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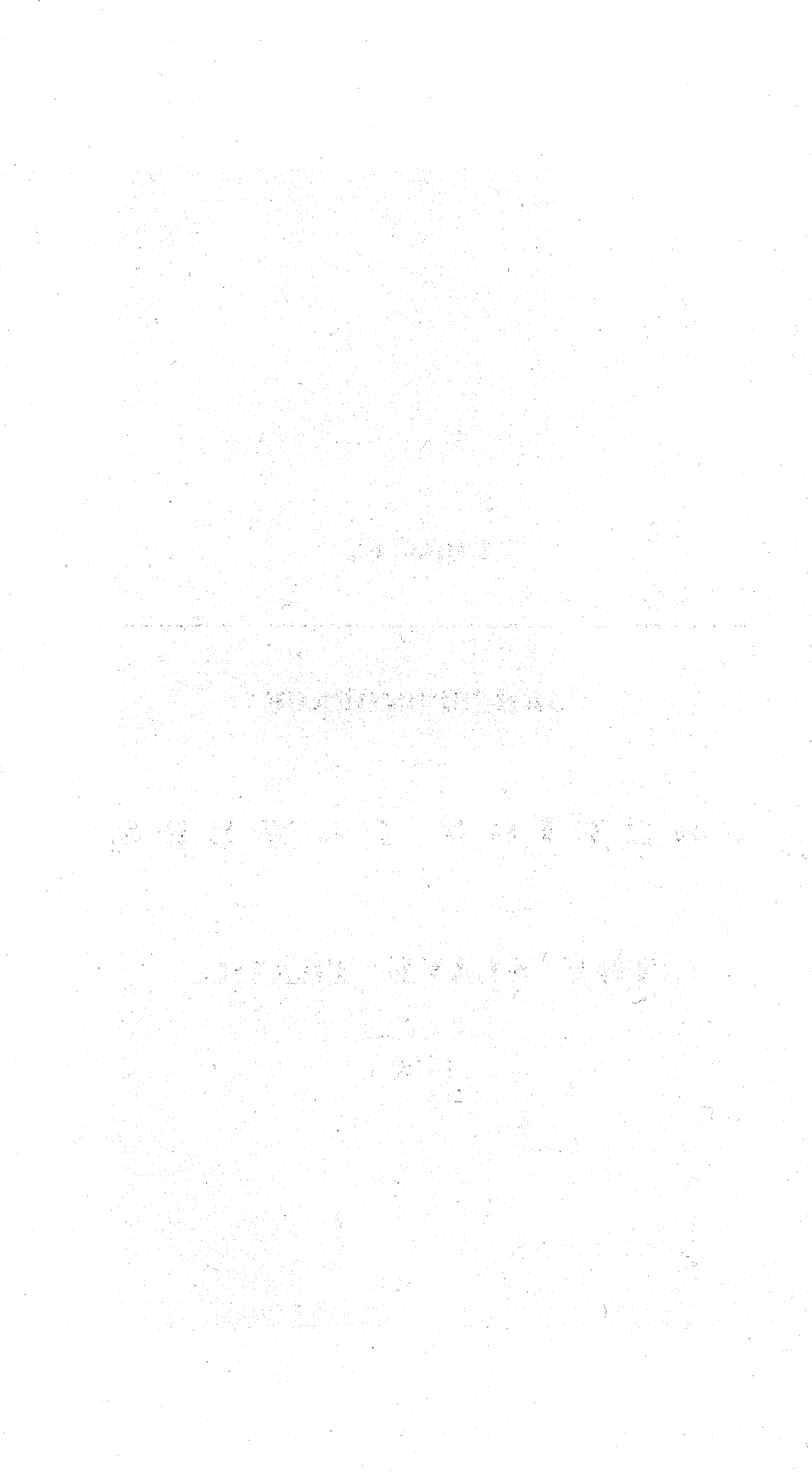
WITH

F O R E I G N P O W E R S,

RELATING TO

THE SLAVE TRADE.

1842.



Class C.

C O R R E S P O N D E N C E

ON

S L A V E T R A D E,

WITH

F O R E I G N P O W E R S

P A R T I E S T O C O N V E N T I O N S

UNDER WHICH

**V E S S E L S A R E T O B E T R I E D B Y T H E T R I B U N A L S O F T H E
N A T I O N T O W H I C H T H E Y B E L O N G.**

From January 1, to December 31, 1841, inclusive.

*Presented to both Houses of Parliament by Command of Her Majesty,
1842.*

L O N D O N :

**PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.**

1842.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

LECTURE 10

STATISTICAL MECHANICS

1. The probability of finding a system in a state with energy E is given by the Boltzmann factor $e^{-\beta E}$, where $\beta = 1/(k_B T)$.

2. The partition function Z is the sum of Boltzmann factors over all states: $Z = \sum_i e^{-\beta E_i}$.

3. The average energy $\langle E \rangle$ is given by $\langle E \rangle = -\frac{1}{Z} \frac{\partial Z}{\partial \beta}$.

4. The entropy S is given by $S = k_B \ln Z + \beta \langle E \rangle$.

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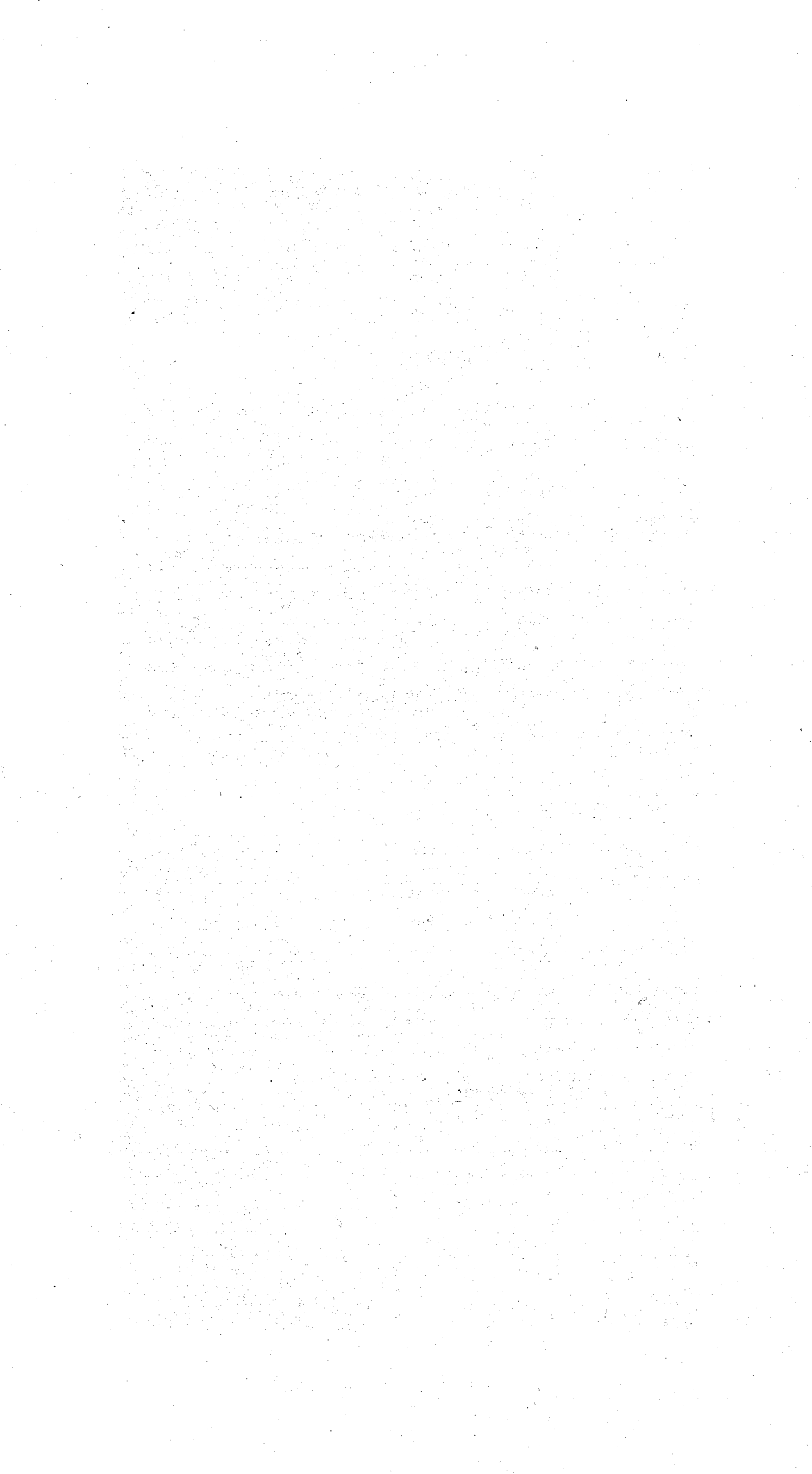
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Class C.—1842.

CORRESPONDENCE

WITH

FOREIGN POWERS.

A U S T R I A.

No. 1.

Viscount Palmerston to Lord Beauvale.

MY LORD,

Foreign Office, April 15, 1841.

I HEREWITH transmit to you, for your information, two copies of a Treaty concluded at Buenos Ayres, on the 24th of May, 1839, between Her Majesty and the Argentine Confederation, for the abolition of the Slave Trade.

The ratifications of this Treaty were exchanged at Buenos Ayres on the 16th of May, 1840.

*The Lord Beauvale,
&c. &c. &c.*

I am, &c.
(Signed) PALMERSTON.

No. 2.

Viscount Palmerston to Lord Beauvale.

MY LORD,

Foreign Office, April 22, 1841.

I HEREWITH transmit to you, for your information, two copies of a Convention, concluded at Port au Prince on the 23rd of December, 1839, by which the Republic of Hayti has acceded to the Conventions for the suppression of the Slave Trade, concluded between his late Majesty and the King of the French on the 30th of November, 1831, and the 22nd of March, 1833.

The ratifications of this Convention were exchanged at Port au Prince on the 20th of October, 1840.

*The Lord Beauvale,
&c. &c. &c.*

I am, &c.
(Signed) PALMERSTON.

No. 3.

Viscount Palmerston to Lord Beauvale.

MY LORD,

Foreign Office, May 11, 1841.

IT would appear, from information which has reached Her Majesty's Government, that persons appointed by European governments to reside as Ministers, Consuls, or Agents, in slave-holding countries, are sometimes in the habit of hiring and maintaining slaves, and of engaging in undertakings in which slave property is concerned.

As by such practices the functionaries in question give an indirect sanction to slavery, and appear to countenance measures which tend to create a demand for slaves, Her Majesty's Government has addressed to all British functionaries

CLASS C.

in slave-holding countries the circular letter of which I enclose a copy ; and, as Her Majesty's Government think it very important that the opinion of the Government should be expressed upon this subject in such a manner as to afford an additional discouragement to the Slave Trade, Her Majesty's Government think that much good would be effected in this respect if the Government would address to its agents, in slave-holding countries, instructions similar to those contained in the enclosed circular ; and I have to instruct you to address to the Austrian Government a note inviting them to do so.

The Lord Beauvale,
&c. &c. &c.

I am, &c.
(Signed) PALMERSTON.

Enclosure in No. 3.

Circular of May 8, 1842.

(See Class B, No. 196, p. 433.)

No. 4.

Lord Beauvale to Viscount Palmerston.

Vienna, May 25, 1841.

(Received June 4.)

MY LORD,

IN obedience to the instructions conveyed to me in your Lordship's Despatch of the 11th instant, I have addressed a note to Prince Metternich, a copy of which I have the honour to enclose, calling upon the Austrian Government to address to its agents, in slave-holding countries, instructions similar to those contained in the circular transmitted to me in your Lordship's Despatch.

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

I have, &c.
(Signed) BEAUVALE.

Enclosure in No. 4.

Lord Beauvale to Prince Metternich.

Vienna, May 24, 1841.

THE Undersigned, &c., has the honour to enclose herewith to His Highness Prince Metternich, &c., copy of a letter and its enclosure, which Her Majesty's Government has addressed to all British functionaries in slave-holding countries, stating its opinion that it would be unfitting that any officer holding an appointment under the British Crown should either directly or indirectly hold or be interested in slave property.

It would appear, from information which has reached Her Majesty's Government, that persons appointed by European Governments to reside as Ministers, or Consuls, or Agents, in slave-holding countries, are sometimes in the habit of hiring and maintaining slaves, and of engaging in undertakings in which slave property is concerned ; and as Her Majesty's Government think it very important that the opinion of the Austrian Government should be expressed upon this subject in such a manner as to afford an additional discouragement to the Slave Trade, and that much good would be effected in this respect if the Austrian Government would address to its agents, in slave-holding countries, instructions similar to those contained in the abovementioned letter, the Undersigned has received instructions to invite the Government of His Imperial Majesty to adopt a similar course.

His Highness Prince Metternich,
&c. &c. &c.

(Signed) BEAUVALE.

No. 5.

Viscount Palmerston to Sir Thomas Sorell.

SIR,

Foreign Office, July 31, 1841.

I HEREWITH transmit to you a copy of a letter from the Greek Minister at this Court, together with a translation of a law promulgated by the King of Greece on the 13th March, 1841, prohibiting the Trade in Slaves, and assigning penalties for the offences committed in contravention of that law.

I also transmit to you a copy of a Despatch, and of its enclosures, from Her Majesty's Minister in Greece upon the same subject; and I have to desire that, in conformity with the desire expressed by the Greek Government, as stated in these papers, you will give your best assistance towards carrying that law into effect.

I am, &c.

(Signed) PALMERSTON.

P.S.—I also transmit to you herewith two sets of the papers enclosed in this Despatch; and I have to desire that you will forward a set to your Vice-Consuls at Trieste and Fiume, with suitable instructions.

Sir Thomas Sorell,
 &c. &c. &c.

 First Enclosure in No. 5.
*M. Tricoupi to Viscount Palmerston.**June 7 (19), 1841.*

(See Class D.)

 Second Enclosure in No. 5.
*Sir E. Lyons to Viscount Palmerston.**Athens, April 22, 1841.*

(See Class D.)

 No. 6.
Viscount Palmerston to Baron Koller.

VISCOUNT PALMERSTON presents his compliments to Baron Koller, and has the honour to invite Baron Koller to meet him at the Foreign Office tomorrow, Wednesday, at two o'clock, in order to continue, in concert with the Plenipotentiaries of France, Prussia, and Russia, the negotiation for a Treaty between the Five Great Powers of Europe upon Slave Trade.

Foreign Office, August 24, 1841.

 No. 7.
Viscount Palmerston to Baron Koller.

THE Undersigned, &c., has the honour to transmit to Baron Koller, &c., two copies of the Draft of Treaty between the Five Powers for the suppression of the Slave Trade, containing the alterations agreed upon at the Conference held at the Foreign Office on the 20th inst.

The Undersigned, &c.

(Signed) PALMERSTON.

No. 8.

*Sir T. Sorell to Mr. Bidwell.**Trieste, August 21, 1841.**(Received September 8.)*

SIR,

I HAVE the honour to acknowledge the receipt of the Despatch of the 31st of July, enclosing documents comprising a translated copy of a law recently promulgated by the King of Greece, assigning punishments to any of his subjects who may be convicted of a violation of that law.

I have transmitted one copy of these enclosures to the Vice-consul at Venice, and another to the Vice-consul at Fiume, accompanied by instructions which will, I trust, ensure a vigilant attention on their part to the object in view.

John Bidwell, Esq.
 &c. &c.

(Signed)

I have, &c.

THOMAS S. SORELL.

No. 9.

The Earl of Aberdeen to Mr. Milbanke.

SIR,

Foreign Office, October 30, 1841.

I HEREWITH transmit, for your information, one copy of a series of papers relating to the Slave Trade, which have been presented to the two houses of Parliament during the present session by Her Majesty's command.

I am, &c.

J. R. Milbanke, Esq.
 &c. &c.

(Signed)

ABERDEEN.

No. 10.

The Earl of Aberdeen to Baron Koller.

THE Earl of Aberdeen has the honour to transmit herewith to Baron Koller, for his information, a copy of a series of papers relating to the Slave Trade, which were presented to the two houses of Parliament during the last session by Her Majesty's command.

Foreign Office, November 12, 1841.

No. 11.

The Earl of Aberdeen to Sir Robert Gordon.

SIR,

Foreign Office, December 20, 1841.

I HAVE the honour to acquaint your Excellency, by Her Majesty's command, that I have this day signed, on the part of Her Majesty, with the Plenipotentiaries of Their Majesties the Emperor of Austria, the King of the French, the King of Prussia, and the Emperor of Russia, a Treaty for the Suppression of the African Slave Trade.

I herewith transmit to your Excellency a copy of that treaty.

Immediately upon the receipt of this Dispatch you will solicit an audience of His Majesty the Emperor of Austria, in which you will express to His Majesty the high gratification which Her Majesty feels at uniting with His Majesty and other great Powers of Europe in the cause of mercy and of justice, by a league, the sole object of which is to alleviate the sufferings of humanity.

You will also express to the Austrian Minister the warm satisfaction of Her Majesty's Government, in having been enabled to follow up the great, the liberal, and humane principles recorded in the declarations of the principal Powers of Europe at the Congresses of Vienna and of Verona, by concluding a Treaty for the beneficent end proposed in the compact signed this day.

You will, on the part of Her Majesty's Government, urge the Austrian Mi-

nister to have the Austrian ratification of the Treaty prepared and transmitted to London without delay, in order to its being exchanged against the ratification of Her Majesty as soon as possible, within the term prescribed by the Treaty.

I have, &c.
(Signed) ABERDEEN.

His Excellency Sir Robert Gordon,
&c. &c. &c.

No. 12.

The Earl of Aberdeen to Sir Robert Gordon.

(Extract.)

Foreign Office, December 27, 1841.

It being desirable that a complete collection should be obtained of all the laws and administrative acts, both general and local, which have emanated from the legislatures and sovereign authorities of Foreign States, both previously and subsequently to the contraction of treaty engagements for the purpose of regulating, restraining, or preventing the traffic in Slaves, I have to desire that you will address an official application to the Austrian Government, requesting that an authentic copy may be supplied to you of all the laws and acts of this description, whether of a temporary or permanent character, which may at any time have been issued by that government, or by its municipal and colonial authorities.

I have at the same time to desire that you will use your best endeavours to obtain, through the medium of Her Majesty's Consuls, and through any other channels, authentic copies of any further documents which may appear to be necessary to complete this collection; and that you will forward the whole of these papers to me without delay.

You will accompany the papers with accurate Translations.

[Instructions similar to the above were sent in Circulars to all Her Majesty's Ministers abroad.]

DENMARK.

No. 13.

Viscount Palmerston to Sir H. W. W. Wynn.

SIR,

Foreign Office, January 18, 1841.

I HEREWITH transmit to you a copy of a communication from the Admiralty, respecting Slave Trade carried on in the Danish territory on the coast of Africa.

The accompanying Papers show that the Governor of Danish Accra is aware that the Slave Trade is carried on at Attocco, one of the dependencies of Accra; and he says that he regrets that he has not the means of suppressing it. They show also that the Danish Government is apprised of these facts.

I have therefore to instruct you to present a note to the Danish Government, stating the particulars related in these Papers, and earnestly requesting, in the name of Her Majesty's Government, that the Danish Government will, by its own means, put down and expel these Slave Traders from its territory; or, if it should have any difficulty in doing this, that it will permit the British Government to do so.

I have, &c.
(Signed) PALMERSTON.

Sir H. W. W. Wynn,
&c. &c. &c.

First Enclosure in No. 13.

Sir John Barrow to Lord Leveson.

MY LORD,

Admiralty, 5th January, 1841.

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 Commander Tucker, of the "Wolverine," dated the 29th of September last, and its enclosures, relative to the Slave Trade carried on in the territories of the King of Denmark on the coast of Africa.

I am, &c.
(Signed) JOHN BARROW.

Lord Leveson, Foreign Office.

Second Enclosure in No. 13.

Commander Tucker to Mr. O'Ferrall.

SIR, *Her Majesty's ship "Wolverene," at sea, lat. 6° 21' N., long. 3° 10' E.,
29th September, 1840.*

I HAVE the honour to transmit for the information of the Lords Commissioners of the Admiralty, the following copies of the correspondence between myself and his Excellency the Governor (pro tempore) of Danish Accra and its dependencies, relating to the Slave Trade carried on in the territories of Denmark on this coast, and to request that the same may be taken into consideration towards some application being made to that government to suppress the Slave Trade, known and admitted to be carried on in their possessions in violation of the laws, and I believe the wishes of his Majesty the King of Denmark.

A small number of slaves have been from time to time embarked from Attocco, which was attempted to be suppressed by the late governor a few months since, who it is reported exerted himself to the utmost, but was not so successful as he wished, from want of force and of means for crossing the Volta, and the people of Attocco instigated by the Spaniards, &c., in consequence now defy the power of Denmark to prevent their carrying on the Slave Trade, which has since increased to a very great extent (a large number of slaves being at present collected there) in consequence of the vigilance of the commanders of the cruisers having almost prevented the embarkation of slaves from Whydah, Agnag, and Popo, which has forced the notorious slave dealer De Souza, or Chatchah and others, to have agents and factories at Attocco, as well as at those places, that when the cruiser is watching those places slaves may be shipped at Attocco, *et vice versa*, and I have not another vessel I can station on this part of the coast; and without some steps be taken by the Powers which have entered into treaties with England for the suppression of the Slave Trade in their territories on the coast to assist the British cruisers on this coast in their arduous duties, either by their destroying by their own means the slave factories, and expelling the slave agents from their territories, or permitting the co-operation of the British cruisers, or if they have no force at command, by permitting the British cruisers, after proper application to the governor (accompanied if necessary by an officer of that government), to destroy the slave factories and expel the slave agents (being foreigners), although the officers in command of the cruisers at present employed are, I may venture to say, second to none in vigilance and zeal—I am much afraid slaves will be embarked to a great extent, and render it necessary for England to continue a large force on this coast.

I have, &c.

(Signed)

WILLIAM TUCKER (b),
Commander and Senior Officer.

R. M. O'Ferrall, Esq.,
Secretary, Admiralty.

Third Enclosure in No. 13.

Commander Tucker to the Governor of Accra.

*Her Britannic Majesty's sloop "Wolverine," off Attaco,
23rd September, 1840.*

SIR,

I HAVE the honour to request your Excellency will be pleased to inform me if Ataco or Attaco, a place a little to the westward of Cape St. Paul, and having a white house or fort, is in the territory of his Majesty the King of Denmark; and I take this opportunity to inform your Excellency, that should the place belong to Denmark, and be under your command (as it is reported to be), you may take such steps as you may consider your duty to suppress the Slave Trade, said to be now actively carried on there in violation of the laws of your country; that a large number of slaves are reported to be collected there in charge of a Spaniard, and of another person residing there, an agent of the notorious slave dealer De Souza or Chatchah, who embark them in slave vessels which call there occasionally, on finding they are prevented embarking slaves from other places by the British cruisers: one vessel is reported to have called there very lately, and another expected shortly.

I have, &c.

(Signed)

WILLIAM TUCKER (b),
Commander and Senior Officer.

*To His Excellency the Governor of
Danish Accra and its Dependencies.*

Fourth Enclosure in No. 13.

The Governor of Accra to Commander Tucker.

SIR,

Christiansborg Castle, 24th Sept., 1840.

I HAVE the honour to acknowledge the receipt of your honourable letter of yesterday, and according to your request to inform you, that the place

(Attocco) mentioned in your letter is situated in His Danish Majesty's territory.

Regarding the Slave Trade, which is reported to you to be carried on at this place, I am sorry to state that it has not been in my power to suppress that unlawful trade, which in the last time has been carried on by some Spaniards there. Soldiers have been ordered to Attocco to drive away the slave-dealers and destroy their houses, and since no long time my predecessor visited with forces the places by Volta, in order to suppress the Slave Trade, and overtook a Spaniard, deprived him of his slaves and goods, and drove him out of the Danish territory, but the slave-dealers have returned when the danger has been over.

The white house you mention has formerly been fortified, but the expenses which the preservation of the fortification and garrison at the place required made it necessary to lay it down. My government in Denmark have received information concerning the said Slave Trade, and I expect that more vigorous steps will be taken than it is in my power to take.

I should be very glad if it may be convenient to you to visit Attocco and examine the vessels which call there.

I have, &c.

(Signed) L. DALL,

*Pro tem. Governor of His Danish Majesty's
possessions on the Gold Coast of Africa.*

*To the Most Hon. Commander of Her
Britannic Majesty's ship "Wolverine."*

No. 14.

Sir H. W. W. Wynn to Viscount Palmerston.

Copenhagen, February 15, 1841.

(Received February 27.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th ultimo, and, in compliance with the directions therein contained, I have addressed a note, of which the enclosed is a copy, to the Danish minister, on the subject of the trade in slaves carried on in the Danish dependencies on the Gold Coast.

I have, &c.

(Signed) H. W. WILLIAMS WYNN.

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

&c.

&c.

&c.

Enclosure in No. 14.

Sir H. W. W. Wynn to M. de Krabbe Carisius.

MY LORD,

Copenhagen, February 8, 1841.

THE undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has been directed by his Government to communicate to his Excellency, M. de Krabbe Carisius, the enclosed copies of a correspondence which has taken place between the senior officer of Her Majesty's naval force stationed on the coast of Guinea, and the Governor (*pro tempore*) of Danish Accra, relative to the Slave Trade which is carried on in some of the dependencies of that establishment. His Excellency will observe that the governor admits the truth of the facts brought forward by Captain Tucker, but regrets his want of means to prevent them, as the slave-agents have different factories, and, when they are driven from one, resort to another, till the military force is withdrawn.

Her Majesty's Government, knowing that that of Denmark is actuated by the same wish to prevent all trade in slaves, feel confident that they will furnish their authorities with the means of acting more vigorously; or, should this be inconvenient, they earnestly request that the British cruisers may be permitted,

after proper application to the Governor, to destroy these slave-factories, and expel the foreign slave-agents.

The Undersigned, &c. &c.

(Signed) H. W. W. WYNN.

His Excellency M. de Krabbe Carisius,
&c. &c. &c.

No. 15.

Viscount Palmerston to Sir H. Wynn.

Foreign Office, April 15, 1841.

Circular sending Convention with the Argentine Confederation.

(See No. 1.)

No. 16.

Viscount Palmerston to Sir H. Wynn.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 2.)

No. 17.

Viscount Palmerston to Sir H. Wynn.

Foreign Office, May 11, 1841.

Circular on proposed Instruction to Danish Agents in Slave-holding Countries.

(See No. 8.)

No. 18.

Sir H. W. W. Wynn to Viscount Palmerston.

Copenhagen, July 15, 1841.

(Received July 23.)

MY LORD,

IN reference to your Lordship's Despatch of the 11th of May last, on the subject of official agents being in the habit of maintaining slaves in slave-holding countries, I have the honour to enclose a copy of a note which I have received from the Danish minister, in answer to that which, by your Lordship's order, I addressed to him. It appears that, notwithstanding the disposition which the Danish Government has always manifested to co-operate with that of Her Majesty in the abolition of the Slave-Trade, it is not possible for them, in the present instance, to enforce the instructions which your Lordship is anxious should be sent to their commercial agents in slave-holding countries.

In the first place, the Danish Government do not give any salary to their consuls and agents, who hold the situation more *honoris causa* than for the small fees which they occasionally receive; nor could they, with any consistency, send such instructions so long as slavery is legal in the Danish West Indian islands.

I have, &c.

(Signed) H. W. WILLIAMS WYNN.

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

&c. &c. &c.

Enclosure in No. 18.

M. Krabbe Carisius to Sir H. W. W. Wynn.

MONSIEUR LE CHEVALIER,

Copenhague, ce 9 Juillet, 1841.

VOUS m'avez fait l'honneur de me prévenir, par votre office du 22 Mai dernier, que le Gouvernement de Sa Majesté Britannique vient d'adresser des instructions à ses Ministres, Consuls, et Agens, dans les pays où l'esclavage existe, pour les engager à s'abstenir de louer ou d'employer des esclaves, ou de prendre part à des spéculations qui se rapporteraient à la possession d'esclaves; et vous avez en même temps, au nom du dit Gouvernement, manifesté le désir que de pareilles instructions fussent adressées aux agens diplomatiques et consulaires du Danemarc dans l'étranger. Les principes adoptés et suivis depuis de longues années par le Gouvernement du Roi, relativement à la traite des noirs, vous sont suffisamment connus, Monsieur le Chevalier, pour que vous puissiez ne pas douter de ses dispositions à coopérer avec le Gouvernement de Sa Majesté Britannique à tout ce qui pourrait tendre à décourager et à faire supprimer ce commerce. Aussi les sujets du Roi qui résident ou qui iront résider, comme agens diplomatiques ou consulaires du Danemarc, dans des pays où l'esclavage subsiste, ont-ils déjà reçu, et recevront-ils à l'avenir, avec l'invitation de s'y conformer, des copies des instructions que vous avez bien voulu me transmettre, et qui ont été adressées aux agens Britanniques, pour les engager à s'abstenir de tout ce qui pourrait être censé renfermer une sanction directe ou indirecte de la traite des noirs. Mais je dois en même temps vous faire observer que la grande majorité des agens consulaires Danois dans l'étranger ne sont pas des sujets du Roi, nommés à ces postes avec un traitement fixé. Ce sont presque toujours des négocians déjà précédemment établis dans le lieu de leur résidence consulaire, et qui ne sont rétribués que par des revenant-bons prélevés sur les navires Danois faisant le commerce dans leur district. Les rapports du Gouvernement vis-à-vis de cette classe d'agens ne sont pas de genre à lui permettre de leur prescrire, en de hors de leur attributions et fonctions consulaires, des règles de conduite, pour leur défendre ce qui leur serait permis par des lois du pays où ils résident. Ce serait nous exposer à devoir renoncer aux services d'agens utiles à notre commerce et à notre navigation, et c'est par ses considérations que le Gouvernement du Roi, qui d'ailleurs ne se trouve pas à même d'abolir l'esclavage dans ses colonies aux Indes Occidentales, hésite à donner de pareilles instructions à ses agens consulaires de la dite catégorie.

Agréez, Monsieur le Chevalier, l'assurance de ma haute considération.

(Signé)

KRABBE CARISIUS.

*A Sir Henry W. W. Wynn, Envoyé Extraordinaire et
Ministre Plenipotentiaire de S. M. Britannique,
&c. &c. &c.*

(Translation.)

SIR,

Copenhagen, July 9, 1841.

You did me the honour, by your official letter of the 22nd May last, to acquaint me that the Government of Her Britannic Majesty had addressed instructions to its ministers, consuls, and agents, in those countries where slavery exists, to abstain from hiring or employing slaves, or from engaging in any speculations connected with the possession of slaves; and, at the same time, in the name of your Government you expressed a desire that similar instructions should be addressed to the diplomatic and consular agents of Denmark abroad. The principles adopted and pursued for a number of years past by the Government of His Majesty relative to the Slave Trade are sufficiently known to you, Sir, to prevent you from doubting of its inclination to cooperate with the Government of Her Britannic Majesty in whatever may tend to discourage and suppress this traffic. Moreover, the subjects of the King who reside or may hereafter reside as diplomatic or consular agents of Denmark in countries where slavery exists, have already received and will henceforth receive, with a recommendation to conform to them, copies of the instructions you were pleased to transmit to me, and which have been addressed to British agents, directing them to abstain entirely from whatsoever might be con-

strued into a sanction, direct or indirect, of the Slave Trade. But I must at the same time observe to you that the great majority of Danish consular agents abroad are not subjects of the King, appointed to those posts with fixed salaries. They are nearly all merchants previously established in the place of their consular residence, and who are only remunerated by fees levied upon Danish vessels trading within their district. The relations of the Government towards this class of agents are not of a nature to permit it to prescribe to them, beyond their consular attributes and functions, rules for their conduct, debarring them from what would be permitted them by the laws of the country in which they reside. This would be to expose ourselves to the necessity of renouncing the services of agents useful to our commerce and navigation, and it is under these considerations that the Government of the King, which has not scrupled to abolish slavery in its colonies of the West Indies, hesitates to issue the like instructions to its consular agents of the aforesaid class.

Accept, Sir, the assurance, &c.

(Signed)

KRABBE CARISIUS.

No. 19.

Viscount Palmerston to Sir H. W. W. Wynn.

SIR,

Foreign Office, August 9, 1841.

I HAVE received your Despatch of the 15th instant, enclosing a copy of the answer returned by M. Krabbe Carisius to the communication which, by my directions, you made to that Minister, respecting the employment of slaves by official agents in slave-holding countries. And I have to desire that in reply you will state to the Danish Minister that the Governments of Belgium, Hanover, Holland, Naples, Portugal, and Sardinia, have signified their intention to issue orders in conformity with those given by Her Majesty's Government upon this subject: and Her Majesty's Government hope that the Danish Government, which to its honour was one of the first to declare itself against the Slave Trade, will not be behind-hand on the present occasion in taking a step the object of which is to discountenance that traffic.

I have, &c.

Sir H. W. W. Wynn,
&c. &c. &c.

(Signed)

PALMERSTON.

No. 20.

Sir H. W. W. Wynn to Viscount Palmerston.

Copenhagen, August 19, 1841.

(Received August 24.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 9th inst., and I have to throw myself on your Lordship's indulgence if I delay acting on the instructions therein contained respecting Danish agents holding slaves in countries where slavery is still allowed.

I am convinced that a second application on the subject would only tend to embarrass the Danish Government, without any probability, or even possibility, of the desired effect being attained. It is only doing the Danish Government justice to say that they have uniformly acted with the greatest good faith in everything relating to the Slave Trade, and it is in pursuance of the same line of conduct that they now decline entering into engagements which, for the reasons mentioned in my last Despatch, they know that they have not the means of enforcing, even if they could, with any consistency, attempt to do so, as long as His Danish Majesty himself, and his subjects in the West Indies, are slave-owners; and thus allow to themselves what it is proposed to prohibit in others.

I have, &c.

(Signed)

H. W. WILLIAMS WYNN.

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

&c.

&c.

&c.

No. 21.

Viscount Palmerston to Sir H. W. W. Wynn.

SIR,

Foreign Office, August 26, 1841.

I HAVE received your Despatch of the 19th instant, stating the reasons which had induced you to delay acting on the instructions conveyed to you in my Despatch, Slave Trade No. 5, of this year's series.

But I have to state to you that the Governments of Portugal, the Netherlands, and Sweden, have signified their intention of issuing, to their agents in slave-holding countries, orders similar to those which Her Majesty's Government have requested from the Government of Denmark. And each of those Governments is in the same position as Denmark, with respect to the existence of slavery in their colonies.

I have, therefore, to instruct you to represent this, by note, to the Danish Government, and to urge it in the terms of my instructions to you, in my Despatch abovementioned, to issue the orders in question.

I am, &c.

Sir H. W. W. Wynn,
&c. &c. &c.

(Signed) PALMERSTON.

No. 22.

*Sir H. W. W. Wynn to the Earl of Aberdeen.**Copenhagen, September 9, 1841.**(Received September 13.)*

MY LORD,

IN compliance with the directions conveyed to me by Lord Palmerston's Despatch of the 9th instant, I have addressed to M. de Krabbe a second note (of which the enclosed is a copy) on the subject of the employment of slaves by Danish agents in slave-holding countries. From a conversation which I have since had with M. de Krabbe I cannot flatter myself that it will have much effect, or that his Danish Majesty will be induced to alter the view he has taken of the subject.

I have, &c.

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

(Signed) H. W. WILLIAMS WYNN.

Enclosure in No. 22.

*Sir H. W. W. Wynn to M. Krabbe Carisius.**Copenhagen, September 3, 1841.*

THE undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, did not fail to transmit to his Government the answer which his Excellency M. de Krabbe Carisius returned to the communication which he was directed to make respecting the employment of slaves by official agents in slave-holding countries, and Her Majesty's Government regret that it is not of a more satisfactory nature. He has now been instructed to state in reply, that the Governments of Belgium, Hanover, Naples, Sardinia, Portugal, Holland, and Sweden,—the three last in the same position as Denmark with respect to the existence of slavery in their colonies,—have issued the orders which are now requested of Denmark. Her Majesty's Government trust that His Danish Majesty will be pleased to reconsider the subject, and that, acting on the same principles as his royal predecessor, who, to his great honour, was the first to declare himself against the Slave Trade, he will not on the present occasion be behindhand in taking a step, the object of which is to discountenance that traffic.

The undersigned avails himself of this opportunity to renew to his Excellency M. de Krabbe Carisius the assurance of his high consideration.

I have, &c.,

(Signed)

H. W. W. WYNN.

His Excellency M. de Krabbe Carisius,
 &c. &c. &c.

No. 23.

Sir H. W. W. Wynn to the Earl of Aberdeen.

Copenhagen, October 11, 1841.

(Received October 20.)

MY LORD,

IN reference to my Despatch of the 9th ultimo, I have now the honour to transmit the copy of a note I have received from M. de Krabbe, informing me that the Danish Government have acceded to the request made to them by that of Her Majesty; and that orders are to be forthwith sent, forbidding Danish Agents, subjects of His Danish Majesty, residing in countries where slavery is still legal, to hold slaves themselves.

I have, &c.

(Signed)

H. W. W. WYNN.

The Earl of Aberdeen, K.G.
 &c. &c. &c.

Enclosure in No. 23.

M. Krabbe Carisius to Sir H. W. W. Wynn.

M. LE CHEVALIER,

J'AI mis sous les yeux du Roi la note que vous avez bien voulu m'adresser, e. d. du 4 Septembre de l'année courante, pour inviter le Gouvernement Danois à donner à ses agens diplomatiques et consulaires, dans les pays où l'esclavage existe, des instructions pareilles à celles qui prescrivent aux agens diplomatiques et consulaires Britanniques, de s'abstenir de louer ou d'employer des esclaves, ou de prendre part à des spéculations qui se rapporteraient à la possession d'esclaves. Le Roi, animé du désir de coopérer avec Sa Majesté Britannique à tout ce qui pourrait prévenir la Traite des Nègres, sous quelle forme que ce soit, m'a en conséquence chargé, Monsieur le Chevalier, de vous annoncer, que des instructions absolument pareilles à celles adressées à cet égard, aux agens diplomatiques ou consulaires de la Grande Bretagne, seront données à tout sujet Danois, accrédité pour le moment ou à l'avenir, dans des pays où l'esclavage des nègres a une existence légale. Je saisis avec plaisir, Monsieur le Chevalier, cette occasion pour vous réitérer l'assurance de ma haute considération.

Copenhagen, ce 6 Octobre, 1841.

KRABBE CARISIUS.

*A Sir Henry W. W. Wynn, Envoyé Extraordinaire et
 Ministre Plénipotentiaire de Sa Majesté Britannique.*

(Translation.)

SIR,

Copenhagen, October 6, 1841.

I HAVE laid before the King the note you were pleased to address to me on the 4th of September last, inviting the Danish Government to give to its diplomatic and consular Agents in the countries where slavery exists, instructions similar to those which direct British consular and diplomatic Agents to abstain from hiring or employing slaves, or from engaging in speculations connected with the possession of slaves. The King, animated by the desire of co-operating with Her Britannic Majesty in all that might prevent the trade in slaves, under any form whatsoever, has in consequence directed me to ac-

quaint you, Sir, that positive instructions, similar to those addressed on the subject to the diplomatic and consular agents of Great Britain, will be addressed to all Danish subjects, accredited now, or hereafter, in those countries where negro slavery has a legal existence.

I avail myself with pleasure.

(Signed) KRABBE CARISIUS.

*Sir Henry W. W. Wynn, Envoy Extraordinary and
Minister Plenipotentiary of Her Britannic Majesty.*

No. 24.

The Earl of Aberdeen to Sir H. Wynn.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 25.

The Earl of Aberdeen to Count Bille Brahe.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 10.)

No. 26.

Count Bille Brahe to the Earl of Aberdeen.

A Londres, ce 15 Novembre, 1841.

LE Chargé d'Affaires de Danemarck a l'honneur d'accuser réception à Son Excellence M. le Comte Aberdeen d'un exemplaire d'une Série de Papiers ayant rapport à la Traite des Nègres, et présentés aux deux Chambres du Parlement pendant la session dernière. Il prie Son Excellence d'en agréer ses remerciemens.

(Translation.)

THE Chargé d'Affaires of Denmark has the honour to acknowledge to the Earl of Aberdeen the receipt of a Copy of a Series of Papers relative to the Slave Trade, presented to the two Houses of Parliament during the last session. He begs his Excellency to receive his thanks for the same.

No. 27.

The Earl of Aberdeen to Sir H. Wynn.

Foreign Office, November 24, 1841.

SIR,

I HAVE received your Despatch of the 11th ultimo, enclosing copy of a Note from M. de Krabbe, stating that the Danish Government are about to prohibit their agents in slave-holding countries from being directly or indirectly interested in slave property; and I have to desire that you will express to

M. de Krabbe the cordial thanks of Her Majesty's Government for this communication.

The Right Hon. Sir H. W. W. Wynn,
 &c. &c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 28.

The Earl of Aberdeen to Sir H. Wynn.

Foreign Office, December 27, 1841.

Circular for all Laws on Slave Trade.

(See No. 12.)

FRANCE.

No. 29.

Baron Bourqueney to Viscount Palmerston.

MY LORD,

Londres, le 17 Décembre 1840.

LE Gouvernement du Roi vient de m'adresser plusieurs pièces relatives à l'affaire du bâtiment la "*Sénégalie*:" elles contiennent, sur les opérations de recrutement des soldats noirs au Sénégal, et sur le régime des *engagés-à-temps*, les renseignements dont votre Excellence avait demandé elle-même à M. Guizot la communication.

J'ai l'honneur d'envoyer ces divers documens à votre Excellence, et j'y joins en même temps la lettre du Ministre des Affaires Etrangères qui accompagnait leur envoi.

J'espère qu'après avoir pris connaissance de ces documens, votre Excellence sera pleinement convaincue que l'expédition de la "*Sénégalie*" a été soupçonnée injustement de couvrir une opération illicite, et que le Gouvernement Anglais, qui l'a déjà implicitement reconnu, en ordonnant la mise en liberté de l'équipage, n'hésitera pas à accorder au Gouvernement du Roi le juste complément d'une légitime réparation.

Je prie votre Excellence de vouloir bien me renvoyer les pièces ci-jointes, en me faisant connaître le résultat de la décision qu'elle aura cru devoir prendre.

Veuillez agréer, &c.

(Signé) BOURQUENEY.

Son Excellence le Vicomte Palmerston, G.C.B.,

&c. &c. &c.

(Translation.)

MY LORD,

THE Government of the King has just transmitted to me several documents relative to the affair of the vessel "*Sénégalie*." They contain the information, the communication of which your Excellency himself had requested of M. Guizot, as to the systems of recruiting black soldiers at the Sénégal, and on the treatment of the *engagés-à-temps*.

I have the honour to send these different documents to your Excellency, and I enclose, at the same time, the letter of the Minister for Foreign Affairs which accompanied them.

I hope that, after having considered these documents, your Excellency will be fully convinced that the expedition of the "*Sénégalie*" has been unjustly suspected of covering an illicit undertaking, and that the English Government, which has already impliedly recognised it by ordering the liberation of the vessel, will not hesitate to grant to the Government of the King the just complement of a lawful compensation.

I request your Excellency to be so kind as to return the enclosed documents when communicating to me the result of the decision which you think proper to arrive at.

Accept, &c.

(Signed) BOURQUENEY.

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

&c. &c. &c.

First Enclosure in No. 29.

Monsieur Guizot to Baron Bourqueney.

MONSIEUR LE BARON,

Paris, le 3 Décembre, 1840.

J'AI l'honneur de vous adresser plusieurs pièces relatives à l'affaire du bâtiment la "*Sénégalie*," saisi et condamné à Sierra Leone comme prévenu d'avoir fait la traite des noirs. Ces pièces renferment les informations que m'avait demandées Lord Palmerston, lorsque je l'entretins de cette affaire. La première de ces pièces est la copie d'une lettre adressée à mon prédécesseur par M. l'Amiral Roussin, sous la date du 16 du mois dernier, et contenant des détails circonstanciés sur les opérations de recrutement des soldats noirs, qui ont eu lieu précédemment au Sénégal. Les pièces B et C sont des copies d'arrêtés en vigueur dans la colonie, relativement au régime des engagés; celles qui portent les chiffres 3 et 4 sont la copie d'un des engagements passés à Bissao et un extrait de la matricule des engagés-à-temps de l'état civil de Gorée.

Je dois ajouter que tout en justifiant M. le Gouverneur du Sénégal pour la reprise de l'opération relative au rachat d'esclaves, opération qui a amené la saisie de la "*Sénégalie*," M. l'Amiral Roussin avait, dès le 2 Juillet dernier, donné à ce Gouverneur l'ordre de cesser toute opération de ce genre pour le compte du Gouvernement, et de n'en permettre aucune pour le compte des particuliers.

Du reste il résulte des informations parvenues au Ministère de la Marine que l'équipage de la "*Sénégalie*," qui avait été condamné par la Cour de Sierra Leone, a été mis en liberté et est arrivé à Gorée. Lord Palmerston a donc tenu la promesse qu'il m'avait faite: mais cette disposition, comme le faisait observer M. l'Amiral Roussin, consiste à *faire remise* aux individus condamnés, d'un emprisonnement d'un mois. Si le Gouvernement Anglais reconnaît que l'expédition de la "*Sénégalie*," qui portait un caractère officiel, et qui placée sous la garantie d'un traité passé au nom du Gouvernement du Roi, était sauvegardée par les expéditions régulières existant à bord, s'il reconnaît que cette expédition a été considérée à tort par les autorités administratives et judiciaires de Sierra Leone comme destinée à couvrir une opération illicite, il doit pousser plus loin la satisfaction due à notre pavillon et aux intérêts des parties lésées, en blâmant hautement l'officier Anglais qui a opéré l'arrestation, en déchargeant l'armateur du navire du cautionnement auquel il a été astreint pour obtenir sa mise en liberté, et en procurant des dédommagemens aux propriétaires et armateurs de la "*Sénégalie*."

Je vous prie de vouloir bien insister auprès de Lord Palmerston pour qu'il fasse droit à ces justes demandes, dont la mise en liberté de l'équipage de la "*Sénégalie*" fait reporter l'équité, puisque cette concession est un aveu implicite de l'innocence des personnes compromises dans cette déplorable affaire.

Recevez, Monsieur le Baron, &c.

Monsieur le Baron de Bourqueney,
&c. &c. &c.

(Signé) GUIZOT.

Second Enclosure in No. 29.

Admiral Roussin to M. Thiers.

M. LE MINISTRE ET CHER COLLEGE,

Paris, le 16 Octobre, 1840.

EN me faisant connaître, sous la date du 13 Juillet dernier, les résultats d'une conférence entre M. l'Ambassadeur du Roi à Londres et Lord Palmerston, au sujet de l'affaire de la "*Sénégalie*," vous avez signalé à mon attention le désir exprimé par M. Guizot de recevoir des détails circonstanciés sur les opérations de recrutement de soldats noirs, qui ont eu lieu précédemment au Sénégal.

Ainsi que vous l'a déjà annoncé ma lettre du 30 Juin, 1840, il n'y a eu antérieurement à l'année dernière qu'un seul recrutement en masse de soldats noirs à la côte occidentale d'Afrique. Ce fait remonte à 1828, époque à laquelle le Gouvernement avait à former avec promptitude deux compagnies noires destinées à être employées dans une expédition à Madagascar. Deux

CLASS C.

bâtimens de commerce furent envoyés par le Gouverneur du Sénégal, sous l'escorte d'un bâtiment de la station, pour racheter dans l'archipel des Bissagos 200 captifs, qui furent ensuite enrégimentés à Gorée avec engagement de 14 années, et transportés à Bourbon à bord de la corvette de guerre la "*Meuse*." Depuis lors, en 1831, une compagnie de 110 soldats noirs, commandés par un officier et plusieurs sous-officiers Européens, a été envoyée du Sénégal à Cayenne sur le brick de l'état le "*Lancier*." Cette compagnie se composait concurremment d'hommes appartenant déjà à la garnison du Sénégal et de captifs rachetés, un à un, au Sénégal même. Un second transport de même nature a été fait par la corvette de charge la "*Loire*," qui a débarqué à Cayenne, en Août, 1836, un supplément de garnison de 40 soldats noirs, également recrutés individuellement au Sénégal. Dans ces différentes circonstances, les mesures prises quant au traitement des noirs, soit à Gorée, soit pendant le transport, n'ont point différé de celles qui sont ordinairement usitées à l'égard des garnisons Européennes, qui existent ou qui sont envoyées dans nos colonies. Ces opérations que le Gouvernement n'avait point recommandé de dissimuler, n'ont pu échapper à la connaissance des autorités Anglaises à la côte d'Afrique; il est remarquable qu'alors ces autorités n'ont pas provoqué même des explications à cet égard.

J'ai cru pouvoir attendre pour vous donner ces informations, la réponse qu'avait à me faire M. le Gouverneur du Sénégal, par suite des observations que je lui ai adressées au sujet de l'affaire de la "*Sénégalie*." Cette réponse vient de me parvenir, et je m'empresse de vous en transmettre copie. Vous jugerez sans doute utile de la communiquer à M. l'Ambassadeur de France à Londres, avec mes dépêches des 30 Juin et 2 Juillet. Ces documens achèveront de mettre M. Guizot à portée de repousser, sur tous les points, les allégations des agens Anglais, trop facilement accueillies par le Gouvernement Britannique. Pour compléter les pièces à consulter, je crois devoir annexer à la lettre de M. le Gouverneur du Sénégal une copie des arrêtés en vigueur dans la colonie relativement au régime des engagés. Mais en même temps, je dois, M. le Ministre et cher collègue, insister sur ce que j'ai déjà dit dans ma correspondance antérieure, et répéter que nous déplacions la question en la traitant avec le Gouvernement Anglais sous le point de vue du plus ou moins de légitimité de l'opération à laquelle la "*Sénégalie*" était employée par le Gouverneur du Sénégal. Si le Gouvernement Français croit devoir prendre en considération les observations du Cabinet de Londres, il peut s'engager à modifier pour l'avenir ses moyens de recrutement des troupes noires destinées aux garnisons et au service des colonies; mais le rôle des agens Anglais devait se borner à provoquer ces observations de la part du Gouvernement; la saisie préalable de la "*Sénégalie*," au mépris de la licence délivrée par des autorités Françaises, et dont ce bâtiment était porteur, est une insulte préméditée, qui, à défaut de réparation suffisante, rejaillirait sur le pavillon Français.

Lord Palmerston a reconnu l'irrégularité et la violence même des faits qui lui ont été signalés par M. l'Ambassadeur de France. Quelle est cependant la réparation offerte jusqu'à présent par ce ministre? Ne se borne-t-elle pas à une disposition d'indulgence en faveur des armateurs et de l'équipage du navire saisi, indulgence que nous ne pourrions accepter sans reconnaître la régularité de ce qui s'est passé, et qui serait d'ailleurs elle-même tout à fait dérisoire. En effet elle consisterait à *faire remise* aux individus condamnés à Sierra Leone d'un emprisonnement d'un mois, peine qu'ils ont du subir immédiatement après la condamnation. Lord Palmerston ne parlenullement, ni de blâmer publiquement l'officier Anglais coupable de l'arrestation, ni de décharger l'armateur du navire du cautionnement auquel il a été astreint pour obtenir sa mise en liberté. On ne dit rien des dommages, intérêts considérables que l'administration du Sénégal est exposée à payer par suite de la prise à partie des intéressés; et il n'est fait aucune mention des dédommagemens dus au subrecargue de la goëlette pour les indignes traitemens qu'il a subi à Sierra Leone. Tout concourait enfin, dans une telle conclusion de cette affaire à confirmer, au lieu de l'effacer, le déplorable scandale qu'elle a produit sur toute la côte du Sénégal. J'ai la confiance que M. l'Ambassadeur de France reprendra cette affaire auprès du Cabinet Anglais, de manière à prévenir un si fâcheux résultat.

Agréez, &c.

(Signé)

B. ROUSSIN.

Third Enclosure in No. 29.

Pièce No. 3, jointe à la lettre du Gouverneur du Sénégal, du 9 Août, 1840.

Extrait des Minutes de l'Etat Civil de Gorée.

PARDEVANT nous, Louis François Alphonse Thiesse, greffier remplissant les fonctions de notaire et celle d'officier de l'état civil à la résidence de l'île de Gorée, en présence des témoins ci-après nommés et aussi soussignés :

Aujourd'hui, 21 Janvier, 1840, est comparu M. Marbeau, armateur de la goëlette la "*Sénégambe*" du Sénégal, actuellement sur rade de cette île; lequel dit sieur comparant, conformément au troisième paragraphe de l'Article 3 de l'arrêté local sur le régime des engagés à temps, en date du 26 Septembre, 1823, nous a déposé, pour demeurer joints et annexés à nos minutes, soixante-trois actes d'affranchisemens conditionnels de soixante-trois nègres dénommés et qualifiés aux dits actes, rachetés ce mois-ci de divers de Bissao (bas de la côte) par lui moyennant 325 francs chaque, et affranchis conditionnellement sur le lieu même par M. de Cournet, Enseigne de Vaisseau, commandant la goëlette de l'état la "*Cigale*," affectée au service de cette colonie, en vertu des pouvoirs qui lui ont été délégués à cet effet par M. le Gouverneur du Sénégal et dépendances; les dits rachats et affranchisemens faits à charge par chacun des dits nègres de rester au service du Gouvernement Français pendant l'espace de quatorze années entières et consécutives, à compter du jour de leur affranchissement.

En conséquence, mon dit sieur Marbeau ayant introduit en cette île ce jour-d'hui les dits soixante-trois nègres à l'effet ci-dessus spécifié, nous avons reçu en dépôt et annexé au présent les dits soixante-trois actes de leur affranchissement conditionnel, en primata et duplicata, datés de Nalous en rade de Bissao, des deux, trois, quinze, et seize de ce mois, numérotés de *un* à *soixante-trois*, dûment dressés et signés par mon dit sieur A. Cournet en sa dite qualité, et légalisés ce jour-d'hui par M. le Commandant particulier de cette île.

Dont acte, fait et passé en double minute au greffe de l'île de Gorée, les dits jour, mois, et an, en présence des Sieurs John Ware, huissier, et François Boucher, propriétaire, tous deux demeurant en la dite île de Gorée, témoins, qui ont signé avec mon dit Sieur Marbeau, et nous, greffier, après lecture faite.

La minute signée—J. Marbeau, J. Ware, F. Boucher, et Thiesse, greffier.

Suit la teneur du premier des dits soixante-trois affranchisemens déposés et annexés au dit acte.

Sénégal et Dépendances.

Janvier, 1840. No. 1. Primata.—L'Enseigne de Vaisseau soussigné, commandant la goëlette de l'état la "*Cigale*," en vertu de l'autorisation donnée par M. le Gouverneur du Sénégal et dépendances, certifions avoir affranchi de toute servitude par le présent acte le nommé Tamba, agé de 18 ans, natif de l'intérieur, taille d'un mètre soixant centimètres, racheté du nommé Salefous pour la somme de 325 francs, suivant marché passé ce jour par M. Marbeau, avec le dit nommé Salefous, afin que le dit affranchi, qui nous a été présenté, et que nous avons reconnu propre au service militaire, auquel il est destiné, puisse jouir de sa pleine et entière liberté après s'être engagé à servir le Gouvernement Français, en qualité de pionnier, pendant l'espace de quatorze années consecutives, qui commenceront aujourd'hui, 2 Janvier, 1840. Nous avons donné au dit nègre Tamba, après l'avoir fait traduire dans sa langue, lecture de l'Article 12 de l'arrêté du 13 Mars, 1827, sur le régime des engagés à temps.

Fait à bord de la "*Cigale*," rade de Nalous, ce 2 Janvier, 1840.

L'Enseigne de Vaisseau, Commandant.

(Signé)

A. COURNET.

Ensuite est écrit,—

Vu, pour légalisation par nous, Commandant particulier de l'île de Gorée, ce 21 Janvier, 1840.

(Signé)

H. DAGORNE.

Pour expédition certifiée, conforme à la minute et à la première de ses annexes, délivrée à M. le Commandant particulier de l'île de Gorée, de sa réquisition, par nous, greffier, officier de l'état civil de la dite île, soussigné.

Gorée, le 5 Août, 1840.

(Signé)

THIESSE, Greffier.

Vu, pour légalisation de la signature ci-dessus de M. Thiesse, greffier, officier de l'état civil en l'île de Gorée, par nous, Commandant particulier, Président du Tribunal de Première Instance de la dite île.

Gorée, le 5 Août, 1840. (Signé) H. DAGORNE.

Vu, le Capitaine de Vaisseau, Gouverneur. (Signé) CHARMASSON.

Pour copie conforme.

Le Conseiller d'Etat Directeur des Colonies. (Signé) ST. HILAIRE.

Fourth Enclosure in No. 29.

Pièce No. 4, jointe à la lettre du Gouverneur du Sénégal, du 9 Août, 1840.

Sénégal et Dépendances.

Ile de Gorée. An 1840.

Extrait du Régistre Matricule des Engagés à temps du Ressort de l'Etat Civil de Gorée, pendant l'année 1840.

Nos. d'Ordre.	Noms des Engagés.	Leur Sexe.	Leur Age.	Lieux où ils sont placés.	Noms et Domiciles des Engagistes.	Dates des Engagements.	Dates et Nos. des Actes y relatifs.	Temps des Engagements.	Mutations et Observations diverses.
518	Tamba.	Masculine.	18 ans.	Gorée.	Marbeau Négociant à St. Louis.	2 Janvier, 1840.	21 Janvier, 1840. No. 2.	14 ans.	Destiné au service militaire de pionnier à Cayenne: embarqué pour Cayenne sur la corvette de l'état la "Caravane," le 8 Juin, 1840.

Pour extrait conforme du Registre original de l'Etat Civil de l'île de Gorée, et délivré à M. le Commandant particulier de la dite île, de sa réquisition, par nous, greffier, officier de l'Etat Civil, soussigné.

Gorée, le 5 Août, 1840. (Signé) THIESSE, Greffier.

Vu, le Gouverneur du Sénégal et Dépendances. (Signé) CHARMASSON.

Vu, pour légalisation de la signature ci-dessus de M. Thiesse, greffier, officier de l'Etat Civil en l'île de Gorée, par nous, Commandant particulier, Président du Tribunal de Première Instance de la dite île le:

Gorée, le 5 Août, 1840. (Signé) H. DAGORNE.

Pour copie conforme, Le Conseiller d'Etat, Directeur des Colonies. (Signé) ST. HILAIRE.

Fifth Enclosure in No. 29.

Arrêté concernant le Régime des Engagés à temps, rendu au Sénégal le 28 Septembre, 1823.

Nous, Commandant et Administrateur du Sénégal et Dépendances: Après qu'il en a été délibéré en Conseil de Gouvernement et d'Administration, dans ses Séances du 24 et 26 Septembre, 1823;

Vu la loi du 2 Avril, 1818, et les ordres qui nous ont été transmis;

Nous avons arrêté et arrêtons ce qui suit, pour être exécuté provisoirement, sauf l'approbation de Son Excellence le Ministre de la Marine et des Colonies:

Article 1.

Itératives défenses sont faites d'introduire de nouveaux captifs à St. Louis, à Gorée, dans les postes et sur les établissements de culture qui dépendent du Sénégal.

Tout individu qui y sera introduit comme captif sera saisi et employé, au titre d'engagé à temps, pour le compte du Gouvernement.

Article 2.

Ne sont pas compris dans la prohibition ci-dessus les captifs maintenant existant sur le continent de l'Afrique qui auront été rachetés de l'esclavage et engagés pour un temps limité; le tout dans les formes et aux conditions ci-après expliquées.

Article 3.

Les captifs devront être affranchis au moment du rachat. L'acte d'affranchissement sera fait dans le pays non soumis à l'administration Française, par acte sous seing privé, visé par le commandant du premier poste par lequel passera l'engagé à temps, dans les postes et sur les établissemens voisins, par l'employé chargé du service administratif, comme faisant fonctions d'officier de l'état civil, ou, s'il n'y en a pas, devant le chef du poste; à St. Louis, et à Gorée, devant les greffiers.

Il en sera, dans tous les cas, dressé double minute, et le dépôt en sera fait au greffe, sous les peines portées par l'Article 1. Le double sera envoyé en France comme doivent y être envoyés les doubles des actes de l'état civil.

Article 4.

L'acte d'affranchissement indiquera les noms du captif racheté, son sexe, son âge, au moins approximativement, sa taille, son signalement, et les principales marques corporelles qui pourraient aider à le faire connaître. Il énoncera en outre les noms et les pays du vendeur et de celui qui opère le rachat, le lieu, la date, et le prix du marché, et la durée de l'engagement.

Article 5.

L'affranchissement sera pur et simple et irrévocable: cependant il pourra contenir la condition que l'affranchi restera, comme *engagé*, au service de celui qui l'aura racheté ou de ses ayant droits; mais la durée de l'engagement ne pourra excéder 14 années.

Article 6.

En cas de désertion, tout le temps qu'aura duré l'absence de l'engagé ne sera pas compté dans les 14 années de l'engagement, pourvu que la durée de cette absence ait été juridiquement constatées.

Article 7.

Tout enfant qui naîtra d'une négresse engagée à temps sera libre en naissant, lors même qu'il aurait été conçu antérieurement à l'affranchissement.

L'engagiste sera tenu de nourrir et d'élever l'enfant, qui lui devra son temps et le travail dont il sera capable, jusqu'à ce qu'il ait été atteint l'âge de vingt-un ans accomplis, en indemnité des soins qu'il aura reçus pendant son enfance, jusqu'au moment où il aura pu se rendre utile. Cependant il sera toujours facultatif à la mère et aux parens de l'enfant de traiter à l'amiable avec l'engagiste pour la libération actuelle de cet enfant. Cette libération pourra même être exigée en justice, moyennant indemnité suffisante, proportionnée au temps pendant lequel l'enfant aura été à la charge de l'engagiste, laquelle indemnité pourra être arbitrée par le tribunal.

Article 8.

L'engagé devra être traité avec humanité et douceur; on devra pourvoir d'une manière convenable à ce qu'il soit vêtu, nourri, et soigné en cas de maladie. Ses plaintes, s'il en est à former, pourront être portés par lui à tout fonctionnaire public, qui sera tenu de les faire parvenir aussitôt au Président du Tribunal, soit à St. Louis, soit à Gorée.

Article 9.

S'il est reconnu que la plainte est fondée, un jugement du tribunal mettra l'engagé hors du pouvoir de l'engagiste, et forcera celui-ci à céder ses droits à un autre.

Si l'engagiste s'est livré envers l'engagé à des démonstrations de haine, ou à des excès que reprouve l'humanité, l'engagiste perdra définitivement ses droits sur l'engagé, qui finira son engagement pour le compte du Gouvernement, sans préjudice de l'indemnité qui pourra être allouée à l'engagé dans le cas où il en serait résulté pour lui des infirmités.

Toute protection est assurée aux engagistes qui auront sujet de plaintes contre leurs engagés.

Article 10.

Au moins une fois par an, des commissaires que déléguera, à cet effet, le commandant et administrateur, se feront représenter chaque engagé, s'assureront de sa présence, recevront ses plaintes, s'il y a lieu, et veilleront à ce qu'il soit régulièrement libéré à l'expiration de son engagement.

Article 11.

Sous la surveillance des Présidents des Tribunaux, de Première Instance, tuteurs nés des engagés à temps, il sera tenu au greffe de St. Louis pour les engagés qui seront dans cette ville et dans ses dépendances, et au greffe de Gorée pour ceux qui se trouveront dans le ressort de cette île, un registre matricule de tous les engagés à temps ; ce registre contiendra indication du nom, du sexe, de l'âge de l'engagé, du lieu où il est placé, du nom de l'engagiste, de la date et du terme de l'engagement.

Article 12.

Toute mutation survenue dans l'état de l'engagé, par cession, libération définitive, désertion, ou autrement, devra être déclarée par l'engagiste dans la quinzaine de l'évènement, savoir, à St. Louis ou à Gorée au greffe, et partout ailleurs au chargé du service administratif, ou, s'il n'y en a pas, au chef du poste le plus voisin, sous peine d'une amende de 25f. à 100f. pour chaque contravention.

Article 13.

L'état civil des nègres engagés sera tenu de même que celui des Européens, c'est à dire, qu'il sera dressé régulièrement, pour ce qui les concerne, des actes de naissance et de décès.

Les déclarations devront être faites en conséquence par les engagistes, dans les 24 heures, sous peine de l'amende portée en l'article précédent.

Article 14.

L'engagé conservera pour son compte tout ce qu'il gagnera par ses économies et son travail particulier, sans nuire au travail qu'il doit à l'engagiste. A la fin de l'engagement ce qu'il aura acquis ainsi ne pourra être retenu.

Publié à St. Louis, le 28 Septembre, 1823.

(Signé) RUGER.

Pour copie conforme, le Conseiller d'Etat, Directeur des Colonies.

(Signé) ST. HILAIRE.

Sixth Enclosure in No. 29.

Copie d'un Arrêté rendu le 13 Mars, 1827, par le Commandant et Administrateur du Sénégal, au sujet des Engagés à temps.

Nous, Commandant et Administrateur du Sénégal et dépendances: Vu nos réglemens du 28 Septembre, 1823, et 31 Décembre, 1825, approuvés par Son Excellence le Ministre de la Marine et des Colonies ;

Considérant que ces réglemens, en ce qui concerne les déclarations des mutations survenues parmi les *engagés à temps* et les actes de leur état civil, ne reçoivent pas une complète exécution, qu'il importe de réprimer les abus qui se sont introduits dans cette partie, et de prévenir ceux qui pourraient naître par la suite ;

Voulant cependant user d'indulgence pour cette fois envers les contravenants, qui s'empresseraient de remplir autant que possible, pour le passé, les formalités prescrites ;

Après avoir pris l'avis du Conseil du Gouvernement et d'Administration dans ses Séances des 10 et 13 Mars, 1827 ;

Avons arrêté et arrêtons ce qui suit, sauf l'approbation de Son Excellence le Ministre de la Marine et des Colonies.

Article 1.

Il sera fait une nouvelle publication du Règlement du 28 Septembre, 1823, sur le régime des engagés à tems, et de l'Article 7 du Règlement du 31 Décembre, 1825, sur la tenue des registres de l'état civil, en même temps que du présent arrêté.

Article 2.

Dans les quinze jours qui suivent cette publication les possesseurs de nègres ou nègresses, engagés à tems, en retard de remplir cette formalité, devront faire au greffe à St. Louis et à Gorée, et partout ailleurs au chargé du service administratif, la déclaration de toute mutation survenue dans l'état de chaque engagé depuis son acte d'engagement, par *cession, libération définitive, désertion, ou autrement.*

Cette mutation sera annotée sur le registre et signée tant du déclarant que du dépositaire du registre.

Article 3.

Passé ce délai, les commissaires que nous délèguerons à cet effet vérifieront les déclarations qui auront été faites, se feront représenter les engagés à tems, et signaleront les contraventions qu'ils croiront remarquer, les quelles seront aussitôt déferées aux tribunaux chargés d'appliquer les peines prononcées par les réglemens.

Article 4.

En cas de désertion prétendue, la preuve en pourra être fait comme il est dit dans l'article suivant pour les cas de décès.

Article 5.

Ceux qui n'auront pas fait, dans le délai légal, la déclaration des décès survenues parmi leurs *engagés*, seront admis, dans les quinze jours de la publication du présent, à faire preuve de ces décès devant le maire, ou devant le chef de canton, sur la déposition de quatre témoins majeurs, libres, et domiciliés dans la colonie. Ces actes de notoriété seront soumis à l'homologation du tribunal qui devra vérifier si les preuves sont suffisantes.

Les possesseurs qui feront, dans le délai ci-dessus fixé, des déclarations de naissances, seront relevés de l'amende portée par l'Article 13 du règlement du 28 Septembre 1823.

Article 6.

Les articles qui précèdent ne s'appliqueront pas à des faits postérieurs à la date du présent arrêté, pour lesquels les dispositions générales recevront leur rigoureuse exécution.

Article 7.

A compte de la publication du présent arrêté, tout engagiste qui refusera ou qui sera dans l'impossibilité de représenter un *engagé* qu'il aura eu à sa disposition, sans justifier légalement de son décès ou de sa désertion, ou de la cession qu'il en aura faite, sera condamné à une amende de 300f., qui en cas de non-paiement pourra être commuée en un emprisonnement de *huit jours à deux mois*, ainsi qu'il sera fixé par le jugement de condamnation.

Article 8.

Quiconque aura fait une déclaration fausse, dans l'intention de faire perdre à un engagé les droits qui résultent de son acte d'engagement, sera puni comme il est dit dans l'article ci-dessus.

Article 9.

Il est expressément défendu aux engagistes de vendre des *engagés* à des étrangers, c'est à dire à toute personne non domiciliée au moins depuis deux ans dans les villes ou établissemens dépendant de la colonie. Toute contravention sera passible des peines portées par l'Article 7.

Sont exemptés les Européens s'établissant au Sénégal, les quels seront tenus de donner, pendant les deux premières années de leur séjour, caution pour l'exécution du règlement par simple mention sur le registre matricule.

Article 10.

L'engagiste perdra, en outre, ses droits sur l'engagé à tems qu'il aura vendu comme captif, ou sans faire connaître spécialement sa qualité d'engagé.

Il en sera de même pour le cas où les déclarations et justifications n'auront pas été faites dans le délai fixé par le présent arrêté, et ensuite dans les délais du règlement de 1823.

Dans ces divers cas, l'engagé sera séquestré ; il sera employé pour le compte du gouvernement, qui lui fera remise de la moitié du temps qui restera à courir sur la durée de son engagement.

Article 11.

Les engagés à temps seront admis à faire les déclarations ou les réclamations qu'ils jugeront dans leur intérêt, et auxquels le ministère public devra donner suite immédiatement.

Saint Louis, le 13 Mars, 1827.

(Signé) BON. ROGER.

Pour copie conforme, le Conseiller d'Etat, Directeur des Colonies,

(Signed) ST. HILAIRE.

First Enclosure in No. 29.

(Translation.)

M. Guizot to Baron de Bourqueney.

M. LE BARON,

Paris, Dec. 2, 1840.

I HAVE the honour to transmit to you several documents relating to the affair of the vessel the "*Sénégalie*," seized and condemned at Sierra Leone on suspicion of being engaged in the Slave Trade. These documents contain the information that Lord Palmerston asked from me when I was in communication with him upon this affair. The first of these documents is the copy of a letter addressed to my predecessor by Admiral Roussin, under date of the 16th ultimo, and containing certified details on the system of the recruiting of black soldiers, which formerly took place at the Senegal. The documents B and C are copies of Decrees in force in the colony, relating to the treatment of the *engagés* ; those which bear the Nos. 3 and 4 are a Copy of one of the engagements made at Bissao, and an Extract from the register of the *engagés à temps* of the civil state of Gorée.

I ought to add, that Admiral Roussin, while justifying the Governor of Senegal for the renewal of the operation relative to the purchase of slaves—an operation which caused the seizure of the "*Sénégalie*," had, on the 2nd of July last, given orders to this Governor to cease from every operation of this kind on account of the Government, and not to permit any on account of private individuals.

Moreover it appears, from information received by the Minister of the Marine, that the crew of the "*Sénégalie*," which was condemned by the Court of Sierra Leone, have been liberated, and have arrived at Gorée. Lord Palmerston has thus kept the promise he made me: but this arrangement, as Admiral Roussin observed to him, remits to the condemned persons an imprisonment of a month. If the English Government would bear in mind that the expedition of the "*Sénégalie*," which bore an official character, and which, placed under a warranty of a Treaty concluded in the name of the King, was protected by regular warrants on board, if it considered that this expedition was judged wrong by the administrative and judicial authorities of Sierra Leone as destined to cover an illicit operation, it ought to extend to a greater length the satisfaction due to our flag and to the parties aggrieved, by severely reprimanding the English officer who made the seizure, by freeing the master of the vessel from the bail to which he was subjected in order to obtain his liberation, and by giving recompensation to the owners and laders of the "*Sénégalie*."

I request you will have the goodness to insist on Lord Palmerston's doing justice to these equitable demands, the justness of which is evident from the

liberation of the crew of the "*Sénégambe*," since this concession is an implied avowal of the innocence of the persons engaged in this unfortunate affair.

Accept, &c.
(Signed) GUIZOT.

The Baron de Bourqueney,
&c. &c. &c.

Second Enclosure in No. 29.

(Translation.)

Admiral Roussin to Monsieur Thiers.

M. LE MINISTRE ET CHER COLLÈGUE,

Paris, October 16, 1840.

ON communicating to me, on the 13th of July last, the result of a conference between the Ambassador of the King at London and Lord Palmerston, on the subject of the affair of the "*Sénégambe*," you directed my attention to the desire expressed by M. Guizot, to receive certified details of the system of the recruiting of black soldiers which formerly took place at the Senegal.

As I have already informed you, in my letter of the 30th of June, 1840, previously to last year there had been only one recruitment *en masse* of black soldiers on the west coast of Africa. This event refers to the year 1828, a period when the Government wanted to raise, quickly, two black companies destined to be employed in an expedition to Madagascar.

Two merchant-vessels were sent by the Governor of Senegal, under the escort of a vessel of the station, to purchase in the Archipelago 200 captive Bisagoss, who were then enrolled at Gorée for an apprenticeship of 14 years, and transported to Bourbon on board the corvette of war "*Meuse*." Since then, in 1831, a company of 110 black soldiers, commanded by a European officer, and many European subalterns, was sent from Senegal to Cayenne in the Government brig "*Lancier*." This company was composed jointly of men belonging already to the garrison of Senegal and of captives purchased individually at Senegal itself. A second transport of the same nature was made by the transport corvette "*Loire*," which disembarked at Cayenne in August, 1836, an addition for the garrison of 40 black soldiers, also recruited individually at Senegal. In these different circumstances the measures adopted for the treatment of the blacks, whether at Goree, or whether during the transportation, in no way differed from those usually adopted for European garrisons which exist in or which are sent to our colonies. These operations, which the Government had in no way taken care to conceal, could not have escaped the knowledge of the English authorities on the coast of Africa; it is remarkable that then these authorities did not even ask for explanations on this point. I thought I could wait, in order to give you this information, for the answer that the Governor of Senegal had made me, in consequence of the observations I had made to him on the subject of the affair of the "*Sénégambe*." This answer has just reached me, and I hasten to send you a copy of it. You will doubtless judge it useful to communicate it to the Ambassador of France at London, with my Despatches of the 30th of June and 2nd of July. These documents will suffice to put M. Guizot in readiness to repel, on every side, the allegations of the English agents, too easily accredited by the British Government. In order to complete the documents to be deliberated upon, I think it right to annex to the letter of the Governor of Senegal a copy of the warrants in force in the colony relative to the treatment of the *engagés*. But, at the same time, M. le Ministre, I think it my duty to insist on what I have already said in my former correspondence, and to repeat, that we put it out of the question, by treating with the English Government, on the point of view of the greater or less legitimacy of the operation in which the "*Sénégambe*" was employed by the Governor of Senegal. If the French Government think they ought to take into consideration the observations of the Cabinet of London, it can engage itself to henceforward change its means of recruiting for black troops destined for the garrisons and service of the colonies; but the list of English agents

CLASS C.

ought to set a limit to making these observations on the part of the Government; and the seizure of the "*Sénégalie*," in contempt of the licence given by the French authorities, and which this vessel carried, is a premeditated insult, which, in default of sufficient reparation, would cast aspersions on the French flag.

Lord Palmerston is aware of the irregularity and even of the violence of the acts that were made known to him by the Ambassador of France. What, then, is the reparation offered up to the present time by this minister? Does it not limit itself to a disposition of indulgence in favour of the laders and the crew of the captured vessel?—an indulgence which we cannot receive without recognising the regularity of what is passed, and which would itself elsewhere be altogether a subject of derision. In fact, it would consist in remitting the individuals condemned at Sierra Leone from an imprisonment for a month; a punishment which they were to have undergone immediately after condemnation. Lord Palmerston in no place speaks either of publicly blaming the English officer guilty of the capture, nor of freeing the master of the vessel from the bail to which he was subjected in order to obtain his liberation. Nothing is said of losses, considerable interests that the Administration of the Senegal is liable to pay in consequence of the capture to those interested; and there is no mention made of the indemnities due to the supercargo of the vessel for the undeserving treatment he experienced at Sierra Leone. In fine, everything tends, from such an issue of this affair, to confirm instead of effacing the lamentable scandal it has produced on the coast of Senegal. I am confident that the French Ambassador will bring this affair again before the English Cabinet in a manner which will anticipate so sad a result.

M. Thiers,
&c. &c. &c.

Accept, &c.
(Signed) BON. ROUSSIN.

Third Enclosure in No. 29.

(Translation.)

Paper No. 3, annexed to the Letter of the Governor of Senegal of the 9th August, 1840.

Extract from the Minutes of the Civil Government of Goree.

BEFORE me, Louis François Alphonse Thiesse, greffier, performing the functions of notary and of constable of the civil Government at the residence of the island of Goree, in the presence of witnesses hereinafter named and signed.

This day, the 21st of January, 1840, appeared M. Marbeau, owner of the schooner "*Sénégalie du Sénégal*," at present in the roads of this island, who, conformably with the third paragraph of the third article of the local decree, as to the management of apprentices, dated the 26th of September, 1823, deposited with me, for the purpose of adding and annexing to our minutes, sixty-three conditional certificates of emancipation, for sixty-three negroes, named and particularized in the said certificates, who were purchased by him this present month from several persons at Bissao (on the lower coast) at 325 francs each, and liberated conditionally at the said place by M. de Cournet, Enseigne de Vaisseau, commander of the Government schooner "*La Cigale*," attached to the service of this colony, in virtue of powers delegated to him for that purpose by the Governor of Senegal and its dependencies, the said repurchase and liberation being made at the expense of each of the said negroes remaining in the service of the French Government for a period of fourteen full and consecutive years, counting from the date of their liberation.

Consequently, the said M. Marbeau having introduced into this island this day the said sixty-three negroes, for the purpose above mentioned, I have received in deposit, and annexed to the present, the sixty-three certificates of their conditional emancipation, in original and duplicate, dated at Nalous, in the roadstead of Bissao, on the 2nd, 3rd, 15th, and 16th of this month, numbered from one to sixty-three, and duly filled up and signed by the said M. Cournet in his aforesaid capacity, and legalized this day by "M. le Commandant, particulier," of this island.

This act being completed, and passed in double minute to the "greffe" of the island of Goree, on the said day, month, and year, in the presence of Messrs. John Ware, huissier, and François Boucher, landed proprietor, both residing in the said Island of Goree, as witnesses, who sign this together with the said M. Marbeau and myself, greffier.

[Here follows a copy of the first of the said sixty-three certificates deposited and annexed to the said proceedings.]

Senegal and its Dependencies.

No. 1.

January, 1840.

Firstly. I, the Undersigned, Enseigne de Vaisseau, Commander of the Government schooner "*La Cigale*," in virtue of authority granted by the Governor of Senegal and its dependencies, certify that I have freed from all slavery, by the present deed, the individual named Tamba, aged eighteen years, a native of the interior, measuring one mètre, sixty centimètres, repurchased from the individual named Salefous, in order that the said freed man, who has been brought before me, and found by me to be fit for military service, for which he is destined, may enjoy full and entire freedom, after engaging himself to serve the French Government, as a pioneer, for the space of fourteen consecutive years, beginning from the present date, the 2nd of January, 1840. I have caused to be read to the said negro Tamba a translation in his language of the 12th article of the decree of the 13th March, 1827, as to the treatment of apprentices (*engagés à temps*).

Dated on board the "*Cigale*," in the roadstead of Nalous, this 2nd of January, 1840.

L'Enseigne de Vaisseau, Commandant,

(Signed)

A. COURNET.

[Here follow attestations and signatures.]

Fourth Enclosure in No. 29.

(Translation.)

Paper No. 4 annexed to the letter of the Governor of Sénégal, of the 9th of August, 1840.

Sénégal and its Dependencies.

Island of Gorée, year 1840.

Extract from the Register of the Engagés à temps du Ressort of the Civil Government of Gorée, during the year 1840.

No. of Order.	Names of Persons engaged.	Sex.	Age.	Places where resident.	Names and Dwellings of Persons engaging.	Dates of Engagements.	Dates and Numbers of the Acts and Proceedings.	Period of Engagements.	Changes and various Remarks.
518	Tamba.	Male	18 yrs.	Gorée.	Marbeau, Merchant at St. Louis.	2nd Jan., 1840.	21st Jan., 1840. No. 2.	14 yrs.	Destined for the Military service of Pioneer at Cayenne, on board the Government Corvette <i>La Caravanne</i> , 8th June, 1840.

This extract is taken from the original register of the Civil Government of the Island of Gorée, and delivered to M. le Commandant particulier of the said island, on his order, by me, the undersigned Greffier, officer of the Civil Government.

Gorée, 5th August, 1840.

(Signed)

THIESSE, Greffier.

Examined: The Governor of Sénégal and its Dependencies.
(Signed) CHARMASSON.

Examined, in order to legalize the signature of M. Thiesse, Greffier, officer of the Civil Government of the Island of Gorée, by me, the undersigned Commandant particulier, President of the Tribunal de Première Instance in the said island.

Gorée, 5th August, 1840.

(Signed)

H. DOGORNE.

A true Copy.

The Councillor of State, Director of the Colonies.
(Signed) ST. HILAIRE.

Fifth Enclosure in No. 29.

(Translation.)

Decree respecting the treatment of Apprentices, issued at Senegal the 28th September, 1823.

I, THE commander and administrator of Senegal and its dependencies, after deliberation by the council of government and administration at its sittings of the 24th and 26th of September, 1823, respecting the law of the 2nd of April, 1818, and the orders that have been transmitted to me, I have decreed, and hereby decree as follows, to be provisionally executing, saving the approbation of His Excellency the Minister of Marine and Colonies.

Article 1.

It is again prohibited to introduce fresh slaves into St. Louis, or Goree, into the stations and upon the establishments of culture dependent upon Senegal.

Every individual who shall be introduced as slave will be seized and employed, as engagé à temps, for account of the government.

Article 2.

The slaves at present on the continent of Africa, who may have been repurchased from slavery, and engaged for a limited period, are not comprised in the above prohibition; the whole being subject to the forms and conditions herein-after explained.

Article 3.

The slaves must be liberated at the time of their purchase. The act of manumission to be effected in countries not subject to French government, under sign manual, viséed by the commandant of the first station through which the engagé à temps shall pass; at the neighbouring stations and establishments, by the employé charged with the administrative service, as the officer performing the functions of the état civil, or, in case there be no such officer, before the chief of the station; and at St. Louis, Goree, before the Greffiers.

In all the above cases, a double minute thereof shall be taken, and deposited with the greffe under the penalties imposed by Article 1. The duplicate will be sent to France, in the same manner as the proceedings of the état civil.

Article 4.

The document of manumission shall declare the names of the purchased slave, his sex, his age, as near as may be, his height, proportions, and the principal marks on his body, which might aid in recognizing him. It shall likewise state the names and residence of the seller, and the person effecting the purchase, the place, date, and price of the purchase, and the period of the engagement.

Article 5.

The liberation shall be pure, simple, and irrevocable; it may nevertheless contain the condition that the person liberated may remain, as engagé, in the service of the person purchasing him, or his attorney; but the term of the engagement shall not exceed 14 years.

Article 6.

In case of desertion, the whole period of the absence of the engagé will not be counted in the 14 years of the engagement, provided the period of such absence shall be judicially determined.

Article 7.

A child born of a negress engagée à temps shall be free at its birth, even though she may have conceived previously to her liberation.

The person engaging such negress shall be bound to maintain and bring up the child, whose services and labour shall belong to him until it shall have attained the age of 21 years, in indemnification of the care taken of it during its childhood, and until such time as it could make itself useful. Nevertheless it shall be always at the option of the mother or parents of the child to treat amicably with the person engaging them for the actual liberation of the child. Such liberation may even be legally exacted, on payment of a sufficient indemnity, proportioned to the time such child shall have been under the care of the person engaging, which indemnity may be awarded by the tribunal.

Article 8.

The engagé shall be treated with humanity and kindness; and it shall be provided that he be clothed, maintained, and taken care of, in case of illness. His complaints, should he have any to make, can be made by him to any public functionary, who will be held to lay them forthwith before the president of the tribunal either at St. Louis or at Goree.

Article 9.

If it be decided that the complaint is just, a sentence of the court shall remove the engagé out of the power of the person engaging, and shall compel the latter to give up his rights to another person.

In case the person engaging shall manifest feelings of dislike towards the engagé, or punish him in a manner reprobated by humanity, the former shall forfeit all right to the engagé, who will complete his engagement for account of the government, without prejudice to the indemnity that may be awarded to him, in case of any injury that may result to him from such punishment.

Every protection is guaranteed to the persons engaging who shall have cause of complaint against their engagés.

Article 10.

At least once a year, commissioners to be appointed for the purpose by the commandant and administrator, will cause each engagé to appear before them, will verify their presence, hear their complaints, if they have any to make, and will see that they be regularly liberated at the expiration of their engagement.

Article 11.

The greffe of St. Louis shall be bound on the part of the engagés in that city and its dependencies, and the greffe of Goree on the part of those who may be within the jurisdiction of that island, under the surveillance of the presidents of tribunaux *de première instance*, to keep a register of all engagés à temps; which register shall contain the names, sex, and age of the engagé, of the place of his residence, and the date and period of the engagement.

Article 12.

All changes in the condition of the engagé, by cession, final liberation, desertion, or otherwise, shall be declared by the person engaging within a fortnight of the occurrence, namely, at St. Louis or at Goree to the greffe, and everywhere else to the person charged with the administrative service, or, if there be no such person, to the chief of the nearest station, under a penalty of from 25 francs to 100 francs for each infraction.

Article 13.

The civil condition of negroes engagés shall be the same as that of Europeans, viz., there shall be regularly kept for them a register of births and deaths.

The declarations shall consequently be made by the persons engaging, within 24 hours, under the penalty prescribed in the preceding article.

Article 14.

The engagé shall keep for himself all he may make by saving, or by extra work, without detriment to the labour he owes to the person engaging him.

On the completion of the engagement what he may have thus made cannot be kept from him.

Published at St. Louis the 28th September, 1823.

(Signed)

ROGER.

A true copy.

The Councillor of State and Director of the Colonies,
(Signed)

ST. HILAIRE.

Sixth Enclosure in No. 29.

(Translation.)

Copy of a Decree issued the 13th of March, 1827, by the Commandant and Administration of Senegal, respecting Apprentices (engagés à temps).

I, the Commandant and Administrator of Senegal and its dependencies, having considered the regulations of the 28th of September, 1823, and the 31st of December, 1835, approved by his Excellency the Minister of Marine and the Colonies;

And considering that those regulations, as regards the declarations of the changes taking place among the engagés à temps and the acts of their civil condition, are not duly executed, and that it is necessary to repress the abuses which have crept into this subject, as well as to prevent those that might hereafter arise;

And wishing nevertheless to show indulgence, on this occasion, towards the infractors, who will hasten, as far as possible, to comply with the prescribed formalities, as regards the past:

After having taken the opinion of the Council of the Government and Administration in its sittings of the 10th and 13th of March, 1827,

I have decreed and hereby do decree as follows, saving the approbation of His Excellency the Minister of Marine and the Colonies.

Article 1.

A new publication shall be made of the regulation of the 28th of September, 1823, as to the management of the engagés à temps, as well as of the 7th Article of the regulation of the 31st of December, 1825, as to the term of the registers of the état civil, at the same time as of the present decree.

Article 2.

Within a fortnight after the said publication the holders of negroes and negresses à temps, having neglected to comply with this formality, shall make before the greffe of St. Louis and Goree, and everywhere else before the person charged with the administrative service, a declaration as to any changes that may have taken place in the condition of each engagé since the act of engagement by cession, final liberation, desertion, or otherwise.

Such change shall be noted in the register and signed by the declarant as well as by the depositor of the register.

Article 3.

After such delay, the commissioners to be appointed by me for the purpose will certify the declarations that have been made, will cause the engagés à temps to be brought before them, and will point out the contraventions they may remark, which shall be immediately submitted to the tribunals whose duty is to apply the penalties pronounced by the regulations.

Article 4.

In case of pretended desertion, proof thereof may be deduced in the manner stated in the following article for cases of decease.

Article 5.

Such persons as shall not during the legal delay have made declaration of the deaths that may have happened among their engagés, shall be admitted, within a fortnight after the publication of the present, to deposit proof of the deaths before the mayor, or before the chief of the canton, upon the deposition of four witnesses of age, free condition, and settled in the colony. These acts

of notoriety shall be submitted to the "homologation" of the tribunal, whose duty is to ascertain whether the proofs are sufficient.

The holders who shall make declarations respecting births within the period above prescribed, shall be relieved of the fine imposed by Article 13 of the regulation of the 28th of September, 1823.

Article 6.

The preceding Articles shall not apply to facts subsequent to the date of the present decree, respecting which the general orders will be rigorously enforced.

Article 7.

From the date of the publication of the present decree any person engaging who shall refuse or may be unable to produce an engagé he shall have had in his service, without legally proving his death or desertion, or his having restored him, shall be condemned to a fine of 300 francs, which, in case of non-payment, can be commuted to imprisonment varying from *eight days* to *two months*, as may be determined upon by the sentence of condemnation.

Article 8.

Whoever shall have made a false declaration with the intention of depriving an engagé of the rights he derives from his engagement shall be punished as stated in the above Article.

Article 9.

It is expressly prohibited to persons engaging (engagistes) to sell engages to foreigners, that is to say to any person not domiciled at least two years in the towns or establishments dependent on the colonies. All contraventions will be subject to the penalties imposed in Article 7.

Europeans settling in Senegal are exempted, and will be required to give, during the two first years of their residence, security for the execution of the regulations by means of a simple notice in the register.

Article 10.

The person engaging shall lose, moreover, all claim upon the engagé à temps, whom he may have sold as a slave, or without specially notifying his condition of engagé.

The same shall apply to those cases wherein the declarations and justifications shall not have been made within the period allowed by the present decree, and further within the period allowed by the regulation of 1823.

In the several cases above-mentioned the engagé shall be sequestered, and employed for account of the Government, which will remit him one-half of the remaining time he may have to serve to complete his engagement.

Article 11.

The engagés à temps will be permitted to make such declarations or claims as they may consider for their interest, and to which the administration will give immediate attention.

(Signed) B. ROGER.

St. Louis, 13th March, 1827.

(A true copy.)

The Councillor of State and Director of the Colonies,

(Signed) ST. HILAIRE.

No. 30.

Baron Bourquenev to Viscount Palmerston.

Londres, le 31 Janvier, 1841.

(Received February 2.)

MY LORD,

J'AI eu l'honneur d'adresser à votre Excellence le 17 Décembre dernier plusieurs pièces relatives à l'affaire du bâtiment *la Sénégal*. Je la priois en même temps de vouloir bien me les renvoyer, en me faisant connoître ses intentions relativement aux mesures de réparation que le Gouvernement Français se croyait fondé à demander.

Mon Gouvernement m'invite de nouveau, my Lord, à l'informer de la suite que votre Excellence aura jugé à propos de donner à cette réclamation; je vous serai très reconnoissant de vouloir bien me mettre à même de lui répondre le plus promptement possible.

Veillez agréer, my Lord, la nouvelle assurance de ma plus haute considération.

(Signé)

BOURQUENEY.

A son Excellence le Vicomte de Palmerston, G.C.B.,
 &c. &c. &c.

(Translation.)

MY LORD,

London, 31st January, 1841.

I HAD the honour to address to your Excellency, on the 17th of December last, several communications relative to the affair of the vessel "*Sénégal*." I requested your Lordship, at the same time, to be pleased to return them to me and to let me know your intentions relative to the measures of reparation which the French Government considered itself entitled to demand.

My Government desires me anew, my Lord, to report to it the answer which your Excellency shall have thought proper to return to this demand; I shall, therefore, be much obliged if you will be pleased to enable me to reply as promptly as possible.

Accept, my Lord, &c.

(Signed)

BOURQUENEY.

To His Excellency Viscount Palmerston, G.C.B.,
 &c. &c. &c.

No. 31.

Viscount Palmerston to Lord Granville.

MY LORD,

Foreign Office, February 3, 1841.

HER Majesty's Government have received information that a company of French merchants called the Gallam Company, who have established a factory at Sajou on the Casamança, are allowed by the French Government to purchase slaves there, and to convey such slaves to Goree and Senegal, where they sell such slaves to the French authorities.

The details given of this transaction are as follows:—

The natives near the River Casamança bring their commodities down to the banks of that river, in order to exchange them with the French merchants for European manufactured goods. These native traders employ slaves to carry their merchandise from the interior down to the River, and as the goods they sell are usually more bulky than those which they receive in return, it is a convenience to them to sell those slaves who are not wanted to carry back to the interior the goods purchased from the French merchants.

The French traders thus purchase the slaves at a low price, and dispose of them to the French authorities; and those authorities, when they have bought these slaves, nominally apprentice them for 14 years, and then send them to the French West Indian Colonies to serve there as soldiers.

I have to desire that your Excellency will, by a note to M. Guizot, communicate to his Excellency this information respecting Slave Trade carried on by the French Gallam Company, and by the French Government authorities at Senegal; not doubting that M. Guizot will be glad to have his attention directed to proceedings so much at variance with the humane principles which actuate the French Government, and with the Treaty engagements of the French Crown.

I have, &c.

(Signed)

PALMERSTON.

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

No. 32.

*Earl Granville to Viscount Palmerston.**Paris, March 8, 1841.**(Received March 11.)*

(Extract.)

I ENCLOSE the "Moniteur" of yesterday, containing the report of the Debate which took place on Saturday in the Chamber of Deputies, on the treatment of slaves, and on the abolition of slavery in the French colonies.

A general opinion prevails that the system of slavery cannot long be maintained in those islands, and the commission, of which the Duc de Broglie is President, are sincere in their endeavours to effect its abolition at no distant period.

Enclosure in No. 32.

(Memorandum.)

Debate in the Chamber of Deputies, March 6, 1841.

M. LACROSSE drew the attention of the Chambers to the condition of slaves in the French colonies, as shown at the recent trial of M. Douillard Mahaudière, at Guadeloupe, for cruelly imprisoning his slave, a charge on which the jury acquitted him.

The Minister of Marine stated, in answer to the call of M. Lacrosse, that the Government was giving its serious attention to limiting the power of masters to imprison their slaves; that the establishment of a register of punishments on each plantation, for the inspection of the visiting magistrate, as recommended by M. Lacrosse, was a measure easily taken; and that the abuses arising from the present formation of the juries in the colonies would be provided against by a new law.

M. Jollivet and others spoke on the question of the guilt or innocence of M. Mahaudière.

M. Janvier spoke in favour of the general good treatment of slaves in Guadeloupe; he took occasion to state that he was a member of the Commission formed by the preceding Government (that of M. Thiers) to consider the best method of bringing about emancipation; that he had done his best to bring the Council of Guadeloupe to enter into the views of the Commission, and would have succeeded if he had not been crossed by the Government. He said, "Que des influences autorisées, accréditées par le même Ministère qui avait formé la Commission, m'ont combattu, et l'ont emporté dans les résolutions du conseil." He added that the colonists "ont été presque officiellement induits à croire, que la création de la Commission n'était pas une menace aussi sérieuse, aussi décisive, qu'on l'avait annoncé."

M. Guizot said, "Cette Commission continue ces travaux; elle les continue sérieusement, comme il est dans l'intention sérieuse du Cabinet d'y donner suite. La Commission a deux grandes questions à examiner; comment on peut parvenir à l'abolition de l'esclavage, et comment la réforme du régime économique et de l'administration des colonies doit se lier à l'abolition de l'esclavage. . . . Elle poursuit cet examen avec activité, et elle surmontera les obstacles si elle en rencontre, et le Gouvernement aidera à les surmonter. . . . Quand elle aura accompli son travail, le Gouvernement prendra sur les deux questions une résolution qui sera efficace."

The question of the insincerity of the former Cabinet was then followed up by M. Passy, who stated that the former Government had failed to support the Commission in obtaining answers to the questions they put to the colonies, and had sent out a mission which interfered with the nominations of delegates by the Colonial Council; that consequently one of the delegates, who had shown himself disposed to enlighten the Government as to the course to be pursued, was not re-elected, and that nothing could be done unless the Commissioners were supported by Government; on which M. Guizot observed, "Vous le serez certainement."

M. Remusat affirmed that this was the first time that the ministry of which he had been a member had heard speak of the complaints made by MM. Janvier and Passy, and denied that the ministry had been insincere in its support of the Commission, or had sent any mission concerning the delegates.

M. Passy persisted in his statement, adding that the necessary funds for this mission were demanded in the budget of 1840, and that its result was that it influenced the election of the colonial delegates.

CLASS C.

M. Anguis, in support of this, read a letter from M. Granier de Cassagnac (who, it appears from this very letter, is a paid agent of the Council of Guadeloupe), in which that gentleman says, "Feuillide, qui part demain avec une mission de Gouvernement, vous expliquera comment des engagements pris avec le Cabinet me forcent à rester ici." "J'écris à D., pour lui exposer le plan de défense qui serait à mon avis le seul efficace." "M. le Président du Conseil m'a envoyé le directeur, qui m'a demandé de faire mes conditions pour l'avenir. Il y a eu un Traité de fait," &c.

The Chambers then passed to the order of the day.

It may be observed that M. Passy stated that the facts to which he alluded had only come to light within the preceding fortnight; and that he intended to bring the matter forward at the first general meeting of the Commission.

No. 33.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, March 18, 1841.

I HEREWITH transmit to your Excellency a copy of a communication which has been received at this office from the Colonial department, reporting the circumstances under which a Greek brig, "*The Miltiades*," with 14 negro slaves on board, has been detained at the port of Argostolo in the Island of Cephalonia.

From these papers your Excellency will perceive that an agreement for the freight of 13 of these slaves was made at the house of one Gaspari, who is stated to be a French subject, and to be employed as English agent or Vice-Consul at Goletta, in the bay of Tunis, and that Gaspari and M. Annibal Caneo d'Ornano, commanding the French brig of war "*Palestine*," and two other French officers, were present at the making of this agreement.

I have to desire that your Excellency will communicate these statements by note to M. Guizot, and you will add that Her Majesty's Government have lost no time in instructing Her Majesty's Consul-General at Tunis to discontinue employing M. Gaspari as British Vice-Consul, and to let that individual know the reason why he is discharged from his employment.

I have, &c.

(Signed) PALMERSTON.

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

For Enclosures in No. 30 see Enclosures in Despatch of Sir E. Lyons, of March 19, 1841 (Class D).

No. 34.

Earl Granville to Viscount Palmerston.

MY LORD,

Paris, March 26, 1841.

(Received March 29.)

I HAVE the honour to state to your Lordship that, in obedience to your instructions, I addressed a Note to M. Guizot, enclosing documents transmitted by the Lord High Commissioner of the Ionian Islands relative to the detention at Cephalonia of a Greek vessel, the "*Miltiades*," on board of which were found 14 slaves.

I have, &c.

(Signed) GRANVILLE.

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

No. 35.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, April 14, 1841.

I HEREWITH transmit to your Excellency a Copy of a Letter from the Colonial Office, together with two copies of a Paper referred to therein, entitled

‘ Memoranda on the Progress of the Free System in the W t India Colonies in 1840;’ and I have to desire that your Excellency will transmit one copy of that Paper to M. Guizot, as containing information which it may be satisfactory to M. Guizot to possess.

I am, &c.

(Signed) PALMERSTON.

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

Enclosure in No. 35.

(See Memorandum enclosed in No. 173, Class A.)

No. 36.

Viscount Palmerston to Earl Granville.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 1.)

No. 37.

Viscount Palmerston to Earl Granville.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 2.)

No. 38.

Mr. Bulwer to Viscount Palmerston.

Paris, April 19, 1841.

(Received April 22.)

MY LORD,

WITH reference to your Lordship's Despatch to Earl Granville of the 18th ultimo respecting a Greek brig, the "*Miltiades*," with 14 negro slaves on board, which had been detained at the port of Argostolo in the Island of Cephalonia, I have the honour to enclose to your Lordship the copy of a Note which I have received from M. Guizot in reply to the communication which, by your Lordship's instructions, Lord Granville addressed to his Excellency on this subject.

I have, &c.

(Signed) HENRY BULWER.

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

Enclosure in No. 38.

M. Guizot to Earl Granville.

M. L'AMBASSADEUR,

Paris, Avril 15, 1841.

VOUS m'avez fait l'honneur de me transmettre copie de divers documens relatifs à la détention du brig Grec "*Le Miltiades*," dans l'île de Cephalonie. Je remercie votre Excellence de cette communication, dont l'objet ne pouvoit manquer de fixer toute mon attention. Le transport des esclaves à bord des bâtimens Français est formellement interdit par l'Ordonnance Royale du 18 Janvier, 1823. Le Gouvernement du Roi n'admet d'exceptions aux prescriptions de cette Ordonnance qu'en faveur des passagers Mussulmens accompagnés d'esclaves qui font partie de leurs maisons et de leurs suites. A cette exception près, il est dans nos intentions que les agens Français restent fidèles à l'esprit et aux dispositions de l'Ordonnance précitée, dans les cas même où ils seraient autorisés à procéder pour le compte d'une puissance qui admettrait d'autres principes.

Dans une matière qui intéresse à un si haut degré la civilisation et l'humanité le Gouvernement de Sa Majesté entend que ses agens ne prennent aucune part, directe ou indirecte, à des actes que la Législation Française interdit aux sujets Français. Telles sont, M. l'Ambassadeur, les vues du Gouvernement du Roi. Les instructions que j'ai transmises aux agens de Sa Majesté m'assurent qu'à l'avenir ils y conformeront leur conduite en toute occasion.

(Signé)

GUIZOT.

A son Excellence Earl Granville, G.C.B.,

&c.

&c.

&c.

(Translation.)

MY LORD,

Paris, April 15, 1841.

YOUR Excellency did me the honour to transmit to me copies of several documents relative to the detention of the Greek brig "*Miltiades*" at the Island of Cephalonia. I thank your Excellency for that communication, the object of which could not fail to fix my attention. The transport of slaves on board French vessels is formally interdicted by Royal Decree of the 18th January, 1823. The Government of the King admits of no exceptions to what is prescribed by that Decree, except in favour of Mussulman passengers, accompanied by slaves who form part of their households and of their retinues. With this exception alone, it is our intention that French agents continue faithful to the spirit and to the directions of the aforesaid decree, even in cases in which they might be authorised to act on account of a Power admitting other principles.

In a matter which interests in so high a degree the cause of civilization and humanity, His Majesty's Government means that its Agents should take no part whatever, direct or indirect, in acts which the French Legislature forbids to French subjects. Such, M. l'Ambassadeur, are the views of the King's Government. The instructions which I have transmitted to the Agents of His Majesty make me feel assured that in future they will conform to these views on all occasions.

(Signed)

GUIZOT.

To His Excellency Earl Granville, G.C.B.,

&c.

&c.

&c.

No. 39.

Viscount Palmerston to Earl Granville.

Foreign Office, May 11, 1841.

Circular as to French Functionaries in Slave-holding Countries.

(See No. 3.)

No. 40.

Viscount Palmerston to Mr. Bulwer.

Foreign Office, May 26, 1841.

SIR,

HER Majesty's Government have received information upon which reliance can be placed, that a Greek vessel named the "*Miltiades*" left Tunis apparently for Candia on the 25th of December, 1840, furnished with papers signed by M. Nyssen, acting Tuscan and Russian Consul at Tunis, the captain of the French brig "*Palinure*," stationed at Tunis, and M. Gaspari, agent to M. Nyssen, having been cognizant of the delivery of those papers.

Although the wind was favourable when the vessel set sail, the captain caused her to remain in the Gulf of Tunis two days, lying off and on; and on the 27th of the same month the vessel returned to the road of Tunis and anchored there. The passengers complained to M. Gaspari of this proceeding, but without effect. On the 31st of December 14 negroes were brought to the vessel bound hand and foot, and were taken on board; and immediately afterwards, although the wind was contrary, the brig set sail for her ultimate destination. But the vessel having been driven to the Island of Cephalonia, the captain summoned the passengers together, and made them take oath not to give him over to justice for his conduct in respect to carrying these slaves. On the 6th of January one of the passengers, however, having landed in Cephalonia, stated to the authorities of the island the abovementioned facts; and the captain was thereupon desired to pro-

duce his clearance and muster-roll, but he declared that neither M. Nyssen nor M. Gaspari had delivered any such roll to him.

The Cephalonian authorities then proceeded on board the vessel, and found in her 14 negroes in irons: these negroes were landed, and orders were given for further proceedings in the case.

You will communicate these facts to M. Guizot, with reference to the statement which, by my Despatch, Slave Trade, of the 18th of March last, his Excellency Lord Granville was directed to make to that Minister upon the subject.

I am, &c.
(Signed) PALMERSTON.

H. L. Bulwer, Esq.
&c. &c.

No. 41.

Mr. Bulwer to Viscount Palmerston.

Paris, June 18, 1841.
(Received June 21.)

MY LORD,

WITH reference to your Lordship's Despatches of the 26th of March and the 26th of May, and mine of the 22nd of April, I now have the honour to forward to your Lordship copy of a further Note which I have received from M. Guizot in answer to one I addressed to his Excellency (in obedience to your Lordship's instructions), reporting the circumstances under which a Greek brig, the "*Miltiades*," with 14 negro slaves on board, had been detained in the Island of Cephallonia.

I have, &c.
(Signed) HENRY LYTTON BULWER.

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

Enclosure in No. 41.

M. Guizot to Mr. Bulwer.

MONSIEUR,

Paris, le 11 Juin, 1841.

JE vous remercie des nouveaux détails que vous m'avez fait l'honneur de m'adresser, le 31 du mois dernier, concernant l'embarquement de treize esclaves nègres à bord du brig Grec le "*Miltiades*" dans le port de Tunis.

Le Consul-Général de France dans cette résidence, auquel j'ai fait part de la communication que j'avais reçue de Lord Granville sur le même sujet, vient de me transmettre des renseignements des quels il résulte que les reproches allégués contre M. Gaspari, dans cette occasion, n'ont aucun fondement et sont uniquement l'œuvre de la malveillance. Je n'insisterai pas sur ces explications, qui se trouvent reproduites dans un exposé que M. Gaspari, en sa qualité d'agent du Consulat de Sa Majesté Britannique, a adressé à M. le Consul Anglais; elles m'ont paru satisfaisantes, et je pense que votre Gouvernement les jugera également admissibles, en ce qui le concerne.

(Signé) GUIZOT.

M. H. Lytton Bulwer,
&c. &c.

(Translation.)

SIR,

Paris, June 11, 1841.

I THANK you for the new details you did me the honour to address to me on the 31st ultimo respecting the embarkation of 13 negro slaves on board the Greek brig "*Miltiades*," in the port of Tunis.

The Consul-General of France at that port, to whom I imparted the communication which I had received from Lord Granville on the same subject, has just transmitted to me information from which it appears that the complaints alleged against M. Gaspari on that occasion have no foundation, and are solely the work of malevolence. I will not say more about these explanations, which are repro-

duced in a statement addressed by M. Gaspari, in his capacity of Consular Agent of Her Britannic Majesty, to the British Consul: they have appeared to me to be sufficient, and I think your Government will consider them equally admissible, as far as concerns it.

(Signed) GUIZOT.

M. H. L. Bulwer,
&c. &c.

No. 42.

Baron Bourquenev to Viscount Palmerston.

Londres, le 19 Juin, 1841.

(Received June 21.)

MY LORD,

MON Gouvernement me charge d'appeler l'attention de votre Excellence sur les graves inconvéniens qui résultent pour notre marine marchande de la rigueur avec laquelle la station Anglaise exerce sa surveillance à la côte d'Afrique. Les plaintes énergiques consignées dans la plupart des rapports adressés au Ministère de la Marine par les capitaines de bâtimens de commerce Français qui fréquentent ces parages, ont naturellement éveillé la sollicitude du Gouvernement du Roi, et la protection qu'il doit à ses nationaux lui fait un devoir de signaler au Gouvernement Britannique la conduite des croiseurs Anglais dans ces mers.

Le Sr. Cases, capitaine du brig "*La Fanny*," récemment arrivé de la côte occidentale d'Afrique, où les mauvais temps l'ont retenu pendant cinq mois, a porté plainte à son retour non seulement contre les officiers subalternes, mais aussi contre le Commodore, qu'il accuse d'avoir, à plusieurs reprises et sous de frivoles prétextes, fait abus de son autorité.

Mon Gouvernement espère, my Lord, que le Gouvernement Britannique lui saura gré d'avoir ainsi provoqué son attention sur des rigueurs qui n'ont pu être commises que contrairement aux instructions données par lui à ses agens, et qu'il voudra bien prendre les mesures nécessaires pour que le droit de surveillance soit à l'avenir exercé par les croiseurs Anglais dans les limites d'une juste modération.

Veuillez agréer, my Lord, l'assurance de ma plus haute considération.

(Signé) BOURQUENEY.

A Son Excellence Lord Palmerston,
&c. &c. &c.

(Translation.)

MY LORD,

London, June 19, 1841.

MY Government has directed me to call your Excellency's attention to the serious inconveniences which are occasioned to our merchant navy by the rigour with which the English squadron performs its search upon the Coast of Africa. The energetic complaints contained in the majority of the reports addressed to the Department of Marine by the captains of French merchant-vessels frequenting those parts have naturally awakened the solicitude of the King's Government, and the protection it owes to its countrymen makes it a duty to point out to the British Government the conduct of British cruisers in those seas.

M. Casas, captain of the brig "*La Fanny*," lately arrived from the Western Coast of Africa, where she was detained five months by stress of weather, makes complaint on his return, not only against the subaltern officers, but likewise against the Commodore, whom he accuses of having, on several occasions and under frivolous pretexts, made an abusive use of his authority.

My Government expresses a hope, my Lord, that the Government of Her Britannic Majesty will feel thankful for having its attention thus called to the rigorous excesses which cannot but have been committed contrary to the instructions given by it to its Agents; and that it will be pleased to take the necessary steps in order that the right of search be in future exercised by British cruisers within the limits of a just moderation.

Accept, my Lord, &c.
(Signed) BOURQUENEY.

To His Excellency Lord Palmerston,
&c. &c. &c.

No. 43.

Baron Bourqueney to Viscount Palmerston.

MY LORD,

Londres, 28 Juin, 1841.

(Received July 2.)

LE 26 Novembre, 1839, Mr. Laplane, médecin et naturaliste Français, s'embarqua à St. Paul de Loanda (côte d'Angola) en qualité de passager à bord du navire Portuguais "*Les Deux Frères.*" Indépendamment des effets nécessaires à son usage personnel, il avoit avec lui plusieurs collections d'objets d'histoire naturelle recueillis en Afrique. Ce bâtiment, qui devoit faire voile pour le Brésil, et dont le chargement, suivant les assertions du Sr. Laplane, confirmées d'ailleurs par plusieurs témoignages judiciaires, étoit légal, fut arrêté le 29 Novembre par le brick de guerre Anglais "*Colombine,*" et expédié pour Sierra Leone avec son capitaine et tout son chargement, sans exception de ce qui appartenoit à Mr. Laplane, qui fut obligé de retourner à Loanda n'emportant avec lui qu'un matelas et du linge.

Mr. Laplane a fait d'abord constater dans cette ville par une enquête judiciaire les pertes qu'il avoit faites, et avec d'autant plus d'exactitude que les objets qui lui avoient été enlevés ne se trouvoient pas, par leur nature, portés sur le manifeste du navire "*Les Deux Frères.*" Ces objets ont été évalués à la somme de 19,318 francs; puis à son arrivée à Rio de Janeiro il s'est empressé de déposer à la légation Française la plainte qu'il se croit en droit d'élever contre le commandant du navire Anglais "*Colombine,*" et la demande en réparation du préjudice qui lui a été causé.

Mon Gouvernement me charge, my Lord, d'appeler l'attention de votre Excellence sur cette réclamation, et il espère qu'après avoir pris connoissance de toutes les circonstances de l'affaire, et vérifié lui-même l'exactitude des faits présentés par Mr. Laplane, le Gouvernement Anglais voudra bien lui accorder une indemnité proportionnée aux pertes qu'il a souffertes.

J'ai l'honneur d'envoyer ci-joint à votre Excellence la traduction Française de l'enquête judiciaire faite à Loanda.

Veillez agréer, my Lord, l'assurance de ma plus haute considération.

(Signé)

BOURQUENEY.

A Son Excellence Lord Palmerston,
 &c. &c. &c.

(Translation.)

MY LORD,

London, June 28, 1841.

ON the 26th November, 1839, M. Laplane, a French physician and naturalist, embarked at St. Paul de Loanda (coast of Angola) as passenger on board the Portuguese vessel "*Les Deux Frères.*" Besides the things necessary for his personal use, he had with him several collections of objects of natural history, made in Africa. This vessel, which was to have gone to Brazil, and whose cargo, according to the assertion of M. Laplane, confirmed by several judicial witnesses, was lawful, was seized on the 29th November by the English brig-of-war "*Columbine,*" and despatched to Sierra Leone with her captain, and all she had on board, not excepting what belonged to M. Laplane, who was obliged to return to Loanda with nothing but a mattress and some linen.

M. Laplane immediately verified in that city, by means of a judicial deposition, the losses he had sustained, and he did this with the greater exactitude, because the things which had been taken away from him were of such a nature that they were not mentioned in the manifest of "*Les Deux Frères.*" Those things were valued at 19,318 francs; afterwards, on his arrival at Rio de Janeiro, he hastened to lodge at the French Legation the complaint he considered himself entitled to make against the commander of the English vessel-of-war "*Columbine,*" and the demand for reparation for the injury he has sustained.

My Government directs me, my Lord, to call your Excellency's attention to this demand; and it expresses a hope that the British Government, after having considered all the circumstances of the affair, and ascertained for itself the correctness of the facts stated by M. Laplane, will be pleased to grant him an indemnity proportioned to his losses.

I have the honour to send herewith to your Excellency the French Translation of the judicial investigation made at Loanda.

Accept, &c.

(Signed)

BOURQUENEY.

To His Excellency Lord Palmerston,
 &c. &c. &c.

First Enclosure in No. 43.

(Traduction.)

Monsieur le Juge de Droit de la Ville de Loanda, Mello Pereira.

MONSIEUR,

Vous expose Louis Napoléon Laplane, Français, docteur en médecine, qu'il a besoin, pour établir ses droits et recours, que le greffier de votre tribunal, ou qui il appartiendra en sa place, lui délivre expédition du protêt auquel a donné lieu l'arrestation du brick Portuguais les "*Deux Frères*," lequel protêt doit se trouver dans les dossiers de ce greffe; et comme l'extrait ne peut s'en faire que par votre ordre, il vous supplie de vouloir bien accéder à sa demande.

Soit fait ainsi qu'il est requis, à moins d'opposition.

(Signé)

MELLO PEREIRA.

Loanda, trente Janvier, mil huit cent quarante.

JE soussigné, Joaquim Correia da Conceicao, greffier nommé et assermenté (en empêchement du titulaire) du Juge de Droit en cette ville de Loanda, province d'Angola, &c., certifie qu'en conformité de l'ordonnance d'autre part, ayant procédé à revoir les registres des actes reçus en ce greffe, dont le requérant fait mention, à la feuille trois, ai trouvé une ordonnance du Gouverneur-Général de la province, renvoyant au délégué du Procureur de la Couronne un protêt fait par le pilote et contremaître du brick les "*Deux Frères*," ainsi que par un passager du même navire: duquel protêt la teneur est comme suit: "Monsieur le Gouverneur,—Les soussignés, Joaquim Antonio Franco, Manuel Pereira Borges, le premier pilote, l'autre contremaître du brick les '*Deux Frères*,' et Louis Napoléon Laplane, docteur en médecine et passager sur le dit navire, ont l'honneur de vous exposer, qu'étant sortis du port de cette ville à bord du dit navire, portant chargement légal de cire, huile, &c., le vingt-six du courant, le jour suivant, vingt-sept Novembre, ils rencontrèrent le brick de guerre Anglais '*Columbine*,' Commandant Elliot, par lequel ils furent visités. Il était alors midi et demi, le navire se trouvant par huit degrés vingt-cinq minutes latitude sud, et douze degrés cinquante minutes longitude est de Greenwich. Le Commandant Anglais, un officier, un aspirant, et quelques matelots, montant à notre bord, se mirent à ouvrir les écoutilles, désarrimèrent le chargement, forcèrent les caissons de la chambre, ainsique tous volumes fermés, percèrent plusieurs pipes et barils d'huile, et fouillèrent tout le sable du lest: actions accompagnées de violences injurieuses propres à faire craindre que le navire visiteur ne fut un pirate plutôt qu'un bâtiment appartenant à la marine de Sa Majesté Britannique. Ils brisèrent ensuite la malle du Capitaine, et en tirèrent tous ses papiers, dont ils déchirèrent la majeure partie, et gardèrent le reste, entr'autres le manifeste de la douane. Le Commandant ayant envoyé à bord de son brick '*Columbine*' le pilote et le passager Laplane, ils permirent au pilote de prendre avec lui ses effets, mais seulement après les avoir étendus ça et là sur le pont, ainsi que ceux des matelots, qui furent également conduits à bord du brick de guerre. Ce qui eut lieu vers les cinq heures. Et ainsi tout l'équipage s'y trouva transporté et détenu, moins le Capitaine et un matelot, qui durent aller avec le navire à Sierra Leone, le Commandant Anglais ayant toujours empêché que le Capitaine communiquât avec qui que ce fut de son navire. Ils transbordèrent sur le brick de guerre deux veaux embarqués avec les provisions pour le voyage, et une terrine de cire, mais qu'ils renvoyèrent après en avoir fait l'examen. Enfin dix hommes du brick de guerre furent mis comme équipage sur le navire capturé pour le conduire, dirent les Anglais, à Sierra Leone, et alors les deux bâtimens se séparèrent. Le '*Columbine*' courut vers le nord, et mouilla en vue de terre à la Pointe de Dandé, vers les onze heures du soir. Peu-après vint auprès de nous la goëlette Portugaise '*Despique da Inveja*,' de Francisco Franco, qui mouille aussi, et resta là jusqu'au lendemain, 28; et ce même jour 28, dès le matin, nous fumes remis à bord de la dite goëlette avec ce que nous fumes avoir de notre bagage. Au moment de quitter le '*Columbine*,' le Commandant nous dit qu'il avait arrêté le brick les '*Deux Frères*' parce qu'il était de construction Espagnole. Tant que nous fumes à bord du '*Columbine*,' il ne nous donna pour aliment que du biscuit pourri; et il nous recommanda lors du départ de prévenir le Gouverneur de la province qu'il était résolu à arrêter tous les navires Portugais qui sortiraient du port de cette ville; qu'on pouvait envoyer contre lui la corvette (*Urania*) et d'autres encore, si on voulait; que peu lui

importait, et qu'il était décidé à faire souffrir les avanies qui dépendraient de lui à la nation Portugaise, jusqu'au moment où Sa Majesté Très-Fidèle consentirait à signer le Traité proposé. Il est triste pour des Portugais d'avoir à raconter des faits semblables, et ils ne peuvent que ressentir une juste indignation en se voyant ainsi traités par des étrangers qui répondent si mal aux sentimens sympathiques de ces mêmes Portugais envers les autres nations. Les soussignés ne sauraient pourtant garder le silence sur des événemens dont eux-mêmes, ou leurs compatriotes, à leur connaissance, ont été victimes; et ils doivent en conséquence vous dire aussi, Monsieur le Gouverneur, que ce même Commandant Anglais leur a déclaré qu'il avait arrêté le trois-mats le "*Velox*," également sorti de ce port, et qu'il l'avait de même envoyé à Sierra Leone. Ils prient votre Excellence de ne voir ici chez les soussignés que de la sincérité sans intention haineuse, malgré les pertes et les injures de tout genre qu'ils ont eu à souffrir de la part du Commandant Anglais; traitement que la nation Portugaise a si peu mérité et provoqué; le présent rapport devant au reste être considéré comme un protêt légal qu'ils adressent à votre Excellence pour qu'il soit transmis à l'autorité compétente, qui le revêtira de toutes les formalités que veut la loi pour établir leurs droits et recours.

Ils ont l'honneur d'être de votre Excellence les très humbles et respectueux Serviteurs,

(Signés) JOAQUIM ANTONIO FRANCO,
Pilote.
MANOEL PEREIRA BORGES,
Contremaître (lequel ne sachant
signer, a fait sa croix).
LAPLANE,
Docteur en Médecine, passager.

Loanda, trente Novembre, mil huit cent trente-neuf.

Prestation de Serment—Affirmation du Protêt.

Le trente Novembre, mil huit cent trente-neuf, en cette ville de Loanda, province d'Angola, en la résidence du Juge Ordinaire, Docteur Estevao da Fonseca Negroa, servant par intérim de Juge de Droit de première instance de cette province, étant présent le délégué du Procureur de la Couronne, ont comparu Joaquim Antonio Franco, pilote du brick "*Les Deux Frères*," le contremaître du dit navire Manoel Pereira Borges, et Louis Napoléon Laplane, Français, docteur en médecine, passager sur le dit navire, tous bien connus de moi, et dont l'identité est par moi attestée; et ils ont déclaré au même Juge qu'ils venaient affirmer le protêt adressé par eux à Monsieur le Gouverneur de cette province (lequel Protêt se trouve au dossier, folio quatre), ainsi que les faits qui y sont relatés: auxquelles fins le Juge les ayant admis à prêter le serment voulu, de manière à ce que, sous la foi de ce serment, ils eussent à dire sans dol ni arrière-pensée calomnieuse si dans le Protêt susmentionné ils n'avaient été que véridiques et sincères, et s'ils le seraient dans l'affirmation qu'ils venaient en faire par devant lui. Ayant les susdits prêté serment dans les formes d'usage, ils ont déclaré que leur dit Protêt ne contenait que vérité, et qu'ils l'affirmaient sans dol ni arrière-pensée de mauvaise foi.—De quoi le Juge a ordonné qu'acte fut dressé: auquel acte ils ont signé.

(Signés) JOSE DE ARAUJO DOS REIS PEREIRA, Greffier.
NEGRAO.
TORRES.
JOAQUIM ANTONIO FRANCO.
LAPLANE.
MANOEL PEREIRA BORGES (ne sachant écrire, a fait sa croix).

Rien de plus n'était contenu aux actes que dessus, Protêt et Affirmation du Protêt; et au folio quatorze verso, venait le jugement, dont la teneur suit: Je tiens et déclare pour suffisamment établis et prouvés les faits exposés en la requête, folio deux, et leur donne l'autorité de chose jugée, le présent jugement ayant toute la solemnité que lui impriment le caractère dont je suis revêtu et les fonctions que j'exerce. Le Greffier en délivrera toutes expéditions sur requête à tous intéressés.

(Signé) ESTEVAO DA FONSECA NEGRAO.

Loanda, premier Décembre, mil huit cent trente-neuf.

CLASS C.

Et rien de plus n'était contenu aux actes que dessus, Protêt, Affirmation du Protêt, et Jugement, dont j'ai fait la présente expédition sur les originaux, auxquels je me réfère, et que j'ai fidèlement extraits sans altération ni dissemblance aucune, le tout ayant été revu avec soin et collationné par moi en cette ville de S. Paul de l'Assomption de Loanda, province d'Angola, le quatre Février, mil huit cent quarante. En foi de tout quoi j'ai signé,

(Signé) JOAQUIM CORREA DA CONCEICAO.

Loanda, les jour, mois, et an susdits.

Nous soussignés attestons avec serment la signature ci-dessus de Joaquim Correa da Conceicao, comme véritable et légitime.

(Signé) AUGUSTO MILLIED HARAULT.

Rio de Janeiro, quatre Avril, mil huit cent quarante.

Les signatures ci-dessus certifiées véritables.

(Signé) JOSE PIRES GARCIA, *Notaire*.

Rio de Janeiro, quatre Avril, mil huit cent quarante.

Et plus bas il y avait en langue Française la signature ci-dessus de M. José Pires Garcia, notaire public en cette ville de Rio de Janeiro, certifiée véritable par nous, Vice-Consul, Chancelier de la Légation de France au Brésil.

Le Chancelier de la Légation de France,

(Signé) Th. TAUNAY.

Rio de Janeiro, quatre Avril, mil huit cent quarante.

Pour traduction et extrait conformes collationnés sur la pièce originale qui nous a été représentée par le Sr. Louis Napoléon Laplane, le tout fait à sa requête.

Le Chancelier de la Légation de France,

(Signé) Th. TAUNAY.

Rio de Janeiro, six Avril, mil huit cent quarante.

Pour extrait conforme.

Le Chancelier de la Légation de France,

(Signé) Th. TAUNAY.

Rio de Janeiro, six Avril, mil huit cent quarante.

Délivré à la requête de Louis Napoléon Laplane.

(Translation.)

M. Laplane's Case.

Application.

To the Juiz de Direito of the City of Loanda, Senhor Mello Pereira.

SIR,

LOUIS NAPOLEON LAPLANE, a French subject, and doctor of medicine, declares that he requires, in order to secure his claims and means of redress, that the greffier of your tribunal, or whomsoever else it pertains to, furnish him with an extract from the Protest against the seizure of the Portuguese Brig "*Dois Hermaos*," which Protest ought to be among the archives of the said greffier; and as such extract cannot be made without your order, I pray you to accede to this demand.

Answer.

Let what is required be done, if there be no objection thereto.

(Signed) MELLO PEREIRA.

Loanda, January 30, 1840.

The Undersigned, Joaquim Correia da Conceicao, appointed and sworn clerk (pending the absence of the person holding that appointment) of the Juiz de Direito in this city of Loanda, in the province of Angola, &c., certifies that, in conformity with the above decree, having proceeded to examine the register of acts deposited in this office, of which the demandant makes mention, he found, at page 3, a decree of the Governor-General of the province, returning to the Deputy Advocate-General of the crown a protest entered by the mate and boatswain of the brig "*Dois Irmaos*," and by a passenger in the said vessel, of which protest the tenor is as follows:—

"Mr. Governor,—The undersigned, Joaquim Antonio Franco, Manuel Pereira Borges, the former mate and the latter boatswain of the brig '*Dois Irmaos*,' and Louis Napoléon Laplane, doctor of physic, and passenger on board the said vessel, have the honour to state that, having sailed from the port of this city on board the said vessel, with a lawful cargo of wax, oil, &c., on the 26th inst.,

on the following day, the 27th November, they fell in with the English brig-of-war 'Columbine,' Commander Elliott, by whom they were visited. It was then half-past 12 at noon, the vessel being in latitude 8° 25' S., and longitude 12° 50' E. of Greenwich. The English commander, an officer, a midshipman, and some sailors, coming on board, began to open the hatches, displaced the cargo, forced open the lockers in the cabin, as well as all closed boxes, pierced several pipes and barrels of oil, and rummaged over all the sand ballast; these acts being accompanied with violent abuse, such as to occasion the fear that the visiting vessel was a pirate rather than a vessel belonging to the navy of Her Britannic Majesty. They next broke open the captain's chest, and took from it all his papers, of which they tore the greater part, and kept the rest, among others the manifest of the customhouse. The commander having sent on board his brig, the 'Columbine,' the mate and the passenger Laplane, permitted the mate to carry his effects with him after having scattered them about the deck, as also those of the sailors, who were likewise carried on board the brig-of-war. This happened about five o'clock. And thus the whole crew was carried off and detained, except the captain and one sailor, who were to go with the vessel to Sierra Leone, the English commander having all the while prevented the captain from communicating with anybody belonging to his vessel. They carried on board the brig-of-war two calves which were embarked with the provisions for the voyage, and a pan of wax, which, however, they sent back again, after having examined it.

"Finally, 10 men from the brig of war were placed as crew on board the captured vessel to navigate her, as they said, to Sierra Leone, and then the two vessels separated. The 'Columbine' ran northward and anchored in sight of land off the Point of Dandé, about 11 at night. Shortly afterwards the Portuguese schooner '*Despique da Inveja*,' belonging to Francisco Franco, made towards us, which also anchored and remained until the following day, the 28th; and on that same day, the 28th, early in the morning, we were put on board the said schooner with what luggage we had. At the moment of our leaving the 'Columbine' the commander told us he had detained the brig '*Dois Irmãos*' because she was Spanish built. While we were on board the 'Columbine' he gave us nothing to eat but rotten biscuit; and he desired us, previously to our departure, to warn the Governor of the province that he was resolved to detain all Portuguese vessels that should leave the port of this city; that they might send out against him the corvette (*Urania*) and others if they pleased; that it mattered little to him, and that he was determined to make the Portuguese nation suffer as much as he could, until Her Most Faithful Majesty should consent to sign the proposed Treaty. It is painful for Portuguese subjects to relate such facts, and they cannot but feel a just indignation at being thus treated by foreigners who make so bad a return for the sympathy of these same Portuguese towards other nations. The deponents could not, however, remain silent regarding events of which they themselves, or their countrymen, to their knowledge, have become the victims; and they must, in consequence, state to you, Mr. Governor, that this same English commander declared to them that he had detained the ship '*Veloz*,' which also sailed from this port, and had sent her likewise to Sierra Leone. They pray your Excellency to believe that their sincerity is unmixed with any malevolent intention, notwithstanding the losses and injuries of all kinds which they have sustained through the English commander: a treatment which the Portuguese nation has so little merited or provoked; the present report being otherwise considered as a legal protest, which they address to your Excellency in order to its being transmitted to the competent authority, to be invested with all the formalities required by law for the establishment of their rights and resources. They have the honour to subscribe themselves your Excellency's most humble and respectful servants,

(Signed) "JOAQUIM ANTONIO FRANCO, Mate.
 MANOEL PEREIRA BORGES, Boatswain,
 (who, not knowing how to write, makes
 his ✕.)
 LAPLANE, M.D., passenger.

"Loanda, 30th November, 1839."

[Here follow certificates as to the administration of the oaths, the affirmation of the protest, decree, and attestation.]

Second Enclosure in No. 43.

(Traduction.)

Extrait des Actes relatifs à la plainte portée par Louis Napoléon Laplane.

Est fait savoir à tous ceux qui verront les présentes que l'an de notre Seigneur Jesus Christ mil huit cent trente-neuf, le quatorze Décembre, en cette ville de St. Paul de l'Assomption de Loanda, province d'Angola, a comparu par devant moi Louis Napoléon Laplane, de moi bien connu, lequel m'a requis de lui délivrer copie authentique des actes relatifs à la plainte qu'il a portée, justification par témoins, et jugement qui s'en est suivi: le tout aux fins que de droit; et en conséquence, je soussigné, conformément à la dite requête, ai fait la présente copie, sous forme exécutoire, des dits actes, dont la teneur est comme suit:—

“ *Angola, année mil huit cent trente-neuf. Tribunal de Première Instance. Plainte portée par Louis Napoléon Laplane,—Greffier, Araujo.* ”

“ L'an de notre Seigneur Jesus Christ mil huit cent trente-neuf, le septième jour du mois de Décembre, en cette ville de Loanda, province d'Angola, m'a été remise une plainte en soustraction de valeurs, avec note explicative de ces mêmes valeurs, par Louis Napoléon Laplane, demandant à établir par témoins les faits avancés en la dite plainte: lesquelles pièces, dont la teneur suit, j'ai jointes au dossier.

(Signé) “ JOSE DE ARAUJO DOS REIS PEREIRA, *Greffier.* ”

Requête à M. le Juge Ordinaire, servant par intérim de Juge de Droit.

MONSIEUR,

Vous expose Louis Napoléon Laplane, Français, docteur en médecine, que pour se mettre en mesure de réclamer les indemnités et dommages intérêts à lui dûs pour les pertes que lui a fait souffrir le commandant du brick de guerre Anglais “Columbine.” Il a besoin de prouver par devant vous et le délégué ce qui suit: à savoir—que s'étant embarqué sur le brick Portugais les “*Deux Frères,*” sorti du port de cette ville le vingt-six Novembre avec destination pour Rio de Janeiro, ayant à bord un chargement légal, le plaignant emportait avec lui les objets spécifiés sur la note jointe au présent, montant à la valeur de trois contos cent cinq mille reis: laquelle somme réduite en francs fait dix-neuf mille quatre cent six francs; que les dits objets ont été vus et reçus à bord par le pilote du dit brick; que d'ailleurs plusieurs personnes qui venaient chez le plaignant l'ont trouvé souvent employant son tems et ses soins à des préparations d'objets analogues d'histoire naturelle, et qu'il avait tout perdu, n'ayant avec lui lorsqu'il débarqua en cette ville le vingt-neuf Novembre qu'un matelas et son linge, attendu que le navire sur lequel il s'était embarqué avait été arrêté par le dit commandant Anglais et envoyé à Sierra Leone avec tout le chargement à bord; demandant qu'après qu'il aura dûment justifié du tout, vous veuillez bien rendre un jugement en conséquence, et ordonner qu'on lui délivre tous les documens et titres utiles pour faire valoir ses recours contre qui il appartiendra en tems et lieu: auxquelles fins il vous supplie de l'admettre à fournir la dite preuve après citation du délégué.

Témoins à faire comparaître.

(Signés)

JOAQUIM ANTONIO FRANCO.
 MANOEL DA ROCHA PORTO.
 AGOSTINHO AURELIO DE OLIVEIRA.
 JOSE DE NASCIMENTO PEREIRA.
 JOAO ANTONIO DE CARMO.

Soit fait ainsi qu'il est requis.

(Signé)

NEGRAO.

Loanda, quatre Décembre, mil huit cent trente-neuf.

Note indiquant la quantité et qualité des valeurs sous traites, prix du court des objets en reis, réduction en francs:—Mon passage pour Rio de Janeiro, cent mille reis; fret des objets embarqués par moi en sus de mes malles, quatre vingt mille reis; une montre de qualité supérieur, Française, avec une chaîne d'or, cinq cent mille reis; un bouton de chemise, en brillant, trente mille reis; un nécessaire pour homme, vingt mille reis; une natte de l'Inde, huit mille; un bonnet de

drap noir, deux mille ; un manteau en bouracan, demi-usé, trois mille ; un crocodile empaillé, quarante mille ; quatre cages avec divers oiseaux d'Afrique vivants, quarante mille ; divers objets d'histoire naturelle et curiosités du pays, trois cent mille ; huit boîtes de conserves d'apert, lesquelles ont été enfoncées à coups de marteau, vingt mille ; douze mille sangsues bien conditionnés pour le voyage, un conto deux cent mille reis ; dommages-intérêts, perte de tems, &c., sept cent cinquante mille reis. Total, trois contos quatre vingt onze mille reis ; réduction en francs, dix-neuf mille trois cent dix-huit.

(Signé)

LAPLANE.

José de Araujo dos Reis Pereira, greffier du Juge de Droit en cette ville de Loanda, province d'Angola, certifie avoir cité personnellement le délégué du Procureur de la Couronne, Docteur Pedro Torres Ribeiro, conformément à la teneur de la requête ci-dessus en ordonnance, lequel s'est reconnu pour cité, et a signé avec moi.

(Signés)

PEDRO DE TORRES RIBEIRO.

JOSE DE ARAUJO DOS REIS PEREIRA.

Loanda, neuf Décembre, mil huit cent trente-neuf.

Le neuf Décembre, mil huit cent trente-neuf, en ce Greffe, j'ai joint au dossier les actes ci-dessous de citation des témoins nommés dans la requête de Laplane.

(Signé)

JOSE DE ARAUJO DOS REIS PEREIRA.

Ordonnance.—Je soussigné, Docteur Estevao da Fonseca Negrao, juge ordinaire remplissant les fonctions de juge de droit de première instance de cette province d'Angola et dépendances, ordonne au greffier de ce tribunal de citer les témoins dont la liste est ici incluse, afin qu'ils viennent à comparaître demain à dix heures du matin, sous les peines voulues par la loi.

(Signé)

NEGRAO.

Loanda, neuf Décembre, mil huit cent trente-neuf.—Ecrit par le Greffier, José de Araujo dos Reis Pereira.

Je soussigné, greffier, certifie qu'en conformité de l'ordonnance du Juge j'ai cité les témoins ci-dessus nommés. Dont acte signé par eux et moi,

(Signé)

JOSE DE ARAUJO DOS REIS PEREIRA.

JOAO ANTONIO DO CARMO.

MANOEL DA ROCHA PORTO.

Le dix Décembre, mil huit cent trente-neuf, en cette ville de Loanda, province d'Angola, en la résidence du juge ordinaire, Docteur Estevao da Fonseca Negrao, faisant les fonctions de juge de droit, étant présent le délégué du Procureur de la Couronne, ont comparu les témoins par moi assignés, auxquels le juge a demandé leurs noms, nationalité, age, occupations, &c., comme d'usage.

JOSE DE ARAUJO DOS REIS PEREIRA,

Servant de Greffier.

Premier Témoin.—Joaquim Antonio Franco, né à Lisbonne, âgé de cinquante-cinq ans, marié, pilote du brick "*Les Deux Frères*," arrêté par un navire de guerre Anglais, ayant prêté le serment requis et affirmé qu'il ne répondrait que la vérité aux questions qui lui seraient adressées, interpellé quant à ce qui pouvait être à sa connaissance des faits résultant de la plainte de Laplane (Louis Napoléon), de laquelle plainte lecture lui a été donnée, a déclaré que, comme pilote du brick "*Les Deux Frères*," il savait pour l'avoir vu et avoir été présent lors de l'embarquement du plaignant, qu'il avait emporté à bord avec lui les objets spécifiés sur la note qu'on venait de lui lire, et que le même Laplane avait payé cent quatre vingt mille reis pour passage et fret ; mais que relativement à la valeur des dits objets, il ne pouvait l'apprécier, faute de connaissances en pareille matière ; et n'a rien déclaré de plus. Sur le second point, il a dit que les objets susmentionnés avaient été effectivement reçus à bord du brick, que lui et diverses personnes du bord les y avaient vus, et que, après l'arrestation du bâtiment par le commandant du brick de guerre Anglais "*Columbine*," ce dernier avait expédié le dit bâtiment pour Sierra Leone, avec tout le chargement, y compris les objets appartenant au plaignant, qui n'en avait retiré que son linge et son matelas, le dit brick "*Les Deux Frères*" étant sorti du port de cette ville le vingt-six Novembre, mil huit cent

trente-neuf, avec un chargement légal. Et n'a rien de plus déclaré. Il a signé immédiatement avec le juge et le délégué, après lecture faite.

(Signé) JOSE DE ARAUJO DOS REIS PEREIRA, *Greffier.*
 NEGRAO.
 TORRES.
 JOAQUIM ANTONIO FRANCO.

Deuxième Témoin.—José do Nascimento Pereira, né en cette ville, âgé de quarante et un ans, célibataire, propriétaire; après avoir prêté le serment d'usage et affirmé qu'il ne répondrait que la vérité aux questions qui lui seraient adressées, interpellé quant aux faits avancés par Louis Napoléon Laplane, plainte folio deux du dossier, lecture lui en ayant été donnée, sur le premier point a dit, qu'il savait que le plaignant, avec lequel il avait eu précédemment de fréquentes relations, s'était embarqué sur le brick "*Les Deux Frères*" en destination pour Rio de Janeiro, et parti le vingt-six Novembre dernier, avec chargement légal, et que le dit Laplane avait emporté avec lui divers objets d'histoire naturelle, tels qu'ils étaient énumérés sur la note qu'il venait d'entendre lire, lesquels objets il avait vus, le dit Laplane ayant été son locataire; et n'a rien déposé de plus. Interpellé quant au second point, il a répondu qu'il savait pour l'avoir entendu dire au pilote et au passager Teixeira, que le brick "*Les Deux Frères*" avait été arrêté par le brick de guerre Anglais "*Columbine*," qui l'avait expédié pour Sierra Leone, avec le capitaine et un mousse, ayant à bord tout son chargement y compris les objets appartenant au plaignant; pouvant du reste affirmer que le dit Laplane à son retour n'avait plus qu'un matelas et son linge, ne rapportant rien des divers objets qu'il avait embarqués et que le témoin avait vus. Il n'a rien déclaré de plus, et a signé avec le juge et le délégué, après lecture faite.

(Signés) JOSE DE ARAUJO DOS REIS PEREIRA.
 NEGRAO.
 TORRES.
 JOSE DO NASCIMENTO PEREIRA.

Troisième Témoin.—Joao Antonio do Carmo, né à Lisbonne, âgé de quarante-quatre ans, célibataire, maître d'hôtel du brick "*Les Deux Frères*," ayant prêté le serment requis, interpellé quant aux faits exposés par Louis Napoléon Laplane, a répondu qu'étant, lui, maître d'hôtel à bord du brick "*Les Deux Frères*," il a attesté à l'embarquement du plaignant Louis Napoléon Laplane, qui emportait avec lui les objets relatés sur la note qu'on venait de lui lire, le dit brick "*Les Deux Frères*" étant sorti de ce port le vingt-six Novembre dernier, avec chargement légal, pour Rio de Janeiro, et que les susdits objets avaient été vus par tout le monde à bord du dit navire. Il n'a rien déclaré de plus. Quant au second point, il a dit qu'il était présent quand les objets dont il était question avaient été reçus à bord et remis au pilote, et que le navire ayant été pris et envoyé à Sierra Leone, avec tout son chargement, les mêmes objets s'y étaient trouvés compris, le plaignant n'ayant rien retiré que son linge et un matelas. Il n'a rien déposé de plus, et a signé, ainsi que le juge et le délégué, après lecture faite.

(Signés) JOSE DE ARAUJO DOS REIS PEREIRA.
 NEGRAO.
 TORRES.
 JOAO ANTONIO DO CARMO.

Quatrième Témoin.—Manoel da Rocha Porto, né à Porto, âgé de trente-trois ans, célibataire, commerçant, ayant prêté le serment requis, interpellé quant aux faits allégués par Louis Napoléon Laplane, il a répondu, sur le premier point, qu'il savait que Laplane avait embarqué à bord du brick les "*Deux Frères*" divers objets que lui, témoin, avait vus comme étant aussi passager du navire, mais qu'il n'avait pu les observer en détail; que le brick les "*Deux Frères*" était sorti de ce port le vingt-six Novembre, avec chargement légal, et que le plaignant y était ainsi que lui, témoin, comme passager. Relativement au second point, il savait pour l'avoir vu et y avoir assisté, que le dit brick les "*Deux Frères*" ayant été arrêté par le brick de guerre Anglais "*Columbine*," le commandant Anglais l'avait expédié pour Sierra Leone avec le capitaine et un mousse, ayant à bord tout le chargement, y compris les objets précieux et curiosités naturelles que le plaignant emportait avec lui, rien ne lui

ayant été remi qu'un matelas et son linge. Et n'ayant rien de plus à déclarer, il a signé avec le juge et le délégué, lecture faite.

(Signés)

JOSE DE ARAUJO DOS REIS PEREIRA.
 NEGRAO.
 TORRES.
 MANOEL DA ROCHA PORTO.

Cinquième Témoin.—Agostinho Aurelio de Oliveira, originaire de cette ville, âgé de trente-deux ans, marié, lieutenant de cavalerie de la province, après avoir prêté le serment voulu, interrogé sur les faits allégués par Louis Napoléon Laplane en sa plainte dont lecture a été donnée au témoin, a répondu quant au premier point, que pour l'avoir vu et avoir assisté à l'embarquement (que) je dis et avoir assisté à l'embarquement, il savait que le plaignant avait pris passage sur le brick les "*Deux Frères*," sorti le vingt-six Novembre, avec chargement légal, et avait emporté avec lui divers objets d'histoire naturelle du pays, conformément à la note qu'il venait d'entendre lire, le plaignant lui ayant montré les dits objets en conséquence de la liaison qui existait entre eux. Quant au second point, il a déposé qu'il savait pour l'avoir entendu dire au pilote et au passager Rocha, que le dit brick les "*Deux Frères*" avait été arrêté par le commandant du brick de guerre Anglais "*Columbine*," et expédié pour Sierra Leone avec le capitaine et un mousse, ayant à bord tout le chargement, y compris les objets appartenant à Laplane, lequel revenant à la ville d'où il était parti, n'y avait rapporté que ce qui résultait de ses déclarations, ainsi que le tout était notoire. Et n'ayant rien à ajouter, il a signé avec le juge et le délégué, après lecture faite.

(Signés)

JOSE DE ARAUJO DOS REIS PEREIRA.
 NEGRAO.
 TORRES.
 AGOSTINHO AURELIO DE OLIVEIRA.

L'audition des témoins terminée, le Juge ayant considéré la vérification comme suffisante, j'ai pris acte du tout, ayant ainsi clos l'interrogatoire par devant le Juge Ordinaire, Docteur Estevao da Fonseca Negrao, faisant les fonctions de Juge de Droit. Dix Décembre, mil huit cent trente-neuf.

(Signé)

JOSE DE ARAUJO DOS REIS PEREIRA.

JUGEMENT.

Je tiens et déclare pour suffisante la vérification et preuve des faits allégués en la demande au dossier, folio deux, et sur le vu des actes; et leur donne en conséquence l'autorité de chose jugée, le présent jugement ayant toute la solennité que lui impriment le caractère dont je suis revêtu et les fonctions en vertu desquelles je le prononce. Le greffier de ce tribunal en délivrera expédition à la partie si elle le reclame, sauf les droits à payer.

(Signé)

ESTEVAO DA FONSECA NEGRAO.

Loanda, douze Décembre, mil huit cent trente-neuf.

Le douze Décembre, mil huit cent trente-neuf, en cette ville de Loanda, province d'Angola, en audience publique, par devant le Juge Ordinaire, Docteur Estevao da Fonseca Negrao, remplissant les fonctions de Juge de Droit de cette province, assisté du délégué du Procureur de la Couronne et avec toute la publicité requise, a été affiché le jugement ci-dessus. Dont acte.

(Signé)

JOSE DE ARAUJO DOS REIS PEREIRA.

Loanda, province d'Angola.—Je certifie avoir notifié le jugement ci-dessus à la partie, laquelle l'a reconnu en signant ici avec moi, ce jour treize Décembre, mil huit cent trente-neuf.

(Signés)

JOSE DE ARAUJO DOS REIS PEREIRA.
 LAPLANE.

Et rien de plus n'était contenu aux actes que j'ai fidèlement extraits, et auxquels je me réfère, déclarant le tout exact, conforme aux originaux en authentique, comme ayant été par moi écrit et signé après collation, les mêmes jour, mois, et an que dessus.

(Signé)

JOSE DE ARAUJO DOS REIS PEREIRA.

Nous soussignés certifions avec serment la signature ci-dessus du Sr. José de Araujo dos Reis Pereira, comme véritable et légitime.

(Signé)

AUGUSTO MELLIER SERVANT.

Rio de Janeiro, quatre Avril, mil huit cent quarante.

Les signatures ci-dessus certifiées véritables.

(Signé) JOSE PIRES GARCIA, Notaire.

Rio de Janeiro, quatre Avril, mil huit cent quarante.

Et plus bas il y avait en langue Française: La signature ci-dessus de M. José Pires Garcia, notaire public en cette ville de Rio de Janeiro, certifiée véritable et légalisée par nous, Vice-consul, Chancelier de la Légation de France au Brésil.

Le Chancelier de la Légation de France,
(Signé) TH. TAUNAY.

Rio de Janeiro, quatre Avril, mil huit cent quarante.

Pour traduction et extrait conformes, collationnés sur la pièce originale représentés par le Sr. Louis Napoléon Laplane, Rio de Janeiro, six Avril, mil huit cent quarante, le tout sur sa requête.

Le Chancelier de la Légation de France,
(Signé) TH. TAUNAY.

Rio de Janeiro, six Avril, mil huit cent quarante.

Pour extrait conforme, Rio de Janeiro, six Avril, mil huit cent quarante.

Le Chancelier de la Légation de France,
(Signé) TH. TAUNAY.

Délivré à la requête de Louis Napoléon Laplane.

(Translation.)

Extract from the Proceedings relative to the Complaint made by Louis Napoléon Laplane.

BE it known to all whom it may concern, that in the year of our Lord Jesus Christ 1839, on the 14th day of December, in this city of St. Pablo de Loanda, in the province of Angola, appeared before me Louis Napoléon Laplane, whose person is well known to me, and who demanded of me an authentic copy of the proceedings relative to the complaint he made, its attestation by witnesses, and subsequent decree, all for the proper purposes; and in consequence the undersigned, conformably with the said request, has made the present copy, in proper form, of the aforesaid proceedings, the tenor of which is as follows:—

Angola, 1839. Tribunal de Première Instance. Complaint made by Louis Napoléon Laplane. Araujo, Greffier.

In the year of our Lord Jesus Christ 1839, the 7th day of September, in this town of Loanda, province of Angola, there has been remitted to me a complaint of a robbery of goods, with a note explanatory of the goods, by Louis Napoléon Laplane, demanding permission to establish by witnesses the facts asserted in the complaint, which documents, of which the following is the tenor, I have annexed to the other papers.

(Signed) JOSE DE ARAUJO DOS REIS PEREIRA,
Greffier.

Petition to the "Juge Ordinaire," acting as "Juge de Droit."

SIR,

Louis Napoléon Laplane, a Frenchman, M.D., states to you that, in order to enable himself to reclaim the indemnities and damages due to him for the losses caused to him by the commander of the English ship of war "Columbine," he need to prove before you and the "délégué" as follows, viz., that having embarked on board the Portuguese brig "*Dous Irmaos*," which left this port on the 26th November for Rio de Janeiro with a legal cargo, the complainant took with him the articles specified in the annexed list to the value of 3,105,000 reis, which in francs amounts to 19,406 francs; that the said articles were seen and received on board by the mate of the said brig; that, moreover, several persons who visited the complainant have found him often employing his time and his labour in the preparation of objects of natural history; and that he has lost all, having with him when he disembarked in this town on the 29th November nothing but a mattress and his linen; seeing that the vessel in which he had embarked had been detained by the aforesaid English commander, and sent to Sierra Leone with all her lading on board.

Demanding, moreover, that when he shall have duly proved all, you would deign to give judgment accordingly, and to order that there be delivered to him the documents and papers requisite to make good his claim against the proper

persons in time and place; of which facts he begs you to allow him to furnish the said proof, after citation by the *délégué*.

Witnesses to be called—

Joaquim Antonio Franco; Manoel da Rocha Porto; Agostinho Aurelio d'Oliveira; José de Nascimento Pereira; João Antonio de Carmo.

Let this request be granted.

(Signed) NEGRAO.

Loanda, December 4, 1839.

[Here follow a list of articles and their estimated value, signed by M. Laplane; a certificate by the "greffier" that he had personally summoned the "délégué," the Judge's order for summoning the witnesses, and the "greffier's" certificate that he had cited them.]

On the 10th of December, 1839, in this town of Loanda, province of Angola, at the residence of the "Juge Ordinaire," Doctor Estevão da Fonseca Negrão acting as "Juge de Droit," the delegate of the "Procureur de la Couronne" being present, there appeared the witnesses designated by me, of whom the Judge asked their names, nationality, age, occupation, &c., as is customary.

(Signed) JOSE DE ARAUJO DOS REIS PEREIRA,
Acting as Greffier.

First Witness.—Joaquim Antonio Franco, born at Lisbon, aged 55 years, married, mate of the brig "*Dois Irmaos*," detained by the English ship of war, having taken the oath required, and affirmed that he would only answer the truth to the questions which should be addressed to him; and being asked what he knew of the facts arising out of the complaint of Laplane (Louis Napoléon), which complaint had been read to him, declared that, as mate of the brig "*Dois Irmaos*," he knew from having seen, and from having been present when the complainant embarked, that he brought on board with him the articles specified in the list just read to him; and that the same Laplane had paid 180,000 reis for passage and freight; but that with regard to the value of the said articles, he could not estimate it, being unacquainted with such matters. This was all he declared. On the second point he stated that the above-mentioned articles had been really received on board the brig, that he and several other persons on board had seen them, and that after the seizure of the vessel by the commander of the English brig of war "*Columbine*," the latter had despatched the said vessel to Sierra Leone with her whole cargo, comprising the articles belonging to the complainant, who only took from it his linen and mattress. The said brig "*Dois Irmaos*" sailed from this port the 26th of November, 1839, with a lawful cargo. This was all he declared. After which, he signed with the Judge and Delegate.

(Signed)

JOSE DE ARAUJO DOS REIS PEREIRA, *Greffier.*

NEGRAO.

TORRES.

JOAQUIM ANTONIO FRANCO.

Second Witness.—José do Nascimento Pereira, native of this city, 41 years of age, unmarried, landed proprietor, after having taken the oath according to custom, and affirmed that he would answer truly the questions which might be put to him, declared, upon the first point, that he knew the complainant, with whom he had frequently before had dealings, had embarked on board the brig "*Dois Irmaos*," bound for Rio de Janeiro, for which port she sailed on the 26th of November last, with a lawful cargo, and that the said Laplane had with him divers objects of natural history, the same that are enumerated in the note he has just heard read, which objects he has seen, the said Laplane having been his lodger. On the second point he replied that he knew, because he had heard it from the mate and the passenger Teixeira, that the brig "*Dois Irmaos*" had been detained by the English brig-of-war "*Columbine*," and sent to Sierra Leone, with the captain and a cabin-boy, having on board all her cargo, including the articles belonging to the complainant; and that he can affirm that the said Laplane, on his return, had only a mattress and his linen, and brought back none of the several articles he had embarked, and which deponent had seen. This was all he declared; and he then signed with the Judge and Delegate.

(Signed)

JOSE DE ARAUJO DOS REIS PEREIRA.

NEGRAO.

TORRES.

JOSE DO NASCIMENTO PEREIRA.

Third Witness.—Joao Antonio do Carmo, native of Lisbon, 40 years of age, unmarried, steward of the brig “*Dois Irmaos*,” having taken the oath required, and being interrogated as to the facts stated by Louis Napoléon Laplane, replied, that, as steward on board the brig “*Dois Irmaos*,” he assisted at the embarkation of the complainant, Louis Napoléon Laplane, who carried with him the articles mentioned in the note just read to him, the said brig “*Dois Irmaos*” having sailed from this port the 26th of November last, with a lawful cargo for Rio de Janeiro, and that the abovementioned articles were seen by all on board the said vessel. On the second point he stated that he was present when the articles in question were received on board and put under charge of the mate, and that the vessel having been captured and sent to Sierra Leone with all her cargo, the said articles were sent with it, the complainant having brought away nothing but his linen and a mattress. This was all he deposed, and then signed, together with the Judge and Delegate.

(Signed)

JOSE DE ARAUJO DOS REIS PEREIRA.
 NEGRAO.
 TORRES.
 JOAO ANTONIO DO CARMO.

Fourth Witness.—Manoel da Rocha Porto, born at Porto, 33 years old, unmarried, and a merchant, having taken the usual oaths, and being questioned as to the facts alleged by Louis Napoléon Laplane, replied, on the first point, that he knew Laplane had embarked on board the brig “*Dois Irmaos*” sundry articles, which this witness saw, being himself also a passenger on board the said vessel, but that he had not examined them particularly; that the brig “*Dois Irmaos*” sailed from this port on the 26th of November, with a lawful cargo, and that the complainant was on board, as also this witness, as passenger. With regard to the second point, he knew, because he had seen it and was present, that the said brig “*Dois Irmaos*,” having been detained by the English brig-of-war “*Columbine*,” was sent by the English commander to Sierra Leone, with the captain and one boy, having on board all her cargo, and including the valuable objects of natural history which the complainant had with him; nothing having been returned to him but a mattress and his linen: and, having nothing more to declare, he signed it with the Judge and the Delegate.

(Signed)

JOSE DE ARAUJO DOS REIS PEREIRA.
 NEGRAO.
 TORRES.
 MANOEL DA ROCHA PORTO.

Fifth Witness.—Agostinho Aurelio de Oliveira, native of this city, 32 years of age, married, lieutenant of cavalry of the province, after having taken the oath required, and being interrogated as to the facts alleged by Louis Napoléon Laplane, in the complaint which has been read over to him, replied, as to the first point, that, having been present and witnessed the embarkation, he knew that the complainant had taken his passage on board the brig “*Dois Irmaos*,” which sailed on the 26th of November, with a lawful cargo, and that he had taken on board with him sundry objects of natural history of the country, as stated in the note just read to him, the complainant having shown him the said objects in consideration of the friendship existing between them. As to the second point, he deposed that he knew, because he had heard the mate and the passenger Rocha say so, that the said brig “*Dois Irmaos*” had been detained by the commander of the English brig-of-war “*Columbine*,” and sent to Sierra Leone, with the captain and a boy on board, and with her entire cargo, including the articles belonging to Laplane, who, on his return the following day, had only brought away with him the things mentioned in his declaration, and that all these facts are notorious: and, having nothing more to add, he signed, together with the Judge and Delegate.

(Signed)

JOSE DE ARAUJO DOS REIS PEREIRA.
 NEGRAO.
 TORRES.
 AGOSTINHO AURELIO DE OLIVEIRA.

The hearing of witnesses being terminated, the Judge having considered the evidence sufficient, I entered the whole, having thus closed the investigation before the Juge Ordinaire, Doctor Estevao da Fonseca Negrao, at present discharging the functions of Juiz de Direito.

(Signed) JOSE DE ARAUJO DOS REIS PEREIRA.

10th December, 1839.

Then follows the Judge's certificate of the facts alleged, with the usual attestations, &c.

No. 44.

Viscount Palmerston to Mr. Bulwer.

SIR,

Foreign Office, July 7, 1841.

I HEREWITH transmit to you, for communication to the French Government, an extract of a Letter received by Her Majesty's Government, containing intelligence respecting French Slave Trade to the north of Sierra Leone.

I am, &c.

(Signed) PALMERSTON.

H. L. Bulwer, Esq.

&c. &c.

Enclosure in No. 44.

Letter enclosed in Sierra Leone Commissioners' Despatch, "General," of April 21, 1841.

(See Class A, No. 30.)

No. 45.

Viscount Palmerston to M. de Bourqueney.

SIR,

Foreign Office, July 8, 1841.

I HAVE received your Letter of the 19th ultimo, stating that the masters of French merchant-vessels have in many instances complained to the Government of France that the officers of Her Majesty's navy cruising on the Coast of Africa against the Slave Trade act on that service with undue rigour towards French merchant-vessels; and adding that M. Cases, captain of the French brig "*La Fanny*," who recently arrived from the African coast, complained on his return that not only British subaltern officers, but the British Commodore also, had acted improperly towards him on many occasions.

I have in reply to assure you that Her Majesty's Government will always feel obliged to that of France for any information which may lead to the correction of any abuse of authority which may be committed by any of Her Majesty's cruisers employed on the coast of Africa for the prevention of Slave Trade; because Her Majesty's Government is fully aware that abuses of that kind would necessarily tend to defeat the efforts of Her Majesty's Government to put down the Slave Trade, an object which Her Majesty's Government has greatly at heart.

But the French Government will no doubt see, that to enable Her Majesty's Government to institute any useful inquiry into the matters to which the complaints of the French merchant captains relate, it will be necessary that Her Majesty's Government should be furnished with some specific and detailed statement of facts, with the dates when and the places where they happened; and with the names of the parties who are alleged to have misconducted themselves. And if you will send to me a statement, explaining in what respect M. Cases conceives the British officers to have misconducted themselves towards him, when, and where, and how it happened, and who the officers were who so acted, Her Majesty's Government will immediately cause due inquiry to be made into the matter.

I have, &c.

(Signed) PALMERSTON.

M. le Baron de Bourqueney,

&c. &c. &c.

No. 46.

*Viscount Palmerston to Mr. A. Turnbull.**Foreign Office, July 31, 1841.**Circular as to Greek Law for the Suppression of the Slave Trade.*

(See No. 6.)

No. 47.

Viscount Palmerston to M. de Bourqueney.

MONSIEUR LE BARON,

Foreign Office, August 6, 1841.

I HAVE the honour to acknowledge the receipt of your note of the 28th June last, enclosing documents in support of a claim set up by M. Laplane, a subject of France, for losses said to have been sustained by him in consequence of the capture of a Portuguese slave vessel, "*Les Deux Frères*," or "*Dois Irmaos*," on board of which M. Laplane had embarked, and in which he had placed his property.

I have the honour to state to you in reply, that I laid these papers before the proper law officer of the Crown for his opinion upon the case, and I have now to request that you will state to the French Government, that Her Majesty's Government are of opinion that the claim of M. Laplane is not well founded: for the vessel on board of which M. Laplane, and the articles which he claims as his property, were taken, was at the time of her capture illegally engaged in the African Slave Trade, and by due course of law has accordingly been condemned.

Notwithstanding these facts, however, M. Laplane has thought proper to assert the innocence of the voyage in which the vessel was engaged, and to join in the protest made by a part of the Portuguese Slave-trading crew, full of false statements and of calumnious accusations against the captors.

These circumstances raise a strong suspicion that M. Laplane was cognizant of the illegality of the transaction, if not actually a party to it; and he may consider himself fortunate in not having been criminally proceeded against for participating in an act which is prohibited by treaties between Great Britain and France, and between Great Britain and Portugal, and which is moreover denounced as a crime by the laws of England, of France, and of Portugal.

The law of Portugal, indeed, expressly imposes a severe punishment, not only upon the masters and mates of slaving vessels, but upon "all other individuals" found on board Portuguese ships employed in the illicit traffic in slaves.

I have, &c.

M. le Baron de Bourqueney,
&c. &c. &c.

(Signed) PALMERSTON.

No. 48.

*Viscount Palmerston to Baron Bourqueney.**Foreign Office, August 19, 1841.*

THE Undersigned, &c., has the honour to state to Baron Bourqueney, &c., that Her Majesty's Government have received information that slaves have frequently been embarked from Tunis for Algiers; and that the Algerine agent at Tunis has kept a regular register of such slaves: in proof of which allegation the four following cases have been cited of vessels which sailed from Tunis to Algiers, each of them being marked in the agent's register as having conveyed slaves. First, the French brig schooner "*La Clorinde*," Captain J. P. Asibert, sailed from Tunis the 1st of September, 1839. Secondly, the Neapolitan tartan "*St. Perasmo*," Captain Arcangelo Scotto, sailed the 25th

of September, 1839. Thirdly, the Sardinian brig "*Giulietta*," Captain Pellegro Berlingere, sailed the 31st of October, 1839. And, fourthly, the same brig sailed the 28th of March, 1840.

It is stated that slaves are admitted without difficulty into the possessions occupied by the French in the Algerine territory; and a French merchant of Tunis, named Carcassonne, is said to have boasted of having sent slaves for sale to Constantinople by land in the early part of the present year, and of having gained cent. per cent. by the transaction.

The undersigned has to request that Baron Bourquency will communicate this information to his Government, in order to enable it to make any inquiries which may be thought proper on the subject. The Undersigned, &c.

M. le Baron Bourquency,
&c. &c. &c.

(Signed) PALMERSTON.

No. 49.

Viscount Palmerston to Baron Bourquency.

MONSIEUR LE BARON,

Foreign Office, August 23, 1841.

WITH reference to the note addressed to me by M. Guizot on the 17th of August, 1840, I have the honour to transmit to you herewith a copy of a communication from the Admiralty, containing the reply of Lieutenant Stott to the accusations brought against Her Majesty's ships "*Bonetta*" and "*Fair Rosamond*," on the occasion of the search and temporary detention of the French vessels "*Noëmie Marie*" and "*Aigle*" in the harbour of Sierra Leone.

I have, &c.

M. le Baron Bourquency,
&c. &c. &c.

(Signed) PALMERSTON

First Enclosure in No. 49.

Mr. Parker to Mr. Backhouse.

Admiralty, August 11, 1841.

(Received August 12.)

SIR,

WITH reference to your letter of the 17th of September, 1840, requesting, by direction of Viscount Palmerston, that my Lords Commissioners of the Admiralty should cause a strict inquiry to be made as to the truth of the alleged misconduct of the officers of Her Majesty's vessels "*Bonetta*" and "*Fair Rosamond*," upon the occasion of the seizure and temporary detention at Sierra Leone of the French vessels the "*Noëmie Marie*" and "*Aigle*," on suspicion of being engaged in Slave Trade, I am commanded by their Lordships to send you herewith, for the information of Viscount Palmerston, copies of a letter dated the 10th instant, and its enclosures, from Lieutenant Stoll (late commanding the "*Bonetta*"), refuting the charge brought against the officers of the said vessels on the occasion in question.

I am, &c.

John Backhouse, Esq.
&c. &c.

(Signed) J. PARKER.

Second Enclosure in No. 49.

(Copy.) *Lieutenant Stoll to the Secretary to the Admiralty.*

SIR,

London, 3, Clifford's Inn, Aug. 10, 1841.

I HAVE the honour to acknowledge the receipt of your letter of the 30th ultimo, enclosing me copies of three protests made by the master and mate of the French brig "*Noëmie Marie*," and calling upon me to reply thereto.

Herewith I forward an extract from "my letter of proceedings" to the senior officer, which will explain the grounds upon which I interfered with the two vessels in question.

By the statement of José Jean Gustave Gutteill, the alleged misconduct of the officers occurred on the 26th of February, and the "Bonetta" did not sail until the 1st of March: had anything of the sort occurred, a complaint ought to have been made to me; failing redress, further steps might have been taken; but the misconduct was on the part of the said deponent, who was in charge of the brig "*Norrie Marie*" on the day that I visited her, when his behaviour towards me was insulting in the extreme. This was previous to the visit on board the "*Aigle*;" and it was only respect for my own character as a British officer that hindered me from using strong measures towards him.

With reference to the second protest, I ordered the "*Aigle*" to be anchored, believing she proposed proceeding to sea, knowing that she had not the requisite papers, which proved to be the case—she had none.

That these unfounded complaints against the officers of the "Bonetta" were an afterthought, and originated in malice, clearly appears from the circumstance that those protests were made at one time, five days subsequently, when, from the vigilance exercised on board the "Bonetta," these people were compelled to destroy the principal part of the equipment, the leaguer staves, thereby frustrating their nefarious purpose of equipping a slaver in a British port, and under the guns of a British vessel of war: had they succeeded, the probability is they would have accused the British authorities of conniving at it, and perhaps worse; then to have proceeded to St. Paul de Loando, no doubt to engage in the Slave Trade, which I regret to state is carried on to a great extent by French subjects in those parts, and which fact I reported when on the African station. I captured in one day two vessels commanded and officered by French subjects.

The accompanying reply from Mr. Paul, one of the officers complained of, who has maintained a high character through a long period of service, will help to show how little reliance ought to be placed on the most solemn statement of such people.

Before concluding I beg to state that I was present with Lieutenant Oliver during the whole time he was on board the "*Norrie Marie*;" that he did not make use of the coarse language attributed to him, nor yet did he strike the deponent, and nothing occurred which could give a colouring to such a fabrication.

I have, &c.

(Signed) JOHN S. R. STOLL,

Lieut. late commanding H. M. brig "Bonetta."

Third Enclosure in No. 49.

Extract from a Letter of Proceedings to Commander Tucker, of Her Majesty's ship "Wolverine," senior officer on the West Coast of Africa, from Lieutenant John S. R. Stoll, commanding Her Majesty's brig "Bonetta."

"Sierra Leone, March 6, 1840.

"ON the 27th of February, having reason to suspect a French brig that had cleared out and hauled into the fair way, I searched her, when I found a large quantity of plank and the staves of leaguers, together with a large supply of firewood; but as her captain was ill on shore, and had the papers with him, I left her, giving orders on board the 'Bonetta' to take possession if she attempted to weigh.

"I likewise sent Mr. Paul, the second master, to search a schooner belonging to the same owners: he reported that she had four leaguers, capable of containing from two to three tons of water each. On the evening of the 29th of February the latter vessel weighed and made sail, when I sent a party to anchor her, and shortly after went on board, with a view of examining her papers. I found Lieutenant Oliver, of the 'Fair Rosamond,' in possession, and went with him on board the brig; and as she could produce no papers, left a party on board her.

“ Searching her again the following morning, I found they had embarked twenty bags of rice since my visit on the previous day, and had broken the staves for the leaguers into halves. The schooner also on being searched that day (February 29th) had her four leaguers in, and hoops to make four more; so that it is evident to me that the plank on board the brig was intended for a Slave-deck, and the hoops on board the schooner would set up the leaguer staves on board the brig, and most completely equip the said schooner for the Slave Trade.

“ No papers being forthcoming, Lieutenant Oliver and myself proceeded to the Custom House, when the collector informed us that the plank on board the brig was entered on her original manifest from her clearing port in France, and that the embarkation of rice was never noticed at Sierra Leone, being such a general article of food for natives when employed on board ships.

“ Under these circumstances I was obliged to release the brig, though I am fully persuaded that, had the ‘ Fair Rosamond’ and ‘ Bonetta’ not been present, an equipped Slave-vessel would have left Sierra Leone; for, to cover the fraud, they had divided the condemnable articles between them, and, joined together, they would have fitted the schooner with eight leaguers, of from two to three tons each, 30 bags of rice, firewood in abundance, and a male slave-deck; the woman slave-deck standing complete as when taken by the ‘ Water Witch.’

(Signed)

“ JOHN S. R. STOLL,
“ Lieutenant Commanding.”

Fourth Enclosure in No. 49.

Mr. Paul to Lieutenant Stoll.

Her Majesty's ship “ Athol,”

Portsmouth, August 9, 1841.

SIR,

IN reply to your letter of the 7th instant, I beg leave to state that upon boarding the “ *Aigle*,” and finding no person on deck, I went below, and found a part of her crew stowing provisions. I then inquired for the captain, but as there was no one there that could speak English, and not being acquainted with the French language, I could not get the necessary information I required from those persons.

I then looked round the vessel, and left her without having any altercation whatever with any one on board.

I have, &c.

(Signed) HENRY PAUL,

Late Second Master of Her Majesty's brig “ Bonetta.”

No. 50.

Mr. Bulwer to Viscount Palmerston.

Paris, August 20, 1841.

(Received August 23.)

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of a letter addressed to me by the French Minister of Foreign Affairs, enclosing a copy of a Despatch written by his Excellency to M. de Bourqueney, the French Chargé d'Affaires in London, relating to the signing of the Treaty for the abolition of the Slave Trade.

I have, &c.

(Signed) HENRY L. BULWER.

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

First Enclosure in No. 50.

M. Guizot to Mr. Bulwer.

MONSIEUR,

Paris, ce 17 Août, 1841.

J'AI reçu la lettre que vous m'avez fait l'honneur de m'écrire le 13 de ce mois, pour m'exprimer, de la part de votre Gouvernement, le désir que le Chargé d'Affaires de France à Londres fût autorisé à signer immédiatement avec les Plénipotentiaires des quatre autres grandes cours un Traité général relatif à la Suppression de la Traite. M. de Bourqueney m'avait déjà informé du vœu que lui avait manifesté, à cet égard, Lord Palmerston en l'en entretenant directement. J'ai l'honneur pour répondre à votre communication, de vous transmettre la copie ci-jointe de la Dépêche que je viens d'adresser à M. de Bourqueney.

Recevez, Monsieur, &c.

(Signed)

GUIZOT.

M. H. L. Bulwer,
 &c. &c. &c.

(Translation.)

M. Guizot to Mr. Bulwer.

SIR,

Paris, August 17, 1841.

I HAVE received the note which you addressed to me on the 13th instant, expressing to me, on the part of your Government, a wish that the Chargé d'Affaires of France at London should be authorised to sign immediately, with the Plenipotentiaries of the four other Great Courts, a general Treaty relative to the Suppression of the Slave Trade. M. de Bourqueney had already informed me of the wish intimated to him by Lord Palmerston, on this point, in speaking to him of it directly. I have the honour to answer your communication by transmitting to you the enclosed copy of a Despatch which I have just addressed to M. Bourqueney.

Accept, &c.

(Signed)

GUIZOT.

H. L. Bulwer, Esq.
 &c. &c. &c.

Second Enclosure in No. 50.

Monsieur Guizot to Baron Bourqueney.

MONSIEUR,

Paris, ce 16 Août, 1841.

J'AI reçu avec la dépêche que vous m'avez fait l'honneur de m'écrire le 11 de ce mois, copie de la note que vous a passée Lord Palmerston pour vous exprimer le désir que le Gouvernement du Roi vous autorisât à signer immédiatement, avec les plénipotentiaires des autres grandes cours, le projet de traité général dressé à Londres il y a trois ans, dans le but de rendre plus efficace la repression de la traite des noirs. Je n'ai pas besoin de vous dire que, ni sur l'objet de cette convention, ni même sur l'ensemble de ses dispositions, il n'existe et ne peut exister aucun dissentiment entre le Gouvernement du Roi et celui de Sa Majesté Britannique; mais quelques unes des clauses secondaires qu'elle contient paraissent devoir donner lieu à certaines explications qui préviendront, je l'espère, les difficultés que leur exécution pourrait remonter. L'opinion publique n'est pas moins prononcée en France qu'en Angleterre contre l'infâme trafic, dont il s'agit de faire disparaître les dernières traces; mais elle n'est pas également arrêtée sur la convenance et l'opportunité de quelques unes des mesures à prendre pour y parvenir; et à cet égard, elle conserve des doutes, des défiances, qu'il est nécessaire de dissiper. Ces difficultés, Monsieur, ne sont certes pas insurmontables; et si des questions plus urgentes n'eussent, dans ces derniers temps, absorbé toute notre activité, s'il nous eut été possible de fixer sur ce point l'attention publique, distraite par d'autres préoccupations, il est probable que nous eussions déjà triomphé des obstacles que je viens de vous signaler. Quoiqu'il en soit, Lord

Palmerston comprendra qu'il y aurait de l'imprévoyance, de notre part, à ne pas en tenir compte, et que nous ne saurions nous engager à les écarter assez promptement pour être en mesure de signer, dans le délai qui lui conviendrait, la convention à laquelle il attache avec raison une si grande importance.

Agréez, &c.

(Signé) GUIZOT.

(Translation.)

SIR,

Paris, August 16, 1841.

I HAVE received, with the Dispatch which you addressed to me on the 11th inst., a copy of the note which Viscount Palmerston addressed to you, expressing a wish that the Government of the King would authorise you to sign immediately, with the Plenipotentiaries of the other Great Powers, the project of the general treaty drawn up in London three years ago, for the purpose of rendering more efficacious the suppression of the Slave Trade. I need not tell you that, as regards the object of this convention, and even the generality of its provisions, there neither does nor can exist any difference between the Government of the King and that of Her Britannic Majesty; but some of the secondary clauses which it contains apparently require certain explanations, which, I hope, will obviate the difficulties which their execution might encounter.

Public opinion is not less declared in France than it is in England against the infamous traffic, the last traces of which are about to be effaced; but France does not equally concur in the propriety and fitness of some of the measures to be taken for that end, and on this point she entertains doubt and mistrust which it is necessary to dissipate. These difficulties, Sir, are certainly not insurmountable; and if more urgent questions had not latterly absorbed all our activity, if it had been possible to direct the public attention to this point, distracted by other pre-occupations, it is probable that we should already have triumphed over the obstacles which I have pointed out to you. However this may be, Lord Palmerston will understand that on our part it would be imprudent not to take account of them, and that we cannot engage to remove them soon enough to be prepared to sign, within the period which would suit him, the convention to which he properly attaches so much importance.

Accept, &c.

(Signed) GUIZOT.

M. le Baron Bourquency,
&c. &c. &c.

No. 51.

Viscount Palmerston to Baron Bourquency.

VISCOUNT PALMERSTON presents his compliments to Baron Bourquency, and has the honour to invite Baron Bourquency to meet him at the Foreign Office to-morrow, Wednesday, at two 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.

Foreign Office, August 24, 1841.

No. 52.

Viscount Palmerston to Mr. Bulwer.

Foreign Office, August 24, 1841.

SIR,

WITH reference to my Despatch of the 10th instant, I have to acquaint you that Baron Bourquency read to me, some days ago, a Despatch dated the 16th instant, which he had received from M. Guizot, in reply to his application for authority to sign the proposed Treaty between the Five Powers for the suppression of the Slave Trade. M. Guizot states that no difference of feeling exists between the French Government and Her Majesty's Government, with regard to the object of the proposed Treaty, or even as to its provisions, taken as a whole; but that some of the minor clauses apparently require explanation, in order to prevent difficulties which they may encounter if carried into effect: that public opinion is not less strong in France than it is in England in favour of the suppression of the Slave Trade,

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but that this opinion is not equally settled as to the propriety of some of the measures to be taken for that purpose, with respect to which there exists doubt and mistrust which it is necessary to dissipate; that it would be imprudent in the French Government not to pay attention to these obstacles; and that the French Government cannot undertake to surmount them in time to be able to sign the Convention, as soon as is desired by Her Majesty's Government.

Her Majesty's Government have received this communication with much regret, because they had not expected that a difficulty on this matter would have arisen from the Government of France—a Government which has always professed, and Her Majesty's Government are convinced, sincerely feels, the most anxious desire to put an end to the detestable traffic in slaves.

But as the French Government seems to take a view of its own position, in regard to this Treaty, somewhat different from that taken of it by Her Majesty's Government, I have to instruct you to submit the following statement to M. Guizot.

By the 9th Article of the Convention for the suppression of the Slave Trade, concluded between Great Britain and France on the 30th of November, 1831, it was agreed that the other maritime Powers should be invited to accede to that Convention as soon as possible; and, accordingly, in January, 1834, when that Convention had been rendered more effective as to the details of the Slave Trade Suppression Service, by the supplementary Convention of March, 1833, a draft of a note inviting the accession of Austria, Naples, Prussia, Russia, and Sardinia, was submitted to the Duc de Broglie by Her Majesty's Ambassador at Paris, with a proposal that a note, couched in the terms of that draft, should be sent, by the British and French Governments respectively, to their representatives at Vienna, Naples, Berlin, St. Petersburg, and Turin, to be presented by those Ministers to the several Governments to which they were accredited.

The French Government approved of the note in question, and promised to give the proposed instructions to the French Ministers at the Courts above named.

The invitation was acceded to by the Courts of Naples and Turin, and by the other Powers to whom it was subsequently addressed. Austria, Prussia and Russia, however, declined to become parties to the Conventions between France and Great Britain; but declared their readiness to lend their aid towards the final extinction of the Slave Trade, and proposed that their representatives in London should meet in conference with the French Ambassador and the British Secretary of State, for the purpose of making arrangements for the accomplishment of this object.

This proposal was announced to Count Sebastiani by my Note of May 31, 1836; and I at the same time informed his Excellency that the representatives of Prussia and Russia were already duly and formally authorised to take part in the proposed negotiation, and that the Austrian Minister had no doubt that authority would be forwarded to him also; and I transmitted to Count Sebastiani a draft of Treaty which comprised the leading stipulations to which the Powers of Europe had at various times agreed, which I requested him to submit for the consideration of the French Government, previously to its being proposed in conference by Count Sebastiani and myself to the representatives of Austria, Prussia, and Russia.

To this communication no reply was received, although, on the 31st October and on the 27th December, 1836, and on the 27th February and on the 9th June, 1838, Her Majesty's Ambassador at Paris was instructed to press the subject upon the attention of the French Government; except that, in January, 1837, Count Molé stated that he had been, up to that time, prevented from acting upon the overtures made by the British Government, but that he would soon take the King's orders on the subject, and inform Earl Granville of the result.

In December, 1838, however, Count Sebastiani joined with me in a formal conference, in proposing, on the part of France and England, to the representatives of Austria, Prussia, and Russia, a specific and detailed draft of Treaty.

The terms in which the proposal then made is recorded in the Protocol, are as follows:—

“ Les Plénipotentiaires d'Autriche, de France, de la Grande Bretagne, de

Prusse, et de Russie, s'étant réunis en conférence, *d'après l'invitation des Plénipotentiaires de France et de la Grande Bretagne*, afin de continuer les négociations pour un concert général des Puissances de l'Europe, ayant pour objet la suppression de la Traite des Noirs; * * * * * *les Plénipotentiaires de France et de la Grande Bretagne proposèrent* aux Plénipotentiaires des trois autres Puissances, aujourd'hui réunis en conférence, *le Projet de Traité annexe A. Les Plénipotentiaires de France et de la Grande Bretagne prièrent* les Plénipotentiaires des trois Cours de transmettre le dit Projet à leurs Gouvernemens respectifs. * * * * * *Les Plénipotentiaires de France et de la Grande Bretagne déclarèrent* que leurs Gouvernemens rendent une entière justice aux sentimens philanthropiques et généreux des Gouvernemens d'Autriche, de Prusse, et de Russie, et sont les premiers à reconnaître, que ni les sujets ni les pavillons de ces trois Puissances ne prennent aucune part au trafic des noirs.

“ Mais le but, dont *les Gouvernemens de France et de la Grande Bretagne* se proposent l'accomplissement au moyen du Traité en question, est celui d'empêcher que les bandits et les pirates d'autre pays, qui s'adonnent à ce commerce infame, ne puissent se prévaloir des pavillons des trois Puissances, afin de poursuivre impunément leurs criminelles entreprises.”

Therefore it was not England which then proposed that draft of Treaty to France, but it was France which, in conjunction with England, proposed that draft to Austria, Prussia, and Russia; and consequently the hesitation now evinced by the French Government cannot possibly apply to anything contained in that draft of the 12th of December, 1838; because France is bound, by the Protocol above quoted, to the draft which she herself then proposed.

The question therefore arises, which of the alterations subsequently made in the Draft of Treaty it is, to which the hesitation of the French Government is to be attributed?

These alterations are as follow:—

In the 2nd Article, the space within which the mutual right of search is to be exercised, is to be bounded to the north by the 32nd parallel of north latitude, instead of by the 37th, as originally proposed; and the limits within which that right can be exercised to the westward, to the southward, and to the eastward, are more specially defined than they were in the first draft; for the right is limited on the west by the eastern coast of America, from the point where the 32nd parallel of north latitude strikes that coast, down to the 45th parallel of south latitude; to the south by the 45th parallel of south latitude, from the point where that parallel strikes the eastern coast of America, to the point where it intersects the 80th degree of longitude east of Greenwich; and to the eastward, by that meridian of longitude, from the point where it is intersected by the 45th parallel of south latitude, up to the point where it strikes the coast of India.

By the 6th Article, the captor of a slaver is to be permitted to send his prize for adjudication under the care of the officer *third* in command of his ship, instead of being required to send the officer *second* in command, as at first proposed.

In the 9th Article a stipulation has been added, in order to prevent an evasion practised by slave dealers, who it is found land their slaving equipments at the slave factories on the coast, and reship them when their cargoes of slaves are ready. By this means they shorten the period of time during which they have on board the equipments which render them liable to condemnation; and if a cruiser searches them while they are lying opposite to a slave factory, and waiting for the slaves whom they are to take on board, they may perhaps have on board none of the articles, the presence of which would be evidence to convict them.

A like addition has been made to Article 11.

The preceding summary shows that the tendency of the alterations which have been made in the draft of December, 1838, is to modify, and not to increase, the stringency of the articles of the draft proposed by France and England; and it cannot therefore be supposed that the French Government can object to those alterations.

In June 1839, six months after the draft of treaty had been proposed in conference, and on several subsequent occasions, I applied to the Plenipotentiaries of Austria, Prussia, and Russia, begging to be informed of the decision which their Governments had come to upon the subject; and those three Powers were also urged by Her Majesty's representatives at Vienna, Berlin, and

St. Petersburg, to give a speedy and favourable answer to Great Britain and France. But no decisive reply was received till November 1839, when the Austrian Plenipotentiary stated, that his Government felt itself unable to co-operate actively in the measures proposed for the suppression of the Slave Trade, and therefore offered to settle the question, by giving for five years to British cruisers the right of searching Austrian vessels suspected of Slave Trade.

This liberal offer was declined by Her Majesty's Government, on the ground that the object which Her Majesty's Government had in view was to unite all the Christian Powers in a league against the Slave Trade, and that this object would not be attained if Austria declined to join the league. Shortly afterwards, on the 24th of February, 1840, Her Majesty's Government had the satisfaction of learning that Austria had authorised her Plenipotentiary to join in the negotiations for the treaty already proposed; and those negotiations were accordingly resumed at this office on the 24th of February, 1840.

But at this conference an important alteration of the draft was proposed by the Plenipotentiaries of the three Powers, who had been instructed to suggest that the treaty should be limited in duration.

To this proposal Her Majesty's Government entertained the strongest objections, and felt it right to endeavour to induce the three Powers not to insist upon a stipulation, which would so materially impair the efficacy of the treaty; and the French Plenipotentiary concurred with the British Plenipotentiary on this point.

The correspondence on this matter occupied some months.

On the 26th of July, 1840, the Plenipotentiaries of the three Powers met M. Guizot and myself in conference; and at that time Baron Brunnow, on the part of Russia, was the only Plenipotentiary who pressed for a limitation of the duration of the treaty. But I again argued the extreme importance of an unlimited duration; and Baron Brunnow said that Russia might be induced to agree to that unlimited duration of time, if the limits of space, within which the mutual right of search was to be exercised, were somewhat narrowed; and Her Majesty's Government having signified their readiness to meet the wishes of the Emperor of Russia in this respect, I heard in August, 1840, from Her Majesty's Minister at St. Petersburg, that instructions had been issued to Baron Brunnow on this matter, which it was thought would be satisfactory to Her Majesty's Government.

At this time, however, France was separated from the other Powers by the Treaty of July, 1840; and Her Majesty's Government then abstained from pressing the signature of the proposed convention, because although the subject was indeed wholly unconnected with the Turkish and Egyptian affairs, and although a treaty for the suppression of Slave Trade might have been signed, without altering the position of France in regard to the Turkish question, yet Her Majesty's Government felt that the French Government might dislike to pursue any negotiation in conjunction with the other four Powers, at a moment when she had separated herself from them in a matter of great and practical and immediate political interest.

But the very day on which the Plenipotentiaries of the six Powers signed the Convention of the 13th of July last, by which the separation of France from the other Powers ceased, I requested Baron Bourqueney to apply to his Government for authority to sign the Slave Trade Treaty; and I again urged him verbally to the same effect, some time before I wrote him the note of the 10th instant.

No efforts, therefore, have been omitted on the part of Her Majesty's Government to obtain the signature of the French Plenipotentiary to this treaty, which the Plenipotentiaries of Austria, Prussia, and Russia are ready to sign; and Her Majesty's Government certainly cannot say, that the reasons assigned by the French Minister for now asking for further delay are, in the opinion of Her Majesty's Government, at all satisfactory. Her Majesty's Government hope and trust that this unexpected hesitation on the part of the Government of France to conclude a treaty, which France herself joined in proposing in December, 1838, will not be productive of any worse result than further delay; but if, in consequence thereof, any fresh difficulties should arise elsewhere, the responsibility of having occasioned them will not rest with Her Majesty's Government.

You will give a copy of this Despatch to M. Guizot.

I am, &c.

H. L. Bulwer, Esq.,
&c. &c. &c.

(Signed) PALMERSTON.

No. 53.

*Viscount Palmerston to Baron Bourquency.**Foreign Office, August 27, 1841.*

THE Undersigned, &c., has the honour to transmit to Baron Bourquency &c., two Copies of the Draft of Treaty between the Five Powers for the Suppression of the Slave Trade, containing the alterations agreed upon at the Conference held at the Foreign Office on the 25th instant.

The Undersigned, &c.,
(Signed) PALMERSTON.

No. 54.

*Viscount Palmerston to Baron Bourquency.**Foreign Office, August 28, 1841.*

THE Undersigned, &c., has the honour to submit to Baron Bourquency, Chargé d'Affaires of His Majesty the King of the French, the accompanying Draft of the Tenth Article of the Treaty, between the Five Great Powers, for the Suppression of the Slave Trade, containing an alteration which it is proposed to make in the last sentence of that Article, relative to the application of the proceeds of condemned vessels.

The Undersigned trusts that this alteration will meet the approval of the Baron Bourquency.

M. le Baron de Bourquency,
&c. &c. &c.

The Undersigned, &c.,
(Signed) PALMERSTON.

Enclosure in No. 54.

Draft of Tenth Article of Treaty between the Five Powers.

Proposed alteration in Art. 10.

The concluding words, "*distributed according to law among the officers and crew of the capturing ship,*" to be struck out;—and the words "*applied in such way as may be prescribed by the laws of that country,*" substituted.

No. 55.

The Earl of Aberdeen to Baron Bourquency.

M. LE BARON,

Foreign Office, September 10, 1841.

I FIND amongst the papers in this Department, a Memorandum left by my predecessor, that, in an interview you had with Lord Palmerston on the 18th of August last, you read to his Lordship a Despatch, from which he gathered that the Government of His Majesty the King of the French imagine that the English purchase slaves at Sierra Leone, and send them to the West Indies and Demerara as apprentices for fourteen years, to be free men at the expiration of that period.

Lord Palmerston made inquiries about these matters at the Colonial Office, and, a reply having been received from that Department, I have now the honour to request that you will acquaint the French Government that they have been entirely misinformed on this subject, and that no such transactions ever take place:—"But the inhabitants of Sierra Leone, being subjects of the Queen of England, are of course free to depart for any of Her Majesty's dominions at their own pleasure; and, in the exercise of that freedom, many of them have voluntarily gone to Jamaica, Guiana, and Trinidad.

"Laws have been made, in these last-named colonies, for providing funds to defray the expense of the passage of Emigrants from Sierra Leone; and in every such law it is expressly provided that the emigrants, on their arrival, shall not be subject to any apprenticeship, but shall be absolutely free to choose any employment or employers they may prefer."

The Reports which Her Majesty's Government have received on this subject from these colonies show that the emigrants who have already arrived at Guiana and Trinidad have exercised this freedom of choice without any restraint whatever. They have been received by public officers appointed to protect them against imposition; and the Governors of these colonies have themselves, in person, explained to those emigrants that they are absolutely and entirely free, and have taken care that their freedom should be in no way whatever infringed.

The Colonial Laws above mentioned, moreover, declare invalid and void every contract for service made by an emigrant before he actually reaches the colony; and contracts made in the colony are not allowed to be for a longer period than twelve months. In case of a breach of contract for service, the servant is liable to no corporal punishment, and does not incur any penalties beyond those to which servants in general are liable, for the neglect or breach of their engagements; and, in short, the emigrants are in every sense as completely free as are any hired servants in the United Kingdom itself.

It may also be observed, that, in order to prevent abuse during the voyage, a law has been passed at Sierra Leone exactly similar to that which regulates the conveyance of passengers from England to parts beyond the seas; and so strictly has this law been observed, and so effectual have its provisions proved, that not a single death, nor even any serious illness, has occurred among the negro emigrants during the voyage to the West Indies.

I am, &c.

(Signed) ABERDEEN.

M. le Baron de Bourqueney,
&c. &c. &c.

No. 56.

The Earl of Aberdeen to Mr. Bulwer.

SIR,

Foreign Office, September 10, 1841.

I HEREWITH transmit to you, for your information, a copy of a note which I have this day addressed to Baron Bourqueney, relative to the supposed purchase of slaves at Sierra Leone for exportation to the British West Indies.

I am, &c.

(Signed) ABERDEEN.

H. L. Bulwer, Esq.,
&c. &c.

Enclosure in No. 56.

The Earl of Aberdeen to Baron Bourqueney.

Foreign Office, September 10, 1841.

(No. 55.)

No. 57.

Mr. Turnbull to the Earl of Aberdeen.

British Consulate, Marseilles, September 17, 1841.

(Received September 27.)

MY LORD,

I HAVE the honour of acknowledging receipt of the Despatch from the Secretary of State, dated 31st July last, transmitting to me copy of a Letter from the Greek Minister at the Court of St. James's, together with the translation of a law, promulgated by the King of Greece on the 13th March last, prohibiting the trade in slaves, and assigning penalties for the offences committed in contravention of that law. The same Despatch transmitted to me also copy of a Despatch and of its Enclosure from Her Majesty's Minister in Greece upon the same subject, and also two sets of those Papers for the Vice-Consuls at Cette and Toulon.

I shall not fail, in obedience to your Lordship's directions, to meet the desire expressed by the Greek Government, as stated in these papers, in giving my best

assistance towards carrying the aforementioned law into effect, whenever my offices may be required ; and, in transmitting these Papers to the Vice-Consuls at Cette and Toulon, I shall accompany them with suitable instructions.

I have, &c.

(Signed) ALEXANDER TURNBULL, *Consul.*

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

No. 58.

The Earl of Aberdeen to Mr. Bulwer.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 59.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 10.)

No. 60.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, November 17, 1841.

SIR,

HER Majesty's Government have had before them the communications which M. Bourqueney addressed to Her Majesty's Secretary for Foreign Affairs, on the 17th of December, 1840, and on the 31st of January, 1841, claiming on the part of the Government of France reparation from Her Majesty's Government for the seizure of the French vessel the "*Sénégalie*," in the harbour of Bathurst, in the Gambia, on the 7th of February, 1840, and the subsequent condemnation of that vessel in the Vice-Admiralty Court at Sierra Leone.

I have now the honour to observe to your Excellency that the French Government, in making this claim, appear to rest under the persuasion that the vessel in question was seized and proceeded against under the conventions concluded in 1831 and 1833 between Great Britain and France, containing certain provisions to be carried into effect by the contracting parties to those conventions for enabling them to co-operate towards the prevention of Slave Trade on the part of the respective subjects of each party.

But the Government of France were already informed, on the 16th of June, 1840, by a note from Her Majesty's Ambassador at Paris, that the ground on which the "*Sénégalie*" was seized and proceeded against, was a violation of a British Act of Parliament while lying in a British harbour, for she was found in British waters illegally equipped for Slave Trade, contrary to the provisions of the Act of the 5 Geo. IV., cap. 113, and on that ground was seized and was sent for adjudication, not to a tribunal of her own country, as would have been the case had she been detained under the above-mentioned Conventions between Great Britain and France, but to a British Vice-Admiralty Court duly authorised to try and decide on cases of offences against British laws, such as that which the "*Sénégalie*" was charged with having committed.

It appears that, in the case in question, there had been a clear violation of British law, that the vessel having a slave equipment on board was repaired and fitted in a British port, that for such offence she was legally condemned by the sentence of a competent Tribunal, and that, if there had been any reason-

able doubt of the legality of that sentence, the parties might and ought to have resorted to the Court of Appellate Jurisdiction.

I have to request also that your Excellency will recall to the attention of the French Government the just and well-founded arguments contained in the Note from Her Majesty's Ambassador at Paris to his Excellency the French Minister for Foreign Affairs, on the 16th of June, 1840; the force of which does not appear in any way affected by the tenor of the documents since transmitted by M. de Bourqueney. Some of those documents, indeed, tend strongly to confirm the view taken of this matter in that Note, and to show that the Act of Liberation was *conditional* only, and constituted a nominal and not a real distinction.

Under these circumstances I am under the necessity of requesting that your Excellency will state to the Government of France that Her Majesty's Government cannot admit that any claim for reparation can justly be maintained by the French Government in this case.

It may not here be superfluous to observe that the Conventions referred to by M. Bourqueney were never intended to abrogate the laws which prohibited the trade in slaves within the dominions of either of the contracting parties, at the time those Conventions were concluded, but on the contrary those Conventions were entered into for the purpose of furnishing additional powers for the suppression of the Slave Trade.

I have, &c.
(Signed) ABERDEEN.

His Excellency Count St. Aulaire,
&c. &c. &c.

No. 61.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, November 19, 1841.

I HEREWITH transmit to your Excellency copies of Papers received at this office from the Colonial department.

These Papers show that two persons of colour, named Lateer or Lauter Ting, and Amady Jaubert or Sauber, formerly slaves at Senegal and Goree, had for these some years past resided as free inhabitants of Her Majesty's Colony at St. Mary's in the Gambia, and that in the month of June last these two persons having embarked near Albreda, for the purpose of proceeding to their residence at St. Mary's, were, while on their passage down the river towards the latter place, forcibly seized by an officer of the French brig-of-war "*Nisus*," carried through Her Majesty's jurisdiction at the port of St. Mary's, and taken to Goree, and there retained, it is supposed, in slavery.

The commander of Her Majesty's ship "*Wanderer*" laid before the Governors of the French colonies of Goree and Senegal a representation of these circumstances, and applied successively to each of those officers for the release of the two persons of colour above referred to; but the commandants of Senegal and Goree answered the application by stating that the affair in question was one, the settlement of which was beyond their jurisdiction.

I have to instruct you, therefore, to represent the circumstances to the French Government.

You will explain to them that this appears to be a case of aggravated wrong against the negroes in question, and that it has been committed under circumstances which give to Her Majesty's Government a claim to require from the French Government that orders shall be given for the release of the two persons held in bondage at Goree; and you will add that Her Majesty's Government, trusting in the sense of justice which animates the Government of France, feels confident that the necessary orders will be given accordingly.

I am, &c.
(Signed) ABERDEEN.

His Excellency Lord Cowley,
&c. &c. &c.

First Enclosure in No. 61.

*Mr. Stephen to Viscount Canning.**Downing Street, October 18, 1841.**(Received October 19.)*

MY LORD,

REFERRING to the Letter which I addressed to Mr. Backhouse on the 11th of August last, relative to the proceedings of two French vessels of war in the Gambia, I am directed by Lord Stanley to transmit to you, for the consideration of the Earl of Aberdeen, the accompanying copy of a Despatch which has been received from the officer administering the government of Her Majesty's settlements in that river, together with the Enclosure to that Despatch, reporting that M. Bouet, the officer commanding one of the vessels in question, has forcibly carried away from the Gambia two black men to be dealt with as slaves.

I have, &c.

(Signed)

JAMES STEPHEN.

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

Second Enclosure in No. 61.

Mr. Ingram to Lord John Russell.

MY LORD,

Bathurst, Gambia, August 5, 1841.

I BEG leave to represent to your Lordship, with reference to my Despatch of the 19th of June last, that, in addition to the highly improper conduct evinced towards this settlement by M. Edward Bouet, the officer commanding the French ships of war on the African station, as therein complained of, that individual has further committed himself by forcibly carrying away from this river two black men named Lateer King and Amady Jaubert or Sauber, who had for some considerable period resided in this town. I was not aware of this circumstance when I addressed your Lordship the Despatch above referred to, the particulars not having been known to me until the 23rd of June. Having, however, every reason to feel assured that the information I had received could be relied on, I did not hesitate, on the arrival of Her Majesty's ship "Wanderer," to address Captain Denman on the subject, requesting he would claim the individuals from the French Government at Goree and Senegal. I have the honour to enclose copy of my letter to that officer. Captain Denman, having complied with my requisition, proceeded on the 14th of July to Goree and Senegal, from which places he returned on the 28th of the same month. I also transmit herewith copy of his answer to my letter, and of the correspondence which passed between himself and the acting commandant at Goree, and the Governor of Senegal.

Concurring as I do entirely in the opinions expressed by Captain Denman in his letters to the French authorities, which letters so clearly set forth the unjustifiable conduct of the French naval officer, it will be unnecessary here to enter into further explanation on the subject. I cannot, however, regard the answers of the Governor of Senegal otherwise than as most unsatisfactory. I consider them as evasive and at variance with truth. His Excellency persists in stating that the men Lateer Ting and Amady Jaubert were taken from Albreda, "*possession Française,*" and that he has not the power to restore them to freedom. Granting the Governor the full benefit of this assertion, it would still be unlawful to carry slaves through the waters of the Gambia, the integrity of which is assured to England by solemn Treaty; but the copies herein forwarded of two depositions sworn to by Cumba Byter and Mary Ann Sow, who were the fellow-passengers in the brig "*Curieuse*" of the unfortunate men forcibly taken from that vessel, and carried as prisoners to the "*Nisus,*" will at once prove to your Lordship that they were not secured at Albreda, but were deliberately taken from the merchant ship during her passage between Albreda and Bathurst, at a considerable distance from the former place, by an officer sent, no doubt, by Commander Bouet for the express purpose.

That the Governor of Senegal has not the power to restore to freedom persons wrongfully and illegally detained appears to me inexplicable, and his attempt to throw the onus of their unlawful detention (which now remains entirely his own

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act) on the French naval officer then absent very uncandid. This Governor, my Lord, who now declares his authority to be so very limited when called on to perform a simple act of justice by restoring two wretched beings to liberty, would not hesitate to demand the restoration of deserters from the crews of French vessels coming here, although, in nearly every instance, these deserters are unhappy slaves. If he possess this right he surely also possesses the authority and power to restore to freedom any persons illegally detained as slaves in the colony he governs, especially British subjects, when claimed as such by British authorities under any circumstances. The manner in which this Later Ting and Amady Jaubert were conveyed to and introduced into St. Louis is at best very questionable; and as the Governor cannot plead ignorance in the matter, I conceive his conduct to be highly censurable throughout.

From my long residence in Western Africa, and personal acquaintance with the neighbouring colonies of Goree and Senegal, I have reason to fear that, before your Lordship can interpose on behalf of the unfortunate men whose case I have now presented to your Lordship, they will have shared the fate of many of their countrymen, and have become the property of the slave dealer. I hope your Lordship will pardon me for again pressing upon your Lordship's notice the advantage, indeed I may say the necessity, for the benefit of British interests, of adding Albreda to this Government. Albreda, as regards its extent, is insignificant, but is nevertheless a millstone on our commerce.

It holds out a premium to the smuggler, serious injury to the honest trader, and frequent causes of difference between the French colonies and ourselves. If this factory were relinquished to Her Majesty's Government the French could no longer ascend this river beyond Bathurst; and, as the undivided possession of the Crown, I feel assured this young and prosperous settlement would rapidly attain a degree of importance and wealth which I fear it cannot reach under existing circumstances.

Such a union would leave no further room on the part of our restless and discontented neighbours for the commission of future aggressions and other vexatious acts against the persons or property of Her Majesty's subjects in this river.

I have, &c.

(Signed) T. S. INGRAM, *Acting Governor.*

The Right Hon. Lord John Russell, M.P.,
&c. &c. &c.

Third Enclosure in No. 61.

Deposition of Cumba Byter.

Settlement of Bathurst, River Gambia, June 23, 1841.

PERSONALLY appeared before me, Daniel Robertson, Esq., one of Her Majesty's Justices of the Peace for the said settlement, Cumba Byter, of said place, and being duly sworn states that she was coming from the French settlement of Albreda about a week ago as a passenger in the French brig "*Curieuse*," Captain Niolon; that before the vessel got under weigh she heard the captain say that he expected two more passengers, and wondered what was keeping them; that presently she saw a Mandingo canoe coming alongside, and Later Ting and Amady Jauber came on board; the vessel then got under weigh and sailed; a short distance from Albreda (about a mile) they saw a boat coming towards them from the French man-of-war with an officer on board holding a paper in his hand; on coming alongside he jumped on deck, read the paper to the captain, and said that he wanted two men. The captain told him that there were four passengers on board, two men and two women. The passengers were then ordered aft, and the moment the officer saw Later Ting and Amady Jauber he said they were the men he wanted, and ordered them into his boat, and went off with them towards the man-of-war. Deponent has heard and believes that Later Ting was a slave to an inhabitant of St. Louis, in the river Senegal, from whom he made his escape and arrived at this settlement about three years ago; he has resided here ever since, with the exception of going up the river occasionally to trade. Amady Jauber she has heard and believes to have been a slave of a Mr. Jauber, merchant at Goree; he has resided many

years in this colony, has been once or oftener to Goree since his first arrival here, and the deponent heard him say that his master had given him his freedom.

(Signed)

her
CUMBA ✕ BYTER.
mark.

Sworn before me at Bathurst, this
23rd day of June, 1841.

(Signed)

D. ROBERTSON, J. P.

Fourth Enclosure in No. 61.

Deposition of Mary Ann Sow.

Settlement of St. Mary's, River Gambia.

PERSONALLY appeared before me, Daniel Robertson, Esq., one of Her Majesty's Justices of Peace for the said settlement, Mary Ann Sow, spinster, of the said place, and being duly sworn saith that a short time ago she was coming as a passenger from the French factory of Albreda to the settlement of St. Mary's, in the French brig "*Curieuse*," Niolon master; that some time after they left Albreda, a boat from the French man-of-war "*Nisus*," Captain Bouet, came alongside with an officer, who boarded them, and desired the master to show him the passengers, who were forthwith (four in number) ranged before him on deck; that he then told deponent and Cumba Byter that he did not want them, but ordered the other two passengers, Amady Jaubert and Lateer Ting, with their hands tied behind their backs, ; that the boat then pulled to the French man-of-war "*Nisus*," which was at anchor off Albreda. Deponent is not aware whether they were carried out of the river in the man-of-war, but she has not seen them since in the settlement, which she considers she must have done had they not been carried away.

(Signed)

her
MARY ANN ✕ SOW.
mark.

Sworn before me at Bathurst, this
23rd day of June, 1841.

(Signed)

D. ROBERTSON, J. P.

Fifth Enclosure in No. 61.

Mr. Ingram to the Hon. Captain Denman.

SIR,

Bathurst, Gambia, July 13, 1841.

Two days after the departure from this river of the French brigs of war "*Nisus*" and "*Malonine*," I was informed, on very credible authority, that the French senior naval officer, Monsieur Bouet, had committed, within the waters of this Government, an act of aggression by forcibly removing from the French merchant-brig "*Curieuse*," while coming from Albreda to Bathurst, two individuals named Lateer Ting and Amady Joubert, or Souber, (passengers on board the last-named vessel,) who had for several years resided at this settlement, and were then returning to their homes in this town.

I have been also informed that the men Lateer Ting and Amady Joubert were formerly slaves at Senegal and Goree; that they came to the Gambia some years since, and have always conducted themselves in a correct and proper manner. There can be no doubt that these two unfortunate persons are now held as slaves in the French colonies of Goree and Senegal, and that there is no chance of their ever again escaping from slavery, unless through the intervention of British authorities. Without entering into the subject of Monsieur Bouet's conduct, which is utterly at variance with all law, it appears to me that his act amounts to a direct case of slave-dealing, inasmuch as it forces into slavery two persons previously enjoying all the rights and privileges of British subjects.

I hope that the service on which you are employed will admit of your proceeding to Goree or Senegal, for the purpose of claiming the aforesaid Lateer Ting and Amady Joubert, when I have no doubt other cases of slave-dealing, equally glaring, will also be presented to your notice. I refrain from adverting

to other grievances of which I have reason to complain against Commander Bouet, as they have already formed the subject of a communication I have felt it my duty to address to Her Majesty's Government.

I have, &c.

(Signed)

J. L. INGRAM,
Acting Governor.

The Hon. Commander Denman,
&c. &c. &c.

Sixth Enclosure in No. 61.

The Hon. Commander Denman to the Governor of Goree.

Her Britannic Majesty's Ship "Wanderer."
Goree, July 17, 1841.

SIR,

I HAVE the honour to inform your Excellency that the persons named Lateer Ting and Amady Joubert or Souber, who have resided at St. Mary's for several years, embarked in the French merchant-brig "*Curieuse*" at Albrede for a passage to their residences at St. Mary's; while on their passage they were forcibly taken out by an officer of the French brig of war "*Nisus*," by which they were carried through the port of St. Mary's, and, as I have understood, afterwards landed at Goree. The river Gambia being a British possession, it is apparent that any aggression committed in its waters by a foreign armed force is as grave an offence against the authority of Her Britannic Majesty as if the same were committed upon the shores of St. Mary's.

I understood that these persons had formerly been slaves in a French settlement, and that it is with the object of restoring them to this miserable condition that M. Bouet has considered himself justified in his proceedings.

But your Excellency will at once perceive that the anxiety of M. Bouet to recover runaway slaves cannot justify him in violating the integrity of a British possession; and I am confident that you will at once accede to the justice of my claim for the liberation of the persons in question.

I have, &c.

(Signed)

JOSEPH DENMAN, *Commander*
and Senior Officer on the Sierra Leone Station.

His Excellency the Governor of Goree,
&c. &c. &c.

Seventh Enclosure in No. 61.

Commandant Doucelance to the Hon. Commander Denman.

M. LE COMMANDANT,

Gorée, le 20 Juillet, 1841.

LES nombreuses occupations, et une indisposition que j'ai eue depuis trois jours, ne m'ayant pas permis de répondre à votre réclamation du 17 courant relative aux deux noirs du Sénégal, je m'empresse de vous en accuser réception.

Je dois vous dire que mes pourvois ne s'étendent pas au point de pouvoir y faire droit; je suis sous les ordres de Monsieur le Gouverneur du Sénégal, duquel je dépend; je lui ai en conséquence transmis votre réclamation par un courrier extraordinaire parti d'ici le 17 courant: j'ose espérer qu'il sera de retour à Gorée dans quatre jours, et alors je pourrais vous faire connaître la décision que Monsieur le Gouverneur aura pris à cet égard. Recevez, je vous prie, Monsieur le Commandant, l'assurance de ma considération et de mes salutations sincères.

Le Commandant particulier de Gorée,
(Signé) DOUCELANCE.

The Hon. Commander Denman,
&c. &c. &c.

(Translation.)

SIR,

Goree, July 20, 1841.

My numerous occupations, together with my having been indisposed the last three days, not having permitted me to reply to your demand of the 17th

instant relative to the two negroes of Senegal, I now hasten to acknowledge the receipt of it.

I have to inform you that my powers do not extend so far as to enable me to adjudicate on the case, being, as I am, under the orders of the Governor of Senegal, on whom I am dependent. I have consequently transmitted him your demand by an express, which left this on the 17th instant, and I hope will return in four days, when I may be able to acquaint you with the decision the Governor may have come to on the subject.

The Hon. Commander Denman,
&c. &c. &c.

Accept, &c.
(Signed) DOUCELANCE.

Eighth Enclosure in No. 61.

The Hon. Commander Denman to the Commandant of Goree.

*Her Britannic Majesty's Sloop "Wanderer,"
Goree, July 22, 1841.*

SIR,

I HAVE the honour to acknowledge the receipt of your Letter of the 20th, informing me that it is necessary to refer my claim for the liberation of the two persons so unjustifiably seized in British waters to his Excellency the Governor of Senegal. Having been previously informed by you that the persons in question are not at Goree, and that one is at St. Louis, I think it desirable that I should proceed to Senegal; and I have to request that, if the captives should be sent to Goree in the interval, you will keep them until my return to this port, which, in that event, I will revisit for the purpose of receiving them.

I have, &c.

(Signed)

JOSEPH DENMAN,
Commander and Senior Officer.

The Commandant of Goree,
&c. &c. &c.

Ninth Enclosure in No. 61.

Commander Denman to the Governor of Senegal.

*Her Britannic Majesty's Sloop "Wanderer," off Senegal,
July 24, 1841.*

SIR,

I HAVE the honour to acquaint your Excellency with my arrival off Senegal for the purpose of claiming the liberation of two persons named Lateer Ting and Amady Joubert or Souber, seized and carried out of the river Gambia by M. Bouet, the Commander of the French brig-of-war "*Nisus*."

The persons in question had been for some years resident at St. Mary's, and had embarked at Albreda in the French merchant-brig "*Curieuse*," for the purpose of returning to their habitations.

When about four miles from that factory they were forcibly seized and taken on board the brig-of-war by an officer sent for the purpose.

It will not, perhaps, be unknown to your Excellency that upon the occasion in question M. Bouet thought himself justified in ascending that British possession as far as the French factory at Albreda, a distance of 15 miles, and quitting it without visiting the principal settlement of St. Mary's, the residence of the Governor, which is situated at its entrance. I allude to this circumstance only to explain the reason of the capture of these persons being unknown to the Governor of the Gambia until some days after the departure of M. Bouet.

Your Excellency will at once perceive that the capture of these persons in British waters can in no manner be justified, and I await with confidence your reply to my demand for their liberation.

I had, in the first instance, addressed myself to the Governor of Goree, who, however, informed me that the persons in question were not at that place, and that the liberation of the captives rested with your Excellency.

I have, &c.

(Signed)

JOSEPH DENMAN, Commander
and Senior Officer on the Sierra Leone Station.

His Excellency the Governor of Senegal,
&c. &c. &c.

Tenth Enclosure in No. 61.

The Governor of Senegal to Commander Denman.

Saint Louis, le 24 Juillet, 1841, à 8 heures du soir.

Gouvernement du Sénégal et Dépendances, No. 10.

MONSIEUR LE COMMANDANT,

J'AI l'honneur de vous accuser réception de votre Lettre de ce jour, réclamant la remise de deux noirs ramenés d'Albreda, possession Française, par M. le Commandant de la Station Extérieure.

Ji regrette beaucoup que cet officier inférieur ne se trouve pas sur les lieux, parcequ'à lui seul appartient la solution d'une question qui, par la compte qu'il en a rendu à son Excellence le Ministre de la Marine et des Colonies, est en raison des différends survenus entre lui et l'autorité locale de Sainte Marie, devenue aujourd'hui une question de Gouvernement à Gouvernement.

Veillez, &c.

(Signé) MONTAGNES DE LA ROQUE.

*A Monsieur le Commandant du Brick de Sa Majesté Britannique
le "Wanderer," en Rade de Saint Louis.*

(Translation.)

Government of Senegal and its Dependencies, No. 10.

SIR,

Saint Louis, July 24, 1841, 8 o'clock p.m.

I HAVE the honour to acknowledge the receipt of your Letter of this day's date, claiming the freedom of two negroes brought from Albreda, a French possession, by the Commandant of the Outer Station.

I much regret that this inferior officer is not at present here, because to him alone belongs the solution of a question which, from the account he has given of it to his Excellency the Minister of Marine and the Colonies, it appears that difficulties have arisen between him and the local authority of St. Mary's, which have now become a question between the two Governments.

Accept, &c.

(Signed) MONTAGNES DE LA ROQUE.

*The Commander of Her Britannic Majesty's Brig "Wanderer,"
&c. &c. &c.*

Eleventh Enclosure in No. 61.

Commander Denman to the Governor of Senegal.

*Her Britannic Majesty's Sloop, "Wanderer," off Senegal,
July 25, 1841.*

SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's Letter of yesterday, regretting the absence of M. Bouet, and informing me that to him alone belongs the solution of a question which, by the report he has forwarded to his Excellency the Minister of Marine and the Colonies, has become, in consequence of differences which have taken place between him and the authorities of St. Mary, a question between Government and Government.

As a superior authority, under whose control these unfortunate persons are placed, I trust that your Excellency will not countenance or participate in the proceedings of M. Bouet, by keeping them longer captive.

Being residents of St. Mary's, and seized when peaceably traversing the Gambia, and at a distance of several miles from Albreda, they are evidently and undeniably entitled in the fullest manner to British protection; that river not only being a British possession by actual occupation, but by special Treaty with France. I therefore feel it my duty to press upon your Excellency that every hour's further detention is an aggravation of the violence which they have already suffered, and most earnestly to repeat my claim for their liberation.

I have, &c.

(Signed) JOSEPH DENMAN, *Commander
and Senior Officer on the Sierra Leone Station.*

*His Excellency the Governor of Senegal,
&c. &c. &c.*

Twelfth Enclosure in No. 61.

*The Governor of Senegal to Commander Denman.**Gouvernement du Sénégal et Dépendances. No. 11.*

MONSIEUR LE COMMANDANT,

Saint Louis, le 25 Juillet, 1841.

J'AI l'honneur de vous accuser réception de votre lettre de ce jour, et de vous renouveler que, mes pouvoirs ne s'étendant pas au contrôle du service extérieur de la station confié par mon Gouvernement à un officier supérieur de la marine, je ne puis en aucune manière faire droit à la réclamation que vous croyez de votre devoir de m'adresser en faveur des deux noirs arrêtés sur une possession Française par cet officier, et dont il a rendu un compte tout particulier au Gouvernement.

Je ne puis donc, Monsieur le Commandant, quelque puisse être le résultat du retard de la solution de l'affaire en question, que rendre immédiatement compte à son Excellence le Ministre de la Marine et des Colonies des démarches que vous avez faites à ce sujet, et de vous assurer qu' aussitôt sa réponse je m'empresserai de vous le faire parvenir.

Veuillez, &c.

(Signé)

MONTAGNES DE LA ROQUE.

A Monsieur le Commandant du Brick de S. M. B. "Wanderer,"
 &c. &c. &c.

(Translation.)

Government of Senegal and its Dependencies. No. 11.

SIR,

St. Louis, July 25, 1841.

I HAVE the honour to acknowledge the receipt of your letter of this day's date, and to repeat to you that, as my powers do not extend to the control of the outer service of the station, which is intrusted by my Government to a superior officer of the navy, I cannot in any manner adjudicate upon the claim you consider it your duty to address to me in behalf of two negroes detained in a French possession by that officer, and respecting whom he has given a particular account to his Government.

I can only, therefore, whatever may be the result of the delay in the solution of the affair in question, give an immediate account of the steps you have taken on the subject to his Excellency the Minister of Marine and the Colonies, and assure you that as soon as I shall receive his answer I will hasten to acquaint you with it.

Accept, &c.

(Signed)

MONTAGNES DE LA ROQUE.

The Commander of H. B. M. Brig "Wanderer,"
 &c. &c. &c.

Thirteenth Enclosure in No. 61.

Commander Denman to the Lieut.-Governor of the Gambia.

H. M. S. "Wanderer," at the Gambia,
July 28, 1841.

SIR,

I BEG to enclose, for your Excellency's information, copies of my correspondence with the Governors of Goree and Senegal on the subject of your letter of the 13th instant.

The first letter of the Governor of Senegal appeared to me evasive; therefore, considering it necessary to obtain a distinct answer, I repeated my claim, putting as far as possible the responsibility of the further detention of the persons in question upon him.

I have, &c.

(Signed)

JOSEPH DENMAN,

His Excellency the Lieut.-Governor of the Gambia,
 &c. &c. &c.

Commander.

Count St. Aulaire to the Earl of Aberdeen.

*Londres, le 24 Novembre, 1841.
(Received November 26.)*

LE Soussigné, Ambassadeur Extraordinaire de Sa Majesté le Roi des Français près de Sa Majesté Britannique, a l'honneur de porter à la connaissance de son Excellence Lord Aberdeen les faits suivans, qui lui ont été communiqués par son Gouvernement.

M. le Gouverneur du Sénégal a transmis à M. le Ministre de la Marine un rapport du Sieur René Valantin, négociant de la colonie, qui contient la relation qui suite :—

Le 28 Avril, 1841, des embarcations appartenant à la corvette Anglaise "l'Iris" auraient incendié, dans le Rio Pongo, un établissement appartenant à la dame veuve Lightbourn, habitante indigène, chez laquelle le Sieur Valantin aurait consigné marchandises pour une valeur de 10,971 francs.

Il paraîtrait en outre que Madame Lightbourn ainsi que ses deux fils, après avoir été pris et emmenés à bord de la corvette, mouillée en mer à deux ou trois lieues de l'embouchure de la rivière, n'auraient obtenu leur liberté que par un rachat de neuf noirs pris parmi leurs domestiques. Cet événement, qui aurait consommé la ruine de la Dame Lightbourn, l'aurait mise hors d'état de satisfaire à ses engagements vis-à-vis du Sieur Valantin.

C'est en raison de ce rapport, dont les pièces à l'appui se trouvent ci-jointes, que l'Ambassadeur de France a l'honneur d'adresser la présente note à Lord Aberdeen, en le priant de vouloir bien vérifier l'exactitude des faits qui y sont relatés, et d'aviser, s'il y a lieu, au genre de satisfaction que méritent les réclamations du Sieur Valantin.

Le Soussigné, &c.
(Signé)

ST. AULAIRE.

*A Son Excellence Lord Aberdeen, K.T.,
&c. &c. &c.*

(Translation.)

London, November 24, 1841.

THE Undersigned, &c., has the honour to inform his Excellency Lord Aberdeen, &c., of the following facts, which have been communicated to him by his Government.

The Governor of Senegal has transmitted to the Minister of Marine a communication from M. René Valantin, a merchant of the colony, which contains the following narrative :—

On the 28th of April, 1841, the boats belonging to the English corvette "Iris" burnt, in the Rio Pongo, a settlement belonging to the Widow Lightbourn, a native inhabitant, and at whose house M. Valantin had consigned goods to the value of 10,971 francs.

Moreover, it would appear that Mrs. Lightbourn, as well as her two sons, after having been captured and carried on board the corvette, which was at anchor at sea two or three leagues from the mouth of the river, only obtained their liberty by the release of nine blacks taken among their servants. This event, which had completed the ruin of Mrs. Lightbourn, had put it out of her power to fulfil her engagements on the part of M. Valantin.

In consequence of this communication, the documents in support of which are enclosed, the Ambassador of France has the honour to address the present note to Lord Aberdeen, requesting him to have the kindness to verify the correctness of the facts mentioned therein, and to consider, if there is cause, what kind of satisfaction is due to the complaints of M. Valantin.

The Undersigned, &c.
(Signed)

ST. AULAIRE.

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

First Enclosure in No. 62.

M. Valantin to the Governor of Senegal.

MONSIEUR LE GOUVERNEUR,

Saint Louis, le 20 Août, 1841.

PARTI du Havre le 2 Décembre dernier pour le bas de la côte, à bord de la goëlette "*La Fourmi*," de Rouen, armateurs MM. P. A. Pouchet et Fils, négociants de la même ville, je touchai ici quelques jours pour prendre langue avec M. Pesnel, consignataire, et d'ici à Gorée, d'où je suis parti le 22 Janvier; je suis entré à Rio Pongo le 29, où le nommé Bourama s'est emparé du navire jusqu'au 1 Février, comme vous avez dû le voir dans le rapport du Capitaine Dutôt.

Dès ce moment nous fûmes retenus dans cette rivière, partie par nos affaires, partie par le maladie du Capitaine, second, et de tout l'équipage, jusqu'au mois d'Avril, que nous fûmes alors en état de partir; mais en descendant la rivière un événement assez grave et très factieux pour notre commerce, et qui a porté atteinte aux intérêts de mes armateurs, m'obligea de m'arrêter et d'y séjourner jusqu'aux premiers jours de Juin.

Le 28 Avril des embarcations de guerre Anglaises, de la corvette "*l'Iris*," de Sa Majesté Britannique, entrèrent en rivière, se rendirent à l'établissement de la dame veuve Lightbourn, habitante indigène, et lui brûlèrent toutes ses propriétés, maisons, magasins, et marchandises—tout fut réduit en cendres. J'avais consigné à la Dame Lightbourn des marchandises, dont la valeur s'élevait à la somme de 2194 21 dls., 10,971 05 frs., suivant son reçu du 20 Avril. Ces marchandises ont subi le même sort; cette maison s'est trouvée dans l'impossibilité de satisfaire à ma réclamation.

Madame Lightbourn, ainsi que ses deux fils, furent pris et emmenés à bord de la corvette, mouillée en mer à deux ou trois lieues au large de l'embouchure. Elle n'obtient sa liberté et celle de ses enfans que par un rachat de neuf noirs pris parmi ses domestiques.

Cet événement, qui a consommé la ruine de cette famille, préjudicie à nos intérêts et atteint également des commerçans Américains et Anglais, qui y ont perdu des sommes considérables. On évalue la perte à plus de 100,000 francs.

J'ai l'honneur de vous remettre, ci-inclu, le certificat de Madame Lightbourn, signé de tous les habitans notables et commerçans dans le pays, ainsi que la facture de mes marchandises, signée et servant de reçu, et une petite lettre de son fils, qui m'annonçait l'événement à son retour de la corvette, venant prendre les noirs qu'exigeait le Commandant pour le rachat. Ces pièces sont accompagnées des traductions en Français.

Nous espérons, Monsieur le Gouverneur, que la protection du Gouvernement nous sera acquise pour obtenir le prompt dédommagement que nous sommes en droit d'attendre du Gouvernement Anglais, et l'appui que vous n'avez cessé de donner aux pauvres commerçans pendant votre long séjour au bas de la côte.

Je suis, &c.

(Signé) R. VALANTIN.

Pour copie conforme,

(Signé) *Le Capitaine de Vaisseau, Gouverneur,*
MONTAGNES DE LA ROQUE.*M. le Gouverneur du Sénégal,*
&c. &c. &c.

(Translation.)

Saint Louis, August 20, 1841.

M. LE GOUVERNEUR,

HAVING set out from Havre, the 2nd of last December, for the lower part of the coast, on board the galliot "*La Fourmi*, of Rouen, fitted out by Messrs. P. A. Pouchet and Son, merchants of the same town, I tarried here for a few days to speak to M. Pensel, the consignee, and hence to Gorée, whence I set out on the 22nd January. I entered Rio Pongo on the 29th, where a person named Bourama took possession of the vessel until the 1st of February, as you may have seen in the Report of Captain Dutôt.

From this time we were detained in this river, partly by business, partly by

CLASS C.

the illness of the captain, the second in command, and all the crew, till the month of April; that we were then ready to set out. But in descending the river a rather serious event—very annoying for our commerce, and which has inflicted an injury on the interests of my laders—obliged me to stop and to remain here until the 1st of June.

On the 28th April some English boats-of-war, belonging to Her Britannic Majesty's corvette "Iris," entered the river, made for the establishment of the widow Lightbourn, a native inhabitant, and set fire to all her property—house, warehouse, and goods—all were reduced to ashes.

I had consigned to Mrs. Lightbourn the goods, the value of which amounted to the sum of 2194 21 dls. 10,971 05 frs., according to its receipt of the 20th April. These goods have undergone the same fate. This house has been unable to satisfy my complaints.

Mrs. Lightbourn, as well as her two sons, were seized and taken on board the corvette, which was at anchor at sea two or three leagues from the mouth of the river.

She only obtained her liberty, and that of her children, by a redemption of nine slaves, taken among her servants.

This event, which has caused the ruin of this family, is prejudicial to our interests, and equally affecting the American and English merchants, who have lost considerable sums therein. The loss is valued at above 100,000 francs.

I have the honour to send you, enclosed, the certificate of Mrs. Lightbourn, signed by all the respectable and commercial American inhabitants in the country; as well as the invoice of my merchandise, signed, and instead of a receipt; and a small note from her son, who announced to me the event, on his return from the corvette, coming to take the blacks which the Commandant required for their redemption. These documents are accompanied with translations in French.

We hope, M. le Gouverneur, that the protection of the Government will be obtained for us, in order to obtain the prompt indemnity that we have a right to expect from the English Government, and the support you have unceasingly given to the poor merchants during your long stay on the lower part of the coast.

I am, &c.

(Signed) R. VALANTIN.

A true copy,

The Captain of the Vessel, Governor.

(Signed) MONTAGNES DE LA ROQUE.

The Governor of Senegal,
&c. &c. &c.

Second Enclosure in No. 62.

(Extract.)

Rio Pongo, Mai 15, 1841.

Ceci est pour certifier que moi, Isabella Lightbourn, affirme et déclare que, par suite de la perte entière de ma fortune, causée par la destruction totale de mes maisons et magasins, avec tout ce qui y était contenu, par cinq embarcations de guerre Anglaises, vers le 28 Avril dernier, les dites embarcations appartenans au corvette "l'Iris" et un brick mouillés au large de cette rivière, je me trouve dans l'impossibilité de satisfaire à la réclamation qui m'est faite par M. René Valantin, subrécargue de la goëlette Française la "Fourmi," de Rouen, expédiée par MM. P. A. Pouchet et Fils, propriétaires de la dite goëlette et cargaison. Je déclare que la dite réclamation est pour des marchandises qu'il m'avait consignées pour vendre pour son compte, dont la valeur totale s'élève à la somme de 2194 gourdes 21 sous, comme le constate le reçu donné en mon nom et daté du 20 Avril, 1841.

(Signé) Pour ISABELLA LIGHTBOURN,
STILE LIGHTBOURN.

Nous soussignés, résidans et traitans à Rio Pongo, certifions la véracité de la déclaration ci-dessus.

(Translation.)

River Pongo, May 15, 1841.

THIS is to certify that I, Isabella Lightbourn, affirm and declare that in consequence of the entire loss of my fortune, which was caused by the total destruction of my houses and stores, with all their contents, by five English boats, about the 28th of April last, the said boats belonging to the sloop of war "Iris" and a brig of war anchored off the mouth of this river, I am now unable to meet the demand made upon me by M. René Valentin, supercargo of the French schooner "*Fourmi*," of Rouen, despatched by Messrs. P. A. Pouchet and Sons, owners of the said schooner and cargo. I declare that the said demand is made for goods which he had consigned to me for sale for his account, and of which the value amounts to the sum of 2194 dollars 21 sous, as shown in the receipt given in my name, and dated the 20th April, 1841.

(Signed) For ISABELLA LIGHTBOURN,
STILE LIGHTBOURN.

We, the undersigned residents and traders in the river Pongo, certify the truth of the above-mentioned declaration.

(Signed, &c.)

Third Enclosure in No. 62.

(Traduction.)

*Liste des Marchandises envoyées au Magasin de Madame Lightbourn
à Farrengha.*

	Dols.	Cents.	Dols.	Cents.
24 douzaines Mouchoirs rouges	2	60	62	0
12 pièces Sucreton	3	0	36	0
12 do. do. bleu de ciel	3	0	36	0
12 do. Calicot rouge	3	0	36	0
12 pièces Sucreton à points blancs	3	50	42	0
18 do. Nicanio rouges	4	50	81	0
18 do. Indienne, Cap. Dick, 897 $\frac{1}{4}$ yards	0	16	95	56
15 do. Fautas	3	50	52	50
16 do. Indienne fine (259m. 20)	4	50	72	0
24 do. Siamoise	3	50	84	0
45 do. Romals et lom Coffee	2	0	90	0
24 do. Liménéas	4	50	108	0
50 do. Guinée blanche (coupes de 12 yards)	2	0	100	0
4 paires pagnes blancs à bords rouges	3	0	12	0
4 do. do. do.	4	0	16	0
6 do. do. brochés	6	0	36	0
6 do. do. brochés avec rouge	8	0	48	0
4 do. do. superieurs	12	0	48	0
3 douzaines Chemises de couleur	12	0	36	0
12 caisses Limonade Jazeuse	3	0	36	0
36 pièces Guinée bleu de l'Inde	4	0	144	0
24 do. do. do. Rouen	4	50	108	0
25 Fusils towar	4	25	106	25
4 douzaines Madras	4	0	16	0
12 do. Cadnas	2	0	24	0
10 do. Clochettes	2	0	20	0
6 do. Mouchettes ou coutelas	3	0	18	0
4 sacs plomb à gibayer, ensemble 80lb.	3	50	18	80
10 douzaines Tabatières en étain	1	20	12	0
6 do. Ciseaux communs	1	0	6	0
6 do. Rasoirs do.	2	0	12	0
25 pièces Mouchoirs bleus, imprimés blanc et Turkey red	2	50	62	50
4 barils, ou 400lb., Poudre, comme suit :				
4 petits barils de 25lb. 100lb. }				
2 do. do. 50 100 } à 20 dol. le baril			80	0
8 do. do. 12 $\frac{1}{2}$ 100 }				
5 do. do. 20 100 }				
Carry forward			1754	61

		Brought forward		1754	61
25	Fusils long deane	4	50	112	50
25	do. Birding	4	50	112	50
12	do. Français simples	5	0	60	0
8	paires Souliers pour homme	2	50	12	0
6	douzaines pots de Pommade	3	0	18	0
6	do. Huile Antique	3	0	18	0
6	paniers Anizette	1	50	9	0
4	caisses Liqueur Maraschino	7	0	28	0
4	do. do. assorties	6	0	24	0
6	paniers Bierre	2	50	15	0
6	caisses Vin Blanc	5	0	30	0
				2193	61

Village de Bangalong, Rio Pongos, 20 Avril, 1841.

(Signé)

Pour ISABELLA LIGHTBOURN,
STILE E. LIGHTBOURN.

MONSIEUR,

JE vous envoie votre liste, que j'ai signé pour ma mère. Vos marchandises resteront en magasin jusqu'à votre retour de Rio Nunes; et je ferai tout mon possible d'en vendre autant qu'il sera à mon pouvoir.

(Signé)

STILE E. LIGHTBOURN.

Pour copie conforme à l'original déposé aux archives de la colonie,

*Le Capitaine de Vaisseau, Gouverneur du Sénégal
et de ses Dépendances,*

(Signé)

MONTAGNES DE LA ROQUE.

Mem.—This paper was addressed outside to Monsieur René Valentin, à bord de a "Fourmi," Bangalong.

Fourth Enclosure in No. 61.

MONSIEUR,

Farringo, 3 Mai, 1841.

CELLE-ci est pour vous informer que notre village a été brûlé par des embarcations de guerre Anglaises avant hier; ma mère, John, et moi même, avons été pris et conduits à bord du navire de guerre, elle est à bord. Je suis envoyé pour affaire particulière, et je dois retourner à bord à la marée du soir.

N'ayant pas le temps de vous écrire plus longuement,

Je suis, &c.

(Signé)

STILE LIGHTBOURN.

Pour copie conforme à l'original déposé aux archives de la colonie,

*Le Capitaine de Vaisseau, Gouverneur du Sénégal
et Dépendances,*

(Signé)

MONTAGNES DE LA ROQUE.

SIR,

Translation.

THIS is to inform you that our village was yesterday burnt by English man-of-war's boats. My mother, John, and myself were taken and carried on board the man-of-war. She is on board. I am sent on a particular business, and must return on board at the evening tide. Not having time to write to you more at length,

I am, &c.

(Signed)

STILE LIGHTBOURN.

No. 63.

Lord Cowley to the Earl of Aberdeen.

Paris, November 26, 1841.

(Received November 29.)

MY LORD,

I HAVE the honour to state to your Lordship that, in obedience to the instructions conveyed in your Despatch of the 19th instant, I have addressed a representation to Monsieur Guizot, demanding the release of the two negroes who were seized by an officer of the French brig of war "Nisus," in the River Gambia, and who are supposed to be retained in slavery at Goree.

My representation to M. Guizot was accompanied by copies and extracts of such portions of the correspondence enclosed in your Lordship's despatch above

mentioned as I considered it expedient to communicate to the French Government in support of my demand.

I will not fail to communicate to your Lordship the answer from M. Guizot, as soon as I shall have received it, together with my representation to His Excellency.

I have also the honour to acknowledge the receipt of your Lordship's Despatch of the 20th instant.

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

I have, &c.
(Signed) COWLEY.

No. 64.

The Earl of Aberdeen to Count St. Aulaire.

M. LE COMTE,

Foreign Office, December 1, 1841.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 24th instant, enclosing copies of papers relating to proceedings of Her Majesty's brig "Iris," in the River Pongo, by which it is alleged that a lady of the name of Lightbourn suffered unjustly a very severe loss.

Your Excellency's communication will be transmitted to the proper department for inquiry into the circumstances of the transaction referred to in them; and as soon as I shall be made acquainted with the result of that inquiry I shall have the honour to address your Excellency further upon the subject.

I have, &c.
(Signed) ABERDEEN.

His Excellency Count St. Aulaire,
&c. &c. &c.

No. 65.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 6, 1841.

WITH reference to the correspondence which took place in the year 1840 between Viscount Palmerston and Her Majesty's Ambassador at Paris, relative to the purchase of slaves on the coast of Africa for the military service of the French Colonies, I herewith transmit to your Excellency, for your information, copies of notes which have passed between the French Embassy and this office, upon the subject of a claim made by the French Government for reparation for the seizure and condemnation of the French vessel "Sénégalie," which was employed by the French authorities at Goree to bring negroes to that colony.

I am, &c.
(Signed) ABERDEEN.

His Excellency Lord Cowley, G.C.B.
&c. &c. &c.

Enclosures in No. 65.

1. *Viscount Palmerston to M. Guizot, August 5, 1840.*
(See Class C, 1840, No. 11, p. 43.)
2. *M. Bourqueney to Viscount Palmerston, December 17, 1840.*
(See No. 291.)
3. *M. Bourqueney to Viscount Palmerston, January 31, 1841.*
(See No. 30.)
4. *The Earl of Aberdeen to Count St. Aulaire, November 17, 1841.*
(See No. 60.)

No. 66.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 20, 1841.

I HAVE the honour to acquaint your Excellency, by Her Majesty's command, that I have this day signed, on the part of Her Majesty, with the Pleni-

HANSE TOWNS.

No. 70.

Mr. Wesselhoeft to John Bidwell, Esq.

Hamburgh, March 30, 1841.

(Received April 2.)

SIR,

I DEEM it my duty to mention to you, for the information of Viscount Palmerston, a report recently much discussed here, of a Hamburgh vessel, called the "*Echo*," Captain Sohst, having been detected in the Slave Trade, and carried back to Sierra Leone, when on the point of sailing, by two armed boats, upon an order of the Governor.

I have seen Mr. Syndic Sieveking to make further inquiry, but he informs me that the Senate have had no official intelligence on the subject, but are anxious to learn from the British Government the particulars of the case, if it should be founded on truth.

The sole owner of the said brig, Mr. J. F. Ballauf, a respectable merchant of this place, has thought it necessary to give an account of the circumstances in one of our public papers, in order, I suppose, to do away with the unpleasant impression which the report has created against him in the public mind. I take the liberty of giving in substance to you his recital of the case in his own words:—

"The Hamburgh brig "*Echo*," Captain Sohst, was freighted for American account, in November last, to take a cargo of rum and tobacco from Havanah to New Sester in Guinea, an American colony.

"After having delivered his cargo the captain took passengers for Havanah, whom he got from the English man-of-war "*Wonder*," which was stationed off New Sester. He proceeded from thence, without being accompanied by a man-of-war or cruizer, to the English colony Sierra Leone, where he arrived on the 9th of January, and received more passengers, who were provided with passports, from the authorities, for Havanah. The brig was cleared on the 12th of January for Havanah, and obtained all the papers necessary to that effect. Early on the morning, when the "*Echo*" had already weighed her anchors, the brig, upon a special order of the Governor, was carried back into port by means of two armed boats. According to a letter from Captain Sohst, dated 16th January, he had, in spite of his reiterated inquiries and even his protest, not been able to ascertain the cause of such proceeding."

I shall not fail to acquaint you of any new circumstances which may come out hereafter.

I have, &c.
(Signed) CHS. WESSELHOEFT,
Acting British Consul.

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

No. 71.

Viscount Palmerston to Mr. Wesselhoeft.

Foreign Office, April 15, 1841.

(Circular sending Treaty with Argentine Confederation.)

(See No. 1.)

No. 72.

Lord Leveson to Mr. Wesselhoeft.

SIR,

Foreign Office, April 21, 1841.

I RECEIVED and laid before Viscount Palmerston your Despatch of the 30th ultimo; and I am directed by Viscount Palmerston to state to you that no information has yet reached Her Majesty's Government relative to the detention of the Hamburg vessel "*Echo*" at Sierra Leone, but that as soon as a statement of the facts shall be received they will be communicated to you for the information of the authorities of Hamburg.

Chas. Wesselhoeft, Esq.
&c. &c. &c.

I am, &c.
 (Signed) LEVESON.

No. 73.

*Viscount Palmerston to Mr. Wesselhoeft.**Foreign Office, April 22, 1841.*

(Circular sending Convention with Hayti.)

(See No. 2.)

No. 74.

*Mr. Wesselhoeft to Mr. Bidwell.**Hamburg, May 7, 1841.*

SIR,

(Received May 10.)

I AM again under the necessity of addressing you, for the information of Viscount Palmerston, on the subject of a Hamburg vessel called the "*Louise*," Captain Boyes, having been detained by Her Majesty's brig "*Grecian*" on the high sea, in the neighbourhood of Rio de Janeiro, suspected to have violated the Treaty which Great Britain has concluded with the Hanse Towns for the abolition of the Slave Trade.

The reports on the subject were so various, and differed so much, that, in order to obtain the most correct information, I resolved at once to call on the owner of the vessel, with whom I am personally acquainted, and who bears a most respectable character in this place. He has been good enough to furnish me with the following extracts of letters, received by him from the merchants at Rio de Janeiro who loaded the "*Louise*," and also from the captain of the vessel in question. As these, I believe, are the only official accounts which have reached this place, I take the liberty of quoting from them as follows:—

1. Extract of Captain Boyes' letter to his owner, Mr. Ferdinand Blass, at Hamburg, dated Rio de Janeiro, 10th February, 1841.

"The nature of my freight is, after having taken in ballast and water for four or five months, to load here a *lawful cargo* (term sixty receiving and discharging days), and to discharge the same at Benguella on the coast of Africa. I am to receive for it 4000 dollars; 2000 of which will be paid when the vessel is laden, and the remainder sixty days after the vessel has sailed, payable here at Rio. I believe it will be necessary to inform the underwriters on the vessel of the nature of the present voyage, as it strikes me that formerly a higher premium was paid for it; and, if not, it will prevent ulterior dispute. I hope to perform this voyage within three months, taking a cargo of salt at the Cape Verde Islands on my home-bound voyage. As the freighters of my vessel here hope to be able to procure for me a cargo for Lisbon, I have been obliged to lay in provisions for several months, and to buy from ten to fifteen water-casks, as no water is to be got there."

2. Extract of a letter from Messrs. Priaux and Tupper to Mr. Ferdinand Blass at Hamburgh, dated Rio de Janeiro, the March 1, 1841.

“ Confirming the copy of our last respects, we have to inform you that your bark “*Louise*” sailed on the 25th ultimo for Benguello; but we have the unpleasant intelligence to add, that she was that same day detained on the high sea by Her Britannic Majesty’s brig “*Grecian*,”—why, we know not; and what has become of her, we know not. All our inquiries have been in vain. She sailed with regular clearances from this Government, as well as from the Hamburgh and Portuguese Consuls. The charterer assures us that she has no illegal goods on board. Report says that the brig is overhauling the bark’s cargo a few leagues to the southward of this place. Mr. Stocknuyer, the Hamburgh Consul, has addressed Mr. Ouseley, the British Chargé d’Affaires, but up to this moment no answer has been given. Mr. Stocknuyer addresses the Senate of Hamburgh on this subject per present packet. Should anything illegal be found on board the “*Louise*,” she will, we believe, be sent to Cuxhaven for adjudication.”

Having nothing further to add,

I have, &c.

CHS. WESSELHOEFT,
Acting British Consul.

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

No. 75.

Mr. Colquhoun to Viscount Palmerston.

St. James’s Place, May 10, 1841.

(Received May 11.)

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of a letter from Mr. Fox, Hanseatic Vice-Consul at Plymouth, announcing the arrival at that port of a Hamburgh vessel, the “*Louise*,” Captain Bloye, detained on the coast of Brazil by Her Majesty’s ship “*Grecian*” (who put on board an officer and 12 seamen), on suspicion of being employed for the Slave Trade.

I have very respectfully to solicit that your Lordship will be pleased to give instructions that the “*Louise*” may be dealt with according to the provisions of the Slave Trade Abolition Treaty between Great Britain and the Hanse Towns.

I have, &c.

(Signed) J. COLQUHOUN,
Agent and Consul-General for the Hanse Towns.

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

Enclosure in No. 75.

Mr. Fox to Mr. Colquhoun.

ESTEEMED FRIEND,

Plymouth, May 9, 1841.

I HAVE now to acquaint you that the Hamburgh barque “*Louise*,” Captain Boye, was this day brought into this port, in charge of an officer and 12 seamen, put on board by the captain of Her Majesty’s ship “*Grecian*,” who detained this vessel on the coast of Brazil, on her voyage from Rio to Benguela—it is said upon suspicion of being engaged in the Slave Trade.

On her arrival my clerk was refused all intercourse with the captain; but on my application to the Port Admiral he has been allowed to go on board the “*Louise*,” and Captain Boye’s statement to him is to the effect that, finding no produce for Europe, he chartered his vessel to load at Rio for Benguela, intending to take back salt, and then load for Hamburgh; that soon after sailing from Rio he was boarded by Her Majesty’s ship “*Grecian*,” detained, the

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cargo all turned over, every package ransacked to find articles suited for the Slave Trade; and after much rough usage sent to Europe.

When we can get Captain Bloye on shore, I shall attend to his protest, and give him my advice and aid to protect his owners from what appears to be a great stretch of power. In the mean time my house will acquaint Captain Bloye's owner at Hamburgh, F. Blass, and his correspondent in your city, H. Sellim, of this most unpleasant event; and I shall esteem your advice as to any further steps you may think desirable.

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

James Colquhoun, Esq.,
&c. &c. &c.

No. 76.

Mr. Wesselhoeft to Mr. Bidwell.

Hamburgh, May 11, 1841.
(Received May 14.)

SIR,

I HAVE the honour to enclose, for the information of Viscount Palmerston, the copy of a letter received this morning from the acting British Vice-Consul, Mr. Boyes, of Bremen (Mr. Pearkes, the Vice-Consul, being unavoidably absent at this moment), reporting the arrival in the Weser of Lieutenant James P. Thurburn, with the Bremen barque "*Julius and Edward*," Captain R. Siedenburg, from the West Coast of Africa, on the suspicion of carrying unlawful cargo destined for use in the Slave Trade; and Mr. Boyes has requested me to inform him if anything particular is necessary to be done.

Being without instructions myself on that subject, I have returned for answer that he must give Lieutenant Thurburn all the protection and assistance which he may stand in need of upon this occasion; and that I would immediately request Viscount Palmerston's further instructions on the subject.

I consequently request the favour of you to obtain his Lordship's commands, and communicate the same to me as soon as possible.

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

I have, &c.
(Signed) CHS. WESSELHOEFT.

Enclosure in No. 76.

Copy of a Letter from Mr. James B. Boyes, the Acting British Vice-Consul at Bremen, dated May 10, 1841, to Mr. Charles Wesselhoeft, at Hamburgh.

I THINK it my duty to advise you that Lieutenant James P. Thurburn has brought into the Weser the Bremen barque "*Julius and Edward*," Captain R. Siedenburg, from the West Coast of Africa, on the suspicion of carrying unlawful cargo destined for use in the Slave Trade.

Lieutenant Thurburn has addressed himself to me; and as this is the first case of the kind, I beg you will by return mention to me if anything particular is necessary to be done.

Lieutenant Thurburn will denounce the case to-morrow morning to the court of justice.

Awaiting your kind advice upon this case, by return of mail,
I remain, &c.

No. 77.

Lord Leveson to Mr. Wesselhoeft.

SIR,

Foreign Office, May 26, 1841.

I AM directed by Viscount Palmerston to acknowledge the receipt of the letter which you addressed to Mr. Bidwell on the 11th instant, enclosing a copy

of a letter from Her Majesty's Acting Vice-Consul at Bremen, announcing that the Bremen barque "*Julius and Edward*," captured on the West Coast of Africa, on suspicion of Slave Trade, had arrived in the River Weser, and inquiring if anything particular is necessary to be done by him in the case.

I am to state to you in reply that, assuming that Lieutenant Thurburn has reason to believe that the vessel was engaged in the Slave Trade, or had been fitted out for that traffic, and that Lieutenant Thurburn was furnished with instructions authorizing him to detain such vessels under the Treaty of the 8th of June, 1837, with the Hanse Towns, it is now the duty of Lieutenant Thurburn to deliver over the vessel in question to the proper authorities at Bremen, in order that proceedings may be there instituted in regard to her according to the law of that country; and also to deliver to those authorities a copy signed by him of all the lists, declarations, and other documents specified in the instructions annexed to the Convention with France of the 22nd of March, 1833.

But I am to add that, under the circumstances, it does not appear that Her Majesty's consular authorities, either at Hamburgh or Bremen, are called up to interfere in the matter, otherwise than by giving their best advice upon the subject, if required.

Charles Wesselhoeft, Esq.,
&c. &c. &c.

I have, &c.
(Signed) LEVESON.

No. 78.

Mr. Colquhoun to Viscount Palmerston.

St. James's Place, May 24, 1841.

(Received May 26.)

MY LORD,

I HAVE the honour to transmit a copy of a letter received from Mr. Sieveking, Syndic Secretary of State for Foreign Affairs at Hamburg, instructing me to apply officially for information on the subject of the "*Echo*," of Hamburg, detained at Sierra Leone on a charge of Slave Trading, and cited before a Court of Vice-Admiralty there, in alleged contravention of the Hanseatic treaty for the abolition of the Slave Trade.

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

Enclosure in No. 78.

M. Sieveking to Mr. Colquhoun.

SIR,

Hamburg, May 21, 1841.

THE Hamburg barque "*Echo*," Christian Gottlieb August Sohst, master, having lawfully cleared out from the port of Sierra Leone for Havana, was on the 13th of January, when in charge of the pilot, ordered back into the harbour, and prosecuted in a Vice-Admiralty Court, under the pretence of having been engaged in and fitted out for the Slave Trade, and otherwise aiding and abetting the Slave Trade, contrary to an act passed in the 5th year of the reign of George IV. The owner of the said barque, Frederick Ballauf, a Hamburg citizen, complains of a stretch of power, which, according to Art. 1., sub. 1. of the Slave Trade Suppression Treaty between Great Britain and France, bearing date 30th of November, 1831, to which the Hanse Towns acceded on the 9th of June, 1837, he considers contrary to Articles 2, 4, 6, 7 of the said treaty, Article 3 of the Instructions to Cruisers annexed to the subsequent Convention of March 22, 1833, and Article 2 of the Hanseatic Treaty of Accession.

The Senate of Hamburg, concurring most earnestly with Her Britannic Majesty's Government in the humane object of these treaties, but owing, on the other side, protection to the lawful navigation of Hamburg citizens on the coast

of Africa, as well as in less suspicious quarters, authorises you to inquire officially into the merits of the case.

I have, &c.
(Signed) K. SIEVEKING.

James Colquhoun, Esq.,
&c. &c. &c.

No. 79.

Mr. Wesselhoeft to Mr. Bidwell,

Hamburgh, 25 May, 1841.

(Received May 28.)

SIR,

I HAVE the honour to enclose, for the information of Viscount Palmerston, the copy of a letter from Lieutenant Thurburn, of Her Majesty's sloop "Persian," on the subject of the trial now pending at the courts of Bremen, of the Bremen bark "*Julius and Edward*," for aiding and abetting in the Slave Trade.

I likewise enclose a copy of Mr. Symonds's declaration, setting forth all the circumstances under which the said bark "*Julius and Edward*" has been seized by him, contained in Lieutenant Thurburn's letter.

Lieutenant Thurburn has expressed a request, as you will observe from his letter, to obtain evidence from England about an American vessel called the "*Plant*," which was condemned last year at Sierra Leone for being engaged in the Slave Trade, and especially of Mr. Tyng having been the owner of the cargo, as a proof of his being engaged in that trade. Mr. Tyng is likewise the shipper of the cargo of the "*Julius and Edward*," now under trial. He thinks that a document drawn up to that effect at the Foreign Office, which will most undoubtedly be acquainted with the circumstances, will be of use to him in the prosecution of the present case.

I have, &c.
(Signed) CHS. WESSELHOEFT,
Acting British Consul.

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

First Enclosure in No. 79.

Copy of a Letter from Lieutenant James Thurburn, of Her Majesty's sloop "Persian," to Mr. Charles Wesselhoeft, dated Bremen, May 22, 1841.

SIR,

WHEN writing my last letter I was rather pressed for time. I now take the liberty of forwarding you a copy of the Commander of the "Persian's" declaration; the grounds of suspicion and detention therein specified have already been proved to the Court, viz. the water-casks and demijohns found capable of containing, by the measure of this place, about 3460 English gallons, the slave-tins, by my evidence, and of the men under my charge, are sufficient for a vessel carrying 600 slaves, the coppers are larger than necessary for a merchant-vessel, and still it appears to me that they wish to liberate the vessel.

I should feel obliged if you would procure evidence from England of an American vessel, called the "*Plant*," which was condemned at Sierra Leone last year for being engaged in the Slave Trade, as Mr. Tyng was the owner of the cargo, and it would prove his being engaged in that trade: no doubt the papers relating to her have been in England some time, and at the Foreign Office they could easily draw up a document to that effect.

I forwarded a letter of introduction to Syndic Sieveking, and requested him to give me his opinion on this subject, as he will feel interested in the punctual fulfilment of the treaty, being the plenipotentiary for the Hanse Towns in drawing it up, and should you be acquainted with him, you may be able to get him to urge the matter with the Senate of this place, particularly as they do not seem to understand the treaties; the word *kids* has puzzled Judge Iken, although I have explained to him the definition of it on board ship, viz. an article made of metal, usually tin, for eating or drinking out of, and those on board the "*Julius and Edward*" are the same as in all slave-vessels.

I shall thank you to inform me the names of the officers in charge of the vessels detained under the Hamburgh colours, and to the likely mode of proceeding for their trial.

I am, &c.

Charles Wesselhoeft, Esq.,
&c. &c. &c.

(Signed) JAMES THURBURN.

(Copy.)

Second Enclosure in No. 79.

I, THOMAS EDWARD SYMONDS, acting Commander of Her Majesty's sloop "Persian," hereby declare, that on the 15th day of February, 1841, off Cabenda, W. coast of Africa, being in or about lat. 5° 36' S., long. 11° 44' E., I detained the bark named the "*Julius and Edward*," sailing under Bremen colours, commanded by R. Siedenburg, who declared her to be bound from Havana to Cabenda, with a crew consisting of 11 men, 2 boys, and 2 passengers, whose names, as declared by them respectively, are inserted in a list at foot hereof; I do further declare that the said bark appeared to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said crew on their destined voyage to Cabenda.

I further declare, that I discovered on searching the said vessel that she carries a much greater quantity of water in casks than is requisite for her use as a merchant-vessel, they being capable of containing upwards of 4000 gallons, being equal to eight months' consumption, at one gallon per man per diem, which is contrary to the 6th Paragraph of the 6th Article of Supplementary Convention of the 22nd of March, 1833, agreed to under the accessory Convention of the free and Hanseatic cities of Lubeck, Bremen, and Hamburgh, signed at Hamburgh the 9th of June, 1837. I further declare that her cargo is shipped by Mr. Charles Tyng, of Havana, a well-known shipper of slave-cargoes (the "*Persian*" having already seized and condemned in the Court of Sierra Leone a vessel under American colours, with a cargo belonging to the said Mr. Tyng, intended for the use of the Slave Trade), and that the said cargo is Spanish property, and consigned to Spanish slave-dealers on the coast of Africa; and I further declare it to be my firm and conscientious belief that the said cargo is intended to aid and abet the Slave Trade, inasmuch as it consists amongst other things of an immense number of tins used by the slaves on board ship, and known by the term slave-tins; she has also a large number of empty bags for the shipment of farina, Indian corn, or rice, such as are generally found in slavers; she has also 200 demijohns, neither for which, nor the extra number of water casks, does the master produce a certificate from the custom-house at the place at which she cleared outwards, stating that a sufficient security had been given by the owner of such vessel that such casks or other vessels should only be used for the reception of palm-oil, or be employed in any other legal trade, agreeably to the 6th Paragraph already referred to; and although her coppers appear to have been shipped at Bremen, still they are evidently larger than requisite for her crew as a merchant-vessel.

List of crew—

R. Siedenburg, *Master*,

&c.

(Signed) THOS. E. SYMONDS, *Acting Commander*.

Witness,—

JAMES THURBURN, *Lieutenant*.

JOHN BURDWOOD, *Master*.

No. 80.

Mr. Bidwell to Mr. Colquhoun.

SIR,

Foreign Office, June 1, 1841.

I AM directed by Viscount Palmerston to acknowledge the receipt of your Letter of the 24th instant, requesting information on the subject of the "*Echo*," of Hamburgh, said to have been detained at Sierra Leone on a charge of slave-trading; and I am to state to you in reply that no information has yet

reached this office relative to the detention of the vessel in question at Sierra Leone ; but as soon as a statement of the facts shall be received it will be communicated to you for the information of the authorities of Hamburg.

I am, &c.

To James Colquhoun, Esq.
&c. &c. &c.

(Signed) JOHN BIDWELL.

No. 81.

Mr. Colquhoun to Viscount Palmerston.

St. James's Place, June 2, 1841.

(Received June 7.)

MY LORD,

I HAVE the honour to transmit to your Lordship a Copy of a Letter from Mr. Syndicus Sieveking, containing the copy of a petition to the Senate, from the owners of the bark "*Echo*," of Hamburg, with the copy of a letter from Captain Sohst, the master, stating the circumstances attending the seizure and condemnation of the vessel at Sierra Leone on a charge of slave-trading.

I transmit also translations of the petition and letter before mentioned.

I have the honour to acknowledge and to thank your Lordship for the assurance, through Mr. Bidwell, that you would communicate, as soon as received by your Lordship, information as to the detention of the "*Echo*," in reply to my letter enclosing a copy of one from Mr. Syndicus Sieveking, desiring me to make inquiries relating thereto.

The more than cordial co-operation on the part of the Senates, and the immediate ratification of the Slave Trade Suppression Accession Treaty by the respective burghershafts, evinced their anxiety to promote the views of Her Majesty's Government ; indeed the traffic is held in the greatest detestation in the Hanse Towns, no Hanseatic vessels having even incurred the imputation of being accessory to the Slave Trade, and are unfit for it, being heavy sailors.

To receive, then, intimations within a period of three weeks that three Hanseatic vessels had been seized for slave-trading, and that one of them had been condemned and sold, on the evidence of a boy of bad character to what the master declares to be untrue, viz. that he had false papers on board, none having been found on ransacking the vessel, while the master and mate were imprisoned, in a climate sufficiently fatal to Europeans without that confinement, contrary, it is maintained, to law and to the Treaty of Accession—has produced almost painful sensation among the shipping and commercial community in the Hanse Towns, who feel that there can be no safety at present in visiting British ports in, or in carrying on a legal trade on, the coast of Africa, even their legitimate trade with Brazil, Puerto Rico, and Havannah, whither vessels fitted up for emigrants going lawfully in search of return cargoes may be interrupted, and their vessels detained on suspicion, and sent home for adjudication.

I am, therefore, instructed very respectfully to address myself to your Lordship, to request that you will be pleased to procure for the authorities at Hamburg a copy of the proceedings of the Vice-Admiralty Court at Sierra Leone, in conformity with the 10th Article of the French Slave Trade Suppression Convention of the 22nd March, 1833, annexed ; and it is the more desirable that this document should be furnished as early as possible, in order that the facts of the case, as established before the Sierra Leone tribunal, may be known in the Hanse Towns, for the future guidance of those interested.

I take this opportunity of sending a copy of a correspondence which has passed between Lieutenant Thurburn, of the "*Persian*," and Mr. Secretary Syndicus Sieveking, on the detention of the "*Julius and Edward*," of Bremen, fitted up and used as an emigrant vessel, accused of slave-trading, from the similarity of their equipment.

I have, &c.

(Signed)

J. COLQUHOUN.

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

Article 10 (Herslet, vol. iv, p. 120).—"The two Governments engage reciprocally to communicate each to the other, free of expense and upon application being made, copies of all the proceedings instituted, and judgments given, relative to vessels visited or detained in execution of the provisions of the Convention of the 10th November, 1831, and of the present Convention."

First Enclosure in No. 81.

Mr. Sieveking to Mr. Colquhoun.

SIR,

Hamburgh, May 28, 1841.

By my Despatch of the 21st instant you have been authorized to inquire officially into the case of the Hamburgh bark "*Echo*," Christian Gottlieb August Sohst, master, detained at Sierra Leone on suspicion of abetting the Slave Trade. From the enclosed petition, presented to the Senate by the owner of the said bark, to which is joined a letter from the master, it appears that the said bark has not been delivered over to the jurisdiction of Hamburgh, as from the Treaty of Accession the Senate might have expected, but has been condemned by a decision of the British Court of Vice-Admiralty. Without anticipating upon a more mature consideration of the case, and applying to it as yet the provisions of the 9th article of the Supplementary Convention between Great Britain and France, bearing date the 22nd of March, 1833, to which the Hanse Towns acceded, there is no doubt that the British Government will, in accordance with the 10th Article of the said Convention, communicate upon your application, with the least possible delay, and free of expense, copies of all proceedings and the judgment given on the said bark. This communication you are authorized to insist upon.

As soon as a formal declaration on oath of the master and crew concerning the abuses and vexations of which the former complains, or, if compulsory circumstances should prevent the master from making his declaration, that of the owner, or any person interested in the vessel or in her cargo, shall be laid before the British Government, an impartial inquiry into the first instance of the Hamburgh flag being committed by a connection with the Slave Trade can be the less dispensed with, as doubts on the demarcation between the legal and illicit traffic with the coast of Africa, if not dispelled, might, instead of securing the cordial co-operation of the commercial interest of Hamburgh, leave in their mind feelings by which the object of both Governments would ultimately be defeated.

I have, &c.

(Signed) K. SIEVEKING.

James Colquhoun, Esq.,
 &c. &c. &c.

Second Enclosure in No. 81.

(Translation.)

The humble Petition of Justus Frederick Ballauf, Owner of the Hamburgh bark "Echo," to the Senate of the free Hanseatic City of Hamburgh, concerning the said Vessel.

VENERABLE SIRS,

Hamburgh, May 26, 1841.

By the English post of the 21st instant, which arrived here on the 24th instant, I received the annexed letter from Captain Sohst, dated at Sierra Leone on the 14th March, informing me that the condemnation of the "*Echo*" was decreed by the Court there on the 5th of March, and that the sale of my fine and valuable vessel would take place in consequence of that judgment. The ground of the condemnation was, that the ship had had false papers. This communication must, of course, the more deeply have affected me, inasmuch as, if the ship has really been condemned for the reason stated by Captain Sohst, and therefore, which I cannot but assume, she has not been deemed a genuine Hamburgh vessel, but one carrying false and pretended Hamburgh papers, such a decision is erroneous, and consequently the condemnation of

my ship is an unjust one. The case must also appear harder, since, according to the same letter, the personal liberty, and, in consequence of the unhealthy climate, even the life, of the captain and chief mate, who were still there, are most seriously endangered.

I confidently trust, therefore, that the Senate will not confine itself to a mere inquiry from the British Government upon the affair of my ship, but be pleased to afford it its powerful mediation.

Referring generally to the details contained in my former petition, I take the liberty merely to repeat, that, as my ship, having cleared out in due form from the port of Sierra Leone, had already left that port at the time when she was taken back there, the seizure of her without doubt took place on that part of the coast pointed out in the first paragraph of the first article of the Convention of the 30th November, 1831; and that the tendency of the Treaty of Accession, next to the primary object, viz. to prevent slave-trading, is to protect the navigation of those states acceding to the Treaty against arbitrary seizures by foreign nations on those parts of the coast pointed out—seizures, which the law of nations does not justify.

I have, &c.
(Signed) J. F. BALLAUF.

Third Enclosure in No. 81.

(Translation.)

Mr. C. G. A. Sohst to J. F. Ballauf.

SIR,

Sierra Leone, March 14, 1841.

I REGRET that I have to communicate to you the unfortunate intelligence that on the 5th instant the "*Echo*" was condemned, and merely upon the lying assertion of the boy, H. Weidemann, that the ship had false papers on board. The "*Echo*" was most strictly examined, and several places in the cabin broken open, but nothing was found: and naturally so; because I neither had nor have had any false papers. But this circumstance will show how unjustly things are managed here. Every official person seeks only to enrich himself. The Governor certainly detained the "*Echo*," and had she been liberated he would have had to pay all the expenses; but as she is now condemned, and you will certainly gain the cause in England, or rather the underwriters, whom the matter now concerns, the English Government must pay all the compensation for losses.

On the 6th instant I was, without further ado, thrown into prison among thieves and murderers. Bail was refused. The prison is a place where the healthiest European must lose his health; and in my opinion it is the wish of the Governor that I should die here.

On the 8th instant my chief mate, P. T. Hausmann, was brought to the same prison. They wanted to get the second mate as well, but he had already sailed for London in an English vessel.

On the 9th instant Mr. J. Thorpe (Advocate) and Mr. Kitt (merchant) had so far succeeded with Dr. Volkersen, who had caused us to be arrested, that he accepted bail from those two gentlemen, and I was discharged in the evening.

The next day I attempted to get the mate liberated: I found that Mr. M'Donnell, the Governor's secretary, had caused him to be confined. So I went to the secretary; and when he saw me, he was surprised to find that I was out of prison. I offered him every possible bail from Mr. Thorpe and Mr. Kitt, which however he would not accept; and he assured me that if it had been in his power I should not have been let out of gaol. The poor fellow must therefore remain in confinement until the 20th or 24th instant, when the Grand Court is to be holden, where I must appear, and judgment be passed upon me. If I am found guilty, I know not what fate will await me; if I am declared innocent, I shall be discharged, and shall come to Hamburgh as soon as possible. I must, however, make my mind up for the worst in this place.

Since I have been let out of prison I have again had the fever to a very great degree: I am so enfeebled that I can scarcely walk.

The chronometer and telescope have been restored to me. The ship is to

be sold next week. Every thinking person perceives now that the affair of the "Echo" has been conducted in a most unjust manner, but no one has the courage or ventures to say so openly. Things here cannot be compared better than with those during the times of the Spanish Inquisition. The boy Weidemann has already done so many silly tricks here and falsified things, that he is now despised even by the common negroes.

Have the goodness to tell my wife that I expect soon to be in Hamburg; but pray do not let her know that I have been again ill, or that I have been imprisoned.

I have, &c.
(Signed) C. G. A. SOHST.

Mr. J. F. Ballauf, Hamburg.

Fourth Enclosure in No. 81.

Lieut. Thurburn to Mr. Sieveking.

SIR,

Bremen, May 20, 1841.

I TAKE the liberty of enclosing a letter of introduction from Dr. Bowring, and hope to have the pleasure of waiting on you on my way through Hamburg; at present I shall thank you for any advice which you would be kind enough to offer respecting the Bremen barque "*Julius and Edward*," which I have brought to this port, detained conformably to the existing Treaties on suspicion of being engaged in the Slave Trade.

The plain facts of the case are that the cargo was shipped at Havannah by a notorious slave dealer, Mr. Tyng, and consigned to slave dealers on the coast of Africa. She has on board a large quantity of tins for feeding slaves, sufficient for a vessel carrying 600 slaves; but the Court seem to hanker upon the word "tins," it not being mentioned in the Treaties, although the mess kids are generally made of that article, and which I have proved to the Court are the identical articles used on board all slave vessels. She has also a great quantity of water casks, and larger coppers than necessary for the use of her crew; for which the captain makes the excuse that she had been employed in conveying emigrants to America. This appears a very plausible excuse; but I do not think it ought to have any weight in passing sentence, as she is just the description of vessel which would entice a Spanish slave-dealer.

I have taken the liberty to remark to the Court that they must not be guided entirely by the actual articles on board, as specified in the Treaties, as few vessels engaged in this Trade have them on board, as they make all the shackles on the coast, the iron for which formed a large portion of the "*Julius and Edward's*" cargo.

Farina is an article which is obtained on the coast; therefore the "*Julius and Edward*" has brought a great number of bags for the shipment of it.

Half the evidence which has been brought against the "*Julius and Edward*" would condemn, and has condemned, English vessels; and if you can offer me any assistance in this case, I shall feel greatly obliged.

I beg you will excuse the liberty which I have taken in thus addressing you, but the anxiety which I feel, and the circumstance of your having formed the Treaties, will, I hope, plead an excuse.

I have, &c.
(Signed) JAMES THURBURN,
Lieutenant of Her Majesty's sloop "*Persian*."

His Magnificence Mr. Syndicus Sieveking,
&c. &c. &c.

Fifth Enclosure in No. 81.

Mr. Sieveking to Lieutenant Thurburn.

SIR,

Hamburg, May 24, 1841.

I HAVE received your favour of the 20th instant, enclosing Dr. Bowring's lines of introduction. I shall be most happy to show you, upon your passage
CLASS C.

through Hamburgh, how highly I value a ticket of hospitality of our common friend.

Not prepared to give an opinion on the capture of the "*Julius and Edward*," I can only express my apprehension that the course recently adopted by the slave dealers of Cuba and Brazil to carry on the import and export trade of the coast of Africa in different vessels, a course by which the ignorance or cupidity of the masters of Hanseatic vessels might easily be induced indirectly to abet the illicit traffic, has not been contemplated in most of the international stipulations by which the Court is to be guided.

The tins which you identify with the mess kids, the water casks, and copper boilers may, perhaps, in some respects be accounted for by almost the whole of the Bremen shipping being employed in the transport of emigrants to America.

During the negotiation of the Treaty, in order to allay the fears expressed by the Bremen shipping interest, I proposed to insert the following clause:—

"As the articles specified in Article 6 of the Convention of March 22, 1833, may be found on board of vessels employed to carry free emigrants, the fact of a vessel being so employed, if proved by the papers on board, shall be held, in the absence of unequivocal indications to the contrary, to do away with the presumption that she is engaged in the Slave Trade."

The motive alleged in the British Plenipotentiary's note of the 20th of September, 1836, for refusing the consent to such a reservation possibly furnishing a pretence to the slave dealer, was the conviction that a vessel fitted to carry free emigrants from the Hanse Towns never would run the slightest risk of being interrupted in her voyage by any of the cruisers. Relying on this conviction expressed by His Britannic Majesty's Government, I was authorised to waive the stipulation, considered as superfluous and objectionable. The British Plenipotentiary, however, on the 7th of November, 1837, acquiesced in the proposal of the Bremen passenger vessels being provided with a certificate of their own Government, enumerating as unsuspecting the particulars of the 6th Article, even if kept on board after leaving the port of their first destination, adding that, with such a certificate and a reference to the above-mentioned note of the 20th of September, 1836, to which recourse could always be had, he thought the merchants of Bremen might be satisfied.

The possession of such a certificate ought, therefore, to be considered by the Court as invalidating the presumption you derive from the "*Julius and Edward*" being just the description of vessel which would entice a Spanish slave dealer.

With respect to the number of water casks on board a German vessel, I must call your attention to a regulation concerning the Transatlantic transport of passengers from Hamburgh, enacted on the 27th of February, 1837, which, in Article 3 of the 2nd Annex, in consideration of the Germans being accustomed to the cooking of a larger quantity of vegetables, allows a surplus of one-half beyond the water which by British vessels would be considered a liberal supply. I have no doubt that the same national custom must have occasioned a similar regulation in Bremen.

I doubt whether the Court will consider as sufficient evidence the iron, because shackles may be made from it on the coast; or bags, because they may be employed for the shipment of farina.

According to the tenor of the Treaty, the transport of articles not expressly enumerated as suspicious, unassisted by positive proof of the master's intention to carry back a cargo of slaves from the coast of Africa, must still be considered as lawful commerce. You are certainly right in presuming that even such lawful commerce between Cuba and the African Coast is very likely indirectly to abet the illicit traffic in slaves. But the same may be said of every, even apparently the most innocent, intercourse with a country paying its commercial balance in slaves.

Whatever may be the result of the trial, from the horror in which the Slave Trade is held in the Hanse Towns, you may rely on its fairness. At all events, I hope the detention, especially if followed by some security for the *bonâ fide* lawful Hanseatic commerce, will prove a salutary check upon a first step, possibly leading to a criminal career.

I have, &c.

(Signed)

K. SIEVEKING.

Lieutenant James Thurburn, of Her Britannic Majesty's sloop "*Persian*," at Bremen.

No. 82.

*Mr. Colquhoun to Viscount Palmerston.**St. James's Place, June 6, 1841.**(Received June 10.)*

MY LORD,

I HAVE the honour to refer to my letter of the 2nd instant and its enclosures on the subject of the "*Echo*," a Hamburgh vessel, which appears from the report of the master to have been detained by the authorities at Sierra Leone, and condemned to be sold by the Vice-Admiralty Court there. There are certain discrepancies connected with this case which induce me to solicit your Lordship's favourable consideration to it.

Some time ago a gentleman from Hamburgh called my attention to the detention of this vessel, after having cleared out and sailed from the port, on the ground of her being fitted up as a slaver. The merchant pressed me to represent the case to your Lordship, which I declined to do until I should have received instructions from my Government thereupon.

It appears that the "*Echo*" is one of the class of Hanseatic vessels fitted up for the accommodation of emigrants; these vessels are usually heavy sailers, and, except as regards their fittings up, unfit for slavers.

The Hamburgh merchant stated to me that she had been detained on account of those fittings. The master, on the other hand, states that she was detained and has been condemned on account of her having two sets of papers, a charge, he says, that was not substantiated. It would seem that the "*Echo*" has been condemned in the Vice-Admiralty Court, and I infer under the 5th Geo. IV., c. 113, for the Abolition of the Slave Trade. I submit whether the jurisdiction of the Vice-Admiralty Court extend to Hanseatic vessels since the ratifications exchange of the Hanseatic Slave Trade Abolition Accession Treaty, and whether the "*Echo*" should not have been sent to Cuxhaven for adjudication.

The captain of the "*Echo*" reports that not only has his vessel been condemned and ordered to be sold, but that himself, his mate, and crew have been proceeded against criminally, the penalty being 14 years' transportation; subject meanwhile, in case of conviction, to a detention in the prison of the baneful climate of Sierra Leone till an opportunity shall offer of sending them to a penal settlement. As more than a doubt hangs over the jurisdiction of the Court and the legality of the decision and the criminality of the accused, I respectfully submit that, while it would not interfere with the course of justice, that it would be an act of humanity, as well as of policy, that the Governor of Sierra Leone should be instructed to send these persons to England to await the final investigation of this case; because should they prove morally innocent, and should the master, or mate, or others of the crew die in prison at Sierra Leone, or be sent to a British penal settlement, I respectfully submit that, independently of the damages claimed by the owner of the vessel for her value, &c., the widows and families of the sufferers would have a just right to pecuniary indemnification for the loss of their husbands in part compensation for the consequent deprivation of their support; but the effect of any irregularity leading to the condemnation of Hanseatic ships and the punishment of their crews would, as Mr. Sieveking observes, "by creating doubts as to the demarcation between the legal and illicit traffic with the coast of Africa, if not dispelled, instead of securing the cordial co-operation of the commercial interest of Hamburgh, leave in their minds feelings by which the objects of the Governments would ultimately be defeated."

I would, therefore, submit that as the late Governor of Sierra Leone, Colonel Doherty, so highly esteemed as a just man and a distinguished officer, is at present in this country, and was at Sierra Leone during the detention of the "*Echo*," a reference of the papers to him would establish the accuracy of the statements respecting which there is a discrepancy, and especially whether any change in the fittings by the addition of spare planks for making a false deck *or otherwise* had been made since the "*Echo*" reached her destination with emigrants, so as to convert her into a slaver, had taken place, or had she committed any overt act since she arrived off the coast of Africa; if not, I apprehend that no Court of Admiralty, or other court, could have any jurisdiction over her, either by municipal law, or by the law of nations, or by treaty. 2nd. That the Governor of Sierra Leone may be instructed to send home all the

papers relating to the detention and condemnation of the "*Echo*," and to the trial of the master and crew, and the result thereof, verified on oath. 3rd. That if the Court shall have found the master, mate, and crew guilty, and has passed sentence, that they may be sent to England to await the decision of Her Majesty's Government as to their future disposal, according to Treaty.

In regard to the future security of Hanseatic vessels from interruption, I would conclude this letter by referring your Lordship to the copy of a letter on this subject from Mr. Syndicus Sieveking to Mr. Thurburn, dated the 20th of May last (communicated in extenso by me to your Lordship in my letter of the 2nd instant), referring to the certificates of protection to emigrant vessels, the possession of which ought to have secured to them peaceful voyages, provided they had been exhibited to the captains of Her Majesty's vessels or to the Court at Sierra Leone, and provided Her Majesty's officers and the Admiralty Courts had instructions to respect them.

I have, &c.

(Signed)

J. COLQUHOUN.

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

P. S. Your Lordship is aware that there has been, and perhaps is now, an agent from Jamaica (Mr. Barclay) and one from Trinidad at Sierra Leone to procure black emigrants for the West Indies from the African Coast. It is more than probable that Hanseatic vessels being already fitted up for emigrants, like the "*Echo*," will be attracted thither, and will go there on a venture in search of emigrant freights. The "*Echo*" had, I have been told, between 30 and 40 passengers on board, whites, when seized, and she was precisely the sort of vessel which a Governor would select to carry out black troops, being fitted for passengers, and would have accommodated free black emigrants.

No. 83.

Mr. Colquhoun to Viscount Palmerston.

St. James's Place, June 11, 1841.

(Received June 12.)

MY LORD,

I HAVE the honour to transmit to your Lordship the copy of a letter, dated the 8th instant, addressed to me by Mr. Syndicus Sieveking, stating the condemnation of the "*Echo*," the sale of the vessel for 2560*l.*; the master and mate have been tried and acquitted. The owner, supposing that the verdict of the jury may have a favourable impression on the view of the case which may be taken by Her Majesty's Government, has applied to the Senate to address your Lordship on the subject, soliciting that you will be pleased to refer the condemnation and sale by the Court at Sierra Leone for the consideration of Her Majesty's law advisers, in order that their opinion may be taken how far the seizure and condemnation of the "*Echo*" is consistent with the Hanseatic Treaty of accession to the Convention for the Suppression of the Slave Trade.

I have, &c.

(Signed)

J. COLQUHOUN

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

Enclosure in No. 83.

Mr. Sieveking to Mr. Colquhoun.

SIR,

Hamburg, June 8, 1841.

C. G. H. SONST, master of the "*Echo*," on 30th of March, writes to J. F. Ballauf at Hamburg, the owner of the said barque, that the condemnation, on the 5th of the said month, has taken place, not upon the evidence of the boy Weidemann, in which the suspicion of false papers seems to have origin-

ated, but under pretence of her abetting the illicit traffic of slaves. On the 18th of March the "*Echo*" was publicly sold at the price of 2560*l.*, to a Sierra Leone merchant, of the name of Lemann, who intends sending her to London. The inventory was taken out and sold separately. On the 24th of March the master and mate were called before a grand court and tried, according to the master's impression, under the charge of conspiring with the owner in fitting out the vessel for the Slave Trade. The jury, one-half of which was composed of aliens, declared the master and mate not guilty. They were immediately released, and if not retained by disease, intended as soon as possible to return to Hamburg. The owner, supposing that the favourable verdict of the jury may exercise some influence on the view to be taken by the lawyers of the Crown, requested the Senate to communicate these facts to Her Britannic Majesty's Government before any decision was given on the question whether the seizure and condemnation of the "*Echo*," at Sierra Leone, may be considered as consistent with the Hanseatic Treaty of Accession to the Conventions for the Suppression of the Slave Trade.

I have, &c.
(Signed) K. SIEVEKING.

No. 84.

Viscount Palmerston to Mr. Colquhoun.

SIR,

Foreign Office, July 19, 1841.

I TRANSMITTED to Her Majesty's law advisers the several letters which you addressed to me under dates of the 24th of May, and 2nd, 6th, and 11th of June last, respecting the Hamburg barque "*Echo*," alleged to have been detained by the authorities at Sierra Leone, and to have been condemned in the Vice-Admiralty Court at that place, under the Act of the 5th George IV., c. 113; and in conformity with the desire expressed in your letter of the 11th of June, I requested the opinion of Her Majesty's law advisers, whether the seizure and condemnation of the "*Echo*," under the circumstances stated in the papers sent by you, were consistent with the Treaty by which the Hanse Towns acceded to the Conventions between Great Britain and France on Slave Trade; and I have now to state to you that the law advisers of the Crown have reported their opinion that the Conventions of the 30th of November, 1831, and the 22nd of March, 1833, between Great Britain and France, for the more effectual suppression of the Slave Trade, do not apply to the cases of ships seized within British territory for offences alleged to have been committed within such territory. And if, therefore, as it would appear by your letters on the subject, the "*Echo*" was detained whilst at Sierra Leone, on a charge of being there concerned in the illicit traffic in slaves, the Vice-Admiralty Court in that colony was competent to adjudicate the case of the "*Echo*." But if the parties who are interested in the "*Echo*" think that the judgment of the Court was erroneous, they have their remedy in an appeal to the Supreme Court in this country.

James Colquhoun, Esq.,
&c. &c. &c.

I have, &c.
(Signed) PALMERSTON.

No. 85.

Viscount Palmerston to M. Wesselhoeft.

SIR,

Foreign Office, July 19, 1841.

WITH reference to your Despatch of the 30th of March last, respecting the Hamburg barque "*Echo*," said to have been detained at Sierra Leone on a charge of being concerned in Slave Trade, I herewith transmit to you, for your information, a copy of a letter which I have this day addressed to Mr. Colquhoun.

M. Wesselhoeft,
&c. &c.

I have, &c.
(Signed) PALMERSTON.

Enclosure in No. 85.

Viscount Palmerston to Mr. Colquhoun, July 19, 1841.

(No. 84.)

No. 86.

*Mr. Colquhoun to Viscount Palmerston.**St. James's-place, July 27, 1841.**(Received July 29, 1841.)*

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of a letter, dated the 21st inst., stating that 10 out of 14 passengers on board the "*Louise*" at the time of her detention by Her Majesty's ship "*Grecian*," have not been delivered to the Hamburgh authorities, and requesting to know why they were not sent to Hamburgh.

I have, &c.

(Signed) J. COLQUHOUN.

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

Enclosure in No. 86.

Mr. Sieveking to Mr. Colquhoun.

SIR,

Hamburgh, July 21, 1841.

ACCORDING to official statements on the detention of the Hamburgh barque "*Louise*," Boyes master, in consequence of the Convention for the Suppression of the Slave Trade, by Her Majesty's brig "*Grecian*," on the high seas, in the vicinity of the Brazilian harbour of Rio de Janeiro, 14 passengers, including a negro servant, were found on board; only four of these have been delivered to the Hamburgh authorities by Her Majesty's cutter "*Nesley*." The Court before which the proceedings concerning the detained vessel have been instituted having, in vain, expected the arrival of the other 10, wishes to know where these passengers have been left, and from what motive they have not been sent to Hamburgh. The Senate authorises you officially to submit this inquiry to the proper department.

I have, &c.

(Signed) K. SIEVEKING.

James Colquhoun, Esq.,
 &c. &c. &c.

No. 87.

Lord Leveson to Her Majesty's Consul, Hamburgh.

SIR,

Foreign Office, August 4, 1841.

WITH reference to M. Wesselhaeft's Despatch of the 25th of May, 1841, on the subject of the Bremen barque "*Julius and Edward*," I am directed by Viscount Palmerston to state to you that Lieutenant Thurburn has been furnished with extracts from documents existing in this office, according to his application respecting the alleged connexion of M. Tyng with Slave Trade transactions.

I am, &c.

(Signed) LEVESON.

Her Majesty's Consul, Hamburgh.

No. 88.

Viscount Palmerston to Mr. Colquhoun.

SIR,

Foreign Office, August 5, 1841.

I HAVE received your letter of the 27th ultimo, inquiring what became of ten persons who were found on board the Hamburg barque "*Louise*," and were not sent to Hamburg.

I have transmitted your letter to the proper department of Her Majesty's Government, in order that the necessary inquiries may be made upon the subject, and I shall lose no time in communicating further with you when I shall have learnt the result of that inquiry.

James Colquhoun, Esq.
&c. &c.

(Signed) I am, &c.
PALMERSTON.

No. 89.

Viscount Palmerston to Mr. Colquhoun.

SIR,

Foreign Office, August 13, 1841.

WITH reference to my letter to you of the 5th instant, informing you that inquiries would be made by Her Majesty's Government as to what became of ten persons who were found on board the Hamburg barque "*Louise*," and were not sent to Hamburg, I have now to acquaint you that, by the latest accounts received from Rio de Janeiro on the subject, the ten persons in question were awaiting an opportunity for being sent to Hamburg.

James Colquhoun, Esq.
&c. &c.

(Signed) I have, &c.
PALMERSTON.

No. 90.

Mr. Colquhoun to Viscount Palmerston.

MY LORD,

St. James's Place, May 12, 1841.
(Received August 19.)

HAVING applied to your Lordship that instructions might be given to the Admiralty to cause the "*Louise*," detained by Her Majesty's ship "*Grecian*," and carried into Plymouth under an alleged infringement of the Slave Trade Abolition Treaty with the Hanse Towns, to be dealt with according to the provisions thereof; and having been urged by parties interested here to address your Lordship to complain of the circumstances which led to her detention, and the refusal on the part of the officer in charge to allow of any letters being sent by the master of the "*Louise*" to his family or owners, or to permit the Vice-consul for Hamburg (to which port the "*Louise*" belongs) or a law adviser to communicate with him on board; or to permit him to come on shore,—the object being that he might the better establish his defence—I have since received a copy of a letter from the Port Admiral to the Vice-consul, stating that the "*Louise*" had merely come in for supplies, and would proceed with the least delay to Cuxhaven, in execution of her orders.

The restriction of not allowing the master of the "*Louise*" to write to his family or his owners, or to state his case to a legal authority or to the Vice-consul of his country, seems harsh; and it is feared may be maintained as a precedent should any other Hanseatic vessels be detained and brought into port under similar suspicions.

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

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

No. 91.

*Colonel Hodges to Mr. Bandinel.**Hamburg, September 7, 1841.**(Received September 11.)*

SIR,

I HAVE the honour to enclose the Hamburg official newspaper, which contains the verdict in the case of the barque "*Louise*," captured and brought to Cuxhaven by Her Majesty's sloop of war "*Grecian*;" which verdict was pronounced here in open court on the 6th instant.

I have also enclosed the exact copy of a translation, by Dr. Haller, of the verdict, which I have not had time to correct, as the packet is just leaving.

I have, &c.

J. Bandinel, Esq.
&c. &c.

Signed) G. LLOYD HODGES.

Enclosure in No. 91.

Sentence, &c., in the case of the barque "Louise."

Hamburg, den 6 September.

Das Handels-Gericht hat heute in der Angelegenheit des Schiffes "*Louise*" folgendes Erkenntniss erlassen :

"In Sachen der von der Königl. grossbritannischen Sloop '*Grecian*,' Commander Smyth, aufgebrachten Hamburger Bark '*Louise*,' Capitän C. H. Boye, und deren Ladung erkennt das Handels-Gericht nach Anhörung &c. auf Grund der Acten und nach gepfogener Deliberation: Da das Hamburger Barkschiff '*Louise*,' Capitän C. H. Boyes, welches von der Hamburgischer Seits dazu gehörig autorisirten K. grossbritannischen Sloop '*Grecian*,' Commander Smyth, am 25 Februar 1841 in einem der tractatenmässig bestimmten Districte als des Sklavenhandels verdächtig angehalten, dann durchsucht und nach Cuxhaven aufgebracht worden ist, weder Sklavenhandel betrieben hat, noch zur Betreibung dieses Handels ausgerüstet gewesen ist, also keiner der Fälle vorliegt, von denen die Tractate zwischen Frankreich und Grossbritannien vom 30 November 1831 und 22 März 1833, denen Hamburg durch den Vertrag vom 9 Juni 1837 beigetreten ist, voraussetzen, dass die speciellen Landes-Gesetze der contrahirenden oder accedirenden Staaten sie mit Confiscation belegen, nun zwar unsere Gesetzgebung in dieser Materie, welche nach Maassgabe der Convention von 1831, Art. 7, der Convention von 1833, Art. 1, 3, 5, der Instruction für die Kreuzer, No. 3, als die Entscheidungsnorm gelten muss, ausser den in den Tractaten bedachten Fällen auch eine der Ausrüstung eines zum Sklavenhandel destinirten und deshalb aufgebrachten Schiffes mittelbar geleistete Beihülfe verpönt, Strafgesetz vom 19 Juni 1837, dieser Fall aber, da das aufgebrachte Schiff "*Louise*" nicht zum Sklavenhandel bestimmt gewesen, hier gleichfalls nicht vorliegt, hiernach also der vorliegende Confiscations-Antrag selbst dann würde unstatthaft seyn, wenn auch nicht in unsrer Legislation, so weit solche für die gegenwärtige Entscheidung in Betracht kommt, hinsichtlich gesetzlicher Bestimmung einer Confiscation sich eine Lücke fände, indem nämlich das erwähnte Gesetz vom 19 Juni 1837 nichts von einer Confiscation oder der Anwendbarkeit prisenerrechtlicher Grundsätze oder davon, dass solche den Tractaten zu Grunde liegen, enthält, das Gesetz vom 3 Juni 1841 aber, so gewiss es auch die Norm für das Prozessverfahren abgiebt, für das Innere der Rechtsverhältnisse eine rückwirkende Kraft in keinerlei Beziehung zu äussern vermag, endlich aber das Reglement vom 18 September 1778, welches auch nur von temporärer Gültigkeit gewesen ist, nicht hierher gehört,

dass der Antrag des Hrn. Fiscals *in civilibus*, das Schiff '*Louise*' und dessen Ladung, eventualiter Theile dessen Ladung, zu condemniren, zurückzuweisen; dass aber, was die gegen den Captor in Anspruch genommene Entschädigung betrifft, solchem Antrage keine Statt zu geben sey;

und zwar auf den Grund der Art. 6 und 7 der Convention vom 22 März 1833, indem die vorgefundenen Planken, der Kessel und der Wasservorrath (welcher

letztere grösser war, als das von Rio de Janeiro zunächst nur nach Benguela, an welchem Orte die vollständige Entlöschung stattfinden sollte, bestimmte Schiff ohne behufige Autorisation am Bord haben durfte) jedenfalls zusammengenommen mit der Natur eines grossen Theils der Ladung und der in der Declaration des Capitäns Smyth erwähnten, actenkundig stattgehabten Beseitigung von Papieren hier als *prima facie evidentes* erscheinen; dass ferner die dem Captor gemachten Vorwürfe in Bezug auf die Ausführung der Anhaltung, der Durchsuchung und Aufbringung, da hierauf keine Schaden-Ansprüche haben gegründet werden können, und daher solche angebliche Unregelmässigkeiten etwa nur zur Anstellung von Beschwerden bei der Regierung Veranlassung geben könnten, hier nicht weiter zu berücksichtigen seyen; dass endlich, da die Entschuldigung, welche der Capitän Boye, für den die Unkenntniss der hieselbst publicirten Tractate an und für sich kein Excusationsgrund ist, aus dem allerdings bedauerlichen Umstände ableiten will, dass derzeit in unserem Consulate in Rio de Janeiro der Accessions-Vertrag Hamburgs zu den Tractaten vom 30 Nov. 1831 und 22 März 1833 nicht bekannt gewesen, desfalls einer weiteren Erörterung nicht unterliegt, weil Capitän Boye sich des Schutzes aus diesem sonst hier, wo der Staat als Partei auftritt, billigerweise auf den Kostenpunkt influirenden Momente durch das Verbrennen zweier Briefe verlustig gemacht hat, die Kosten der Untersuchung und des Prozesses aus dem Schiffe 'Louise' und dessen Zubehör dem Hrn. Fiscal zu ersetzen seyen, und bleiben der Rhederei eines etwaigen Regresses wegen, so wie überhaupt den Betreffenden unter einander und *contra quem ex quocunque*, so weit Rechtens, *quævis competentia* reservirt. Es werden demnach

salvo jure tertiorum sowohl das aufgebrachte Barkschiff 'Louise' sammt Zubehör—nachdem obgedachtermassen Kostenersatz wird geleistet seyn—als auch die Ladung, respective das Provenü, freigegeben, und sind der Personal-Arrest des Domingo Jozé Gonzalez Penna, so wie die Cautions-Arreste des Capitäns Carl Heinrich Boye, des ersten Steuermanns Christian Andresen, und des zweiten Steuermanns John William Bernhard Alfred Harris aufgehoben.

So publicirt im Handelsgerichte, Montag, den 6 Sept. 1841. B. R. W."

(Translation.)

In the suit concerning the Hamburg barque "Louise," Captain C. H. Boyes, and her cargo, detained by Her Britannic Majesty's sloop "Grecian," Commander Smyth, the Tribunal of Commerce pronounces, on the ground of the pleadings, and after due deliberation:—

Whereas the Hamburg barque "Louise," Captain C. H. Boyes, which has been detained by Her Britannic Majesty's sloop "Grecian," Commander Smyth, duly authorised thereunto by the Hamburg authorities, on the 25th of February, 1841, in one of the districts pointed out by the Treaty as suspected of being engaged in the Slave Trade, which has then been visited, and sent to Cuxhaven, has neither been trafficking in slaves nor been fitted out for the purpose of such traffic:

Whereas, therefore, none of the cases supposed by the Treaties between France and Great Britain of the 30th of November, 1831, and the 22nd of March, 1833, to which the state of Hamburg acceded by the Convention of the 9th of June, 1837, to constitute a liability to condemnation, according to the special law of the contracting parties, or the states afterwards acceding, is apparent here:

Whereas, though our legislation on this subject (which, in pursuance of the Convention of 1831, Article 7; of the Convention of 1833, Articles 1, 3, 5 of the Instructions to Cruisers; No. 3 is to form the Standard of Decision), independently of the cases foreseen by the Treaties, stamps as punishable likewise the indirect aid afforded towards the fitting out of a vessel intended for the Slave Trade, and detained in consequence (*vide* penal statute of the 19th of June, 1837)—yet this case too, as the detained vessel, the "Louise," was not destined for the Slave Trade, is not apparent here neither:

Whereas, therefore, the present suit for confiscation would be inadmissible, even though our legislation, so far as it comes under consideration for the

CLASS C.

purpose of our present decision, did not present a void with regard to a legal provision on the point of confiscation, as the above-mentioned statute of the 19th of June, 1837, does not advert to confiscation, or to the application of the principles of prize law, or to their forming the basis of the Convention; as the law of the 3rd of June, 1841, though most assuredly it fixes the form of the proceedings, cannot, in any way whatsoever, affect the essential judicial position of the case by a retro-active power; and as, finally, the Ordinance of the 18th of September, 1773, which had only a temporary validity, has nothing to do with the subject under consideration:

The Court gives its verdict as follows:—

That the claim of the Advocate of the State, with respect to the condemnation of the vessel "*Louise*" and her cargo, is to be non-suited; but that, on the other hand, a claim for damages to be paid by the captor is inadmissible, and this by reason of Articles 6 and 7 of the Convention of the 22nd of March, 1833. The loose planks, the boiler, and the provision of water (the quantity of the last-mentioned article exceeding that permitted, without a special authorization, to a vessel destined from Rio de Janeiro, in the first place, to Benguela only, where the complete discharging was to take place), joined to the nature of great part of the cargo, and to the making away with papers referred to in the declaration of Captain Smyth, and resulting from the examination of the case, presenting here *prima facie* evidences. That, also, the reproaches addressed to the captor, with respect to the manner of execution, the detaining, visiting, and bringing in of the vessel, are not to be further attended to here, since no suit for damages is to be founded on them; and since, therefore, such alleged irregularities might only, at any rate, furnish matter for a representation to be addressed to the Government. That, finally, as the excuse which Captain Boye (whose alleged ignorance of Treaties made publicly known at this place nowise exculpates), in trying to deduce from the certainly to be regretted circumstance that our Consulate at Rio de Janeiro was not acquainted at the time with the Hanseatic Treaty of Accession to the Treaties of the 30th of November, 1831, and the 22nd of March, 1833, cannot be made the subject of further discussion, because Captain Boye has foregone the protection, perhaps in equity accruing from it, as far as expenses are concerned, in a case where the state appears as plaintiff, by having burned two letters, that the expenses of the examination and the suit are to be refunded to the Advocate for the State, to be charged on the vessel "*Louise*" and her appurtenances, reserving to the owners, in case of redress, as well as to all other parties concerned, against each other, and *contra quem ex quocunque*, as according to law, *quævis competentia*.

Salvo jure tertiorum, therefore, the detained barque "*Louise*," with her appurtenances, as soon as the refunding of the expenses will have taken place, is to be put at liberty, as likewise the cargo, or the price it may fetch: and the persons of Domingo José Gonzalez Penna, as well as the captain, Charles Henry Boye, the first mate, Christian Anderson, and the second mate, John William Bernhard Alfred Harris, are to be set at liberty.

No. 92.

Mr. Colquhoun to the Earl of Aberdeen.

St. James's Place, October 17, 1841.

(Received October 20.)

THE Undersigned agent for Hamburg is instructed to bring under the consideration of the Earl of Aberdeen, Her Britannic Majesty's Secretary of State for Foreign Affairs, that according to the London newspapers of the 21st September last, of which extracts are annexed, it is reported to have been asserted during the last Session of Parliament, viz. on the 21st ultimo, that, upon information received, or by a rumour brought to the knowledge of the late Government of Her Britannic Majesty, "of six ships having been fitted out at Hamburg, to be employed in the Slave Trade, a communication was made to the Board of Admiralty, in order that the necessary directions might be given to Her Britannic Majesty's cruisers on the coast of Africa."

The Undersigned is directed to state that the Senate of Hamburg is not unaware of a rumour, and as it would seem an utterly unfounded one, contained in the English newspapers, in respect to an expedition of five ships, four of them under the Danish, and one of them under the Portuguese flag, fitted out and cleared out from Altona, a port within the dominions of the King of Denmark, for Santo Vincente, one of the Cape de Verd Islands, having been destined for Slave Trading objects. Since, however, it has been stated in Parliament (on the 20th September last) that six ships had been fitted out at Hamburg for the Slave Trade, it would appear that some other report, totally unknown at Hamburg, had occasioned the directions in question to be given to the Admiralty. Whatever may have been the source of such rumour or information concerning ships having been so fitted out at Hamburg for the Slave Trade, the Undersigned is authorized to declare that the Senate verily believes that this rumour or information is entirely untrue.

The Undersigned is, moreover, directed to assure Her Majesty's Government that the Senate is most anxious strictly to fulfil the obligations which have been entered into by their accession to the treaties between Great Britain and France for the suppression of the Slave Trade, and will be happy in contributing, by every means in their power, to the attainment of such a benevolent purpose; but, at the same time, they feel it an incumbent duty to protect the honour and effect the security of the Hamburg flag against prejudices to which an unjust suspicion must expose it. In both respects it is a matter of serious regret that no official opportunity had been afforded to the Senate of ordering inquiries to be made at the time, according to such rumour or information, if true, the more easily to detect the offenders, and to punish them.

The Undersigned is desired to express the expectation of the Senate that the British Government will not refuse their assistance to remove the uneasiness, the injurious consequences, which could not but prevail when it became known, through newspaper reports of a Parliamentary session, that a false rumour or misinformation had, as it seems, caused the British Government to give such directions to British cruizers.

The assistance which the British Government could render is, by acquainting the commanders of the British cruizers that the rumour or information, at least as far as Hamburg is concerned, is an erroneous one. Should however the information on which the directions to the Admiralty were founded be of such a nature as still to leave room for the slightest doubt, then it is to be observed that, as one of the objects for the suppression of the Slave Trade, and indeed the chief one, was to prevent the opportunity of ships being fitted out for that Trade, that upon this ground, and considering the deep interest which Great Britain herself takes in such a course being pursued, the Senate is warranted in requesting the communication of copies of the documents upon which the directions to the Admiralty were founded, in order that a strict investigation may take place at Hamburg, and that either the Hamburg flag may be justified, or, if there be any foundation or even suspicion of such practices having been carried on secretly in the port of Hamburg, that their ramifications may be ferreted out, the offenders punished, and effectual measures taken to prevent their re-occurrence.

The Undersigned has the honour to tender to the Earl of Aberdeen the homage of his sincere respect.

(Signed)

J. COLQUHOUN.

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

&c.

&c.

&c.

Courier, 21st September, 1841.

Lord Palmerston (in answer to Sir E. Wilmot, who asked respecting the vessels employed upon the coast of Africa) said he had every reason to believe that six vessels were to be employed on that coast; but he could not say if the information was correct or not.

Morning Post, 21st September, 1841.

Sir Eardly Wilmot.—That, seeing the Noble Lord the Member for Tiverton in his place, he wished to know from him if it were true, as had been reported,

that six vessels had recently left Hamburg (so we understood) for the purpose of being employed in the Slave Trade on the coast of Africa.

Viscount Palmerston said that he had reason to believe that six vessels, two of which had been at Hamburg, were intended to be employed in the Slave Trade, but he would not undertake to say whether the report was well founded or not. Hearing however of such a rumour, he had thought it his duty to communicate it to the Admiralty, in order that information might be sent to the cruisers on the coast of Africa, so that, in case it were true, they might be prepared to act.

Times and Standard, 21st September, 1841.

In reply to a question from *Sir E. Wilmot*,—

Viscount Palmerston said that information had been received by the late Government stating that as many he believed as six vessels were being fitted out at Hamburg to be employed in the Slave Trade. He could not say whether that information were well founded, and without implying any opinion one way or the other, he had communicated it to the Board of Admiralty, in order that the necessary directions might be given to the cruisers on the coast of Africa, in case the report should turn out to be true.

Morning Chronicle, 21st September, 1841.

In answer to a question from *Sir E. Wilmot*,—

Viscount Palmerston was understood to say that official information, he had reason to believe, had been received, that there were six vessels destined for the Slave Trade on the coast of Africa, but he could not say whether that information was well founded or not. That communication had however been forwarded to the Admiralty, in order that due notice might be given to the British cruisers on the coast of Africa.

No. 93.

Mr. Colquhoun to the Earl of Aberdeen.

St. James's Place, October 23, 1841.

MY LORD,

(Received October 26.)

I HAVE the honour to transmit to your Lordship two letters from Mr. E. Cæsar Hartung, a merchant of great respectability at Hamburg, who has for some years traded with three ships to the coast of Africa, himself and his partner, Mr. Epffinhausen, having accompanied them thither to superintend the sale of their goods.

Mr. Hartung states that, having been boarded by the Commander of the "Termagant," he was informed by Lieutenant Seagram, in reply to a remark from Mr. Hartung, that he had conformed to the Hanseatic Slave Trade Accession Treaty, "that he should not be governed by the Treaty, but by instructions received from England;" observing at the same time "that he should make his report;" and, "that it was a shame that the Hamburg people assisted in the Slave Trade, and that had he found the "Argo" at the Gallinas he would have sent her to Hamburg."

It therefore seemed to Mr. Hartung that he owed it to himself to require an explanation of the facts on which this charge was founded, as it was evident to him that some information had been communicated to Her Majesty's Government prejudicial to Hanseatic commerce, which was not in the possession of the Hamburg Government, and which it was most important they should possess in order that an inquiry might be made at Hamburg, and instructions given accordingly to the Hanseatic trade on the coast of Africa, that they might conform thereto, and thus protect themselves in their lawful commerce. The declaration made by the commander of a British cruiser, that he considered a portion or portions of the coast under blockade, led to the enunciation of a principle on the part of Mr. Hartung:—"That he had an undoubted right to sell his goods to whomever would purchase them; and that it was not his business to inquire into, nor was he responsible for, the ultimate destination of

lawful goods, wherever they might be sold; provided he received doubloons or produce he was content.

Mr. Hartung details at length the case of the "*Echo*," condemned at Sierra Leone on a charge of having aided and abetted the Slave Trade, of which the captain and mate were acquitted.

Mr. Hartung has come to this country to appeal against the decision.

It is not for a moment intended to impute to the officers of Her Majesty's navy that they have exceeded their instructions; but an impression being entertained by them that the Hanseatics are engaged in the Slave Trade may lead to vexatious interruptions which have not hitherto occurred; and as far as commerce is admitted to be the most probable means of civilizing Africa, it is very desirable, and comporting with the views of Her Majesty's Government, that such trade should be amply protected; while the Slave Trade, as the converse of the proposition, should by all proper measures be put down; to effect which objects I have authority to state that the Hamburg Government will most gladly afford their assistance.

Mr. Hartung meanwhile requests me to procure for him answers to the undermentioned queries, as influencing materially his future commerce with Africa:—

1st. What are the instructions given to Her Majesty's cruizers, in addition to the stipulations of the Hanseatic Accession Treaty—that in case he should again send cargoes to the coast of Africa in Hanseatic vessels he may be able to conform to them?

2. Whether he is bound to send a boat on board with his papers, if required to do so by Her Majesty's cruizers? The doing so may risk the loss of his papers, and place his vessel and cargo in peril.

3. Whether prizes to Her Majesty's cruizers are to have the same right of search as the cruizers themselves? The vessels engaged in the Slave Trade have often so piratical an appearance that on attempting to board resistance may ensue and loss of life follow in anticipated self-defence?

4. Whether Her Majesty's cruizers have the power to declare at pleasure any part of the African coast as prohibited places for trading, or, in other words, in a state of blockade? This privilege would render it impossible to carry on the African Trade, as the best markets might thus be capriciously closed.

5. Whether, being a foreigner, he can, under the existing regulations, purchase vessels condemned as prize at Sierra Leone, as it appears that some uncertainty prevails there in this respect?

The civilization of Africa by commerce, coupled with the suppression of the Slave Trade, renders it very desirable that some definitive arrangement, which should possess the confidence of both the British and Hanseatic Governments, should be devised so as to secure the protection of the legitimate trader, and effect the suppression of the Slave Trade—by licences, for example, granted by the Hanseatic Governments to their merchant-vessels, to be viséd by the English and French authorities in the Hanse Towns, thereby establishing *à priori* the respectability of the parties engaging in the African trade.

The case may be more difficult as it refers to Hanseatic vessels clearing out from Cuba, the Brazils, or Porto Rico, for the coast of Africa—the licence of the Mixed Commission there to be verified by the British, French, and Hanseatic consuls there, might, it is conceived, be a sufficient safeguard against illegal trading. The licences from other ports to be signed by the ministers or consuls of the three Powers parties to the Slave Trade Suppression Treaty.

I have, &c.

(Signed) J. COLQUHOUN.

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

&c.

&c.

&c.

First Enclosure in No. 93.

Mr. C. Hartung to Mr. Colquhoun.

London, October 16, 1841.

SIR,

88, Oxford Terrace, Hyde Park.

I SHOULD be much obliged by your representing to the proper authorities the treatment which I and my partner, Mr. John Epffenhausen, endured when upon the West Coast of Africa, with our vessels, the "*Herald*," "*Argo*," and "*Express*."

During my voyage upon the coast, in the month of December last, when I was, as owner of the cargo, on board the Hamburg schooner "*Argo*," Captain C. P. Brandenburg, we fell in, not far from St. Ann Shoals, with Her Britannic Majesty's brigantine "*Termagant*," commanded by Lieutenant H. F. Seagram, who ordered us to heave to, and sent his boat on board to inspect our papers, which were shown. The boat then went back, but after a short time returned with Lieutenant Seagram himself, and some more seamen, to overhaul the vessel. He asked me whence I came. I told him from Gallinas, which I found burned down. He then inquired to whom I was consigned. I replied, to nobody, that I was myself the owner of the cargo. On this he cried out (addressing himself to me), "It is a shame that the Hamburg people assist the Slave Trade; if I were not short of hands I would send you to Cuxhaven, but I shall make my report." I told him that I did not know what he meant by the words "assisting Slave Trade," that I had been at that place (Gallinas) in the month of March, 1840, in company with English men-of-war, and French and American merchant-vessels; that I had been home with my vessel since that time, and I myself in England; that I had heard of no *new orders*, and that my Government had given me no notice of any alteration in the Treaty; that I might sell my goods anywhere and to any one I liked; and that, when people paid me doubloons or produce for them, I never asked what they meant to do afterwards with my goods; if he himself wished to buy my cargo, and pay me for it, I would be glad to sell it to him.

He ordered me to open the hatches. I told him that the hold was full, and that he could see nothing, and so he found. I showed him our printed Treaty, translated into English, French, and German, and requested him to see if he could find anything on board which was against the Treaty. After searching awhile, he said, "Ah! I see you've put all to rights!" To which, I replied, that I knew perfectly well what rules to observe when coming out to the coast, that it was not the *first time* I came, and that I, and particularly my partner, Mr. Epffenhausen, had been well known to every man-of-war, and at every place on the coast, for many years, that the Commander of the "*Saracen*" had been the day before on board, looking at our papers only. He told me that that was nothing to him, and that *if he had found me at anchor at Gallinas he would have taken me at once to Hamburg!* I observed that that would be against our Treaty. He answered, "Never mind your Treaty; I go by my instructions from England."

In consequence of these proceedings, I wish to know, first, if we are obliged to submit to such treatment? At that time, luckily for me, the man-of-war was short of hands. Secondly, if, when a man-of-war officer tells us "You must not trade at such or such a place, and if I find you there at anchor and trading I will send you to Cuxhaven," we must obey him?

Another complaint is the following:—When we first made land on the Coast of Africa, in the middle of last December, at Rio Sherbro, we were chased in the evening, about six o'clock, when night sets in, by a schooner. Looking through a spy-glass we made her out to be a slave-vessel, with a "long tom" gun on deck, with a crew of very dark complexion, and, as far as I could judge, composed of black and yellow faces. Steering our course she soon came close to us, hoisting a small dirty flag at her mast-head, which we could not make out; and we heard a voice call out, "Heave to, and send your boat on board." I told him I could send no boat. "Well," says he, "I shall come on board;" and a boat being lowered, a young man in a blue jacket and straw hat came on board, asking for our papers, &c.; finding all right he went away. We heard from him that his vessel was a prize to Her Britannic Majesty's brig "*Saracen*," taken the day before, and that he (a midshipman) was put in her to catch some more slavers. This was in the middle of December, and it was

not till the middle of January that she came into the port of Sierra Leone as a prize *for trial!* A similar circumstance occurred to our brig "*Express*" with another slave-vessel, on board which a midshipman had been put to chase other vessels for some weeks.

We took the schooner, at first, for a pirate, but our being so close in shore, and seeing another vessel at a distance, prevented our firing at once into her.

I beg you, sir, to let me know if we are obliged to let ourselves be searched by *every vessel*; and allow me to put another question. If a man-of-war officer orders us to go on board his ship with our papers, are we obliged to do so? I must observe to you that this would be often very dangerous. Should the boat be sunk, or the papers lost overboard, we should have no ships' papers at all on board, and might, on that account, get into trouble.

I would further be very glad to know the exact state of the law upon this point:—Whether the Government and the Custom-house at Sierra Leone can refuse to give us ships' papers and clearances for vessels which are sold to us at public auction by the Vice-Admiralty or Mixed Commission Courts, when we wish to clear them out for Hamburg?

In 1838 and part of 1839 we could get such papers and clearances. I returned in 1839, and could *not* get the papers. In 1840, and in the beginning of 1841, *only Englishmen* could buy vessels at public auction and get clearances for them; but when I came back in the *same* year, in July last, I was told that then I could buy vessels and get clearances and ships' papers.

You will oblige me by favouring me with a reply, and, praying your particular attention to the above,

I remain, &c.

James Colquhoun, Esq.
&c. &c. &c.

E. CESAR HARTUNG,
15, *Alte Gröningerstrasse, Hamburg.*

Second Enclosure in No. 93.

Mr. C. Hartung to Mr. Colquhoun,

SIR,

88, *Oxford Terrace, October 23, 1841.*

IN addition to my letter of the 16th instant, I would observe, that I *never* heard of the Hamburg flag having covered slave-trading, even at the time when it was carried on by England and other nations; that it is, and was, ever held in abhorrence throughout Germany; but the manner in which German vessels have been treated *this year*, while carrying on their legal and honourable commerce, under the most unjust suspicions, has excited a feeling of indignation which goes far to counteract these established principles.

The case of the "*Echo*," at Sierra Leone, has made a deep and unfavourable impression, and every Hamburger engaged in the African trade feels that he may anticipate a similar fate on visiting any British port in Africa, and be moreover subjected to restraints which this conduct does not warrant. The result is, a blockade of the African coast; and if commerce is to be the means of civilizing Africa, it must cease as far as Germany is concerned, for neither will shipowners send out their ships, nor merchants their merchandize; nor will the insurance companies hereafter insure their vessels and cargoes destined for the African coast.

I and my partner, Mr. Epffenhausen, were trading at Sierra Leone with two vessels, the "*Argo*," and "*Herald*," when the "*Echo*," Captain Sohst, arrived. We got permission of Mr. L. Hook, collector of the Customs and chief justice, to load for the Havannah, in joint account with the captain, some iron ballast; therefore we came first in connexion, and the owner of the ship, Mr. T. F. Ballauf, at Hamburg, is a particular friend to the subscribed.

The "*Echo*" cleared out from the Havannah, furnished with certificates from the American and Hamburg consuls there, the manifest having been duly exhibited to the English consul, who declared that there was nothing on board but fair trade, which was with the vessel legalized for her voyage. She was unloaded under the eye of Captain Denman, of the "*Wanderer*," who gave her two certificates, as to her being far from suspicion as to the cargo and to the ship. On her voyage to Sierra Leone she was overhauled by Her Majesty's ship the "*Saracen*," and then finally by a captured slaver, commanded by a

British officer, or midshipman, who also found all right. The captain received the first passengers for the Havannah from Captain Denman, at Young Sester, who recommended him to go along the coast to pick up other passengers, and to proceed to Sierra Leone, where he would obtain more. He arrived there with a crew of 14 men and 36 passengers. He waited on the Governor on the recommendation of Captain Denman, who treated him with insolence, and directly accused him of being implicated in slave-dealing. He gave the usual bond of 1000*l.* in the Secretary's Office. He was refused some more planks to fit up his vessel more conveniently for the accommodation of his passengers, but, finally, was allowed to fill the tanks and the few water-casks, and to take on board some more passengers, with their provisions. The vessel and all the papers and letters of every one were twice examined by the Custom-House collector and chief justice; then the captain obtained his clearance for the Havannah; again search was made by an officer of the "Wanderer" before she left the port. The passengers got passports, the *same morning*, from the Secretary's Office for the Havannah, per "*Echo*;" and she proceeded to sea, but was brought back, the papers and private letters of every one taken away, plundered of all their baggage and money by officers in civil dresses, who would not give an answer, and who had got no certificate specifying their rank when asked; then rudely thrust by soldiers, in the night, into a boat, without the slightest preparation, or assigning any reason why they were so maltreated, or what was to become of them; the vessel detained for several months before a court took place; libelled in the court of Vice-Admiralty, condemned and sold—the vessel for 2560*l.*, ship's property, and that of captain and passengers condemned and sold also for about 1200*l.*; the Collector of the Customs acting as judge of the Admiralty *ad interim*; the captain and mate imprisoned with felons and thieves, and afterwards tried and *acquitted of the same charge* on which the *vessel was condemned!*

When the captain was plundered of his money and papers, it was my partner and I who assisted him and his crew. We could not let our countrymen starve on shore. How can a man afford to pay a lawyer to take up this affair, and to *claim* the vessel, for which 60*l.* is required, and to *get an appeal in England*, 100*l.*, when plundered before of all his money and papers? Mr. Epffenhausen and I gave upwards of 400*l.* to the lawyer to bring this case to the knowledge of England, knowing that *there only right would be granted*, otherwise the names of the owner and captain would be blamed, and the honour of our flag be tarnished for ever!

I am now here to lodge an appeal for the owner of the "*Echo*," Mr. T. F. Ballauf, at Hamburg, to ask costs and damages for him and the captain. **THREE LIVES HAVE BEEN LOST!** and the captain and his large family are without entertainment. As witness of the above proceedings, I am ready and prepared to give any explanation which may be required by any department of Her Majesty's Government. The sentence is too flagrant an act of injustice not to prosecute an appeal at any cost.

I have three vessels, the "*Argo*" and "*Herald*" (the "*Express*" is still on the coast), which have been long in *the African trade*, now at Hamburg, but I do not feel that it would be prudent to expose myself to the annoyances and vexations I have hitherto incurred, until some arrangement of protection, by licences signed by the British and Hamburg Governments, gives us securities, and shall have been settled.

Desirous of your kind answer, and recommending to you once more all possible despatch,

James Colquhoun, Esq.
&c. &c. &c.

I have, &c.

E. CESAR HARTUNG,
of Hamburg, 15, *Alte Gröningerstrasse*.

No. 94.

The Earl of Aberdeen to J. Colquhoun, Esq.

SIR,

Foreign Office, October 29, 1841.

I HAVE received your letter of the 17th instant, enclosing extracts of newspapers, with reports of speeches said to have been made in Parliament, respecting vessels fitted out at Hamburg for the African Slave Trade.

Upon a reference to the archives in the office, it appears that the speeches, of which those reports were made, referred probably to a rumour that vessels had been fitted out for Slave Trade, not at Hamburgh, but at a neighbouring port.

I take this opportunity, however, to request that you will direct the attention of the authorities at Hamburgh to the enclosed extract of a Despatch, which has recently been received from Her Majesty's Chargé d'Affaires at Rio de Janeiro, relating to a statement that a Portuguese house has been established at Hamburgh for the purpose of trading with the Portuguese ports on the western coast of Africa; and to an inference drawn that the speculations in question may possibly be intended to cover undertakings in Slave Trade.

In communicating this statement to the authorities of Hamburgh, you will state that Her Majesty's Government is convinced they will use every possible vigilance in watching over proceedings under their jurisdiction calculated to raise a suspicion of connection with the Slave Trade, and that they will take every measure within their power for discouraging and preventing undertakings for carrying on that illegal trade from the port of Hamburgh.

I am, &c.

James Colquhoun, Esq.,
&c. &c. &c.

(Signed) ABERDEEN.

Enclosure in No. 94.

Extract from Mr. Ouseley's Despatch of June 21, 1841.

(See Class B. No. 475.)

No. 95.

The Earl of Aberdeen to Colonel Hodges.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 96.

The Earl of Aberdeen to Mr. Colquhoun.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 10.)

No. 97.

Mr. Colquhoun to the Earl of Aberdeen.

St. James's Place, November 10, 1841.

(Received November 12.)

THE Undersigned agent for the Hanse Towns is instructed to convey to the Earl of Aberdeen, Her Britannic Majesty's Secretary of State for Foreign Affairs, the acknowledgment by the Senate of his Lordship's note of the 29th ultimo, by which it appears that the vessels alluded to in the parliamentary proceedings alleged to be intended for illegal traffic on the coast of Africa were those fitted out at a neighbouring port. Confirmatory of this result is the extract from a letter from Mr. Ouseley, Her Britannic Majesty's Chargé d'Affaires at Rio de Janeiro, dated 21st June, 1841, specifying the identical vessels so fitted out at the neighbouring port before mentioned, and expected

CLASS C.

to sail in the month of March, with the substitution of the "*Mariane Heloise*" for the "*Esperanza*," as mentioned in Mr. Ouseley's note in question.

The undersigned annexes a copy of a statement received from Hamburg on the subject.

In stating that Her Majesty's Government is convinced that the Authorities at Hamburg will use every possible vigilance in watching over proceedings under their jurisdiction calculated to raise a suspicion of connection with the Slave Trade (and they congratulate themselves that no such cause has yet arisen), the Earl of Aberdeen only does justice to the Government and the commerce of Hamburg, and to the sentiments of the people. The Undersigned is therefore directed to convey the thanks of the Senate for the communication of the extract from Mr. Ouseley's Despatch, and to express a hope that if on any future occasion a similar rumour or report should reach a department of Her Majesty's Government, the same frank communication of the source from which it may originate will be given, in order that every facility may be afforded to effectuate a searching investigation, with a view, if the charge be founded, to establish proceedings for the trial and punishment of the delinquents.

The undersigned has the honour to tender to the Earl of Aberdeen the assurance of his sincere respect.

(Signed) J. COLQUHOUN.

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

Enclosure in No. 97.

Statement.

Hamburg, November 2, 1841.

THE Authorities here are not aware that any Portuguese house has been established at Hamburg for the purpose of trading with the Portuguese ports on the western coast of Africa; it is, however, well known that the house of Santos and Monteiro, established at Altona, has several times sent ships to the ports alluded to. The last expedition, with which Mr. Dos Santos sailed himself in the spring of this year, consisted of the Danish frigate "*Vasco de Gama*" (Captain Soffgreen); two Danish brigs, "*Camoens*" (Captain Posemann), and "*Georgiana*" (Captain Reichards); one Danish schooner, "*Mariane Heloise*" (Captain's name unknown); and a Portuguese schooner, "*Sultana*" (Captain Farria). The names of these ships, with the exception of the "*Esperanza*," for which the "*Mariane Heloise*" seems to have been substituted, being exactly those mentioned in Mr. Ouseley's Despatch, and the above-mentioned ships really having been freighted with Manchester and German goods, it clearly appears that again Mr. dos Santos's Altonian expedition has been converted into slave-ships, fitted out at Hamburg. You are authorized to state the result of the inquiry to which Lord Aberdeen has directed the attention of the Hamburg authorities, &c.

No. 98.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, November 17, 1841.

WITH reference to previous correspondence between this office and Her Majesty's Consulate at Hamburg respecting the Hamburg vessel "*Louise*," tried and released by the Tribunal of Commerce at Hamburg on a charge of having been engaged in Slave Trade, contrary to the Convention concluded on the 9th of June, 1837, between Great Britain, France, and Hamburg, for suppressing the Slave Trade, I have to state to you, that, from certain expressions used in the judgment, and from other parts of the papers on this case, it would seem that the law of Hamburg in cases of Slave Trade is applicable only to vessels having slaves actually on board, and not to vessels fitted out for the Slave Trade; and as, if such be the case, the law of Hamburg would not be

applicable to the 6th Article of the Supplementary Convention concluded between Great Britain and France on the 22nd March, 1837, included in the before-mentioned Convention between Great Britain, France, and Hamburg, I have to desire that you will represent to the authorities of Hamburg that it is requisite that the law should be amended in this respect, in order that the Convention which the Hanse Towns have concluded with Great Britain and France for the suppression of Slave Trade may be duly carried into effect: and you will request, on the part of Her Majesty's Government, that the Authorities of Hamburg will take the proper steps for having the necessary alterations made in the law accordingly.

G. L. Hodges, Esq.
&c. &c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 99.

Colonel Hodges to the Earl of Aberdeen.

Hamburg, November 23, 1841.

(Received November 27.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 17th November, and to acquaint you that I have made the communication which your Lordship therein instructed me to do to the Senate of this city.

I have, &c.
(Signed) G. LLOYD HODGES.

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

No. 100.

Mr. Colquhoun to the Earl of Aberdeen.

St. James's Place, November 28, 1841.

(Received November 29.)

MY LORD,

I HAD the honour of submitting to your Lordship two letters from Mr. Hartung, of Hamburg, who has for many years carried on a trade from that port with the coast of Africa, complaining of impediments experienced in the lawful traffic with that coast. Mr. Hartung, on leaving London, requested I would again address your Lordship on the subject, soliciting your Lordship's favourable consideration to the suggestions contained in my letter to your Lordship, as Mr. Hartung is desirous of prosecuting this trade as hitherto, but freed from the embarrassing restraints alluded to in his representation.

I need not again advert to the great advantages as regards the civilization of Africa resulting from a legitimate trade, and which has ever been Mr. Hartung's sole object; and it is equally certain that it is the desire of Her Majesty's Government to protect and in no way to interrupt innocent traders of foreign nations who have voluntarily entered into Slave Trade Abolition Treaties from any impediments to their lawful commerce, to which that of the Hanse Towns has a legitimate claim to protection, seeing that at no period of their history were their citizens ever engaged in the Slave Trade.

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

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

No. 101.

*The Earl of Aberdeen to Colonel Hodges.**Foreign Office, December 27, 1841.*

(Circular asking for all Laws on Slave Trade.)

(See No. 12.)

No. 102.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, December 28, 1841.**(Received December 31.)*

MY LORD,

IN reference to your Lordship's Despatch of the 17th November last, and in obedience to the instructions therein contained, I addressed a note to the Hamburgh Government, a copy of which, as well as a copy of Syndic Sieveking's reply to it, I have the honour to enclose for your Lordship's information.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

&c.

&c.

&c.

First Enclosure in No. 102.

*Colonel Hodges to Mr. Sieveking.**Hamburgh, November 23, 1841.*

THE Undersigned, Her Britannic Majesty's Chargé d'Affaires to the Hanseatic Republics, has the honour of informing his Magnificence Syndicus Sieveking that he has been instructed by Her Majesty's Principal Secretary of State for Foreign Affairs to state, with reference to the Hamburgh vessel "*Louise*," tried and released by the Tribunal of Commerce at Hamburgh, on a charge of having been engaged in Slave Trade, contrary to the Convention concluded on the 9th of June, 1837, between Great Britain, France, and Hamburgh, for suppressing the Slave Trade, and from certain expressions used in the judgment, and from other parts of the papers in this case, it would seem that the law of Hamburgh, in cases of Slave Trade, is applicable only to vessels having slaves actually on board, and not to vessels fitted out for the Slave Trade; and as, if such be the case, the law of Hamburgh would not be applicable to the 6th Article of the Supplementary Convention concluded between Great Britain and France, on the 22nd of March, 1833, included in the before mentioned Convention between Great Britain, France, and Hamburgh, the Undersigned is desired to represent to the Hamburgh Government that it is requisite the law should be amended in this respect, in order that the Convention which the Hanse Towns have concluded with Great Britain and France for the Suppression of Slave Trade may be duly carried into effect.

And the Undersigned is instructed to request, on the part of Her Majesty's Government, that the authorities of Hamburgh will take proper steps for having the necessary alterations made in the law accordingly.

The Undersigned gladly avails himself of this occasion to renew to his Magnificence Syndicus Sieveking the assurance of his high respect and consideration.

(Signed)

G. LLOYD HODGES.

His Magnificence Syndicus Sieveking,

&c.

&c.

&c.

Second Enclosure in No. 102.

M. Sieveking to Colonel Hodges.

Hamburgh, December 27, 1841.

THE Undersigned, Syndic of Hamburgh, has the honour to acknowledge the receipt of a note, dated the 23rd of November, in which Her Britannic Majesty's Chargé d'Affaires, in the supposition that the law of Hamburgh is not applicable to vessels fitted out for the Slave Trade, unless having slaves actually on board, represents, on the part of Her Majesty's Government, the necessity of altering the law so as to become applicable to the 6th Article of the Supplementary Convention of the 22nd of March, 1833, acceded to by Hamburgh. Though it might appear sufficient, with respect to the above supposition, to refer to the explicit admission in the judgment given by the Tribunals of Commerce, in the case of the "*Louise*," of the law's applicability to the mere fitting out of vessels for the Slave Trade, the Undersigned is authorized to state, that, in consequence of the first unexpected trial, upon the grounds of a legislation for which hitherto no practical test existed, its revision is contemplated by the authorities.

The Undersigned avails himself with pleasure of this occasion to renew to Colonel Hodges the assurances of his sincere regard and high consideration.

(Signed)

K. SIEVEKING.

Colonel G. Lloyd Hodges,
&c. &c. &c.

PRUSSIA.

No. 103.

Viscount Palmerston to Lord William Russell.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 1.)

No. 104.

Viscount Palmerston to Lord William Russell.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 2.)

No. 105.

Viscount Palmerston to Lord William Russell.

Foreign Office, May 11, 1841.

Circular relative to proposed Instructions to Prussian Functionaries in Slave-holding Countries.

(See No. 3.)

No. 106.

Viscount Palmerston to Baron Schleinitz.

Foreign Office, August 24, 1841.

VISCOUNT PALMERSTON presents his compliments to Baron Schleinitz, and has the honour to invite Baron Schleinitz to meet him at the Foreign Office to-morrow, Wednesday, at two o'clock, in order to continue, in concert with the Plenipotentiaries of Austria, France, and Prussia, the negotiation for a Treaty between the Five Great Powers of Europe upon Slave Trade.

Baron Schleinitz,
&c. &c. &c.

No.107.

*Viscount Palmerston to Baron Schleinitz.**Foreign Office, August 27, 1841.*

THE Undersigned, &c., has the honour to transmit to Baron Schleinitz, &c., two copies of the Draft of Treaty between the Five Powers for the Suppression of the Slave Trade, containing the alterations agreed upon at the Conference held at the Foreign Office on the 25th instant.

Baron Schleinitz,
&c. &c. &c.

No. 108.

*The Earl of Aberdeen to Sir G. Hamilton.**Foreign Office, October 30, 1841.*

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 109.

*The Earl of Aberdeen to Baron Schleinitz.**Foreign Office, November 12, 1841.*

Circular sending Papers presented to Parliament.

(See No. 10.)

No. 110.

The Earl of Aberdeen to the Earl of Westmoreland.

MY LORD,

Foreign Office, December 20, 1841.

I HAVE the honour to acquaint your Lordship, by Her Majesty's command, that I have this day signed, on the part of Her Majesty, with the Plenipotentiaries of their Majesties the King of Prussia, the Emperor of Austria, the King of the French, and the Emperor of Russia, a Treaty for the suppression of the African Slave Trade.

I herewith transmit to your Lordship a copy of that Treaty.

Immediately upon the receipt of this Despatch you will solicit an audience of his Majesty the King of Prussia, in which you will express to his Majesty the high gratification which Her Majesty feels at uniting with his Majesty, and other great Powers of Europe, in the cause of mercy and of justice, by a league, the sole object of which is to alleviate the sufferings of humanity.

You will also express to the Prussian Minister the warm satisfaction of Her Majesty's Government in having been enabled to follow up the great, the liberal, and humane principles recorded in the declarations of the principal powers of Europe at the congresses of Vienna and of Verona, by concluding a Treaty for the beneficent end proposed in the compact signed this day.

You will, on the part of Her Majesty's Government, urge the Prussian Minister to have the Prussian ratification of the Treaty prepared and transmitted to London without delay, in order to its being exchanged against the

ratification of Her Majesty as soon as possible within the term prescribed by the Treaty.

(Signed) I am, &c.
ABERDEEN.
The Right Hon. the Earl of Westmoreland,
&c. &c. &c.

No. 111.

The Earl of Aberdeen to the Earl of Westmoreland.

Foreign Office, December 27, 1841.

Circular for all Laws relating to Slave Trade.

(See No. 12.)

RUSSIA.

No. 112.

Viscount Palmerston to the Marquis of Clanricarde.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 1.)

No. 113.

Viscount Palmerston to the Marquis of Clanricarde.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 2.)

No. 114.

Viscount Palmerston to the Marquis of Clanricarde.

(Extract.)

Foreign Office, May 8, 1841.

I HAVE to request that your Excellency will ascertain whether Mr. Nyssen is the Russian Consul at Tunis.

No. 115.

Viscount Palmerston to the Marquis of Clanricarde.

Foreign Office, May 11, 1841.

Circular relative to instructions to Russian functionaries in slave-holding states.

(See No. 3.)

No. 116.

The Hon. J. Bloomfield to Viscount Palmerston.

St. Petersburg, May 29, 1841.

(Received June 8.)

MY LORD,

IN obedience to the instructions contained in your Lordship's Despatch to the Marquis of Clanricarde of the 8th instant, I have inquired of Count
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Nesselrode if Mr. Nyssen is the Russian Consul at Tunis, and his Excellency has informed me that Mr. Nyssen has frequently expressed a desire to obtain this appointment, but that he has not yet received it.

I have, &c.

(Signed) J. A. D. BLOOMFIELD.

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

No. 117.

The Hon. J. A. D. Bloomfield to Viscount Palmerston.

St. Petersburg, May 31, 1841.

(Received June 14.)

MY LORD,

IN obedience to the instructions conveyed in your Lordship's Despatch to the Marquis of Clanricarde of the 11th May, I have this day addressed a note to Count Nesselrode, embodying the contents of that Despatch.

I have, &c.

(Signed) J. A. D. BLOOMFIELD.

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

No. 118.

Viscount Palmerston to Baron Brunnow.

Foreign Office, August 24, 1841.

VISCOUNT PALMERSTON presents his compliments to Baron Brunnow, and has the honour to invite Baron Brunnow to meet him at the Foreign Office to-morrow (Wednesday), at two o'clock, in order to continue, in concert with the Plenipotentiaries of Austria, France, and Prussia, the negotiations for a Treaty between the Five Great Powers of Europe upon Slave Trade.

His Excellency Baron Brunnow,
&c. &c. &c.

No. 119.

Viscount Palmerston to Baron Brunnow.

Foreign Office, August 27, 1841.

THE Undersigned, &c., has the honour to transmit to Baron Brunnow, &c., two copies of the Draft of Treaty between the Five Powers for the suppression of the Slave Trade, containing the alterations agreed upon at the conference held at the Foreign Office on the 25th instant.

The Undersigned, &c.,

(Signed) PALMERSTON.

His Excellency Baron Brunnow,
&c. &c. &c.

No. 120.

The Earl of Aberdeen to Mr. Bloomfield.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 9.)

SARDINIA.

No. 124.

Viscount Palmerston to the Hon. R. Abercromby.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 1.)

No. 125.

Viscount Palmerston to the Hon. R. Abercromby.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 2.)

No. 126.

The Hon. R. Abercromby to Viscount Palmerston.

Turin, April 28, 1841.

(Received May 5.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, dated 15th of April, 1841, transmitting to me two copies of a Convention signed on the 24th of May, 1839, at Buenos Ayres, between Great Britain and the Argentine Confederation, for the more effectual suppression of the trade in slaves.

I have to express to your Lordship my thanks for the communication of these Papers.

I have, &c.

(Signed)

R. ABERCROMBY.

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

No. 127.

The Hon. R. Abercromby to Viscount Palmerston.

Turin, April 29, 1841.

(Received May 5.)

MY LORD,

I HAVE the honour to acknowledge the receipt this day of your Lordship's Despatch, dated 22nd instant, transmitting to me two copies of a Convention signed on the 23rd of December, 1839, at Port au Prince, between Great Britain and the Republic of Hayti, for the more effectual suppression of the trade in slaves.

I have to express to your Lordship my thanks for the communication of these papers.

I have, &c.

(Signed)

R. ABERCROMBY.

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

No. 128.

*Viscount Palmerston to Mr. Abercromby.**Foreign Office, May 11, 1841.**Circular as to proposed Instructions to Sardinian Functionaries in Slave-holding Countries.*

(See No. 3.)

No. 129.

*The Hon. R. Abercromby to Viscount Palmerston.**Turin, May 29, 1841.**(Received June 7.)*

MY LORD,

I HAD the honour to receive on the 27th instant your Lordship's Despatch, dated the 11th instant, transmitting to me Copy of a Circular Letter and its Enclosure, addressed by Her Majesty's Government to all British functionaries residing in slave-holding countries on the subject of their maintaining slaves, and of engaging in undertakings in which slave property is concerned; and instructing me to address a Note to the Government of His Sardinian Majesty upon this subject, inviting Count Solar de la Marguerite to give, in the name of his Government, to all Sardinian Agents instructions similar to those addressed to all British functionaries.

I have consequently addressed to Count Solar de la Marguerite a Note, a copy of which I have now the honour to transmit herewith to your Lordship.

I have, &c.

R. ABERCROMBY.

(Signed)

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

&c.

&c.

&c.

Enclosure in No. 129.

The Hon. R. Abercromby to Count Solar de la Marguerite.

THE Undersigned, &c., in compliance with the instructions he has received from Viscount Palmerston, has the honour to submit to Count Solar de la Marguerite, &c., copy of a Circular Letter, together with its Enclosure, addressed by Her Britannic Majesty's Government to all British functionaries in slave-holding countries, in consequence of information having been received that persons appointed by European Governments to reside as Ministers or Consuls, or Agents in slave-holding countries, are sometimes in the habit of hiring and maintaining slaves, and of engaging in undertakings in which slave property is concerned.

Count Solar de la Marguerite will, the Undersigned feels confident, at once perceive that such practices on the part of the functionaries in question give an indirect sanction to slavery, and appear to countenance measures which tend to create a demand for slaves.

To suppress by every means a traffic so revolting to the feelings of humanity cannot fail to be the wish of the Government of His Sardinian Majesty. Her Majesty's Government, therefore, considers it very important that the opinion of His Sardinian Majesty's Government should be expressed upon this subject in such a manner as to afford an additional discouragement to the Slave Trade; and the Undersigned in consequence has been instructed, when communicating to Count Solar de la Marguerite the Circular Letter herein enclosed, addressed to all British functionaries in slave-holding countries, to invite the Government of His Sardinian Majesty to address to its Agents in such countries instructions similar to those now given to all functionaries of Her Britannic Majesty.

In transmitting to Count Solar de la Marguerite this invitation, the Undersigned confidently anticipates the ready concurrence of His Sardinian Majesty's Government in a course so well calculated to discourage the Slave Trade, and which must furnish an additional proof of the earnest desire of His Sardinian

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Majesty to co-operate with Her Britannic Majesty in effectually suppressing this inhuman commerce.

(Signed) R. ABERCROMBY.

Count Solar de la Marguerite,
 &c. &c. &c.

No. 130.

Count Pollon to Viscount Palmerston.

11, *Grosvenor Street*, le 2 *Juillet*, 1841.
 (*Received July 3.*)

EN exécution des ordres de sa Cour, le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Sarde, a eu l'honneur, par son office du 29 Septembre dernier, d'adresser une réclamation à son Excellence Monsieur le Vicomte Palmerston, Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique, par rapport au traitement arbitraire que le Capitaine Quin, commandant le brik de guerre de Sa Majesté Britannique "Le Persian," a fait éprouver au schooner Sarde "*La Furia*," sur la côte du Cap Coast.

Dans le sus-dit office le Soussigné a eu l'honneur d'exposer à son Excellence les circonstances importantes, qui établissent d'une manière irrécusable que les papiers et la cargaison du schooner Sarde étoient parfaitement en règle, et que cela avoit été reconnu par le relâchement de ce navire par le Capitaine Quin, après une visite minutieuse et rendue extrêmement vexatoire par les moyens violens avec lesquels elle a été exécutée.

Depuis que le Soussigné a eu l'honneur de faire cette communication à son Excellence Monsieur le Vicomte Palmerston, le Gouvernement Sarde a reçu, sur le traitement fait au schooner Sarde et sur les dommages qui en sont résultés pour les propriétaires de sa cargaison, de plus amples détails qu'il est enjoint au Soussigné de porter à la connoissance de sa Seigneurie, dans le double but de garantir à l'avenir le commerce Sarde contre le renouvellement de semblables actes d'oppression, et d'obtenir du Gouvernement de Sa Majesté Britannique, en faveur des propriétaires et armateurs du schooner Sarde, conformément aux dispositions de l'Article IX. de la Convention de Paris du 22 Mars, 1833, tels dédommagements qui, après un mûr et équitable examen des circonstances, seront jugés leur être dus.

A cet effet le Soussigné a l'honneur de transmettre ci-joint à son Excellence Monsieur le Vicomte Palmerston la copie authentique des dépositions faites à cet égard devant le Consul de Sardaigne à Bahia, par le capitaine et trois hommes de l'équipage du "*Furia*," conformément aux dispositions de l'Article IX. de la Convention du 22 Mars, 1833.

Il résulte du contenu de cette pièce—

1°. Qu'en contravention aux dispositions de l'Article VI. de la Convention du 30 Novembre, 1831, le commandant du brik "Persian" n'a pas montré au capitaine du schooner "*Furia*" les ordres spéciaux qui lui conféroient le droit exceptionnel de le visiter, et qu'au mépris des dispositions de l'Article 1^{er} des instructions pour les croiseurs en date du 22 Mars, 1833, le schooner "*Furia*" n'a pas été remis immédiatement en liberté après que l'examen de ses papiers et de sa cargaison, qui ne contenoit aucun des objets spécifiés dans l'Article VI. de la Convention supplémentaire du 22 Mars, 1833, eut fait connoître que ses expéditions étoient régulières, et que son commerce étoit licite.

2°. Que nonobstant l'absence de toute preuve criminatoire, après la visite effectuée par le commandant du brik "Persian," cet officier a non seulement enfreint les stipulations qui lui enjoignoient de remettre le schooner Sarde en liberté, mais qu'au mépris de l'Article IV. du Traité conclu à Turin le 4 Août, 1834, entre Sa Majesté Sarde et la Reine de la Grande Bretagne, qui prescrit que tous les navires sous pavillon Sarde arrêtés en exécution des Conventions du 30 Novembre, 1831, et du 22 Mars, 1833, seront conduits et remis dans le port de Gênes, il avoit déjà fait des dispositions pour que le schooner Sarde fut conduit à Sierra Leone, et avoit menacé le capitaine de ce navire de jeter inhumainement tout son équipage sur cette côte insalubre.

3°. Que l'irrégularité et la violence avec laquelle la visite a été opérée par les nègres employés à cet office a causé au capitaine et aux armateurs du schooner "*Furia*" les pertes énumérées dans les dépositions, ci-jointes, for-

mant une valeur totale de dollars 3814 ; 75, dont ils réclament le dédommagement.

En soumettant le contenu de la présente Note à son Excellence Monsieur le Vicomte Palmerston, le Soussigné vient réclamer avec instance sa bienveillante et prompte intervention pour qu'une enquête soit instituée sans délai afin de vérifier les faits qu'il y a détaillés ; et si, comme il n'en doute pas, ils sont constatés, il s'en rapporte avec confiance à l'esprit de justice qui caractérise le Gouvernement Britannique, pour qu'on accorde aux armateurs du schooner Sarde "*Furia*" les dédommagements qui leur sont dus.

Le Soussigné saisit avec empressement cette occasion pour renouveler à son Excellence Monsieur le Principal Secrétaire d'Etat les assurances de sa plus haute considération.

(Signé)

POLLON.

A son Excellence le Vicomte Palmerston, G.C.B.,
 &c. &c. &c.

Enclosure in No. 130.

L'ANNO del Signore mille ottocento quaranto, il giorno vent' uno del mese di Settembre alle ore dieci antimeridiane, nanti noi Antonio Giuseppe Armando, Vice-Console di Sua Maesta Sarda nella provincia di San Salvatore, alla residenza di Bahia,

E personalmente comparso il Capitano Angelo Torre, comandante la goletta nazionale "*Furia*," proveniente dalle Coste d'Africa, in commercio lecito, attualmente ancorata in questo porto, il quale, previo prestato giuramento di dire la pura verita, espone quanto segue:—

Il giorno 20 Giugno, 1840, alle 5 A.M. sifece vela dalla Rada di Mina (costa di Guinea), per andare ad ancorare su quella di Capo Coast, il vento soffiava leggiero dal sud, il cielo coperto ; alle 7½ si diede fondo di fronte al forte Inglese, in 9 braccia d'acqua.

Poco dopo fondati, venne una canoa a bordo battendo bandiera Inglese, inviata dal commandante del forte per sapere la nostra provenienza: profittai della medesima per audare a terra assieme al mio pratico Manoel Joaquim da Costa, per trattare la vendita del mio carico; visitando qualche negoziante di Capo Coast conobbi che nulla potera vendere che mi convenisse, e già mi disponeva per audarmene a bordo quando verso le quattro pomeridiane comparve alla vista un brigantino da guerra Inglese che tutti dicevano essere il "*Persian*," commandante W. H. Quin. Desideroso di essere visitato più in questo porto della costa che in altri a causa di essere colonia Inglese e per così far conoscere che io non mi dirigera se non che in libero commercio, mi decisi d'attendere sino all'indomani. Verso le sei pomeridiane il brigantino suddetto amorò sulla rada di Capo Coast non lungi dalla barca da me comandata.

Il giorno 21 detto, cielo caliginoso, vento poco dal sud, verso le 9 del mattino, mi recai abordo ove trovai due ufficiali del brik "*Persian*" e più soldati armati che, a quanto mi disse il mio secondo, vi erano venuti fino dal giorno avanti e rimasti tutta la notte. Non tardò molto al mio arrivo di venire abordo il Commandante Quin che mi chiese le carte di bordo e dopo di averle esaminate le diede a custodire a un suo. Ufficiale dicendomi che volera visitare il carico. Non mi opposi e già ordinava al mio equipaggio di mettersi all'opera per ciò ceguire, ma mi fu vietato di nulla fave dicendomi che fra poco verrebbe dal suo bordo gente à ciò dedicata. Ciò detto imbarcossi nel suo canotto et andò a terra; comparve quindi infatti dopo pochi minuti una ventina di neri è principiarono a rivolgere il carico con tutta la massima mala maniera possibile; a nulla riguardavano basta che gettassero merci in coperta, poco loro importava che si rompessero o danneggiassero; mi laguai di ciò coll'ufficialità facendo loro osservare che mi avevano già rotto una buona porzione di damegiane, rovinata attra porzione di rolli di tabacco con farvi grandi buchi con piedi di porco e stracciando la cappa; le mie laguanze furono poco intese perche continuarono sempre a fur lo stesso, anzi, avendo trovato 10 casse di corallo, le gettarono di slaurio in coperta e con dispetto, di modo che battendo sopra la detta coperta si sconquassavano e si rompevano. In fine dopo che tutta era imzombra la coperta di merci e scoperta fino al piano inferiore la stiva del barco e nulla avendo trovato che potesse ren-

dere il barco sospetto giacchè in effetto, nulla es isteva se non che il puro carico, allora incominciassi a rivolgere alla camera; quattro di quei manigoldi di nevi che visitarono il carico (forse scelti fra i peggiori) furono destinati a tal visita; l'impossibile ad esprimere con quanta mala maniera si dedicassero a compiere il loro officio; cominciarono dal mio camerotto e quante carte, libri, conti e quaderni si trovarono in una scrivania fu tutto senza distinzione gettato in mezzo del suolo della camera non badando che si stracciasse, rovinasse, anzi procurarono di stropicciare carte e libri per ciò ottenere; trovarono ancora nella medesima scrivania un centinaio di collonati, diverse monete del Brasile e due scatole contenenti orologi, cordoni, bottoni d'oro di mia spettanza ed uso particolare; il tutto fu gettato a terra senza più attenzione del' altro; dall'altra parte si vuotavano i pagliacci e misturavano la foglia con carte, conte, ed altri stracciavano i materassi a vece di scucirli e visitarli; in fine troppo lungo sarebbe il descrivere minutamente tutto ciò che praticarono d'insolenze e vessazioni; mi lagnai altra volta e gli ufficiali che si trovavano presenti e che riguardavano con occhio indifferente tutto ciò che passava, ripresero alquanto i neri, ma ordini anteriori bisognava che fossero dati, giacché continuarono a far lo stesso. Quando tutto fu così rivolto senza nemmeno toccare una carta per leggerla, si aspettò il Commandante Quin che giunse verso le quattro pomeridiane accompagnato dal suo commissario, il quale, dopo avere dato un leggiero sguardo sì al carico che alla camera, ordinò che fossero ammassate tutte le carte che si trovavano sparpagliate sul suolo di quest'ultima, e nel medesimo tempo si rivolse a me dicendomi se nel caso mi prendesse il barco, qualche danno mi avrebbe pagato. Gli risposi che non sapeva come ciò potesse praticare, se non che abusando del potere della forza ma che in tal caso sarebbe il Governo Inglese che pagherebbe: Soggiunse il Commandante Quin che il mio barco era sospetto e che impossibile era ancora che un barco fino e di tal classe potesse dedicarsi al commercio lecito soltanto, e che per conseguenza mi avrebbe mandato a Terra Leone. Gli domandai allora cosa mi trovava a bordo che gli potesse dare il diritto di ciò praticare; esitò un poco avanti di rispondermi, al fine disse che il mio carico era in contrabbando. Ripresi io, che non sapeva come un carico di tabacco ed acquavita potesse essere in contrabbando tanto più venendo accompagnato da un manifesto, qual manifesto, oltre essere fatto e firmato dal mio consignatario in Bahia, era ancora legallizzato dal mio console e visitato dal Console Inglese. Mi rispose che bastava essere prodotto del Brasile per essere in contrabbando, ma che poi quella non era sola la causa; ordini particolari del suo Governo gli davano il diritto di ciò fare e che era deciso di mandarmi a Terra Leone onde colà sarei giudicato dalla commissione mista e che se mi avessero trovato assolvibile, l'avrebbero fatto. Gli feci allora osservare che non poteva mandarmi a Terra Leone senza violare il trattato sottoscritto in Torino dai Plenipotenziari Sardi, Francesi ed Inglese, 18 Agosto, 1834, e 18 Dicembre dello stesso anno concernente la repressione della tratta dei Negri, e che l'Articolo 4° di detto Trattato, molto chiaro parlava a tal proposito, e che in virtù di ciò non poteva se non che mandarmi a Genova per colà essere giudicato dal mio Governo. A tutto questo mi fu risposto che non conosceva il Trattato nessuno, e che non aveva nessuna responsabilità e che per ciò mi avrebbe mandato a Terra Leone.

Vedendo io allora che non voleva ragione e che bisognava cedere al potere della forza dissi al Commandante Quin che mi protestavo di danni, spera, interessi che causar poteva al carico ed al Barco e che mi riservava al mio primo approdo in parti ove esistessero autorità Consolari a ciò far presente l'occorso e rendere maggiormente più valida la mia protesta; mi rispose che potevo fare tutto ciò che voleva, che poco gli importava. Rivolgendosi poi ai due Ufficiali che assistirono alla visita, si fece consegnare tutte le carte che avevano ramassate nella Camera e, parlando loro a parte, dopo pochi minuti parti. Si tosto partito il Commandante che principiavano a gettare a basso le merci che erano in coperta nella medesima maniera che erano state poste sopra; tutte le provvigioni erano state messe pure in coperta e vi rimaneva ancora le 10 casse corallo; già era mezza notte, e non si trattava di levare tutto ciò nel mentre che una trentina di neri, marinari e soldati si andavano servendo di vino ed acquavita ed altre provvigioni a loro piacere; a me non mi era permesso di far toccare il menomo oggetto dal mio equipaggio. Mi lagnai ai due ufficiali che erano a bordo e dissi loro che quantunque considerassero il barco come una presa, rimaneva ancora un giudizio a passare e che aspettassero che fosse del tutto condannato avanti di far dare il bottino; allora mi permisero di far met-

tere le provviste abasso dal mio equipaggio : due bariti si vino si trovarono vuoti ed altre provvigioni decimate. Nel mentre che si mettevano abbasso i soldati ed i nevi gettarono nella camera le casse coralli religandole e accommodandole alla meglio perché erano tutte rovinate stante la mala maniera che erano state gettate in coperta. Tutto ad un tratto mi giro, e veda un ufficiale che aveva un masso di corallo nelle mani, le domandai dove l'avevo preso, mi disse nelle mani di un nero ma che non l'aveva potuto conoscere per farto castigare : mi parve un pò strano prendere dalle mani di un altro un oggetto e non conoscerlo, ma era un autorità, mi tonò tacere. Si passò tutta la notte con gran confusione d'equipaggio del brik "Persian," che andava e veniva. Non potevo conoscere la causa, ma la conobbi bene al indomani.

Il giorno 22 detto, alla mattina appena alzato dal letto, feci visitare una pipa vino e una acquavita che erano rimaste in coperta e le trovai tutte due mancanti più della metà fù allora che conobbi l'andar e vieni della notte scorsa. Fino alle due P.M. non vi fù novità : si aspettava il Commandante Quin che venisse di terra mentre qualche soldato visitava sempre nella camera e in tutti i renconi. Comparve alfine il commandante e dopo aver partato con i due ufficiali che erano rimasti a bordo, si rivolse a me e mi disse che aveva ancora benpensato sul proposito di mandarmi a Terra Leone e che aveva deciso per ciò che le consegnassi le armi che avevo a bordo come pure il danaro : nel medesimo tempo ordini al mio equipaggio che portasse tutta la sua roba in coperta e che si tenessero pronti per passare a bordo del suo brik. Gli dimandai per qual motivo mi levava il mio equipaggio, mi rispose che così era il costume e che solo mi avrebbe accompagnato il mio dispensiere il rimanente sarebbe messo a terra nel primo porto della costa che avesse approdato. Lo pregai allora a non volere praticare simile barbarità giacché avrebbe senz'altro causato la morte a tutto il mio equipaggio, mettendolo a terra privo di tutti i mezzi di sussistenza, e in costa infetta dall'aria mal sana, che poco vi resisterano perfino quei pochi Europei che avevano le maggior cure : furono inutili le mie preghiere : inflessibile non mi rispondera se non che per negarmi ciò che gli domandava. Discese il Commandante Quin nella camera e dissemi che gli consegnasse il denaro : avevo già venduto al Castel di Mina 800 circa rolli di tabacco e qualche pipa acquavita ; il prodotto era la maggior parte in oro in polvere ancora non chiuso ed in vasi di porcellana, lo misi sopra la tavola e glieto consegnai protestandomi di bel nuovo, nel mentre il Commandante Quin senza pur badare alle mie parole, ordinò che si facesse altra visita. Tralascierò d'esprimere le vessazioni ed abusi che commisero in ciò eseguire : dei mastri d'ascia furono mandati a prendere abordo del "Persian : " si tosto giunti cominciarono a visitare le Pareti forarle o scavessarle quando tutto fù in ordine il Commandante sali in coperta ed ordinò che fosse imbarcata in una lancia tutta la roba del mio equipaggio ed imbarcandosi esso pure andò al suo bordo lasciando l'oro e l'altro denaro tutto aperto sopra la tavola ed alla poca discrezione de suoi agenti. Verso le 4 pomeridiane il Commandante Quin mi mandò a prendere in una sua imbarcazione, e fui condotto a bordo de brik : Là altro esame ebbe luogo e nuove questioni sul nostro trattato. Voleva il Commandante appigliarsi dicendo che avevo 200 damigiane vuote e che il nostro trattato vietava di portare qualunque sia sorta di oggetto che capace fosse contenere acqua. Gli feci osservare che lo damigiane erano per riempire d'acquavita e che inoltre, in virtù del medesimo trattato, era perfettamente in regola, avendo un manifesto della dogana di Bahia che dichiarava tutto ciò che portavo a bordo. Molte furono ancora le questioni : in fine mi disse che prendessi le mie carte e che mi lasciava libero, e che inoltre, mi attendeva a pranzo con esso. Accettai per politica, ma si può immaginare con qual cuore, dopo essere così barbaramente trattato. Andai a bordo riportando la robu dei marinari con me mentre ritornai dopo poco per pranzare con il Commandante Quin, essendovi anche il Governatore di Capo Coast. Ritornai al mio bordo che il cielo cominciava a imbrunire, mentre il Commandante Quin sospendera l'ancora per mettersi alla vela : mi venne in mente di far fare una visita per vedere se mancava nulla a bordo avendo ben a sospettare stante la costernazione in che ci avevano messi durante i tre giorni che si rimase arrestati, ma la prossima notte non lo permise e si è rimesso per l'indomani.

Il giorno 23 detto, appena giorno, abbiamo fatto vela e siamo andati a fondare a Annobon. Là giunti alle 8 di mattina si è proceduto a una visita generale e si trovò una cassa corallo, No. 4, che non teneva 17 massi del peso totale di 24 $\frac{3}{4}$ lb. peso del Brasile ; si estimò il danno avisto nelle provviste di bordo e si calcolò ascendere a \$ 125 : avendo pure pesato l'oro in polvere che aveva con-

segnato al Commandante Quin, e che lo stesso, senza prendersi cura, lo lasciò alla discrezione degli ufficiali, neri, e marinarj che mi aveva messo a bordo, lo trovai mancante 4 oncie e $\frac{3}{4}$.

Illustrissimo Signore, questo è quanto occorre in questi tre giorni credo anche necessario farle osservare die durante la mio permanenza lungo la costa di Guinea ebbi a soffrire ancora tre visite tutte da diversi Barchi di Sua Maestà Britannica una fra le quali in Accra dal Commandante Horrok. Il 6 Guglio mentre mi trovava ammalato in terra, e senza avere riguardo al mio stato, hanno voluto che mi recassi a bordo, cosa che alterò molto la mia salute e mi condusse sull' orlo della sepoltura; e ancora da rimarcarsi che nella visita che ho avuto in seguito della prima, quantunque i Barchi fossero diversi, venne sempre a bordo per visitarli il medesimo ufficiale che era col Commandante Quin all' epoca della prima visita che, da quanto ricordo, chiamavasi Horrok. In tutte le visite hanno violato l'Articolo 6 della Convenzione per la ripressione dei Neri, che in seguito (come rimarcherà dal mio Giornale di Bordo) il discarico del barco ha permesso di conoscere il danno sofferto mi rolli-tabacco e nelle damigiane; trovai rotte 44 di quest' ultime, e rovinati, a causa della mala maniera che causarono nel visitare gli agenti del Commandante Quin, 416 rolli che mi toccò vendere 3 pezzi e $\frac{3}{4}$ meno del prezzo ottenuto per gli altri.

Rimetto a V. S. Illma. il conto dettagliato dei danni sofferti nella occasione che feci visitato dal brik "Persian," Commandante W. H. Quin, tralasciando di far menzione di piccoli oggetti di mio uso che trovai mancarmi dopola visita.

Segue il Conto.

Conto dei danni causati al carico e provigioni della Goletta Sarda "Furia" da me Commandata nel mio viaggio alla Costa di Guinea, causati da una visita che ho av to dal brik di guerra Inglese "Persian," Commandante W. H. Quin, come rilevassi dal mio Giornale di Bordo.

	Dols.	Cents.
No. 4, cassa 1 corallo in peso Portoghese, 24 $\frac{3}{4}$ lb. al prezzo di § 85 la libra	2113	75
Mancanza trovata nella polvere d'oro nel tempo che rimase in potere, assieme al Bastimento e carico, degli ufficiali, Equipaggio e Neri stati messi a bordo e che averano di tutto preso possesso onci 4 $\frac{3}{4}$	76	0
Danno causato a 416 mangolti nell'atto della visita con piedi di Porco e che si dovettero vendere in seguito colla differenza di § 3 $\frac{3}{4}$ ciascuno da quelli non pregiudicati	1456	0
44 damigiane rotte nel destivare	44	0
Per diverse provviste in esse comprese una porzione di vino ed altra acquavita mancata da due pipe che erano sopra coperta	125	0
Totale	3814	75

Aggiunse il Capitano Giuseppe Angelo Torre che, a seguito della soprascritta sua esposizione, protesta e riprotesta nel miglior modo e forma possibile, primieramente contro il Commandante Quin del brik "Persian," suoi ufficiali, e chi di diritto, come autori delle vessazioni, abusi, maltrattamenti e dei danni, spese, perdite ed interessi uniamente per loro colpa sofferti, intendendo poi di protestare e riprotestare contro il Governo in nome e sotto i colori del quale si è permesso il Commandante Suddetto, da esso rivestito dei suoi pieni poteri, e come tale suo rappresentante, di agire nella maniera qui sopra esposta rendendolo principalmente risponsabile di tutti i danni, spese, perdite ed interessi lui cagionati avvalorando le sue solenni proteste, non solo per avere il suo Rappresentante mancato al diritto delle genti ed alle leggi dell' umanità, ma per avere col suo procedere manifestamente infranto il Trattato in vigore fra la Sardegna, la Francia e l'Inghilterra.

(Firmati)

CAP. GIUSEPPE ANGELO TORRE.

ALESSANDRO LORENZO,

GUILHERME AL^{ES}. DE MEN^{ES}. } *Testimonii.*

A. J. ARMANDO, *il Vice-Console.*

E in seguito personalmente comparso Agostino Galleano, secondo a bordo della Goletta "Furia," Capitano Giuseppe Angelo Torre, il quale presto il dovuto giuramento, e di piena e libera volontà fece la deposizione seguente.

Che essendo ancorati sulla Rada di Capo Coast e non trovandosi a bordo il capitano, verso le 5 di sera, giunse un brik da guerra Inglese, il quale venne ad ancorare a poca distanza, quale non tardò molto a mandare un suo botto con due ufficiali a bordo, i quali montarono dentro, e domandando la provenienza e le carte di bordo, rispondendo esso che il capitano era a terra, fece loro vedere le carte mentre ordinavano ai loro marinari di visitare nella stiva, e dopo di avere vedute le carte si sono recati anche loro a visitare da tutte le parti del barco; verso le 8 P.M. si partirono.

Alle 8 $\frac{1}{2}$ venne un altro botto a bordo, e senza dir nulla si sono gettati dentro con una rapidità che sembravano pirati: erano due ufficiali con diversi soldati e neri armati, iquali vestarono tutta la notte a bordo. Che verso le 9 A.M. del giorno seguente venne il capitano assieme al pratico: gli ufficiali Inglese fecero segnale con un tiro di fucile al brik e non tardò molto a venire a bordo il Comandante Inglese, chiedendo le carte di bordo e dopo di averle esaminate, le diede a custodire ad un suo ufficiale, ed ordinò loro di visitare il carico; il capitano ordinava già all' equipaggio di fare tal travaglio ma gli venne una lancia piena di neri e bianchi i quali erano destinati a fare tale visita nel carico. Il comandante imbarcossi nel suo canotto e andò a terra. Principiarono a rivolgere il carico colla maggior violenza, a gettare le merci in coperta, rompendo delle damigiane, stracciando le cappe dei rotoli di tabacco, a colpi di piede di porco, che il capitano lagnossi contro gli ufficiali che non li rovinassero il carico, ma non ne fecero caso. Dopo di avere scoperto il pagliolo del barco e nulla avendo trovato che potesse compromettere, lo hanno tralasciato e principiarono allora alla camera gettando tutto sotto e sopra col massimo dispetto, quanto esisteva nella camera.

Che verso le 4 P.M. giunse il Comandante Quin accompagnato da un altro ufficiale, il quale dopo avere dato un misero sguardo al carico come alla camera, rivolgendosi ai suoi ufficiali, prese le carte di bordo ed imbarcossi nel botto dicendo al capitano che domani sarebbe partito con lui per Terra Leone. Gettarono alla rinfusa il carico che avevano messo in coperta, lasciando solo le 10 casse-corallo che erano già tutte rotte dalla mala maniera di gettarle da una parte all'altra; durante la notte restarono a bordo facendo il barco come una locanda, che bere, che mangiare; infine non poter esprimere il disordine che regnò durante la notte, e che, oltre di questo vide un ufficiale con un masso di coralli in mano, che gli fù richiesto dal capitano; che fatto giorno visitarono le provviste, e si trovarono con molta manianza nel vino, acquavita ed altre provviste mangiatorie. Si trovò anche del corallo sparso per la coperta. Verso le 8 di mattina vennero altri ufficiali e maestri d'Ascìa visitando da tutte le parti del barco, specialmente più nella camera. Nel decorso di questa giornata venne da terra il Comandante Inglese. Dopo di avere parlato con i due ufficiali, si fece consegnare dal capitano tutti i denari che erano a bordo della vendita già fatta al castel di Mina di diversi rotli-tabacco e pippe acquavita. Il capitano pose sopra la tavola tutto quanto aveva, era la maggior parte polvere in oro, e pochi colonati, protestandosi contro il suddetto comandante; che il comandante dopo di avere contato i denari e parlato con i suoi ufficiali parti lasciando il denaro sempre sulla tavola, alla disposizione di tutti. Visitarono fino a notte i mastri d'Ascìa; come nulla trovarono di compromettere il barco, in seguito il comandante mandò a prendere il capitano che verso le 6, venne a bordo con le carte di bordo dicendo che eravamo liberi.

Che la mattina seguente si salpò, e fatto vela per andare a fondare in Animaboe là giunti il capitano fece fare una visita generale e si trovò una cassa corallo vuota del No. 4, che conteneva, 17 massi, si diede bilancio alla polvere e si trovò che mancava 4 e $\frac{3}{4}$ oncie.

Che verso le 9 di mattina giunse un altro brik di guerra Inglese il quale ancorò a poca distanza, mandò un botto con un ufficiale che era già stato a bordo all'epoca della prima visita. Visitate le carte di bordo, onde fece visitare nella stiva da suoi marinari e da due neri, mentre mandò a chiamare il suo Comandante Quinto, il comandante visitò anch'esso le carte. Egli domandò dov'era il capitano e sulla risposta che era a terra da diversi giorni annalato di febbre, rispose che bisognava che venisse a bordo, che avendo spedito una farroa venne il capitano e che dopo mille questioni e vessazioni ci lasciò in libertà.

Avendo in seguito interrogato sei danni stati cagionati dalla visita del Comandante Quin, consistessero unicamente nella mancanza dei coralli e della

polvere doro disse, che nel consegnare il carico si sono trovate 44 damegiane rotte e 416 rolli-tabacco tutti rovinati sul prezzo dei quali furono obbligati a fare un grande ribasso.

In fede del che si sottoscrisse con noi e coi testimonii.

(Firmati)

AGOSTINO GALLEANO, *Secondo.*

ALESSANDRO LORENZ,

GUILHERME ALVES DE MENES.,

A. J. ARMANDO, *il V. Console.*

} *Testimonii.*

Essendo quindi personalmente comparso nanti noi Manoel Joaquim da Costa il quale, essendo invitato a fare una fedele esposizione di quanto era accaduto a bordo della goletta Sarda "*Furia*," Capitano Giuseppe Angelo Torre nel suo viaggio alla costa d'Africa al bordo della quale egli si trovava in qualità di pratico ed interprete, prestò il dovuto giuramento e disse quanto segue:

Che avendo ancorato a Capo Coast il giorno 20 Giugno, venne da terra, una carroa con bandiera Inglese per sapere la provenienza della goletta e che avendo egli assieme al Capitano Giuseppe Angelo Torre, profittato della stessa carroa per tentare collocare tutto o parte del loro carico in quel porto e non incontrando verun vantaggio nel mercato tornavansene a bordo la mattina seguente, assieme al detto capitano; trovò la goletta in potere di due ufficiali e più soldati armati del bordo del brik di guerra Inglese "*Persian*." Che poco dopo giunse il Comandante Quin e, dopo avere esaminate le carte di bordo, disse che volera visitare il carico, al che il capitano immantamente annuendo, diede gli ordini opportuni all'equipaggio; ma che il comandante subito si oppose dicendo aver gente adattata a tale lavoro e partì. Che poco dopo venne infatti una turba di venti circa neri iquali subito principiarono a mettere sottopra il carico rivolgendo, amessando, e rompendo tutto quanto loro si presentava, facendo in pezzi damegiane e facendo servire dei piedi di porco per rovinare i mangolti calpestando, e trattando il tutto della maniera la più atroce senza esistere la menoma provocazione per un tale procedere. Le cape di corallo furono con forza slanciate sulla coperta e per conseguenza tutte disconnesse e rovinate, trovandosi in seguito a mancare una porzione che si trovò a essere nella cassa, No. 4, in peso 24 $\frac{3}{4}$ lb. Finito in tal modo di sacheggiare il carico corsero a dar l'assalto alla camera quattro neri, un soldato ed un ufficiale dove si commisero gli stessi non potendo più essere maggiori eccessi ed arbitrarietà, facendo man bassa sopra tutto quanto loro si presentava, gettando vuotando, sparpigliando sul suolo carte, libri, danaro, orologii, strofinando, squadernando ciò che riuvenivano e commettendo le vessazioni, gli abusi e le enormità che solo cadendo in mano di barbari sarebbero potuto aspettare, venendo il loro furore sempre più aizzato dalle dimostrazioni epregchiere che loro venivano fatte di procedere con moderazione, lasciando loro di buona voglia libero il varco tosto che fosse giudicato non essere essi in loro diritto e in lecito commercio. Che stanchi in fine dell'assalto, aspettarono soltanto il momento di poter riprendere il loro ufficio.

Dopo di avere in tal maniera rovinato il carico e la camera apparve il Comandante Quin il quale, avendo ordinato che si ramassassero tutte le carte sparse per la camera, mandolle al suo bordo e rivolgendosi esso al Capitano domandogli, se fuandogli egli la goletta prigioniera da chi ne reclamerebbe l'ammontare, al che il Capitano rispose che si farebbe pagare dal Governo Inglese non potendo egli ciò praticare che abusando della forza. Ma che ad onta di tutto questo e della rigorosissima crudele e barbara visita, insisteva il comandante essere la goletta sospetta allegando delli pretesti insulgi e che per conseguenza l'avrebbe mandato a Terra Leone, avendo egli ordini particolari dal suo Governo, che ve lo autorizzavano, non importandosi dei Trattati, scherendosi dei protesti, colla sicurezza della nessuna responsabilità che egli sarebbe stato per incorrere, ed imponendo al fine al Capitano di prepararsi a partire per Terra Leone si ritirò.

Fu allora che cominciarono a ricacciare, slanciare, e calpestare nella stiva il carico che ne avevano tanto scandalosamente tirato il che fu eseguito con tanta furia, dispetto ed empietà, che non soli gravissimi ed incalcolabili danni diedero visibilmente al carico, ma che anche al bastimento potrebbe esserne derivato grandi danni, essendosi in ultimo messi a scavezzare e a dare dei colpi come se avessero voluto vedere se l'interno del leguo avesse potuto racchiudere qualche cosa per poterci compromettere. Non rimase in coperta che le 10 casse corallo.

Che furono altresì esposte allo loro insaziabile voracità tutte le provviste le quali, mentre era proibito che fossero toccate dall' equipaggio, erano da loro manomesse e solo dopo molte preghiere permisero che si sottrassero assieme ai coralli che pareva avessero per divertimento sparsi per la coperta e che in mezzo a quella confusione vide il Capitano della goletta avvicinarsi ad un ufficiale del brik, e richiamargli un masso di coralli che si trovava nelle sue mani. L' ufficiale rispose alla domanda del Capitano che il masso di coralli lo aveva preso nelle mani di un nero, ma che non lo aveva conosciuto. Che tutta la notte passo nella maggiore confusione, avendo l' equipaggio del brik vuotato due barili vino, smezzatone una pipo, ed un'altra di acquavita che si trovarono sopra coperta. Che lo stesso giorno 22 venne il comandante a bordo e rivolgendosi al capitano, dipegli che avendo deciso di mandarlo per Terra Leone gli ordinava di consegnarli le armi, i denari, oro ed altro che potesse trovarsi a bordo ingiungendo al medesimo tempo all' equipaggio di consegnarli tutta la roba ed effetti che loro appartenera, e che si preparassero per passare a bordo del brik stante che, essendo la goletta prigioniera, dovevano essere sbarcati nel primo porto della costa nel quale approdassero. Che discendendo nella camera il capitano gli consegnò il denaro e l' oro in polvere procedendosi per ordine del comandante ad una nuova visita rigorosa nella quale intervennero i maestri d' ascia. Che ordinando in seguito che la roba dei marinari fosse imbarcata nel canotto del brik il comandante parti, lasciando l' oro in polvere ed il danaro nella camera. Che venne poi un canotto del brik ingiungendo al capitano di recarsi agli ordini del comandante, e che ritornando in seguito esso capitano colla roba dell' equipaggio dichiarò che erano stati messi in libertà.

Che nel decorso del viaggio ebbero a soffrire altre visite nelle quali eguali abusi e vessazioni, furono praticate obbligando perfino il capitano che si trovava a terra ad abbandonare il letto in cui giaceva da molti giorni attaccato da gravissima malattia, per venire a presenziare le arbitrarità che i signori crucieri a loro bel piacere commettevano.

Avendo poi interrogato il suddetto Manoel Joaquim da Costa riguardo ai danni che potevano essere stati cagionati dalle visite suddette, disse, che a misura che si vendeva e consegnava il carico si trovarono 44 damegiane rotte, 416 mangotti tabacco rovinati, una mancanza di $4\frac{3}{4}$ oncie d' oro in polvere, e 17 massi di corallo in peso $24\frac{3}{4}$ lbs., il che gli consta per avere egli trattato assieme al capitano della vendita di tutto il carico, e tutti questi danni unicamente essere stati cagionati dagli eccessi e dagli abusi che furono commessi nelle sopracitate visite, essendo essi stati costretti a fare un ribasso nei 416 mangotti di \$ $3\frac{3}{4}$ ciascheduno.

In fede del che si sottoscrisse con noi e coi testimonii.

(Firmati) MANOEL JOAQUIM DA COSTA.
ALESSANDRO LORENZ,
GUILHERME ALVES. DE MENES., } Testimonii.
A. J. ARMANDO, *il Vice-Console.*

Si è in seguito proceduto all' interrogazione del marinaio Luigi di Barbieri il quale previo prestato giuramento di dire la pura verità espone quanto segue:

Che essendo giunto a Capo Coast, il capitano discese a terra assieme al suo pratico della costa, diede fondo a poca distanza un brik da guerra Inglese, e mandò poco dopo un canotto a bordo della goletta con due ufficiali e varij soldati armati i quali s' impossessarono subito del bastimento dove si fermarono tutta la notte. Che essendo venuto all' indomani mattino il capitano, fù raggiunto dopo poco dal comandante del brik Inglese il quale avendo veduto le carte disse che voleva visitare il carico. Mettendosi allora l' equipaggio, dietro l' ordine ricevuto dal loro capitano, per mostrave il carico, il comandante proibì loro di neppure muoversi e parti. Che venne in seguito più di venti neri i quali principiarono a gettare in coperta tutto quanto loro cadeva nelle mani, rompendo damigiane, stracciando e fucendo buchi nei mangotti, aprendo casse di corallo, infine trattando il carico come se fosse roba rubata, che discesero poi nella camera dove ne fecero altrettanto; che avendo poi finito quel bel travaglio, e lasciando tutto sottosopra cominciarono a dar di mano alle provviste ed a servirsi senza discrezione di vino, acquavita, mangiando e bevendo per dispetto. E che non solo non si contentavano di mangiare, bere e rovinare roba e provviste ma che vide un ufficiale con un mazzo di coralli in mano che gli fu reclamato dal capi-

tano, qual masso faceva parte d'una cassa che si trovava vuota e passarono in questo modo la seconda notte. Che essendo venuto la mattina il comandante ed avendo di nuovo fatto visitare e rivisitare ordinó che fosse anche presa tutta la roba dei marinari ed i rami, e che tutto fosse gettato nel canotto del brik Inglese, il che fu eseguito colla massima confusione non badando ne a chi l'avesse ne a chi non l'avesse e non permettendo loro di prendere neppure un pezzo di goletta, dicendo loro che siccome il barco era prigioniero e sarebbe portato a Terra Leone li sbarcherebbe sulla costa. Che avendo in seguito il comandante mandato a chiamare il capitano, ritornó quest' ultimo poco dopo rapportando loro la roba e dicendo che erano messi in libertà. Che avendo abbandonato questo punto della costa dove erano stati tanto maltrattati, ebbero a soffrire varie altre visite in cui simili barbarità furono commesse e sempre per parte dei Signori Inglesi.

In fede di che si sottoscrisse assieme agli infrascritti testimonii e noi dopo d'essi.

(Firmati)

LUIGI DI BARBIERI.

ALESSANDRO LORENZ

GUILHERME ALVES DE MENEZES

A. J. ARMANDO, *il Vice-Console.*

} *Testimonii.*

Essendosi poi presentato Andrea Semino prestó il dovuto giuramento di dire il vero e fece la seguente esposizione :

Che trovandosi la goletta ancorata a Capo Coast furono visitati da un brik Inglese il quale pose subito delle guardie a bordo, e che dopo la venuta del comandante a bordo, procederono ad una visita la più rigorosa e la più malgraziata che potesse essere umanamente fatta ; che una tal visita fu fatta da più di 20 neri i quali pareva fossero d'accordo e chi rompeva e chi maltrattava più, non badando ni alla qualità ni al valore della mercanzia e che dopo di avere scaricato il bastimento e di avere per ancora o per forza fatto capire sopra la coperta quello che si trovava nella stiva, furono a fare uno scempio nella camera. Disse in seguito che in quanto a lui non potrebbe asseverare se, oltre gli enormi danni che diedero al carico, stimarono bene di servirsi altresì di quello che più potera loro aggradire, che però egli ha veduto una cassetta la quale era stata messa in pezzi nel gettarle in coperta e che si trovava allora piena di coralli e che la rivide in seguito vuota. E che dopo di avere maltrattato il carico si misero a dare il sano alle provviste e che in tal modo passarono tutta la notte. E che il comandante essendo venuto a bordo la mattina seguente, previa altra visita, diede loro ordine di prepararsi per lasciare il bastimento dovendo essi essere gettati sulla costa, e quindi fece prendere tutta la loro roba portandosela a bordo del brik Inglese. Disse inoltre che dopo di essere stati liberati partirono e trovandosi in altro punto della costa non credevano di più sortire dalle mani degli Inglesi avendo essi varie altre volte ricominciato orrori e che credeva che non volessero più finirla sembrando che si dessero la mano per non lasciarli un momento tranquilli.

In fede del che si sottoscrisse con noi, e coi testimonii.

(Firmati)

ANDREA SEMINO.

ALESSANDRO LORENZ

GUILHERME ALVES DE MENEZES

A. J. ARMANDO, *il Vice-Console.*

} *Testimonii.*

Visto in questo V. Consolato di Sua Maestá Sarda, per copia conforme agli originali, inscritti al libro degli atti No. 1, dal foglio 86, al foglio 105.

A. J. ARMANDO, *il Vice-Console.*

Bahia, 22 Ottobre, 1840.

Pour copie conforme,

POLLON.

(Translation.)

In the year of the Lord 1840, the 21st of September, at ten in the forenoon, before me, Antony Joseph Armando, Vice-Consul of His Sardinian Majesty in the province of St. Salvador and town of Bahia,

There appeared personally Captain Angelo Torre, commander of the national schooner "*Furia*," proceeding from the Coast of Africa for the purpose of lawful

commerce, and now at anchor in this port; who, after taking his oath that he will speak the truth, states as follows:—

On the 20th of June, 1840, at 5 o'clock A.M., he made sail from Mina roadstead, on the coast of Guinea, with the view of casting anchor at Cape Coast. There was but little wind, and the sky overcast. At half-past seven o'clock he came to an anchor opposite the English fort, in nine fathoms of water.

A little after we were boarded by a boat under the English flag, sent by the commandant of the fort to inquire whence we came. I took this opportunity to go on shore, together with my factor, Manoel Joaquim da Costa, in order to make arrangements for the disposal of my cargo. Calling on a merchant of Cape Coast, I found that I could sell nothing to advantage, and was preparing to return on board, when about four in the afternoon an English brig of war hove in sight, which by all accounts was the "Persian," commanded by W. H. Quin. As I was desirous to be visited at this part of the coast rather than at any other, by reason of its being an English settlement, since it would enable me to show that I was engaged only in lawful trade, I determined to wait till to-morrow. About 6 P.M. the above brig anchored in the road of Cape Coast, not far from the vessel under my command.

On the 21st of the said month, the sky being cloudy, with a light breeze from the south, I returned on board, where I found two officers of the brig "Persian" and several armed soldiers, who, as I understood from my mate, had come thither the preceding day and had remained all night. Shortly after my arrival Commander Quin came on board and inquired after my ship's papers. Having looked over them he handed them to an officer that accompanied him, and said that he wished to examine the cargo. I made no resistance and was already going to give orders to my crew to set about carrying it into effect, when I was told that I must not interfere with that, as he would soon send men from on board his brig to see to it. He then went into his boat and returned on shore. In a few minutes we had among us some twenty blacks, who began to tumble the cargo in the worst manner possible, heedlessly pitching the goods on deck, and unmindful whether they broke or damaged them. I complained of this to the officers, pointing out to them that their men had already broke a good many of my demijohns, and spoiled a number of rolls of tobacco by wantonly picking holes into and tearing the wrappers. But little attending to my remarks they persisted in their practice, so much so that, meeting with ten boxes of coral, they negligently chucked them on deck, pitching on which they were smashed and dashed to pieces. The whole deck being now lumbered with bales and the hold laid open down to the lower deck without anything having been found to render the vessel suspected, as in fact she contained nothing but the mere cargo, they proceeded to rummage the cabin. Four of these miscreants of blacks, perhaps picked out from among the worst of them, were assigned this duty; and it is impossible to express how disgracefully they fulfilled it. Opening, first of all, my closet, they took out all the loose and stitched papers, books, and accounts contained in a desk and threw them indistinctly about the floor of the cabin, heedless whether they tore and destroyed them, or rather purposely with that view. In the next place there were in the desk a hundred dollars and several Brazilian coins, with two boxes containing watches, gold lace, and gold buttons, all for my private use, which they likewise cast on the ground. They then opened the palliasses and scattered the straw about the cabin, mixed with the papers. Others ripped up the mattresses instead of unseaming them preparatory to examination. There would be no end if I were to attempt minutely to describe all the particulars of their vexatious insolence. I once more complained to the officers, who witnessed these doings with indifference; they indeed blamed the blacks a little, but this proved ineffectual, no doubt owing to previous orders, as the negroes continued their mischief. When all had been turned over without so much as even to touch a letter for the purpose of reading it, they waited for Commander Quin, who arrived about 4 P.M., accompanied by his "Commissioner." The latter, slightly glancing at the cargo and cabin, ordered all the scattered papers to be taken up, and then turning to me asked in case he were to take my vessel, what compensation he should pay me. I replied that I did not know how he could act in this manner, unless he abused the power of the stronger; but that in such a case it would be for the English Government to pay. Commander Quin added that my vessel was suspected, seeing that a vessel of such a condition and class could not ex-

clusively be employed in lawful trade; he would therefore send me to Sierra Leone. I asked him what he had found on board of her to entitle him to pursue such a line of conduct. He hesitated a little before he answered, and then said that my cargo was contraband. I rejoined that I was at a loss to conceive how a cargo consisting of tobacco and brandy could be contraband, so much the rather as it was accompanied by a manifest furnished and signed by my consignee at Bahia, and moreover legalised by my Consul and countersigned by the English Consul. His answer was, its being Brazilian produce sufficed to constitute it contraband; nevertheless that was not the only reason; special orders from his Government gave him the right to act in this manner, and he was determined to send me to Sierra Leone to be tried by the Mixed Commission, and if they found me innocent they would absolve me. I observed to him that he could not despatch me to Sierra Leone without violating the Treaty signed at Turin by the Sardinian, French, and English plenipotentiaries on the 18th of August and the 18th of December, 1834, respecting the repression of the Slave Trade, and that the 4th Article of the said Treaty was quite in point, in virtue of which he could not do otherwise than send me to Genoa for adjudication by my Government. All the answer he made to this was, that he knew nothing of any treaty, and that he was under no responsibility, wherefore he would send me to Sierra Leone.

Finding that he would listen to no reason, and that I should have to yield to the power of force, I said to Commander Quin that I protested against all damages, expenses, and liabilities he might cause to the cargo and vessel, and that I reserved to myself on my first landing where there should exist Consular authorities to enable me to state the present transaction, and especially to impart more validity to this my protest. His reply was that I might do as I liked, for he cared very little. Then, turning to the two officers who witnessed the search, he desired them to give up to him all the papers they had picked up from the floor, and, after speaking to them in private, went away. The moment the commander was gone they began to throw into the hold the goods as carelessly as they had brought them up. The provisions remained still on the deck, as did the 10 boxes of coral. Though it was already midnight no one thought of removing these things, while some 30 blacks, sailors and soldiers, helped themselves to the wine, brandy, and eatables, as they pleased, while I was not allowed to touch anything belonging to my accommodation on board. I made complaint to the two officers, representing that they treated the vessel as a good prize before any sentence had been pronounced, and that she must be condemned ere she could be pillaged. They then permitted me to order my crew to remove the provisions again into the hold. Two barrels of wine were found to be empty, and a great deal of the other provisions was gone. While this was doing, the soldiers and the blacks threw the coral chests into the cabin, fastening and putting them in some order, as they had been extremely ill-used by being pitched on deck. On suddenly turning I saw that one of the officers had a large lump of coral in his hand, and asked him where he had taken it from; he said out of the hands of a negro, whom he had been unable to identify so as to get him punished. It seemed to me rather odd that he should have taken something out of the hands of a person without being able to recognise him, but, as he was a gentleman in authority, it became me to hold my peace. The night was passed in great turmoil, for the crew of the brig "Persian" kept continually going backwards and forwards. I had not for the moment the means of ascertaining the cause of these movements, but the next day I became possessed of the required information.

On the 22nd of the month above-mentioned, the moment I was up, I made my men examine a pipe of wine, and another of brandy, that had been left on deck, and they were both of them found more than half empty. I then became aware why there had been so much going to and fro during the preceding night. Till two in the afternoon nothing of any moment happened while they were expecting Commander Quin from the shore. Still, however, one or other of the soldiers kept going into the cabin, and prying into all corners. At length the commander made his appearance. After speaking to the officers that had remained on board, he turned to me, saying he had again considered about my being sent to Sierra Leone, and was now decided on it. I should, therefore, give up to him both the arms and the money I had on board. Meanwhile he directed my ship's company to bring all their clothes on deck and bade

them to prepare for going on board his brig. On my inquiring for what reason he deprived me of my crew, he answered, that such was the custom, adding that I should be accompanied only by my steward, and that all the rest should be set on shore at the first port he should put into. I entreated him not to commit such a barbarity, as the death of the whole crew must be the consequence if he put them ashore without any means of subsistence, and that too on a shore so pestiferous that few Europeans were able to endure it, even though they had the benefit of the most skilful physicians. My entreaties were to no purpose; he remained inflexible, and persisted in his refusal.

Commander Quin, then going down into the cabin, desired me to give him the money. At Castle Miua I had already disposed of about 800 rolls of tobacco and of some pipes of brandy. The proceeds were for the most part in gold-dust, which as yet I had secured only in some porcelain. This I placed on the table before him, repeating however my protest. He paid no attention to what I said, and ordered them to proceed to another search. I forbear enlarging on the rude and improper manner with which this was executed. Carpenters were sent for from on board the "Persian," who commenced searching the vessel by piercing and hacking the sides. In the next place the commander went on deck and ordered the whole clothing of my crew to be put into a boat, into which he stepped himself, leaving all the gold-dust and money open and exposed on the table, regardless of the low degree of discretion for which credit could be given to his dependants. Commander Quin ordered one of his boats to take me on board his brig, where I was examined over again, and had additional questions put me as to our Treaty. The Commander laid much stress on the circumstance of my having 200 empty demijohns, when our Treaty forbade the carrying of any kind of vessel capable of holding water. I observed that the demijohns were intended to be filled with brandy, and that in this respect I was perfectly justified by the Treaty, inasmuch as I was provided with a manifest from the Custom-house at Bahia, specifying all the articles I had on board. Having once more put many questions to me, he concluded by saying that I might take my papers and that he set me free—he also expected me to dine with him, and though I accepted this invitation out of politeness, it will be easily imagined with what grace I complied after having been the object of such barbarous treatment. I went on board and took the clothes of the sailors with me, but quickly returned to dine with the commander, where I also found the Governor of Cape Coast. I went back on board my vessel, as the sky began to lower, while Commander Quin weighed anchor with the view of putting to sea. It occurred to me to have my schooner examined immediately to see whether anything was wanting, as I entertained great suspicions on that subject from the confusion into which we had been thrown during the three days of our detention; but, as it was near nightfall, I put off the search till next day, the 23rd. On that day, the moment it dawned, we made sail and proceeded to cast anchor at Annobon. We arrived there about eight in the morning, and, on overhauling the vessel, we found that a coral chest, No. 4, contained only seventeen pieces, weighing 24½ lbs. Brazil weight. In the next place the damage sustained to our provisions was calculated to amount to 125 dollars. Finally, we weighed the gold-dust which I had handed over to Commander Quin, and which he had abandoned to the discretion of the officers, blacks, and sailors, whom he brought on board my vessel, and discovered therein a deficiency of four ounces and three-quarters.

The above, Most Illustrious Sir, is an account of what occurred during the three days in question. I also deem it necessary to add, that during my stay on the coast of Guinea, I had to undergo three different visits from the ships of Her Britannic Majesty, one of which was under the orders of Commander Horrock, at Accra. On the 6th of July, while I was ill on shore, they, heedless of my situation, made me repair on board, which so much affected my health as to bring me to the brink of the grave. It ought also to be observed that on the visit which they paid me after the first, the boat was different from that at the first visit, though the officer who came to search was still the same, namely, the subaltern who accompanied Commander Quin at the first visit, and whose name, as far as I can remember, was Horrock. In all their visits they have violated the 6th Article of the Convention for the repression of the Slave Trade, for, as will appear from my log-book, the unloading of the vessel afforded us an opportunity of ascertaining what damage was sustained by the

rolls of tobacco and demijohns. Of the latter I found 44 broken, and of the rolls 416 spoiled, in consequence of the rough usage given them by Commander Quin's agents, so as to compel me to dispose of the tobacco per roll at $3\frac{3}{4}$ "pezzie" less than the other rolls fetched.

I enclose to you, Illustrious Sir, a detailed account of the damages sustained on occasion of the visit of the brig "Persian," Commander Quin, without, however, mentioning a variety of small articles for my private use, which I missed subsequently to that visit.

Account of damages done to the cargo and provisions of the Sardinian schooner "Furia," commanded by me during my voyage to the coast of Guinea, on occasion of a visit or search made by the English brig-of-war "Persian," W. H. Quin, commander, as appears from my log-book.

	Dols.	Cents.
No. 4, chest of coral, weighing $24\frac{3}{4}$ lbs. Portuguese measure, at 85 dollars per lb.	2113	75
Deficiency discovered in gold-dust after it had been, as well as the vessel and the cargo, in the power of the officers, mariners, and blacks that were sent on board, and took possession of the whole— $4\frac{3}{4}$ ounces	76	0
Damage caused to 416 bales by means of iron crows during the visit, and which, in consequence, had to be sold with a difference of $3\frac{3}{4}$ dollars each as compared with the price of those not injured	1456	0
Forty-four demijohns broken on being taken from the hold	44	0
To a variety of provisions, inclusive of some wine and brandy extracted from two pipes left on deck	125	0
Total	3814	75

Captain Joseph Angelo Torre added that, referring to the above statement, he protests and reprotests in the best manner and form possible; in the first place against Commander Quin, of the brig "Persian," his officers, and against whom it may be lawful, as the authors of the vexations, abuses, ill treatments, and damages, expenses, losses, and liabilities sustained, solely through their fault; intending, in the second place, to protest and reprotest against the Government in whose name and under whose colours the above commander, invested with its full powers, and as such its representative, has permitted himself to act in the manner above stated, making him principally responsible for all the damages, expenses, losses, and liabilities, occasioned by him, confirming his solemn protests not only because its representative has been wanting to the law of nations and the laws of humanity, but because by his proceeding he has manifestly infringed the Treaty in force between Sardinia, France, and England.

(Signed)

CAP. GIUSEPPE ANGELO TORRE.

ALESSANDRO LORENZO,

GUILHERME AL^{ES}. DE MEN^{ES}.,

A. J. ARMANDO, *the Vice-Consul.*

} *Witnesses.*

And thereafter personally appeared Agostino Galleano, mate of the schooner "Furia," Giuseppe Angelo Torre captain, who took the required oath, and of his own full and free will made the following deposition:—

That when they were at anchor in the Road of Cape Coast, and in the absence of the captain, about five in the afternoon there arrived an English war brig which cast anchor a short way off, and which speedily despatched one of her boats with two officers who came on board inquiring whence she came, and asking for her ship's papers. Deponent answering that the captain was ashore, showed them the papers while they ordered their men to search the hold, and the officers after casting their eyes over the papers went over all parts of the vessel, and at 8 P.M. they went away.

Half an hour after 8 another boat came, the crew of which jumped aboard of the schooner, with a rapidity resembling that of pirates, without uttering a syllable: it consisted of two officers and several armed soldiers and blacks, who remained on board all night. About 9 A.M., of the day following, the captain came along with his factor. The English officers having made a

signal to the brig by firing a musket, her commander presently arrived on board.

He demanded the ship's papers, and after looking them over gave them in charge to one of his officers, directing them to examine the cargo. The captain desired his company to undertake that office, but there presently came a launch full of black and white men, who had orders to overhaul the cargo. The commander having returned on shore in his boat, his people began to turn over the cargo with the greatest violence, pitch the bales on deck, break the demijohns, and by means of iron crows to rip open the wrappers of the rolls of tobacco, so as to make the captain complain to the officers that their men would destroy the cargo, of which they took no notice. When they found nothing in the hold to commit the vessel, they turned to the cabin, which they rummaged, scattering about with the greatest wantonness all things it contained.

About 4 p.m. arrived Commander Quin, accompanied by another officer. He gave a very slight glance at the cargo and cabin, then turned to his officers, took the ship's papers, and went back in his boat, saying to the captain that to-morrow he would have to take his passage with him to Sierra Leone. They threw about in great disorder the goods they had carried on deck, leaving only the 10 chests of coral that were all broke in pieces, owing to the rough manner wherewith they had been moved. They staid all night on board, giving the vessel the appearance of a house of entertainment, where people eat and drank. Deponent can find no words to express the disorder which prevailed during the night. He saw an officer with a lump of coral in his hands, for which the captain asked him. When at break of day they examined the provisions, it was found that a great deal of the wine, brandy, and eatables was missing. Some pieces of coral were also scattered on deck. About 8 o'clock some other officers came, accompanied by carpenters, to search all parts of the vessel, particularly the cabin. In the course of this day arrived also the English captain, who, after a conference with the officers, made the captain give up to him all the cash he had on board, being the proceeds of the sale already effected at Castle Mina of several rolls of tobacco and pipes of brandy. The captain placed on the table all he had, consisting mostly of gold dust and a few dollars, protesting against the above commander, who, after counting the money and speaking with his officers, went away, leaving the treasure on the table at the disposal of whosoever would take it. The carpenters continued their search till night; but as they found nothing capable of rendering the vessel suspected, the commander sent back the captain, who arrived on board about 6 o'clock with the ship's papers, declaring that all were released. Next morning they weighed anchor and stood for Annabon, where the captain directed a general examination to be made, when a chest of coral, No. 4, which had contained 17 pieces, was found empty, and the gold dust, on being weighed, was found deficient $4\frac{1}{2}$ ounces.

About 9 a.m. another English brig arrived, which, after anchoring at a short distance, sent a boat with an officer who had already been on board at the time of the first visit. He looked at the ship's papers, and had the hold examined by his men and two blacks, while he sent for his captain. The latter having arrived also examined the papers, and inquired for the captain. On being answered that he was ill on shore and had been so for several days, the reply was that the captain must needs attend on board. A boat was sent for him, and after a thousand questions and much worry, we were left at liberty.

Being thereupon questioned whether the injuries occasioned in consequence of Commander Quin's visit were confined to the deficiency discovered in the corals and the gold dust, he said that when the cargo was surrendered, 44 demijohns were found broke, and 416 rolls of tobacco in so bad a plight as to occasion a considerable abatement in their price.

In faith of which he signed the deposition along with us and the witnesses.

(Signed) AGOSTINO GALLEANO, *Mate.*
ALESSANDRO LORENZ,
GUILHERME ALV^{ES}. DE MEN^{ES}., } *Witnesses.*
A. J. ARMANDO, *the Vice-Consul.*

Hereupon Manoel Joaquim da Costa having personally appeared before us, he was invited to make a faithful statement of what had occurred on board the Sardinian schooner "*Furia*," Captain Joseph Angelo Torre, on her voyage to

the Coast of Africa, on board of which he was in the capacity of factor and interpreter; he took the usual oath, and deposed as follows:—

That having anchored at Cape Coast the 20th of June, there came from the shore a boat under English colours to inquire whence the schooner came, and that deponent, together with Captain Torre, having availed themselves of the opportunity offered by the boat to dispose of part, or the whole, of the cargo in that port, they found that they could not do so to advantage, whence, on the next morning, deponent returned on board with the captain. He found the brig in the possession of two officers and several armed soldiers, who had come from on board the English brig "Persian." That soon after Commander Quin arrived, who, after examining the ship's papers, said he wished to look over the cargo, to which the captain, immediately assenting, gave the proper orders to the crew; but that the commander forthwith stopped it, saying that he had men fitted for that task, and took his departure. That soon after there came, in fact, a crowd of some twenty blacks, who tumbled and put everything topsyturvy, ripping up and breaking what they could lay hold of—smashing demijohns and employing crowbars to tear open the bales, and spoil them by treading upon, and using them in the most disgraceful manner without any provocation to such a conduct. The chests of coral were forcibly dashed on the deck so as to come undone and be spoiled, and that even subsequently a portion of chest No. 4 was missing, namely 24 $\frac{3}{4}$ lbs. weight. Having thus sacked the cargo, four blacks, a soldier, and an officer proceeded to attack the cabin, where they repeated the same wanton excesses by laying hands on all they could, throwing down, emptying, scattering on the floor papers, books, money, watches, disfiguring what they met with, and being guilty of such vexations, abuses, and enormities as only could be expected on falling into the hands of barbarians, their fury being the more excited by entreaties and solicitations addressed to them to proceed with moderation, since their impetuosity could not be stopped, and they being persons whom no authority could check. That, tired at last of the assault, they gladly looked forward to the moment of returning to their duties.

After thus damaging the cargo and cabin, Commander Quin came and ordered that all the papers scattered about the cabin should be taken up and carried on board his brig. He then asked the captain, in case the schooner were taken possession of as a good prize, on whom he would call for compensation. The captain made answer, "On the English Government; but the commander could not think of going that length without an abuse of power." In spite of this observation, and notwithstanding the just-mentioned most cruel and barbarous visitation, the commander on the most absurd grounds insisted that the schooner was suspected, and that, therefore, he would order her for Sierra Leone, as he had precise directions from his Government authorising him to it, adding, that Treaties were of no avail, that he paid no regard to Protests, and that he was certain of incurring no responsibility; he, therefore, desired the captain to prepare to take his departure for Sierra Leone; so saying, he went away.

They then once more overhauled, rummaged, and trod on the cargo in the hold, and proceeded altogether with such violence and heedlessness as not only to damage and injure the merchandise most grievously, but also to do mischief to the vessel, several parts of which they cut, hacked, and chipped as if desirous to discover something that might have compromised her. Only 10 chests of coral remained in the hold. They displayed an insatiable voracity in making free with the provisions, which they would not allow the crew to touch. It was only after many entreaties that they refrained. To scatter the coral all over the deck seemed to afford sport to them. Deponent saw his captain approach an officer of the brig, and question him about a piece of coral he held in his hand, to which the officer replied that he had taken it from a black whose person he was unable to point out. That the whole night was passed in the greatest confusion, as the brig's men emptied two barrels of wine, and half of a pipe of wine, and of another of brandy, which were left on deck. That on the same day, the 22nd, the commander came on board, and told the captain his determination of sending him to Sierra Leone. He also requested the surrender of all the arms, money, gold, and other articles on board, while he directed the crew to give up to him all the clothes and effects belonging to them. He also told them they would be transferred on board the brig; for the crew of the

schooner being prisoners, would be put on shore at the first port they should make. That the captain going down into the cabin, gave up to the commander the money and the gold-dust; and that then the latter proceeded to another most rigorous search, taking with him some carpenters. That the commander thereupon ordered the crew's clothes to be put into his boat, and went away, leaving the gold-dust and money in the cabin. That next day there came a boat ordering the captain to go and receive the directions of the commander. Presently the captain came back with the apparel of the crew, declaring that they were all set at liberty.

That in the course of their voyage they had to undergo other visits, attended by the same vexations and abuses. That one day the captain was on shore sick in bed, laid up with a dangerous malady, but that they made him leave his bed to present himself to hear the good pleasure of messieurs the cruisers.

The above Manoel Joaquim da Costa being farther interrogated as to the injuries resulting from the above visits, said, that when the cargo came to be taken out and sold, it was discovered that 44 of the demijohns were broken, 416 rolls of tobacco damaged, the gold-dust deficient $4\frac{3}{4}$ ounces, and 17 chests of coral wanting $24\frac{3}{4}$ lbs. in weight, which he knows by reason of having, along with the captain, been engaged in selling the cargo. He is also confident that all these injuries were owing exclusively to the excesses committed during the above visits, in consequence of which, on the sale of the 416 bales, it was found necessary to abate $3\frac{3}{4}$ dollars in the price of each.

In faith of which he signed his deposition in common with us and the witnesses.

(Signed) MANOEL JOAQUIM DA COSTA.
ALESSANDRO LORENZ,
GUILHERME ALV^{ES}. DE MEN^{ES}. } *Witnesses.*
A. J. ARMANDO, *Vice-Consul.*

Thereafter the interrogatory of Mariano Luigi di Barbieri was proceeded to, who, having taken his oath that he would state the pure truth, deposed as follows :—

That when they arrived at Cape Coast the captain went on shore, together with his man of business from the coast. Then there anchored within a short distance an English brig, which shortly after sent a boat on board the schooner with two officers and several armed soldiers, who took possession of the vessel, staying all night. That the captain having come in the morning, he was soon after joined by the commander of the brig, who, after looking over the ship's papers, declared his intention of viewing the cargo. The crew thereupon, by order of their captain, were going to show the cargo, but the commander forbidding them to touch it, went away. That presently there came upwards of twenty blacks, who began to throw all they could lay hands on upon deck, breaking demijohns, ripping up the bales, opening the chests of coral—in a word, treating the cargo as though it consisted of stolen goods. Next, they went down into the cabin, where they did as much; that, having finished that pretty piece of business, and left everything higgledy piggledy, they proceeded to discuss the provisions, helping themselves as they listed to wine and brandy, and eating and drinking as much as they could. And that, not satisfied with eating and drinking and destroying things and victuals, deponent even saw that an officer had a piece of coral in his hand, which the captain reclaimed from him, and which constituted part of a chest found empty. Thus they passed the second night. In the morning the commander returned, and ordered a second search, directing also that all the clothes and utensils of the mariners should be given up, which were thrown into the boat of the English brig, which they did with the greatest confusion possible, without attending to whom the articles belonged, and not allowing the men to touch as much as a piece of biscuit, on the ground that the vessel was a prize, and would be carried to Sierra Leone, while the crew were to be abandoned on the coast. The commandant afterwards sent again for the captain. When the latter returned he brought them all their clothes, and said that they were set at liberty. That, after quitting this point of the coast, where they had experienced so much ill usage, they were exposed to other visits accompanied with similar barbarities on the part of messieurs the "Inglesi."

CLASS C.

In faith of which he signed the above, along with the underwritten witnesses and ourselves after them.

(Signed) LUIGI DI BARBIERI,
ALESSANDRO LORENZ,
GUILHERME ALV^{ES}. DE MENEZES, } *Witnesses.*
A. J. ARMANDO, *the Vice-Consul.*

Finally there appeared Andrea Semino, who, having been sworn as to telling the truth, deposed—

That the schooner being anchored at Cape Coast, they were boarded by an English brig, which put guards on board, and that, on the arrival of her commander, they proceeded to a most rigorous and most disastrous search, in which were employed twenty blacks, who seemed to vie with each other who should be able to break and destroy the most, without paying regard to the quality or value of the commodity. After dragging up from the hold the goods on deck, they went on to put the cabin into the utmost confusion. Said also that himself was not able to affirm whether subsequently to causing such great injury to the cargo they had also helped themselves to what articles they might like; but that he saw with his own eyes a chest that had been smashed to pieces by being thrown on deck, and which, though then full of coral, was subsequently seen by him empty. That, after having maltreated the cargo, they attacked the eatables, and thus passed all the night. That the commander returned next morning, ordered another search, and bade them prepare for quitting the vessel, inasmuch as they were about to be cast out on the coast. He forthwith directed all their clothes to be taken on board the brig. Semino further stated, that, on being released, and having stood for some other point of the coast, they feared they should never get out of the hands of the English, who over and over again committed the same horrors so as to make it appear that they were determined never to let them have a moment's tranquillity again.

In faith of which he signed it, together with us and the witnesses.

(Signed) ANDREA SEMINO,
ALESSANDRO LORENZ,
GUILHERME ALV^{ES}. DE MENEZES, } *Witnesses.*
A. J. ARMANDO, *the Vice-Consul.*

Seen at this Vice-Consulate of his Sardinian Majesty for a true copy from the originals, which are entered in the book of Acts, No. 2, from folio 86 to folio 105.

A. J. ARMANDO, *the Vice-Consul.*

Bahia, October 22, 1840.

A true copy,

POLLON.

No. 131.

The Hon. R. Abercromby to Viscount Palmerston.

Turin, July 1, 1841.

MY LORD,

(Received July 10.)

WITH reference to my Despatch of the 29th ult., relative to the employment by Sardinian agents of slaves in countries where slavery still exists, I have now the honour to transmit to your Lordship herewith copy of a note I have received from Count Solar de la Marguerite, accepting on the part of His Sardinian Majesty's Government the proposal made by your Lordship to prohibit the diplomatic agents and Consuls of Sardinia in slave-holding countries from employing for the future slaves, and thereby sanctioning the continuance of a system so revolting to humanity.

I have, &c.

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

Enclosure in No. 131.

Count S. de la Marguerite to the Hon. R. Abercromby.

Turin, June 30, 1841.

LE Soussigné, &c., &c., &c., a eu avec reconnaissance la communication que Mr. Abercromby, &c., &c., &c., lui a fait l'honneur de lui adresser le 29 Mai dernier, contenant une circulaire qui a été transmise à tous les agens diplomatiques et consulaires d'Angleterre dans les pays où l'on se sert d'esclaves pour leur défendre de suivre un usage si répréhensible.

La Cour de Sardaigne, qui s'est associé si volontiers à celle de la Grande Bretagne pour accourir à la répression de la Traite des Noirs, partage pleinement les sentimens de celle-ci sur l'importance de faire cesser, autant que possible, le honteux commerce des esclaves.

Quoiqu'il ne résulte point au Soussigné qu'aucun des agens diplomatiques ou des consuls du Roi à l'étranger se servent d'esclaves, ni qu'ils en favorisent le trafic d'aucune manière même indirecte, il va néanmoins leur adresser incessamment une circulaire analogue à celle que Mr. Abercromby a bien voulu lui communiquer afin de ne rien négliger de ce qui peut dépendre du cabinet de Sa Majesté pour réprimer ou prévenir un commerce que la religion, la raison, et l'humanité réprouvent également.

(Signé) Le Soussigné, &c.
SOLAR DE LA MARGUERITE.

Monsieur Abercromby,
&c. &c. &c.

(Translation.)

Turin, June 30, 1841.

THE Undersigned, &c., has received with thankfulness the communication which Mr. Abercromby made to him on the 29th of May last, containing a circular which has been transmitted to all the diplomatic and consular agents of England in countries where slavery exists, to forbid them from following so reprehensible a custom.

The Court of Sardinia, which so willingly joined with that of Great Britain in assisting in the suppression of the Slave Trade, fully partakes the sentiments of the latter as to the importance of putting an end to the abominable traffic in slaves as soon as possible.

Although it does not appear to the Undersigned that any of the diplomatic agents or consuls of the King abroad make use of slaves, or favour the traffic in any way, even indirectly, he is nevertheless about to address to them forthwith a circular similar to that which Mr. Abercromby has had the kindness to communicate to him, in order that as far as depends on the Cabinet of His Majesty nothing may be neglected to repress or prevent a traffic which religion, reason, and humanity equally reprobate.

(Signed) The Undersigned, &c.
SOLAR DE LA MARGUERITE.

R. Abercromby, Esq.
&c. &c. &c.

No. 132.

Viscount Palmerston to Count Pollon.

SIR,

Foreign Office, July 14, 1841.

I HAVE received your letter of the 2nd instant, containing further particulars of the complaint which you made on the 29th of September, 1840, against the conduct of Captain Quin, of Her Majesty's ship "Persian," in searching the Sardinian merchant vessel "La Furia."

I have transmitted a copy of that communication to the Admiralty, and I have at the same time requested to know what may be the result of the inquiry, which, by my letter of the 2nd of November, 1840, you are apprised

would be made upon this case; and I shall have pleasure in again communicating with you upon the subject as soon as I shall have received the information which I have asked for.

I have, &c.
(Signed) PALMERSTON.

Count Pollon,
&c. &c. &c.

No. 133.

Viscount Palmerston to Mr. Abercromby.

SIR,

Foreign Office, July 19, 1841.

I HAVE received your Despatch of the 1st instant, transmitting a copy of a note from Count Solar, stating that the Government of His Sardinian Majesty are about to prohibit their diplomatic and consular agents in slave-holding countries from being directly or indirectly interested in slave property; and I have to desire that you will express to the Sardinian Minister the cordial thanks of Her Majesty's Government for this communication.

I have, &c.
(Signed) PALMERSTON.

The Hon. R. Abercromby,
&c. &c. &c.

Nos. 134, 135, 136.

The Right Hon. Viscount Palmerston to the British Consuls at Nice, Genoa, and Cagliari.

Foreign Office, July 31, 1841.

Circular as to Greek Law on Slave Trade.

(See No. 5.)

No. 137.

The Hon. R. Abercromby to Viscount Palmerston.

Turin, July 26, 1841.

(Received August 3.)

MY LORD,

I HAVE this day had the honour to receive your Lordship's Despatch, dated 19th of July, 1841, instructing me to express to Count Solar de la Marguerite the cordial thanks of Her Majesty's Government for the satisfactory reply which he has returned to the invitation made in the name of Her Majesty's Government, that Sardinian diplomatic and consular agents in slave-holding countries should be prohibited for the future from being directly or indirectly interested in slave property.

In compliance with the above instructions, I have addressed a note upon the subject to Count Solar de la Marguerite, copy of which I have now the honour to transmit to your Lordship.

I have, &c.
(Signed) R. ABERCROMBY.

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

Enclosure in No. 137.

*The Hon. R. Abercromby to Count S. de la Marguerite.**Turin, July 26, 1841.*

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, &c., has the honour to inform Count Solar de la Marguerite, His Sardinian Majesty's First Secretary of State for Foreign Affairs, that having transmitted without loss of time to Viscount Palmerston the satisfactory reply which Count Solar de la Marguerite returned to the invitation made by the Undersigned, in the name of his Government, that the diplomatic and consular agents of his Sardinian Majesty in slave-holding countries should be prohibited for the future from being directly or indirectly interested in slave property; the Undersigned has been instructed to express to Count Solar de la Marguerite the cordial thanks of Her Britannic Majesty's Government for the above-mentioned communication.

The Undersigned therefore hastens to execute instructions so agreeable to his feelings, and which at the same time afford the strongest proof of the consideration in which the cordial co-operation thus given by His Sardinian Majesty for so desirable an end is held by Her Britannic Majesty's Government.

The Undersigned avails himself, &c.

(Signed) R. ABERCROMBY.

The Count Solar de la Marguerite,
&c. &c. &c.

No. 138.

*The Earl of Aberdeen to Mr. Abercromby.**Foreign Office, October 30, 1841.*

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 139.

The Earl of Aberdeen to Count Pollon.

Circular sending Papers presented to Parliament.

(See No. 10.)

No. 140.

*Mr. Lacroix to Mr. Bidwell.**British Consulate, Nice, October 5, 1841.**(Received November 22.)*

SIR,

I HAVE the honour herewith to acknowledge the receipt of Lord Palmerston's Despatch, dated July 31, with its enclosures, and will strictly adhere to the instructions which they convey.

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

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

No. 141.

The Earl of Aberdeen to Mr. Abercromby.

Foreign Office, December 27, 1841.

Circular for all Laws on Slave Trade.

(See No. 12.)

No. 142.

The Earl of Aberdeen to Count Pollon.

Foreign Office, December 31, 1841.

THE undersigned, &c., has the honour to acquaint Count Pollon, &c., that inquiries have been instituted into the facts stated in Count Pollon's note of the 19th of September, 1840, relative to the alleged misconduct of Commander Quin, of Her Majesty's ship "Persian," towards the Sardinian schooner "*Furia*," and that the result of this inquiry is as follows:—

Commander Quin, of Her Majesty's ship "Persian," the officer referred to, is dead; and the only officers left in that sloop who were present at the transaction complained of by Count Pollon, are the acting Master and the Purser. The account which they have given of this transaction is, that on the arrival of Her Majesty's ship "Persian" at Cape Coast, on the evening of the 20th of June, 1840, a long, low, three-masted schooner was seen at anchor near the shore; that her appearance was suspicious; that Commander Quin conceived it likely she might be a slave-vessel, and she was accordingly boarded for further investigation as to her nationality, and as to her equipments, and as to her cargo.

The name of this vessel turned out to be the "*Furia*," and she was represented to be a Sardinian vessel; but on board of her was a Spaniard. He had come from Bahia, a noted slave-trading port; and these circumstances increased the suspicions, already produced by the appearance of the vessel, that she was neither a Sardinian vessel nor employed on a legal voyage.

And although this Spaniard called himself a passenger, this circumstance did not allay the suspicions, because it is a custom for Spanish owners of slave-trading vessels to enter themselves as passengers on board their own vessels, and to maintain this character until everything is prepared for the embarkation of the slaves, when alone they assume the command of the vessel.

Lieutenant Quin, however, having satisfied himself that his suspicions were unfounded, endorsed the papers to that effect, and carefully replaced everything as originally found, and offered the master any assistance his vessel might stand in need of.

And he ended by inviting the Master to dinner on board the "Persian," and the invitation was accepted.

No further transactions of any kind occurred between the "Persian" and the "*Furia*."

The persons from whose statement the above account is drawn up, finally express their surprise that any complaint should have been made against Lieutenant Quin, who, as they assert, had always executed the arduous and delicate duties which he had to perform in a mild and conciliatory manner; and they bear testimony in particular to his unvarying good conduct on the occasion in question.

It would doubtless have been still more satisfactory to Her Majesty's Government to have been able to lay before the Sardinian Government a statement of this transaction from Lieutenant Quin himself; but the undersigned trusts that the foregoing relation of the real facts of the case will suffice to satisfy the Sardinian Government that a very exaggerated account of them has been given by those interested in the "*Furia*."

Her Majesty's Government, however, beg that Count Pollon will assure the Government of His Sardinian Majesty that Her Majesty's Government will always be ready to institute the most severe inquiries into any complaint against the conduct of officers in Her Majesty's service towards Sardinian vessels and subjects, and to give every proper reparation wherever it shall appear to be due.

Count Pollon,
&c. &c. &c.

The undersigned, &c.
(Signed)

ABERDEEN.

TUSCANY.

No. 143.

Mr. Falconer to Viscount Palmerston.

Leghorn, March 1, 1841.

(Received March 13.)

MY LORD,

I HAVE the honour to forward the enclosed description of a vessel which is now under repair at this port.

It is difficult to obtain authentic information respecting vessels of this kind, as the object of those concerned is to conceal the truth; but there can be little reason to doubt that she is destined for the Slave Trade; and although I have no cause to suspect that British subjects or British capital are engaged in this vessel, I notwithstanding consider it my duty to transmit the enclosed information, copies of which I have likewise forwarded to Admiral Stopford at Malta, and the Governor of Gibraltar.

I have, &c.

(Signed)

JOHN FALCONER, *Consul.*

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

&c.

&c.

&c.

Enclosure in No. 143.

ON the 3rd of January last, a very sharp, fast-sailing vessel, or *bovo*, arrived in this port from Mataro, on the coast of Spain.

She is called the "*Belisario*," commanded by Captain Pietro Rosis, under the Spanish flag.

She is rigged with two masts and a bowsprit; the foremast of large dimensions, raking forwards, with a large latine sail, mast and sail quite new; a mizenmast, also latine sail, quite new, and spreads; in all about 2250 yards of canvas. She rows 48 sweeps, 24 of a side, and had on arrival 42 seamen. She is now, after very expensive repairs, and new copper, about to take her departure, and clears out for the Havana. Will have 55 to 60 seamen, at 30, 35, and 40 Spanish dollars a month; is armed with an 18-pounder, 2 swivels, and 50 stand of arms, cutlasses, &c.; is provided with *water-casks for ballast*; and, it is said, irons, rings, boards for divisions, &c., for taking in slaves on the coast of Africa.

Leghorn, March 1, 1841.

No. 144.

Viscount Palmerston to Lord Holland.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 1.)

No. 145.

*Viscount Palmerston to Lord Holland.**Foreign Office, April 22, 1841.*

(Circular sending Convention with Hayti.)

(See No. 2.)

No. 146.

Viscount Palmerston to Lord Holland.

MY LORD,

Foreign Office, May 8, 1841.

WITH reference to my previous Despatches respecting the facilities which the Tuscan Consul at Tunis affords to the transport of slaves from that port to other places, I now transmit to you a copy of a Despatch from Her Majesty's Consul-General at Tunis, stating, that ships laden with slaves receive from the Tuscan Consul at Tunis papers enabling them to pursue their voyage unmolested.

I have to desire that you will communicate the enclosed paper to the Tuscan Government, for such steps as they may feel it proper to take, in order to prevent the Tuscan Consul at Tunis from thus affording facilities to Slave Trade.

Lord Holland,
&c. &c. &c.

I am, &c.
 (Signed) PALMERSTON.

Enclosure in No. 146.

*Sir Thomas Reade to Viscount Palmerston.**Tunis, February 27, 1841.*

(See Class D.)

No. 147.

*Viscount Palmerston to Lord Holland.**Foreign Office, May 11, 1841.*

CIRCULAR as to proposed instructions to Tuscan functionaries in slave-holding countries.

(See No. 3.)

No. 148.

Viscount Palmerston to Lord Holland.

MY LORD,

Foreign Office, May 26, 1841.

HER Majesty's Government have received information, upon which reliance can be placed, that a Greek vessel, named the "*Miltiades*," left Tunis apparently for Candia, on the 25th December, 1840, furnished with papers signed by M. Nyssen, acting Tuscan and Russian Consul at Tunis; the captain of the French brig "*Palinure*," stationed at Tunis, and M. Gaspari, agent to M. Nyssen, having been cognizant of the delivery of those papers.

Although the wind was favourable when the vessel set sail, the captain caused her to remain in the Gulf of Tunis two days, lying off and on; and on the 27th of the same month the vessel returned to the road of Tunis, and anchored there. The passengers complained to M. Gaspari of this proceeding, but without effect.

CLASS C.

On the 31st of December fourteen negroes were brought to the vessel, bound hand and foot, and were taken on board, and immediately afterwards, although the wind was contrary, the brig set sail for her ultimate destination. But the vessel having been driven to the island of Cephalonia, the captain summoned the passengers together, and made them take oath not to give him over to justice for his conduct in respect to carrying these slaves.

On the 6th of January one of the passengers, however, having landed on Cephalonia, stated to the authorities of the island the abovementioned facts; and the captain was thereupon desired to produce his clearance and muster-roll; but he declared that neither M. Nyssen nor M. Gaspari had delivered any such roll to him.

The Cephalonian authorities then proceeded on board the vessel, and found in her fourteen negroes in irons. These negroes were landed, and orders were given for further proceedings in the case.

You will communicate these facts to the Tuscan Government, with reference to the statement which, by my Despatch, Slave Trade No. 3, of the 8th instant, you have already been directed to make to that Government upon the subject.

Lord Holland,
&c. &c. &c.

I am, &c.
(Signed) PALMERSTON.

No. 149.

Lord Holland to Viscount Palmerston.

Florence, June 12, 1841.

(Received July 5.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches of the 8th and 26th of May last, respecting the facilities which the Tuscan Consul at Tunis affords to the transport of slaves from that port to other places.

In compliance with your Lordship's instructions I addressed a note to the Tuscan Government, embodying the facts contained in the Despatches from Her Majesty's Consul-General at Tunis, and I have now the honour to enclose a copy of the answer I have received from Prince Corsini.

Your Lordship will perceive that the Tuscan Minister for Foreign Affairs expresses some doubt as to the part said to have been taken by M. Nyssen in facilitating the transport of slaves in the Mediterranean, but promises to lose no time in demanding from him an account of his conduct upon the occasion referred to by your Lordship.

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

I have, &c.
(Signed) HOLLAND.

Enclosure in No. 149.

M. Corsini to Lord Holland.

MY LORD,

Florence, 9 Juin, 1841.

PAR sa note du 24 Mai dernier, votre Excellence me fit l'honneur de me communiquer une Dépêche adressée au Foreign Office par le Consul de Sa Majesté Britannique à Tunis, où il était dit d'une manière assez générale que M. Nyssen, agent de Toscane et de Russie, à la même résidence, se permettait de favoriser le transport des esclaves en délivrant des expéditions maritimes aux bâtimens qui en retenaient à leur bord.

Cette observation du Consul Anglais ne me parut pas avoir un grand poids, n'étant pas appuyée à aucun fait spécial, et emise comme elle était dans la circonstance où M. le Consul lui même était appelé par les autorités de Corfu à

vérifier quelle part put avoir prise un de ses agens subalternes, le Sieur Gaspari, à favoriser la navigation d'un brick Grec "*Miltiade*," passé en Décembre, 1840, de Tunis à Cephalonie avec des nègres en état d'esclavage.

En effet les ordres que tient M. Nyssen (de même que tous les autres agens Toscans résidant dans les pays où existe l'esclavage) sont si formels et rigoureux, qu'il ne pourrait aider à la traite ou transport des esclaves sans se rendre gravement responsable vis-à-vis du Gouvernement, et il n'est guère probable qu'il veuille de gaieté de cœur encourir une telle responsabilité.

C'est ce que je me fis un devoir de vous représenter, my Lord, dans mon entretien avec votre Excellence elle se reserva alors de me fournir sur l'affaire des notices plus détaillées; et par sa nouvelle note du 7 de ce mois vient de m'annoncer en effet que sur la foi de rapports parvenus au Gouvernement de Sa Majesté, l'on peut retenir comme constant que le brick Grec "*Miltiade*" partie de Tunis pour Candie en Décembre dernier avec quatorze noirs à son bord, avait été muni d'expéditions par M. le Consul Nyssen.

Je ne conçois pas, il me faut l'avouer, my Lord, comment M. Nyssen en sa qualité d'agent Toscan ait pu délivrer des papiers maritimes à un bâtiment couvert d'autre pavillon que celui de S. A. I. et R. Monseigneur le Grand Duc.

Quoiqu'il en soit, je vais sans le moindre retard faire sommer M. Nyssen à rendre compte de ces procédés et expliquer nettement sa conduite en la dite occasion.

J'ai l'honneur, &c.

Pour le Ministre,
(Signé)

N. CORSINI.

Lord Holland,
&c. &c. &c.

(Translation.)

MY LORD,

Florence, June 9, 1841.

By your note of the 24th May last, your Excellency did me the honour to communicate to me a Despatch addressed to the Foreign Office by Her Britannic Majesty's Consul at Tunis, in which it was said, in a manner sufficiently plain that M. Nyssen agent of Tuscany and of Russia, at that place, permitted himself to favour the transport of slaves by issuing clearances to vessels which had slaves on board.

The observation of the English Consul did not appear to me to be of much weight, not being supported by any specific fact, and made as it was on the occasion of the Consul himself being called upon by the authorities of Corfu to ascertain what share one of his subaltern agents, Mr. Gaspari, might have taken in favouring the sailing of a Greek brig, the "*Miltiades*," which went in December, 1840, from Tunis to Cephalonie, with negroes in a state of slavery.

In effect, the orders which M. Nyssen (as well as all other Tuscan agents residing in countries where slavery exists) has received, are so formal and rigorous that he could not aid in the traffic or transport of slaves without rendering himself seriously responsible to Government, and it is scarcely possible that he would wantonly incur such a responsibility.

This is what I thought right to represent to you, my Lord, at my interview with your Excellency, when you reserved to yourself to furnish me with more detailed information relative to the affair; and by your recent note of the 7th instant you in effect announce to me that on the faith of reports which have reached Her Majesty's Government, it may be considered as proved that the Greek brig "*Miltiades*," which sailed from Tunis for Candia in December last, with fourteen negroes on board, was furnished with clearances by Mr. Consul Nyssen.

I do not understand, I confess, my Lord, how Mr. Nyssen, in his quality of Tuscan agent, can have issued maritime papers to a vessel bearing any other flag than that of H. I. and R. H. the Grand Duke.

However this may be, I am about to call upon Mr. Nyssen, without the least delay, to give account of these proceedings, and to explain at full length his conduct on the said occasion.

I have, &c.

For the Minister,
(Signed)

N. CORSINI.

Lord Holland,
&c. &c. &c.

Lord Holland to Viscount Palmerston.

Florence, June 12, 1841.

(Received July 5.)

MY LORD,

WITH reference to your Lordship's Despatch of the 11th May, transmitting copy of the circular letter addressed by Her Majesty's Government to British functionaries in slave-holding countries, I have the honour to transmit to your Lordship herewith copy of a note which M. Corsini has addressed to me in reply to the communication on that subject which your Lordship directed me to make to the Tuscan Government.

I am, &c.
(Signed) HOLLAND.

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

Enclosure No. 150.

M. Corsini to Lord Holland.

MY LORD,

Florence, 9 Juin, 1841.

J'AI eu l'honneur de recevoir l'office par lequel V. E. m'a communiqué une instruction adressée par le Gouvernement de Sa Majesté à tous les agens Britanniques résidant dans les pays où existe l'esclavage, dans le but de leur défendre—1, de s'immiscer dans les contractations et ventes des esclaves; 2, de retenir des esclaves dans leurs maisons et pour leur service personnel.

Les vues philanthropiques qui ont dicté une semblable mesure, et le désir exprimé que d'autres gouvernemens puissent aussi l'adopter, sont bien certainement très louables.

Les agens Toscans dans les pays susindiqués ne sauraient favoriser la traite ou le transport des esclaves sans encourir dans une grande responsabilité vis-à-vis du gouvernement, dont les ordres à cet égard sont très positifs, et en parfaite harmonie avec la législation en vigueur. Ces ordres ont été expressément confirmés en Septembre 1839. Veiller à leur exécution de la part des dits agens, et reprimer vigoureusement ceux d'entre eux qui pourraient s'en écarter, est envisagé par le Gouvernement Grand Ducal comme un devoir qu'il remplira toujours avec le plus grand empressement.

Agréez, &c.

Pour le Ministre,
(Signé)

N. CORSINI.

A son Excellence Lord Holland,
&c. &c. &c.

(Translation.)

MY LORD,

Florence, June 9, 1841.

I HAVE had the honour to receive the Despatch in which your Excellency communicated to me an instruction addressed by Her Majesty's Government to all the British agents residing in countries where slavery exists, to the end of preventing them—1, from taking part in contracts and sales of slaves; 2, from keeping slaves in their houses, and for their domestic service.

The philanthropic views which have suggested such a measure, and the desire expressed that other governments would also adopt it, are certainly very praiseworthy.

The Tuscan agents in the said countries could not encourage the traffic or the transport of slaves without incurring a great responsibility in the eyes of a government whose orders on this point are very positive and in perfect accordance with the laws in force. These orders were expressly confirmed in September, 1839. To watch for their execution on the part of the said agents, and to rigorously punish whosoever of them would deviate from them, is looked

upon by the Grand Ducal Government as a duty which it will always perform with the greatest eagerness.

Accept, &c.

His Excellency Lord Holland,
 &c. &c. &c.

For the Minister,
 (Signed) N. CORSINI.

No. 151.

Viscount Palmerston to Mr. Falconer.

Foreign Office, July 31, 1841.

Circular relative to the Greek law against Slave Trade.

(See No. 5.)

No. 152.

The Earl of Aberdeen to Lord Holland.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 153.

The Earl of Aberdeen to Lord Holland.

Foreign Office, December 27, 1841.

Circular for all Law relative to Slave Trade.

(See No. 12.)

TWO SICILIES.

No. 154.

Viscount Palmerston to Mr. Temple.

Foreign Office, April 15, 1841.

Circular sending Treaty with Argentine Confederation.

(See No. 1.)

No. 155.

Viscount Palmerston to Mr. Temple.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 2.)

No. 156.

Viscount Palmerston to Mr. Temple.

Foreign Office, May 11, 1841.

Circular relative to proposed Instructions to Neapolitan Functionaries in Slave holding countries.

(See No. 3.)

No. 157.

The Hon. William Temple to Viscount Palmerston.

Naples, June 18, 1841.

(Received July 4.)

MY LORD,

I HAVE the honour of acknowledging the receipt of your Lordship's Despatch of the 11th ultimo, enclosing the copy of a circular letter which Her Majesty's Government has addressed to all British functionaries in slave-holding countries, and instructing me to address a note to the Neapolitan Government, inviting them to send instructions to their agents in slave-holding countries similar to those contained in the above-mentioned circular letter.

I accordingly addressed to Prince Scilla a note drawn up from your Lordship's Despatch, of which the enclosed is a copy, together with a copy of the circular letter and of the memorial of the Anti-Slavery Convention enclosed in that Despatch.

I explained the matter, also, verbally to the Prince of Scilla, who said that the only slave-holding country in which there were Neapolitan functionaries was the Brazils.

I have not yet received any answer to my note, except an acknowledgment of it, with the promise of submitting its contents to His Sicilian Majesty.

I have, &c.
(Signed) W. TEMPLE.

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

Enclosure in No. 157.

The Hon. William Temple to Prince Scilla.

Naples, June 10, 1841.

As it would appear from information which has reached Her Britannic Majesty's Government that persons appointed by European Governments to reside as ministers, or consuls, or agents in slave-holding countries, are sometimes in the habit of hiring and maintaining slaves, and of engaging in undertakings in which slave property is concerned, and as by such practices the functionaries in question give an indirect sanction to slavery, and appear to countenance measures which tend to create a demand for slaves, the Government of Her Britannic Majesty has addressed to all British functionaries in slave-holding countries the circular letter, a copy of which the undersigned has the honour of enclosing to His Excellency the Prince of Scilla, &c. The British Government think it would be very important that the opinion of the Neapolitan Government should be expressed upon this subject in such a manner as to afford an additional discouragement to the Slave Trade, and are of opinion that much good would be effected in this respect if the Neapolitan Government would address to its agents in slave-holding countries instructions similar to those contained in the enclosed note and circular.

The undersigned has therefore been instructed by his Government to address to His Excellency a note inviting the Neapolitan Government to do so; and he doubts not but that the humane sentiments for which His Sicilian Majesty is so distinguished will induce him willingly to comply with the wishes of the British Government, and cause instructions of a similar nature to those contained in the enclosed circular to be addressed to Neapolitan functionaries residing in countries where slavery still unfortunately exists.

The Undersigned, &c.

His Excellency Prince Scilla,
&c. &c. &c.

(Signed) W. TEMPLE.

Nos. 158, 159, and 160.

Viscount Palmerston to the British Consuls at Naples, Palermo, and Messina.

Circular relative to Greek law against Slave Trade.

(See No. 5.)

No. 161.

Mr. Goodwin to Mr. Bidwell.

*British Consulate of Sicily,
Palermo, August 26, 1841.*

(Received September 19.)

SIR,

I HAVE had the honour to receive Viscount Palmerston's Despatch of the 31st of July, 1841, transmitting copy of a letter from the Greek Minister at the Court of London, together with a translation of a law, promulgated by the King of Greece, prohibiting the trade in slaves; and also a copy of a Despatch and its enclosures from Her Majesty's Minister in Greece upon the same subject.

I beg to assure you that, in obedience to Viscount Palmerston's instructions, I shall do my utmost to carry the humane intentions of His Majesty the King of Greece into complete effect.

John Bidwell, Esq.
&c. &c.

(Signed) I have, &c.
JOHN GOODWIN.

No. 162.

Captain Gallwey to Mr. Bidwell.

*British Consular Office,
Naples, August 30, 1841.
(Received October 8.)*

SIR,

I HAVE the honour to acknowledge the receipt of Lord Palmerston's Despatch of the 31st of July, together with its enclosures, and I shall pay strict attention and obedience to his Lordship's instructions contained in the Despatch.

John Bidwell, Esq.
&c. &c.

(Signed) I have, &c.
THOMAS GALLWEY.

No. 163.

The Earl of Aberdeen to Mr. Temple.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 164.

The Earl of Aberdeen to Prince Castelcicala.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 10.)

No. 165.

Prince Castelcicala to the Earl of Aberdeen.

*November 22, 1841.
(Received November 23.)*

LE Prince de Castelcicala a l'honneur d'accuser réception à Son Excellence le Comte d'Aberdeen de la copie des papiers qui ont rapport à la Traite des esclaves, et que Son Excellence a bien voulu lui envoyer le 12 de ce mois. Il présente pour cette obligeance ses remerciemens, &c.

Son Excellence le Comte d'Aberdeen,
&c. &c. &c.

(Translation.)

PRINCE Castelcicala has the honour to acknowledge to His Excellency the Earl of Aberdeen the receipt of a copy of papers relating to the Slave Trade, which his Excellency had the goodness to send to him on the 12th instant. He returns his thanks for the obligation, &c.

No. 166.

The Earl of Aberdeen to Mr. Temple.

Foreign Office, December 27, 1841.

Circular for all laws on Slave Trade.

(See No. 12.)

HAÏTI.

No. 167.

Captain Courtenay to Viscount Palmerston.

Port-au-Prince, November 14, 1840.

(Received January 4, 1841.)

MY LORD,

I HAVE the honour to enclose a copy of the Treaty of Accession on the part of the Haitian Government with France to the Conventions of November 30, 1831, and of March 22, 1833, between Her Majesty's Government and France, which will be found the same in meaning as the Treaty I signed on the 23rd of December last, although there are several verbal differences, and some transpositions and divisions of articles.

I have, &c.

(Signed) G. W. C. COURTENAY.

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

&c. &c. &c.

Enclosure in No. 167.

Au nom de la Très Sainte et Indivisible Trinité.

SA Majesté le Roi des Français ayant, en conformité de l'Article 9 de la Convention conclue le 30 Novembre, 1831, entre la France et la Grande Bretagne, pour la répression de la Traite, invité le Président de la République d'Haïti à accéder à la dite Convention et à celle du 22 Mars, 1833, entre les même Puissances ;

Et le Président de la République d'Haïti, également animé du désir de co-opérer au même but d'humanité s'étant empressé d'accueillir cette proposition ;

Les deux Hautes Parties, dans la vue d'accomplir ce dessein généreux, et pour donner à l'Accession du Président de la République, ainsi qu'à son acceptation par sa Majesté le Roi des Français, l'authenticité convenable, et toute la solennité usitée, ont résolu de conclure à cet effet une Convention formelle, et ont en conséquence nommé pour leurs Plénipotentiaires, savoir :—

Sa Majesté le Roi des Français, le Sieur André Nicolas Levasseur, Chevalier de l'Ordre Royal de la Légion d'Honneur, et Son Consul Général en Haïti,

Et le Président de la République d'Haïti, le Sénateur Charles Bazalais ;

Lesquels, après s'être communiqué réciproquement leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

Article 1.

Le Président de la République d'Haïti accède aux Conventions conclues et signées le 30 Novembre, 1831, et le 22 Mars, 1833, entre Sa Majesté le Roi des Français et feu Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, relativement à la répression de la Traite, ainsi qu'à l'Annexe de la seconde Convention, contenant les Instructions pour les Croiseurs ; sauf les réserves et modifications exprimées dans les Articles 2, 3, 4, 5, 6, et 7, ci-après, qui seront considérés comme additionnels aux dites Conventions, et à l'Annexe sus-mentionnée ; et sauf les différences qui résultent nécessairement de la situation du Président de la République d'Haïti, comme partie accédante aux Conventions en question après leur conclusion.

Sa Majesté le Roi des Français accepte l'Accession du Président de la République d'Haïti.

En conséquence, tous les Articles des deux Conventions susdites, et toutes les dispositions de l'Annexe susmentionnée, sauf les réserves et modifications dont il est ci-dessus parlé, seront censés avoir été conclus et signés de même que la présente Convention, directement entre Sa Majesté le Roi des Français et le Président de la République d'Haïti.

Les Hautes Parties Contractantes s'engagent et promettent réciproquement d'exécuter fidèlement, sauf les réserves et modifications exprimées aux présentes ; toutes les clauses, conditions, et obligations qui y sont stipulées ; et pour éviter toute incertitude, il a été convenu que les susdites Conventions, ainsi que l'Annexe de la seconde Convention, contenant les Instructions pour les Croiseurs, seront insérées ici mot à mot, ainsi qu'il suit :—

[Suivent les Conventions du 30 Novembre, 1831, et du 22 Mars, 1833, ainsi que l'Annexe y jointe.]

Article 2.

Les Hautes Parties Contractantes considérant que chacune des îles de Cuba et de Porto Rico n'est séparée de l'île d'Haïti que par un canal de peu de largeur, conviennent que, par exception aux Nos. 3 et 4 de l'Article 1 de la Convention du 30 Novembre, 1831, les croiseurs Français ne pourront point visiter les bâtimens Haïtiens naviguant dans cette moitié de l'un et de l'autre canal qui baigne les côtes d'Haïti.

Article 3.

Il est entendu que l'Article 2 de la Convention du 30 Novembre, 1831, l'Article 1 de la Convention du 22 Mars, 1833, et l'Article 1 des Instructions y annexées, seront, en ce qui concerne les commandans des croiseurs Haïtiens, compris en ce sens que les dits commandans devront avoir le grade de capitaine, ou au moins celui de lieutenant, dans la marine de la République.

Article 4.

La dernière disposition de l'Article 5 de la Convention du 22 Mars, 1833, sera ainsi conçue ;

Cette portion, aussi long tems que la Législation de la République d'Haïti ne permettra pas qu'elle soit augmentée, sera de 50 pour cent. du produit net de la vente, sans aucune autre indemnité de quelque nature que ce soit.

Article 5.

L'Article 11 de la Convention du 22 Mars, 1833, sera modifié de la manière suivante :

Les deux Gouvernemens conviennent d'assurer la liberté immédiate de tous les captifs qui seront trouvés abord des bâtimens visités et arrêtés en vertu des clauses de la Convention principale ci-dessus mentionnée, ou de la présente Convention, toutes les fois que le crime de la Traite aura été déclaré constant par les Tribunaux respectifs, et ils se réservent de pouvoir au bien-être des dits captifs libérés, conformément aux lois respectives des deux états.

Article 6.

L'Article 5 des Instructions annexées à la Convention du 22 Mars, 1833, sera conçu ainsi :

Tous les navires Haïtiens qui seraient arrêtés par les croiseurs de Sa Majesté le Roi des Français, employés dans quelque station que ce soit, seront conduits et remis à la juridiction Haïtienne au Port-au-Prince.

Tous les navires Français qui seraient arrêtés par les croiseurs Haïtiens, dans quelque station que ce soit, seront conduits aux choix des dits croiseurs, soit à Gorée, soit à la Martinique, soit à la Guadeloupe, soit à l'île Bourbon, soit à Cayenne, et remis, dans tous les cas, à la juridiction Française, dans ces colonies.

Article 7.

Dans le cas où la République d'Haïti le jugerait convenable à sa situation, elle pourra n'envoyer des croiseurs que sur certaines stations, et même n'en armer aucun, sans cependant que pour cela elle soit dispensée d'accorder aux

croiseurs Français les autorisations stipulées en l'Article 5 de la Convention du 30 Novembre, 1831.

Article 8.

La présente Convention sera ratifiée, et les ratifications en seront échangées au Port-au-Prince, dans le délai de six mois, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires ci-dessus ont signé la présente Convention en double original, et y ont apposé leurs cachets.

Fait au Port-au-Prince, le vingt-neuf Août, mil huit cent quarante.

(Signé)

A. N. LEVASSEUR.
C. BAZELAIS.

(Translation.)

In the name of the Most Holy and Undivided Trinity.

His Majesty the King of the French having, conformably to the 9th Article of the Convention concluded on the 30th of November, 1831, between France and Great Britain, for the suppression of the Slave Trade, invited the President of the Republic of Hayti to accede to the said Convention, and to that of the 22nd of March, 1833, between the same Powers;

And the President of the Republic of Hayti, equally animated with a desire to concur in the same humane object, having cordially assented to this proposal;

The two High Parties, with the view of accomplishing this generous design, and of giving due authenticity, and all accustomed solemnity, to the Accession of the President of the Republic, and to the acceptance thereof by his Majesty the King of the French, have resolved to conclude to this effect a formal Convention, and have in consequence named for their Plenipotentiaries, that is to say:—

His Majesty the King of the French, Mr. André Nicolas Levasseur, &c.;

And the President of the Republic of Hayti, the Senator Charles Bazelaïs;

Who, after having reciprocally communicated to each other their full powers, found to be in good and due form, have agreed upon the following Articles:—

Article 1.

The President of the Republic of Hayti accedes to the Conventions concluded and signed on the 30th of November, 1831, and on the 22nd of March, 1833, between his Majesty the King of the French and his late Majesty the King of the United Kingdom of Great Britain and Ireland, relating to the suppression of the Slave Trade, as well as to the Annex of the latter Convention, containing Instructions to Cruizers, excepting the reservations and modifications expressed in the Articles 2, 3, 4, 5, 6, and 7, hereinafter given, which Articles shall be considered additional to the said Conventions and to the Annex above mentioned; and excepting the differences which necessarily result from the situation of the President of the Republic of Hayti, as a party acceding to these Conventions after their conclusion.

His Majesty the King of the French accepts the accession of the President of the Republic of Hayti.

Therefore, all the Articles of the two Conventions aforesaid, and all the conditions of the said Annex, shall, excepting the reservations and modifications aforesaid, be held to have been concluded and signed in the same manner as the present Convention, directly between his Majesty the King of the French and the President of the Republic of Hayti.

The High Contracting Parties engage and promise reciprocally to each other to execute faithfully all the clauses, conditions, and obligations of the present Convention, subject always to the reservations and modifications therein contained; and in order to prevent any uncertainty it has been agreed that the above-mentioned Conventions, and the Annex of the latter, containing Instructions to Cruizers, shall be inserted here, word for word, as follows:—

[Here follow the Conventions of November 30, 1831, and March 22, 1833, and the Annex thereto.]

Article 2.

The High Contracting Parties, considering that the islands of Cuba and of

Porto Rico are only separated from the island of Hayti by a narrow strait each, agree that, by exception to Nos. 3 and 4 of Article 1 of the Convention of the 30th of November, 1831, French cruisers shall not search Haytian vessels navigating within that half of one or the other strait contiguous to the coasts of Hayti.

Article 3.

It is agreed that Article 2 of the Convention of the 30th of November, 1831, Article 1 of the Convention of the 22nd of March, 1833, and No. 1 of the Instructions thereunto annexed, shall, as far as the commanders of Haytian cruisers are concerned, be understood in this sense, that the said commanders shall be of the rank of captain, or at least that of lieutenant, in the navy of the Republic.

Article 4.

The last stipulation of Article 5 of the Convention of the 22nd of March, 1833, shall be thus conceived :

This portion, as long as the Legislation of the Republic will not allow of its being augmented, shall be 50 per cent. on the net proceeds of the sale, without any other indemnity of any sort whatever.

Article 5.

Article 11, of the Convention of the 22nd of March, 1833, shall be modified in the following manner :—

The two Governments agree to secure the immediate liberty of all the captives who shall be found on board vessels visited and detained in virtue of the clauses of the principal Convention above mentioned, and of the present Convention, in all cases in which the crime of Slave Trade shall be declared proven by the respective tribunals; and they reserve to themselves to provide for the well-being of the said liberated captives, conformably to the laws of the two States.

Article 6.

The 5th Article of the Instructions annexed to the Convention of the 22nd of March, 1833, shall be conceived in these terms :—All Haytian vessels which shall be detained by the cruisers of his Majesty the King of the French, on any station whatever, shall be conducted and sent to Haytian jurisdiction at Port-au-Prince.

All French vessels which shall be detained by Haytian cruisers, on any station whatever, shall be conducted at the choice of the said cruisers, at Goree, at Martinique, at Guadaloupe, at the island of Bourbon, or at Cayenne, and given up in all cases to French jurisdiction in those colonies.

Article 7.

In case the Republic of Hayti shall judge it suitable to its situation, it shall have the power to send cruisers on certain stations only, and even to fit out none at all; without, however, being on this account able to dispense with granting to French cruisers the authority stipulated in the 5th Article of the Convention of November, 30, 1831.

Article 8.

The present Convention shall be ratified, and the ratifications thereof shall be exchanged at Port-au-Prince, within the space of six months, or sooner if possible.

In witness whereof, the above-named Plenipotentiaries have signed the present Convention in double original, and have affixed thereto their seals.

Done at Port-au-Prince, the twenty-ninth of August, one thousand eight hundred and forty.

(L.S.) A. N. LEVASSEUR.
(L.S.) C. BAZELAIS.

No. 168.

*Viscount Palmerston to Her Majesty's Consul.**Foreign Office, April 15, 1841.*

Circular sending Treaty with the Argentine Confederation.

(See No. 1.)

No. 169.

*Viscount Palmerston to Her Majesty's Consul.**Foreign Office, April 22, 1841.*

Circular sending Convention with Hayti.

(See No. 2.)

No. 170.

*Mr. Thompson to Viscount Palmerston.**Port-au-Prince, March 20, 1841.**(Received April 30.)*

MY LORD,

I HAVE the honour to inform your Lordship, that on the morning of the departure of G. W. C. Courtenay, Esq., Her Majesty's Consul, from this island, on leave of absence, he received a Despatch from your Lordship, from which he gave me the following extract, and requested that I would attend to its contents.

"I observe, however, that you have not transmitted to this office a copy of the note declaring the extent to which the maritime jurisdiction of Hayti was recognised by Her Majesty's Government, which you presented to M. Viallet on the exchange of the ratification; and I have to request that you will send a copy of that note, together with copies of the correspondence which passed between General Inginac and yourself."

In order to fulfil your Lordship's commands, I have now the honour to transmit a copy of the note addressed to M. Viallet on the exchange of the ratification. To this note I have found no answer from M. Viallet; and Mr. Brown, Acting Vice-Consul, who was present pending the conferences on the Treaty for the Suppression of the Slave Trade, informs me that no answer was returned, on the plea that the substance of this note was not inserted in the Treaty; and that subsequently a copy of the same note was sent to Secretary General Inginac, whose reply I have also the honour to transmit.

I beg leave further to remark to your Lordship that I have not been able to find a copy of the note addressed to General Inginac in the archives, which the General in his reply acknowledges to have received; and that to a second note addressed to M. Viallet there is likewise no answer.

I have, &c.

(Signed) HARRISON JAMES THOMPSON,
*Acting Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

First Enclosure in No. 170.

Captain Courtenay to M. Viallet.

SIR,

Port-au-Prince, August 26, 1840.

I HAVE the honour and pleasure to inform you that I have received the Queen's ratification, under the Great Seal of the United Kingdom of Great Britain and Ireland, to the Convention we signed on the 23rd of December last for

the suppression of the Slave Trade, and that I am ready to exchange the same against a similar instrument ratified by the President of Hayti.

I have, &c.

(Signed)

G. W. C. COURTENAY.

Senator Viallet,
&c. &c. &c.

Second Enclosure in No. 170.

Captain Courtenay to M. Viallet.

Port-au-Prince, le 20 Octobre, 1840.

EN échangeant la ratification de Sa Majesté du Traité d'Accession, de la part du Gouvernement d'Haïti, aux Conventions du 30 Novembre, 1831, et du 22 Mars, 1833, entre la Grande Bretagne et la France, pour la répression de la Traite des Noirs, contre la ratification du dit Traité par le Gouvernement d'Hayti, le soussigné Plénipotentiaire de Sa Majesté Britannique a reçu les ordres de Sa Majesté de déclarer que Sa Majesté a accédé à la stipulation par laquelle les croiseurs Britanniques ne doivent visiter les bâtimens Haïtiens au côté Haïtien du milieu des canaux qui existent entre Cuba et Haïti, et entre Porto Rico et Haïti, Sa Majesté voulant, par cela, assurer le commerce du cabotage d'Haïti contre la possibilité d'une molestation vexatoire quelconque par suite des mesures qui seront prises suivant le dit Traité.

Mais Sa Majesté trouve à propos de déclarer qu'en consentant à telle stipulation elle ne reconnaît aucun droit de juridiction de la part du Gouvernement d'Haïti sur aucune partie des mers qui environnent l'île d'Haïti, au-delà de trois milles de la marque de la basse marée; celle-ci étant la distance à laquelle, suivant l'usage du temps moderne, la juridiction territoriale d'un état s'étend sur la mer qui baigne la côte de tel état.

Le soussigné saisit la présente occasion pour assurer Monsieur le Sénateur Viallet, Plénipotentiaire de la République d'Haïti, de son haut respect et de sa haute considération.

(Signé)

G. W. C. COURTENAY.

Le Sénateur Viallet,
&c. &c. &c.

(Translation.)

Port-au-Prince, October 20, 1840.

IN exchanging Her Majesty's ratification of the Treaty of Accession, on the part of the Government of Hayti, to the Conventions of November 30, 1831, and of March 22, 1833, between Great Britain and France, for the Suppression of the Slave Trade, against the ratification of the said Treaty by the Government of Hayti—

The Undersigned, Her Britannic Majesty's Plenipotentiary, is commanded by Her Majesty to declare that Her Majesty has acceded to the stipulation by which British cruizers are not to search Haytian vessels on the Haytian side of the middle of the channels which lie between Cuba and Hayti, and between Porto Rico and Hayti, Her Majesty being thereby desirous to secure the coasting trade of Hayti against the possibility of any vexatious molestation in consequence of the measures which will be taken in pursuance of the aforesaid Treaty.

But Her Majesty deems it right to declare that, by agreeing to such stipulation, she does not acknowledge any right of jurisdiction on the part of the Haytian state over any portion of the seas which surround the island of Hayti, beyond three miles from low-water mark—that being the distance to which, by the practice of modern times, the territorial jurisdiction of a state extends over the sea bordering upon the coast of such state.

The Undersigned avails himself of this opportunity of assuring Senator

Viallet, Plenipotentiary of the Republic of Hayti, of his high respect and consideration.

(Signed) G. W. C. COURTENAY.

Senator Viallet,
&c. &c. &c.

Third Enclosure in No. 170.

General Inginac to Captain Courtenay.

MONSIEUR LE CONSUL,

Port-au-Prince, le 20 Octobre, 1840.

J'AI reçu la lettre que vous m'avez fait l'honneur de m'adresser, pour me transmettre la déclaration que votre Gouvernement vous a chargé de faire au Gouvernement de la République, au moment des ratifications de la Convention conclue entre la Grande Bretagne et Haïti, le 23 Décembre, 1839, sur ce que l'on entend par la juridiction d'un état sur les mers qui baignent ses côtes.

Le Gouvernement Haïtien, pénétré de l'obligation de se conformer toujours à ce qui est prescrit par le droit des gens, ne prétend pas étendre la juridiction territoriale de la République au-delà des limites reconnues entre toutes les nations; seulement il fait observer que le territoire de la République a des baies profondes de plusieurs lieues, et que d'ailleurs il ne se borne pas à l'île d'Haïti, mais qu'il comprend en outre les différentes îles adjacentes qui en dépendent, et sur lesquelles le droit de domaine de la République ne peut-être contesté.

Je saisis avec empressement, M. le Consul, cette occasion pour vous réitérer l'assurance de ma considération la plus distinguée.

Le Secrétaire Général près Son Excellence le Président d'Haïti,
 (Signé) B. INGINAC.

G. W. C. Courtenay, Ecuyer,
&c. &c. &c.

(Translation.)

SIR,

Port-au-Prince, October 20, 1840.

I HAVE received the Letter which you did me the honour to address to me, to convey to me the declaration which your Government has charged you to make to the Government of the Republic, at the time of (exchanging) the ratifications of the Convention concluded between Great Britain and Hayti, on the 23rd of December, 1839, as to what is understood by the jurisdiction of a state over the seas which bathe its coasts.

The Haytian Government, feeling the obligation of always conforming to that which is prescribed by the law of nations, does not make any pretension to extend the territorial jurisdiction of the Republic beyond the limits acknowledged among all nations. It only observes that in the territory of the Republic there are bays several leagues in depth, and that the territory does not consist merely of the Island of Hayti, but comprehends also the different islands dependent thereupon, the dominion of the Republic over which cannot be contested.

I take, &c.

(Signed) B. INGINAC,

*Secretary-General to His Excellency
 the President of Hayti,*

G. W. C. Courtenay, Esq.
&c. &c. &c.

No. 171.

*Mr. Thompson to Viscount Palmerston.**Cape Haïtien, March 31, 1841.**(Received May 6.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 13th of August last, with a copy of two series of Papers relating to the Slave Trade.

I have, &c.
(Signed) HARRISON JAS. THOMPSON,
Her Majesty's Vice-Consul.

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

No. 172.

*Mr. Thompson to Viscount Palmerston.**Port-au-Prince, April 15, 1841.**(Received June 1.)*

MY LORD,

I HAVE the honour to report to your Lordship that the Treaty of Accession, on the part of the Government of Hayti, with France to the two Conventions existing between Her Majesty's Government and France, for the Suppression of the Slave Trade (a copy of which Treaty was transmitted to your Lordship in Captain Courtenay's Despatch of the 14th of November last), has been ratified by the Government of France, and was presented to His Excellency the President of Hayti, by Colonel Levasseur, on the 5th instant, when the Ratifications were exchanged.

I have, &c.,
(Signed) HARRISON JAS. THOMPSON,
Her Majesty's Vice-Consul.

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

No. 173.

*Mr. Thompson to Viscount Palmerston.**Port-au-Prince, May 31, 1841.**(Received July 7.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 15th of April last, with a copy of a Treaty concluded at Buenos Ayres, on the 24th of May, 1839, between Her Majesty and the Argentine Confederation, for the Abolition of the Slave Trade.

I have, &c.
(Signed) HARRISON JAS. THOMPSON,
Acting Consul.

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

No. 174.

*Mr. Thompson to Viscount Palmerston.**Port-au-Prince, June 30, 1841.**(Received August 4.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 22nd of April last, with twelve copies of a Convention for the suppression of the Slave Trade, concluded at Port-au-Prince on the 23rd of December, 1839.

I have, &c.
 (Signed) HARRISON JAS. THOMPSON.
Acting Consul.

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

No. 175.

*The Earl of Aberdeen to Her Majesty's Consul.**Foreign Office, October 30, 1841.*

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 176.

*The Earl of Aberdeen to Her Majesty's Consul.**Foreign Office, December 27, 1841.*

Circular for all laws on Slave Trade.

(See No. 12.)

VENEZUELA.

No. 177.

Viscount Palmerston to Her Majesty's Consul.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 1.)

No. 178.

Viscount Palmerston to Her Majesty's Consul.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 2.)

No. 179.

Mr. O'Leary to Viscount Palmerston.

British Consulate, Caracas, March 19, 1841.

MY LORD,

(Received May 6.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 13th August ultimo, transmitting to Sir Robert Ker Porter a copy of two series of papers relating to the Slave Trade, which were presented to the two Houses of Parliament during the Session of 1840.

I have, &c.

(Signed) DANIEL F. O'LEARY.

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

No. 180.

Viscount Palmerston to Her Majesty's Consul.

Foreign Office, May 8, 1841.

Circular instruction as to holding slave property.

(See Class B, No. 196.)

No. 181.

Viscount Palmerston to Her Majesty's Consul.

Foreign Office, May 11, 1841.

Circular as to instructions to Venezuelan agents in slave-holding countries.

(See No. 3.)

No. 182.

*Mr. O'Leary to Viscount Palmerston.**British Consulate, Caracas, June 9, 1841.**(Received August 4.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches of the 15th and 22nd of April ultimo, transmitting to me copies of a Treaty concluded at Buenos Ayres on the 24th May, 1839, between Her Majesty and the Argentine Confederation for the abolition of the Slave Trade, and of a Convention concluded at Port-au-Prince on the 23rd December, 1839, by which the Republic of Hayti has acceded to the Conventions for the suppression of the Slave Trade, concluded between his late Majesty and the King of the French, on the 30th of November, 1831, and the 22nd of March, 1833.

I have, &c.

(Signed) DANIEL F. O'LEARY.

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

&c. &c. &c.

No. 183.

*Mr. O'Leary to Viscount Palmerston.**British Consulate, Caracas, June 25, 1841.**(Received August 16.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 8th of May last, transmitting to me a copy of a Memorial from the General Anti-Slavery Convention, and acquainting me that Her Majesty's Government concurs in the sentiments expressed in that Memorial, and especially in the opinion that it would be unfitting that any officer, holding an appointment under the British crown, should, either directly or indirectly, hold or be interested in slave property; and further desiring me to forward to the British Vice-Consuls at Puerto Cabello and Maracaibo copies of the Memorial, with suitable instructions.

I have the honour to inform your Lordship that I lost no time in complying with these instructions.

I have, &c.

(Signed) DANIEL F. O'LEARY.

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

&c. &c. &c.

No. 184.

*Mr. O'Leary to Viscount Palmerston.**British Consulate, Caracas, June 26, 1841.**(Received August 16.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 11th of May last, instructing me to invite the Venezuelan Government to address to its diplomatic and consular agents in slave-holding countries instructions similar to those contained in the circular letter [addressed by your Lordship to all British functionaries in slave-holding countries, a copy of which accompanied your Lordship's Despatch.

On the 24th instant I wrote on the subject to the Venezuelan Minister for Foreign Affairs.

I have, &c.

(Signed) DANIEL F. O'LEARY.

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

&c. &c. &c.

No. 185.

*Mr. O'Leary to Viscount Palmerston.**British Consulate, Caracas, July 19, 1841.**(Received September 2.)*

MY LORD,

IN my Despatch of the 25th ultimo I stated, that, in pursuance of your Lordship's instructions, I wrote to the Venezuelan Foreign Minister, inviting the Venezuelan Government to address to its Diplomatic and Consular Agents in slave-holding countries instructions similar to those contained in your Lordship's circular letter to all British functionaries in slave-holding countries; and I herewith transmit to your Lordship copies of my note to the Venezuelan Minister, and the reply of his Excellency thereto.

I have, &c.

(Signed) DANIEL F. O'LEARY.

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

First Enclosure in No. 185.

Mr. O'Leary to Don F. Aranda.

SIR

British Consulate, Caracas, June 25, 1841.

HER Britannic Majesty's Government having received information by which it would appear that persons appointed by European Governments to reside as Ministers or Consuls or Agents in slave-holding countries are sometimes in the habit of hiring and maintaining slaves, and of engaging in undertakings in which slave property is concerned; and as by such practices the functionaries in question give an indirect sanction to slavery, and appear to countenance a demand for slaves, Her Majesty's Government has addressed to all British functionaries in slave-holding countries the circular letter of which I have the honour to enclose to your Excellency a copy.

Her Majesty's Government, thinking it very important that the opinion of the Venezuelan Government should be expressed upon this subject in such a manner as to afford an additional discouragement to the Slave Trade, and certain that much good would be effected in this respect if the Venezuelan Government would address to its agents in slave-holding countries instructions similar to those contained in the enclosed circular, Viscount Palmerston has instructed me to invite your Excellency to submit the proposal to the Venezuelan Government.

Judging from the liberal and philanthropic principles which distinguish the policy of the Venezuelan Government, I am persuaded that it will afford another example thereof, by readily acceding to the invitation of Her Majesty's Government, and thereby contributing to the extinction of slavery.

I am, &c.

(Signed) DANIEL F. O'LEARY.

His Excellency Don Francisco Aranda,
 &c. &c. &c.

(Translation.)

Second Enclosure in No. 185.

Don F. Aranda to Mr. O'Leary.

SIR,

Foreign Office, Caracas, July 14, 1841.

HAVING submitted to the consideration of Government your note of the 24th of June last, with the copy which accompanied it of the circular letter addressed by Her Britannic Majesty's Government to its functionaries in countries where slavery is permitted, I am directed to reply to the proposal contained in your note, that this Government address to its agents in countries where slavery is permitted instructions similar to those addressed by Her Majesty's Government, that the Government of the Republic will call to the re-

collection of its agents and functionaries in places where there are slaves what the laws have disposed for the attainment of the extinction of slavery, and will likewise remind them that they are to act in the manner most suitable not to encourage the Slave Trade.

(Signed) I am, &c.
FRANCISCO ARANDA.

Daniel F. O'Leary, Esq.,
&c. &c. &c.

No. 186.

The Earl of Aberdeen to Her Majesty's Consul.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 9.)

No. 187.

The Earl of Aberdeen to M. Fortique.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 10.)

No. 188.

The Earl of Aberdeen to Her Majesty's Consul.

Foreign Office, December 27, 1841.

Circular for all Laws on Slave Trade.

(See No. 12.)