all, from the putrid state of the damaged provisions in the hold, the 500 unfortunate Africans are in extreme danger of perishing, if obliged to remain on board. Under these distressing circumstances, he has requested me to apply to your Excellency, and to solicit the intervention of the Imperial Government, as an act of humanity, and at the same time of kindness and courtesy towards the British service, to rescue these unfortunate blacks from destruction, by permitting them to be landed, and deposited in some place of safety on shore, until such time as the Court of Mixed Commission shall have decided, according to law, upon their ultimate destiny. I have commissioned His Britannic Majesty's Consul, Mr. Hesketh, to deliver this letter to your Excellency, and to give such further explanations upon the subject as may appear requisite. I most earnestly hope that it may be found possible to comply with the request which I have ventured to make.

I avail myself, &c. &c. &c.

(Signed)

H. S. FOX.

His Excellency, Senhor Aureliano de Souza e Oliveira Coutinho,
&c. &c. &c.

Fourth Enclosure in No. 67.

Senhor Aureliano de Souza e Oliveira Coutinho to Mr. Fox.

Rio de Janeiro, 20th December 1834.

(Translation.)

IN reply to the Note of yesterday's date, addressed to me by Mr. Fox, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, relative to the five hundred African blacks found on board the brig "*Rio de la Plata*," which was detained at sea by His Britannic Majesty's ship "*Raleigh*," and brought into this port; I have the honour to acquaint Mr. Fox, that the necessary orders have been already given for landing the said blacks at Praia Grande; and that the President of the Province is instructed to afford whatever assistance may be required.

Having thus complied with the wishes of Mr. Fox, I renew to him upon this occasion, &c. &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

H. S. Fox, Esq.
&c. &c. &c.

Fifth Enclosure in No. 67.

M. Campos to Mr. Fox.

Praia dos Mineiros, 16th December 1834.

THE Undersigned, &c. has the honour to request His Excellency, in virtue of the true friendship and commercial relations that happily continue unchanged between this State and the very powerful State of Great Britain, that he will be pleased to furnish the Undersigned with the necessary explanations of the capture of the Oriental brig "*Rio de la Plata*," by the English corvette "*Raleigh*," which yesterday entered this harbour, as appears by the announcement published in the *Jornal do Commercio*. The Undersigned, in the fulfilment of his duties, cannot abstain from requiring such explanations, founded on the legality of the aforesaid brig, and of its cargo, passport, license, or authorization by the Government, its titles, documents, and other papers found or produced in the act of capture.

The Consul-General, undersigned, profits, &c.

(Signed)

ANTONIO JOSE D'OLIVEIRA CAMPOS.

Consulate-General of the Oriental Republic of the Uruguay,
at Rio de Janeiro.

The Minister of His Britannic Majesty
at this Court.

Sixth Enclosure in No. 67.

Mr. Fox to M. Campos.

Rio de Janeiro, 17th December 1834.

Sir,

I HAVE the honour to acknowledge the receipt of your Letter of the 16th instant. I understand that the vessel called the "*Rio de la Plata*," concerning which you request information, was detained at sea by His Britannic Majesty's ship "*Raleigh*," under suspicion of being engaged in the illegal traffic of slaves on account of Brazilian subjects.

She was ordered to be conveyed to Sierra Leone for adjudication; but the officer in charge finding it impossible, by reason of the damaged state of the vessel, to reach that destination, brought her into Rio de Janeiro. I am not yet informed whether it will be resolved to pursue the voyage to Sierra Leone, or whether proceedings will be instituted in the Court of Mixed Commission established in this city.

I have, &c.

(Signed)

H. S. FOX.

The Consul-General of the Oriental Republic
of the Uruguay, Rio de Janeiro.

No. 68.

The Duke of Wellington to Mr. Fox.

SIR,

Foreign Office, 27th February 1835.

I HEREWITH enclose to you the Copy of a Communication which I have received from Mr. Parkinson, His Majesty's Consul at Bahia, representing that the importation of slaves into Brazil continues under the Flags of Portugal and Spain, and alleging that the local authorities along the coast are in league with the importers of slaves.

You will lose no time in bringing under the notice of the Imperial Government this further evidence of the actual existence of the Slave Trade in Brazil; and you will urge most strongly the Government to put down at length that shameful traffic.

Henry Stephen Fox, Esq.
&c. &c. &c.

(Signed)

I am, &c.

WELLINGTON.

Enclosure in No. 68.

Mr. Parkinson to Lord Palmerston, dated Bahia, 10th December 1834.

No. 69.

The Duke of Wellington to Mr. Fox.

SIR,

Foreign Office, 4th March 1835.

I HAVE received from His Majesty's Commissioners at Rio de Janeiro a Despatch, dated the 10th December 1834, of which I desire that you will obtain from them the perusal; and to the detailed statement in which I wish to draw your particular attention.

The Communication in question contains an account of the state of the Africans who have been emancipated under Sentences of the Mixed Commission at Rio de Janeiro since its appointment.

It shows that the benevolent purposes of the Contracting Parties to the Treaty under which the negroes were emancipated have been most grievously frustrated; and it is summed up by the distressing fact, that most of these unfortunate Africans have again been sold, and are now reduced to irremediable and unconditional slavery.

Such a state of things adds another proof to the many which long experience has given, that His Majesty's Government should, through the Commissioners, have some voice in the formation, and some power in watching over the execution, of the conditions upon which negroes emancipated are distributed to private individuals.

With this impression I forward to you the Draft of an Article and of corresponding Regulations for the treatment of liberated negroes, which Documents have recently been submitted to the Courts of Lisbon and Madrid for their adoption, in annexation to the Treaties between Great Britain and Spain and Portugal on the Slave Trade; and I have to desire that you will use your efforts with the Brazilian Government to induce their consent that the Article and the Regulations may be adopted, and inserted in the Convention on Slave Trade between Great Britain and Brazil, which, by my Despatch of the 31st December last, you were desired to negotiate with the Brazilian Ministry.

Henry Stephen Fox, Esq.
&c. &c. &c.

(Signed)

I am, &c.

WELLINGTON.

Enclosure in No. 69.

ARTICLE.

EACH of the two High Contracting Parties most solemnly binds itself to guarantee the liberty of the negroes who may be emancipated under the Convention of the 23d November 1826, between His Majesty and the Emperor of Brazil, and under the other Treaties and Conventions referred to therein,

and also under the present Convention, by the Mixed Courts of Commission sitting within the Colonies or Possessions of either of the High Contracting Parties to this Convention.

Each of the two High Contracting Parties most solemnly binds itself to afford, from time to time, and whenever demanded by the other Party, or by the Members of the Mixed Courts of Commission by whose sentence the negroes shall have been liberated, the fullest information as to the state and condition of such negroes, with a view to ensuring the due execution of the Convention in this respect.

For this purpose the Regulations annexed to this Convention, sub literâ A, as to the treatment of negroes liberated by Sentence of the Mixed Courts of Commission, have been drawn up, and are declared to form an integral part of this Convention: the two High Contracting Parties reserving to themselves the right to alter or suspend, by common consent and mutual agreement, but not otherwise, the terms and tenor of such Regulations.

No. 70.

The Duke of Wellington to Mr. Fox.

SIR,

Foreign Office, 4th March 1835.

I HAVE received, from His Majesty's Commissioners at Rio de Janeiro, a Despatch dated the 18th December 1834, to which I wish to draw your special attention. You will, therefore, apply to them to communicate to you a Copy of it.

That Despatch, as you will see, contains a Report on the present state of the Slave Trade in Brazil.

From that Report it appears that the Laws in Brazil, for suppressing that Trade, are wholly ineffectual to their end.

I must leave it to you to make, in your communications with the Brazilian Government on Slave Trade, such use of the Documents which accompanied that Despatch as may aid the representations which you have already been instructed to urge with a view to the effectual suppression of the Trade on the part of Brazil.

It is, however, obvious that since the Trade is publicly declared to be prevalent throughout the whole of Brazil, and since, by authority, it is stated that the Trade receives no check from the Laws within the Empire, there is greater reason why, for the purpose of abolishing the Slave Trade, those stipulations should be concluded which are framed to prevent that Trade from reaching the Coast with impunity.

You will, therefore, increase your efforts to come to a satisfactory conclusion of the Negotiation with which you were charged for this purpose, by my Despatch of the 31st December last, and by my other Despatch of this date.

I am, &c.

(Signed)

WELLINGTON.

Henry Stephen Fox, Esq.

&c. &c. &c.

No. 71.

The Duke of Wellington to Mr. Fox.

SIR,

Foreign Office, 11th March 1835.

I HAVE communicated with the Secretary of State for the Colonies on the subject of your Despatch of the 15th October last, which repeated the earnest desire of the Brazilian Government that some arrangement might be agreed to by Great Britain to receive, either at Sierra Leone or in some other British Colony, such negroes as may, from time to time, be liberated at Rio de Janeiro, under sentence of the Mixed British and Brazilian Court of Commission, established at that place under the Treaty with Brazil for the abolition of the Slave Trade.

His Majesty's Government have reconsidered the subject.

The negroes emancipated under the Mixed Slave Trade Restriction Commission at Rio de Janeiro cannot be received at Sierra Leone; but there will be no objection to receive at Trinidad any negroes who have within the last two years been, or who shall in future be, so emancipated at Rio, provided that they be sent there at the expense of the Brazilian Government, under the Regulations stated in this and the accompanying Despatch, and that due care be taken that proper attention and accommodation be afforded to them on their passage.

The Brazilian Government, however, must give one month's notice to the Governor of Trinidad before any negroes are to be embarked for the latter Colony; or in cases where, from the unfrequency of communication between Brazil and Trinidad, such notice is absolutely impracticable, the vessel must be furnished with one month's extra provisions, so that the negroes may remain, if necessary, thirty days on board after their arrival at Trinidad.

The number of females in each importation must be at least equal to the number of males, or the deficiency in the number of females at one shipment must, in all cases, be made up at the next shipment, and a letter of assurance to this effect from the Brazilian Government must accompany each vessel in which there is a deficiency of females.

The negroes must not be sent in greater numbers, or at earlier periods, than the Governor of Trinidad shall prescribe. On this point specially, and on all other points generally, which are mentioned in this Despatch, you will communicate with the Governor of Trinidad, and you will acquaint the Brazilian Government, for their guidance, with the result of your communications.

The negroes must be duly ascertained, and certified by a medical officer, under the entire control of the British Commissioners, to be free from any disease of a nature to incapacitate them for labour; and no separation of one portion of a family from another is to take place; and none of the negroes are to be upwards of thirty years of age.

Furthermore, each negro is to be supplied with two suits of clothes, a cap, a blanket, and a wooden spoon.

If, as is hoped, the Brazilian Government shall agree to the conclusion of an article for the breaking up of all condemned slave-vessels, these vessels must, on no account, be used for the purpose of conveying the negroes from Rio de Janeiro to Trinidad; and until the Brazilian Government shall have concluded an article to this effect, the vessels in which the negroes were taken to Brazil must not be used for the purpose of conveying them to Trinidad, unless the Brazilian Government shall have previously purchased, and paid to the Mixed Commission Court, the value, duly estimated, of such vessels, the amount of which value is to be added to the proceeds, to be divided afterwards according to Treaty.

I send to you, for your further information and guidance, the accompanying Copy of an Instruction which I have this day addressed to His Majesty's Commissioners at Rio de Janeiro, entering into the details necessary upon this measure.

H. S. Fox, Esq.
&c. &c. &c.

I am, &c.
(Signed) WELLINGTON.

Enclosure in No. 71.

The Duke of Wellington to His Majesty's Commissioners at Rio de Janeiro.

Foreign Office, 11th March 1835.

[See Class A.]

No. 72.

The Duke of Wellington to Mr. Fox.

SIR,

Foreign Office, 18th March 1835.

I TRANSMIT to you herewith the Copy of a Communication which has been made to His Majesty's Government by the Commander-in-Chief on the South American Station, upon the subject of the treatment of the captured slaves when brought into port for the purpose of being adjudicated by the Mixed Commission Court at Rio de Janeiro.

And I have to desire that you will make an urgent request to the Brazilian Government to cause inquiry to be made as to the evils represented in the Letter from Rear-Admiral Hamond, and to give authority for the requisite arrangements to be made in order to remedy such evils as the result of that inquiry may prove to exist.

H. S. Fox, Esq.
&c. &c. &c.

I am, &c.
(Signed) WELLINGTON.

First Enclosure in No. 72.

Mr. Gladstone to Viscount Mahon.

MY LORD,

Colonial Office, 6th March 1835.

I AM directed by the Earl of Aberdeen to transmit herewith to your Lordship a Copy of a Letter from the Secretary to the Lords Commissioners of the Admiralty, enclosing a representation by the Commander-in-Chief on the South American Station of the treatment of the captured slaves when brought into port for the purpose of being adjudicated by the Mixed Commission Court; and I am to request that your Lordship would submit the subject to the consideration of his Grace the Duke of Wellington, with a view to the improvement of the condition of the captured slaves previously to their liberation.

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

I have, &c.
(Signed) W. E. GLADSTONE.

Second Enclosure in No. 72.

George R. Dawson, Esq., to R. W. Hay, Esq.

SIR,

Admiralty, 25th Feb. 1835.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith for the information of the Earl of Aberdeen, a Copy of a Letter from Rear-Admiral Sir Graham E. Hammond, Commander-in-Chief of His Majesty's ships and vessels on the South American Station, dated 17th December last, respecting the care of captured slaves; and I am to request you will call the serious attention of Lord Aberdeen to the miseries therein detailed.

R. W. Hay, Esq.,
&c. &c. &c.

I have, &c.
(Signed) G. R. DAWSON.

Third Enclosure in No. 72.

Sir Graham E. Hamond to the Hon. Capt. Elliott, C.B.

SIR,

"Spartiate," Rio de Janeiro.

WITH reference to my Letter of yesterday's date, No. 16, on the subject of the slave-vessel detained by His Majesty's ship "Raleigh," I request you will lay before the Lords Commissioners of the Admiralty the following reflections which I think it my duty to submit to their Lordships.

The detention of slave-vessels by His Majesty's cruisers is not a matter of choice, but of absolute necessity, in obedience to the orders they receive, the Commanders exercising their best judgment thereon. It bears no analogy to the case of neutrals suspected of favouring the enemy in time of war, where the Captain exercises his judgment at his own risk, but where *humanity* makes no call, and the case is not imperative. Here the mind revolts *against* the capture under *certain circumstances*, because the sufferings of the unhappy slaves are very much increased instead of diminished by the interference. For instance, a vessel sent into Rio de Janeiro (as in the case of the "*Rio de la Plata*") overloaded with slaves, already sickly and dying fast, the vessel old, leaky, utterly unfit for sea, and without accommodations in fact for half the number she carries, comes into a hot and close port, where there is no provision for their being landed, no hospital for the sick, no agent or person appointed to look after and provide for the unhappy captives. They must await in the confinement of the vessel the tardy process of the Mixed Commission Court, which takes no care about them during the discussion, during which delay the mortality is to a certainty much greater than if the poor wretches were at sea. The Captor is probably absent from his station, and the officer in charge without funds or credit, even if humanity should make him willing to incur the ruinous expense of the necessary shelter and protection, cannot land the helpless creatures without the greatest difficulties on the part of the Government as to the place where they shall be put in, and still greater as to their security from being carried off when disembarked, as the Government will not provide a guard, and an armed force cannot be landed from the ships, nor can he provide for their maintenance if it should be necessary. Under these circumstances, I feel bound to submit to their Lordships whether, when a slave-vessel is detained by one of His Majesty's cruisers, an officer of the Mixed Commission *might* not and *ought* not to act as protector of the slaves, have authority to cause such as he saw fit to be landed and properly guarded, and food, &c., as requisite provided; for even in the imaginary case of an officer unintentionally transgressing his orders and incurring expense by the detention of a slave-vessel, it is clear that the Government will always have power over his pay, and even over his commission as a check, while it is equally clear that without some such provision, by authority, the stopping of a slave-vessel is only exposing the blacks to greater misery and a much greater chance of speedy death than if they were left to their original destination of slavery, to say nothing of the horrors which the officers and men in charge of the vessel undergo, of which it is not easy to form an adequate idea without having witnessed them.

The Hon. Capt. Elliott, C.B.,
&c. &c. &c.

I am, &c.
(Signed) GRAHAM E. HAMOND, Rear-Admiral.

No. 73.

Mr. Fox to Viscount Palmerston.—(Received March 21.)

MY LORD,

Rio de Janeiro, 20th January 1835.

I HAVE the honour to enclose the Copy of an official Note addressed to me by the Brazilian Minister, in which his Excellency, adverting to the establishment

of a pretended free colony of African blacks in the neighbouring Republic of the Uruguay, and to the notorious facility thereby afforded of nefariously evading the Laws and Conventions for the suppression of the Slave Trade on the coast of Brazil, urges me to solicit the intervention of His Majesty's Government in obtaining from the authorities of the Oriental Republic an immediate revocation of the licence under which the pretended free black colony above-mentioned has been allowed to be established; adding, that the Brazilian Diplomatic Agent at Monte Video has already been instructed to use his efforts for the attainment of the same object. I have also the honour to enclose a Copy of the official Answer which I have returned to the Brazilian Minister's Note.

The circumstances attending the case of the Monte-Videan brig "*Rio de la Plata*," have rendered it more clearly evident than before that the foundation of a free black colony in the Republic of the Uruguay has been a fraud from the beginning; and it is next to impossible but that the Government of Monte Video must have been all along aware of, and participating in, the fraud,—raising a scandalous revenue by the issue of the licences under which such criminal practices have been carried on. Whether or not there will be found sufficient legal evidence to condemn the "*Rio de la Plata*," there exists a full moral certainty that the voyage of that vessel, laden with a licensed cargo of blacks, from Africa to South America, and various other voyages made under similar circumstances by vessels bearing the flag of Monte Video, have been, in fact, nothing else than Brazilian slave-dealing adventures, well known to be so by the inhabitants of both countries.

I do not know what progress may by this time have been made by Mr. Hamilton in negotiating the Convention which he is charged to conclude with the Government of the Uruguay for the suppression of the Slave Trade, nor am I aware whether he is instructed to propose to that Government a revocation of the licences granted for the establishment, within its territory, of a free colony of African blacks. A simple prohibition of the Slave Trade, so called, will not meet the evil at present complained of. The negroes imported into the Banda Oriental, and destined to be from thence passed across the frontier, and sold in the Brazilian market, are not introduced as slaves, but are ostensibly shipped in Africa, and landed in America, as free agricultural labourers, apprenticed to their importers for a term of years, under licences from the Monte-Videan Government. Some means must be contrived to defeat this system of fraud.

I have, &c.

(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 73.

(Translation.)

Senhor A. de Souza to Mr. H. S. Fox.

Palace of Rio de Janeiro, 23rd December 1834.

THE Government of the Oriental Republic of the Uruguay having permitted there the formation of a Colony of free Africans, and experience having shown that such a permission is one of the most effectual means of which the atrocious dealers in slaves avail themselves to carry on the unlawful and guilty introduction of negroes into Brazil, notwithstanding the laws, and the incessant vigilance of the Imperial Government, the Undersigned, &c. &c. cannot refrain from calling the attention of Mr. Fox, &c. &c. to a measure which is in fact converted into a mere subterfuge by which to evade the Treaty for the Suppression of the Slave Trade in Brazil, in order that the British Government may, in concert with the Imperial Government, earnestly demand the immediate suspension of this measure; the Imperial Government being about to forward on this subject, without delay, the most positive instructions to its diplomatic agent at Monte Video.

The Undersigned, &c. &c.

Sen. H. S. Fox,
&c. &c. &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Second Enclosure in No. 73.

Mr. Fox to Senhor A. de Souza.

(Copy.)

Rio de Janeiro, 14th January 1835.

THE Undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has the honour to acknowledge the receipt of the official Note of the 23d of December, addressed to him by Senhor Aureliano de Souza e Oliveira Coutinho, Minister and Secretary of State for the Affairs of

Justice, charged with the Department of Foreign Affairs, in which His Excellency, adverting to the foundation of a pretended Free Black Colony in the neighbouring Republic of the Uruguay, and to the notorious facility thereby afforded of nefariously evading the laws enacted for the suppression of the abominable traffic in African slaves, requests the Undersigned to urge the intervention of his Government, in conjunction with the Government of Brazil, for obtaining from the Authorities of the Oriental Republic an immediate revocation of the permission under which the pretended Free Black Colony above mentioned has been established,—his Excellency further stating to the Undersigned that instructions for the same object have already been furnished to the Diplomatic Agent of the Imperial Government at Monte Video.

The Undersigned will lose no time in conveying to his Government the wishes expressed in the official Note of his Excellency the Minister and Secretary of State. He is persuaded that His Britannic Majesty's Government will appreciate this fresh proof of the vigilance and sincerity with which the efforts of the present Ministers of Brazil are directed to give full and real effect to the Laws and Conventions that have for their object the abolition of the African Slave Trade. The Undersigned has the honour further to acquaint his Excellency, with reference to the present subject, that Mr. Hamilton, His Britannic Majesty's Representative at Buenos Ayres, is at this moment charged to negotiate a Convention between Great Britain and the Oriental Republic, for the purpose of effectually suppressing the Slave Trade carried on under the Flag of Monte Video.

The undersigned avails himself of this occasion to renew, &c. &c.

(Signed)

H. S. FOX.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
 &c. &c. &c.

No. 74.

Mr. Fox to Viscount Palmerston.—(Received March 21.)

MY LORD,

Rio de Janeiro, 20th January 1835.

THE case of the Monte-Videan brig "*Rio de la Plata*," detained by His Majesty's ship "*Raleigh*," concerning which I had the honour to address your Lordship in my Despatch, marked "*Slave Trade*," of the 23d of December of the last year, is still under trial before the Court of Mixed Commission established in this Capital.

I stated to your Lordship in my Despatch of the above date, that, at the urgent request of the officer in charge of the captured brig, who represented to me the miserable state of the five hundred negroes, crowded on board a small vessel in a sinking condition, in the midst of filth, sickness, and putrid provisions, and in hourly danger of perishing, together with the prize crew of British sailors, from such accumulated causes of suffering, I had solicited and obtained the permission of the Brazilian Government to have the negroes landed, although I was fully aware at the time, as I stated to Lieutenant Murray, of the risk that would be incurred of their being fraudulently carried away from any place in which they could be deposited in this country. But it was a choice of what seemed to be the least of two extreme evils. The Brazilian Government had also approved of Lieutenant Murray landing such part of the prize crew as he might think fit, to be placed as a guard over the blacks, which appeared a much better precaution than to station a guard of Brazilian soldiers or police only, whose fidelity in such a service could not be depended upon. I am sorry to say, however, that on the night of the 7th instant the station where the blacks were deposited was forced, and the British guard overpowered by a gang of armed men, chiefly consisting of Brazilians. Two hundred of the blacks were carried away. Part of these were immediately rowed off in canoes, and a part led away into the country by land. The leaders of the gang were so ready and so precise in singling out all the best and most valuable of the negroes, that there is reason to conclude the attack was deliberately planned by the same slave dealers in the town of Rio de Janeiro, to whom, if the vessel had not been captured, the negroes were to have been consigned as slaves, although embarked ostensibly as free colonists proceeding to the public of the Uruguay.

More full details of this unfortunate occurrence will have been transmitted to His Majesty's Government in the correspondence between the officers of His Majesty's squadron on this station and the Admiralty. I have the honour herewith to enclose copies of various Notes and Letters which have passed upon the same subject between the British naval officers, the Brazilian Government, and myself. The Brazilian Government is using every endeavour, which the great difficulty of the circumstances admits of, to bring the authors of this shameful outrage to justice, and to recover the lost negroes, but I am not very sanguine as to the result. Every man's hand in this country is against the suppression of the

Slave Trade, both of natives and of other foreign residents; and it will probably be found in the present instance that the subordinate civil authorities and magistrates, through whom alone the Government can act, have been themselves mainly concerned in perpetrating the outrage.

When the "*Rio de la Plata*" was first brought into this harbour, a difficulty occurred as to defraying the expense of feeding and taking care of the negroes. Lieutenant Murray, of His Majesty's ship "*Raleigh*," the officer in charge of the prize, was unable to raise supplies upon his own security, and he could obtain no aid from His Majesty's squadron. Under these circumstances I thought myself justified in authorizing His Majesty's Consul to consider the case as coming within the province of his Consular duties, and I directed him to furnish the necessary provisions accordingly. It was plainly impossible to allow that five hundred negroes, who, whether the vessel were rightfully or wrongfully detained, had been brought into their present situation through means of the Flag of Great Britain, should perish for want of food, which must have happened, if I had not authorized His Majesty's Consul to provide for them. He will forward to His Majesty's Government the necessary documents and vouchers concerning this part of the service.

I have, &c.

The Right Hon. Viscount Palmerston, G.C.B. (Signed) H. S. FOX.
 &c. &c. &c.

First Enclosure in No. 74.

Mr. Fox to Senhor A. de Souza.

(Copy.)

SIR,

Rio de Janeiro, 30th December 1834.

AN application has been made to the President of the Province, to appoint a guard over the five hundred African Blacks found on board the Monte-Videan brig "*Rio de la Plata*," who, in consequence of the obliging intervention of your Excellency, were allowed to be landed, and placed at Praia Grande, waiting the proceedings instituted before the Mixed Commission. The President has replied, that it is out of his power to grant the application without orders from the Department of Justice. In the mean time, the health of the seamen now in charge of the blacks requires an immediate relief; the small number of men placed as prize crew on board the captured vessel puts it out of the power of the officer in charge to supply the required change of guard, and without a sufficient guard there appears to be great danger of a number of blacks being fraudulently taken away from the place where they are deposited. Under these circumstances, I venture to hope that your Excellency will feel justified in giving instructions to the President of the Province to provide the guard which has been applied for. I take this opportunity of returning my sincere thanks to your Excellency, for the ready and obliging manner in which permission was granted by the Imperial Government for the landing of the unfortunate blacks detained on board the "*Rio de la Plata*."

I avail myself of this occasion to renew to your Excellency the assurances, &c., &c., &c.

(Signed)

H. S. FOX.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
 &c. &c. &c.

Second Enclosure in No. 74.

Senhor A. de Souza to Mr. Fox.

(Copy.—Translation.)

Palace of Rio de Janeiro, 5th January 1835.

IN answer to the Note which Mr. Fox, &c. &c. addressed to me, dated 30th last December, I have the honour to inform him, that the necessary orders have been sent to the President of the Province of Rio de Janeiro, to place a guard for the security of the five hundred Africans taken on board the Monte-Videan brig "*Rio de la Plata*," who are now placed on shore, in the village of Praia Grande.

And thus having fulfilled the wishes of Mr. Fox, I renew the expressions, &c.

Sen. H. S. Fox,
 &c. &c. &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Third Enclosure in No. 74.

Captain Harcourt to Mr. Fox.

SIR,

His Majesty's Ship "North Star," Rio de Janeiro, 8th January, 1835.

I BEG leave to enclose a Letter from Mr. Julian, mate of the "*Raleigh*," in command of the party of marines and seamen in charge of the slaves that were landed at St. Domingo from the brig "*Rio de la Plata*," stating that an attack was made upon his party by an armed force, some of whom were dressed as soldiers; that his men were at once overpowered, and bound with cords, as also were the officers; that the stores were then forced open, wherein the slaves were confined, and finally about two hundred of the most effective carried off in boats. I grieve to say, that one marine has been grievously wounded, and others much hurt and bruised by blows. I will send further details as soon as I can

obtain them. In the mean time, it is most essential to take immediate steps for the security of those now remaining, as no doubt another attack will be made to-night. I have to request you will as speedily as possible solicit permission from the proper authorities here to enable me to land an armed force this evening, equal to the protection of the lives of the few men of the "Raleigh" there stationed, as well as the security of the slaves.

I am informed that a Brazilian guard was promised. If one is not sent, and an effective one, by 8 o'clock this evening, on my own responsibility I shall take such steps as the urgency of the case may seem to require.

I trust the Brazilian Government will see that good faith and justice call for active and immediate measures to be taken to endeavour to recover the slaves carried off, as also to bring to punishment those who have been guilty of so outrageous a breach of law.

H. S. Fox, Esq.,
&c. &c. &c.

(Signed)

OCTAVIUS VERNON HARCOURT,
Captain.

Fourth Enclosure in No. 74.

Mr. Fox to Senhor A. de Souza.

(Copy)

SIR,

Rio de Janeiro, 8th January 1835.

I HAVE requested His Britannic Majesty's Consul, Mr. Hesketh, to call upon your Excellency, and to communicate to you the enclosed Report, addressed to me by Captain Harcourt, senior British naval officer in this harbour, relating the facts of an extraordinary outrage committed last night upon the party of British sailors in charge of the five hundred negroes that were landed from the captured Monte-Videan brig "*Rio de la Plata*," and placed at Praia Grande, by permission of the Brazilian Government. As the enclosed Report, and the accompanying explanations which Mr. Hesketh is authorized to give, will put your Excellency in possession of all the particulars of this extraordinary occurrence, I have only to impress upon your Excellency the urgent necessity of some immediate and effectual measures being taken, on the part of the Government, both to bring the offending parties in last night's outrage to justice, and to secure the remaining negroes, and the British sailors in charge of them, from the possibility of repetition, this night, of similar acts of violence. I avail myself of this occasion to renew, &c.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
&c. &c. &c.

(Signed) H. S. FOX.

Fifth Enclosure in No. 74.

Senhor A. de Souza to Mr. Fox.

(Copy.—Translation.)

Palace of Rio de Janeiro, 9th January 1835.

THE Imperial Government being informed, by Mr. Fox's Letter of the 8th instant, of the robbery of two hundred of the Africans at Praia Grande, taken on board the Monte-Videan brig "*Rio de la Plata*," I have in answer to communicate to Mr. Fox, that such an outrage cannot but afflict the Imperial Government, and that it has immediately forwarded orders to the President of the Province, as well as to the head of the police, to take the requisite measures in order to discover the aggressors, and bring them to punishment conformably to law, and to recover the individuals carried off; and further commanding the same President to furnish without delay a sufficient guard to defend the depôt from a repetition of such criminal outrage.

I avail myself, &c.

H. S. Fox, Esq.
&c. &c. &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Sixth Enclosure in No. 74.

Admiral Hamond to Mr. Fox.

SIR,

"Spartiate," Rio de Janeiro, 12th January 1835.

UPON my arrival here, I am made acquainted by Capt. Harcourt, of the "North Star," with the very unpleasant circumstances attending the attack made on the 6th instant, by a large body of men, upon the slaves landed at "Armassao," by permission of the Brazilian Government, from the brig "*Rio de la Plata*," detained by His Majesty's sloop "Raleigh," which terminated in the severely wounding some of the guard, and the carrying off above 200 of the slaves.

From him I understand that distinct permission had been accorded by the Government for their being landed there, and that a store was appointed for their reception; that permission was also given for an armed force to be stationed ashore, for the purpose of keeping off any persons who might be disposed to carry off the slaves into the interior; the Brazilian Government also undertaking to send a sufficient force to assist, which last however was not sent until after the outrage had been committed, and has been since confined to the number of seven men.

As the case stands at present, I am of opinion that, for the further protection of the slaves remaining there, it might be as well if the guard were placed on such a footing as to preclude almost the possibility of any further attempt; and with that view, I should propose sending an officer's guard, and placing it in our boats, in such a situation as to be ready to land the moment any necessity should call for their interference.

As I am directed by my instructions not to land an armed force without the greatest circumspection, I am naturally anxious, that, in the propriety of my doing so, your views should agree with mine, and further that the Brazilian Government should express its decided approbation of the measure. I therefore request to be favoured as soon as possible with your reply to this.

From the report of Captain Harcourt, it appears the brig from which the slaves were landed is in such a state, that it is absolutely unsafe for the slaves to be re-embarked in her, or I should certainly propose their re-embarkation.

H. S. Fox, Esq.,
&c. &c. &c.

I have, &c.
(Signed) GRAHAM E. HAMOND, Rear-Admiral.

Seventh Enclosure in No. 74.

Mr. Fox to Admiral Hamond.

(Copy.)

SIR,

Rio de Janeiro, 12th January 1835.

I HAVE the honour to acknowledge the receipt of your letter of this day's date. At the urgent request of Lieutenant Murray, who had represented to me the deplorable state of the unfortunate negroes belonging to the captured Monte-Videan brig "*Rio de la Plata*," crowded on board a sinking vessel, in the midst of sickness and putrid provisions, I obtained permission from the Brazilian Government to have them landed, but I was perfectly aware at the time, as I stated to Lieutenant Murray, of the great risk that would be incurred of the negroes being stolen away from any place in which they could be deposited on shore in this country. It was only a choice between extreme evils. With respect to placing an additional British guard over the remaining negroes, I shall immediately write to the Brazilian Minister to obtain his acquiescence in your proposal of stationing an officer's guard in boats off the place where the negroes are deposited, ready to be landed at the moment their interference may be required. I do not expect that any objection will be made to this proposal, and it appears to me certain that a knowledge of armed boats being there in readiness will be sufficient to prevent any fresh attack. At the same time, any recourse to armed interference, or even the demonstration of it, is so very serious a matter, that I entirely agree with you in the necessity of using the utmost caution, and of taking no step without the express acquiescence of the Brazilian Government. I shall request His Majesty's Consul, Mr. Hesketh, to convey my letter upon this subject to the Minister to-morrow morning, in order that an immediate answer may be obtained. With regard to the recovery of the lost negroes, I am afraid (as far as I see my way at present) that this duty must be left to the authorities of the country; they probably would not agree to our taking the law into our own hands on shore. I really believe that the Brazilian Government is doing as much as lies in its power to execute justice in the present affair, but unfortunately it is quite clear, and scarcely denied by the Government themselves, that in all cases connected with illicit slave dealing they do not possess the means of commanding the obedience of their own officers.

I have, &c.

Rear-Admiral Sir Graham E. Hamond,
&c. &c. &c.

(Signed) H. S. FOX.

Eighth Enclosure in No. 74.

Mr. Fox to Senhor A. de Souza.

(Copy.)

SIR,

Rio de Janeiro, 13th January 1835.

I have the honour to enclose to your Excellency the Extract of a Letter addressed to me by Rear-Admiral Sir Graham Hamond, Commander-in-Chief of the British Naval Forces upon this station, who returned yesterday to the harbour of Rio de Janeiro, expressing his opinion that, for the more certain protection of the negroes belonging to the captured Monte-Videan brig "*Rio de la Plata*," who remain in the store at Praia Grande, it is advisable to send a more efficient British guard (an officer's guard) to be stationed in boats off the place, in such manner as to be in immediate readiness to land in case of such a necessity arising. It appears that the Brazilian guard, furnished by the Provincial Authorities, amounts only to seven men, and certainly this is not sufficient for the service required. The British guard will be ordered to use the utmost caution in their proceedings, and I think it may be considered as certain that a knowledge of the armed boats being on the spot, in readiness to act if required, will be sufficient to prevent another attack upon the store. I shall be happy to hear that your Excellency sanctions and approves of the proposal of the Rear-Admiral. I have requested His Britannic Majesty's Consul, Mr. Hesketh, to deliver to you this letter, and he will afterwards convey the substance of your Excellency's opinion to the Rear-Admiral, as, if no objection occurs to the proposed arrangement, it will be desirable to place the guard boats this evening. I avail myself of this occasion to renew to your Excellency the assurances of my high esteem and distinguished consideration.

I have, &c.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
&c. &c. &c.

(Signed) H. S. FOX.

Ninth Enclosure in No. 74.

Senhor A. de Souza to Mr. Fox.

(Translation.)

SIR,

Palace of Rio de Janeiro, 14th January 1835.

I ACKNOWLEDGE the receipt of the Official Note which Mr. H. S. Fox, &c. &c., has now sent me, dated yesterday, and enclosing the Despatch which Rear-Admiral Sir G. Hamond, commanding the Naval Forces of His Britannic Majesty in this Port, addressed to him, proposing to send guard boats under the command of an officer, to be placed in such a manner that they can disembark

whenever it may be required, to prevent any further abduction of the Africans now at Praia Grande, I have to inform Mr. Fox in reply that the Imperial Government, wishing to prevent any such removal of these Africans, has thought proper to direct the Department of Marine to send without delay boats with armed men to guard the place. The President of the Province has likewise been ordered to increase the guard which protects these Africans, inasmuch as the present number is insufficient, consisting, as Mr. Fox says, of seven persons; and should there not be a disposable force for this purpose, assistance is to be required from the Commandant of the Corps of Permanentes, who is ordered to furnish it.

In this manner measures are taken to prevent any disagreeable occurrence relative to the said Africans.

I renew, &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Sen. H. S. Fox,
&c. &c.

No. 75.

Mr. Fox to the Duke of Wellington.—(Received April 10.)

MY LORD,

Rio de Janeiro, 11th February 1835.

THE brig "*Rio de la Plata*" (upon the subject of which I had the honour to address His Majesty's Government, in my Despatches to Viscount Palmerston, of the 23d of December last, and of the 20th of January of the present year, of the Slave Trade Series) has been condemned, as a Brazilian Slaver, by the British and Brazilian Court of Mixed Commission established at Rio de Janeiro. The British and Brazilian Commissary Judges having been at variance in their opinion upon this case, the decision was finally given by the British Judge Arbitrator, Mr. Grigg, to whom the lot fell to pronounce sentence, according to the practice and constitution of the Mixed Commission.

The motives of the sentence, and all the evidence and arguments relative to this intricate and important case, will be conveyed to the knowledge of His Majesty's Government through the correspondence of the Commissioners.

I am sorry to state that the two hundred negroes, forming part of the cargo of the "*Rio de la Plata*," who were stolen on the 7th of January from the station on shore where they had been deposited, (as related in my former Despatch to Viscount Palmerston,) have not been recovered. Efforts are still being made by the Supreme Government, and are being pretended to be made by the inferior and subordinate Magistrates, both to recover the negroes, and to bring the authors of the robbery to justice; but I am not sanguine in my expectations of any favourable result being obtained. I have little doubt that the stolen negroes have long before this been carried into the interior of the country, and are now placed far beyond the reach of any authority that can be exercised by the Central Government.

I think there is reason to hope that the condemnation of the "*Rio de la Plata*" will have an excellent effect in disturbing the shameful system of fraud by which the Brazilian Slave Trade has for some time past been carried on under cover of the flag of Monte Video. The Brazilian slave dealers will now engage with less alacrity in this branch of their infamous traffic; and as the licences, for which large sums have hitherto been paid to the Monte-Videan Government, are proved by the proceedings in the present case to be of questionable value, and will therefore offer less prospect of revenue to the Authorities that grant them, those Authorities may be induced to consent the more readily to relinquish their present disgraceful practice of fraud and criminal connivance.

I have, &c.

His Grace the Duke of Wellington, K.G.
&c. &c. &c.

(Signed) H. S. FOX.

No. 76.

Mr. Fox to the Duke of Wellington.—(Received May 19.)

(Copy.)

MY LORD,

Rio de Janeiro, 13th March 1835.

IN my Despatch to Viscount Palmerston, marked "Slave Trade," of the 18th of December last, I had the honour to enclose the Copy of an official Note, which, in obedience to his Lordship's instructions, I had addressed to the Brazilian Minister for Foreign Affairs, conveying to his Excellency the opinion formed by His Majesty's Government upon the case of the brig "*Maria da Gloria*," captured under Portuguese colours off the Harbour of Rio de Janeiro, while engaged

in the illegal traffic of Slaves; and upon the extent of jurisdiction which ought to be exercised by the British and Brazilian Court of Mixed Commission, established at Rio de Janeiro, in cases similar to that of the vessel in question; urging also the wishes entertained by His Majesty's Government, that the Brazilian Commissioners should be furnished with instructions founded upon the same opinion.

I have now the honour to enclose the translation of an Official Note, which, after some delay, has been addressed to me in reply by the Brazilian Minister, containing opinions, as your Grace will perceive, at variance with those of His Majesty's Government upon the point in question; and consequently declining, on the part of the Imperial Government, to furnish the Brazilian Commissioners with instructions corresponding to the wishes of His Majesty's Government.

I have, &c.

His Grace the Duke of Wellington, K.G.
 &c. &c. &c.

(Signed)

H. S. FOX.

Enclosure in No. 76.

Senhor Branco to Mr. Fox.

(Translation.)

Palace of Rio de Janeiro, February 7, 1835.

THE undersigned, &c. &c., has the honour to acknowledge the receipt of the Note which Mr. H. S. Fox, &c. &c., addressed to his Predecessor on the 15th of last December, in which he states that his Government had taken into serious consideration the case of the vessel "*Maria da Gloria*," which, sailing under Portuguese colours, was taken for having African negroes on board, and brought before the Mixed Brazilian and English Commission established in Rio de Janeiro, which Commission released her as not being Brazilian property; and that, after having taken the opinion of the King's Advocate, the British Government had resolved that vessels under similar circumstances to those of the "*Maria da Gloria*" should be judged by the said Commission, inasmuch as that ship was fitted out in Rio de Janeiro, where its owner resided; it being a principle of the Law of Nations that the national character of a merchant depends on his place of residence and that of his mercantile establishment, and not on the place of his birth: Mr. Fox concludes his Note by mentioning that the English Commissioners have been instructed to act in future on this principle, and expresses the wish of his Government that that of Brazil should give similar instructions to its Commissioners.

The undersigned, after having taken the orders of the Regency, and the opinion of the Procurador of the Crown, and of the National Sovereignty, has the honour to state to Mr. Fox, that, with a view solely to utility, and the furtherance of the object of the British Government on the subject in question, the proposal would be admissible, inasmuch as it would doubtless prevent the abuses which still take place in the horrible traffic in African negroes under the name of Colonists; but it being an unquestioned principle of the General Law of Nations, that the subjects of friendly Nations residing in foreign countries are temporarily subjects of those countries, they become, therefore, subject to the laws of such countries, and are to be judged by the tribunals there established, composed of National Judges, but can never become liable to be tried by a Court such as those of the Mixed Commission, which are established by virtue of Treaties between two Nations to control only the subjects of either of those Nations, but never to have jurisdiction over a subject of any other foreign Nation, unless such subject, by his own desire, agrees to abide by such Treaty by a solemn Declaration to that effect.

For these reasons Mr. Fox will perceive that the Brazilian Government cannot fulfil the wishes that the British Government has evinced on that subject.

The undersigned, &c. &c.

(Signed)

MANOEL A. BRANCO.

H. S. Fox, Esq.
 &c. &c. &c.

No. 77.

Mr. Fox to the Duke of Wellington.—(Received May 16.)

MY LORD,

Rio de Janeiro, 25th March, 1835.

SINCE the receipt of your Grace's Despatch of the 31st of December of the last year, honouring me with full powers from His Majesty to negotiate and conclude a Supplementary Convention with the Government of Brazil for the more effectual prevention of the proscribed traffic in slaves, I have had various interviews upon the subject with the Brazilian Secretary of State for Foreign Affairs, and I am happy to say that I see every reasonable prospect of being able to carry the wishes of His Majesty's Government completely into effect.

The terror that is spreading far and wide through Brazil, since the late insurrection of the blacks at Bahia, has rendered the present moment favourable for renewing to this Government any proposal for improving and strengthening the Anti Slave Trade Legislation; the eyes of most men are beginning to be opened, if not to the infamy of Slave Dealing, at least to the enormous danger of allowing fresh multitudes of Africans, under any condition, to be poured daily into the country.

The Minister informed me at our last meeting that the Regency have decided to furnish him immediately with full powers for signing with me an Additional Convention, comprising the two Articles proposed by His Majesty's Government; and he assures me that, under the actual circumstances, there is little reason to fear any delay or difficulty in obtaining the sanction of the Legislative Assembly.

I take the liberty of recalling to mind to your Grace that, according to the present Brazilian Constitution, as settled at the revolution of April 1831, no Treaty or Convention is binding upon Brazil, although signed and ratified, until it has been approved by the General Legislative Assembly of the Empire. Therefore I presume that I shall do right in not transmitting home the Convention for His Majesty's ratification until after the requisite sanction of the Assembly shall have been obtained.

If no unforeseen obstacle occurs, I have reason to hope that the Convention will be concluded and signed in the course of the month of April. The General Assembly meets on the 3d of May: as soon as the sanction of that body shall have been obtained, the Convention can be ratified by the Regency of Brazil, and be then immediately transmitted to England to receive the ratification of His Majesty.

I think that, in the present temper of men's minds, both the Supreme Government of Brazil and the General Assembly are likely, during the ensuing Session, to lend their assistance more cordially and faithfully, and to second the benevolent views of His Majesty's Government more strenuously, than they have ever done before, for accomplishing the great end of the destruction of the African Slave Trade. I shall not cease labouring to the utmost of my power to take advantage of this favourable disposition, both in my intercourse with the Ministers and with such Members of the Legislature as I may be able to consult.

I apprehend, on the other hand, that the same state of feeling will cause increased anxiety and impatience to be shown, to conclude some arrangement for providing for all liberated negroes (including those emancipated under verdicts of the Mixed Commission) away from the territory of Brazil. It is impossible that this should be otherwise; for it is from the free blacks and mulattoes that the real danger to the white inhabitants of Brazil will one day arise; the great masses of the slave population are little disposed to stir, unless when worked upon and moved to violence by the free men of their own colour. Upon this very serious and embarrassing part of the subject, in connection with that of the final destination of the negroes liberated under the Conventions with Great Britain, and upon the views and wishes of the Brazilian Government with reference thereto, I had the honour to address a Despatch to Viscount Palmerston, marked Slave Trade, of the 10th of October 1834. I have no doubt that the question will be again agitated at an early period of the ensuing Session of the Legislature.

I have, &c.

His Grace the Duke of Wellington, K. G.
&c. &c. &c.

(Signed) H. S. FOX.

No. 78.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 10th June 1835.

You will see from the accompanying copies of an Address from the House of Commons to His Majesty, and of the answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country for the extinction of the abominable traffic in Slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Brazilian Government, and earnestly to press upon them the immediate conclusion of the negotiations with which you are charged on this subject.

I have, &c.,

H. S. Fox, Esq.
&c. &c. &c.

(Signed)

PALMERSTON.

No. 79.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 27th June 1835.

I HAVE received your Despatch of the 13th of March 1835, enclosing the Translation of a Note from Senhor Manod Alves Branco, in which that Minister declines to issue to the Brazilian Commissioners instructions corresponding with the view taken by His Majesty's Government of the principles upon which the decision of the Commissioners ought to be framed under circumstances similar to those of the case of the "*Maria da Gloria*," referred to in my Despatch* of the 8th October 1834.

It is admitted by Senhor M. A. Branco, with reference to such cases, that it is an unquestionable principle of the general Law of Nations, that the subjects of Friendly Powers residing in Foreign Countries are, for the time, subjects of those Countries, and to be judged by the Tribunals there established. In this opinion the Law Adviser of the Crown, who has been consulted by His Majesty's Government upon the occasion, concurs. But the Brazilian Minister afterwards qualifies this opinion by saying, that persons circumstanced as he describes, "may be judged by Tribunals composed of National Judges only, and cannot be liable to be tried by Courts, such as the Mixed Commission Courts, established by virtue of Treaties between two Nations to control only the subjects of either of those Nations, but never to have jurisdiction over a subject of any other Foreign Nation, unless such subject, by his own desire, agrees to abide by such Treaty by a solemn Declaration to that effect."

On this point His Majesty's Legal Adviser differs from Senhor M. A. Branco. It is the opinion of the Law Officer, that the owner of the "*Maria da Gloria*," by his residence and employment in Brazil, had, for commercial purposes, divested himself of his original national character, and that he had become a Brazilian in all matters appertaining to Commerce, and had made himself amenable to the same Tribunals to which he would have been amenable if he had been a natural-born subject of Brazil. But the aforesaid owner having, by his own act, become a Brazilian subject, must, in the opinion of His Majesty's Legal Adviser, be presumed to have given a tacit assent to the commercial regulations of the State, whether founded upon Treaties or otherwise, and cannot be allowed to claim any privileges or exemptions beyond those to which natural-born subjects are entitled.

His Majesty's Government agree in the view which has been taken of the case by the Law Adviser of the Crown, and I have to instruct you to answer the Brazilian Minister accordingly, making known to His Majesty's Commissioners at Rio de Janeiro, for their guidance, the course which you take.

I am, &c.

Henry Stephen Fox, Esq.
&c. &c. &c.

(Signed)

PALMERSTON.

* See Parliamentary Papers.

No. 80.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 27th June 1835.

I HAVE received your Despatch of the 20th of January 1835, forwarding a Note from the Brazilian Minister, soliciting the intervention of His Majesty's Government for obtaining from the Authorities of the Republic of the Uruguay an immediate revocation of the Licence under which a pretended free Colony of blacks has been established in the territory of that Republic.

His Majesty's Government have much satisfaction in agreeing to the wishes of the Government of Brazil on this point; and I now transmit to you, for communication to the Brazilian Minister, the copy of an Instruction which I have addressed to His Majesty's Minister at Buenos Ayres, directing him to use his utmost efforts, in concurrence with the Brazilian Agent at Monte Video, for the attainment of the desired object.

I am, &c.

Henry Stephen Fox, Esq.
&c. &c. &c.

(Signed)

PALMERSTON.

Enclosure in No. 80.

Viscount Palmerston to Mr. Hamilton, dated 27th June 1835.

No. 81.

Mr. Fox to the Duke of Wellington.—(Received August 4.)

MY LORD DUKE,

Rio de Janeiro, 30th May 1835.

I PRESUME that authentic accounts will have been forwarded to His Majesty's Government from Monte Video, relative to a Law lately passed by the Legislature of the Republic of the Uruguay, for setting aside and annulling the Licences granted by the late Government of the President Ribera, for the introduction into that Country of cargoes of African blacks, under the denomination of Free Agricultural Labourers or Colonists.

The new Executive Government of Monte Video have followed up this decision of the Legislature by issuing Decrees which prescribe the most rigorous precautions for preventing the Slave Trade under the Flag of the Oriental State, and which enjoin real security to be taken from all National Vessels clearing outwards (to the amount of the value of the Vessels), that they shall not be employed in the conveyance of African blacks, either as Slaves or Colonists.

I entertain a confident hope that one of the main branches of this abominable traffic will be thus effectually cut off; and if, simultaneously with this favourable change of conduct on the part of the Authorities of Monte Video, and with the somewhat improved prospect opened at the present moment of sincere co-operation on the part of the people of Brazil, the Government of Lisbon can also be induced to take effectual measures for preventing the fraudulent assumption of the Portuguese Flag by the Brazilian Traders on the Coast of Africa, a fairer promise will be now held out than for many years past, of carrying the benevolent views of the British Nation and Government into effect.

I am willing to give full credit to the sincere and honest intentions of the newly-elected President Oribe, and of the Ministers now in power at Monte Video; but I cannot help also attributing their present laudable conduct to the fortunate circumstance of the capture and condemnation of the Monte-Videan brig "*Rio de la Plata*," by which it was made manifest that the Licences, now so promptly disowned, did not, in fact, secure the nefarious holders of them the impunity which had been anticipated, or hold out consequently so good a chance of revenue to the Authorities who had been in the habit of granting them.

I have, &c.

The Duke of Wellington, K.G.
&c. &c. &c.

(Signed) H. S. FOX.

No. 82.

Mr. Fox to the Duke of Wellington.—(Received August 4.)

(Extract.)

MY LORD,

Rio de Janeiro, 30th May 1835.

I HAD the honour to receive your Grace's Despatch of the 4th of March, brought to me by the Packet which sailed from England in that month. This Despatch encloses the draft of an Article and annexed Regulations for the better treatment of liberated negroes, by the establishment of a Mixed Board of Superintendence, according to a proposal recently submitted to the Courts of Lisbon and Madrid, and which your Grace directs me to propose, likewise, to the Brazilian Government for their adoption.

Sir George Jackson, His Majesty's Commissary Judge, has since communicated to me a Despatch addressed by your Grace to the British Commissary, brought by the same Packet, but dated the 11th of March, making known the willingness of His Majesty's Government to allow of the liberated negroes from Brazil being received, under specified conditions, in the British Colony of Trinidad, and transmitting the copy of an Instruction addressed to me upon the same subject, and dated also on the 11th March. This Instruction has not yet reached me, but I can entertain no doubt that I shall receive it by the Packet that will have sailed from England in April, and which may shortly be expected to arrive here.

Under these circumstances, I consider that I shall best fulfil your Grace's intentions by forbearing for the present to act upon the Instructions relative to the proposed Board of Superintendence.

His Grace the Duke of Wellington, K.G.
&c. &c. &c.

I have, &c.
(Signed) H. S. FOX.

No. 83.

Mr. Fox to the Duke of Wellington.—(Received August 4.)

(Extract.)

MY LORD,

Rio de Janeiro, 1st June 1835.

I HAVE had the honour to receive, by the Packet which reached this port yesterday, your Grace's Despatch of the 11th of March, making known the consent of His Majesty's Government to allow of African blacks, liberated in Brazil by verdicts of the Mixed Commission, being received, under specified conditions, in the British Colony of Trinidad; a copy of which Instruction had been previously communicated to me by His Majesty's Commissary Judge, Sir George Jackson. I shall lose no time in entering into discussion with the Brazilian Government upon the important matter which forms the subject of your Grace's Despatch.

I have the honour to be, &c.
(Signed) H. S. FOX.

His Grace the Duke of Wellington, K.G.
&c. &c. &c.

No. 84.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 3d September 1835.

I HEREWITH transmit for your information two Copies of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented by His Majesty's command to both Houses of Parliament.

H. S. Fox, Esq.
&c. &c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 85.

Mr. Fox to Viscount Palmerston.—(Received October 23.)

(Extract.)

MY LORD,

Rio de Janeiro, 4th August 1835.

I HAVE the honour to acquaint your Lordship, that three Additional Articles, supplementary to the Slave Trade Convention between Great Britain and Brazil, of the 23d of November 1826, were signed on the 27th ultimo by His Excellency Senhor Manoel Alves Branco and myself, in virtue of our respective full powers, as Brazilian and British Plenipotentiaries.

On the 1st of the present month the Additional Articles were officially communicated to the Chamber of Deputies, by His Excellency Senhor Manoel Alves Branco; the Chamber has referred them, in the accustomed form, to the "Commissao de Diplomacia," or Standing Committee of Diplomacy; this Committee will first make its Report, and the Chamber then proceed to a decision thereupon: and the same process must afterwards be gone through in the Senate. If the sanction of both Chambers of the Assembly be obtained, the Articles will be ratified without delay by the Regency of Brazil, in the name of the Emperor, and I shall then have the honour of transmitting to your Lordship the original Instrument, in the hope that it will be graciously approved of and ratified by His Majesty.

I have, &c.

Viscount Palmerston, G.C.B.
&c. &c. &c.

(Signed) H. S. FOX.

No. 86.

Mr. Fox to Viscount Palmerston.—(Received October 23.)

(Extract.)

MY LORD,

Rio de Janeiro, 4th August 1835.

I HAVE the honour herewith to enclose the Copy of an Official Note, which I have addressed to the Brazilian Secretary of State for Foreign Affairs, making known the consent of His Majesty's Government to allow of such African negroes as may from time to time be liberated under verdicts of the Mixed Court of Commission at Rio de Janeiro, being removed from Brazil, and received, under certain specified conditions, in the British Colony of Trinidad. I have embodied, in the form of a Memorandum annexed to the enclosed Note, the conditions in question, as specified in His Grace the Duke of Wellington's Despatch to me of the 11th of March of the present year. I have likewise annexed a Communication, officially made to me by the British Commissioners of the Mixed Court of Commission of Rio de Janeiro, in which those Gentlemen have specified, also in the form of a Memorandum, the provisions in detail, which they will be charged to see carried into execution in the event of the Brazilian Government resolving to accept the proposed arrangement. This Memorandum contains the substance of His Grace the Duke of Wellington's Despatch (with its Enclosures), addressed to the British Commissioners, of the 11th of March of the present year.

The Brazilian Government are thus put in possession of the several conditions, devised both for the welfare of the negroes, and in justice to the interests of the Island of Trinidad, under which His Majesty's Government are willing to admit the emancipated negroes into that Colony. The proposal is still under consideration of the Brazilian Government, who have not yet returned an official Answer to the enclosed Communication. I collect, however, from the conversation of the Minister, Manoel Alves Branco, that the principle of the arrangement is likely to be accepted with satisfaction; but that certain modifications will be suggested in the conditions. Whenever these modifications shall have been communicated to me, I shall lose no time in referring them for your Lordship's decision.

I shall have the honour to address your Lordship more in detail upon the above subject after I shall have been officially made acquainted with the views and opinions of the Brazilian Government relatively thereto.

Viscount Palmerston, G. C. B.
&c. &c. &c.

(Signed)

I have, &c.

H. S. FOX.

First Enclosure in No. 86.

(Copy.)

*Mr. Fox to Senhor Branco.**Rio de Janeiro, 25th July 1835.*

THE undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, is instructed by his Government to make the following communication to the Government of His Majesty the Emperor of Brazil.

His Britannic Majesty's Government, taking into due consideration the wishes which have been frequently and urgently expressed by the Brazilian Government, that some means might be devised of providing for the future destiny of such African negroes as may be liberated under sentences of the Court of Mixed Commission established at Rio de Janeiro, by conveying them away from the territory of Brazil, and placing them, if possible, as Colonists in some British possession; are willing to consent that the negroes, hereafter emancipated under the above circumstances, shall be received in His Britannic Majesty's Colony of Trinidad, under certain specified conditions, which are deemed advisable for the welfare and comfort of the negroes themselves, and for the safety and satisfaction of the community amongst whom they are to be introduced.

The undersigned has the honour to forward, annexed to the present Note (Enclosure No. 1), a memorandum of the principal conditions under which it is proposed to admit the above-mentioned negroes into the Island of Trinidad; and he has also the honour to enclose (No. 2) a communication which has been officially made to him by the British Commissioners of the Mixed Commission at Rio de Janeiro, containing a memorandum of the instructions addressed to them by His Britannic Majesty's Government with reference to the present proposal, and of the provisions in detail, which they will be charged to see carried into execution, in the event of the same being accepted by the Government of His Imperial Majesty.

The undersigned, in making the present communication to His Excellency Senhor Manoel Alves Branco, Minister and Secretary of State charged with the Department of Foreign Affairs, has the honour to renew to His Excellency the assurance of his high esteem and distinguished consideration.

His Excellency Senhor Manoel Alves Branco,
&c. &c. &c.

(Signed)

H. S. FOX.

Second Enclosure in No. 86.

(Memorandum.)

Rio de Janeiro, 25th July 1835.

THE negroes emancipated under the Mixed Commission at Rio de Janeiro cannot be received at Sierra Leone. But there will be no objection, on the part of His Britannic Majesty's Government, to receive at Trinidad any negroes who have, within the last two years, been, or who shall in future be, so emancipated at Rio de Janeiro, provided they be sent there at the expense of the Brazilian Government, under the regulations stated in this and the accompanying document; and that due care be taken that proper attention and accommodation be afforded to them on their passage.

The Brazilian Government must give one month's notice to the Governor of Trinidad, before any Negroes be embarked for that Colony; or, in cases where, from the unfrequency of communication between Brazil and Trinidad, such notice is absolutely impracticable, the vessel must be furnished with one month's extra provisions, so that the negroes may remain, if necessary, thirty days on board after their arrival at Trinidad.

The number of females in each importation must be at least equal to the number of males; or the deficiency in the number of females at one shipment must, in all cases, be made up at the next shipment; and a letter of assurance to this effect, from the Brazilian Government, must accompany each vessel in which there is a deficiency of females.

The negroes must not be sent in greater numbers, nor at earlier periods, than the Governor of Trinidad shall prescribe.

Upon this point especially, and on all other points generally, relating to the proposed arrangement, His Majesty's Minister in Brazil is directed to communicate with the Governor of Trinidad, and to acquaint the Brazilian Government with the result of his communications.

The negroes must be duly ascertained and certified, by a medical officer under the entire control of the British Commissioners, to be free from any disease of a nature to incapacitate them for labour; and no separation of one portion of a family from another is to take place; and none of the negroes are to be more than thirty years of age. Each negro is to be supplied with two suits of clothes, a cap, a blanket, and a wooden spoon.

It is hoped that the Brazilian Government will have agreed to the conclusion of an Article for the breaking up of condemned slave vessels: until an Article to this effect shall have been concluded, the vessels in which the negroes have been brought to Brazil must not be used for the purpose of conveying them to Trinidad, unless the Brazilian Government shall have previously purchased, and paid to the Mixed Commission Court, the value, duly estimated, of such vessels; the amount of which value is to be added to the proceeds, to be divided afterwards according to Treaty.

An instruction is addressed to the British Commissioners at Rio de Janeiro, entering into the details to be observed upon this measure under their superintendance.

Third Enclosure in No. 86.

His Majesty's Commissioners to Mr. Fox.

(Copy.)

Sir,

Rio de Janeiro, 16th June 1835.

THE Duke of Wellington having transmitted to us a copy of the Instruction addressed to you by His Grace, upon the subject of a proposition for removing to Trinidad the negroes emancipated under sentences of this Mixed British and Brazilian Commission, we think it may be desirable for you, in your discussions in this matter with the Brazilian Ministers, to be apprized of the nature of the Instructions we also have received for our guidance, in the event of the Brazilian Government feeling desirous of embracing the opportunity afforded them by His Majesty's Government, of relieving them from the care and burthen of the Africans liberated under sentence of this Commission, by the transfer of such Africans to Trinidad. We have therefore the honour of enclosing to you herewith, in the form of a Memorandum, the purport of a Despatch which His Grace addressed to us under date of the 11th of March last.

We have the honour to be, &c.

H. S. Fox, Esq.,
&c. &c. &c.

(Signed)

GEORGE JACKSON,
F. GRIGG.

Fourth Enclosure in No. 86.

MEMORANDUM.

(Communicated by His Majesty's Commissioners.)

(Copy.)

Rio de Janeiro, 16th June 1835.

THE consent to the measure of receiving the emancipated negroes at Trinidad having been given, after communication with the Colonial Department, a Despatch from His Majesty's Secretary of State for the Colonies to the Lieutenant-Governor of that Island is made the basis of the Instructions now given to His Majesty's Commissioners; and it appearing to His Grace the Duke of Wellington, that the objects which the Secretary of State for the Colonies is desirous to attain through the medium of the British Authorities at the place where the negroes have been liberated, can, so far as relates to the negroes liberated at Rio de Janeiro, be best secured by the superintendance of His Majesty's Commissioners, and by a person under their immediate orders, they are directed to select a person, in whose fitness for the duties, and in whose exactness in fulfilling them, they can confide to perform the functions which will devolve on him under this Instruction. The duty of the functionary to be thus selected may be stated, generally, to be that of ascertaining to his own satisfaction, and then of certifying for the information of His Majesty's Commissioners, and for that of the Officers of the British Government in Trinidad, the facts of which it may be necessary to be informed, before an

order is made for the reception in Trinidad of any Africans to be brought thither from Rio de Janeiro. These facts, so far as His Grace is yet aware, are, first, the concurrence of the Africans themselves in their removal to Trinidad, or the evidence of a very extraordinary necessity, requiring in some cases even a peremptory removal: and a Certificate upon either of these points, signed by the functionary in question, must accompany any such Africans upon their removal from Rio de Janeiro. The Colonial Office will not consent that a transfer should be made to Trinidad of any Africans recently landed at Rio de Janeiro, unless it shall first be ascertained, that at the time of their embarkation for Trinidad they are in good health, or at least that they are exempt from any dangerous or contagious disease. His Majesty's Commissioners are instructed, for the purpose of ascertaining this fact, to employ some medical gentleman on whose skill, and on whose probity, they can confidently rely. The second object of the Certificate, which should accompany every vessel with liberated Africans from Rio de Janeiro to Trinidad, must therefore be, that the functionary certifying has been himself satisfied, on the report of the competent medical inspector, that the Africans to be removed are, at the period of their quitting Rio de Janeiro, in such a state of health as above mentioned. As it may be apprehended that the Africans removing to Trinidad may enter on that voyage under a total misapprehension of the nature of the reception awaiting them, it will be fit, that before the departure of any Africans from Brazil, the plain truth should be distinctly explained to them; and that they should be taught to expect, on their arrival at Trinidad, adequate maintenance, and protection from injury, in return for moderate, but regular labour. That such explanations have been given, is the third fact to be attested by the Certificate, which is to accompany them. With regard to the due proportion of males and females to be embarked, the Certificate, to be put on board at Rio de Janeiro, is to show, fourthly, that, at the time of the sailing of the vessel, that proportion was accurately observed. It being of great moment to take effectual security against the severance, before the departure from Rio de Janeiro, of any relations, whether of marriage or consanguinity, which ought to be maintained inviolate, the Certificate is to state, fifthly, that the functionary signing it, after having to the best of his power inquired into the fact, has reason to believe that no African referred to in that Certificate, will leave behind in Brazil a husband, wife, child, or other immediate connexion or relation, from whom he or she ought not to be separated. The functionary in question is likewise to require of the Master of every vessel conveying any such Africans to Trinidad, first, to give bond to His Majesty, that during the voyage the negroes shall be provided with such sustenance and accommodations as may be necessary for their health and reasonable comfort: the Certificate is therefore to state, sixthly, that such a bond has been entered into; and, before the ship is admitted to entry at Trinidad, the bond itself is to be placed in the hands of the Collector of Customs. No Africans are to be sent to Trinidad without one month's previous notice of their arrival to the Authorities of that place, in order that due provision may be made for the proper disposal of them on their reaching the Colony; or, if such notice be impracticable, the vessel must be furnished with one month's extra provisions, so that the negroes may remain, if necessary, thirty days on board after their arrival at Trinidad, on which point His Majesty's Commissioners are to come to an understanding with the Governor of that Island. The document certifying to the several points above enumerated is to be drawn up, dated, and signed by the functionary in question in triplicate, and one original thereof is to be delivered to His Majesty's Commissioners, one retained by such functionary, and the third delivered over by him to the Captain of the vessel, or other person in charge of the liberated Africans. The person receiving that triplicate original of the Certificate is to give a receipt for the same, and on the arrival of the vessel at Trinidad to deliver over the Certificate to the Authorities of the Island. His Majesty's Government feel aware that such remuneration as with a due regard to economy may appear fair, should be made to the civil and medical functionaries who may be employed by His Majesty's Commissioners for the service under this instruction, which charge His Majesty's Government think it right should be borne by the Brazilian Government, for whose benefit the service is performed: and His Majesty's Commissioners are instructed to propose this to the Brazilian Government. His Majesty's Commissioners are to report to His Majesty's Principal Secretary of State for Foreign Affairs the arrangements which they shall have provisionally made upon the several points in this Instruction.

H. S. Fox, Esq.
&c. &c.

No. 87.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 29th October 1835.

I HEREWITH transmit for your information two Copies of a Treaty which was concluded on the 28th of June last between His Majesty and Her Majesty the Queen of Spain, having for its object the entire suppression of the Slave Trade of Spain.

The ratifications of this Treaty were exchanged at Madrid on the 27th of August last.

I am, &c.

H. S. Fox, Esq.
&c. &c. &c.

(Signed)

PALMERSTON.

No. 88.

Viscount Palmerston to Mr. Fox.

(Extract.)

SIR,

Foreign Office, 3d November 1835.

I HAVE received and laid before the King your Despatch, "Slave Trade," of the 4th August 1835, in which you state that, in conformity with previous instructions, you had, on the 27th of the preceding month, signed three Articles supplementary to the previous stipulations concluded between Great Britain and Brazil, for the purpose of suppressing entirely the Slave Trade of Brazil.

I have the satisfaction to express to you the King's entire approval of the conduct which you pursued in bringing this negotiation to a successful close. His Majesty's Ratification of the three Articles will be exchanged against that of the Emperor of Brazil, so soon as notification is received here of the completion of the last-mentioned instrument.

(Signed) PALMERSTON.

H. S. Fox, Esq.,
&c. &c. &c.

No. 89.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 3d November 1835.

IN the course of the negotiation which ended in the signature of three supplementary Articles to the Treaty with Brazil, the Brazilian Government brought forward other propositions regarding the Slave Trade of Brazil, with respect to which it is right that I should make to you some observations.

With respect to one of these propositions, His Majesty's Government have already signified their acquiescence in the plan for removing to some British colony the African negroes liberated in Brazil by sentence of the Mixed Commission; and His Majesty's Government have notified to that of Brazil the conditions under which those Africans may be removed.

You state in your Despatch of the 4th of August last, that you were in communication with the Brazilian Government on this point, and it is to be hoped that you will come to an agreement with them about it. But as the detailed arrangements for carrying such a measure into execution may from time to time require modifications in order to adapt them to varying circumstances, it will be better that the particulars of the plan should not, at present, be embodied in a convention.

With respect to another of the propositions, you will state at once to the Brazilian Minister, that His Majesty's Government will be extremely glad to unite with that of Brazil in a joint effort to persuade all the Governments of Spanish America to enter into treaties for abolishing Slave Trade, and for declaring that traffic to be piracy,—that instructions to this effect will be sent from hence to all British agents in Spanish America,—and that copies thereof will be transmitted to you for communication to the Brazilian Government.

You will add that it would be conducive to the attainment of the object which the two Governments have in view, if the Brazilian Government would instruct its agents at Buenos Ayres and Monte Video to assist the efforts which the British agents at those places are now making to conclude treaties for the above-mentioned purposes.

I am, &c.

(Signed) PALMERSTON.

H. S. Fox, Esq.,
&c. &c. &c.

No. 90.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 13th November 1835.

I TRANSMIT to you, for communication to the Brazilian Government, the accompanying Copy of an Instruction which I have addressed to His Majesty's diplomatic agents in Spanish America, desiring them to propose for the adoption of the Governments of the places where they are resident, a Treaty with Great Britain for abolishing the Slave Trade, and for declaring that traffic to be piracy.

You will request the Brazilian Government to issue Instructions to their agents at the places referred to, to second the efforts of the British agents upon this question. It will afford an additional satisfaction to His Majesty's Government if the Brazilian Government shall think proper to be an active contracting party to these treaties.

I am, &c.

(Signed)

PALMERSTON.

H. S. Fox, Esq.,
&c. &c. &c.

Enclosure in No. 90.

Instructions to *Mr. Pakenham*, Mexico.
" *Sir R. K. Porter*, Venezuela.
" *Mr. Turner*, Bogota.
" *Mr. Wilson*, Peru.
" *Hon. J. Walpole*, Chili.

Sir,

Foreign Office, 13th November 1835.

His Majesty's Government, and the Government of Brazil, being mutually desirous to put an end to the Slave Trade, have agreed that their agents in Spanish America shall unite in a joint effort to persuade all the Spanish American Governments to enter into Treaties for abolishing that trade, and for declaring it to be piracy. I send you a Draft of a Treaty which has been proposed for this purpose to the Governments of Buenos Ayres and Monte Video. You will immediately enter into negotiation with the Government of _____ for concluding a Treaty between Great Britain and that Country on this basis.

The requisite full powers for signing the Treaty will be sent out to you so soon as I shall have received a notification that the _____ Ministers agree to enter into the negotiation.

You will, meantime, invite the Brazilian Agent at _____ to join with you in endeavouring to induce the _____ Government to adopt the principles of this Treaty.

(Signed)

I am, &c.

PALMERSTON.

No. 91.

Mr. Fox to Viscount Palmerston.—(Received, 20th December 1835.)

MY LORD,

Rio de Janeiro, 20th September 1835.

I HAD the honour to receive your Lordship's Despatch, "Slave Trade," of the 10th of June, transmitting to me Copies of an Address from the House of Commons to His Majesty, of the 19th of May last, and of His Majesty's gracious Answer to that Address; and instructing me to communicate these Papers to the Government of Brazil, and, at the same time, earnestly to press the immediate conclusion of the negotiation with which I have had the honour to be charged, respecting the adoption of more effectual means for preventing the African Slave Trade.

Considering the actual state of the negotiation in question, which is concluded as far as the Executive Government of Brazil is concerned, the additional Articles proposed by His Majesty's Government having been signed on the 27th of July last by the Brazilian Plenipotentiary and myself, but not having yet received the sanction of the Legislative Assembly, I judged it best to frame my communication to the Brazilian Minister in such a manner as should enable him to lay the same before the Assembly with some prospect of advantage. I have the honour herewith to enclose a Copy of my Note to Senhor Manoel Alves Branco, and of his Excellency's reply. He lost no time in communicating it officially, together with the Enclosures, to the Chamber of Deputies. These Papers were read to the Chamber on the 11th instant; and were referred, according to custom, to the Committee of Diplomacy. No discussion has yet taken place upon the subject.

I have, &c.

(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

First Enclosure in No. 91.

Mr. Fox to Senhor Branco.

(Copy.)

SENHOR,

Rio de Janeiro, 9th September 1835.

THE undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has been commanded by his Government to communicate to the Government of His Majesty the Emperor of Brazil the accompanying Copies of an Address to His Britannic Majesty, voted unanimously by the House of Commons on the 19th of May last, and of the answer which His Majesty was pleased to return to that Address. The Imperial Government will therein perceive the unceasing

and anxious desire, felt equally by the Parliament and by the Government of Great Britain, for the extinction of the abominable traffic in African slaves.

The undersigned, in communicating the enclosed Documents to his Excellency Senhor Manoel Alves Branco, Minister and Secretary of State, charged with the Department of Foreign Affairs, has much pleasure in calling his Excellency's attention to the fact, which he will there find recorded, that the wishes of the Parliament and Government of Great Britain are more especially and particularly directed to obtain the consent of His Britannic Majesty's Allies to stipulations similar to those contained in the additional Articles, which the undersigned had the satisfaction to sign with his Excellency, on the 27th of July last, on the part of their respective Sovereigns. It appearing to the British Parliament, after a consideration and experience of many years, and by the advice and opinion of those benevolent men who have passed their lives in labouring for the abolition of the Slave Trade, that the stipulations here referred to are likely to conduce, more than any other measure, to the attainment of that wise and humane purpose.

It will have been highly gratifying to His Britannic Majesty's Government to receive the additional proof afforded in the signature of the above-mentioned Articles, that the Regency of Brazil, in the name of His Majesty the Emperor, concurs with the British Government and people in their abhorrence of this cruel and pernicious traffic, as well as in their views as to the most likely means now offered of successfully repressing it. The undersigned has only to add his sincere and confident hope that the same motives of prudence and humanity by which the General Assembly of Brazil is so eminently distinguished, and the same feelings of good-will towards Great Britain, will induce the Two Chambers cordially to second the efforts of the Imperial Government, by sanctioning the additional Articles which have been signed by the respective Plenipotentiaries.

The undersigned avails himself of this occasion to renew to his Excellency, &c. &c.

(Signed) H. S. FOX.

His Excellency Senhor Manoel Alves Branco,
&c. &c. &c.

Second Enclosure in No. 91.

(Translation.)

Senhor Branco to Mr. Fox.

SIR,

Palace of Rio de Janeiro, 16th September 1835.

THE undersigned, Member of His Imperial Majesty's Council, Minister and Secretary of State for the Affairs of Justice, charged (*ad interim*) with the Department of Foreign Affairs, has had the honour to receive the Official Note of the 9th instant, addressed to him by Mr. Fox, Envoy Extraordinary and Minister Plenipotentiary from His Britannic Majesty, communicating Copies of an Address presented by the House of Commons to that August Sovereign on the 19th of May last, and of the Answer which His Majesty returned to that Address, to the end that more effectual measures might be taken for the abolition of the African Slave Trade, which continues to be illegally carried on under the flags of certain Foreign Powers. The undersigned has lost no time in conveying Mr. Fox's Note, together with the Documents therein contained, to the knowledge of the Legislative Chamber of the Empire, in order that the same may be taken into due consideration.

The undersigned renews to Mr. Fox the assurance of his perfect esteem and distinguished consideration.

(Signed) MANOEL ALVES BRANCO.

H. S. Fox, Esq.,
&c. &c.

No. 92.

Mr. Fox to Viscount Palmerston.—(Received 20th December 1835.)

MY LORD,

Rio de Janeiro, 20th September 1835.

I HAD the honour to receive your Lordship's Despatch, "Slave Trade," of the 27th of June, signifying the willingness of His Majesty's Government to comply with the wishes of the Government of Brazil in co-operating to obtain from the authorities of the Republic of the Uruguay an immediate revocation of the licence under which a pretended free colony of African blacks had been established within the territory of that Republic; and transmitting to me, for communication to the Brazilian Government, the Copy of an Instruction upon this subject, addressed by your Lordship to His Majesty's Minister Plenipotentiary at Buenos Ayres.

I have the honour herewith to enclose a Copy of the official Note which I have accordingly addressed to Senhor Manoel Alves Branco, Brazilian Secretary of State for Foreign Affairs.

The object which was sought after by the British and Brazilian Governments, has, in the mean time, I hope, been in chief part answered by the resolution voluntarily passed in the Legislative Assembly of the Uruguay, forbidding, for the future, the issue of the licences complained of, and by the preventive measures ordered to be adopted in consequence by the executive authorities of the Republic.

I have, &c.

(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 92.

Mr. Fox to Senhor Branco.

(Copy.)

Sir,

Rio de Janeiro, 12th September 1835.

I DID not fail to communicate to my Government the Official Note addressed to me on the 23d of December 1834, by his Excellency Senhor Aureliano de Souza e Oliveira Coutinho, at that time charged with the Department of Foreign Affairs, requesting the intervention of His Britannic Majesty's Government in obtaining from the Authorities of the Republic of the Uruguay an immediate revocation of the licence under which a pretended free colony of African blacks had been established in the territory of that Republic.

I am now instructed officially to acquaint your Excellency that His Britannic Majesty's Government have had much satisfaction in complying upon this point with the wishes of the Imperial Government. A full instruction has been addressed by His Britannic Majesty's Secretary of State for Foreign Affairs, to His Majesty's Minister Plenipotentiary at Buenos Ayres, directing him to urge the Government of the Oriental State, in the strongest possible terms, to put an end to that nefarious practice, by which, under the false denomination of Colonists, cargoes of African blacks were licensed to be introduced into the Banda Oriental, for the well-known purpose of being afterwards passed over the frontier into Brazil, and sold as slaves. His Britannic Majesty's Minister at Buenos Ayres has been at the same time instructed to co-operate, to the utmost of his power, with the Diplomatic Agent of Brazil at Monte Video, in labouring for the accomplishment of the above important object.

I believe that, in the mean time, that object has been in great measure answered by the voluntary Act of the Legislative Assembly of the Uruguay, prohibiting the issue of the licences complained of, and by the measures of prevention adopted in consequence thereof by the Executive Government of Monte Video. But your Excellency will not the less appreciate the readiness manifested by His Britannic Majesty's Government to co-operate cordially and effectually with the Government of His Majesty the Emperor of Brazil in all things that may conduce to the extinction of the African Slave Trade,—that great and humane object which it is the unceasing desire of both Governments to attain.

I have the honour, upon this occasion, to renew to your Excellency the assurance of my high esteem and distinguished consideration.

(Signed) H. S. FOX.

His Excellency Senhor Manoel Alves Branco,
&c. &c. &c.

No. 93.

Mr. Fox to Viscount Palmerston.—(Received 20th December 1835.)

MY LORD,

Rio de Janeiro, 26th September 1835.

I HAD the honour to receive your Lordship's Despatch, "Slave Trade," of the 27th of June, expressing the opinions of His Majesty's Government with reference to an official Note addressed to me by Senhor Manoel Alves Branco, Brazilian Secretary of State for Foreign Affairs, transmitted in my Despatch to your Lordship, "Slave Trade," of the 13th of March, in which that Minister declined to issue to the Brazilian Commissioners for the Prevention of Slave Trade, Instructions corresponding with the view taken by His Majesty's Government of the principles upon which the decision of the Commissioners ought to be framed under certain circumstances which came into operation in the case of the captured slave vessel "*Maria da Gloria*," which principles were expounded in your Lordship's Despatch to me, "Slave Trade," of the 8th of October 1834.

I have the honour herewith to enclose the Copy of an official Note which, in fulfilment of your Lordship's instructions, I have now addressed to Senhor Manoel Alves Branco, conveying to his Excellency, for the information of the Imperial Government, the mature and deliberate opinion formed by His Majesty's Government, and by the law advisers of the Crown, upon the important point at issue. And I have also, according to your Lordship's directions, communicated this correspondence to His Majesty's Commissioners for the Prevention of Slave Trade at Rio de Janeiro.

I have, &c.

(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

Enclosure in No. 93.

(Copy.)

Mr. Fox to Senhor M. Branco.

Rio de Janeiro, 24th September 1835.

THE Undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, did

not fail to communicate to his Government the official Note of the 7th of February of the present year, addressed to him by Senhor Manoel Alves Branco, Minister and Secretary of State for the Affairs of Justice, charged with the Department of Foreign Affairs, in which, for the reasons there expressed, his Excellency declined, on the part of the Imperial Government, to issue to the Brazilian Commissioners for the Prevention of the Slave Trade at Rio de Janeiro, instructions corresponding with the view taken by His Britannic Majesty's Government (as previously communicated by the undersigned, in his note of the 15th of December 1834) of the principles upon which the Mixed Commission ought to decide, under certain circumstances similar to those which came into operation in the case of the captured slave-vessel "*Maria da Gloria*."

The Undersigned has thereupon been commanded to make to his Excellency, Senhor Manoel Alves Branco, the following observations:—It is admitted in his Excellency's note, with reference to similar cases, that it is an unquestionable principle of the general law of nations, that the subjects of friendly powers, residing in foreign countries, are to be judged by the tribunals there established. In this opinion, the Law Adviser of the Crown, who was consulted upon the matter in question by His Britannic Majesty's Government, concurs with Senhor Manoel Alves Branco. But his Excellency afterwards qualifies the above opinion, by saying, that persons circumstanced as he describes "may be judged by tribunals composed of national judges only, and cannot be liable to be tried by courts, such as the Mixed Commission Courts, established by virtue of treaties between two nations, to control only the subjects of those nations, but never to have jurisdiction over a subject of any other foreign nation, unless such subject, by his own desire, agrees to abide by such Treaty, by a solemn declaration to that effect." Upon this point His Britannic Majesty's Legal Adviser does not coincide in the opinion expressed by his Excellency Senhor Manoel Alves Branco. In the judgment of the Law Officer of the British Crown, the owner of the "*Maria da Gloria*," by his residence and employment, had, for commercial purposes, divested himself of his original national character, and had become a Brazilian in all matters appertaining to commerce; subject to precisely the same tribunals as if he had been a natural-born subject of that State. Having, by his own act, become a Brazilian subject, he must be presumed to have given a tacit assent to the commercial regulations of the State, whether founded upon treaties or otherwise; and cannot be allowed to claim any privileges or exemptions beyond those to which natural-born subjects are entitled.

His Britannic Majesty's Government agree in the above opinion delivered by the Law Adviser of the British Crown; and the undersigned is accordingly instructed to communicate the same officially to his Excellency Senhor Manoel Alves Branco, as the mature and deliberate judgment, formed by the Government of his Sovereign, upon the important point at issue.

The Undersigned avails himself of this occasion to renew to his Excellency the assurances of his high esteem and distinguished consideration.

(Signed) H. S. FOX.

To his Excellency Senhor Manoel Alves Branco,
&c. &c. &c.

No. 94.

Mr. Fox to Viscount Palmerston.—(Received 20th December 1835.)

(Extract.)

MY LORD,

Rio de Janeiro, 26th September 1835.

SINCE closing my Despatch of the 20th inst., "Slave Trade," I have received the enclosed Official Note from Senhor Manoel Alves Branco, Brazilian Secretary of State for Foreign Affairs, in reply to the Note which, in pursuance of your Lordship's Instructions, I had addressed to his Excellency on the 12th inst., signifying the readiness of His Majesty's Government to comply with the wishes of the Government of Brazil in co-operating to obtain from the authorities of the Republic of the Uruguay a revocation of the licence under which a pretended free colony of African blacks had been established within the territory of that republic.

Your Lordship will observe that, after expressing the satisfaction of the Imperial Government at the communication which I was ordered to make, the Brazilian Minister acquaints me that the diplomatic agents of Brazil in Buenos Ayres, Monte Video, Chili, and Peru, have been authorized to propose to the Governments of those Republics to agree to a general convention for the effectual prevention of the African Slave Trade under their several flags. There cannot be a doubt that the assistance and good offices of His Majesty's Government would be greatly instrumental in obtaining the concurrence of the several South American Republics above mentioned in the general compact proposed by the Government of Brazil.

I believe that the African Slave Trade is not at present carried on by any of the Spanish American nations on the coast of the Pacific; but this guilty traffic in human beings continues to be so enormously profitable to all who engage therein, and the ingenuity of the traders is consequently so keen and extensive, that if ever by good fortune the trade were effectually put down under the flags of the nations on this side of America, I entertain little doubt that the same infamous occupation of supplying Brazil with contraband slaves would soon begin to be followed under the flags of Chili and Peru, either in the shape of direct Slave Trade, or under the pretext of establishing free black colonies in some part of the continent, unless suffi-

cient preventive measures shall have been adopted in time by the Governments of those countries. And it is to be presumed that those Governments will be found better disposed to accede to the compact proposed by Brazil before their subjects shall have begun to deal in this vile but lucrative trade, and been enabled to buy over the authorities to protect it.

I must in justice add, with reference to the present proposal, that I every day see fresh cause to be convinced of the real desire of the Executive Government of Brazil to suppress effectually and to extinguish the African Slave Trade. It is impossible not to give them credit for sincerity in their constant endeavours towards this end for several years past. Every motive of vanity, prejudice, and interest, would lead the other way. Public men in Europe may sometimes have been accused of advocating the abolition of the Slave Trade, and of slavery, from the love of popular applause; but the case is entirely different here: a public man in Brazil is certain to lose popularity and influence over the multitude in proportion as he is found to be labouring conscientiously for the suppression of the Slave Trade.

I have, &c.

(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 94.

(Translation.)

Senhor M. Branco to Mr. Fox.

Palace of Rio de Janeiro, 23d September 1835.

I HAVE the honour to acknowledge the receipt of the note of the 12th instant, addressed to me by Mr. Fox, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, in which he communicates to me that his Government, influenced by the same feelings which animate the Government of His Imperial Majesty, with a view to the extinction of the horrible traffic in African slaves, has addressed positive orders to its Minister Plenipotentiary at Buenos Ayres to obtain from the Oriental Government a discontinuance of the nefarious practice of admitting cargoes of African negroes, under the false denomination of colonists; and in which he also assures me, that His Britannic Majesty's Government is cordially disposed to co-operate with the Imperial Government in whatever may contribute to the extinction of the trade in question.

The Imperial Government fully appreciates this gratifying communication, and has commanded me to express the same to Mr. Fox; and to add, that its Diplomatic Agents in Buenos Ayres, Monte Video, Chili, and Peru, have been authorized to propose to the Governments of those Republics to conclude a Convention, in which they shall mutually fix the most effectual means of preventing the African Slave Trade.

I avail myself of this occasion to repeat to Mr. Fox the expressions of my distinguished consideration.

(Signed)

MANOEL ALVES BRANCO.

To H. S. Fox, Esq.,

&c. &c. &c.

No. 95.

Mr. Fox to Viscount Palmerston.—(Received 20th December 1835.)

(Extract.)

MY LORD,

Rio de Janeiro, 28th October 1835.

I AM very sorry to say that the Session of the Legislative Chambers of Brazil has been closed without their sanction being obtained to the Additional Articles for the more effectual suppression of the Slave Trade, which were signed on the 27th of July last, by Senhor Manoel Alves Branco and myself, as the Plenipotentiaries respectively of His Majesty and of the Emperor of Brazil. The sanction of the Assembly has not been refused, but the Session has closed without the matter being brought on for discussion.

I do not believe that this delay is to be attributed to any want of good faith on the part of the Brazilian Government, but rather to the entirely disorganized and unsettled state of the public affairs for the last four months, while the question of the Regency remained in abeyance; during which period it was found impossible to bring the Assembly to a decision upon any one of the important questions, foreign or domestic, which had been submitted to its consideration.

A general Treaty of Commerce between Austria and Brazil, which was concluded at Rio de Janeiro in the month of June last, and signed by the Plenipotentiaries of the two empires, has met with the same fate during the Session of this

year as the Additional Slave Trade Articles signed by the Brazilian Minister and myself.

I have, &c.,
(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 96.

Mr. Fox to Viscount Palmerston.—(Received 20th December 1835.)

(Extract.)

MY LORD,

Rio de Janeiro, 28th October 1835.

THE Marquis of Barbacena, who proceeds to England by the present packet, acquaints me that he is charged by the Regent of Brazil to reiterate to your Lordship the desire of his Government to obtain the intervention of His Majesty's Government in procuring from Portugal the adoption of some effectual measure for preventing the fraudulent assumption of its flag by the Brazilian slave-dealers on the Coast of Africa, which still continues to be done with the connivance and sanction of the Portuguese Colonial authorities. He is likewise commissioned to solicit the assistance and good offices of His Majesty's Government in obtaining the consent of all the South American States to a general compact, to be entered into with Brazil for the prevention of the Slave Trade under their respective flags, whether under the proper form of Slave Trade, or under the fraudulent pretence of introducing African negroes into South America as free colonists.

(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 97.

Viscount Palmerston to Mr. Fox.

SIR,

Foreign Office, 9th January 1836.

I HAVE received your Despatches of the Slave Trade Series up to the 28th of October; and I have to instruct you to convey to the Brazilian Ministers the acknowledgments and thanks of His Majesty's Government for the zeal and cordiality with which the Brazilian Government appear to be co-operating with that of Great Britain for the final extinction of the Slave Trade.

If the Brazilian Government shall deem that the assistance of the South American States for the abolition of the Slave Trade may be better obtained by one general convention with those States than by conventions to the same purport negotiated and concluded by Great Britain and Brazil with each of those States separately, His Majesty's Government will alter, in conformity with such views, their Instructions to the British Agents in the southern peninsula of America, which were enclosed to you in my Instruction to you of the 13th November, for communication to the Government of Brazil.

(Signed) PALMERSTON.

H. S. Fox, Esq.,
&c. &c. &c.

No. 98.

Mr. Fox to Viscount Palmerston.—(Received 10th January 1836.)

MY LORD,

Rio de Janeiro, 10th November 1835.

MR. OUSELEY, His Majesty's Secretary of Legation at this Court, has addressed to me, upon his return from Bahia, which port he visited during the month of September last, some observations upon the subject of Slavery and the Slave Trade in that part of Brazil. In compliance with Mr. Ouseley's wish, I take the liberty of herewith transmitting these papers to your Lordship.

I have, &c.,
(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 98.

Mr. Ouseley to Mr. Fox.

SIR,

Rio de Janeiro, 27th October 1835.

DURING my short stay at Bahia I made a few notes on subjects connected with Slavery and the Slave Trade in that province and capital, which I take the liberty of forwarding to you, to be communicated (if you think proper) to His Majesty's Government.

At this moment the subject of slavery excites so much attention, that, however little information this paper may furnish, I think it my duty to submit it, such as it is, to your better judgment.

I have, &c.

W. G. OUSELEY.

P.S.—The remarks upon the late insurrection of the negroes at Bahia, to which I allude in the subjoined notes, I have not been able, on account of the bad state of my health, to complete for this packet; I must therefore request you to allow me to forward them by the next mail.

W. G. O.

H. S. Fox, Esq.,
&c. &c. &c.

Second Enclosure in No. 98.

Notes on the subject of the Slave Trade in the Province and City of Bahia, September 1835.

THE principal points to which I directed my attention in procuring information on the subject of the importation of negroes into Bahia, and of slavery generally in that province, were these:—

The probable number of Africans at present annually imported.

Under what flag and under what pretexes they are introduced, and whether by the connivance or direct assistance of the authorities or not.

Whether Brazilians or Foreigners were principally concerned in this illegal commerce, and particularly whether any English participated in it.

Finally, what means of suppression are likely to be most effectual. To ascertain this, a knowledge of the ports and places at which the slavers land the Africans is of course useful; and an acquaintance with the modes by which they effect their object becomes of importance.

The estimates of the number of Africans now annually imported are almost entirely conjectural, and vary much, even among those who have had the best opportunities of ascertaining the truth. By some it is said not to exceed one thousand annually; but, as I ascertained by a very moderate calculation, that about twelve or fifteen vessels annually* brought Negroes from the coast of Africa, and that they on an average carry upwards of two hundred each (many four hundred or five hundred), *three thousand* is probably a very low estimate of the number.

The average difference in the present price of a slave, and that which was paid before the abolition of the open Slave Trade, also affords a criterion by which to judge whether the number now imported be materially lessened or not. The average price of an able-bodied male slave was, previous to the abolition, about 300 dollars, or (at that time) £50: it is now 450 or 500 dollars, or between £60 and £75. Female slaves cost about the same price, and with about the same differences between the present and the former prices. "*New Negroes*," as those fraudulently introduced are called, are of somewhat less value from the risk of expense or trouble, in case the "*Juiz de Paz*" of the district, or any other authority, should be inclined to put the law in force against the holders of such Africans: a risk however that, unless a private quarrel or enmity induces the "*Juiz de Paz*" to do his duty, is very slight—a moderate bribe being all that is required to ensure connivance.

The average number annually introduced into Bahia before the abolition of the Slave Trade may be fairly estimated at ten thousand; for although during the first half year of 1830 eight thousand five hundred and eighty-eight were introduced, it must be remembered that the slave-dealers, in consequence of the abolition being about to be carried into effect, pushed their speculations much further than usual, not only in Bahia, but throughout Brazil.

The difference between the prices of negroes at present and that which they brought before the abolition, is hardly proportioned to the much smaller number now said, as above, to be clandestinely introduced, when compared with that ascertained by the documents of the Provincial Administration at Bahia to have been formerly legally imported. Several causes, however, combine to render the prices lower at this moment than they were a few years ago; among which may be noticed the great number introduced just before the abolition; somewhat greater care being taken of the children of the negroes now than formerly; and some attention being paid to rearing them, which then was not the case: besides, an incipient feeling of the general impolicy as well as personal danger of increasing the number of native Africans in the Fazendas in the interior, as well as in the capital, now exists.

It should be remarked, that since the abolition of the Slave Trade children have been principally imported, as the slave-dealers find that they can bring, with less risk of detection, a greater number of boys and girls than they can of adults.

With respect to the flag under which the Africans are introduced into Bahia, it is generally the Brazilian: that is, the Brazilian small craft or boats usually employed in the Bay, and coasters, go out from the harbour of Bahia, and from many little ports and bays on the coast, meet the vessels, and take the negroes from on board them. They then proceed to land them, either at once or watching their opportunities. There is little risk attending this proceeding, from the number of coasters and small vessels and boats continually plying in the bays and along the coast, conveying produce, goods, &c. Besides, even if a vessel is known by the inhabitants of a fishing village or parish near the coast to be engaged in landing negroes, the "*Juizes de Paz*" and the "*Inspectores de Quateroens*" of the district are ready to connive at it, and even to assist clandestinely, on receiving about twenty milreis a head for each negro: about the same sum as the former tax paid to the Government.

* I subjoin a Return of the number of vessels from the coast of Africa (with some particulars) for certain given late periods.—*Enclosure A.*

Not unfrequently small sea-going vessels enter the little bays and mouths of rivers to land the negroes at once from on board, close to the villages. In fact, it would be very difficult, nay, hardly possible, for the Slavers to introduce Africans into the country without the direct or the indirect assistance of the "Juizes de Paz," or others on the coast, or in the districts through which the negroes are passed. If inclined to do their duty, there is no doubt that the local authorities might go far in suppressing the Slave Trade altogether on this coast.

In justice, however, to the higher authorities, it is right to state that they are not supposed to be interested, or but remotely, if at all, in this traffic. Honourable mention is particularly due to the present "Chefe de Policia" of Bahia, Dr. Antonio Simoeñs da Silva, for his zeal and integrity in putting the laws in force against those implicated in this business. This gentleman having obtained information of the landing of some negroes, and their having been deposited at a "Fazenda," or Sugar Estate, some miles from Bahia, proceeded thither with a small force of cavalry, and seized upwards of one hundred "new" slaves. Every effort was made on the part of the Owner of the Fazenda (a well-known person in Bahia, named Rapoza) to induce Señor Simoeñs to allow the affair to take its usual course—i. e., to accept bribes, and to listen to the applications* of private or official friends—often more attended to by the Magistracy than even the offers of money; but he, in the firmest and most honourable manner, went through with the execution of his duties, not only in that instance, but in every case of a similar nature that has come under his cognizance. Although this may appear no more than the ordinary course of his duty, yet, in Brazil, to have acted as he has constantly done in affairs of this sort, ever since his appointment to the office of "Chefe de Policia," is no ordinary praise. At the same time I much doubt whether even Señor Simoeñs would cordially co-operate (at least not openly) with any of His Majesty's naval officers or other English subjects in any positive measure, either for the capture and conviction of Slavers, or the recapture of Africans illegally introduced on the coast. Although willing, and (for a Brazilian) even energetic in the performance of his duties where unassisted by foreigners, he would probably be very unwilling to incur the odium and risk that would certainly attend such a mutual co-operation. Nor would such reluctance be at all surprising to those who are acquainted with the habits of thinking, the national prejudices, and the vindictive private animosities, of this country. If, however, the present Chefe de Policia were already on a footing of private friendship and cordiality with such officers or others, he would probably not resist an "Empenho," or request to execute his duty by affording *bonâ fide* co-operation.

Although the immediate landing of negroes is generally from on board Brazilian vessels, the Slave-dealer sends to the coast of Africa under various flags. A very general course is as follows:—A vessel loads at Bahia, under the Spanish or Portuguese flags (and often the *bonâ fide* Owners are, in fact, natives of those nations), with tobacco, rum, &c., for the coast of Africa, for which trade Bahia produce is preferred. On the African coast the cargo is exchanged for negroes, with whom the vessel often proceeds to the coast of Cuba, and there lands them. Otherwise they return to the coast of Brazil; and, either by means of preconcerted signals, or by communication with the shore by boats, keep off the smaller harbours, and, as opportunity offers, put the negroes on board small craft, and they are taken off into the interior, or conveyed with some precautions to Bahia. The vessel then openly enters the harbour with some palm-oil, wax, &c., which serves to cover her reporting herself as direct from the coast of Africa.

The French flag is often employed also in the Slave Trade between Bahia and the coast of Africa; and not unfrequently Frenchmen are directly engaged in this trade. A vessel under the French flag, after taking in her lading at Bahia, proceeds to the coast of Africa, makes her bargains and arrangements for negroes, and then goes to the islands of Santo Thomé or Principe (Portuguese possessions), where a fictitious sale is effected; by which, after paying a duty of 15 per cent. (called "Coza") to the Government, or possibly to the Governor personally, she is enabled to return in ballast to the coast of Africa under Portuguese colours, immediately takes on board the negroes who have been left in depôt, and conveys them to the market for which they are intended. If for the coast of Brazil, the system of landing is generally adopted which I have already mentioned; if for Cuba, to which island the greater number of vessels laden at Bahia under foreign colours go, they are nearly all consigned to "Zangroni," a noted Slave-dealer at the Havana. Zangroni's bills on London are well known in many mercantile places, and are readily negotiated at Bahia for produce or British "dry goods" (hardware, coarse manufactures, &c.); and most of the Spanish Slavers thus carry on their business.

The Slave-dealers are chiefly Brazilians. The Portuguese, however, and Spaniards, as well as the French, are also engaged in this traffic, and in one solitary instance a German; but I have not heard of any English being directly concerned in business of this sort, although they have often an indirect interest in the success of the negro speculations. The property in the slaving-vessels is generally shared by a number of different persons, and thus the risks are divided. The principal purchasers are the landed proprietors, sugar-planters, owners of "Armacoes" (or whale fisheries), and the proprietors of fishing establishments on the sea-coast.

There are many well-known Slave-dealers at Bahia, some of whom have amassed large fortunes by this business. The family of *Cerqueira Lima* owes its wealth entirely to their traffic in slaves, although not any longer actively engaged in it. One "*Andrea Pinto da Silva*" is also a noted Slave-dealer. The latter lately purchased a vessel, well known in Rio de Janeiro, called the "*General Rondea*," formerly a Buenos-Ayorean man of war, and afterwards a packet from Rio de la Plata to Rio de Janeiro. This vessel is a very fast sailer: she not long ago sailed from Bahia, under the Portuguese flag, for the coast of Africa, avowedly for the purpose of slave-trading, and had not returned to Bahia in September.

The Spanish schooner "*Manoelita*" belongs also, I believe, to this *Andrea Pinto da Silva*. She went to sea from Bahia, with a crew, it is said, of sixty-five men; tonnage, one hundred and eighty tons; her reported crew thirty-three.

At Ajuda, on the coast of Africa, resides a native of Bahia, "*Francisco Felix de Souza*," a Mulatto man, called by the negroes "*Chã Chã*."

This man has great influence and power in that territory, and he supplies cargoes of slaves to suit the demands of the dealers and ship-owners of all slave-trading nations, particularly Brazilians, Spaniards, and Portuguese. Insurances can be, and are, effected in the Havana on all these transactions.

* The employment of these means (the most efficacious in all business in this country) is so universal as to have acquired a sort of technical appellation—"empenhos."

Although there is reason to believe that no English house is directly engaged in this trade, yet the long-resident British merchants generally are far from looking on the Slave Trade with the same feelings that it generally excites in England and elsewhere; nor is it by any means so easy as it may be supposed to obtain useful information, or accurate details on the subject; yet many of the foreign residents are well acquainted with the persons engaged in the traffic, and often with the names and particulars of the vessels, and their destinations, when about to proceed to, or expected from, the coast of Africa. In fact they may be almost said to have a direct interest in encouraging the illegal Slave Trade, inasmuch as the Slave-dealers, whose profits on the trade are immense, are among their best customers, and by this trade they are enabled to repay the advances made them in English goods, manufactures, &c., with a great interest, whereas there are few native merchants who can be said to enter into much more than an extended sort of retail (legitimate) trade with the foreign importer. The foreign merchant, therefore, is seldom ready to communicate to those in the service of His Majesty's Government what he knows on this subject, and would probably be materially a loser in business were he suspected of so doing.

A very great proportion of the goods exported from England, particularly from Manchester, are avowedly manufactured for the "coast trade"—in other words, for the surreptitious "Slave Trade"—and these goods are supplied in large quantities on credit to the Brazilian slave-trader. The chance, therefore, of repayment to the importing merchant, depends on the successful introduction of the "cargoes" of Africans continually arriving on the coast of Brazil. From the very nature of this trade, and the necessity for concealing any direct participation in it (at least so far as to offer any legal proof of complicity), these transactions afford little security excepting that of the interests of the slave-dealer, which are generally rather to fulfil his engagements, when possible, than to evade them. Character and probity, at least as generally understood, are of course out of the question.

It is calculated that, out of three vessels coming with negroes from the coast of Africa, if only one succeeds in landing and disposing of the slaves, the dealers make a considerable profit. Although I have reason to doubt the exactness of this statement, yet the profits on each vessel must be very great to allow such a supposition to be general. It is, however, very certain that a much greater proportion than one in three succeeds.

As to the general feeling on the subject of the Slave Trade, and its suppression, it is not surprising that Brazilians, Spaniards, and Portuguese, who, from education and habit, do not regard the participation in this trade in the light of a crime, or as incurring disgrace and odium, should seek to evade every measure resorted to by the General or Provincial Governments for its suppression.

Although these observations refer, of course, only to the province of Bahia, yet it is hardly necessary to say that, in general, they would be applicable to almost the whole of Brazil. The same difficulty of obtaining for our cruisers any effectual co-operation of the Authorities in capturing slavers, or even accurate information on their movements, is general along the whole coast.

As the measures of the Brazilian Government relating to the importation of Africans will doubtless be much influenced by the late insurrection at Bahia and elsewhere, I subjoin some remarks on the circumstances attending those movements, which, I trust, will not be deemed irrelevant.

As to the effectual means of suppressing this traffic, it does not belong to the present Paper to advert to the alterations necessary in the wording of the Treaties with Foreign Powers, and thus rendering the slavers subject to certain condemnation if captured at sea, under whatever flag, nor on the circumstantial evidence of the fitting up, &c., being made conclusive, the use of armed steamers of light draught of water on the coast of Africa, and fast-sailing small men of war at sea, &c. &c.; but the means locally to be employed with advantage would perhaps be to have an armed steamer or two employed continually on this coast, particularly off the "*Barra Falsa*," or false entrance to the port of Bahia. It is at this Barra Falsa of the island of *Itaparica* that the greater number of slavers land negroes, particularly those destined for the town of Bahia. They are conveyed thither, a few at a time, in small boats. Sometimes a depôt of them is formed in the most unsuspected places; for instance, on one occasion a large number were ascertained to have been hidden in a church in the suburbs of Bahia; sometimes an [otherwise] unoccupied house is their temporary receptacle until purchasers can be found.

There is a small but safe harbour, called St. Paul's, about thirty-six miles from Bahia, to the South-West, into which a river empties itself near a small town called Valença, that has been, and doubtless continues to be, resorted to by slavers, as well as a place about three or four leagues from it, called "*Quaiopo*," at which negroes are frequently landed from slavers, sometimes by the assistance of the boats from the shore; sometimes the vessel itself runs in, and lands them. Captain Eden, of His Majesty's ship "*Rover*," with whom I visited St. Paul's, caused an accurate survey to be made of the harbour, with its soundings carefully marked, of which he forwarded copies to the Admiralty, and to the Commander-in-Chief of this station. It was at this port that Lord Cochrane landed troops, and, with excellent judgment, stationed his vessels when sent to attack Bahia, as from thence that city can be reached in a few hours, either by sea or inland approaches.

The last cargo of slaves landed at Bahia is stated to have been from Angola, but the principal ports from whence negroes are shipped for the province of Bahia are Ajuda and Binin (Benin).

Since the last insurrection the Authorities, and indeed the inhabitants generally, appear to be less inclined to favour the slave-importers than formerly; yet, even in the measures taken apparently to secure the country from being inundated by hordes of native Africans, the usual bad faith and cupidity of those employed by the Government have found means to pervert the intended measures to their own purposes.

A slaver was lately seized by a Brazilian man-of-war, and sent from Bahia by the Provincial Government for adjudication at Rio, under the charge of a Brazilian cruiser. Instead of putting a prize-crew on board the captured vessel, they sailed in company; in the course of the first forty-eight hours after leaving Bahia the man-of-war returned, reporting that the slaver had escaped in the night: no further inquiry was made.

By a late order of the Police, emanating from the Provincial Government, all suspected free Africans and negroes are to be summarily seized, and, at the discretion of the local Authorities, sent back to the coast of Africa, or at least out of the province. Although this order is extremely arbitrary, and a direct violation of the constitution and laws of the country, yet, in a moment of public danger, and under discreet regulation, it might occasionally have been useful; but there is every reason to believe that the mode of carrying it into execution at present is as follows:—A number of negroes are asserted to be *suspected*, and suspicion is easily excited in these cases; a vessel is chartered to

take a certain number of them to the coast of Africa; they sail from the port of Bahia, and, after being out at sea a few days, are met by another vessel [generally armed], and the negroes are taken forcibly, as asserted, from on board the chartered vessel, which then returns, reporting that it has been met by a pirate at sea, and all the passengers taken out of her. Here the matter drops. It is, however, supposed that the piratical vessel is often in league with the owner of the chartered vessel, and it is well known that, in some instances, the Africans are immediately conveyed to the Havana, and there sold. In other instances they have been relanded, there is no doubt, on the coast of Brazil.

It is evident that a number of persons are interested in finding *suspected* negroes—the owners and masters of vessels, those who are concerned with the pirates, or those who act as pirates themselves, as well as a host of others, who, directly or indirectly, share in the profits of these undertakings.

Since my return from Bahia I hear that rumours of another intended insurrection of the blacks have caused the Provincial Government to be doubly active in sending all free negroes out of the country. Every vessel that clears for the coast of Africa is obliged to take a certain number on board, and a vessel has been chartered entirely for this purpose. That the ultimate destiny of these free negroes is to be sold as slaves there can be little doubt; and very possibly they may be brought back to Brazil in a short time.

A Portuguese vessel lately put in at Bahia, on her way to Rio de Janeiro, being in want of water; she was conveying about seventy colonists from Fayal to Rio. The Authorities and inhabitants of Bahia prevailed on the colonists to remain there, and it appears that the Provincial Government is really alive to the necessity for introducing as many white labourers as possible, and for encouraging emigration from Europe to this country by every means in their power. A Company is about to be established at Bahia, with a capital of 40 contos of reis, for the introduction of colonists. Even the Portuguese, against whom, until this moment, a great prejudice existed, are now invited to settle in the province.

It is asserted that about one hundred and fifty vessels, under Portuguese colours, are employed as slavers on the coast of Africa constantly, and the possibility of the Treaty with Portugal for the suppression of the Slave Trade being rendered effective by any late modifications is considered in this country as quite out of the question. The Portuguese flag is looked upon as securing impunity to the slavers in almost every case.

The late reforms and improvements in the Brazilian Code have, perhaps, hitherto contributed to further the interests of the slave-dealers. The Juries, composed of the very persons either indirectly interested (as slave-holders, and small landed proprietors) in the introduction of negroes, or accessible to a bribe of no great amount—together with the Juizes de Paz, generally poor, ignorant, and venal—have now to decide on cases of the fraudulent importation of negroes. It may easily be supposed that, when the guilty parties are sometimes known to offer as much as five contos to a single individual to induce him to favour them, it will be next to impossible to attain, in these cases, the ends of justice.

W. G. OUSELEY.

Rio de Janeiro, October 1835.

Third Enclosure in No. 98.

Number of Vessels cleared from Bahia for the Coast of Africa during the last Six Months of 1832.

Six vessels:—

Cargoes; rum, tobacco, beads, knives, nails, manufactured dry goods, oakum, powder, planks, earthenware, cables, hawsers, small rope, sugar, flour, and some other minor articles.
Number of men; one hundred and ten for five vessels; the other not known.

Vessels arrived from the Coast during same Period.

Ten vessels: one Spanish, two Brazilian, six Portuguese, one not known.

Cargoes as reported: five in ballast; one, some bees'-wax; one, same cargo as cleared with from this port; one, some dye-wood; one, six casks palm oil and ballast; one, African rope, wooden basins, copal gum; cargo intended for Lisbon.

Number of crew reported for seven vessels, one hundred and fifty.

Number of Vessels cleared from Bahia for the Coast of Africa in Six Months ending 31st of December, 1834.

Five vessels: three Brazilian, two Portuguese.

Number of crew, one hundred and three.

Cargoes: rum, tobacco, bale goods, cordage.

Entered during same Period.

Nine vessels: five Portuguese, two Brazilian, two Spanish.

Crews, one hundred and ninety-three.

Cargoes as reported: four in ballast; rest, some oil and sundries.

In 1835:—First Half-Year.

Vessels entered, nine: three Portuguese, six Spanish.

Cargoes as reported: three in ballast; rest, some oil, &c.

Cleared in same Period.

Fourteen vessels : four Portuguese, five Spanish, five Brazilian.

Cargoes: tobacco, rum, &c.

Number of crew, two hundred and seventy : of thirteen vessels one not reported.

[Communicated by Mr. Robilliard, British Vice-Consul at Bahia.]

W. G. O.

No. 99.

Mr. Fox to Viscount Palmerston.

(Extract.)

MY LORD,

Rio de Janeiro, 8th November 1835.

IN my Despatch of the 26th September I had the honour to enclose the copy of an official Note, which, in obedience to your Lordship's directions, I had addressed to the Brazilian Secretary of State for Foreign Affairs, urging again upon the attention of the Imperial Government the deliberate and advised opinion of His Majesty's Government, and of the Law Officers of the British Crown, with respect to the jurisdiction that ought to be exercised by the British and Brazilian Court of Mixed Commission for the prevention of Slave Trade, established at Rio de Janeiro, over natives of Portugal residing in Brazil who may be found implicated in illegal Slave Trade under circumstances similar to those which occurred in the case of the captured slave-vessel "*Maria da Gloria*."

I have herewith the satisfaction to enclose the translation of an official Note, which, in reply to the above, has been addressed to me by Senhor Manoel Alves Branco; whereby your Lordship will perceive that the Brazilian Government do now, upon reconsideration, and influenced by the arguments anew presented to them, declare their acquiescence in the opinion pronounced by His Majesty's Government, and by the Law Advisers of the Crown, which holds Portuguese subjects, circumstanced as above, to be, equally with Brazilians, amenable to the jurisdiction of the Commission; and that they engage to furnish to the Brazilian Commissioners instructions in conformity with that opinion.

I have communicated the correspondence to His Majesty's Commissioners, who inform me that their Brazilian colleagues have received from the Imperial Government the promised instructions accordingly.

I have, &c.

(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 99.

Senhor Branco to Mr. Fox.

(Translation.)

Rio de Janeiro, 27th October 1835.

THE undersigned, Member of His Imperial Majesty's Council, Minister and Secretary of State for Foreign Affairs, acknowledges the receipt of the Note of the 26th of last month, addressed to him by Mr. H. S. Fox, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, in which he states that his Government, after consulting the Law Advisers of the Crown, remain of opinion that Portuguese subjects residing in Brazil who engage in the Slave Trade, as happened in the case of the vessel "*Maria da Gloria*," ought to be amenable to the jurisdiction of the Brazilian and British Mixed Commission.

The undersigned, having laid the above Note before the Regent, in the name of the Emperor, is commanded to declare to Mr. Fox, that, in consideration of the arguments anew exposed, the Imperial Government agree in the above-mentioned opinion of the Government of His Britannic Majesty; and that the necessary orders, in conformity therewith, will be furnished to the Mixed Commission.

The undersigned renews to Mr. Fox the assurances of his esteem and distinguished consideration.

(Signed)

MANOEL ALVES BRANCO.

[H. S. Fox, Esq.]

&c. &c. &c.

No. 100.

Mr. Fox to Viscount Palmerston.—(Received March 6.)

MY LORD,

Rio de Janeiro, 5th January 1836.

I HAVE the honour to acknowledge the receipt of your Lordship's two

Despatches, marked Slave Trade, of the 3d of November last. In fulfilment of the instructions contained in the two last paragraphs of the second of these Despatches, I have lost no time in making the enclosed communication to the Brazilian Secretary of State for Foreign Affairs, conveying to his Excellency the consent of His Majesty's Government to unite with the Government of Brazil in a joint effort to procure the conclusion of a general compact amongst all the States of South America for the abolition of the African Slave Trade, and for declaring that traffic to be piracy. I have also urged the Brazilian Minister to instruct the Agents of the Imperial Government at Buenos Ayres and at Monte Video to assist the efforts which His Majesty's Agents at those places are now making to negotiate treaties for the same purpose.

I have, &c.
(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

Enclosure in No. 100.

(Copy.)

Mr. Fox to Senhor Branco.

SIR,

Rio de Janeiro, 30th December 1835.

WITH reference to the wishes of the Imperial Government, intimated to me by your Excellency in the course of the negotiation of the additional Articles to the Slave Trade Convention, and afterwards communicated to me in a more formal manner,—that His Britannic Majesty's Government should afford its assistance and good offices for obtaining, in conjunction with the Government of Brazil, the consent of all the Spanish American States to a general compact for the abolition of the African Slave Trade, and for declaring that traffic to be piracy,—I have much pleasure in acquainting your Excellency that, having immediately made known to my Government the first intimation given to me upon this subject by your Excellency, I have, without loss of time, been directed to state that His Britannic Majesty's Government will be extremely glad to unite with the Government of Brazil in a joint effort to persuade all the States of Spanish America to enter into Treaties for abolishing Slave Trade, and for declaring that traffic to be piracy; that Instructions to that effect will be sent from England to all the British Agents in Spanish America; and that copies of those Instructions will be transmitted to this Legation, for the purpose of being communicated to the Imperial Government. I am desired to add that it would be conducive to the attainment of the object which the two Governments have in view if the Imperial Government will instruct its Agents at Buenos Ayres and at Monte Video to assist the efforts which the British Agents at those places are now making to conclude Treaties for the above-mentioned purposes.

I avail myself of this occasion to renew to your Excellency the assurance of my high esteem and distinguished consideration.

(Signed) H. S. FOX.

His Excellency Senhor Manoel Alves Branco,
&c. &c. &c.

No. 101.

Mr. Fox to Viscount Palmerston.—(Received 16th March 1836.)

(Extract.)

MY LORD,

Rio de Janeiro, 10th January 1836.

UPON quitting this Mission I think it most prudent to transmit to your Lordship the Original Instrument of the Additional Articles to the Slave Trade Convention between Great Britain and Brazil, which were signed by the Brazilian Plenipotentiaries and myself on the 27th of July last. The Portuguese Copy of the Instrument remains with the Brazilian Government. I have had the honour, in my previous Despatches, to state to your Lordship the exact situation in which this Contract is now placed—that the ratification of the Regent of Brazil cannot be given, nor the ratification of his Majesty consequently exchanged, until the Articles shall have been sanctioned by the Legislative Assembly of the Empire.

I have, &c.

(Signed) H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 102.

Viscount Palmerston to Mr. Hamilton.

SIR,

Foreign Office, 26th March 1836.

By a reference to the Archives of the British Mission at Rio de Janeiro, you will find that, after long negotiation, Mr. Fox and the Brazilian Minister signed, on the 27th of July last, on behalf of their respective Governments, certain Articles additional to the Stipulations already existing between this country and Brazil on the Slave Trade.

You will perceive further that these Articles have not yet received the sanction of the Brazilian Legislature, and that, consequently, the Ratifications of them have not been given by the Regent of Brazil to be exchanged against the Ratifications of them by His Majesty.

These Articles, stipulating for the condemnation and breaking up of vessels equipped for Slave Trade, are of great importance for the efficient execution of the intentions of Great Britain and Brazil in their compacts for the entire suppression of Slave Trade.

I have the King's Commands to desire that you will press the Brazilian Minister to use his utmost efforts to the end that, without further delay, the formal concurrence of the several branches of the Brazilian Legislature may be given to these Articles, so that the Ratification of the Regent of Brazil may be affixed thereto.

You will suggest that the Brazilian Ratification may be transmitted to England to be exchanged here against the Ratification of His Majesty, and you will acquaint me with the progress which you shall have made in the negotiation.

I have especially to instruct you to decline mixing up with this matter the negotiation of any other stipulations.

I have, &c.
(Signed) PALMERSTON.

Hamilton Hamilton, Esq.
His Majesty's Envoy at Rio de Janeiro.

BRAZIL. (*Consular.*)

No. 103.

Mr. Consul Hesketh to Viscount Palmerston.—(Received 16th May 1835.)

(Extract.)

MY LORD,

Consul's Office, Rio de Janeiro, 23d Jan. 1835.

ON the 15th December the brig "*Rio de la Plata*" arrived at this Port under the Flag of Monte Video, in charge of Lieutenant Murray, and a prize-crew from his Majesty's ship "*Raleigh*," who found their voyage to Sierra Leone impracticable, the vessel being very leaky, her sails and rigging very defective, and the chief part of the provisions putrid from the salt water in the hold.

The "*Rio de la Plata*" is two hundred and two tons burden, and on her arrival there were on board five hundred and three negroes, eight of the original crew, and twelve belonging to the "*Raleigh*"—in all five hundred and twenty-three souls. Many of the negroes were suffering from dysentery and scorbutic ulcers; this,—in addition to the crowded state of the vessel, the swarms of rats on board, and the stench from the putrid provisions,—occasioning scenes of misery too disgusting to describe.

By orders from Rear-Admiral Sir Graham E. Hamond the leaks were in some degree stopped by plugging the rat-holes. The Flag-ship was then about leaving the Port, and ultimately sailed on the 18th of December, on which day Lieutenant Murray applied to His Majesty's Minister for assistance; and, in consequence of the application, permission was granted by the Brazilian Authorities to land the negroes at the usual deposit, called the *Armação*, being large warehouses close to the water on the opposite side of the Harbour. I afforded to Lieutenant Murray every aid to provide for the negroes, part of whom were landed on the 19th December, and the remainder, with the exception of eleven required to pump, came on shore the following day. The Brazilian Authorities also promised to send a sufficient guard; but that promise continuing unfulfilled on the 4th January, Lieutenant Patten, of His Majesty's brig "*Rapid*," who arrived here on that day, reinforced the small party guarding the negroes, the "*Rio de la Plata*" having by that date been libelled before the Mixed Commission as a Brazilian vessel.

His Majesty's ship "*North Star*" arrived on the night of the 6th instant; on the 7th I stated to Captain Vernon Harcourt the urgent necessity of his assistance with regard to the attendance and security of the negroes, Lieutenant Murray being then confined to his bed by illness.

In the night of the 7th instant an armed party of thirty or forty men surprised and overpowered the British guard (consisting of seven men and two Midshipmen, one of whom and two marines were wounded), and one hundred and eighty-nine negroes were taken away. On the 8th instant, the day after this outrage was committed, a Brazilian guard was sent to the *Armação*.

The sick negroes continuing in a very distressing situation, I stated to Captain Harcourt the impediments I experienced in obtaining satisfactory medical attendance; and, on my venturing to suggest that the well-being of these negroes was a matter connected with the public service, every possible aid from the medical officers belonging to the "*North Star*" was given to these unfortunate beings.

I enclose a Copy of the Answer; also a Statement showing the number of negroes at the *Armação* on the 20th instant.

I have, &c.

(Signed)

ROBERT HESKETH,

*His Britannic Majesty's Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

Enclosure in No. 103.

Statement, showing the Number of Slaves landed from the "Rio de la Plata" remaining at the Deposit on the 20th of January 1835.

	Dead.	Stolen.	Remaining.
Men . 93	4	48	41
Women 38	1	28	6
Boys . 261	26	85	150
Girls . 111	16	28	67
Total . 503	50	189	264

(Signed) ROBERT HESKETH.

No. 104.

Circular to His Majesty's Consuls in the Brazils.

SIR,

Foreign Office, 3d September 1835.

I HEREWITH transmit to you, for your Information, a Copy of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented, by his Majesty's Command, to both Houses of Parliament.

I am, &c.

His Majesty's Consuls.

(Signed) PALMERSTON.

No. 105.

Circular to His Majesty's Consuls in the Brazils.

SIR,

Foreign Office, 29th October 1835.

I HEREWITH transmit, for your information, two Copies of a Treaty which was concluded on the 28th of June last, between His Majesty and Her Majesty the Queen of Spain, having for its object the entire suppression of the Slave Trade of Spain.

The Ratifications of this Treaty were exchanged at Madrid on the 27th of August last.

I have, &c.

(Signed) PALMERSTON.

No. 106.

Mr. Parkinson to Viscount Palmerston.—(Received 21st February 1835.)

MY LORD,

British Consulate, Bahia, 5th December 1834.

I HAVE been recently cited, as British Consul in this Province, to appear as Defendant in an action of damages against His Majesty's Government for alleged illegal procedure in the detention of the Sumaca "*Dous Amigos*," by one of His Majesty's cruisers, in the month of September 1824.

The citation is pure matter of form, but connected most assuredly with the mass of claims so pertinaciously advanced by sundry Portuguese and Brazilian Slave-dealers, now especially confided to the agency of Senhor Manoel de Cerqueira Lima; for which job Mr. Cerqueira's Commission is said to be 25 per cent. on all recoveries, and a large sum paid in advance.

I think it my duty to state the fact to your Lordship, and to add, that other claims are now concocting with a view to their recognition by means of the same agency.

I have, &c.

(Signed) JOHN PARKINSON, *Consul.*

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 107.

Mr. Parkinson to Viscount Palmerston.—(Received 21st February 1835.)

MY LORD,

British Consulate, Bahia, 10th December 1834.

ALTHOUGH I have not recently had occasion to report any authenticated case of slaves being landed within this Consulate, I regret to say that the system is still actively pursued under the Portuguese and Spanish flags.

Without affecting to question the sincerity of the local Government, it is but too manifest that the district functionaries, Justices of Peace, and their subordinates along the coast, and even about and within this very Bay of All Saints, are in league with the slave importers, and afford them the most efficient facilities for debarkation and final disposal of their cargoes. The current rate of bribe is said to be 20,000 rees, *circa* £3 per slave; a sum about equivalent to the tax formerly paid to the Government.

It cannot reasonably be expected that, under such circumstances, denunciations will be submitted to official inquiry before the very individuals, the functionaries who are parties to the crime; nor can it be expected that I should be able to adduce *legal* evidence to substantiate their illegal dereliction of duty.

Certain it is, however, and too notorious to be denied, that new blacks now abound in and about this city.

Over and above the direct traffic, and landing in this province from Portuguese slavers, the *Spanish flag* is very effectively engaged for *Brazilian account*, in carrying on the trade with the Havana. The *Três Manoelas*, a remarkably fast-sailing schooner under Spanish colours, has just arrived from Cuba. She left Bahia in January with a coast cargo, took in about five hundred slaves at and about Onim, and having safely landed them at the Havana, is now delivering the *returns* for this speculation, which are rumoured to exceed £10,000 in Spanish dollars and bills on London. Her *real* Owner is a wealthy Brazilian Mulatto of this city, named André Pinto da Silveira, the correspondent and agent here of Francisco Felix de Souza, alias *Chá Chá* of Onim, on the African Coast.

The same person, *André Pinto da Silveira*, has added to our *regular "Slavers"* the Argentine brig "*General Rondeau*;" a vessel distinguished for her sailing qualities and warlike capabilities. She is fitted to carry five hundred and fifty slaves. This brig was a most active and efficient cruiser against the shipping of the Empire during the hostilities between Brazil and Buenos Ayres.

It is not publicly known under what flag she will quit Bahia on her new destination, but it is scarcely to be doubted that she will at all events be cautiously provided with a double set of ship's papers, bearing the requisite number of official signatures and seals of office to render her Spanish or Brazilian, as circumstances may require.

I have, &c.

(Signed) JOHN PARKINSON, *Consul*.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 108.

Mr. Parkinson to Viscount Palmerston.—(Received 18th March 1835.)

MY LORD,

British Consulate, Bahia, 31st December 1834.

I RESPECTFULLY transmit, for your Lordship's information, the enclosed List A and B, in Portuguese and in English, containing an enumeration of such vessels as have cleared out from Bahia for the Coast of Africa, and have entered this port from that Coast, within the six months ending this 31st day of December 1834.

I have, &c.

(Signed) JOHN PARKINSON, *Consul*.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 108.

(Translation.)

List of Vessels which have cleared out from Bahia, for the Coast of Africa, during the Six Months ending the 31st December 1834.

5th July.

Brazilian brig "*Espadarte*," F. Tho. Arria, Master, for Ajuda; burthen two hundred and twenty-nine tons; cargo sundries; crew nineteen; Consignee André Pinto da Silveira; passengers Alexander Balbino Proença, pardo, with a servant named Nuno; Luiz Murici; Izidoro José Baptista, a Brazilian.

(Signed)

FELIPPE JOSE P. LEAL.

Second Lieutenant and Officer of Guard-shp.

26th July.

Portuguese schooner "*Maria Theresa*," Master, F. da Silva, for St. Thomas's and Prince's Islands; crew twenty-eight, including three slaves; Consignee Pedro Jozé Netto; cargo brandy, bale goods and tobacco; passenger R. los Santos.

6th September.

Brazilian brig "*Gloria*," Master, J. A. Nogueira, for the Coast of Africa, with liberty to touch at the Islands of St. Thomas or Prince, and the River Babaõ; crew seventeen; burthen two hundred and twenty-eight tons; cargo forty coils of Piassaba cordage, fifty-eight do. smaller size, sixty coils of small rope, and one hundred and eighty-six pipes; passengers, the Brazilians Manl. Jozé Libeiro and Ignácio José da Costa.

16th September.

Brazilian schooner "*Quatro de Outubro*," for the Coast of Africa; Master, Silva Jozé Pereira; crew fourteen; cargo tobacco and rum; consigned to José Francisco da Costa; burthen eighty-five tons; passenger Joaquim Felix de Menezes.

28th October.

Portuguese brig-schooner "*Feriez*," Master, Joaõ Antonio Barboza; Consignee José Joaquim d'Almeida, for St. Thomas's and Prince's Islands; cargo tobacco and rum; crew twenty-five; burthen one hundred and sixty-two tons.

JOHN PARKINSON, *Consul*.

Second Enclosure in No. 108.

List of Vessels which have entered Bahia, from the Coast of Africa, during the Six Months ending 31st December 1834.

17th July.

Portuguese brig-schooner "*Phoenix*," burthen two hundred and five tons, José Antonio Barboza, Master; crew twelve, from New Orleans, in ballast, but had touched at the Havana; passage sixty-seven days; consigned to Manoel Cardozo dos Santos; passengers, José Joaquim Ladeslao, a Brazilian, with a slave named Antonio, of the Nago nation; Joaõ Euzebio Aguiar, a Brazilian; and Antonio d'Oliveira, a Spaniard.

(Signed) F. J. P. LEAL, *Second Lieutenant*.

21st July.

Brazilian brig-schooner "*Duarte Felicidade*," Zacharias d'Assiz Ferreira, Master, from the Gold Coast, having touched at Prince's Island, in twenty-two days; crew nineteen; burthen one hundred and thirteen tons; cargo oil and sundries; consigned to José Antonio do Socorro; passengers Antonio Garcia, a Spaniard; Manoel dos Santos Lisboa, Clementa José, natives of Prince's Island; and Manoel Joaquim da Costa, a Portuguese.

(Signed) A. A. D'ALMEIDA E ALBUQUERQUE, *Midshipman*.

25th July.

Portuguese brig "*Veloz*," Gaspar Bertran Duplé, Master; crew twenty-two; burthen two hundred and ten tons, from the Havana in fifty-eight days, ballast; consigned to Antonio Pedrozo de Albuquerque.

28th July.

Portuguese brig "*Atrevido*," Joaõ Garcia, Master; crew twenty-five; burthen one hundred and fifty tons, from Ajuda in twenty-two days; cargo seventy-five casks of oil, mats, coarse cloths, calabashes, and brooms; passengers Manoel José de Rosa, of Rio Grande do Sul; José Ventura, of Bahia; Manoel da Rocha, of Oporto; José Antonio, of St. Michael's,—all sailors; Antonio José de Menezes, of Pernambuco, tailor; and B. de Souza, a free black of the Gege nation, tanner.

(Signed) J. G. D'AGUIAR, *Second Lieutenant*.

21st September.

Portuguese ship "*Fortuna*," alias "*Navarra*," burthen three hundred and three tons; Master, José F. Dias; crew thirty-one, from the Gold Coast in thirty-seven days, ballast; consigned to the Master; passenger Antonio Constantino, and four other Spanish sailors.

31st October.

Portuguese brig "*Empreendedor*," from Ajuda in thirty-two days, for Monte Video, with liberty to touch at Bahia and Pernambuco; Master, Goncalvo Fonçeca da Cunha; Owner, Joaquim José Duarte Silva; cargo wax, mundubi oil, gum copal, and mats; crew eighteen; burthen one hundred and twenty tons; B. da Silva Quaresina, Brazilian merchant.

(Signed) ANTONIO JOAQUIM DA SILVA BARBA,
Officer of the Guard-ship.

28th November.

Brazilian brig "*Espardarte*," from Ajuda in twenty-nine days; Master, F. T. Arraya; Owner, André Pinto da Silveira; crew eleven; burthen two hundred and twenty-nine tons; cargo oil and three horses; passenger Lourenço da Silva, Brazilian.

15th December.

Spanish schooner "*Três Manoelas*," burthen one hundred and seven tons; Master, José Marques; crew twenty-five, from the Havana in sixty-four days, ballast; carries one pivot-gun midship.

(Signed) C. JOSÉ DA FONCECA, *Mate of the Guard-ship*.

24th December.

Spanish brig "*General Mina*," from the Havana in seventy-three days; Master, Joaõ Baptista Manene; Consignee André Pinto da Silveira; crew thirty; burthen two hundred and forty tons; cargo brandy; passengers Puhiy and Joaquim Pedro de Macedo.

(Signed) JOSE RICARDO COELHO,
Officer of the Guard-ship.

JOHN PARKINSON, *Consul*.

No. 109.

Mr. Parkinson to Viscount Palmerston.—(Received 8th June.)

MY LORD,

London, 29th May 1835.

NOTWITHSTANDING the severity of the laws for the suppression of slave trading in the Brazil, the traffic flourishes in the Consulate of Bahia, several cargoes from the Coast of Africa having been successfully landed within a short distance of the seat of Government.

Prior to quitting my post, I sought an interview on this subject with the newly-installed President, Senhor Francisco de Souza Martins, when I brought the matter distinctly under his notice, enumerating the points of disembarkation, describing the clandestine methods of landing the captives, and pointing out to him the shameless venality of the lower magistracy, who, bribed by the slave-dealers, connive at the violation of the laws they are expressly appointed to maintain and enforce. His Excellency professed his extreme regret, lamented the insufficiency of his authority to correct the abuse, and with earnestness declared his resolution to endeavour, by legislative means, to crush the Slave Trade altogether; even if needful, by the interdiction of all commercial intercourse between the Brazil and the African Slave Coast. He has since publicly avowed the project, on opening the first Provincial Assembly of Bahia; and, strong as the measure may appear, the dread under which the white population now labours of renewed revolt among the domestic African slaves renders the chance of its adoption not altogether visionary. The contraband Slave Trade in Bahia is chiefly carried on under Portuguese and Spanish colours, the true ownership being generally Brazilian, either native or naturalized. In order to show the ease with which ownership may be simulated, I take occasion to adduce the following examples.

The barque "*Maria da Gloria*," a notorious slaver, which, about two years since, was detained under Portuguese colours by His Majesty's sloop-of-war "Snake," with a full cargo of slaves on board, being referred from the Mixed Commission at Rio de Janeiro to the Mixed Commission at Sierra Leone, and by that Tribunal liberated, sailed for the Brazilian coast with a remnant of her original cargo of captives. Within a short distance of Bahia she was detained by order of the President of the Province, and, being brought into port, was subjected to legal inquiry. It accordingly took place, and ended in her release, on the ground of her being foreign property, although her Owners were notoriously Brazilians.

The second case is that of the "*Esperança*," a so-called Portuguese brig. This vessel was recently built and bought at Baltimore. Her ostensible Owner is Joao Ramos de Souza, a Portuguese *common sailor*, whilst her real Owners are certain Frenchmen and a Belgian, resident shopkeepers in Bahia. The "*Esperança*" is their joint property, purchased out of the profits of different successful "*runs*" with slaves from "*the coast*" to the Havana. Examples might be multiplied, but these two cases may suffice to show the facilities enjoyed in Bahia.

I have, &c.

(Signed) JOHN PARKINSON, *Consul*.*The Right Hon. Viscount Palmerston, G.C.B.*

&c.

&c.

&c.

No. 110.

Mr. Robilliard to Viscount Palmerston.—(Received 17th September.)

MY LORD,

British Consulate, Bahia, 28th July 1835.

I HAVE the honour to transmit the enclosed Statements, marked A and B, of the vessels which have made their entry at, and cleared from, this Port for the Coast of Africa, within the six months ending the 30th June 1835; as also a *Copy* of their entries and clearances in the Portuguese language, A and B.

I have, &c.

(Signed) JOHN H. ROBILLIARD, *Vice-Consul*.*The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

First Enclosure in No. 110.
Report of Vessels cleared from this Port, with Reference to the Slave Trade, during the Six Months ending June 30, 1835.

Sailed on	For where.	Nation and Rig.	Consignee.	Name of Vessel.	Cargo.	Number of Crew.	Register Tonnage.	Visiting Officer at Departure.	Remarks.
January 21	Coast of Africa	Spanish Schooner	Andre P. da Silva	Tres Manoellas	Tobacco.	23	134	A. J. de S. Barbara.	In all, 14 vessels. Tonnage, 2,435 tons. Number of men composing the crew of 13 (the crew of the "Carloa" having been omitted at the Palace), 270.
February 3	Ditto	Spanish Brig	Andre P. da Silva	El General Mina	Tobacco, Brandy, &c.	31	269		
	Ditto	Portuguese Schooner	J. F. da Souza	Carlota	Ditto	14	122		
March 11	St. Thomas and Cape de Verd	Portuguese Brig	Bern. J. da Cortes	Santo Milendrozo	General.	23	260	José de Mello Christa d'Ouro.	
	Coast of Africa	Brazilian Brig	M. Cardozo d' Santos	Liberál	Tobacco and Brandy	19	240	Anto. F. Coelho.	
	Ditto	Brazilian Schooner	Miquel Gabaen	Flor Bahiana	Tobacco	15	109	Ditto.	
	Ditto	Brazilian Schooner Brig	J. A. de Socorro	Duare e Felicidade.	Ditto	13	139	Ditto.	
	Ditto	Spanish Schooner	Vicente da Paula	Nova Amistade	Ditto	19	126	Fran. Per. Machado.	
April 12	Loanda	Portuguese Brig	Andre P. da Silva	Bomfin	Sundries	21	335	João Carlos Savares.	
April 29	Coast of Africa	Brazilian Brig	Vicente de Paulo	Espadarte	Tobacco, &c.	15	229	José Pimenta.	
May 11	St. Thomas	Spanish Schooner Brig	Gantois and Martin	Jacinto	Ditto	31	103		
May 17	Prince's Island	Portuguese Brig	Leoncio Rib	Esperanza	Ditto	28	210		
	St. Thomas	Spanish Schooner		Mosea	Ditto	13	92		

Bahia, 30th June 1835.

JOHN H. ROBILLIARD, Vice-Consul.

Second Enclosure in No. 110.

Report—Entry of Vessels in this Port, with Reference to the Slave Trade, during the Six Months ending June 30, 1835.

Arrived on	From whence.	Nation and Rig.	Consignee in Bahia.	Number of Days.	Name of Vessel.	Cargo.	Number of Crew.	Register Tonnage.	Visiting Officer on Arrival.	Remarks, and Passengers' Names.
January 17	New York	Portuguese Brig	Gantois and Martin	39	Esperanza	Flour, &c.	11	144	José Ricardo Coelho	Joao José Langroine, passenger. This vessel, though from Havana, is entered as being a known slaver, or, at least, strongly suspected.
January 31	Havana	Spanish Schooner	Vicente de Paula e Silva	61	Amestad	Ballast	20	90		
March 11	Ajudá	Ditto Brig Schooner	Ditto	21	Jacinto	Palm Oil, &c.	32	103	J. J. de Matos	D. L. Pacheco, J. Coelho da Silva. The vessels often go from the Coast of Africa to Havana, and from thence return home.
March 31	Ditto	Ditto Schooner	Manl. Cardozo dos Santos	26	Mosea	Palm Oil and Ballast	26	80		
April 15	Coast of Africa.	Ditto Brig	Vicente de Paula e Silva.	24	Vigilanté	Palm Oil	31	104		
April 16	Loanda	Portuguese Brig	J. J. Duarte Silva	27	Emprehende	Ditto and Mats	12	120		
April 17	Ajudá	Spanish Schooner	Master	26	Mosea	Ballast	16	83	João da Silva	Now in port, loading for Coast of Africa. Now in port.
April 15	Legoz	Ditto ditto	Ditto	15	Manoelita	Mandioca Flour	33	180		
June 27	Cape Corso	Portuguese Schooner Brig	Manl. Cardozo d' Santos.	22	Matia Thereza	Ballast	22	182		
							203	1,088		9 vessels.

Bahia, 30th June 1835.

JOHN H. ROBILLIARD, Vice-Consul.

No. 111.

Mr. Robilliard to Viscount Palmerston.—(Received 17th July.)

MY LORD,

British Consulate, Bahia, 28th September 1835.

I HAVE the honour, considering it my duty, to communicate to your Lordship a fact relating to the Spanish schooner "*Manoelita*," one of the vessels included in my "Return" of the 1st half-year of 1835. On the 6th day of July, this present month, appeared before me, at this Consulate, Alexander Parry, a native of Aberdeen, in Scotland, and deposed that the Master of the Spanish schooner "*Manoelita*," Geronimo Guilherme, refused to pay him his wages as had been agreed upon at the Port of Havana, and solicited my official interference towards the recovery of same. I inquired what his wages were?—He stated seventy silver dollars each month! The "*Manoelita*" sailed from Havana with a cargo of tobacco and rum for the Coast of Africa, and arrived here with a part cargo of Mandioca flour! Previous to assisting the deponent in the recovery of his wages, I put him upon his solemn oath as to whether the said schooner had been engaged in any act of piracy or slavery whilst he had belonged to her;—to which he affirmed on oath that she had not. Under this affidavit I considered myself, as British Vice-Consul, compelled to assist him.

I then made an application to her Consignee, a notorious Owner of slave-vessels, Andrea Pinto da Silve, a Mulatto, requiring the appearance of the Master of the schooner to answer the charge.

On appearing, he was very solicitous to avoid particular inquiry, and immediately paid the seaman the amount of wages due, at seventy dollars per month, for four months, being two hundred and eighty dollars. I state this circumstance to your Lordship as a strong proof of the activity of the Slave Trade, and of the immense profits which that commerce must afford which can pay such wages to seamen.

Nothing transpired to criminate the man Alexander Parry, or to *prove* that the "*Manoelita*" had laden a cargo of slaves; I consequently could take no steps.

The difficulty of proving a case against these vessels here is very great. However, my especial attention is directed towards the nefarious traffic in Slaves, and will continue to be so.

The Portuguese brig "*Esperanza*" is notoriously a successful slaver, and reputed French property in this City.

I have, &c.

(Signed)

JOHN H. ROBILLIARD, *Vice-Consul.*

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 112.

Mr. Watts to Viscount Palmerston.—(Received 18th January 1836.)

MY LORD,

British Consulate, Pernambuco, 9th December 1835.

I HAVE the honour to transmit to your Lordship Copy of a Despatch which I addressed, under date of the 13th of last month, to His Majesty's Minister at the Court of Rio de Janeiro, on the subject of the open attempts made and making at this Port to prosecute a traffic in Slaves with the Coast of Africa.

The facilities given to this nefarious traffic in human beings, through the surreptitious or connivent use of the Flag of Portugal, and the great dearth of labouring hands for the purposes of husbandry in this Country, foster and encourage this trade despite of the utmost vigilance of His Majesty's delegated authorities to suppress its continued prosecution.

I have, &c.

(Signed)

EDWARD WATTS, *H. B. M. Consul.*

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 112.

Mr. Watts to Mr. Fox.

SIR,

British Consulate, Pernambuco, 13th November 1835.

I HAVE the honour to transmit to your Excellency Copy of a Paper which has been communicated to me on a subject which so deeply engages the attention of His Majesty's Government, in the view to repress and subdue the attempts made so overtly in this Country, in defiance of all existing conventions, to continue the prosecution of the Slave Trade.

On the occasion of conversing some time ago with the President of this Province on this subject, his Excellency observed to me that he deplored the necessity which arose out of the thinly-populated interior, which could not supply hands sufficient for agricultural purposes, that strongly allured the cupidity of individuals to elude all the restraints placed on that inhuman traffic by the measures of Government; and he much feared that it would be extremely difficult to restrain the combinations of interested individuals in its continued prosecution, until the Supreme Legislature of the Country could adopt some effectual measures to encourage the rapid colonization of foreigners in the Brazils.

I have, &c.,
(Signed) EDWARD WATTS,
His Britannic Majesty's Consul.

To his Excellency Henry Stephen Fox,
&c. &c. &c.

Sub-Enclosure in No. 112.

Pernambuco, 12th October 1835.

At the end of last August there arrived at Porto de Galinhas, about three leagues to the South of Cape St. Augustine, a vessel with about three hundred unfortunate Africans: they were landed there, and were led to the village of Nossa Senhora do Ps, where they passed the night; and early the following morning they were taken to the sugar-works of Conceição, a few leagues distant from the place of landing, and they were distributed among the purchasers.

I know with certainty that shortly another vessel is expected to arrive at the same Port of Galinhas with Africans; and it is not many days that the schooner "*Feteceira*" left this Port for Africa, with the design of bringing more of them. This schooner belongs to a society formed here for this barbarous contraband, and the Port above mentioned is the one destined for the landing of all those who may arrive whilst it can be done with security.

In this state of things I see only one means of putting an end to this infamous and barbarous trade, which is for the British Government to have some vessels of war cruising on the Coast of Brazil; and two schooners would be enough for this province.

An enemy to slavery, and knowing that is the primary cause of all the backward state of Brazil, I should wish to see an end put at once to such infamous traffic.

(A faithful Translation.)

EDWARD WATTS,
His Britannic Majesty's Consul.

FRANCE.

No. 113.

Earl Granville to the Duke of Wellington.—(Received January 4.)

MY LORD DUKE,

Paris, 2d January 1835.

I HAVE received Your Grace's Despatch, marked "Slave Trade," of the 29th of December last, transmitting to me Copies of two Despatches, with their Enclosures, from His Majesty's Envoy to the United States of America containing the refusal of that Country to the proposal made to them by the British and French Ministers to accede to the Convention lately concluded between Great Britain and France for the more effectual suppression of the Slave Trade, and shall not fail in obedience to your Grace's Instructions to communicate these Papers to the French Government.

I have, &c.

(Signed) GRANVILLE.

His Grace the Duke of Wellington, K. G.
 &c. &c. &c.

No. 114.

Earl Granville to the Duke of Wellington.—(Received January 15.)

MY LORD DUKE,

Paris, 12th January 1835.

IN compliance with the Instructions contained in your Grace's Despatch, marked "Slave Trade," of the 24th of December last, I communicated to the Count de Rigny Copies of the Despatches received from His Majesty's Envoy at Washington, stating the refusal of the Government of the United States to accede to the Conventions concluded between Great Britain and France for the more effectual Suppression of the African Slave Trade, and I have now the honour to transmit to your Grace the answer which I have received from the French Government.

I have, &c.

(Signed) GRANVILLE.

His Grace the Duke of Wellington, K.G.
 &c. &c. &c.

Enclosure in No. 114.

(Translation.)

*M. de Rigny to Earl Granville.**Paris, 11th January 1835.*

M. L'AMBASSADEUR,

I RECEIVED with the letter which your Excellency did me the honour to write to me on the 3d inst., copies of two Despatches and of their Enclosures, from the Minister of His Britannic Majesty at Washington, relative to the refusal of the American Government to accede to the conventions between France and Great Britain for the repression of the Slave Trade.

The cabinet of His Britannic Majesty will doubtless agree with us in considering that any further effort to induce the Government of the United States to accede to these conventions as offering, for the present at least, no chance of success.

(Signed) DE RIGNY.

No. 115.

*Viscount Palmerston to Earl Granville.**Foreign Office, 3d September 1835.*

[Sending Printed Papers on Slave Trade as in No. 45.]

No. 116.

*Viscount Palmerston to Earl Granville.**Foreign Office, 29th October 1835.*

[Sending Copies of Treaty with Spain, as in No. 49.]

No. 117.

M. Bourgueney to Viscount Palmerston.—(Received October 29.)

MILORD,

Manchester Square, 29me Octobre 1835.

LA frégate "la Didon" et le brick "le Bisson" devant partir incessamment pour se rendre, la première aux Antilles et le second au Brésil, M. le Ministre de la Marine m'exprime le désir de recevoir le plutôt possible les mandats que le Gouvernement Anglais doit, en exécution des Conventions sur la Traite des Noirs, remettre aux bâtimens Français qui font partie de ces stations.

J'ai l'honneur de vous adresser une liste des bâtimens pour lesquels des mandats sont nécessaires, en priant votre Excellence de la transmettre à l'Amirauté avec les huit mandats ci-joints qui ont été renvoyées à M. le Ministre de la Marine par suite du retour en France des bâtimens qui en étaient porteurs.

"L'Atalante," "la Favorite," et "l'Adonis" sont aussi revenus en France. M. le Ministre de la Marine doit m'envoyer incessamment les mandats qui leur avaient été délivrés et je m'empresserai, Milord, de vous transmettre ces pièces dès que je les aurai reçues.

Votre Excellence remarquera que "la Nayade" et "la Badine" ne figurent pas parmi les bâtimens qui ont renvoyé leurs mandats, et que cependant M. le Ministre de la Marine en demande de nouveaux dans la liste ci-jointe. Les Capitaines de ces bâtimens ont cru devoir, par erreur, garder les mandats qui avaient été confiés à leurs prédécesseurs; mais j'ai l'honneur de vous informer, Milord, que les ordres ont été donnés pour qu'ils fussent renvoyés à M. le Ministre de la Marine, ainsi que ceux qui avaient été délivrés à "la Bayonnaise" et au "Madagascar," et qui ont été déposés dans les archives de la station à laquelle chacun de ces bâtimens appartenait.

Je saisis cette occasion, Milord, de renouveler à votre Excellence l'assurance de ma plus haute considération.

(Signed)

BOURGUENEY.

Son Excellence Lord Palmerston, G.C.B.

&c. &c. &c.

EXTRACT.

(Translation.)

MY LORD,

Manchester Square, 29th October 1835.

As the "Dido" frigate and the "Bisson" brig are about to depart immediately, the former for the Antilles, and the latter for the Brazils, the Minister of Marine has expressed to me his wish to receive as soon as possible the warrants to be issued in conformity with the Conventions on Slave Trade, by the English Government to the French vessels cruising on those stations.

I have the honour to forward to you a list of the vessels for which warrants are required, and to request your Excellency to forward the same to the Admiralty, together with the eight warrants herein inclosed, which have been returned to the Minister of Marine, in consequence of the return to France of the vessels to which they had been issued.

The "Atalanta," the "Favorite," and the "Adonis" have also returned to France; the Minister of Marine will send me immediately the warrants which have been issued to them, and I will hasten, my Lord, to transmit these documents to you as soon as they reach me.

Your Excellency will observe, that the "Nayade" and the "Badine" are not among the vessels which have sent back their warrants, and that, nevertheless, the Minister of Marine in the enclosed list asks for new warrants for them. The Captains of these vessels have erroneously thought it their duty to keep the warrants which had been intrusted to their predecessors; but I have the honour to inform you, my Lord, that orders have been issued for their being returned to the Minister of Marine, as also those issued to the "Bayonnaise" and "Madagascar," which latter have been deposited in the archives of the stations to which these vessels respectively belong.

I avail myself, &c.

(Signed)

BOURGUENEY.

Enclosure in No. 117.

Liste des Bâtimens à qui des Mandats Anglais sont nécessaires.

ANTILLES.	
La Didon	Capitaine Andréa de Herciat.
Le Palymere	„ Vermot.
L'Oreste	„ Comte de Gourdon.
Le Cuirassier	„ Ollivier.
La Capricieuse	„ Collet.
BRÉSIL.	
La Syrène	Capitaine Baglet.
La Flore	„ Monlac.
L'Heroine	„ Cecille.
La Nayade	„ Kersanson de Pennendorf.
La Thisbé	„ Fournier (Jean Pierre).
Le D'Assas	„ Danguenet.
Le Bisson	„ Lemarant Kerdaniel.
CÔTES D'AFRIQUE.	
La Créole	Capitaine Lemarié.
La Badine	„ Guillemard.
La Gazelle	„ Loque.
La Bordelaise	„ Condé.
ILE DE BOURBON.	
L'Isère	Capitaine Henry (Adolphe).
La Prévoyante	„ Montaguès de la Roque.

No. 118.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 12th December 1835.

I HEREWITH transmit to your Excellency the Copy of a Letter* which I have received from the Colonial Department upon the subject of a traffick in British slaves recently discovered to have been carried on in the West India possessions of Foreign Powers.

I have to desire that your Excellency will call the attention of the French Government to this subject, and urge them to afford to the Government of His Majesty their cordial and zealous co-operation for the purpose of preventing the evil complained of.

You will take care to explain to the French Minister, that since the 1st of August 1834, the negroes in His Majesty's Colonies are free British subjects, and that it is impossible for Great Britain to permit British subjects, whatever their colour may be, to be kidnapped into a foreign Colony, and there to be held in slavery.

Right Hon. Earl Granville,
&c. &c.

I have, &c.
 (Signed) PALMERSTON

* Enclosure see No. 26.

No. 119.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 12th December 1835.

I HEREWITH transmit to your Excellency, to be returned to the French Government, fourteen Warrants which, in pursuance of the Conventions between Great Britain and France for the Suppression of the Slave Trade, had been issued to His Majesty's ships, named in the enclosed List, No. 1.

I have to acquaint you, for the information of the French Government, that His Majesty's ships named in the enclosed List, No. 2, are still in possession of French Warrants, which have been recalled by the Admiralty, and which, when received back by that Board, will be returned to the French Government.

I have further to request that you will obtain from the French Government the issue of fresh Warrants for the thirty-two vessels of His Majesty's Navy, whose Names, Commanders, and Destinations are stated in the List, No. 3, which accompanies this Despatch.

Right Hon. Earl Granville,
&c. &c.

I have, &c.
 (Signed) PALMERSTON.

First Enclosure in No. 119.

List of Warrants from the French Government which have been issued to His Majesty's Ships, and are herewith returned.

Tweed	West India Station.
Dispatch	" "
Victor	" "
Fly	" "
Pearl	" "
Arachne	" "
Isis	African Station.
Brisk	" "
Pluto	" "
Charybdis	" "
Melville	Madagascar Station.
Curaçoa	" "
Harrier	" "
Snake	Brazilian Station.

Second Enclosure in No. 119.

A List of Warrants from the French Government which have not yet been returned to the Admiralty, but which have been recalled.

Vernon	West India Station.
Comus	" "
Spartiate	Brazilian Station.
Satellite	" "
Rapid	" "
Trinculo	African Station.
Brilomart	" "
Hyacinth	Madagascar Station.

Third Enclosure in No. 119.

A List of His Majesty's Ships, with the Names of their Commanding Officers, for which Warrants from the French Government are requested.

West India Station.

Racehorse	Commander Sir J. E. Horm, Bart.
Gannet	" John B. Maxwell.
Champion	" Robert Fair.
Scylla	" E. J. Carpenter.
Wanderer	" Thomas Dilke.
Pike	Lieutenant Arthur Brooking.
Snake	Commander Richard L. Warren.
Skipjack	Lieutenant S. H. Ussher.
Pickle	" A. G. Bulman.
Pincher	" George Byng.

Brazilian Station.

Dublin	Captain G. W. Willes.
Blonde	Commodore Francis Mason, C. B.
Talbot	Captain F. W. Pennell.
North Star	" O. V. Harcourt.
Actæon	" Lord Edward Russell.
Cleopatra	" The Hon. George Grey.
Sparrowhawk	Commander G. W. C. Lydiard (acting).
Rover	" Charles Eden.
Harrier	" W. H. H. Carew.
Rapid	Lieutenant Frederick Patten.
Basilisk	" G. G. Macdonald.

African Station.

Pelican	Commander Brunswick Popham.
Pylades	" W. L. Castle.
Fair Rosamond	Lieutenant George Rose.
Forester	" G. G. Miall.
Lyna	" H. V. Huntley.
Charybdis	" Samuel Mercer.
Buzzard	An officer acting—name not known.
Curlew	Lieutenant Edmund Norcott.
Rolla	" T. R. V. Glasse.
Leveret	" Chas. J. Bosanquet.
Water Witch	" John Adams. (B.)

No. 120.

*Viscount Palmerston to Count Sebastiani.**Foreign Office, 12th December 1835.*

THE Undersigned, &c., with reference to the Letter which, on the 29th October last, was addressed to him by M. de Bourgueney, &c. on the subject of Warrants for authorizing French cruisers to search British vessels, in virtue of the several Conventions between Great Britain and France on the Slave Trade, has the honour to inform his Excellency the Count Sebastiani, &c., that the Warrants returned in M. de Bourgueney's above-mentioned Letter have been cancelled, and the Undersigned has the honour to forward herewith to his Excellency, for transmission to his Government, Warrants for the eighteen French vessels which were named in the List transmitted to the Undersigned in the above-mentioned Letter from M. de Bourgueney.

(Signed) PALMERSTON.

His Excellency Count Sebastiani,
 &c. &c. &c.

No. 121.

Earl Granville to Viscount Palmerston.—(Received January 24.)

MY LORD,

Paris, 22d January 1836.

I HAVE the honour to transmit to your Lordship the Copy of a Letter from the Duc de Broglie, enclosing me thirty-two warrants for the thirty-two vessels of His Majesty's Navy, whose Names, Commanders, and Destinations were stated in the List accompanying your Lordship's Despatch of the 12th December last.

I have, &c.

(Signed) GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

Enclosure in No. 121.

(Translation.)

*The Duke de Broglie to Earl Granville.**Paris, January 18th.*

M. L'AMBASSADEUR,
 I HAVE the honour to forward to your Excellency, according to your request, 32 warrants, authorizing that number of ships of war of His Britannic Majesty to visit French vessels, in execution of the Conventions relative to the Suppression of Slave Trade.

(Signed) DE BROGLIE.

To His Excellency the English Ambassador,
 &c. &c. &c.

No. 122.

Count Sebastiani to Viscount Palmerston.—(Received 28th Jan. 1836.)

MILORD,

Londres le 26me Janvier 1836.

M. LE DUC DE BROGLIE me demande de réclamer l'intervention de votre Excellence pour obtenir de l'Amirauté Britannique deux mandats destinés à autoriser le brick "le Hussard," Capitaine de Cambray, et le brick "l'Inconstant," Capitaine Danguillecourt, qui veut se rendre aux Antilles, à visiter les bâtimens Anglais en exécution des Conventions. J'ai l'honneur de prier votre Excellence de vouloir bien me mettre à même de satisfaire à ce désir.

Veuillez agréer, &c.

H. SEBASTIANI.

A son Excellence Lord Palmerston,
 &c. &c. &c.

(Translation.)

MY LORD,

London, 26th January 1836.

THE Duke de Broglie desires me to request the intervention of your Excellency in obtaining from the British Admiralty two warrants to authorize the brig the "Hussard," Captain de Cambray, and the brig the "Inconstant," Captain Danguillecourt, which vessels are about to sail for the Antilles, to visit English vessels in execution of the Conventions. I have the honour to request your Excellency to have the goodness to enable me to comply with the desire of the Duc de Broglie.

Deign to receive, &c.

(Signed) SEBASTIANI.

His Excellency Lord Palmerston,
 &c. &c. &c.

No. 123.

*Viscount Palmerston to Count Sebastiani.**Foreign Office, 13th February 1836.*

THE Undersigned, &c., with reference to the Letter which, on the 26th ultimo, was addressed to him by his Excellency Count Sebastiani, &c., on the subject of warrants for authorizing French cruisers to search British vessels, in virtue of the several Conventions between Great Britain and France on Slave Trade, has the honour to forward to his Excellency, for transmission to his Government, warrants for the two French vessels, "l'Inconstant" and "le Hussard," which were named to the Undersigned in the above-mentioned Letter from the Count Sebastiani.

His Excellency Count Sebastiani,
 &c. &c. &c.

The Undersigned, &c.
 (Signed) PALMERSTON.

No. 124.

*Viscount Palmerston to Earl Granville, G.C.B.**Foreign Office, 27th February 1836.*

MY LORD,

WITH reference to my Despatch to your Excellency of the 23d of January 1834, upon the subject of the proposed invitation to Maritime Powers to accede to the Conventions concluded between Great Britain and France on the 30th of November 1831, and the 22d of March 1833, for the Suppression of the Traffic in Slaves, I herewith transmit to your Excellency the draft of a Note of Invitation* to the Governments of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, which you will submit to the French Minister for Foreign Affairs, proposing at the same time that a draft of a Note, couched in these terms, should be forwarded by the British and French Governments respectively to the official Agents of Great Britain and France at Hamburg, to be presented by them to the Governments of the Free Hanseatic Cities.

The Right Hon. Earl Granville, G.C.B., I am, &c.
 &c. &c. &c. (Signed) PALMERSTON.

* Enclosure see No. 187.

DENMARK.

No. 125.

*Viscount Palmerston to Sir H. W. W. Wynn.**Foreign Office, 3d September 1835.*

[Sending Printed Papers on Slave Trade as in No. 17.]

No. 126.

*Viscount Palmerston to Sir H. W. W. Wynn.**Foreign Office, 29th October 1835.*

[Sending Copies of Treaty with Spain, as in No. 47.]

No. 127.

Sir H. W. W. Wynn to Viscount Palmerston.—(Received 25th November.)

MY LORD,

Copenhagen, 11th November 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches marked "Slave Trade," of the 3d September and the 29th October last, enclosing the Papers marked A. and B. relating to the Slave Trade, presented to both Houses of Parliament, and a Copy of the Treaty lately concluded with the Court of Spain, for the total Suppression of the Slave Trade in the Spanish Dominions.

I have, &c.

(Signed)

H. W. WILLIAMS WYNN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 128.

Viscount Palmerston to Sir H. W. W. Wynn.

SIR,

Foreign Office, 12th December 1835.

I HEREWITH transmit to you the Copy of a Letter* which I have received from the Colonial Department upon the subject of a Traffic in British Slaves, recently discovered to have been carried on in the West India possessions of Foreign Powers.

I have to desire that you will call the attention of the Danish Government to this subject, and urge them to afford to the Government of His Majesty their cordial and zealous co-operation for the purpose of preventing the evil complained of.

You will take especial care to explain to the Danish Minister that since the 1st of August 1834 the negroes in His Majesty's Colonies are free British subjects; and that it is impossible for Great Britain to permit British subjects, whatever their colour may be, to be kidnapped into a foreign country, and there to be held in slavery.

I am, &c.

(Signed)

PALMERSTON.

Sir H. W. W. Wynn,

&c.

&c.

* Enclosure see No. 26.

No. 129.

Sir H. W. W. Wynn to Viscount Palmerston.—(Received 3d February.)

MY LORD,

Copenhagen, 22d January 1836.

IN compliance with the orders contained in your Lordship's Despatch (of this series) of last year, on the subject of the traffic in British slaves, in which

several persons belonging to the Danish West India Islands are still engaged, I lost no time in addressing the enclosed Note to the Danish Minister.

I have now the honour of enclosing the answer which I have received. In conversation with M. de Krabbe on the subject, he requested me to consider this answer merely as preliminary, and drawn up in consequence of my pressing solicitation for an immediate expression of His Majesty's sentiments, but that it was necessary to consult the Authorities in St. Croix on the best means of effecting the object in view, and of giving publicity to His Majesty's recognition of the principle that British negroes being now free, there can be no difference between a sale of them and that of any other of His Majesty's subjects, and that they are to be given up without any remuneration to the parties engaged in this illegal transaction.

I have, &c.

(Signed)

H. W. WILLIAMS WYNN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 129.

Sir H. W. W. Wynn to M. de Krabbe Carisius.

Copenhagen, 23d December 1835.

THE Undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has received Instructions to call the attention of the Danish Government to the traffic in British slaves, which is still carried on to a considerable extent in the Island of St. Thomas: several slaves belonging to British subjects resident in Anguilla, have within the last two years been removed by them to St. Thomas, where some have been sold, others detained and used as slaves by their British owners, others transferred to Porto Rico to be sold there.

It is true that the Governor of St. Thomas has shown every disposition to give up to the British Authorities all the slaves who have been claimed, stipulating only for repayment to the proprietors of their full value, but he does not appear to be authorized to give the assurance that in future all similar purchases should be held illegal.

In the absence of such assurances it is to be apprehended that the owners of British negroes, now held in slavery in foreign islands, conceiving that they will not be compelled to give them up against their will, and counting on the anxiety of the British Government to recover them, may be tempted to ask exorbitant prices, and, moreover, that the ample prices already given may stimulate the persons engaged in this traffic to pursue it with increased activity. His Majesty's Government does not think it unreasonable to allow full compensation for all slaves thus purchased previous to the 1st of August 1834, provided it be distinctly announced that the foreign owner of any slave, who shall be proved to have been illegally transferred from a British Colony, shall, upon his receiving a full and fair value, be compelled to give him up at once, and that this arrangement shall hold good whether the negro in question shall have been smuggled from the British Colony, or fraudulently passed at the Custom-house as a domestic slave, in attendance on the person of his owner, and whether he shall have passed directly into the hands of his present owner, or from island to island. It is not unnecessary to insist upon this, because the Governor of Porto Rico is reported to have given it as his opinion that a negro, whose present owner can produce documents of purchase at St. Thomas, Curaçao, or other places allowing the exportation of slaves, (though originally taken from a British Island,) cannot be esteemed a British subject, an opinion to which the British Government can by no means assent, since it cannot be reasonably allowed that the injured man should continue to suffer because the person by whom the injury may have been done may have escaped detection.

With respect to sales subsequent to the period mentioned, the Danish Government must be aware of the new position in which all British negroes now stand; since the 1st of August they are free British subjects, and it is impossible for Great Britain to allow British subjects, whatever their colour may be, to be kidnapped into a foreign country, and there held in slavery.

The Governments of all those Countries whose subjects may by possibility be implicated in this traffic, have been called upon to recognize the right on the part of Great Britain to demand gratuitous restitution of all British subjects so detained in slavery, and the punishment of those by whom they may have been wilfully deprived of their liberty. Some intimation of this nature appears the more necessary to be made, because the Reports of the Local Authorities, who have been employed in investigating these proceedings, are calculated to suggest an apprehension that, in consequence of the great ignorance of the apprentices, similar removals may, in spite of their changed condition and proclaimed rights, be still effected, and that even if claims for compensation should not hereafter be advanced by the parties, or countenanced by the authorities, much difficulty might nevertheless be thrown in the way both of the recovery and the restitution of them.

The Undersigned has to request that his Excellency M. de Krabbe Carisius, will be pleased to take His Danish Majesty's orders on the subject. His Majesty has given too many proofs of his humane sentiments to allow the British Government to entertain a doubt of His Majesty's cordially co-operating in their endeavours to prevent such practices from being carried on henceforward.

The Undersigned requests his Excellency M. de Krabbe Carisius to accept the assurance of his high consideration.

(Signed)

H. W. WILLIAMS WYNN.

His Excellency M. de Krabbe Carisius,

&c.

&c.

&c.

Second Enclosure in No. 129.

M. de Krabbe to Sir H. W. W. Wynn.

(Translation.)

Copenhagen, 13th January 1836.

THE Undersigned, &c. has the honour to inform Sir Henry Wynn, &c., that he lost no time in submitting to the King, his Master, the Note which Sir Henry Wynn addressed to him under date of the 23d of December last, on the subject of the abuses supposed to take place in the Danish West India Colonies in respect to negroes introduced into those colonies from those of Great Britain. Sir Henry Wynn has not deceived himself as to the intentions of the King in this respect, and the Undersigned is authorized to announce that His Majesty, desiring to render the measures taken against the continuation of the trade in negroes as complete as possible, has commanded the competent authorities to submit to him a Report on the most efficacious means of preventing, conformably to the desire of the British Government, the illegal introduction of English negroes into the Danish Colonies.

The Undersigned will communicate the ulterior decision of the King on this subject to Sir H. Wynn, and takes advantage of this occasion, &c.

(Signed) KRABBE CARISIUS.

Sir H. W. W. Wynn,
&c. &c. &c.

No. 130.

Sir H. W. W. Wynn to Viscount Palmerston.—(Received April 15, 1836.)

MY LORD,

Copenhagen, 6th April 1836.

IN reference to my Despatch of the 22d of January last, I have now the honour to enclose a Copy of a Note from M. de Krabbe, informing me that a Royal Rescript had been sent to the Governor-General of St. Croix, ordering him to enforce the delivery of all British negroes, imported either directly or indirectly into the Danish Colonies; and that, in cases where the importation can be proved to have been subsequent to the 1st of August 1834, no indemnity whatever should be required.

I have, &c.

(Signed)

H. W. WILLIAMS WYNN.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 130.

M. de Krabbe to Sir H. W. W. Wynn.

(Translation.)

Copenhagen, 29th March 1836.

THE Undersigned, &c., with reference to his Note of the 13th of January last, has the honour to announce to Sir H. Wynn, &c., that the King, on the Report submitted to him by the Chancellor to that effect, has addressed a most gracious Rescript to the Governor-General of the Danish Colonies in the West Indies, by which it is ordained that when a British negro shall have been illegally exported from the British Colonies, directly or indirectly, to the Danish Colonies, and shall there be held in a state of slavery, he shall in all cases be delivered and given up to the British authorities on their requisition, and on the payment of his value, considered as a slave, should he have been exported before the 1st of August 1834, and without any indemnity should he have been exported after that epoch; it being, however, understood that the proprietor dispossessed of an individual so circumstanced preserves the right to prosecute the person from whom he acquired him for damages and interest.

The Undersigned begs Sir H. Wynn to make known to his Government these arrangements, which answer entirely to its wishes, and he takes this occasion, &c.

(Signed)

KRABBE CARISIUS.

Sir H. W. W. Wynn,
&c. &c. &c.

SARDINIA.

No. 131.

The Duke of Wellington to Hon. H. E. Fox.

SIR,

Foreign Office, 13th February 1835.

I HEREWITH transmit to you His Majesty's Ratification of the Additional Article to the Treaty containing the accession of His Sardinian Majesty to the Conventions concluded between Great Britain and France on the 30th November, 1831, and 22d March 1833, for the more effectual Suppression of the Slave Trade. And I am to desire that you will exchange the same against a similar Instrument ratified by His Sardinian Majesty.

I also enclose a Certificate to be signed by you and the Sardinian Plenipotentiary upon the exchange of the ratifications. You will return the same to me, together with the Sardinian ratification.

Hon. H. E. Fox.

I have, &c.
(Signed)

WELLINGTON.

No. 132.

Sir Augustus Foster to Viscount Palmerston.—(Received June 11.)

MY LORD,

Turin, 19th May 1835.

I HAD the honour to receive in due time His Grace the Duke of Wellington's Despatch, dated February 13th of this year, and addressed to Mr. Fox, as also His Majesty's Ratifications, which accompanied it, of the Additional Article to the Treaty, containing the accession of His Sardinian Majesty to the Conventions concluded between Great Britain and France on the 30th November 1831, and 22d March 1833, for the more effectual Suppression of the Slave Trade, and exchanged the same on the 15th inst., in fulfilment of His Grace's directions, against a similar Instrument ratified by His Sardinian Majesty, which I have the honour to transmit herewith to your Lordship.

I likewise have the honour to return to you the Certificate which His Grace sent for the purpose of its being signed by the two Plenipotentiaries on the Exchange of the ratifications, and which has accordingly been so signed and sealed, by me, and by Count Solar de la Marguerite.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

I have, &c.
(Signed)

A. FOSTER.

No. 133.

Viscount Palmerston to Sir A. Foster.

Foreign Office, 3d September 1835.

[Sending Printed Papers on Slave Trade, as in No. 17.]

No. 134.

Viscount Palmerston to Sir A. Foster.

Foreign Office, 29th October 1835.

[Sending Copies of Treaty with Spain, as in No. 47.]

SWEDEN.

No. 135.

Sir E. C. Disbrowe to the Duke of Wellington.—(Received March 21.)

(Extract.)

MY LORD DUKE,

Stockholm, 6th March 1835.

THE Duke de Montebello having presented a Note, in conformity with his Instructions, to engage His Swedish Majesty to accede to the Treaty between Great Britain and France, for the more effectual abolition of the Slave Trade, of the 30th November 1831, I have, in conformity with the Instructions of His Majesty's Government of the 25th July last, stated that such an accession would give pleasure to His Majesty's Government, particularly as regards those stipulations in the Convention which are not included in the Treaties between Great Britain and Sweden.

The Duke of Wellington, K. G.
&c. &c. &c.

(Signed) I have, &c.
E. C. DISBROWE.

No. 136.

Viscount Palmerston to Sir E. C. Disbrowe, K. C. G.

(Extract.)

SIR,

Foreign Office, 18th May 1835.

REFERRING to your Despatch of the 6th March last, I have to acquaint you, for communication to the Swedish Government, that His Majesty will have much satisfaction in the conclusion with Sweden of a separate Article to be annexed to the Treaty already in existence with that Power, to contain a stipulation that ships after they are condemned for Slave Trade shall be broken up before they are sold.

You will further state to the Swedish Minister, that His Majesty will witness with much satisfaction the conclusion of a Treaty between France and Sweden, containing an extension, as respects those Powers jointly, of the engagements which Great Britain and France have already jointly concluded with each other on the Slave Trade.

Sir E. C. Disbrowe, K. C. G.
&c. &c. &c.

(Signed) I have, &c.
PALMERSTON.

No. 137.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, 25th May 1835.

I HEREWITH transmit to you a Full Power, which the King has been pleased to grant to you under the Great Seal, authorizing and empowering you to conclude and sign an Additional Article to the Treaty signed at Stockholm, the 6th November 1824, between Great Britain and Sweden, for the prevention of the traffic in slaves.

Sir E. C. Disbrowe, K. C. G.
&c. &c. &c.

(Signed) I am, &c.
PALMERSTON.

No. 138.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, 10th June 1835.

You will see from the accompanying copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been

pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country, for the extinction of the abominable traffic in slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Swedish Government, and earnestly to press upon them the immediate conclusion of the Negotiations with which you are charged upon this subject.

Sir E. C. Disbrowe, K. C. G. (Signed) I am, &c.
&c. &c. &c. PALMERSTON.

No. 139.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received June 29.)

MY LORD,

Stockholm, 15th June 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, dated 25th May, inclosing the Full Powers which His Majesty was graciously pleased to grant, empowering me to conclude and sign an Additional Article to the Treaty of the 6th November 1824, between Great Britain and Sweden and Norway, for the prevention of the traffic in slaves.

Having already, in conformity with your Lordship's previous instructions, negotiated the Article in question, I have the satisfaction to inform you that I this day exchanged my Full Powers with His Excellency Count Wetterstedt, the Minister of State and for Foreign Affairs, and signed the Additional Article, which I have the honour to transmit in original to your Lordship, together with Count Wetterstedt's Full Powers, and a translation in the French language.

The period of six weeks, fixed on for the exchange of the ratifications of this Article is the same as was specified in the Original Treaty.

Viscount Palmerston, G. C. B. (Signed) I have, &c.
&c. &c. &c. E. C. DISBROWE.

No. 140.

(Extract.) *Viscount Palmerston to Sir E. C. Disbrowe.*

SIR,

Foreign Office, 18th July 1835.

I TRANSMIT to you herewith His Majesty's ratification of the Additional Article to the Treaty between Great Britain and Sweden for the prevention of the Slave Trade, which was signed by you and M. de Wetterstedt on the 15th ultimo. And I am to desire that you will exchange the same against a similar Instrument ratified by the King of Sweden.

Sir E. C. Disbrowe, K. C. G. (Signed) I am, &c.
&c. &c. &c. PALMERSTON.

No. 141.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received August 1.)

(Extract.)

MY LORD,

Stockholm, 21st July 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, of the 10th ultimo, inclosing a copy of an Address from the House of Commons to the King, and His Majesty's gracious Reply.

Your Lordship will have been since informed, by my Despatch of the 15th June, that I had, in consequence of your instructions, signed on that day an Additional Article to the Treaty between Great Britain and Sweden of the 6th November 1824.

Viscount Palmerston, G. C. B. (Signed) I have, &c.
&c. &c. &c. E. C. DISBROWE.

No. 142.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received August 31.)

MY LORD,

Stockholm, 21st August 1835.

I HAVE had the honour to receive your Lordship's Despatch of the 18th ultimo, transmitting His Majesty's ratification of the Additional Article to the Treaty between Great Britain and Sweden, for the prevention of the Slave Trade, which was signed by me and Count Wetterstedt on the 15th of last June; and I have exchanged the same against a similar Instrument ratified by the King of Sweden.

I have, together with Count Wetterstedt, signed a Certificate of the exchange of the ratifications, and shall forward it to your Lordship, with the Swedish ratification, by the earliest opportunity.

Viscount Palmerston, G. C. B.
&c. &c. &c.

I have, &c.
 (Signed) E. C. DISBROWE.

No. 143.

*Viscount Palmerston to Sir E. C. Disbrowe.**Foreign Office, 3d September 1835.*

[Sending Printed Papers on Slave Trade, as in No. 17.]

No. 144.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received Sept. 14, 1835.)

MY LORD,

Stockholm, 24th August 1835.

I HAVE the honour herewith to transmit to your Lordship the Swedish ratification of the Additional Article to the Treaty between Great Britain and Sweden for the prevention of the Slave Trade, which I have exchanged with Count Wetterstedt in the usual form.

Viscount Palmerston, G. C. B.
&c. &c. &c.

I have, &c.
 (Signed) E. C. DISBROWE.

No. 145.

*Viscount Palmerston to Sir E. C. Disbrowe.**Foreign Office, 29th October 1835.*

[Sending Copies of Treaty with Spain as in No. 47.]

No. 146.

Viscount Palmerston to the Hon. J. Bloomfield.

SIR,

Foreign Office, 12th December 1835.

I HEREWITH transmit to you the copy of a Letter* which I have received from the Colonial Department, upon the subject of a traffic in British slaves recently discovered to have been carried on in the West India possessions of Foreign Powers.

I have to desire that you will call the attention of the Swedish Government to this subject, and urge them to afford to the Government of His Majesty their cordial and zealous co-operation for the purpose of preventing the evil complained of.

You will take care to explain to the Swedish Minister, that since the 1st August 1834, the negroes in His Majesty's Colonies are free British subjects, and that it is impossible for Great Britain to permit British subjects, whatever their colour may be, to be kidnapped into a Foreign Country, and there to be held in slavery.

Hon. J. Bloomfield,
&c. &c. &c.

I am, &c.
 (Signed) PALMERSTON.

* For Enclosures, see No. 26.

No. 147.

The Hon. J. Bloomfield to Viscount Palmerston.—(Received Jan. 9, 1836.)

MY LORD,

Stockholm, 28th December 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 12th instant, with its Enclosures.

In obedience to your Lordship's instructions I have seen Count Wetterstedt for the purpose of conferring with His Excellency on this communication, and I read to him those parts of the Despatches from the Colonial Office which bear mainly on the object desired by His Majesty's Government.

After expressing the continued willingness of the Swedish Government to assist in the more effective suppression of the Slave Trade, Count Wetterstedt requested me to state in writing the nature of the wishes of His Majesty's Government with regard to the cases of traffic in British negroes which had lately taken place in the West India Possessions of Foreign Powers, and I have accordingly addressed a Note to His Excellency, of which I have the honour to inclose a copy, and I trust it may be found to embrace the various points on which His Majesty's Government are desirous for the co-operation of that of His Swedish Majesty.

I have, &c.

Viscount Palmerston, G.C.B.
&c. &c. &c.

(Signed) J. A. D. BLOOMFIELD.

Enclosure in No. 147.

Hon. J. Bloomfield to Count Wetterstedt.

MONSIEUR LE COMTE,

Stockholm, 28th December 1835.

I HAVE the honour, in pursuance of instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to beg your Excellency's attention to the recent discovery of a traffic in British slaves, which has been carrying on in the West India Possessions of Foreign Powers; and to request the cordial co-operation of the Swedish Government with that of His Majesty for preventing the evil complained of.

In order that your Excellency may be fully acquainted with the circumstances attending these discoveries, I have the honour to inform you that, in April 1834, an inquiry was instituted by the Admiral commanding the British naval forces in the West Indies, for the purpose of obtaining evidence on the subject of slaves belonging to British subjects resident in Anguilla, who had been removed by them (contrary to Act of Parliament) to St. Thomas's, where some were sold, others detained and used as slaves by their British owners, and others transferred to Porto Rico to be sold there.

In consequence of this, instructions were afterwards sent, directing the Governor of the Leeward Islands, in conjunction with the British Admiral, to take the most effective measures for bringing the offenders to justice, for reclaiming from the Authorities at St. Thomas's and Porto Rico such slaves as had been already removed and sold, and for suppressing any similar removals in future. It is to be feared, however, from the general result of the proceedings instituted in consequence of these instructions, that no effective security exists at present against similar compulsory removals of negroes hereafter, and that some of those already removed may not be recovered without difficulty and delay.

The Governors of St. Thomas's and Porto Rico have shown every disposition to give up to the British Authorities all who have been claimed, stipulating only for repayment to the Proprietors, in all cases in which the purchase has been legal, of the full value; but neither of these Governors seems to have given any satisfactory assurance, either that, in the case of all past purchases of this description, the payment of the just value shall be the only condition required, or that in future all similar purchases shall be held illegal.

In the absence of such assurance, it is to be apprehended that the owners of British negroes, now held in slavery in foreign islands, conceiving that they will not be compelled to give them up against their will, and counting on the anxiety of the British Government to recover them, may be tempted to ask exorbitant prices, and, moreover, that the ample prices already given may stimulate the persons engaged in this traffic to pursue it with increased activity.

I have the honour to inform your Excellency that His Majesty's Government do not think it unreasonable to allow full compensation for all slaves thus purchased previous to August 1, 1834, provided it be distinctly announced that the foreign owner of any slave, who shall prove to have been illegally transferred from a British Colony, shall, upon receiving his full and fair value, be compelled to give him up at once; and that this engagement shall hold good, whether the negro in question shall have been smuggled from the British Colony, or fraudulently passed at the Custom House as a domestic slave in attendance on the person of his owner, or whether he shall have passed directly into the hands of his present owner, or been transferred from owner to owner, or from Island to Island. His Majesty's Government think it desirable to insist upon this, because the Governor of Porto Rico is reported to have given it as his opinion that, "A negro, whose present owner can produce Documents of Purchase at St. Thomas's, Curaçoa, or other places allowing the exportation of slaves, cannot (although taken originally from a British island) be esteemed a British subject;" an opinion to which His Majesty's Government can by no means assent, since it cannot reasonably be allowed that the injured should continue to suffer because the person by whom the injury was done may have escaped.

In every such instance, therefore, the British Government expects the restitution of the slave on the same conditions as in other cases.

There is another important point on which I beg to engage your Excellency's particular attention, viz., the desire of His Majesty's Government to obtain assurances from the Swedish Government that all future transactions of this kind should be pronounced illegal. In support of the advantages likely to result from such an assurance, it may not perhaps be unnecessary to state to your Excellency the new position in which all British negroes now stand. Since the 1st of August 1834, the negroes of His Majesty's Colonies are free British subjects, and it is impossible for Great Britain to permit British subjects, whatever their colour may be, to be kidnapped into a foreign country, and there to be held in slavery. Whilst, therefore, His Majesty's Government cannot allow any subject of Great Britain to endure any such injury, it is further their opinion that no Foreign Power, in amity with Great Britain, ought directly or indirectly to countenance any similar proceedings.

Under these circumstances, His Majesty's Government consider that great benefit would result to the cause of humanity if the Swedish Government were to recognize the right of Great Britain to demand from those Swedish subjects, who might by possibility be implicated in this traffic, the gratuitous restitution of all British subjects so detained in slavery, and the punishment of those by whom they may have been wilfully deprived of their liberty.

In directing me to make this communication, the British Government rely on the readiness with which the Swedish Government have always been disposed to entertain suggestions which tended to the more effectual suppression of the traffic in slaves, for their cordial support and co-operation with them in the present instance in endeavouring to prevent this practice from being carried on henceforward.

I have the honour to recommend this subject to the early consideration of your Excellency, and avail myself, &c.

His Excellency, Count Wetterstedt.
&c. &c. &c.

(Signed) J. A. D. BLOOMFIELD.

No. 148.

The Hon. J. Bloomfield to Viscount Palmerston.—(Received Feb. 20, 1836.)

(Extract.)

MY LORD,

Stockholm, 29th January 1836.

IN my Despatch, dated 28th December 1835, I had the honour to enclose the Copy of a Note, which I addressed to Count Wetterstedt in fulfilment of your Lordship's instructions on the subject of some cases of traffic in British negroes which had lately taken place in the West India Possessions of Foreign Powers, and I have now the honour to state to your Lordship that Count Wetterstedt has expressed to me the readiness of His Swedish Majesty to meet, as far as lays in His power, the wishes of His Majesty's Government, by sending orders immediately to St. Bartholomew's, prohibiting the traffic in negroes complained of.

Your Lordship will learn with satisfaction, that this Government appears desirous to imitate the example of Great Britain in emancipating the slaves at St. Bartholomew's, but that they are obliged to proceed slowly and with great caution, on account of the expense which would follow a Declaration similar to the Act of Emancipation passed by the British Parliament.

Viscount Palmerston, G.C.B.
&c. &c. &c.

(Signed) J. A. D. BLOOMFIELD.

AUSTRIA.

No. 149.

Viscount Palmerston to the Hon. W. Fox Strangways.

SIR,

Foreign Office, 10th June 1835.

YOU will see from the accompanying Copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country for the extinction of the abominable Traffic in Slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Austrian Government, and earnestly to press upon them the immediate conclusion of the Negotiations with which you are charged on this subject.

I am, &c.

Hon. W. T. H. Fox Strangways, M. P., (Signed) PALMERSTON.
 &c. &c. &c.

No. 150.

The Hon. W. F. Strangways to Viscount Palmerston.—(Received July 14.)

MY LORD,

Vienna, 4th July 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 10th of June, covering a Copy of the Address of the House of Commons to His Majesty, and of the Answer which His Majesty was pleased to return to it, which I have communicated to the Austrian Government, in obedience to your Lordship's instructions.

I have, &c.,

Viscount Palmerston, G. C. B., (Signed) W. FOX STRANGWAYS.
 &c. &c. &c.

Nos. 151.

Viscount Palmerston to the Hon. H. E. Fox.

Foreign Office, 3d Sept. 1835.

[Sending Printed Papers on Slave Trade, as in No. 17.]

No. 152.

Viscount Palmerston to the Hon. H. E. Fox.

Foreign Office, 29th Oct. 1835.

[Sending Treaty with Spain, as in No. 47.]

No. 153.

Viscount Palmerston to M. Hummelauer.

Foreign Office, 6th February 1836.

THE Undersigned, &c., has the honour to state to M. de Hummelauer, &c., that in the course of last year His Majesty's Government expressed, through His Majesty's Embassy at Vienna, its earnest wish that Austria should accede to the Conventions which were concluded in 1831 and 1833, between Great Britain and France, for the more effectual suppression of the Slave Trade.

His Majesty's Government has learnt that the Austrian Government, in answer, expressed its willingness that the Austrian Minister at this Court should, in conjunction with the Prussian and Russian Ambassadors, confer with the French Ambassador, and with the Undersigned, for the purpose of making arrangements

for the accomplishment of the benevolent object which His Majesty's Government have in view.

The Undersigned, therefore, now requests to know whether M. de Hummelauer has received from his Court the authority and instructions necessary to enable him to enter upon the Negotiation in question.

M. de Hummelauer,
&c. &c. &c.

I have, &c.
 (Signed) PALMERSTON.

No. 154.

M. de Hummelauer to Viscount Palmerston.—(Received February 23.)

(Copy.)

Londres, 22de Fevrier 1836.

LE SOUSSIGNÉ Chargé d'Affaires de Sa Majesté Impériale et Royale Apostolique a reçu la Note que son Excellence Monsieur le Vicomte de Palmerston, Principal Secrétaire d'Etat dirigeant le Département des Affaires Etrangères de Sa Majesté Britannique, lui a fait l'honneur de lui adresser afin de demander au Soussigné s'il a reçu de sa Cour l'Autorisation et les Instructions nécessaires pour entrer en Negotiation uni aux Représentans des Cours de St. Petersbourg et de Berlin, avec leurs Excellences, le Principal Secrétaire d'Etat et l'Ambassadeur de France, dans le but de faire les arrangemens qui seront jugés les plus propres à conduire à l'extinction finale de la Traite des Noirs.

Le Soussigné regrette sincèrement de ne pas encore se trouver muni d'Autorisations formelles à prendre ensemble avec les Représentans de Russie et de Prusse, une part active à la Negotiation proposée dans le but de faire cesser un trafic aussi opposé aux principes d'humanité et qui est devenu un objet de juste sollicitude de la part de tous les Cabinets. N'ayant en même temps aucun motif de mettre en doute que les susdites Autorisations ne tarderont pas à lui arriver, et desirant de son côté ne point retarder la prise en considération de l'objet en question, il ne peut qu'abandonner à son Excellence Mons. le Principal Secrétaire d'Etat de Sa Majesté Britannique, ainsi qu'aux Représentans des autres Puissances intervenantes, de juger si en se bornant jusqu'à l'arrivée d'Autorisations formelles à rendre compte à sa Cour des idées qu'ils seront dans le cas d'échanger, sa présence à leurs délibérations pourrait obvier à l'inconvénient d'un retard. Il s'empresse d'ajouter qu'il a sans délai porté à la connoissance du Cabinet Impérial la demande que son Excellence Monsieur le Principal Secrétaire d'Etat vient de lui adresser.

Le Soussigné saisit cette occasion pour renouveler, &c.

(Signé) HUMMELAUER.

A Son Excellence Monsieur le Vicomte de Palmerston,
&c. &c. &c.

(Translation.)

London, 22d February 1836.

THE Undersigned, Charge d'Affaires of his Imperial and Royal Apostolic Majesty, has received the Note which his Excellency Viscount Palmerston, His Britannic Majesty's Principal Secretary of State for Foreign Affairs, has done him the honour to address to him, to inquire of the Undersigned whether he has received from his Court the Authority and Instructions necessary for entering, jointly with the Representatives of the Courts of St. Petersburg and Berlin, into Negotiation with their Excellencies the Principal Secretary of State and the Ambassador of France, for the purpose of making such arrangements as shall be deemed the most proper for bringing about the final extinction of the Slave Trade.

The Undersigned sincerely regrets that he is not yet provided with a formal Authority for taking an active part, jointly with the Representatives of Russia and Prussia, in the Negotiation proposed, with the view of extinguishing a traffic opposed to the principles of humanity, and become an object of just solicitude with all Cabinets. Having, however, no reason to doubt the speedy arrival of that Authority, and being desirous on his part not to delay the discussion of the object alluded to, he can only leave it to his Excellency the Principal Secretary of State of His Britannic Majesty, and to the Representatives of the other intervening Powers, to judge whether, whilst he is waiting for the said Authority from his Court, delay can be obviated by his attending the Conferences, and confining himself to reporting to his Court the communications which may be exchanged between the parties. He begs to add that he has lost no time in acquainting the Imperial Cabinet with the inquiry addressed to him by his Excellency the Principal Secretary of State.

The Undersigned avails himself, &c.

(Signed) HUMMELAUER.

His Excellency Viscount Palmerston,
&c. &c. &c.

PRUSSIA.

No. 155.

Viscount Palmerston to Mr. Abercrombie.

SIR,

Foreign Office, 10th June 1835.

You will see from the accompanying Copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country for the extinction of the abominable traffic in slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Prussian Government, and earnestly to press upon them the immediate conclusion of the Negotiations with which you are charged upon the subject.

I am, &c.

*R. Abercrombie, Esq.,
&c. &c. &c.*

(Signed) PALMERSTON.

No. 156.

Mr. Abercrombie to Viscount Palmerston.—(Received July 4.)

MY LORD,

Berlin, 23d June 1835.

I HAVE had the honour to receive your Lordship's Despatch of the 10th of June, transmitting to me, for communication to the Government of His Prussian Majesty, Copy of an Address to His Majesty from the House of Commons, together with a Copy of His Majesty's most gracious Answer thereto.

In compliance with the instructions contained in your Lordship's above-mentioned Despatch, I yesterday transmitted to his Excellency M. Ancillon a Copy of the Address, accompanied by a Note, in which I recalled to his Excellency's memory the various communications which had already been made to the Prussian Government, by desire of His Majesty, as well as the confident hopes which had been held out by M. Ancillon to Lord Minto that an arrangement might speedily be concluded, calculated to give effect to the provisions contained in the Conventions already signed by England and France.

This morning I called upon his Excellency for the purpose of enforcing more earnestly M. Ancillon's attention upon this subject. I informed him of the extreme anxiety which exists, both in the Parliament and Government of Great Britain, to see a commerce so repugnant to the feelings of humanity effectually put down and proved to him that as long as some arrangement was not made, permitting a control to be exercised over vessels navigating under Prussian colours, and suspected of participating in this odious traffic, it would be impossible effectually to execute the benevolent and humane intentions contemplated by the two Conventions passed between the Governments of England and France.

His Excellency, in reply, stated the sincere desire entertained by Prussia to see this lamentable commerce finally suppressed; but as regards the provisions of the Conventions to which Prussia is now invited to adhere, his Excellency renewed some of the arguments with which he had formerly opposed the proposition in question.

I answered his Excellency's observations by pointing out to him the modifications which had been introduced into the project of the Treaty on purpose to meet the King of Prussia's position and particular feelings on these points, and remarked that, as regarded the right of search, it was to be restricted specifically to the question of Slave Trade, that it could only be exercised on certain stations, and that it was also to be mutual.

M. Ancillon then alluded to a suggestion which had been thrown out by Lord Minto in the course of his interviews with his Lordship, which was, that, upon the communication to the Prussian Government of the names of the British Cruisers

to be employed for the prevention of the Slave Trade, a special authority should be granted to the Captains commanding those ships to exercise, in the name of the Prussian Government, the right of search on board such vessels as may be suspected of carrying on this Trade under the Prussian flag.

His Excellency remarked that this method appeared to afford great facilities towards overcoming the dislike felt by the Prussian Government to the question of the right of search over Prussian vessels being accorded to another Power, where hardly a possibility existed of exercising a similar right on the part of Prussia; and added that by adopting the expedient suggested by Lord Minto, His Britannic Majesty's Naval Officers would be able effectually to suppress any attempt fraudulently to employ the Prussian colours in this traffic, at the same time that they acted under an authority emanating directly from the Prussian Government.

I replied to M. Ancillon that I had not received from your Lordship any instructions upon that particular point; but that I would not fail immediately to communicate it to you, for the purpose of learning whether such an expedient would meet the views and approbation of His Majesty's Government. M. Ancillon informed me that the recent changes which had taken place in the Government of Prussia, in consequence of the death of M. Maassen, had impeded the progress of the Report which he expected to receive from the Ministers of Finance and Commerce, to whom the question had been referred, and upon whose Report M. Ancillon's Answer to His Majesty's Government would be based; but his Excellency promised me that he would lose no time in bringing the subject once more under the attention of his Colleagues, and of hastening the presentation of his official Answer.

I have the honour to transmit to your Lordship herewith a Copy of my Note to M. Ancillon, under date of yesterday.

I have, &c.

(Signed)

R. ABERCROMBIE.

The Right Hon. the Viscount Palmerston, G. C. B.

&c.

&c.

&c.

Enclosure in No. 156.

Mr. Abercrombie to M. Ancillon.

(Copy.)

Berlin, 22d June 1835.

THE undersigned, His Britannic Majesty's Charge d'Affaires, has the honour to transmit herewith a Copy of an Address from the Commons House of Parliament to the King on the subject of the Slave Trade, and also His Majesty's most gracious Answer to the same.

In transmitting to his Excellency the Minister for Foreign Affairs, the Documents herein enclosed, the Undersigned begs to recall to his Excellency's memory the various communications which were made during Lord Minto's residence at Berlin, by direction of His Majesty's Government, to the Cabinet of His Prussian Majesty upon this question, and the assurances which were held out of a speedy and satisfactory termination of an arrangement calculated effectually to put down a commerce so revolting to the feelings of humanity.

His Britannic Majesty's late Envoy at this Court transmitted, in the month of February, 1834, to his Excellency M. Ancillon, Copies of two Conventions concluded between His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French for the more effectual suppression of the Slave Trade; and, at the same time that His Britannic Majesty's Minister communicated these Documents, he fulfilled another part of the instructions which he had received, by inviting His Prussian Majesty to co-operate with England and France in giving full and complete execution to the provisions of these Conventions, and to accord his accession thereto by the signature of a formal Treaty to that effect with the contracting parties to the original Conventions.

In the month of September, 1834, Lord Minto communicated to his Excellency M. Ancillon a project of a Treaty which had been prepared with a view to meet the peculiar feelings and position of His Prussian Majesty upon some points which had formed matter of discussion; and his Excellency, in admitting the satisfactory nature of these modifications, expressed his conviction that no difficulty would arise to prevent the termination of a satisfactory arrangement.

At subsequent periods the Undersigned had the honour to receive from his Excellency M. Ancillon a confirmation of this opinion; but since the lamentable event which deprived the Prussian Government of the services of M. Maassen, to whom the question had been referred, no communication has been received by the undersigned in reply to the propositions which had been made on the part of the Cabinet of St. James to that of Berlin.

The undersigned has now the honour, in compliance with instructions which he has received from his Government, to point out to his Excellency M. Ancillon the unceasing and anxious desire of the Parliament and Government of Great Britain for the extinction of the abominable traffic in slaves; and the undersigned, in earnestly pressing upon the Government of His Prussian Majesty the immediate conclusion of the Negotiations upon this subject, entertains the confident hope (after the assurances already given by the Cabinet of Berlin) that his Excellency, the Minister for Foreign

Affairs will not hesitate to give his immediate attention to a Treaty involving the highest principles of humanity, the provisions of which are calculated so effectually to suppress this odious commerce.

The undersigned avails himself of the present opportunity to renew to his Excellency M. Ancillon the assurances of his highest consideration.

To his Excellency M. Ancillon,

&c. &c. &c.

(Signed)

R. ABERCROMBIE.

No. 157.

Viscount Palmerston to Mr. Abercrombie.

SIR,

Foreign Office, 9th July 1835.

I HAVE received your Despatch of the 23d of June 1835, detailing the progress of the Negotiation for the Treaty of Accession of the King of Prussia to the Conventions between Great Britain and France upon Slave Trade. It appears from your report that M. Ancillon had urged that the British Government should communicate to the Prussian Government the names of the British Cruisers to be employed for the prevention of the Slave Trade, and that in such cases the Prussian Government should grant a special authority to the Captains commanding those ships to exercise, in the name of the Prussian Government, the right of search of such vessels, under the Prussian flag, as might be suspected of carrying on this Trade. M. Ancillon is stated to have observed that such an arrangement would afford facilities for overcoming the dislike which was felt by the Prussian Government to conceding to another Power the right of search over Prussian vessels.

You will point out to M. Ancillon that the arrangement suggested by him is, in fact, exactly that which is provided for in the stipulations of the Convention between England and France, only that the stipulations of the Convention are reciprocal, and that his proposition is unilateral. He will see, on referring to that Convention, that no ships of war of either Power can search merchantmen under the flag of the other except by virtue of a written authority given them, for that especial purpose, by the Government of the Country whose merchant ship is to be searched.

As the point which I have adverted to was the only one on which the remarks of M. Ancillon appeared to you of sufficient weight to induce you to report them, I hope that there remained, at the close of your conference, no other essential point of difficulty on the subject, and that the Prussian Government will therefore be induced to consent to become a party to the humane Conventions in question.

I am, &c.

Mr. Abercrombie,
&c. &c. &c.

(Signed)

PALMERSTON.

No. 158.

Mr. Abercrombie to Viscount Palmerston.—(Received July 20.)

MY LORD,

Berlin, 15th July 1835.

I HAVE the honour to enclose herewith a Note which I have received from his Excellency M. Ancillon in answer to my communication to his Excellency under date of the 22d of June, 1835.

In this Note M. Ancillon renews the assurances already given of the sincere desire felt by the Prussian Government to assist in putting down the odious and inhuman traffic in slaves; but his Excellency again recurs to the difficulty of according to the Governments of England and France the right of search when so little probability exists of Prussia being able to exercise a reciprocal advantage.

Yesterday I called upon M. Ancillon, for the purpose of obtaining some explanations from his Excellency as to the manner in which he proposed to negotiate this question in London, as mentioned in the enclosed Note. His Excellency informed me that the Governments of Austria and Russia had returned similar answers to the communications made by His Majesty's Government, and had expressed also the desire that the Negotiations should be confided to the Representatives of the three Northern Powers in London, and to your Lordship and the French Ambassador.

His Excellency is of opinion that the modifications required could thus be more easily and speedily agreed upon than if the discussions were separately carried on at the Courts of those Countries whose accession to these Conventions it is the object of His Majesty's Government to obtain.

Should your Lordship consent, under these circumstances, to treat this subject in London, M. Ancillon informed me that, on being made acquainted with this determination, Baron Bulow would instantly receive instructions to communicate with your Lordship on this point.

I have the honour to be, &c.

(Signed)

R. ABERCROMBIE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 158.

M. Ancillon to Mr. Abercrombie.

(Translation.)

Berlin, 10th July 1835.

MR. ABERCROMBIE, Charge d'Affaires of His Britannic Majesty, in his Note addressed to the undersigned on the 22d ultimo, has reopened the question of the accession of the Court of Prussia to the Convention concluded in 1831 and 1833 between the Cabinets of St. James and of the Tuileries, for the abolition of the Slave Trade.

In the conversations which have taken place on the subject, first with Lord Minto, and afterwards with Mr. Abercrombie, the undersigned has made known how fully the Court of Prussia appreciates the efforts of the Cabinets of London and of Paris in this matter, the Slave Trade having been constantly considered by the Court of Berlin as a traffic which outrages at the same time religion, morality, justice, and humanity.

It is with this view that the undersigned does not hesitate to declare to Mr. Abercrombie that the Court of Prussia will endeavour, as much as lies in its power, and with the greatest earnestness, to attain the object which forms the basis of the Conventions above mentioned; but as Prussia possesses neither colonies nor a naval armament of any consequence, and as her commercial relations with those distant countries in which the Trade in Slaves is still carried on are very inconsiderable, there appears little probability that Prussian subjects would addict themselves to this infamous pursuit, the laws of the Kingdom having long since forbidden it, and denounced penalties against it, the Court does not consider itself in a position to treat the subject in question upon the basis admitted in the Conventions concluded between Great Britain and France: consideration must therefore first be had to the modifications with which a participation in these Conventions may take place.

It is for this purpose that the Court of Prussia has entered upon deliberations with those States which are essentially in the same position, and the undersigned must therefore delay giving a more decisive answer until these consultations shall have come to some result. In the mean time he would observe that, according to the opinion of the Cabinet of the King, this affair would be terminated more promptly, and in the fittest manner, if the Negotiations thereupon were intrusted to the Plenipotentiaries of those States, residing in London, who have already been charged therewith.

The Undersigned, &c.

(Signed)

ANCILLON

Mr. Abercrombie,

&c. &c.

No. 159.

Mr. Abercrombie to Viscount Palmerston.—(Received July 27.)

(Extract.)

MY LORD,

Berlin, 22d July 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, dated the 9th instant. In conformity to the instructions therein contained, I called on Monday last upon his Excellency M. Ancillon, for the purpose of again urging upon the Prussian Government the expediency of acceding to the two Conventions signed between England and France for the more effectual suppression of the odious and inhuman traffic in Slaves, and also more particularly to draw his Excellency's attention to the modifications contained in the project of the Prussian Accession with regard to the exercise of the right of search.

I availed myself also of this opportunity to point out to his Excellency the reservations contained in the 1st, 5th, and 6th Articles of the Convention signed between England and France on the 30th of November, 1831; that, by Article 1, the right of search was confined to certain waters only; that, by Article 5, warrants are to be granted in order to justify the exercise of the right of search; and, by Article 6, that these warrants must be produced by the Examining Officer before he can execute the right of search.

I explained also that, in addition to these Articles, the 3d Article of the Project of the Prussian Accession stipulated that the number of Prussian vessels to be employed for the suppression of the Slave Trade should be made known to England and France, in order that their Commanders might be furnished with the required warrants, and that the like communication should be made by England and France, to enable the issue of similar warrants on the part of the Prussian Government.

After enumerating to his Excellency these various stipulations, all of which were eminently calculated to meet the scruples entertained by the Prussian Government with regard to the concession of the right of search, I again expressed my hope that the Cabinet of Berlin, acknowledging as it did the generous and humane objects contemplated by the Conventions, would find in them sufficient guarantees as regarded the question of the right of search; and that His Prussian Majesty would therefore be disposed to afford that useful co-operation which would necessarily result from His Majesty's becoming a party to these Conventions.

It is, however, with much regret that I am forced to report to your Lordship that I found his Excellency little disposed to alter the opinion he had already formed, and which he had communicated to me in his Note of the 10th of July.

M. Ancillon also informed me that Baron Bulow had already been instructed to express to your Lordship his Excellency's opinion that this Negotiation would be more advantageously carried on at London than at Berlin, and that, should your Lordship consent to this proposal, the Prussian Minister would be immediately empowered to enter fully upon the discussion of those points which offered impediments to His Prussian Majesty's Accession to the Conventions of 1831 and 1833.

I have the honour to be, &c.

(Signed) R. ABERCROMBIE.

The Right Hon. Viscount Palmerston, G.C.B.,
 &c. &c. &c.

No. 160.

Viscount Palmerston to Mr. Abercrombie.

SIR,

Foreign Office, 27th July 1835.

I HAVE received your Despatch of the 15th instant, enclosing a Copy of a Note from M. Ancillon, in which that Minister expresses his opinion that the Negotiation for the Accession of the King of Prussia to the recent Conventions between Great Britain and France on Slave Trade could more promptly and conveniently be carried on and concluded in London.

You will state to M. Ancillon that His Majesty's Government can have no objection whatever to discuss this matter in London with the Prussian Minister; and you will add, that I shall be very glad that Baron Bulow should receive instructions from his Government accordingly.

R. Abercrombie, Esq.,
 &c. &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 161.

Mr. Abercrombie to Viscount Palmerston.—(Received August 12.)

(Extract.)

MY LORD,

Berlin, 5th August 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 27th July last.

I called this morning upon his Excellency Monsieur Ancillon, for the purpose of communicating to his Excellency your Lordship's consent that the Negotiations for the adhesion of Prussia to the two Conventions already signed between England and France, for the more effectual suppression of the Slave Trade, should be conducted in London.

Monsieur Ancillon expressed much satisfaction at this communication, and informed me that he should lose no time in furnishing Baron Bulow with the

necessary Instructions upon this subject, and with directions to communicate with his Austrian and Russian Colleagues upon the nature of these negotiations.

I have, &c.

Viscount Palmerston, G.C.B., (Signed) **R. ABERCROMBIE.**
 &c. &c. &c.

No. 162.

Viscount Palmerston to Sir R. Adair.

Foreign Office, 3d September 1835.

[Sending printed Papers on Slave Trade, as in No. 17.]

No. 163.

Sir R. Adair to Viscount Palmerston.—(Received October 13.)

(Extract.)

MY LORD,

Berlin, 7th October 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, dated 3d September 1835.

I have, &c.

Viscount Palmerston, G.C.B., (Signed) **ROBERT ADAIR.**
 &c. &c. &c.

No. 164.

Viscount Palmerston to Sir R. Adair.

Foreign Office, 29th October 1835.

[Sending Treaty with Spain, as in No. 47.]

No. 165.

Sir R. Adair to Viscount Palmerston.—(Received November 18.)

MY LORD,

Berlin, 11th November 1835.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 29th ultimo, transmitting two Copies of a Treaty which was concluded on the 28th June last, between His Majesty, and Her Majesty the Queen of Spain, having for its object the entire suppression of the Slave Trade of Spain.

I have, &c.

Viscount Palmerston, G.C.B., (Signed) **ROBERT ADAIR.**
 &c. &c. &c.

No. 166.

Viscount Palmerston to Baron Bulow.

Foreign Office, 6th February 1836.

THE Undersigned, &c., has the honour to state to Baron Bulow, &c., that in the course of 1834 and 1835 His Majesty's Government expressed, through His Majesty's mission at Berlin, its earnest wish that Prussia should accede to the Conventions which were concluded in 1831 and 1833, between Great Britain and France, for the more effectual suppression of the Slave Trade.

The Prussian Government, in answer, declared itself as anxious as His Majesty's Government could be to lend its aid towards the final extinction of a practice so abhorrent to the principles of humanity, and stated that it would be willing that the Prussian Minister at this Court should, in conjunction with the Austrian and Russian Ambassadors, confer with the French Ambassador and with the Undersigned for the purpose of making arrangements for the accomplishment of the benevolent object which His Majesty's Government have in view.

The Undersigned, therefore, now requests to know whether Baron Bulow has received from his Court the Authority and Instructions necessary to enable him to enter upon the Negotiation in question.

The Baron Bulow,
 &c. &c. &c.

(Signed) PALMERSTON.

No. 167.

From Baron Bulow to Viscount Palmerston.

Bryanstone Square, le 20 Fevrier 1836.

LE Soussigné, Envoyé Extraordinaire et Ministre Plenipotentiaire de Sa Majesté le Roi de Prusse, a reçu la Note que son Excellence Monsieur le Vicomte Palmerston, Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères, lui a fait l'honneur de lui adresser, afin de demander au Soussigné s'il a reçu de sa Cour l'Autorisation et les Instructions nécessaires pour entrer en Négociation, uni aux Représentans des Cours de Vienne et de St. Petersbourg, avec leurs Excellences le Principal Secrétaire d'Etat et l'Ambassadeur de France, dans le but de faire les arrangemens qui seront jugés les plus propres à conduire à l'extinction de la Traite des Noirs.

Le Soussigné est très-heureux de pouvoir déclarer en réponse à la demande qui lui est adressée, qu'il est formellement et duement autorisé à prendre part, ensemble avec les Représentans sus-dits d'Autriche et de Russie à la Négociation proposée, dans le but de faire cesser un trafic aussi opposé aux principes d'humanité, et contre lequel sa Cour s'est toujours prononcée depuis que la question est devenue un objet de juste sollicitude et d'attention de la part de tous les Cabinets.

Le Soussigné profite de cette occasion, &c.

(Signé) BULOW.

A son Excellence M. le Vicomte Palmerston,
 &c. &c. &c.

(Translation.)

Bryanstone Square, 20th February 1836.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Prussia, has received the Note which his Excellency Lord Palmerston has done him the honour to address to him, to inquire of the Undersigned whether he has received from his Court the Authorization and the Instructions necessary for entering, accompanied by the Representatives of the Courts of Vienna and St. Petersburg, into negotiation with their Excellencies the Principal Secretary of State and the Ambassador of France, for the purpose of making such arrangements as shall be deemed the most proper for bringing about the final extinction of the Slave Trade. The Undersigned is most happy in being able to declare, in reply to the inquiry addressed to him, that he is formally and duly authorized to take a part, along with their Excellencies the above-mentioned Representatives of Austria and Russia, in the Negotiation proposed, with the view of putting a stop to a traffic so opposed to the principles of humanity, and against which his Court has always raised its voice ever since the question has become an object of just solicitude and attention on the part of all Cabinets.

The Undersigned avails himself, &c.

(Signed) BULOW.

To his Excellency Viscount Palmerston,
 &c. &c. &c.

RUSSIA.

No. 168.

Viscount Palmerston to the Honourable John Bligh.

SIR,

Foreign Office, 10th June 1835.

You will see from the accompanying Copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country for the extinction of the abominable traffic in slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Russian Government, and earnestly to press upon them the immediate conclusion of the negotiations with which you are charged on this subject.

Hon. John Bligh,
&c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 169.

Hon. J. Bligh to Viscount Palmerston.—(Received July 10.)

MY LORD,

St. Petersburg, 1st July 1835.

I HAVE, according to the instructions conveyed to me in your Lordship's Despatch of the 10th ult., forwarded to Prince Lieven a Copy of the Address from the House of Commons to His Majesty on the subject of the Slave Trade, and of the Answer which His Majesty has been pleased to return to that Address, which reached me as Enclosures in that Despatch.

I at the same time addressed to Prince Lieven a Note, of which I have the honour to enclose a copy, urging his Highness to induce the Russian Government to overcome those objections which they felt last year to acceding to the Convention concluded by His Majesty and the King of the French for the more effectual suppression of the Slave Trade, after that serious consideration of your Lordship's arguments against further delay (communicated by me to Count Nesselrode last October) which his Excellency assured me on more than one occasion they were devoting to them:

Viscount Palmerston, K.B.
&c. &c.

I have, &c.
 (Signed) J. D. BLIGH.

Enclosure in No. 169.

Hon. J. Bligh to Prince Lieven.

MON PRINCE,

St. Petersburg, 18th (30th) June 1835.

I HAD the honour, in the month of October last, of communicating to Count Nesselrode the objections felt by His Majesty's Government to the proposal made by his Excellency, in his note of the 27th August, Old Style, that in order to gain the adhesion of the Russian Government to the Treaty signed by His Majesty and the King of the French, for the more effectual suppression of the slave trade, the subject should be jointly considered in London by the representatives of the five Powers who had acted together in this matter at Vienna, Aix-la-Chapelle, and Verona. Count Nesselrode informed me those objections should be taken into immediate and serious consideration, but I have hitherto remained without a reply from the Government of His Imperial Majesty.

Those objections were founded upon the opinion entertained by His Majesty's Government, that the reassembling in conference, for the purpose of "seeking out the most effectual means of preventing the slave trade, and of punishing those who engage in it," must be useless, when Count Nesselrode acknowledges, in the Note above alluded to, that the measure adopted by the French and British Governments would prove the most efficacious mode of effecting the object which he states His Imperial Majesty is anxious to obtain; it would in fact be retrograding in a case where two Governments more immediately interested have taken a most decisive step, and when it is to be supposed that all Governments would gladly waive points of form, in order to unite with them for the purpose of preventing all possibility, however remote, of their national flag being prostituted for the protection of a traffic abhorrent to humanity.

I have again been instructed to invite the Government of His Imperial Majesty to reconsider the objections detailed in Count Nesselrode's note of August 27th to the accession of His Imperial Majesty to the conventions by which the Governments of Great Britain and France have agreed upon measures which are calculated, if countenanced by other Powers, at once to put an end to the slave trade, and are, at the same time, "compatible with the rights of the respective Governments, and with the lawful interests of their subjects," and to endeavour to prevail upon the Russian Government to co-operate in the good work, by adhering to the conventions in question.

Your Highness must be well aware how strong the feeling upon this subject has long been in Great Britain, and will see by the accompanying copy of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to it, which I have been instructed to communicate to the Russian Government, the unceasing and anxious desire of the British Parliament and Government for the extinction of the traffic in slaves;—and I will take upon myself to affirm that nothing would tend more to increase the kind feeling of the British nation towards Russia than a prompt compliance on the part of the Russian Government with the request which, as instructed, I have now the honour of addressing to your Highness.

I avail myself of this opportunity, &c.

His Highness the Prince Lieven,
&c. &c. &c.

(Signed)

J. D. BLIGH.

No. 170.

Hon. J. Bligh to Viscount Palmerston.—(Received 24th July.)

MY LORD,

St. Petersburg, 11th July 1835.

I HAVE the honour to enclose herewith, for your Lordship's information, the copy of a note which I have this moment received from Prince Lieven, dated this day, in reply to the note of the 30th ult., enclosed in my Despatch of the 1st inst., which, in conformity with your Lordship's instructions, I addressed to the Russian Government, to induce them to accede to the Convention entered into between His Majesty's Government and that of France, for the purpose of completely putting an end to the traffic in slaves.

I have, &c.

(Signed)

J. D. BLIGH.

The Right Hon. Viscount Palmerston, K.B.
&c. &c. &c.

Enclosure in No. 170.

(Translation.)

Prince Lieven to the Hon. J. Bligh.

SIR,

Peterhof, 29th June 1835.

I HAVE received and lost no time in laying before the Emperor the letter which you did me the honour to address to me on the 14th of June, again expressing to the Imperial Cabinet the desire of your Government that Russia would become a party to the conventions concluded between England and France for the more effectual repression of the slave trade. You cannot doubt the warm interest with which the total and general abolition of the slave trade has at all times inspired the Imperial Cabinet. His Majesty has given a fresh proof of it by declaring, as you were informed by the Note of the Vice-Chancellor, dated the 27th August of last year, that he is prepared on his part to adhere in principle, and for a certain period, to the system of maritime surveillance already agreed upon between England and France, and of which the basis is a limited right of mutual search. These sentiments of the Emperor continue still the same, and I am happy to be able to assure you of it.

In regard to the mode of negotiation proposed by the Imperial Cabinet, the Government of His Britannic Majesty has thought proper to raise some objections to the proposed revival of the London Conference, which, at the request of the British Cabinet itself, was opened in 1815 for all deliberations relative to the slave trade. Without entering into the discussion of this point, I shall confine myself to the assurance that these objections have been taken into serious consideration. But as they relate to a subject with respect to which Russia has the same rights and the same obligations as Austria and Prussia, and as the proposal put forward in the said note of the 27th August concerns equally the Courts of Vienna and of Berlin, and was communicated to them at the time, it did not depend upon the Imperial Cabinet either to relinquish it, or to come to any ulterior determination in this affair until it had ascertained the intentions of its two Allies upon this subject. Fresh steps have been taken for calling upon them to make known to us the course which they may definitively think it right to adopt, and I am confident that this answer will soon enable the Imperial Cabinet to take up, conjointly with that of His Britannic Majesty, a negotiation, the object of which is so highly interesting to all civilized nations, and particularly to the British nation.

(Signed)

LIEVEN.

Mr. Bligh.

No. 171.

Hon. J. D. Bligh to Viscount Palmerston.—(Received August 25.)

MY LORD,

St. Petersburg, 15th August 1835.

I HAVE, on more than one occasion since the date of my last Despatch, marked Slave Trade, inquired from Prince Lieven whether he had received, from the Cabinets of Vienna and Berlin, answers to the communications sent from hence, in consequence of the proposition made by His Majesty's Government that the Russian Government should accede to the Convention, signed by His Majesty and the King of the French, for the more effectual suppression of the Slave Trade; and yesterday his Highness informed me that he had learnt that the Austrian and Prussian representatives in London had received instructions upon this matter, in consequence of applications which had been sent by His Majesty's Government to Vienna and Berlin, similar to that which, in obedience to my instructions, I have forwarded to the Russian Government; and his Highness added that to Count Pozzo di Borgo orders had been sent analogous to those given to his colleagues, which he hoped would lead to an understanding with His Majesty's Government upon a subject on which all agreed in principle, and only differed upon a point of form.

After such an admission from his Highness I urged him strongly not to stickle for forms upon such an occasion, and not to withhold the countenance of Russia from a measure so calculated to promote the objects of humanity as the Convention to which His Majesty so earnestly pressed the Emperor to adhere; but he repeated that the question was referred to London, and I could not get from his Highness any positive assurance that my suggestion would be attended to.

I have, &c.

(Signed) J. D. BLIGH.

The Right Hon. Viscount Palmerston, K.B.

&c. &c. &c.

No. 172.

*Viscount Palmerston to Hon. J. Bligh.**Foreign Office, 3d September 1835.*

[Sending Printed Papers on Slave Trade, as in No. 17.]

No. 173.

*Viscount Palmerston to Hon. J. Bligh.**Foreign Office, 29th October 1835.*

[Sending Treaty with Spain, as in No. 47.]

No. 174.

Viscount Palmerston to Earl of Durham.

MY LORD,

Foreign Office, 25th November 1835.

I HEREWITH transmit to your Excellency the copy of a letter and of its enclosures received at this office from the Colonial Department, giving accounts of the "*Cavallo Marino*," a vessel under Russian colours, supposed to be fitting out at Cadiz for the Slave Trade.

You will communicate to the Russian Government the substance of these papers, and you will point out to that Government the proof which they afford of the necessity for a mutual right of search with respect to the Russian Flag, in order to prevent the traffic in slaves.

Without such right of search the Russian Flag may be prostituted to give impunity to persons, not Russian subjects, for offences to which the benevolent principles of the Emperor of Russia are utterly adverse.

I am, &c.

His Excellency the Earl of Durham.

(Signed) PALMERSTON.

For Enclosure, see No. 23.

No. 175.

Earl of Durham to Viscount Palmerston.—(Received 2d Jan. 1836.)

(Extract.)

MY LORD,

St. Petersburg, 15th December 1835.

IN pursuance of your directions contained in the Despatch, marked Slave Trade, of the 25th November last, I yesterday had an interview with Count Nesselrode on the subject to which it refers.

His Excellency will immediately direct the Russian Consul at Cadiz to order the owner of the "*Cavallo Marino*" to take down the Russian flag if he is not a Russian subject, and will further inform him that, if he persists in hoisting it, he will receive no protection from the Russian Government in the event of his being captured.

With regard to the general question, Count Nesselrode repeated his declaration of willingness to conclude a convention in conjunction with Austria and Prussia, but not separately from those States. He said that he understood that the representatives of those two countries in England had been furnished with full powers to treat, as had Count Pozzo di Borgo.

I have, &c.

(Signed) DURHAM.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 176.

Earl of Durham to Viscount Palmerston.

MY LORD,

St. Petersburg, 19th December 1835.

I HAVE received from Count Nesselrode the enclosed circular to the Russian Consuls, on the subject of the Slave Trade, which I lose no time in transmitting to you.

It appears to me that, with regard to the special case, the Russian Government has done all that we could expect or require. I believe, also, that the settlement of the general question may be readily arranged with them.

I have, &c.

(Signed) DURHAM.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

Enclosure in No. 176.

Circular addressed to the Consuls-General, Consuls, and other Consular Agents of Russia, in all Foreign Ports.

(Translation.)

THE Imperial Government has been informed that a vessel, the "*Cavallo Marino*," Captain Giovanni di Giorgio, which arrived at Cadiz under the Russian flag, and which was still at anchor there in October last, has been sold to Pedro Felipe Campo, a Spaniard; and that this individual, from having already been convicted of engaging in the African slave trade, is strongly suspected of an intention to employ that vessel in an enterprise of a similar nature, and to despatch her for this purpose under our commercial flag. Should this fact be confirmed, it would be a manifest violation of the law of nations, which the Imperial Ministry cannot too promptly point out to all the Consular Agents of the Emperor in foreign ports.

In order to prevent the employment of the Russian flag as a cover to a traffic reprobated by the laws of humanity, actually proscribed by all civilized nations, and which the legislature of the empire has never authorized and can never tolerate, you will have the goodness to promulgate in the ports of your district a notification, drawn up in nearly the following terms:—

"The Imperial Government, having reason to suspect that persons who, setting at nought the laws of their country, still engage in the African slave trade, have the intention of hoisting the Russian flag, in order to secure their criminal speculations from interruption by the Powers who have agreed among each other upon a reciprocal right of search and seizure in cases of infraction of the laws against the slave trade, the Consulate has had orders to notify by these presents to the owners and captains of ships, that no one has the right of hoisting the flag of the Russian commercial navy, without he has received the authority of the Imperial Government for it; that this authority must be authenticated by a patent in good and due form, and that it is not granted except on the conditions which the laws of the empire have prescribed; in a word, that all infraction of this rule, and all illicit employment of the Russian flag, will be considered as a fraud, and will expose him who shall render himself guilty of it to the consequences of his illegal act; and, above all, a negro vessel sailing under the Russian flag, and detained by any cruiser whatsoever, can in no case appeal to the flag by which she has covered herself, with the view of invoking the protection of the

Imperial Government, and of thus withdrawing herself from the just penalty which she shall have incurred."

You will have the goodness, Sir, to report to the Imperial Ministry the execution of the orders which you herewith receive.

On this occasion I think it right to remind the Consular Agents, of the obligation imposed on them by their general instructions to keep a watchful eye on the expeditions which are undertaken, in the ports of their district, on board of vessels either belonging to, or freighted for account of, Russian subjects; to take particular notice of the sale of Russian ships, especially when the purchaser is a foreigner; and to take care, with the view of preventing every abuse, to demand and transmit to St. Petersburg the papers which attest the nationality of the vessel sold.

Sections 16 to 23 of the General Instructions are explicit in this respect.

No. 177.

Viscount Palmerston to the Earl of Durham.

MY LORD,

Foreign Office, 19th January 1836.

I HAVE received and laid before the King your Excellency's Despatches, marked "Slave Trade," of the 15th of December and of the 19th of December 1835.

I have to instruct your Excellency to express to the Russian Minister the acknowledgments of His Majesty's Government for the readiness with which on this occasion measures have been taken by the Government of His Imperial Majesty, to prevent the abuse of the Flag of Russia by persons engaged in the illicit traffic in slaves.

I have, &c.

His Excellency the Earl of Durham.

(Signed) PALMERSTON.

No. 178.

Viscount Palmerston to Count Pozzo di Borgo.

(Copy.)

Foreign Office, 6th February 1836.

THE Undersigned, &c., has the honour to state to His Excellency Count Pozzo di Borgo, &c., that in the course of last year His Majesty's Government expressed through His Majesty's Embassy at St. Petersburg its earnest wish that Russia should accede to the Conventions which were concluded in 1831 and 1833, between Great Britain and France, for the more effectual suppression of the Slave Trade.

The Russian Government, in answer, declined to comply with this request, but, at the same time, declaring itself as anxious as His Majesty's Government could be to lend its aid towards the final extinction of a practice so abhorrent to the principles of humanity, stated that it would be willing that the Russian Ambassador at this Court should, in conjunction with the Austrian and Prussian Ministers, confer with the French Ambassador, and with the Undersigned, for the purpose of making arrangements for the accomplishment of the benevolent object which His Majesty's Government have in view.

The Undersigned therefore now requests to know whether his Excellency Count Pozzo di Borgo has received from his Court the authority and instructions necessary to enable him to enter upon the negotiation in question.

The Undersigned avails, &c.

(Signed) PALMERSTON.

His Excellency Count Pozzo di Borgo,
 &c. &c. &c.

No. 179.

Count Pozzo di Borgo to Viscount Palmerston.—(Received February 23.)

Londres, le 21 Fevrier 1836.

LE Soussigné, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté l'Empereur de toutes les Russies, a reçu la Note que son Excellence Lord Palmerston, Principal Secrétaire d'Etat pour les Affaires Etrangères, lui a fait l'honneur de lui adresser, afin de demander au Soussigné s'il a reçu de sa Cour l'Autorisation et les Instructions nécessaires pour entrer en Négociation, uni aux Représentans des Cours de Vienne et de Berlin, avec leur Excellences le Principal

Secrétaire d'Etat et l'Ambassadeur de France, dans le but de faire les arrangemens qui seront jugés les plus propres à conduire à l'extinction finale de la Traite des Noirs. Le Soussigné est très heureux de pouvoir déclarer, en reponse à la demande qui lui est adressée, qu'il est formellement et duement autorisé à prendre part, ensemble avec leur Excellences les Représentans susdits d'Autriche et de Prusse, à la Négociation proposée dans le but de faire cesser un trafic aussi opposé aux principes d'humanité, et contre lequel sa Cour s'est toujours prononcée depuis que la question est devenue un objet de juste sollicitude et d'attention de la part de tous les Cabinets.

Le Soussigné profite de cette occasion, &c.

(Signé)

POZZO DI BORGO.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

(Translation.)

London, 21st February 1836.

THE Undersigned, Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of all the Russias, has received the Note which his Excellency Lord Palmerston, Principal Secretary of State for Foreign Affairs, has done him the honour to address to him, to inquire of the Undersigned whether he has received from his Court the Authority and Instructions necessary for entering, accompanied by the Representatives of the Courts of Vienna and Berlin, into Negotiation with their Excellencies the Principal Secretary of State and the Ambassador of France, for the purpose of making such arrangements as shall be deemed the most proper for bringing about the final extinction of the Slave Trade. The Undersigned is most happy in being able to declare, in reply to the inquiry addressed to him, that he is formally and duly authorized to take a part, jointly with their Excellencies the above-mentioned Representatives of Austria and Prussia, in the negotiation proposed with the view of putting a stop to a traffic so opposed to the principles of humanity, and against which his Court has always raised its voice ever since the question has become an object of just solicitude and attention on the part of all the Cabinets.

The Undersigned avails himself, &c.

(Signed)

POZZO DI BORGO.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 180.

Earl of Durham to Viscount Palmerston.

MY LORD,

S: Petersburg, 6th February 1836.

IN compliance with your Lordship's instructions, I apprized Count Nesselrode of the satisfaction with which His Majesty's Government had received the communication of the steps taken by his Excellency with reference to the Slave Trade.

Count Nesselrode seemed much pleased, and requested a Copy of your Lordship's Despatch, for the purpose of laying it before the Emperor.

I have, &c.

(Signed)

DURHAM.

The Right Hon. Viscount Palmerston, K.B.
&c. &c. &c.

TWO SICILIES.

No. 181.

Lord Palmerston to the Honourable William Temple.

SIR,

Foreign Office, 10th June 1835.

You will see from the accompanying Copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country for the extinction of the abominable Traffic in Slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Neapolitan Government, and earnestly to press upon them the immediate conclusion of the negotiations with which you are charged on this subject.

I have, &c.

Hon. William Temple.

PALMERSTON.

No. 182.

Viscount Palmerston to the Hon. W. Temple.

Foreign Office, 3d September 1835.

[Sending Printed Papers on Slave Trade, as in No. 17.]

No. 183.

Viscount Palmerston to Hon. W. Temple.

Foreign Office, 29th October 1835.

[Sending Treaty with Spain, as in No. 47.]

HANSE TOWNS.

No. 184.

Viscount Palmerston to Henry Canning, Esq.

SIR,

Foreign Office, 27th February 1836.

I HEREWITH transmit to you the Copies of a Convention which was concluded on the 30th November 1831, and of a Supplementary Convention which was concluded on the 22d of March 1833, between His Majesty and the King of the French, for the more effectual suppression of the Traffic in Slaves.

By the Ninth Article of the first-mentioned Convention, the Contracting Parties agree to invite the accession of the other Maritime Powers; and I accordingly send to you the Draft of a Note which, in concert with the French official agent at Hamburg, you will present to the Authorities of the Hanse Towns, for the purpose of inviting the Governments of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, to accede to the above-mentioned Conventions.

The Governments of Great Britain and France confidently hope that the answer which will be returned to this Communication, will announce the readiness of the Hanseatic Cities to accede to the Conventions in question.

Henry Canning, Esq.

I have, &c.
(Signed) PALMERSTON.

Enclosure in No. 184.

Note to be presented to the Governments of the Hanseatic Cities, Lubeck, Bremen, and Hamburg.
(Draft.)

THE Undersigned, &c. has received orders from his Government to make the following communications to, &c. :—

Two Conventions, one of them principal, the other supplementary, both of which have for their object the more effectual suppression of the Slave Trade, were concluded, the one on the 30th of November 1831, and the other on the 22d of March 1833, between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French.

By Article Ninth of the principal Convention, the two High Contracting Parties stipulated that they would, in concert, invite the accession of other Maritime Powers, within as short a period as possible.

In consequence of this stipulation, the Undersigned has been directed to transmit, for the information of _____, the accompanying Copies of the two Conventions above-mentioned, as well as of the several Documents annexed to them, and to invite _____, in the name of His Majesty the King of the United Kingdom of Great Britain and Ireland, to accord _____ accession thereto, by the execution of a formal Treaty to that effect with the Contracting Parties to the original Conventions.

(Signed) PALMERSTON.

BUENOS AYRES.

No. 185.

Viscount Palmerston to Hamilton Hamilton, Esq.

SIR,

Foreign Office, 10th June 1835.

You will see, from the accompanying Copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country for the extinction of the abominable traffic in slaves. I am commanded by His Majesty to instruct you to communicate these Papers to the Government of the United Provinces of the Rio de la Plata, and earnestly to press upon them the immediate conclusion of the negotiations with which you are charged on this subject.

(Signed) PALMERSTON.

No. 186.

Viscount Palmerston to Mr. Hamilton.

Foreign Office, 3d September 1835.

[Sending Papers, as in No. 17.]

No. 187.

Viscount Palmerston to Mr. Hamilton.

Foreign Office, 29th October 1835.

[Sending Treaty with Spain, as in No. 47.]

No. 188.

Hamilton Hamilton, Esq., to Viscount Palmerston.—(Received Dec. 20, 1835.)

MY LORD,

Buenos Ayres, 19th September 1835.

ON an early day after the departure of the last packet, I addressed to the Minister of Foreign Affairs a Note, of which the enclosed is a Copy, respecting the Treaty for the abolition of the Slave Trade, which I have been instructed to negotiate with the Argentine Republic. No answer having been returned, notwithstanding several verbal representations on my part, when the "Cockatrice" packet arrived yesterday with your Lordship's "Slave Trade" Despatch of the 10th of June last, I sent in immediately the second Note, herewith enclosed. And this evening I have, in consequence, received the two Notes, translations of which are also enclosed.

So far as the answer affords any data for forming a judgment, the spirit of the Government seems favourable to the negotiation; and I shall do all in my power to turn that spirit to account, and to bring the negotiation to a speedy and auspicious issue.

I have, &c.,

(Signed)

HAMILTON HAMILTON.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 188.

(Copy.)

Hamilton Hamilton, Esq., to Don Felipe de Arana.

SIR,

Buenos Ayres, 22d August 1835.

By Article 14 of the Treaty of Amity, Commerce, and Navigation, between His Britannic Majesty and the United Provinces of Rio de la Plata, of the 2d of February 1825, the said United Provinces engaged to co-operate with His Majesty for the completion of the beneficent work of abolishing the Slave Trade; and to prohibit all persons inhabiting within the said United Provinces, or subject to their jurisdiction, in the most effectual manner, and by the most solemn laws, from taking any share in such trade.

Deferring to this reciprocal engagement on the part of the two Contracting Powers, His Britannic Majesty has been graciously pleased to confide to the Undersigned, His Minister Plenipotentiary to the Argentine Federation, full powers to negotiate with that Republic a Convention, having the entire abolition of the said Traffic in Slaves for its specific object; and to place in his hands the Draft of a Treaty calculated to embrace all those detailed stipulations which experience has shown to be necessary, in order to prevent the subjects and citizens of the Contracting Parties to the Treaty from engaging in any way whatever in the Trade, and the flag of either party from being used with impunity for the purpose of covering and protecting undertakings contrary to the spirit of these stipulations.

The Undersigned acts in conformity to the instructions for that purpose which he has received from the Government of the King, his Master, in making this notification to the Government of the Province of Buenos Ayres, charged with the direction of the Foreign Relations of the Republic, and in requesting the Minister Secretary of that Department to take the pleasure of his Excellency the Governor on the subject; and he discharges this duty with the full and sincere conviction, that, in the enlightened spirit by which it is now animated and directed, the Government will hasten to afford to the civilized world a conspicuous proof of the good faith with which the United Provinces are prepared to carry into practice the principles which they professed in 1825, when those compacts were entered into which, from that period, have subsisted so auspiciously between them and the King his Sovereign.

His Excellency Don Felipe de Arana,
&c. &c. &c.

The Undersigned, &c.
(Signed)

H. HAMILTON.

Second Enclosure in No. 188.

(Copy.)

Hamilton Hamilton, Esq., to Don Felipe de Arana.

SIR,

18th September 1835.

ON the 22d ult. the Undersigned had the honour to address to the Minister of Foreign Affairs a Note, by which he announced to his Excellency his being instructed and empowered by His Britannic Majesty's Government to propose to that of Buenos Ayres a Treaty, based on the 14th Article of the Treaty of Amity subsisting between the Argentine Republic and Great Britain, to effect the entire abolition of the Slave Trade; and in which he requested that he would be pleased to take the decision of his Excellency the Governor on the subject.

A month having nearly elapsed without an answer being returned, it becomes the duty of the Undersigned to recall the Communication in question to the recollection of Don Felipe de Arana, and to express a wish that he may be enabled to make known to His Majesty's Government the intentions of the Government of Buenos Ayres, by the return of the packet which has just arrived. But this duty is so much the more incumbent on him now, as he has received by this packet further important Instructions on the subject,—Instructions, in virtue of which he has the honour to communicate to the Buenos Ayrean Government the accompanying copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, showing the unceasing and anxious desire of the Parliament and Government of the country, for the extinction of the abominable traffic; and furthermore, again to press, as he thus does most urgently, upon this Government, the immediate conclusion of the negotiations with which he is charged on the subject.

His Excellency Don Felipe de Arana,
&c. &c. &c.

The Undersigned, &c.
(Signed)

HAMILTON HAMILTON.

Third Enclosure in No. 188.

(Translation.)

*Don Felipe de Arana to Hamilton Hamilton, Esq.**Buenos Ayres, 19th September 1835.*

HIS EXCELLENCY THE MINISTER PLENIPOTENTIARY OF HIS BRITANNIC MAJESTY,

THE Undersigned, Minister of Foreign Relations, has received the Note of to-day's date addressed to him by his Excellency the Minister Plenipotentiary of His Britannic Majesty, expressive of his wish to receive an answer to that which he sent in on the 22d of last month, announcing that he was instructed by his Government to conclude with that of this Republic a Convention having for its object the abolition of the Slave Trade, and the printed Copy, by which it was accompanied, of the Petition of the House of Commons to the King on the same subject, and of His Majesty's Answer.

The weighty and important objects which on all sides occupy the attention of the Government have prevented it from giving to this affair that particular consideration which it desired to do, and which the importance of the affair demands. The Undersigned, however, diverting for a moment his attention from those objects, has the honour to acquaint his Excellency the Minister Plenipotentiary, whom he is addressing, that the Government, impelled by the same feelings which animate His Britannic Majesty on this affair, has taken that resolution which the Undersigned has the satisfaction to communicate to him in another Note of this date.

His Excellency the Minister Plenipotentiary
of His Britannic Majesty.

God guard, &c.
(Signed)

FELIPE DE ARANA.

Fourth Enclosure in No. 188.

(Translation.)

Buenos Ayres, 19th September 1835.

HIS EXCELLENCY THE MINISTER PLENIPOTENTIARY OF HIS BRITANNIC MAJESTY,

THE Undersigned, Minister of Foreign Relations, has received and laid before his Excellency the Governor and Captain-General of the Province the Note of the 22d ult., in which his Excellency the Minister Plenipotentiary of His Britannic Majesty, Mr. Hamilton Hamilton—after observing that his Government had, in virtue of the 14th Article of the Treaty of Amity, Commerce, and Navigation, concluded the 2d February, 1825, engaged to co-operate with that of the Argentine Republic for the completion of the beneficent work of abolishing the Slave Trade, and to prohibit all persons inhabiting within their respective countries, or who should be subject to their jurisdiction, in the most effectual manner, and by the most solemn laws, from taking any part in such traffic—declares, that in consequence of their reciprocal engagement he has received full powers from His Majesty to negotiate with this Republic a Convention, having the entire abolition of the traffic in slaves for its specific object; and to place in the hands of his Excellency the Governor and Captain-General of the Province the Draft of a Treaty, calculated to embrace all those detailed stipulations which experience has shown to be necessary in order to prevent the subjects and citizens comprehended in the Treaty, from engaging in any way whatever in the trade; and the flag of either party from being used with impunity for the purpose of covering and protecting undertakings contrary to the spirit of these stipulations.

In answering, by order of his Excellency the Governor, the aforesaid Note, the Undersigned is truly gratified by the flattering testimony which the Minister of His Britannic Majesty has offered therein, declaring the full and sincere conviction which he entertains of the sentiments of the Government, and that it will always feel disposed to afford conspicuous proofs of the good faith with which the Provinces of the Argentine Confederation will carry into effect the principles which they professed in 1825; and with this feeling his Excellency the Governor, satisfied of a perfect reciprocity on the part of His Britannic Majesty, is ready to take into consideration the Draft of the Treaty which the Minister has said he will present on the Slave Trade, in the persuasion that at the same time suitable explanations will be given on different Articles of the said Treaty for the true understanding of it, and in order to remove all doubt as to its most exact completion.

God guard, &c.

(Signed) FELIPE DE ARANA.

No. 189.

Viscount Palmerston to J. H. Mandeville, Esq.

SIR,

Foreign Office, 10th February 1836.

You will find in the Archives of the mission at Buenos Ayres, Instructions, which were addressed to Mr. Hamilton with a view to the conclusion of treaties with Buenos Ayres and Monte Video, for the more effectual suppression of the traffic in slaves; and you will consider those Instructions as addressed to yourself. His Majesty's Government have deeply at heart the suppression of this traffic, and you will let pass no opportunity, and omit no efforts, which may afford you a chance of concluding the Conventions in question. You will, of course, report to me your proceedings under this Instruction.

I am, &c.,

(Signed) PALMERSTON.

No. 190.

Hamilton Hamilton, Esq., to Viscount Palmerston.—(Received Feb. 17, 1836.)

MY LORD,

Buenos Ayres, 15th November 1835.

IT has already been explained to your Lordship that the Governor of this Province himself enters into all the details of the Administration. One very natural result of this is, heavy arrears of business, and constant delays in very many of its departments; so that in my transactions with the Government, I have almost invariably to address a second Note before I can receive the answer or even the acknowledgment which is due to my first.

These delays have proved most frequent while I have been urging the Government to open the negotiations for the Slave Trade Convention; and it was only yesterday that I was able, by dint of almost daily solicitation, to accomplish the preliminary meeting. That, however, has taken place.

Our powers being duly exchanged, I placed immediately in the hands of his Excellency the project of the Convention; but as, taken with its annexes, it is voluminous, and the translation is yet to be made, I can hardly expect, knowing, by experience, the dilatory march of everything in this Government, that, with my

most strenuous endeavours, any further advance will be made in the negotiation previously to the departure of the December mail.

The Chevalier de Lisboa, the Brazilian Chargé d'Affaires, has also recently proposed to this Government a Convention with the Imperial Government for the abolition of this odious traffic. To his verbal communication on the subject a very satisfactory answer was made; but none has yet been received to the official Note he sent in to the Foreign Department subsequently.

I have, &c.,

(Signed)

HAMILTON HAMILTON.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

MONTE VIDEO.

No. 191.

Thomas S. Hood, Esq. to Viscount Palmerston.

MY LORD,

Monte Video, 28th August 1834.

IN the latter part of July, the schooner "*Mosca*" and brig "*Fortunes of Africa*," under the Portuguese flag, distinguished as the colours of Doña Maria Queen of Portugal, arrived in this port to refit, after having landed their cargoes of slaves on the coast of Brazil.

The Master of the "*Mosca*" did not think it necessary here to deny that he had carried a cargo of slaves from Angola to the Island of San Sebastian; but the Master of the "*Fortunes of Africa*," who also sailed from Angola and landed her slaves in Brazil, having no other cargo on board than the large water-casks and other apparatus requisite in the Slave Trade, entered his vessel as having sailed from Angola for Mosambique in ballast, and put into Monte Video for refreshments.

Both of these vessels, as well as the schooner "*Porfia*," also under Portuguese colours, have, within a few days back, sailed for Rio de Janeiro.

I am informed by good authority that the slave-dealers, confiding in the circumstance, as it is represented, of the Slave Mixed Commission at Rio de Janeiro having recently declined, as in the case of the "*Maria da Gloria*," to take cognizance of Portuguese vessels carrying slaves from places south of the Equator to Brazil, have adopted a new course of trade, by taking advantage of this supposed weak or unprovided point, which, however, seems to me as being sufficiently provided for by the 4th Section of the 1st Article of the Convention between Great Britain and Portugal, dated the 28th July 1817. This is effected by a fictitious sale of the vessel at one of the Portuguese settlements on the coast of Africa, and under that flag they clear for Monte Video, but land their slaves on the coast of Brazil, when they repair in ballast to this place to refit, and, either with a small cargo as a cover to their proceedings, or in ballast, they proceed to Rio de Janeiro, where the owners generally reside, to procure the articles of merchandize requisite for the Slave Trade, and arrange where the delivery of the next cargo is to be made.

I have, &c.,

(Signed)

THOMAS S. HOOD.

The Right Hon. Viscount Palmerston, G. C. B.

&c. &c. &c.

No. 192.

Hamilton Hamilton, Esq. to Viscount Palmerston.

MY LORD,

Buenos Ayres, 17th November 1834.

I HAD the honour to receive on the 14th instant, by His Majesty's packet "*Hornet*," your Lordship's Despatches on the Slave Trade, with their respective Enclosures.

I hope to be able to proceed to Monte Video at the end of next week. On my arrival there I shall enter with all promptitude on the execution of the commands which His Majesty has been graciously pleased to intimate to me through your Lordship, to negotiate a Treaty for the suppression of the Slave Trade with the Government of the Oriental Republic of the Uruguay.

To the commands of his Majesty regarding the negotiation of a Treaty for the suppression of the traffic in slaves with the United Provinces of Rio de la Plata I shall not fail to attend also immediately on my return hither from Monte Video.

I have, &c.

(Signed)

HAMILTON HAMILTON.

The Right Hon. Viscount Palmerston, G. C. B.

&c. &c. &c.

No. 193.

The Duke of Wellington to Hamilton Hamilton, Esq.

SIR,

Foreign Office, 4th March 1835.

I HAVE received your Despatch, marked "Slave Trade," of Nov. 17, 1834.

I send to you herewith Copies of Communications from His Majesty's Envoy* and Commissioners † at Rio de Janeiro, that you may be aware of what is going on upon the subject of Slave Trade under the Monte-Videan flag.

It appears from the accompanying Papers that the vessel the "*Rio de la Plata*," furnished with papers as a Monte-Videan vessel, and provided with a licence from the Monte-Videan Government to transport black Colonists from Africa to the Uruguay, was met with by His Majesty's sloop "*Raleigh*," Captain Quin, in latitude 20° 58' South, longitude 17° 49' West, bearing the Monte-Videan flag, with a cargo of five hundred and twenty-one slaves on board. Circumstances exist which give rise to a suspicion that Brazilian subjects were concerned in this adventure, and under that suspicion the vessel has been taken to Rio de Janeiro for adjudication. But the flag of Monte Video, and the authority of that Republic, have apparently been used for purposes directly adverse to the principles, if not the letter, of the 131st Article of the Constitution of Monte Video, which declared that all traffic in slaves by the citizens of that Republic should be deemed unlawful after the 10th of September 1829.

I hope that previously to the receipt by you of this Communication the Monte-Videan Government will have concluded with you a Treaty for the effectual suppression of the trade in slaves carried on under cover of the flag or of the authority, or by means, of the subjects or of the property of Monte Video.

If such a Treaty shall not have been definitively concluded before this Despatch shall reach you, you will use your utmost endeavours to procure a Provisional Order, by which attempts at evasion of the principles of the Constitution of Monte Video, similar to that evinced in this case, shall be checked or prevented, until some compact embracing the object permanently and more effectually shall be mutually contracted between Great Britain and MonteVideo.

I am, &c.

(Signed)

WELLINGTON.

Hamilton Hamilton, Esq.

* Mr. Fox, Dec. 23, 1834.

† Rio Commissioners, Dec. 23, 1834.

No. 194.

Thomas S. Hood, Esq., to Viscount Palmerston.

MY LORD,

Monte Video, 25th December 1834.

IN support of an opinion advanced in my Despatch, of the 28th of August last, I now enclose a List of all the slavers that have arrived at or sailed from Monte Video direct, to or from the Coast of Africa, between the 1st of July and this date, whereby your Lordship will perceive that this traffic commences principally at Rio de Janeiro, from whence the vessels depart with all the requisites for slave-dealing to a part of Africa, and, having received there their cargo of slaves, they then take out clearances as if in ballast bound to any remote port, but generally that of Monte Video; and after landing their slaves on the coast of Brazil, or of this Republic, they come in here with their ballast clearances, where they refit, and sail again in ballast for Rio de Janeiro to renew the operation.

I have, &c.,

(Signed)

THOMAS SAMUEL HOOD.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 194.

A List of Vessels employed in the Slave Trade which have entered the Port of Monte Video with Clearances from Ports or Places on the Coast of Africa, together with a List of such Vessels as have sailed direct for the same Destination between the 1st of July and 25th December 1834.

ARRIVED.					
Date.	Name of Vessel	From.	Cargo.	Flag.	Remarks.
July 21	Mosca	Angola	Ballast	Portugal	} These three vessels refitted, and took out clearances in ballast for Rio de Janeiro.
Aug. 5	Fortuna de Africa	Ditto	Ditto	Ditto	
Sept. 30	Josefa	Loanda	Ditto	Ditto	
Nov. 4	Pensamiento Feliz	Angola	Ditto	Ditto	} These are in port, refitting.
Dec. 11	Jupiter	Ditto	Ditto	Ditto	
„ 12	Diligencia	Ditto	Ditto	Ditto	
„ 21	Ligera	Loanda	Ditto	Ditto	
SAILED.					
Aug. 16	Esperanza Oriental	Madagascar	Ballast	MonteVideo	

THOMAS SAMUEL HOOD.

No. 195.

Hamilton Hamilton, Esq., to Viscount Palmerston.—(Received April 10.)

MY LORD,

Monte Video, 25th January 1835.

I HAVE the honour to transmit to your Lordship Copy of a Communication which I have received from Rear-Admiral Sir Graham Hamond, Superior Officer of His Majesty's Squadron in South America, giving the particulars of a slave capture made by His Majesty's sloop "Raleigh," on the 28th November last, in lat. 21° S. long., 18° W.

In her preceding voyage the vessel in question, brig "Rio de la Plata," sailed under the flag of Brazil; she is now under that of Monte Video, having been on the former occasion, and being still, the property of Teodoro Villaça, a Brazilian, resident in this capital.

But, to have a legal title to hold property of this description, it is necessary that the owner be either a natural-born subject or a naturalized citizen. Now, in the capacity of a Brazilian subject, the individual in question was entitled to the flag of that nation; but, to possess property in shipping under the flag of this country, I believe him, from not being naturalized, to be altogether disqualified.

The capture of this brig has made very great sensation here.

I have, &c.

(Signed)

HAMILTON HAMILTON.

The Right Hon. Viscount Palmerston, G.C.B.,

&c. &c. &c.

Enclosure in No. 195.

SIR,

"Spartiate," Rio de Janeiro, 16th December 1834.

A SLAVE-BRIG of two hundred and two tons, called the "Rio de la Plata," under the flag of Monte Video, was brought into this port yesterday by a Lieutenant of His Majesty's sloop "Raleigh," which sloop detained her on the 28th November last, in lat. 21° S. long. 18° W., with five hundred and twenty-one slaves on board, men, women, and children.

The vessel is said to have cleared from Monte Video in August last, under a licence from the Authorities there, to import six hundred and fifty African colonists, who are to be apprenticed for twelve years, from thirteen years of age, if they cannot pay 240 dollars each, and prove that they came by the money honestly.

The licence to proceed to the coast of Africa is accompanied by a curious document, purporting to be an application from two Spaniards at Monte Video, named Villaça and Barquez, for permission to import six hundred and fifty colonists, and two hundred and fifty more to cover deaths on the voyage, and is granted by the Government on the recommendation of the Fiscal, and on receipt of 30,000 dollars from the undertakers of the voyage.

Among the numerous letters there is one only written in Spanish, and that is signed by a man with a Brazilian name. The instructions given to the Captain by the ostensible owners, Villaça and Barquez, are written in Portuguese. The supercargo, whom he is directed to obey in all things, is a notorious Slave Captain, who figured in a published correspondence with the Portuguese Consul at Rio, when, after a sham sale, he hoisted the white flag of Portugal on board the Brazilian brig "Bella Maria," in 1833. This man, named Cardozo, was, or pretended to be, so very ill when

detained by the "Raleigh," that Commander Quin, at his urgent request, took him on board that sloop, in which he is gone on to the Cape of Good Hope. The Lieutenant was ordered to take the vessel to Sierra Leone, but he found her in so very bad a state of hull and sails, that he was obliged to bear up for this port; and a survey I have ordered to be held on the vessel confirms his statement, the report being that she is quite unfit to go to sea.

I think it right to give you this information, because all the documents (except the licence) and the letters relating to the voyage, are in the Portuguese language, and the accounts are kept in Portuguese money, except the first expenses at Monte Video.

There is scarcely a shadow of doubt that the whole is a cover for Brazilian speculation; and the Fiscal's recommendation contained in the licence (in which he distinctly puts forth the impolicy of having stopped the Slave-Trade) is evidently an evasion of one of the fundamental principles on which, I believe, Great Britain recognised the independence of the country.

In consequence of the unseaworthy state of the vessel, being unable to proceed to Sierra Leone, the Lieutenant informs me he shall libel the vessel in the Court of Mixed Commission here, as Brazilian property; but I much doubt whether there will be legal proof to condemn her, and whether such proof ever will be attainable if the Authorities of the River Plate are permitted to afford these outlaws the cover of their flag.

I have, &c.
(Signed) GRAHAM HAMOND,
&c. &c. &c.

No. 196.

Thomas Samuel Hood, Esq., to Viscount Palmerston.—(Received April 11.)

MY LORD,

Monte Video, 27th January, 1835.

I HAVE the honour to enclose a List of Slave-vessels which have arrived at this port since the 1st instant with clearances from ports in Africa, they having, previous to their arrival, landed their slaves on the coast of Brazil, or of this Republic; together with a List of such of those vessels as have again departed from hence, after refitting, showing their destination and cargo taken from Monte Video.

I have, &c.,
(Signed) THOMAS SAMUEL HOOD.
The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

Enclosure in No. 196.

A List of Vessels which have entered the Port of Monte Video with Clearance from Places on the Coast of Africa, together with a List of Departures between the 1st of January and 27th of January 1835.

ARRIVED.					
Date.	Name of the Vessel.	Where from.	Cargo, as appears by Clearance.	National Flag.	Remarks, &c.
1835. Jan. 1	San Juancito (schooner).	Angola, 20th Nov.	Ballast . .	Portugal.	} This vessel landed her slaves at Rio Janeiro.
,, 8	General Saldana (brig).	Loanda, 28th Nov.	Ditto . .	Ditto .	
,, 9	Eliza (schooner) . . .	Loanda, 17th Nov.	Ditto . .	Ditto.	
,, 9	Union Feliz (schooner) .	Angola, 23rd Nov.	Ditto . .	Ditto.	
DEPARTED.					
Jan. 3	Jupiter (brig)	To Rio Janeiro . . .	A small quantity of Beef.	Portugal.	
,, 20	San Juancito (schooner).	Ditto	Ballast . .	Ditto.	
,, 21	Diligencia (brig)	Ditto	Ditto . .	Ditto.	
,, 21	Adamastor (brig)	Ditto	Ditto . .	Ditto.	

THOMAS SAMUEL HOOD.

No. 197.

Thomas Samuel Hood, Esq., to the Duke of Wellington.—(Received May 19.)

MY LORD DUKE,

Monte Video, 16th Feb. 1835.

IN forwarding to your Grace, for the information of His Majesty's Government, a List of Vessels engaged in the Slave Trade which have arrived and sailed from Monte Video between the 28th of January and the 14th instant, I beg leave to

detail some events of importance, connected with that traffic, which have occurred since my last Despatch on this branch of the public service.

For some time past public opinion had been directed to the general question, growing out of the contract entered into by the Government with Domingo Vasquez and Tedoro Vilaça, in the month of November 1832, to import slaves under the denomination of Colonists, which excited universal disapprobation.

On the 1st of January a newspaper, called the "*Estandarte Nacional*," made its appearance, with the professed object of exposing abuses which it alleged the Executive Power had committed against the Constitution, taking as one of its leading features the exposition of the Slave Contract. The newspaper "*Universal*" defended this traffic, under the pretension that the negroes were colonists, and not slaves, and justified the conduct of the Government in selling the contract as a matter of finance.

During these discussions the brig-schooner "*Esperanza Oriental*," under the flag of Monte Video, disembarked at the Bucéo, an inlet about three miles from this place, three hundred and fifty African negroes, principally children of from eight to twelve years of age. This vessel not being one of those belonging to the Contractors, Vasquez and Vilaça, who believed they possessed an exclusive right, induced them to apply to the Government to have the slaves seized, in consequence of their introduction being contrary to their contract; when it appeared, after some delay on the part of the Government, which gave time to disperse or dispose of the negroes in question, that a second contract to import one thousand negroes had been made, on the 14th of July last, with Costa Guimaraen, a Portuguese, and three others; and also that a third contract had been made on the same date to import six hundred in favour of Domingo Vasquez, separate from Vilaça.

This breach of faith on the part of the Government induced Mr. Vilaça to make public this contract, a translation of which I herewith enclose, with notes by the Editor of the "*Estandarte*."

These events, which had absorbed a great deal of the public attention, were brought into such strong light by the talented writings in defence of the poor negroes in the "*Estandarte*," that, on the meeting of the Legislative Assembly, the Permanent Commission, in rendering an account of their proceedings to the General Assembly, publicly deprecated the conduct of the Executive Power (an extract of which I enclose), as having acted arbitrarily and unconstitutionally.

This declaration made by a new Legislature, who are about to elect a new President, and consequently a new Executive, encourages earnest hope that they will cordially co-operate with His Majesty's Plenipotentiary in adopting those measures which will for ever put a stop to slavery, under every denomination of character or of name.

I have, &c.

(Signed)

THOMAS SAMUEL HOOD.

His Grace the Duke of Wellington,
&c. &c. &c.

First Enclosure in No. 197.

A List of Vessels which have entered the Port of Monte Video from Ports or Places on the Coast of Africa, together with a List of such Vessels as have sailed from hence indirectly for the same Destination, between the 28th of January and the 14th of February 1835.

ARRIVED.					
Date.	Name of the Vessel.	Where from.	Cargo.	Flag.	Remarks.
1835. Feb. 10	Esperanza Oriental .	Angola . . .	350 Negroes	MonteVideo	This vessel landed her slaves three miles east of Monte Video, and came in in ballast. Landed on Coast of Brazil.
,, 12	Oriental	Loanda, 2d Dec. .	Slaves . . .	Ditto . . .	
DEPARTED.					
Feb. 3	Union Feliz	To Rio Janeiro . .	Part Cargo .	Portugal .	This vessel arrived here under the name of the " <i>Ligerda</i> ," with Portuguese colours.
,, 3	Modesta	Ditto	Ballast . . .	MonteVideo	
,, 8	Eliza	Ditto	Part Cargo .	Portugal	
,, 12	General Saldana . .	Ditto	Ditto	Ditto	

THOMAS SAMUEL HOOD,
His Majesty's Consul-General.

Second Enclosure in No. 197.

(Translation.)

PROPOSAL made to the Government of the Oriental State of the Uruguay, by Domingo Vasquez and Teodoro Villaca, for the introduction of six hundred and fifty African black colonists of both sexes, viz. :—

Article 1. No kind of duty (1) shall be levied on the importation of the said colonists, either on the number or on the value of the contract.

Article 2. The colonists, during their bondage (2), and whilst in the service of their master, shall be free from all military service which the citizens are subject to; but if any of them prefer entering the service, the Government, in case of admitting them, will make good the amount of their value, deducting from it the time served.

Article 3. The contractors may obtain colonists in any part of Africa, and on such terms as may suit them (3), subjecting themselves solely to the obligations imposed on them in this contract.

Article 4. The transportation of the colonists shall be in such numbers proportioned to the tonnage and quality of each vessel; the contractors shall maintain the colonists during the voyage, and take care of them in case of sickness (4), and use all other means that morality and decency inculcate (5).

Article 5. The colonists shall pay two hundred and forty Spanish dollars for their passage, maintenance, and all other expenses (6); this bondage being only for twelve years' (7) service. The twelve years' ownership to be reckoned from the age of thirteen years, and not before, so that those of under age will not be considered of age until the law declares them capable of taking care of themselves.

Article 6. If, after the colonists have been landed fifteen days, they should not pay their passage, &c., or find masters that will redeem them, the importer is authorized to contract for the servitude of the said colonists for a sum equal to that aforesaid, as a compensation for passage, maintenance, and expenses, with the proviso that the term of bondage of the colonist cannot exceed twelve years.

Article 7. The colonist, so contracted, cannot leave his master's service without having paid his ransom, either by his personal service, or paying his value; in this last case he must prove his having obtained the said amount in an honest and fair way (8).

Article 8. For the time the colonists may be absent from their master's service, through improper conduct, or occupied in unjust disputes (9), or any other culpable cause, they shall not be allowed in the term of bondage, but shall be obliged to make it good (10).

Article 9. It will be the duty of masters to treat their colonists well (11), suitably clothe them, attend them in sickness, and instruct them in morality and the religion of the state. No expenses incurred during their service can prolong the term of bondage.

Article 10. The contracts of ownership of colonists are negotiable and transferable at the will of the master and the person who may desire to obtain that right, which private bargain can in no way affect either the obligations or the term of bondage of the colonist.

Article 11. The lawful marriage of the colonists shall not be prevented (12), provided that this union be within the bounds prescribed by religion and the laws of the country.

Article 12. That whatever disputes, doubts, or complaints may take place between the parties, relative to the fulfilment of their engagements between master and colonist, shall be decided by five persons (13), viz., two chosen by the master, one by the colonist, to whom will be added one from the poor, and a fifth by ballot.

Article 13. It being notorious the risk by mortality that occurs in such undertakings, and to obviate the loss arising from such causes, the importers may add a number, to be determined hereafter, but not exceeding two hundred and fifty colonists; and if after covering the loss caused by deaths, there should be found an excess, the importer shall be obliged to export them in such a way as shall be agreed upon in this case (14).

Article 14. The contractors for colonists will pay to the Government 30,000 dollars in money or Government Bills at moderate rates, as may be agreed between them and the Government.

Article 15. The Government binds itself to give a pass or protection (*pasabante*) to those vessels employed in carrying colonists, in order to protect the contractors in case any foreign vessel or vessels might wish to interrupt the free transportation of the said colonists (16).

Article 16. The Government engages to give a national register to one of the vessels destined to transport the colonists, free of charge (17).

Article 17. The Government binds itself to refund to the contractors a proportionate sum which may belong to them, should they not be able to procure the number of colonists stated in the foregoing Articles of Contract, to be paid in silver or gold.

Article 18. The Government will agree to allow the term of two years for the importation of the said colonists, with the express obligation not to permit any others to import this class of colonists until the number specified in this contract be completed.

DOMINGO VASQUEZ,
JOSE TEODORO VILACA.

Monte Video, 7th November 1832.

NOTES.

(1) It is clear that no kind of duty ought to be paid, since the Custom-house laws say nothing on the importation of this strange commodity; for when they were made it could not have been foreseen that a day would come when it would be requisite to lay a duty on persons arriving in a free country.

(2) African black colonists pawned in America! and by whom? In consideration of what duty? Is not this a free, constituted, and independent Republic, in which no man can be pawned by another without his consent? Have these unfortunate Africans consented to be pawned?

(3) We now know the character best suited to those virtuous captains who go to the coast of Africa for colonists. We repeat what we have already said, that robbery and violence are the basis of that traffic.

(4) This is not humanity, but sordid gain and avarice; it is not for the sake of man that you take care of man, but it is for the sake of profit you expect from his body.

(5) Morality and decency! Pshaw, Pshaw! morality and decency on board a pirate vessel! What an abuse of language! Morality and decency are words without meaning!—empty words in the mouths of traders in human flesh.

(6) And have you fulfilled that stipulation? Have you not asked and received a greater price?

(7) Twelve years! Have you sold them on this condition? or have not the negro colonists gone out of your power with the diploma of slavery stamped by your hands?

(8) "In a just and fair manner!" what an exaction? Poor colonists!—and is your traffic a just and fair way of gain? it is true you have privilege.

(9) Who will be the judge to determine whether the disputes you talk of be just or unjust?—you! the author of their misfortunes.

(10) A sure mode of evading the 5th Article of your contract.

(11) Your colonists!—according to that, can they be sold? Who ever saw colonists sold?

(12) And if that union in lawful marriage exists already, who gives you the right to break it by selling the husband to go to Cerro Largo, the wife to Colonia, and the children to the capital? You have always morality in your mouths, but your actions are the reverse.

(13) What law authorizes such a singular tribunal? All men residing in this free country are governed by the same laws, and judged by the same judges; the law knows no privileged tribunals.

(14) And have not more been imported than the number prescribed? and have those been re-exported?

(15) "Thirty thousand dollars!" and for this miserable sum the 131st Article of our Constitution has been violated! Can it be believed that because an incompetent Minister wanted 30,000 dollars, to keep in motion the machinery of the government of an American Republic, that thousands of Africans must be torn from their native soil to become slaves to freemen, and that a horrible privilege should have been granted exclusively to two speculators in human flesh? And is that degrading contract just, philanthropic, or conformable to our institutions? No, no!—a thousand times, No!

(16) Can the Government legally give passports for this purpose? And will those nations who have prohibited the traffic in Africans respect them? If they should not respect the national flag, who will answer for the outrage the nation may receive? None but the power, who, in disregard of justice, reason, and the laws, have exceeded the limits of its authority.

(17) Does not the regulation of all duties belong especially to the Chambers? Can the Government legally exonerate the contractors from those duties which the law prescribes upon foreign vessels becoming nationalised?

Third Enclosure in No. 197.

(Translation)

An Extract from the Report of the Permanent Commission to the Legislative Assembly of the Oriental Republic of the Uruguay, made on opening the Session on the 15th February 1835.

THE Permanent Commission regrets to make known to the General Assembly the arbitrary repetition of new contracts made by the Executive Power for the introduction of African slaves, under the specious name of colonists, such as those recently disembarked at the Buccé from the brig "Esperanza."

The Permanent Commission met on the 9th instant, at the request of some of its members, and agreed to call the chief Officer charged with the Department of Government, and hear his explanation upon this infraction of the Constitution, demanding at the same time the suspension of the delivery of those unhappy negroes until the Legislature should determine upon it; but the Executive feigned not to understand this remonstrance, as had been done in former ones, as appears from the minutes and official correspondence of the Permanent Commission: however, the day has come when the Republic sees her Legislators met to put an end to those serious evils which aggrieve it. The Permanent Commission, though it has not been able to prevent them, presents itself before them, and with confidence hopes that the lessons of experience of what has passed will be turned to advantage, and that such measures will be adopted as the public good urgently call for; taking it as a guide, inflexible Senators and Representatives in support of the Constitution, to remove with firmness the obstacles which at every step private emolument opposes to the public good; and you will enjoy the satisfaction of commencing a new era, in which, after so many sacrifices, the people you represent may repose under the beneficent shade of the tree of Liberty.

Monte Video, 15th February 1835.

(Signed)

LORENZO J. PEREZ.
VICENTE VASQUEZ.
FRANCISCO A. VIDAL.
RAMON MASINI.
ANTO. DOMO. COSTA.
GABL. ANTO. PEREYRA.
JUAN MA. PEREZ.

No. 198.

Viscount Palmerston to H. Hamilton, Esq.

SIR,

Foreign Office, 10th June 1835.

You will see from the accompanying Copies of an Address from the House of Commons to His Majesty, and of the Answer which His Majesty has been pleased to return to that Address, the unceasing and anxious desire of the Parliament and Government of this country for the extinction of the abominable Traffic in Slaves.

I am commanded by His Majesty to instruct you to communicate these Papers to the Government of the Oriental Republic of the Uruguay, and earnestly to press upon them the immediate conclusion of the negotiations with which you are charged on this subject.

I am &c.

(Signed) PALMERSTON.

Hamilton Hamilton, Esq.

No. 199.

H. Hamilton Esq. to the Duke of Wellington.—(Received 25th June.)

MY LORD DUKE,

Buenos Ayres, 16th March 1835.

IN an interview which I lately had with the Governor *ad interim*, Don Manuel Vicente de Maza, I entered into conversation with him upon the subject of the Treaty for the Abolition of Slave Trade, requesting to be informed whether it would be agreeable that no further delay should arise in the exchange of full powers, and the commencement of the preliminary conferences.

After some little hesitation, his Excellency said in answer, that though well disposed to enter upon the negotiations, it would certainly be more agreeable if I were not to press the Executive regarding them just at present, a moment when the Province was almost in a state of *interregnum*, and without any organized Ministry. Being perfectly aware of these circumstances, and of the numerous difficulties pressing upon him from all sides, I could not, of course, but assent to his wishes. It was my duty, however, to open upon the subject with the Government, as it is now my duty to notify my having done so to your Grace.

I shall, of course, resume the subject, so soon as a Ministry shall have been constituted.

I have, &c.

(Signed)

HAMILTON HAMILTON.

His Grace the Duke of Wellington, K.G.

&c.

&c.

&c.

No. 210.

Thos. S. Hood, Esq. to the Duke of Wellington.—(Received 25th June.)

MY LORD DUKE,

Monte Video, 20th March 1835.

I ENCLOSE for your Grace's information, a Monthly Return of the Arrival and Departure of Vessels engaged in the Slave Trade, to which illicit traffic this port for some time past has afforded a convenient rendezvous for Portuguese and Brazilian vessels, after disembarking their negroes on the coast of Brazil.

I have, however, great satisfaction, whilst forwarding this List, to convey to your Grace the intelligence that the new Government, penetrated with an earnest desire to put an end to this nefarious and inhuman traffic, which had been called into existence here contrary to law, are now anxiously engaged in providing those legislative measures, which not only promise an effectual and immediate suppression of the trade to this Republic, but an exhibition of public sentiment which promises greatly to facilitate the negotiation of His Majesty's Plenipotentiary, when that question may come under discussion.

The contract to import slaves under the fictitious name of colonists, entered into by the late Government in November 1832, and July of last year, being a gross infraction of the law, required the sanction of the Legislature to legalize the Act. This had been protracted by the late Government, but on the 9th of this month, nine days after the installation of the new Government, those contracts were brought before the House of Representatives, and were almost unanimously negatived, there being but one dissentient vote, thus declaring all acts done under the contracts to be illegal.

I enclose a translation of an Indorsement which the Government have directed shall be put upon the back of all the Registers of national vessels engaged in trade upon the high seas.

I have, &c.

(Signed)

THOMAS SAMUEL HOOD.

His Grace the Duke of Wellington,

&c.

&c.

&c.

First Enclosure in No. 200.

A List of Vessels that have entered the Port of Monte Video, with Clearances from Places on the Coast of Africa, together with such as have sailed direct or indirect for the same Destination, between the 14th of February and the 18th of March 1835.

Date of Arrival.	Name of Vessel.	Under what Flag.	Cargo.—Slaves.	Where from.	Remarks.
ARRIVALS.					
1835.					
Feb. 27	Simpatia (Brig)	Portugal	None	Angola, Dec. 18	Landed slaves in Brazil.
	Africano (Brig)	Ditto		Angola, Dec. 19	Ditto.
Mar. 7	Delphina (B. Sch.)	Monte Video	320	Angola, —	Landed at Maldonado.
14	Joven Africano (Brig)	Portugal		Angola, Jan. 28	Landed in Brazil.
DEPARTURE.					
WHERE BOUND.					
Mar. 17	Joven Africano	Portugal	Ballast	For Rio Janeiro	
18	Simpatia	Ditto	Ditto	Ditto	

THOMAS SAMUEL HOOD.
His Majesty's Consul-General.

Second Enclosure in No. 200.

Official Notice.—Department of War and Marine.

THE Government has resolved, under date of the 13th instant, that there shall be endorsed on the back of National Registers, for the navigation of the high seas, the following Note:—

"This vessel is not allowed to trade in Africans—neither as slaves, nor as colonists—such being contrary to the laws of the country; nor to make any other bad use of the Register, for which bond has been given, to the value of the vessel, and also with liability for the penalties which may take place."

No. 201.

Thos. Hood, Esq. to the Duke of Wellington.—(Received 25th June.)

MY LORD DUKE,

Monte Video, 26th March 1835.

THE Act referred to in my Despatch, "Slave Trade of 20th inst.," stated to have passed the House of Representatives, has been passed also by the Senate, unanimously; but as it is not promulgated, I am consequently unable to send a Copy of it till the following packet.

The slaves introduced at Maldonado under the simulated denomination of colonists, by the schooner "*Delphino*," mentioned in one of the Enclosures to my Despatch, have been seized by the Government and ordered to be apprenticed until they are of age by Law. The Master to deposit 200 dollars (£35) for each apprentice, which is to form a fund for the use of such as may not meet with masters, for sickness, &c., and other benevolent purposes limited to those emancipated slaves.

I have, &c.

(Signed)

THOMAS SAMUEL HOOD,

His Grace the Duke of Wellington,
&c. &c. &c.

No. 202.

Viscount Palmerston to Hamilton Hamilton, Esq.

SIR,

Foreign Office, 27th June 1835.

HIS Majesty's Government continue to receive accounts that the Slave Trade is now carried on with increasing activity under the flag of Monte Video.

The means by which this is done with impunity are licences granted by the Government of Monte Video to import negroes into the territory of that country, under pretence that such negroes are afterwards to be formed into a free Colony on the Uruguay.

A vessel furnished with a licence of this nature takes the slaves on board in Africa, proceeds thence to Brazil, and attempts there to land the slaves; but if she fails in that attempt, she continues her course to Monte Video, and the slaves are there landed, and marched through the interior to the Brazilian markets.

The case of the ship "*Rio de la Plata*" was of this nature; and with reference to that vessel, you were instructed on the 4th of March 1835 to "use your utmost endeavours to procure a provisional order, by which similar attempts at evasion of the principles of the constitution of Monte Video shall be checked or prevented, until some compact embracing the object, permanently and more effectually, shall be mutually contracted between Great Britain and Monte Video."

Every fresh arrival from South America brings additional proof of the urgent necessity of putting a stop to those acts by which, under the cover of the Monte-Videan flag, a new Slave Trade is growing up, and is defeating the humane purposes of the Contracting Parties to the Conventions for the Abolition of Slave Trade.

I earnestly hope that your efforts will have been successful in inducing the Government of Monte Video to conclude the Treaty, forwarded to you on the 8th of September 1834, for the extinction of the Slave Trade of Monte Video.

But, at all events, I have to instruct you to use every legitimate effort in your power to induce the Government of Monte Video to abstain from sanctioning, by their name or authority, undertakings of Slave Trade, in whatever shape carried on, by the citizens, by the capital, or by the flag of that country.

You will point out to the Government of Monte Video how unbecoming it is for a nation which has so recently obtained its own freedom, and which is so justly proud of its independence, to prostitute its flag, and to disgrace its name, by conniving at acts of Piracy against other portions of the human race.

You will specially endeavour to procure the revocation of such licences above described as have already been granted by the Government of Monte Video, and to prevent the issue of any further licences of the same kind.

Finally, if, notwithstanding your utmost efforts, the Government of Monte Video shall decline to accede to your friendly application in this respect, you will plainly declare to them that you do not believe that your Government will be disposed to tolerate such attempts to render null the stipulations of Treaties between Great Britain and Brazil.

* I herewith transmit to you the copy of a Despatch which I have received from Mr. Fox, His Majesty's Envoy at Rio de Janeiro, bearing upon the subject of the intended Colony of Free Blacks.

And I have to desire that you will act in conjunction with the representative of Brazil at Monte Video, in carrying this Instruction into effect.

If you shall have left Monte Video before this Despatch reaches you, you will forward it to His Majesty's Consul-General at Monte Video, desiring him to consider it as an Instruction addressed to himself, and to act upon it accordingly.

I am, &c.

(Signed)

PALMERSTON.

*Hamilton Hamilton. Esq.,**&c. &c. &c.*

* See No. 72.

No. 203.

Hamilton Hamilton, Esq. to Viscount Palmerston.—(Received 1st July.)

MY LORD,

Buenos Ayres, 10th February 1835.

My Despatches of this year will make your Lordship acquainted with the ill success which has marked my attempt to negotiate with the Executive Power of the Oriental Republic of the Uruguay the Slave Trade Treaty, which had been placed in my hands by His Majesty's Government.

Previously to my departure from Monte Video, I received assurances from M. Reyes, that his Government was not inactive in its endeavours to remove the impediments which had hitherto stood in the way of our success; and that he trusted it would be in his power, some early day after the meeting of the General Assembly, to afford me pledges which would prove satisfactory, in every respect, as to its dispositions and intentions regarding the Treaty with Great Britain.

I have, &c.

(Signed)

HAMILTON HAMILTON.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 204.

*Foreign Office, September 3.**Viscount Palmerston to Consul Hood.*

[Sending Papers as in No. 17.]

No. 205.

Thomas S. Hood, Esq. to the Duke of Wellington.—(Received 17th September.)

MY LORD DUKE,

Monte Video, 27th June 1835.

I HAVE great satisfaction in making known to your Grace, that through the praiseworthy determination of this Government to protect the Constitution from abuse, the traffic in negroes, either as slaves openly so declared, or under any other simulated character, has entirely been put a stop to.

Several vessels, under Portuguese colours, have, since the date of my last Despatch, visited this Port, after landing their slaves in the Brazils, for the purpose of refitting; and another, the "*Augusto Caesar*," also under the flag of Portugal, lately arrived in this harbour, with 221 slaves for sale. But the prompt measures taken by the Government not only prevented the sale of any, but obliged the Captain and Owners to enter into a bond, to the amount of double the estimated value of the slaves, that within 30 days, which had been allowed to provision and refit the vessel with stores, every slave should be carried away, it being conditioned that the security should be forfeited if one slave only should be discovered to be left behind, or landed on any part of the Coast of this Republic.

This vessel, apprehensive of the arrival of His Majesty's ship "*Acteon*" from Buenos Ayres, and seeing the hopelessness of effecting sales at this place, hastily put to sea, and it is presumed has sailed for the Coast of Brazil.

I have, &c.

(Signed)

THOMAS SAMUEL HOOD.

His Grace the Duke of Wellington, K.G.
&c. &c. &c.

No. 206.

Hamilton Hamilton, Esq. to Viscount Palmerston.—(Received 23d October.)
(Extract.) *Monte Video, 23d July 1835.*

It is now my duty to put your Lordship in possession of the causes which have been instrumental to the ill success of my Mission, such at least as apparently have been conducive thereto. It is hardly necessary to remark in this place, that, under the Presidency of General Fructuoso Riveira, with Dr. Obes as Minis-

ter of Foreign Relations, it would have been quite reasonable to calculate upon the acceptance of the Treaties proposed without any essential alteration. But as the Executive of the present day is constituted, such an issue had been perfectly impossible, unless indeed under concessions which could not have been contemplated seriously for a single moment.

I perceive a most decided reluctance to put down the Slave Trade, although it is distinctly prohibited by the Constitution of the country, and many enactments hostile to it have subsequently, from time to time, been promulgated; together with a repugnance altogether as unequivocal to all Foreign Alliance: and that if the present Executive had ever, for one moment, in the teeth of that reluctance and that repugnance, seriously and sincerely meditated the entire execution of the Treaties, it was solely with the hope of accomplishing, with greater facility, the long contemplated Loan in England.

But the party in the country, who are adverse to these Treaties with His Majesty, have now acquired a decided ascendancy, and in consequence the said Loan, in spite of the heavy embarrassments of the Exchequer, has dwindled, when placed against the rejection of those Treaties, into an object of secondary importance.

I have, &c.

(Signed) HAMILTON HAMILTON.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 207.

Viscount Palmerston to Mr. Hood.

Foreign Office, 29th October 1835.

[Sending Treaty with Spain, as in No. 47.]

No. 208.

Hamilton Hamilton, Esq., to Viscount Palmerston.—(Received Dec. 20.)

MY LORD,

Buenos Ayres, 19th September 1835.

I HAVE the honour to acknowledge your Lordship's Despatches, marked "Slave Trade," of the 10th and 27th of June last (see Nos. 198 and 205,) instructing me to make certain communications respecting this abominable traffic to the Government of the Oriental Republic of the Uruguay. Having quitted Monte Video, I shall, as you direct me to do, in such case, place both these Despatches in the hands of His Majesty's Consul-General at that capital, desiring that he will consider them as Instructions addressed to himself, and to act upon them accordingly.

I have, &c.,

(Signed) HAMILTON HAMILTON.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 209.

Thomas S. Hood, Esq. to Viscount Palmerston.—(Received 23d December.)

MY LORD,

Monte Video, 5th September 1835.

THE parties interested in the slave vessel "*Rio de la Plata*," which was recently condemned by the Mixed Commission at Rio de Janeiro, have for some time past been actively endeavouring to induce this Government to seek indemnification from Great Britain for the loss sustained; and they having published a case, drawn up by a lawyer of this place, apparently with the object of influencing public opinion in their favour, and believing that in those Papers there may be found all the points which the party can adduce, or which Government could advance in support of this hopeless claim, I have thought it right to place a Translation of the Paper in your Lordship's possession.

Be the result, however, what it may, it ought always to be borne in mind that Feodoro Villaço, *though now naturalized*, was, immediately preceding the com-

mencement of this voyage, a subject of Brazil, and Owner of the same vessel, under the Brazilian flag; that no sale of the vessel was made, nor was, as is customary in every sale or transfer, any alcavala duty paid; and that he continued to enjoy the character of a Brazilian long after he became Owner under the Oriental colours. And I am told that he did not take out Letters of Citizenship until the capture of the "*Rio de la Plata*" induced him to assume that character, in order to give consistency to reclamation meditated on Great Britain.

I have, &c.

(Signed)

THOMAS SAMUEL HOOD.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 209.

Observations on the Capture of the Brig "Rio de la Plata," as published in the Monte-Video Newspaper.

(Translation.)

THE capture of this vessel, while crossing the seas under our flag, has occupied the public press of the capital, by which the subject has been treated with considerable ability. Although we shall add nothing new, we cannot forbear making a few observations on a matter in which a great offence has been done to the nation, violating the right of its flag and the guarantee which it lent to property under its protection.

The act alone of Mr. Hamilton's presenting to our Government the Draft of a Treaty to render effective the abolition of the Slave Trade, proves that the British Cabinet recognises that, without a Treaty, it has not that right which it would thereby acquire, and which those nations that have subscribed to engagements of this nature reciprocally possess, over vessels engaged in this traffic. In the recognition of this necessity will be found cause for the condemnation of the Commander of the "*Raleigh*," and of those who have authorized his preposterous proceedings.

The Commission which has declared the "*Rio de la Plata*" a good prize was unquestionably incompetent to do so, because it could alone judge vessels belonging to one of the parties (nations) represented by the Mixed Commission; and seeing that this was a property which, even conceding that it did not belong to the Oriental Republic, was under the sanctuary of its flag, they had no jurisdiction over it, and in declaring her a good prize they have disregarded the plainest principles of reason and justice. The irregularity of the sentence and the ridiculous grounds on which it is founded show clearly the remarkable error into which those who pronounced it have fallen, although probably animated by a desire to evade reparation, the necessity of which is the more imperative after so unjust a sentence—a reparation which cannot be dispensed with without infringing on the rights of our independence and sullyng our honour.

Where nations are not bound by Special Treaties, the rights of nations universally admitted and acknowledged constitute the only principle by which their procedure towards each other can be regulated, and without doubt Great Britain cannot find wherewithal to justify the conduct of the rash naval officer who commanded the "*Raleigh*." Nations absolutely independent are bound by no other engagements towards each other than such as they specially contract, or such as are sanctioned by the principles and practice of acknowledged right: in other respects each nation has the right of conducting itself conformably to its peculiar interests and local necessities, without having to regard in any way whatever the laws or the precepts which these involve, or which another nation, by the same right, may adopt, and which are obligatory only to its own subjects, or to such nations as may voluntarily engage to respect them. Philanthropy is a sentiment binding between all men, but it is no more than a commendable sentiment; it does not imply a duty, nor is it obligatory on any other than those who have chosen to submit to it. It would be very original and whimsical were England to undertake a crusade of philanthropy, and her navies to treat as pirates all those who were not philanthropical.

From these premises we infer that the capture of the "*Rio de la Plata*" is contrary to the rights of nations, unjust, illegal, and highly offensive and derogatory to our national dignity; that the conduct of the commander of the "*Raleigh*" is criminal by his having employed the right of force in the seizure of a vessel belonging to a friendly nation; and that the Mixed Commission was incompetent to judge the case, its sentence being therefore as unjust and illegal as the right assumed by the British officer. Finally, that the Government of the Republic is under the strict obligation of exacting a formal satisfaction for this insult.

These inferences are too plain to require further justification; we shall, nevertheless, add a few observations.

From the moment it is shown that the Republic has suffered wrong, it is also evident that it cannot avoid remonstrating and demanding the most formal and complete satisfaction. Mr. Hamilton is the representative of the British monarch; from him, then, should this satisfaction be exacted: for the Government cannot enter upon any arrangement respecting the abolition of this traffic unless our flag receive previous satisfaction. The conduct of the Commander of the "*Raleigh*," that of the Mixed Commission which has condemned the "*Rio de la Plata*," and that of the British Government which has tacitly legalized the proceedings of that Officer, who, with the British flag and British force, attacked our property on the high seas, are the points which should chiefly be taken into consideration on making the energetic complaint of the insult offered to the Republic.

The Government must disregard all subterfuge: the injury is manifest; it has given offence to men of all nations that cherish sentiments of justice; it has wounded our honour, offended our dignity, and condemned to depreciation that respect which is due to our absolute independence, in contempt of the usages established among civilized nations, and of the reciprocal considerations observed between them. The case stands thus: If the Plenipotentiary of His Britannic Majesty does not pay regard to this just demand, and if, from a feeling of pride, intolerable when not resting on a basis of justice and reason, he should refuse to declare that his Monarch disapproves the conduct of those who, in his name and

with his arms, have insulted us, the Government of the Republic cannot enter into any other conference with him, nor make any other arrangement, without confirming by such a step our degradation and our affront.

This dilemma admits of no medium. If a Special Treaty be necessary to give to England the right to permit vessels of our flag being inspected by the Officers of her Marine, it is clear and definite that she had not that right, nor will have it, until such be celebrated; consequently, the capture of the "*Rio de la Plata*" is unjust, illegal, opprobrious, and a flagitious abuse of force with which our flag has been insulted and its immunities profaned. If, on the contrary, the Commander of the "*Raleigh*" has made a good prize, as the Mixed Commission has declared, Treaties conceding what they have of themselves adjudicated are unnecessary, but in this case England will have incurred a manifest inconsistency subject to various interpretations.

The necessity and justice of making the claim we have indicated cannot be more clear, nor could we suppose that this would be disregarded without doing injustice to the Cabinet of St. James's and its distinguished representative.

The Treaty proposed involves, as we have said, the condemnation of the Commander of the "*Raleigh*," and of those who have authorized his conduct. It is this which renders that just reparation the more necessary; for if at present, while the illegality of this proceeding is admitted, they conduct themselves in this manner, what insults should we not have to tolerate when they have acquired legal rights? Where will be our independence when a rash officer may with impunity trample on our flag, ill-treat our citizens, and in short condemn the nation itself? Ah! to tolerate this injury, to give to those who have inflicted it, rights by which they may in future more easily justify other and greater abuses, would be to subscribe to a covenant of infamy; it would be sanctioning the right of force; it would, in fine, be ratifying the vassalage of our countrymen.

The force of these arguments, capable of convincing even the most prejudiced individual, should be closely investigated; they acquire greater strength if we examine the circumstances of the case that occupies our attention, and observe, that an officer of the British Navy, without any authority (as is confessed by His Britannic Majesty on presenting the draft of the Treaty), detains an Oriental vessel and takes her papers, and in them sees that they (the Negroes on board) are colonists and not slaves, and avers, "This Government does not speak the truth; they are slaves, and not colonists; this Government has committed an act of falsehood, is a falsifier, and I, commander of the '*Raleigh*,' do declare such to be the case, and do condemn this vessel as one engaged in an unlawful traffic. This Government, on granting its licence to this brig as a national vessel, has paid no more regard to truth than on the other points; and I am justified in infringing on the sacred rights of the seas in affronting a nation which is called friendly by mine, and in condemning this vessel on my own authority"—(*por mí y ante mí*). And this conduct of the rash officer, who thus behaves, is not chastised; on the contrary, he finds it approved of by a tribunal, and tacitly sanctioned by his Government. What ought we to hope for?

Such is the real point of view to be taken of the capture of the "*Rio de la Plata*," and by it we should measure the enormity of the offence: the commander of the "*Raleigh*" not only committed this unjustifiable outrage on our flag, but also ridiculed the faith of our Government, and harshly gave the lie to those documents which attested that they (the Negroes on board) were colonists and not slaves. The Mixed Commission was, as we have said, incompetent to judge this vessel; nor has it proceeded with less injustice and illegality in condemning her; its decision is as unfounded as the conduct of Captain Quin was audacious.

We with difficulty restrain our indignation while observing the contempt with which this officer regarded those documents whose veracity no one had a right to doubt, and which on no ground could be subjected to the interpretation of a commander of a corvette, or of a foreign and incompetent tribunal.

The Republic is not bound by any of those engagements which the empire of Brazil and other nations have entered into with England, and consequently her vessels are not subject to any of the conditions therein stipulated. But even supposing the case to be that they were so bound, they never could be tried by a mixed Brazilian and English Commission.

The necessity of exacting the reparation we have pointed out cannot be more manifest, for in it are interested both our national honour and the security of our vessels. The act perpetrated by Captain Quin is nothing else than a base abuse of the powerful against the weak, which would not have been exercised with other more potent nations, such as France or the United States of North America; or, if it had been so exercised, would not remain without reparation. We will, nevertheless, suppose that this reparation will not be denied us, for we cannot justly suspect that England, while proposing to us treaties, would sully her name, or make a problem of the uprightness of her intentions, by sanctioning the proceedings of the commander of the "*Raleigh*;" arguing for this purpose, not on the principles of her justice, but on those of her force; for only the latter and not the former can form a ground for conduct which would be contrary to the rights of people and to the practice of all civilized nations, who regulate their actions by the universal laws of justice, moderation, and equity.

Since civilization has made known the necessity of establishing fixed and immutable principles, if the weak have not always been sheltered from the violence of the strong, they have at least found a safeguard, which, although not sufficiently powerful to shield them from the blows of the greater power, has enabled them to invoke the rights common to the least as well as to the greatest and most independent sovereigns.

Those ages are passed when the Roman emperors dragged after their chariots the kings and chiefs of the countries which they had desolated by the most barbarous of rights, and presented them in the Capitol laden with chains as trophies of their pride and of their power; and it cannot be doubted that at the present day Louis XIV. would not perpetrate the violence of causing the doge of Genoa to humble himself at his court. If England thought it necessary and philanthropic to abolish the trade of "human flesh" which she had carried on for so many years; if from thence she wished that no one should enslave the miserable Ethiopians; if, in order to obtain this end, she employed the means of conviction and the powerful voice of humanity, it is clear that she neither did nor could have recourse to compulsion, for she did not possess the right of dictating laws to nations. She established compacts, celebrated treaties, and the Slave Trade was universally abolished.

If she had adopted any other course the world would have been deluged in blood, and there would have been no necessity for the acts of the Congress of Vienna to oblige men to become humane and philanthropic.

We have demonstrated the seriousness of the offence offered to our flag; the injustice or illegality with which a foreign and incompetent tribunal condemned the "*Río de la Plata*," and consequently the necessity of exacting a satisfaction proportioned to the character of the injury.

In this satisfaction the national dignity is interested, and in exacting it the Government will have fulfilled the duties imposed upon it by the high confidence which the nation has deposited in its hands. England, possessing already so many titles to our consideration, will not tarnish her glories or cloud her name by authorizing an act at variance with the universally received principles of the rights of people; and that nation which appears in the present day at the head of civilization will assuredly not approve the conduct of Captain Quin, nor fail to acknowledge the principles of justice and equity by which it is condemned.

Long since has the right of force been proscribed from among civilized nations; and it is impossible that Great Britain should sanction an act of violence in which an officer of her Navy, abusing his superior strength, has outraged the flag of a friendly nation, and seized her property on the high seas. Acts of this nature will certainly not receive the approbation of England, who is better aware than any other country of how much the general peace of the world depends on the strict observance of the acknowledged code by which the conduct of nations towards each other is regulated, and by which the strongest and the weakest states possess equal rights. How miserable would mankind be if force were a title to justice, or could create a right!

We close this article with the firm persuasion that it is as impossible for the Government of the Republic to tolerate the outrage done to her flag by the capture of the "*Río de la Plata*," as it is for the British Cabinet to refuse, for the satisfaction of the Republic, to fulfil a duty imposed on it by justice, and by the honour and credit which it has so deservedly acquired.

Confiding, therefore, in the patriotic energy of our Government, we rely on the justice of His Britannic Majesty, and hope that he will not refuse to acknowledge the necessity of disapproving the outrage done to a friendly and independent state.

If, contrary to all our hopes and wishes, contrary to all probability, the Cabinet of St. James's should refuse to take this step so urgently called for by its own dignity, relying on our firm conviction of the justice of our cause, it will be necessary to abandon the principle of our claim to the other nations of the world before whom we protest.

Above all, whatever may be the termination of this affair, we must not even think of retaliating on the properties of honourable and peaceable merchants who are covered by the shield of our national probity. Great Britain will not find in this republic a rival either of her power or of her advancement; but the English will find in the *Orientales* (inhabitants) men as jealous as themselves of the glory, respect, and good name of their country.

No. 210.

Thomas S. Hood, Esq. to Viscount Palmerston.—(Received 18th Jan. 1836.)

MY LORD,

Monte Video, 14th October 1835.

ON the 24th ult. Mr. Hamilton forwarded to me your Lordship's Despatches marked "Slave Trade," bearing date the 10th and 27th of June, with their respective Enclosures.

In compliance with your Lordship's Directions I addressed myself to his Excellency the Minister for Foreign Affairs, requesting an interview, which was granted the same day; and in the presence of the President, the Minister of Foreign Affairs, and the Minister of War and Marine, I exposed the discredit that had fallen on the national honour by lending itself and its flag to assist, under a simulated character, a traffic in slaves, which from its barbarous and inhuman nature had been stigmatized as piracy by all civilized nations. That not content to trade under their own flag, which trade was never lawful, and which was put an entire stop to by an Act of the Executive Power, and the House of Representatives conjointly, as stated in my Despatches of this year, it had proceeded to the issue of licences for foreign vessels to import Colonists, which were notoriously known to be generally Brazilian vessels and Brazilian capital put under the Portuguese flag at Angola, to evade the consequences of Treaties existing between Great Britain and that empire.

The Ministers replied, that all those Contracts which had given rise to this traffic were, on their entry into office in March last, annulled, and that the slaves since imported had been seized; that an endorsement (reported in one of my Despatches) had been ordered to be put on the Register of all Oriental vessels, prohibiting their trading in slaves; that no licences had ever been given by the present Government; and that the only thing that occurred to him was to order the Captain of the port to deprive every vessel that might visit the port, of any licence which might be found on board. I did not think this sufficient, because if the licences should prove forgeries in the first case they could easily be replaced, and in the next, but a few out of the many vessels engaged in this trade visit this port, and therefore the remedy would be very imperfect; but I observed that since the Government were sincere in their declaration, which I firmly believed, an ample remedy would be as conducive to the wounded national honour as to the

interests of Great Britain and Brazil: I therefore ventured to propose instead of taking away licences from vessels, that the Government should at once openly declare, either in the shape of a Decree or Proclamation, that the introduction of Negroes was prohibited either as colonists or slaves, and that all licences found on board any national or foreign vessel purporting to emanate from the Government of this republic to import colonists or slaves, were either licences whose conditions had long expired, and were now of no avail, or that they were absolute forgeries. This, I stated, would, I believed, be satisfactory to both my own Government and that of Brazil.

The Minister of Foreign Affairs at once conformed to my suggestion, but by the perusal of Enclosure, No. 1, your Lordship will perceive how far it fell short of what I had proposed, and what the Minister had promised to give. Another interview became necessary, but as the first Decree had been published, and could neither be altered nor withdrawn, I prevailed upon the Minister to publish a second Decree (also enclosed, No. 2) annulling all those licences which national or foreign vessels have pretended they had from this Government, authorizing them to carry African colonists from Africa to this Republic.

I have, &c.

(Signed) THOMAS SAMUEL HOOD.

P. S. Copies of the enclosed Decrees will be sent to Mr. Fox, at Rio, by the first conveyance.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

First Enclosure in No. 210.

DECREE.

Ministry of War and Marine.

(Translation.)

Monte Video, 13th October 1835.

THE Government having been made aware that vessels bearing the national flag, navigating the coast of Africa, engaged in the Slave Trade, under the protection of sea-letters (*patentes de navegacion*), whose illegality or fiction is incontestably manifest, and opposed to those determinations which, to root out this disgraceful traffic, the Government have made known:

Considering that no vessel could or should be employed in it, from the time that the first and only contracts which permitted the importation of Africans into the Republic were annulled or rescinded, which rendered of no avail all and every authorization which vessels employed in these operations had received by virtue of those Acts, and perceiving at length the abuse made of those documents which had authorized that privilege, and how they could be made derogatory to the dignity and to the laws of the state, if in time efficient measures were not adopted to prevent those consequences which this criminal practice might produce—the Executive Power declare, Article 1. Every sea-letter (*patente de navegacion*) by which vessels of the Republic, or of whatever other nation, permitted to trade in slaves, and to import them into the territory or places subject to its dominion, whether they be in the quality of such, or under the denomination of African Colonists, is null and of no value.

Article 2. To be communicated and published in the *Universal* for thirty days, and given to the National Register.

(Signed)

ORIBE.
PEDRO LENGUAS.

Second Enclosure in No. 210.

DECREE.

Ministry of War and Marine.

(Translation.)

Monte Video, 14th October 1835.

It having come to the knowledge of the Government since the promulgation of the Decree of the 13th instant, that vessels both national and foreign engaged in the Slave Trade on the coast of Africa, and on the high seas, in order to screen themselves from molestation, make use of special licences purporting to have been granted by this Republic, independently of the sea-letters (*patentes de navegacion*) to which the declaration made in the said decree alludes, the Government has resolved, in addition to the same,—

Article 1. That all special licences which authorize national or foreign vessels to carry on that trade, or to introduce African colonists or slaves into the territory of the state, are equally null and of no value.

Article 2. Let this be communicated, published in the form decreed, and inserted in the National Register.

(Signed)

ORIBE.
PEDRO LENGUAS.

P E R U.

No. 211.

*Foreign Office, 13th November 1835.**Viscount Palmerston to Mr. Wilson.*

[Instruction to negotiate a Treaty on Slave Trade: see Circular enclosed in No. 92.]

No. 212.

Belford Hinton Wilson, Esq. to the Duke of Wellington.—(Received 24th Nov.)
 MY LORD DUKE, *Lima, 9th July 1835.*

THE enclosed Copy of a Decree permitting the free importation into Peru of slaves from America, was one of the first of the measures taken by General Salaverry, on assuming the Government.

The Decree itself is in direct violation of the 146th Article of the Constitution.

The 18th Article of the Treaty between Colombia and Peru (vide State Papers 1828 to 1829, page 1246) declares it piracy to carry on the Slave Trade from Africa under the flag of either republic; but no mention is made respecting the importation of slaves from America.

Probably the possibility of such an idea was never contemplated by the Negotiators; the Libertador, Bolivar, never would have sanctioned it.

The treatment of slaves in Peru is not more benignant than their treatment in other sections of Spanish America, where indeed the same mild system is uniform.

The slave-holders in Peru entertain a belief that they will be enabled to import slaves from the Coast of Choco, in the Republic of New Grenada; but even supposing that the Grenadian Government consents to such a disposal of them, there still exists there no less scarcity of hands than in Peru.

I have forwarded to His Majesty's Minister at Bogota a Copy of this Decree.

Enclosed is a Copy of a Despatch which I addressed to the Minister of Foreign Affairs on this subject, together with his Reply.

My chief object was to show to this Government how sensibly alive was that of His Britannic Majesty to the question of the Slave Trade.

It also occurred to me that if slaves were allowed to be imported from the United States or Brazil, under the Peruvian Flag, that this permission might be subject to abuse, and serve as a pretext to cover expeditions coming from the African Coast.

The Decree itself made no exception respecting any of the States of the American Continent.

Without some clearer definition of it, therefore, it could not be, strictly speaking, understood to contain the limitation now explained.

(Signed) BELFORD HINTON WILSON.

His Grace the Duke of Wellington, K.G.
 &c. &c. &c.

First Enclosure in No. 212.

The Citizen Felipe Santiago de Salaverry. &c. &c. &c.

(Translation.)

Considering—

- I. That it is of the first necessity to improve the *ruinous state of agriculture.*
- II. That the principal cause of its decay consists in the want of labourers.
- III. That in the present state of our population, and looking to the invincible force of custom, free men cannot be employed with advantage.
- IV. That it would not be just to allow that the landed estates should be utterly destroyed, and with

them the most solid riches of the nation, from a regard to exaggerated principles of philanthropy, it is necessary to adopt a measure which will conciliate both extremes.

V. That the interchange of slaves existing in America will not augment the traffic of negroes nor aggravate their condition.

DECREE.

1. The importation of slaves from America is permitted free of duty.

My Secretary-General is charged with the execution and compliance of this Decree.

Given in the Government House in Lima, the 10th of March 1835.

(Signed)

FELIPE SANTIAGO DE SALAVERRY.

By Order of His Excellency.

(Signed)

JOSE DE ESPINAR,
Secretary General.

Second Enclosure in No. 212.

His Majesty's Consul-General to the Minister of Foreign Affairs.

SIR,

Lima, 19th June 1835.

IN the Official Gazette, No. 6, of the 14th of March last, a Decree was published, permitting the introduction into Peru of slaves from America.

The Minister of Foreign Affairs is no doubt fully sensible of the philanthropic exertions steadily and progressively persevered in during a series of years by the Government of His Britannic Majesty to effect the total extinction of the Slave Trade; and, with this view, to induce foreign countries, by amicable representations, to unite with it in its endeavours to procure the mitigation and the gradual suppression of slavery, by prohibiting any future importation of slaves into their respective dominions.

The Minister of Foreign Affairs must likewise be acquainted that the Government of His Britannic Majesty, acting in perfect unison with the feelings of the British Nation, have never relaxed in their humane endeavours until slavery was formally abolished throughout the British dominions by an Act of Parliament, sanctioned in the year 1833, and which has since been carried into complete effect.

The generous and noble sacrifice then made by the British nation to conciliate the interests of humanity with the justice due to vested rights affords the surest proof of the disinterestedness and of the sincerity of His Majesty's Government in recommending to foreign countries the extinction of the Slave Trade.

The noble example of Peru, acting in common with all the other States of Spanish America, in putting an immediate termination to the Slave Trade the moment it declared its own independence, and even in adopting effectual measures for the gradual and final suppression of slavery within its territories, could not but have been fully appreciated by His Majesty's Government, and by all others co-operating with it in the cause of civilization and humanity.

Since, then, His Majesty's Government is so sensibly alive to any act tending to perpetuate this traffic, it will be the duty of the Undersigned immediately to communicate to it a copy of the Decree before cited.

Prior to his doing so, he is desirous to be enabled to explain to his Government the full extent of the measure comprehended in the present Decree.

Whether it is intended under the term America to include the whole of the North and South American Continents? Whether, in fact, it is intended to allow of the importation of Slaves from the United States and Brazil, or only from the Spanish American Republics?

The Undersigned cannot conclude without expressing his sincere regret at a measure which may possibly be construed as a retrogression from those principles of philanthropy uniformly acted on by Peru since her own declaration of independence, and which may thereby occasion alarm to those countries no less anxious for the total extinction of this inhuman traffic than for the establishment of tranquillity and of prosperity in Peru.

The Minister of Foreign Affairs.

The Undersigned, &c.
(Signed) BELFORD HINTON WILSON.

Third Enclosure in No. 212.

The Minister of Foreign Affairs to His Majesty's Consul-General.

(Translation.)

SIR,

Government House, Lima, 3d July 1835.

THE Undersigned Minister of Foreign Affairs has received and submitted to his Government the Note in which His Britannic Majesty's Consul-General inquires, if the Decree issued on the 14th of last March, which allows the importation of slaves into Peru, comprehends both Continents of America, or only the Spanish American States.

As the principles and facts laid down by the Consul-General are truly philanthropic, and as Peru adhered to them the moment she proclaimed her independence, in despite of the deterioration to which the want of hands has since then reduced her agriculture, the Undersigned, less on account of any obligation to make the explanation which is required of him, than to render a mark of respect to the national sentiment, replies to the Consul-General, that the Decree only comprehends the Spanish American States, in which the condition of the slaves never has been, or is, so happy as in Peru.

Thus this measure, purely provisional, had for its object what is stated, that it should be considered more as a mitigation of the rigours of slavery than as a stimulus to promote its traffic.

The Undersigned, &c.

His Britannic Majesty's Consul-General,
&c. &c. &c.

(Signed) M. FERREYROS.

VENEZUELA.

No. 213.

*Foreign Office, 13th November 1835.**Viscount Palmerston to Sir Robert Ker Porter.*

[Instruction to negotiate a Treaty : see Circular enclosed in No. 92.]

No. 214.

Sir Robert Ker Porter to Viscount Palmerston.—(Received 17th February.)

MY LORD,

Caracas, 12th January 1836.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular of the 13th of November last, relative to the mutual desire of His Majesty's Government, and that of Brazil, to put an end to the Slave Trade; and enclosing the Draft of a Treaty proposed for that purpose to the States of Buenos Ayres and Monte Video.

I shall lose no time in entering into negotiation with the Government of Venezuela for concluding a Treaty between Great Britain and this country, on the basis of the Draft; and so soon as I obtain the notification of agreement on the part of the Executive to enter into negotiations, will instantly inform your Lordship.

There not being any Brazilian agent in Caracas at this moment, the task will devolve solely on me of inducing the Government to adopt the principles of the proposed Treaty.

I have, &c.

ROBERT KER PORTER.

(Signed)

Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.