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Class C.

(FURTHER SERIES)

CORRESPONDENCE

WITH

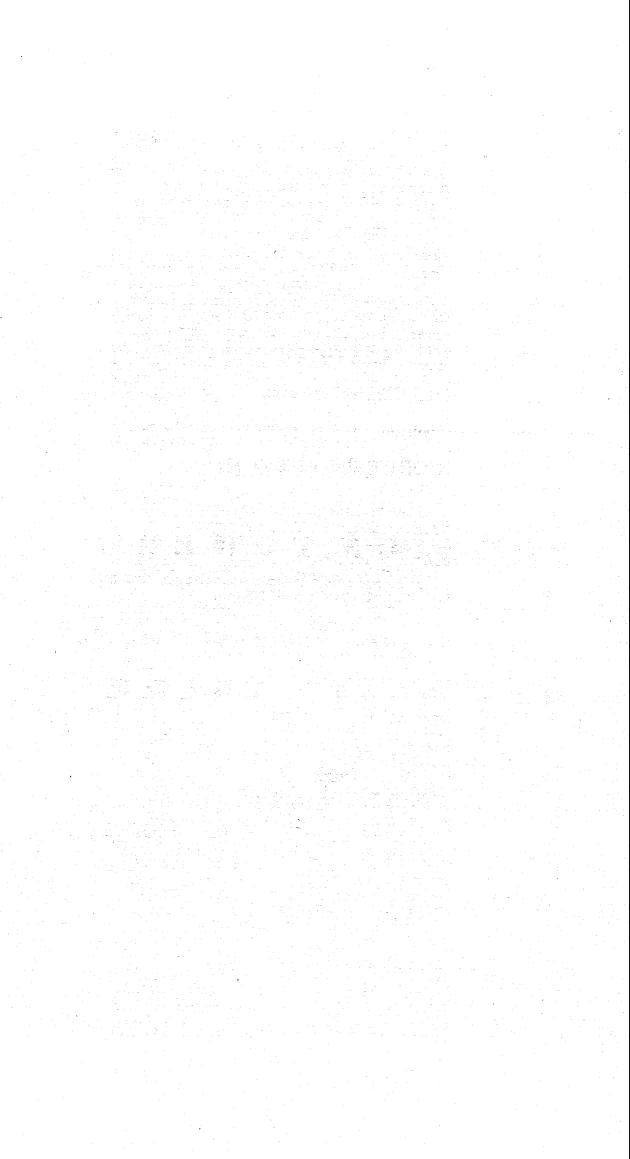
FOREIGN POWERS,

NOT PARTIES TO CONVENTIONS,

GIVING RIGHT OF SEARCH OF VESSELS SUSPECTED OF

THE SLAVE TRADE.

1840.



Class C.

(FURTHER SERIES.)

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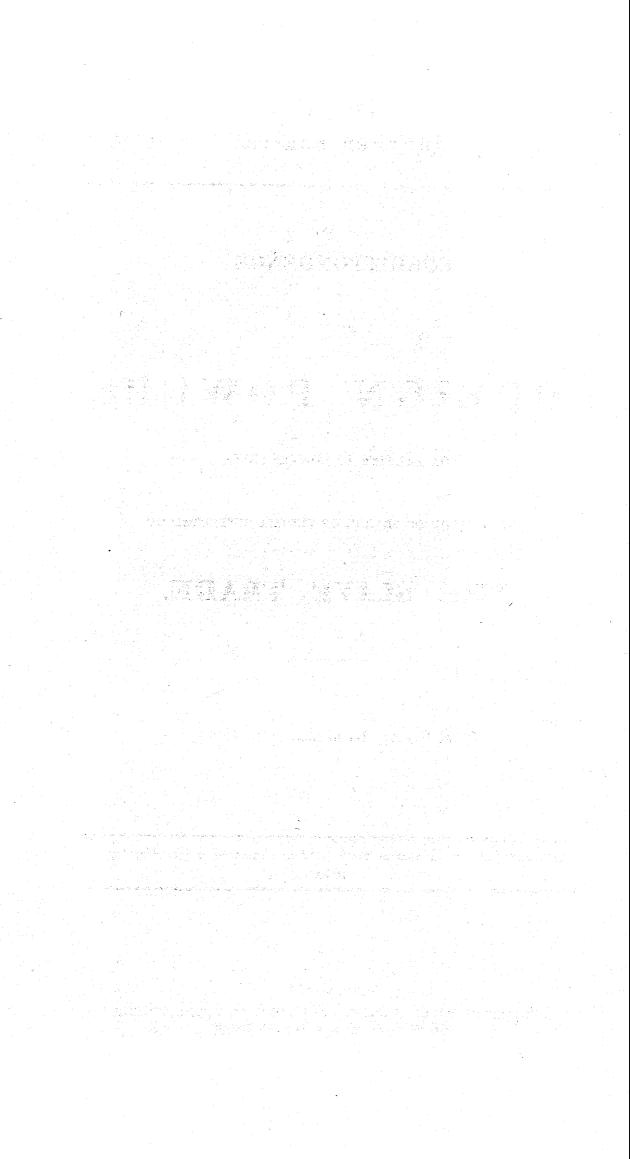
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1840,



Class C.--(Further Series)-1840.

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(FURTHER SERIES.)

CORRESPONDENCE

WITH

FOREIGN POWERS,

NOT PARTIES TO CONVENTIONS.

FRANCE.

No. 1.

Viscount Palmerston to Count Sebastiani.

Foreign Office, January 7th, 1840.

THE Lords Commissioners of the Admiralty, having communicated to the Undersigned, &c., the result of the inquiries, which, at the request of his Excellency Count Sebastiani, &c., their Lordships instituted into the allegation, that an officer, not named, of Her Majesty's brig "Childers," had misconducted himself towards the Master and crew of the French merchant vessel "*l'Africaine*," the Undersigned has now the honour to transmit to the Count Sebastiani, to be communicated to his Government, the accompanying copies of papers, containing the fullest details of the result of that investigation. Upon these papers the Undersigned has to observe to his Excellency, that the statement made by the Master of the French merchant ship and his crew, and that which, in answer to inquiry made by the Admiralty, was furnished by Commander the Honourable H. Keppel, are directly at variance upon several important particulars; and Her Majesty's Government, after a full consideration of those several statements, cannot entertain a doubt that the statement of Captain Keppel gives a true report of the facts as they actually occurred, especially with respect to those parts of the transactions which came within Commander Keppel's personal knowledge. The Undersigned begs to observe, in support of this opinion, that the Master of the French schooner, in one part of his statement, asserts that at the time of the transaction in question, his vessel lay off the Dutch fort, whereas Commander Keppel states, from positive knowledge, that the schooner lay in the roads of the British settlement of Accra, and was anchored off the British fort; and this statement is incidentally confirmed by that of the officers of a British trader, "The Robert Heddle," who witnessed the transaction while at anchor at British Accra. Again, the French Commander represents, that Commander Keppel, while on a visit to the Dutch Governor, endeavoured to compromise the affair, and imputes to Commander Keppel admissions, which it would have been both unnecessary and unnatural for Commander Keppel to have made. But Commander Keppel positively denies the truth of that statement; and the report which he gives of the language, which he actually did use during his visit to the Dutch Governor, is consistent with what might naturally be expected from a British Naval Commander under such circumstances.

Upon a careful comparison, therefore, of the two statements, Her Majesty's Government is led to believe, that the representation made by the Master and crew of the French merchant vessel is not entitled to credit; and Her Majesty's Government trusts, that the statement of Captain Keppel will appear to the French Government to contain a satisfactory refutation of the charges, which have been brought by the Master and crew of the French vessel "*l'Africaine*," against an officer not named, belonging to Her Majesty's sloop "Childers."

His Excellency Count Sebastiani, (Signed) &c. &c. &c. CLASS C.—FURTHER SERIES.

PALMERSTON.

Enclosure in No. 1.

Sir John Barrow to the Hon. W. F. Strangways.

Admiralty, May 30th, 1838.

(Received May 31st.)

WITH reference to your Letter of the 22nd of March, with its enclosure from his Excellency Count Sebastiani, complaining of the conduct pursued by an officer of Her Majesty's sloop "Childers," towards the Captain and officers of the French merchant-vessel "*L'Africaine*," I am commanded by my Lords Commis-sioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, copies of an explanation and other Papers transmitted by Commander the Hon. Henry Keppel of the " Childers," on this subject.

I have, &c.

JOHN BARROW. (Signed)

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

First Sub-Enclosure in No. 1.

Hon. Henry Keppel to Sir Philip Durham.

Her Majesty's brig " Childers,"

Portsmouth, May 26th, 1838.

I HAVE to acknowledge the receipt of your Letter of the 20th instant with its enclosures (herewith returned), relative to the conduct of an officer, belonging to Her Majesty's sloop under my command, towards the Master and crew of the French schooner "Africaine," while lying in British Accra on the 29th of October last; in answer to which I have the honour to enclose for their Lordships' information copies of a correspondence that has taken place on the same subject, between the senior Officer of Her Majesty's cruisers employed on the Western Coast of Africa and myself, by which it will be clearly seen that the greater part of the statement made by the Master of the "Africaine" is without foundation.

I further beg to remark that the French schooner anchored off the British fort, and not off the Dutch Fort.

At no period did the Officer from the "Childers" lift his hand against, or attempt in any way to molest the Master or any of the crew of the French schooner, nor is there any truth in any one of the insulting expressions the Officer is accused of having made use of. The marines sent in the boat to bring on board the "Childers" the two men who had struck Mr. Coaker never quitted the boat, nor was there a bayonet or sword drawn from its scabbard by any of the party. There is no truth in the latter part of Mr. Fabre's Letter, wherein he states

that I endeavoured (while on a visit to the Danish Governor) to compromise the I recollect having stated that if I found on investigation Mr. Fabre's report affair. correct, I had no doubt but that the Officer from the "Childers" would be dismissed Her Majesty's service; but if, on the contrary, I found that those on board the French schooner had been to blame, I should feel it my duty to lay the whole proceedings before a superior power.

(Signed)

I have, &c., HENRY KEPPEL,

Captain Commanding.

To Admiral Sir Philip Durham, G.C.B., Portsmouth

Second Sub-Enclosure in No. 1.

Mr. Popham to the Hon. Henry Keppel

Her Majesty's Sloop " Pelican," at Sea,

February 9th, 1838.

CAPTAIN Du Perrou, of the French corvette " Triumphante," has reported to me that an officer belonging to Her Majesty's sloop, under your command, had, while she was lying in Accra Roads, boarded the French merchant vessel, "Africaine," at anchor in the roadstead ; that the said officer had conducted himself with

SIR,

SIR,

SIR,

severity of manner, had attempted to forcibly examine her hold, had also broken open a box in which were vessel's papers, and had otherwise behaved with unnecessary incivility towards the master of that vessel; and lastly, that he had forcibly taken the said master out of his ship, and confined him in irons on board the "Childers," from whence he was removed by you on the following morning.

I beg you will give me a detailed account of what occurred on this occasion, as I feel certain that Captain Du Perrou must have been grossly imposed on by a false representation.

(Signed) I have, &c. (B. P

B. POPHAM, Commander and Senior Officer.

Commander Hon. Henry Keppel, Her Majesty's Ship "Childers."

SIR,

Third Sub-Enclosure in No. 1.

Hon. H. Keppel to Mr. Popham.

Her Majesty's Brig, " Childers," at Sea,

February 21st, 1838.

In answer to your letter of the 9th instant, requiring a detailed account of what occurred on the occasion of a boat from Her Majesty's brig under my command, having boarded a French schooner, I have the honour to inform you that on the 29th of October last, while lying at anchor off British Accra, the French schooner, "Africaine," arrived. Mr. Coaker (the master) went on board in the gig. Finding the main hatchway covered, and the vessel having a suspicious appearance, and Mr. Coaker not being able to obtain any further information than that the vessel was from Marseilles, and belonging to France, he requested the master to show his papers, which was refused in the most insolent manner. The companion hatchway leading to the cabin, being open, Mr. Coaker walked aft with the intention of looking down, on observing which the master of the schooner slammed the cover in his face.

Mr. Coaker then attempted to push the slide back, on which the master of the vessel called his crew aft, two of whom struck Mr. Coaker, one giving him a violent blow on the chest, a third lifted a large billet of wood, apparently with the intention of knocking him down. The boat's crew, who, until this period, remained in their boat, jumped on deck to the rescue of their officer.

The master of the vessel had in the mean time gone below, and returned on deck with a small tin case, which case Mr. Coaker (who had already seen enough to excite his suspicions that the vessel was either a pirate or a slaver) seized and took on board the "Childers;" he then returned to the "Africaine" with a party of three marines, and brought from her the two men who had struck him, and placed them in irons on board the "Childers;" he also detained on board the "Childers" for my inspection the tin case containing the vessel's papers. The statement of the master of the "Africaine" is a tissue of falsehoods. Mr. Coaker did not as was stated, "conduct himself with severity of manner," until he was treated with insolence and contempt, or did he attempt to forcibly examine the hold, nor did he break open a box in which were the vessel's papers, "nor did he behave himself with unnecessary incivility towards the master of that vessel," and lastly, he did not forcibly take the said master out of his ship," or "confine him in irons on board the "Childers."

Should further evidence be necessary to corroborate this statement, I have the affidavits of two officers belonging to the English barque "Robert Heddle," from which vessel they observed the greater part of the proceedings on board the French schooner.

B. Popham, Esq. &c. &c. &c.

I have, &c. (Signed) • HENRY KEPPEL,

Commander.

P.S.—I beg to enclose the statement of the two officers of the ship "Robert Heddle," which was made before Mr. Hanson, the British President at Accra, some months after the occurrence took place.

(Signed) H. K.

Fourth Sub-Enclosure in No. 1.

Mr. Grove to the Hon. H. Keppel.

British Accra, February 4th, 1838.

In answer to your request of the 29th of January, 1838, concerning the conduct of the crew of the French schooner "*Africaine*," when at anchor near the "Robert Heddle," in October last, towards one of your officers, the following is at present what I recollect.

Sometime P. M. of the 29th October, 1837, my mate called me from the cabin, stating that the crew of the French schooner were resisting an officer of a man-ofwar, in examining their vessel. I went on deck, but the struggle was over; it appeared to me from what I saw and could learn of my crew, that the officer had been successfully resisted, without his using violence for the purpose; he got in the boat and pulled off; several of the schooner's people were walking sharply about the mast and hatchway, and their principal near them by the gangway, as ready to act if required. The boat soon returned with marines, and took the principal out of the schooner with them.

The following is the mate's statement.

The Hon. H. Keppel, Her Majesty's Ship "Childers." I have, &c. (Signed) J. GROOVE.

Fifth Sub-Enclosure in No. 1.

Statement of the Officers of the "Robert Heddle."

THESE are to certify that We, the Undersigned officers on board the "Robert Heddle," observed the following occurrences on board a French schooner anchored near us at British Accra, 29th October, 1837. About 3 P. M. a boat from Her Majesty's brig "Childers" came alongside the schooner; soon after heard a noise in that direction, observed a man, supposed to be the master or mate of the schooner struggling with the officer of the boat near the gangway. Several of the schooner's crew were apparently assisting, one of them using a stick, when several of the boat's crew rushed upon the schooner's deck to the assistance of their officer, and wrested a staff from one of the party and threw it overboard: the schooner's mainsail being unfurled, laying on deck, prevented us from seeing any more of the occurrence. Shortly after observed the officer and men left the schooner, handing in the boat at the same time apparently a book, and proceeded on board the "Childers:" afterwards returned to the schooner with marines in the boat, and took from the schooner one man on board the "Childers."

(Signed)

ANDREW ROSS, Mate, JOHN STEVENSON, Mate.

British Accra, 4th February, 1838.

No. 2.

Viscount Palmerston to Earl Granville.

My Lord,

Foreign Office, February 20, 1840.

I HEREWITH transmit to your Excellency a copy and translation of an Apostolical Letter, promulgated on the 3d of December, 1839, by His Holiness the Pope, on the sub ect of the Slave Trade.

I have to desire that your Excellency will cause this letter to be inserted in the public journal of the place where you reside, and that you will avail yourself of any other suitable opportunity which may offer to make its contents known.

I am, &c.,

(Signed)

PALMERSTON.

His Excellency Earl Granville, G.C.B., &c. &c. &c.

SIR,

Enclosure in No. 2. Papal Brief, dated December 3, 1839. (See Enclosure in Class C., First Series.)

No. 3.

Viscount Palmerston to M. Bourquency.

Foreign Office, February 22, 1840.

VISCOUNT Palmerston has the honour to invite the Baron de Bourqueney to meet him at the Foreign Office on Monday next, the 24th instant, at three o'clock, in order to continue, in concert with the Plenipotentiaries of Austria, Prussia, and Russia, the negotiation for a Treaty between the five great Powers of Europe, upon Slave Trade.

Viscount Palmerston avails himself, &c.

No. 4.

Viscount Palmerston to Earl Granville.

My Lord,

Foreign Office, February 22, 1840.

THE communication, of which the enclosed is a copy, from Her Majesty's Consul at the Cape Verd Islands, contains an account of Slave Trade undertakings, which are carried on, apparently to a very great extent, under the French flag, and at the several settlements and possessions of France, in the Islands, and on the coast, of Africa.

I have to desire that your Excellency will present to the French Government a note, in which you will embody the substance of the enclosed communication respecting the Slave Trade of France; and you will state, that Her Majesty's Government feel assured, the French Government will learn with regret, that the laws of France against Slave Trade have thus been broken through. You will add, that Her Majesty's Government hope the Government of the King of the French will take decided measures, in order to prevent this proscribed traffic from being carried on with impunity, either from the possessions of France, or under cover of the French flag, or in any way by the assistance of French subjects or of French capital.

> I am, &c. (Signed) P

His Excellency Earl Granville, G.C.B., &c. &c. &c.

> Enclosure in No. 4. Mr. Rendall to Viscount Palmerston. Boa Vista, Cape Verds, December 18, 1839.

(See Class B., Further Series.)

No. 5.

Viscount Palmerston to Earl Granville.

My Lord,

Foreign Office, February 27, 1840.

WITH reference to my Despatch to your Excellency, marked "Slave Trade," of the 22d instant, I herewith transmit to your Excellency, copies of two communications received from the Admiralty, containing further information on the subject of Slave Trade, carried on by the subjects of France.

> I am, &c. (Signed)

PALMERSTON,

PALMERSTON.

His Excellency Earl Granville, G.C.B., &c. &c. &c.

Enclosure in No. 5.

Sir John Barrow to Mr. Fox Strangways.

SIR,

Admiralty, February 14, 1840.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, copies of a Letter from Rear-Admiral the Hon. G. Elliott, dated at the Cape of Good Hope, the 11th of December last, No. 169, and its enclosure, relative to the Slave Trade on the west coast of Africa, and French subjects being largely engaged therein.

(Signed)

I am, &c.

· · ·	JOHN	BARROW.
-------	------	---------

Sir,

&c.

First Sub-Enclosure in No. 5. "Badger" Simer's Ray December 11, 100

"Badger," Simon's Bay, December 11, 1839.

I HAVE the honour to enclose, for the information of my Lords Commissioners of the Admiralty, extract of a letter from Lieutenant Stoll, of Her Majesty's brigantine "Bonetta," relative to the Slave Trade on the west coast of Africa, and French subjects being largely engaged therein.

I have, &c. (Signed) GEO. ELLIOT.

Rear Admiral and Commander-in-Chief.

Charles Wood, Esq., &c. &c. &c.

The Hon. Fox Strangways,

&c.

&c.

Second Sub-Enclosure in No. 5.

Extract of a Letter from Lieutenant Stoll, commanding Her Majesty's Brigan tine "Bonetta."

Dated December 11, 1839.

FRENCH subjects seem to be largely engaged in the Slave Trade. I have captured three vessels within the last 12 months, commanded and practically manned by French men, besides having come into contact with several more: there are many other vessels publicly known as commanded by them. The two slave agents in the River Congo are Frenchmen.

No. 6.

Earl Granville to Viscount Palmerston.

Paris, February 28, 1840.

(Received March 1.)

I HAVE received your Lordship's Despatch, "Slave Trade," of the 20th instant, transmitting to me a copy and translation of an apostolical letter promulgated by His Holiness the Pope, on the subject of the Slave Trade, and desiring me to cause this letter to be inserted in the public journals of the place where I reside. I have to state, in reply to your Lordship, that the apostolical letter of His Holiness has already been inserted in several of the leading journals of this country, which have the greatest circulation.

I have, &c.

GRANVILLE.

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

No. 7.

M. Guizot to Viscount Palmerston.

Hertford House, March 4, 1840.

(Received March 6.)

Je suis chargé par mon Gouvernement d'annoncer à votre Excellence, que le Roi vient de conférer à son Consul Général près la République de Haïti, les

My Lord

My Lord,

pouvoirs nécessaires pour prendre part à la négociation, que le Gouvernement Britannique est sur le point d'ouvrir avec cette puissance, pour la répression de la Traite des Noirs, sur les bases des Conventions déjà conclues entre la France et l'Angleterre.

J'ai l'honneur, &c. (Signed) GUIZOT. Son Excellence le Viscomte Palmerston, G.C.B. Sc. &c. &c.

(Translation.)

My LORD.

My Lord.

Hertford House, March 4, 1840.

7

I AM charged by my Government to announce to your Excellency, that the King has recently conferred on his Consul General in the Republic of Haiti, the necessary powers for taking part in the negotiation, which the British Government is on the point of opening with that power, for the suppression of the Slave Trade, on the basis of the Conventions already concluded between France and England.

> I have, &c. (Signed) GUIZOT.

No. 8.

Earl Granville to Viscount Palmerston.

Paris, March 9, 1840. (Received March 11.)

WITH reference to your Lordship's Despatch, marked "Slave Trade," of the 27th ultimo, I have to inform you, that I have addressed a note to the French Government, enclosing the documents therein contained, relative to French subjects being engaged in the Slave Trade, on the coast of Africa.

(Signed)

GRANVILLE.

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

No. 9.

Viscount Palmerston to M. Guizot.

Foreign Office, March 14, 1840.

THE Undersigned, &c. has received the note which was addressed to him under date of the 4th instant, by his Excellency M. Guizot, &c., announcing that the French Government has empowered the French Consul-general in Hayti to take part in the pending negotiations between Great Britain and Hayti upon Slave Trade. And the Undersigned requests, that his Excellency M. Guizot will express to the Government of the King of the French, the satisfaction with which Her Majesty's Government have received this intimation.

The Undersigned, &c. (Signed)

His Excellency M. Guizot, &c. &c. &c.

No. 10.

M. Guizot to Viscount Palmerston.

Londres, le 13 Mars, 1840.

PALMERSTON.

(Received March 16.)

IL résulte, d'une pétition adressée récemment à mon Gouvernement, quelques faits dont je suis chargé d'entretenir votre Excellence, en la priant de me communiquer les informations qui seront parvenues à ce sujet au Gouvernemen Britannique.

D'après les renseignements transmis au Ministère de la Marine, deux bâtimens négriers, "La Henriette" et "La Laure," appartenant à un Sr. Robberechts de St. Malo, et chargés tout deux de nègres, auraient été capturés à deux époques

My Lord.

FRANCE.

I have, &c.

très rapprochées, par une frégate Anglaise de la station d'Afrique, et conduits à Sierra Léone. Là leur nationalité Française ayant été dûment constatée, la cour d'Amirauté, appelée à statuer successivement sur leur sort, aurait ordonné qu'ils fussent relâchés. Mais au moment de leur départ ils auraient été saisis de nouveau, au nom de la Douane, comme se trouvant en contravention aux lois dans des eaux Britanniques, et vendus au profit du Gouvernement Anglais. L'Armateur, M. Robberechts, se rendit en Angleterre, dès qu'il fut positivement informé du sort de ses bâtimens, mais avant son arrivée à Londres plus d'une année s'était écoulée depuis l'évènement, et, en conséquence, aux termes de la législation Anglaise, toutes ses réclamations durent être écartées.

Assurément, my Lord, l'intérêt de la répression de la Traite ne saurait, dans des circonstances pareilles, justifier la confiscation de ces deux bâtimens au profit du fisc Anglais. Il est constant, en effet, qu'il eût suffi de les livrer à l'autorité Française, pour qu'aux termes de la loi du 25 Août, 1827, les armateurs et capitaines fussent condamnés à des peines emportant, *outre le bannissement, une amende égale* à la valeur du navire et de la cargaison complette. Aussi, my Lord, si les faits sont en substance tels que j'ai eu l'honneur de vous les soumettre, mon Gouvernement se croirait-il parfaitement fondé, à réclamer la restitution des sommes perçues par le 'Trésor Britannique, par suite de la vente irrégulière des deux bâtimens du Sr. Robberechts.

Je vous serais infiniment obligé, my Lord, si vous vouliez bien me mettre en mesure de transmettre, sur cette question, une réponse prochaine à mon Gouvernement.

> J'ai l'honneur, &c. (Signed) G.C.B.

GUIZOT.

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

My Lord,

(Translation.)

London, March 13, 1840.

FROM a petition recently addressed to my Government there result certain facts, upon which I am charged to communicate with your Excellency, begging you to make me acquainted with the information which may have reached the British Government on the subject.

According to the statements transmitted to the navy department, two slave vessels, "La Henriette" and "Le Laure," belonging to Mr. Robberechts, of St. Malo, and both laden with negroes, were captured nearly at the same time by an English frigate on the African station, and taken to Sierra Leone. There, their French nationality having been duly proved, the Court of Admiralty, when called upon to decide successively the fate of each vessel, ordered that they should be released. But at the moment of their departure, they were seized in the name of the Customhouse, as being in British waters contrary to law, and were sold for the profit of the English Government.

The fitter-out, Mr. Robberechts, went to England as soon as he was positively informed of the fate of his vessels; but before his arrival in London more than a year had elapsed since the event, and consequently, according to the terms of English law, all his appeals were necessarily set aside.

Assuredly, my Lord, the interests of the suppression of the Slave Trade would not, under such circumstances, justify the confiscation of these two vessels to the profit of the revenue of England. In fact it is clear that it would have been sufficient to have delivered them over to French authority, in order that, according to the terms of the law of August 25, 1827, the equippers and captains might be condemned in penalties, which include, besides banishment, a fine equal to the value of the ship and the entire cargo.

Thus, my Lord, if the facts are in substance such as I have had the honour to submit to you, my Government believes it has perfect grounds to demand the restitution of the sums received by the British Treasury, in consequence of the irregular sale of Mr. Robberechts' two vessels.

I shall be infinitely obliged to you, my Lord, if you enable me to transmit a speedy answer to my Government upon this question.

I have, &c., (Signed)

GUIZOT.

No. 11.

Viscount Palmerston to Earl Granville.

Foreign Office, March 17, 1840.

My LORD,

I HEREWITH transmit to your Excellency, for communication to the French Government, an extract of a letter from Lieutenant Watson, commanding Her Majesty's brig "Water-witch," reporting the circumstances under which that officer destroyed a boat, which belonged to a piratical slave vessel; and which, having been cast off from that piratical slave vessel, while chased by the "Water-witch," had reached the French barque "Claudine."

I am, &c. (Signed)

PALMERSTON.

His Excellency Earl Granville, G.C.B., &c. &c. &c.

Enclosure in No. 11.

Extract of a Letter from Lieutenant Watson to the Hon. Geo. Elliott, dated the "Water-witch," off Princes Island, October 8, 1839.

On the 3d instant I despatched the cutter, in charge of Mr. T. N. Sturdie, second master, to reconnoitre the vessels in Lagos Roads, and to intercept a slave vessel expected to sail from thence. Mr. Sturdie, perceiving a suspicious looking brigantine at anchor, pulled towards her with English ensign and pendant flying; on seeing which she immediately slipped and made sail, firing a volley of musketry, without showing any colours. The latter returned the fire as soon as practicable, and pursued her in the most gallant style in the face of a brisk fire, to within two or three boats' lengths, at which time the vessel's sails being all set, and a fresh breeze springing up, she made her escape to leeward. Although the cutter was struck eleven times, fortunately not a man was hurt. This vessel had no slaves on board at the time, and had been only a few hours at anchor.

I observed the brigantine to get under weigh about 5 P. M., and chased her until sunset. At daylight next morning she was about nine miles distant; but the wind being light and variable, for which the sails of the "Water-witch" are not at all suited, the chase evidently using her sweeps, which could not be done with effect by this vessel on account of 32 men being absent, she considerably increased her distance before dark.

On my return to Lagos on the following day, (15th instant,) Mr. Sturdie reported to me that a boat, which had been cast off from the brigantine when she had slipped, was on board the French barque "*Claudine*." I therefore went on board, and informed the mate who was in charge of her, that I considered the vessel, which had fired at our boats, to be a pirate, and requested him to give me some information respecting her. This he positively refused; and although he acknowledged having been on board of her, that he was on board when our boat was discovered, he professed entire ignorance as to her name, nation, or character. Considering the boat to be the property of a pirate, I felt it my duty to destroy her, and gave a certificate in acknowledgement of my having done so.

No. 12.

Viscount Palmerston to M. Guizot.

Foreign Office, April 2, 1840.

SIR,

I HAVE to acknowledge the receipt of the Note which your Excellency addressed to me on the 13th March, 1840, respecting the French slave vessels "La Henriette," and "La Laure;" and I have to state that I have applied to the proper departments, for information on the subject of what took place in regard to these vessels, in order that I may be enabled to return an answer to your Excellency thereupon. I would beg, however, to observe to your Excellency, that it seems extraordinary that the parties should have allowed so many years to elapse without making any claim; and I should be glad to know whether the French Government wishes to receive from Her Majesty's Government any assistance, in the way of evidence and proof, for the purpose of inflicting upon Mr. Robberechts

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the applicant, and upon the other parties concerned in the criminal proceeding out of which the claim arises, the punishment which the laws of France attach to such offences. I am, &c.

His Excellency M. Guizot, &c. &c. &c.

(Signed) PALMERSTON.

No. 13.

Viscount Palmerston to Lord Granville.

My Lord,

Foreign Office, April 2, 1840.

I HEREWITH transmit to your Excellency, for communication to the French Government, a copy of a Letter and of its Enclosure received at this office from the Colonial Department, containing a report that French vessels of war have been making contracts on the coast of Africa for the purchase of slaves to serve as soldiers in the French West Indian Colonies.

You will endeavour to learn whether this statement is well founded; and if it should turn out to be so, you will represent to the French Government, that though Her Majesty's Government do not in the least doubt the liberal intentions of the French Government, in respect to the future treatment of the negroes so to be bought, yet, the transaction is a real case of Slave Trade, and tends to revive among the tribes with which the contract is to be made, all the bad and cruel habits connected with the Slave Trade; that it must necessarily occasion those acts of violence, rapine, and bloodshed in the interior, which are inevitably necessary for the procuring of slaves; and that it will lead the natives away from their recent habits of legitimate commerce, and tempt them back again to their former practices of man-stealing. I am, &c.,

His Excellency Earl Granville, G.C.B., (Signed) PALMERSTON. &c. &c.&c.

Enclosure in No. 13.

Mr. Stephen to Mr. Backhouse.

Downing Street, March 19, 1840.

I AM directed by Lord John Russell to transmit to you, for the information of Viscount Palmerston, an Extract of a Letter which has been addressed to Messrs. Foster and Smith, merchants of London, from the Rio Nunez, reporting the proceedings of two French vessels of war in that river.

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

(Signed)

I am, &c.,

JAMES STEPHEN.

Sub-Enclosure in No. 13.

Extract of a Letter dated Rio Nunez, December 31, 1839.

THERE are now in the river two French men-of-war, viz., "La Fine," and "La Cigale," accompanying a merchant vessel, who has contracted with the governor of St. Louis, Senegal, to buy him about 500 slaves, all men, to make soldiers of. It is a good thing for us that Senor Caetano, of Bissao, has contracted with the French for the above slaves; as it was reported their intentions were to put factories in this river to purchase them, which would have very much injured our produce trade, as the natives would neglect the cultivation of produce to attend to the horrible traffic in slaves. I believe they will leave here by the 2d January, 1840, for Bissao, to ship a part of the slaves.

We have had no British men-of-war in this river this season, but expect to see one soon.

No. 14.

Viscount Palmerston to Lord Granville.

Foreign Office, April 23, 1840.

I HEREWITH transmit to you for your information, three copies of a Treaty, concluded at Caracas on the 15th March, 1839, between Her Majesty and the Republic of Venezuela, for the abolition of the Slave Trade.

I am, &c., His Excellency Earl Granville, G.C.B., (Signed) PALMERSTON. &c. &c. &c.

SIR,

My Lord,

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No. 15.

Viscount Palmerston to M. Guizot.

Foreign Office, May 8, 1840.

I HAVE made inquiry into the cases of the vessels "La Henriette," and " La Laure," referred to in the letter addressed to me by your Excellency on the 13th March, 1840; and the result of those inquiries is as follows: The only vessel of the name of "La Henriette" known to have been detained

by a British cruizer, and to have been subsequently condemned, is the brig

"Henriette," called also "Confiance," which was captured under French colours and with 426 slaves on board, on the 11th August, 1828, by Her Majesty's ship " Eden."

Upon a perusal of the Report of this case, given in by the Commissioners before whom the case was tried, it appears that this vessel had on board three sets of papers, French, Spanish, and Dutch, but that the master himself, L'Espoire Raouland, declared to the Court that the French and Spanish papers were fraudulent, that the vessel was Dutch, and that he was the Owner both of the vessel and of the slaves.

Under these circumstances the vessel was condemned as a Netherland slave vessel in the Mixed British and Netherland Court of Commission at Sierra Leone, on the 3d October, 1828.

I have the honour to transmit to your Excellency a copy of the Official Report sent in upon the subject of this case by His Majesty's Commissioner.

With respect to the other case mentioned by your Excellency, that of the vessel " La Laure," it appears that this vessel was met with on the 1st October, 1829, by His Majesty's ship, "Athol," Captain Gordon. "La Laure" had then French colours flying; 370 slaves were found on board of her, and it was stated to the visiting officer by the persons on board, that 120 of those slaves had been taken from a Spanish schooner recently wrecked; and some of the other slaves appeared to have been kidnapped from Sierra Leone. There were on board two persons in the character of masters of the vessel; and part of the crew asserted that the vessel was Spanish property.

Under these suspicious circumstances, Captain Gordon thought it incumbent on him to conduct the vessel to Sierra Leone, for adjudication by the Commissioners of the Mixed British and Spanish Court at that place; but those Commissioners declined to take cognizance of the case, on the ground that the vessel had been detained while under a French flag, and that she must therefore be considered primâ facie as a French vessel.

On this decision, Captain Gordon felt it his duty to take "La Laure" to Goree, and deliver her up to the French authorities at that place; and he had actually set sail for that purpose in company with "La Laure," when the captain of that vessel, Jean Victor Jastram, and the mate, Andre Terraud, voluntarily came forward and made depositions on oath, of which I have the honour to forward herewith copies to your Excellency, stating that the "Laure" was in reality Spanish; that Fernando Hernandez, a merchant at Porto Rico, was her owner; that she had sailed from St. Thomas's on the 23d April, 1829, with two sets of papers, one French, dated April, 1828, and one Spanish, dated March, 1829; and that on His Majesty's Ship "Athol" sending a boat on board, the Spanish colours and papers were thrown into the sea, and that the French colours were hoisted, and the French papers were delivered to the officer of the "Athol."

On these formal depositions, Captain Gordon brought the case again before the British and Spanish Court for Adjudication; and leaving the matter with the Court, sailed away to his station.

Owing, however, to the destruction of the Spanish papers, the nationality of the vessel, as a Spanish vessel, could not be substantiated, and the vessel was again released by the Mixed Court. But her owner, however, complains, that she was immediately afterwards detained by an officer of the Customs for being found within the British waters with slaves on board, in contravention of British laws, and that she was tried in the Vice Admiralty Court and condemned.

But it is clear that the vessel the "Laure" would have been taken to Goree under convoy of her original captor, and have been delivered up to the French authorities there, had it not been for the act of her master and mate, who, seemingly apprehensive of the consequences which might result to them from such a proceeding, voluntarily came forward and deposed, that the vessel was Spanish CLASS C.--FURTHER SERIES.

They thus voluntarily disclaimed all protection from the flag they had property. first, although fraudulently, assumed; and any consequences which afterwards befell them, and the property under their care, must be attributed to that new state of things in which they were placed by their own act; and they can have no right to re-assume the character of master or mate of a French vessel, in order to claim compensation on account of such losses; nor can the owner, who must be con-sidered as represented by the master of the vessel, come forward now to claim compensation, as owner of a French vessel, for losses which were the consequence of the voluntary deposition on oath of the master of the "Laure," that the vessel was not French.

His Excellency M. Guizot, &c. &c. &c.

I am, &c., (Signed) PALMERSTON.

First Enclosure in No. 15. Mr. George Jackson to the Earl of Aberdeen. Sierra Leone, October 4, 1828. (See Class A. 1829, No. 64, p. 88.)

Second Enclosure in No. 15.

Affidavit of John Victor Jastram, Master of "La Laure."

I, John Victor Jastram, do declare that the schooner "La Laure," detained by His Majesty's ship "Athol," whereof I am master, sailed from St. Thomas' on the 23rd April last, with two sets of papers on board,-one French, dated in April, 1825, and the other Spanish, dated in March of the present year; that on His Majesty's ship "Athol" sending her boat on board on the 1st October, at sea, I ordered the Spanish papers to be thrown overboard, and I hoisted French colours on board the "La Laure, and I then delivered to the officer of the "Athol" my The owner's name of the "La Laure" is Fernando Fernandez, French papers. a merchant residing at Porto Rico.

Dated in the harbour of Free Town, this 13th day of October, 1829.

(Signed)

JOHN VICTOR JASTRAM,

Master of the " La Laure."

Sworn before me this 13th October, 1829, in the Harbour of Free Town.

(Signed) ALEXANDER GORDON.

Captain of His Majesty's ship "Athol."

Third Enclosure in No. 15.

Affidavit of Andre Ferrand, Second Mate of the Schooner " La Laure."

I, Andre Ferrand, Second Mate of the schooner "La Laure," whereof J. V. Jastram is Master, do declare that I joined the schooner "La Laure," at Shebar, and that I was entered in the Muster Roll of the "La Laure," at Shebar; that on the 1st October of the present year, 1829, we were chased by His Majesty's ship "Athol;" Captain Jastram ordered French colours to be hoisted, and I saw the Spanish papers and colours thrown overboard by a boy. Captain Jastram ordered this to be done, as soon as he found the "Athol" to be an English man-of-war. Does not know the owners of the said schooner, but have understood, that she belongs to a Spanish subject residing at Porto Rico. She sailed last from St. Thomas'. The "La Laure" had French Papers on board also, which were given. up to the "Athol."

Dated in the harbour of Free Town, this 13th day of October, 1829.

(Signed)

I. ANDRE FERRAND,

Second Mate of the Schooner " La Laure."

Sworn before me this 13th October, 1839, in the harbour of Freetown.

(Signed) ALEXANDER GORDON, Captain of His Majesty's ship "Athol."

DENMARK.

No. 16.

Viscount Palmerston to Baron Blome. Foreign Office, January 31, 1840.

THE Undersigned, &c. with reference to his previous correspondence with Baron Blome, &c., respecting the damage occasioned to the Danish vessel "*Charlotte*," by a shot from Her Majesty's ship "Grecian," has the honour to acquaint Baron Blome that the Lords of Her Majesty's Treasury have directed the Paymaster for Civil Services to pay the sum of £10 to Baron Blome, to be remitted to the master of the Danish vessel "*Charlotte*," for the damage done to the "Charlotte," on the occasion referred to; and that if Baron Blome will send to Mr. Sargent, of Her Majesty's Treasury, a receipt for the sum in question, the money will be immediately paid to the person who may bring such receipt.

The Baron Blome, &c. &c. &c.

(Signed)

I am, &c.,

PALMERSTON.

No. 17.

Viscount Palmerston to Sir H. Wynn.

Foreign Office, February 20, 1840. Circular, sending Papal Brief against the Slave Trade. (See No. 2, page 5.)

No. 18.

Viscount Palmerston to Sir H. Wynn.

Foreign Office, April 23, 1840.

Circular, sending Treaty with Venezuela.

(See No. 14, page 11.)

No. 19.

Viscount Palmerston to Mr. Canning. Foreign Office, February 20, 1840. Circular, sending Papal Brief against the Slave Trade. (See No. 2, page 5.)

No. 20.

Mr. Canning to Viscount Palmerston.

Hamburgh, March 3, 1840. (Received March 7.)

I HAVE had the honour to receive your Lordship's Despatch, marked "Slave Trade," dated the 20th February, transmitting to me a copy and translation of an Apostolical Letter, promulgated on the 3d December, 1839, by His Holiness the Pope, and your Lordship desires me to cause it to be inserted in the public journal of this place, and to avail myself of any other suitable opportunity to make its contents known.

I beg leave to acquaint your Lordship that this letter has appeared already in the papers of this place on the 27th December, and I hope your Lordship will therefore approve of my not causing it to be reinserted; but I shall take any other opportunity that occurs to make its contents known.

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

No. 21.

Viscount Palmerston to Mr. Canning. Foreign Office, April 23, 1840. Circular, sending Treaty with Venezuela.

(See No. 14, page 11.)

My Lord,

SARDINIA.

No. 22.

Viscount Palmerston to Sir A. Foster. Foreign Office, February 20, 1840.

Circular, sending Papal Brief against the Slave Trade.

(See No. 2, page 5.)

No. 23.

Sir A. Foster to Viscount Palmerston.

Turin, March 5, 1840.

(Received March 12.)

I HAD the honour to receive on the 2d instant your Lordship's Despatch, marked "Slave Trade," of the 20th February, transmitting a copy and translation of an Apostolical letter, promulgated on the 3d December, 1839, by His Holiness the Pope, on the subject of the Slave Trade, and desiring that I would cause this letter to be inserted in the public Journal of Turin, as well as make its contents known by any other suitable opportunity.

I took an opportunity, the same evening, to mention the subject to the King of Sardinia, when His Majesty, as indeed he has always done, expressed the strongest abhorrence of the Slave Trade, and professed his readiness to give the document immediate publication.

It had, however, been already circulated in the Italian language in this country, by the public papers both of Genoa and of Turin, and I have the honour to transmit to you the Piedmontese Gazette of the 30th December, which contains it.

to you the Piedmontese Gazette of the 30th December, which contains it. His Majesty spoke to me with great animation, in asserting that if any of his subjects were to be found trespassing, they would be very severely dealt with; and I must observe, that no instance has ever come to my knowledge of any Sardinian subject having engaged in that detestable traffic.

			I have, &c (Signed)	A. FOSTER.
The Right Hon	•		G.C.B.,	
&c.	&c.	&c.		

No. 24.

Viscount Palmerston to Sir A. Foster. Foreign Office, April 23, 1840.

Circular, sending Treaty with Venezuela.

(See No. 14, page 11.)

My Lord,

TUSCANY.

No. 25.

Viscount Palmerston to the Hon. H. E. Fox.

Foreign Office, February 20th, 1840. Circular, sending Papal Brief against the Slave Trade.

(See No. 2, page 5.)

No. 26.

The Hon. H. E. Fox to Viscount Palmerston.

Florence, March 9, 1840. (Received March 28.)

I HAVE the honour to transmit to your Lordship a copy of an extract from a Circular, which his Excellency Don Neri Corsini has lately addressed to all the Tuscan diplomatic and consular agents, at all the ports in the Mediterranean where such agents are employed, for the more effectual suppression of the Slave Trade.

His Excellency read me the whole of the document, and at my request has furnished me with the enclosed extract, which he hopes will prove to your Lordship, how desirous the Government of this country are to prevent the continuance of this traffic in any shape, and to withhold the protection of their flag from affording such traders any facility.

I have, &c.

(Signed) HENRY EDWARD FOX.

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

Enclosure in No. 26.

Circular.

La Légation de Toscane à Constantinople, et tous les Consuls et autres Agens du Grand Duché à l'étranger, ceux particulièrement qui ont leur résidence dans les ports de l'Empire Othoman et de l'Afrique, ne permettront point à l'avenir que des noirs, attachés au service d'individus ou familles, de quelque nation que ce soit, sous le nom et en qualité de domestiques, soient admis à bord de bâtimens Toscans.

L'admission de ces domestiques noirs sur les bâtimens Toscans pourra avoir lieu seulement dans le cas où la personne, au service de laquelle ils sont attachés, émettra par écrit une déclaration, portant que ces noirs ne sont point constitués en état d'esclavage, et qu'ils seront traités comme hommes libres, jouissant du droit de quitter leur service actuel toutes les fois qu'ils en fissent la demande, soit au capitaine du bâtiment, soit aux Autorités Civiles on Militaires du port où relâche le bâtiment. Une telle déclaration devra dans chaque cas être faite en double, dont l'une sera déposée dans les archives de la légation ou du consulat, et l'autre devra être remise entre les mains du capitaine du navire, à l'effet qu'il puisse en faire usage dans l'intérêt des domestiques noirs, dans le cas qu'ils témoignassent le désir de quitter les maîtres, à la suite desquels ils se sont embarqués.

My Lord,

(Extract.)

(Translation.)

The Tuscan Legation at Constantinople, and all the Consuls and other agents of the Grand Duchy in foreign parts, particularly those who have their residence in ports of the Ottoman Empire, and of Africa, will for the future by no means permit blacks, attached to the service of individuals or families of any nation whatever, under the name and in quality of domestics, to be admitted on board Tuscan vessels.

The admission of these black domestics on board shall only take place in cases in which the person to whose service they are attached, shall issue in writing a declaration, setting forth that these blacks are not at all in a state of slavery, and that they shall be treated as free men, enjoying the right to quit their actual service every time that they demand it, whether from the Captain of the ship, or from the authorities, civil or military, of the port where the vessel touches. Such declaration shall in each case be made in duplicate; one copy shall be deposited in the archives of the Legation or Consulate, the other shall be placed in the hands of the Captain of the ship, in order that he may make use thereof in behalf of the black domestics, in case they shall show a desire to quit the masters in whose suite they have embarked.

No. 27.

Viscount Palmerston to the Hon. H. E. Fox.

SIR,

Foreign Office, April 11, 1840.

PALMERSTON.

I am, &c.

I HAVE received your Despatch, marked "Slave Trade," of the 19th March, 1840, enclosing an extract from a circular instruction, which the Tuscan Government has addressed to its agents in the Mediterranean, with a view to the more effectual suppression of the Slave Trade; and I have to desire that you will present a note to the Tuscan Government, expressing the thanks of Her Majesty's Government for this measure.

The Hon. H. E. Fox, &c. &c.

No. 28.

Viscount Palmerston to the Hon. H. E. Fox. Foreign Office, April 23, 1840. Circular, sending Treaty with Venezuela. (See No. 14, p. 11.)

(Signed)

TWO SICILIES.

No. 29.

Viscount Palmerston to the Hon. W. Temple. Foreign Office, February 20, 1840. Circular, sending Papal Brief against the Slave Trade.

(See No. 2, p. 5.)

No. 30.

The Hon. W. Temple to Viscount Palmerston.

Naples, March 20, 1840.

My Lord,

(Received April 4.)

I HAVE received your Lordship's Despatch marked "Slave Trade," of the 20th of February, instructing me to cause the Apostolical Letter on the subject of the Slave Trade, which was enclosed in it, to be inserted in the public journal of Naples.

I find, however, upon inquiry, that this letter has already been published in the official journal of the country, it having appeared in the "Giornale delle due Sicilie," in the Italian language, on the 20th January last.

1 shall not fail, however, to take any other suitable opportunity of making it known.

I have, &c.

W. TEMPLE.

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

No. 31.

Viscount Palmerston to the Hon. W. Temple. Foreign Office, April 23, 1840.

(Signed)

Circular, sending Treaty with Venezuela.

(See No. 14, p. 11.)