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and "*Angelo*," suspected of being employed in the Slave Trade, and which have been fitted out in the Port of Lisbon.

The authority for the circumstances as detailed is entitled to full credit and respect, as tested by the experience of much valuable information, which I have constantly received on the same subject from the same quarter.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

Enclosure in No. 263.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, March 20, 1841.

I AM informed that the Portuguese brig "*Minerva*," which is about to leave the Port of Lisbon, is destined for the Slave Trade; that her crew are engaged for that detestable service; and that she is to clear out for some port in the Brazils, as a subterfuge to avoid giving bond. This vessel was the noted slaver "*Joven Mathilde*," which left Lisbon only a year ago, when she gave bond that she would not proceed on the Slave Trade. I learn that she proceeded direct for Rio de Janeiro, from thence to the coast of Africa, from whence she returned to the Brazils with a valuable cargo of slaves; from thence she returned to Oporto with colonial produce, there received a general repair, and changed her name to "*Minerva*."

It has also been reported to me that the Portuguese brig "*Dois Amigos*," formerly the British brig "*Boxer*," which has been purchased of Senhor Martins, of the Cape Verd Islands, is destined for the Slave Trade, taking the same route as the "*Minerva*," i. e. viâ the Brazils.

Both these vessels are nearly ready for sea.

According to further information which I have received, it appears that the noted Brazilian brig "*Angela*," which left Lisbon only about five months ago, has made a successful Slave Trade voyage to Para, with about 400 slaves.

As the parties (whether owners or correspondents) connected with the fitting out these vessels are in the Portuguese territories, subject to the Portuguese laws, whether as principals or as accomplices in the Slave Trade, I have thought it my duty, in the spirit of co-operation for the suppression of this inhuman traffic, to communicate to your Excellency these circumstances, which have been made known to me.

I avail, &c.

(Signed) HOWARD DE WALDEN.

His Excellency Senhor R. da Fonseca Magalhaes,

&c. &c. &c.

No. 264.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, March 21, 1841.

(Received March 28.)

MY LORD,

I HAVE the honour to enclose a copy of a Note which I have received from Senhor Magalhaes, in reply to the communication which I made to his Excellency, by your Lordship's directions, of the Report of Commander

Adams, of Her Majesty's ship "Acorn," relative to his co-operation with the Governor of Mozambique, for the suppression of the Slave Trade, and the assistance he had rendered to that functionary in support of the Queen's authority, menaced by the slave traders.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 264.

(Translation.)

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, March 18, 1841.

I HAD the honour to receive the Note which your Lordship has addressed to me on the 1st instant, transmitting to me by order of your Government, and for the information of the Government of Her Most Faithful Majesty, copies of the communications made by Commander Adams of Her Britannic Majesty's sloop of war "Acorn," to the Lords Commissioners of the Admiralty, stating the efficacious manner with which he had co-operated with Governor Marinho, of the Province of Mozambique, for the suppression of the Slave Trade; and I have received express orders from Her Majesty to request your Lordship to return thanks to Her Britannic Majesty's Government, not only for the said satisfactory communications, but principally for the powerful co-operation given to the said Governor of Mozambique, which both Her Majesty and her Government the more appreciate, as being in accordance with their sincere wishes to see this infamous traffic at an end.

I avail myself, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

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

No. 265.

Viscount Palmerston to Lord Howard de Walden.

(Extract.)

Foreign Office, March 29, 1841.

I HAVE received your Lordship's Despatch of the 12th instant, respecting the completion of a pier, and the formation of a coal depôt, on Prince's Island, on the coast of Africa; and I have the satisfaction to acquaint your Lordship, that Her Majesty's Government approves the conduct which you have held in your communications with the Portuguese Government upon these points.

No. 266.

Lord Howard de Walden to Viscount Palmerston.

MY LORD,

Lisbon, March 30, 1841.

(Received April 6.)

I HAVE the honour to enclose a copy of a note which I have received from M. Magalhaes, in reply to the one which I addressed to his Excellency

on the 20th instant, and a copy of which was transmitted to your Lordship in my Despatch respecting the fitting out in the port of Lisbon of the slave-vessels "*Minerva*," "*Dous Amigos*," and "*Angela*."

I understand that the "*Dous Amigos*" has since sailed with the intention of proceeding direct to the coast of Africa, the owner, the well-known Gil dos Santos, being on board. It is by no means improbable that he may have received timely notice of the expediency of departure.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 266.

(Translation.)

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, March 26, 1841.

IN thanking your Lordship for the information contained in your Lordship's note of the 20th instant, respecting the premeditated transactions in slaves to be effected in the ships "*Minerva*" and "*Dous Amigos*," lying at anchor in this port, as likewise for the transaction effected by the ship "*Angela*," which sailed from Lisbon about five months ago, I have the honour to inform your Lordship, that I have written an official letter under this date to the Minister of Finance, requesting him to cause the most correct investigation to be made on the subject, not only with the view of preventing by every possible means the criminal proceedings of the owners or agents of the said two vessels, but also in order that the result of the said investigation, in case it should prove against them, be remitted to the competent authorities, for the purpose of punishing them with all the rigour of the law, as authors or accomplices in the crime of Slave Trade. I have also addressed myself to the Minister of Marine, in order that he may direct the authorities of the Colonies to the same effect, to act in the most decisive manner against them.

I avail myself, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

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

No. 267.

Viscount Palmerston to Lord Howard de Walden.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 32.)

No. 268.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, April 5, 1841.

(Received April 15.)

MY LORD,

I HAVE the honour to enclose copies of the note and of its enclosures, addressed to me on the 26th November, 1834, by the Count de Villa Real, on
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the subject of the title of the Portuguese Crown to the Island of Bulama, as desired by your Lordship in your Despatch of the 20th ultimo.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

First Enclosure in No. 268.

The Conde de Villa Real to Lord Howard de Walden.

MY LORD,

A NECESSIDADE de collegir os documentos relativos ao Dominio que a corôa de Portugal tem na Ilha de Bolama na costa occidental d'Africa, pedidos por V. S^a. no officio que em 5 de Março ultimo dirigio ao meu antecessor, demorou a resposta, que agora dou áquelle officio, passando ás mãos de V. S^a. os documentos colligidos, que sendo extrahidos dos originaes existentes nos archivos de Secretaria d'Estado dos negocios da marinha, vão assignados pelo official maior della Antonio José Maria Campello.

Destes Documentos prova-se que em 7 de Novembro de 1752, o Rei administrador de Serra Leoa, não so fez doação da Ilha de Bolama a El Rei D. Jozé Primeiro, mas tambem da Ilha de Bissau, distante daquella doze Legoas; por cujo motivo aquelle Soberano lhe fez dirigir em agradecimento as duas cartas Regias de 28 de Novembro de 1753, constantes das copias No. 1.

Em consequencia d'esta Doação o Governador Portuguez de Bissau tomou posse da Ilha de Bolama em nome da coroa de Portugal, fazendo levantar nella um padraõ com as armas Portuguezas, como o mesmo Governador participou ao Governo Portuguez em officio de 25 de Março de 1753, constante do Documento No. 2.

Nunca este Dominio e Posse foi contestado á corôa de Portugal até ao anno de 1792, em que alguns Inglezes fundados em una cessaõ de venda, que disseraõ ter sido feita da mencionada Ilha ao Governo Inglez pelos Reis de Canhabaca, Jalerem, e Belchore, foraõ alli estabelecer-se; mas expulsos pelos naturaes no anno seguinte, continuou a corôa de Portugal na sua antiga posse, a qual nunca foi interrompida. Este factõ é de tal notoriedade, que até Mr. Malte Brun o refere na sua Geographia d'Africa, ainda que lhe attribue differente motivo.

Quando mesmo exista a cessaõ ou venda da Ilha de Bolama feita ao Governo Britannico em 1792, o que o Governo Portuguez ignora, ella não pode ter validade algũa; porque a esse tempo ja não pertencia aos Reis que a cederaõ ou venderaõ; mas a corôa de Portugal desde o anno de 1752.

Os Governadores de Serra Leoa com tudo, esquecendo-se da Antiga Alliança, Amizade, e boa intelligencia que felizmente existe entre as duas Corôas de Portugal e da Gram Bretanha, teem tentado por differentes vezes apoderar-se d'aquella Ilha, em menoscabo do bom direito em que os Soberanos Portuguezes firmaõ a Antiga posse d'ella, e talvez mesmo sem ordem do Governo de Sua Magestade Britannica, como é de suppor.

Em 1827 Sir N. Campbell tentou obter do Rei do Rio Grande una ratificação de cessaõ ou venda da Ilha de Bolama, que se diz feita em 1792, (Documento, No. 8), e em 1828, o Governador de Serra Leoa quiz tomar violentamente posse d'aquella Ilha; o que deu causa, ás prudentes medidas adoptadas pelo Governador e Capitaõ-General das Ilhas de Cabo Verde constantes do Documento, No. 3, as quaes pela sua moderação mostraõ o respeito que as autoridades Portuguezas em qualquer parte em que se achem, tem pela conservaçã da Alliança Amizade e boa intelligencia com a Gram Bretanha, e a que o Governador Geral da Capitania de Cabo Verde ratificasse a Corôa Portugueza na posse da referida Ilha, a qual assistiraõ com muito regocijo e entusiasmo os Reis, Inviados, e Fidalgos naturaes do Pais

(Documentos No. 3 (a) e No. 4) os quaes sympathisaõ tanto com a nação Portugueza, que até o Rei de Rio Grande offereceo ao Governo de Portugal o territorio que quizesse tomar na Terra firme para fazer estabelecimentos, como mostra o Documento No. 5; e pelo contrario não soffrem que os Ingлезes se estabeleçaõ alli, tendo-os expulsado violentamente da Ilha de Bolama, e maiores excessos teriaõ commettido nos outros Estabelecimentos dos subditos Britannicos, se não fossem contidos pelas authoridades Portuguezas, como consta do Documento No. 8.

Pelos Documentos No. 7, 9, e 10 mostra-se que o Governo Portuguez no exercicio do seu Dominio e posse na Ilha de Bolama, tem para alli mandado Petrechos, munições de Guerra, armamentos, artilharia, fardamentos, e instrumentos de edificação, e até começado a levantar uma fortaleza, e tendo feito, alem disso, muitas despezas naquelle estabelecimento, de que na pode ser privado sem grave offensa do seu antigo e incontestavel direito.

Deus Guarde, &c.

(Signed) CONDE DE VILLA REAL.

Ministerio dos Negocios Estrangeiros.

Palacio das Necessidades em 26 de Novembro, de 1834.

(Translation.)

MY LORD,

THE necessity of looking out the Documents relative to the dominion of the Portuguese Crown over the Island of Bulama, on the western coast of Africa, for which your Lordship applied in your letter of 5th March last to my predecessor, has delayed the answer, which I herewith return to that letter, enclosing to your Lordship the collected Documents, which, being copied from the originals, deposited in the archives of the Secretary of State's Office for the Affairs of the Navy, are all marked with the signature of the chief officer of it, Antonio Joze Maria Campello.

It appears from these Documents that on the 7th November, 1752, the King Administrator of Sierra Leone made gift to King Dom José I. not only of the Island of Bulama, but also of the Island of Bissao, distant from thence twelve leagues, on which occasion the latter sovereign caused to be addressed to the former, by way of thanks, the two Royal Letters dated the 28th November, 1753, the copies of which are marked No. 1. In consequence of this gift the Portuguese Governor of Bissao took possession of the Island of Bulama in the name of the Crown of Portugal, and caused a pillar, with the Portuguese Arms, to be erected in it, as he stated to the Portuguese Government in his Despatch of the 25th March, 1753. (No. 2.)

This dominion and possession were never contested to the Crown of Portugal till 1792, when some Englishmen, on the strength of a cession by sale, which they said had been made of the island to the English by the Kings of Canhabaca, Jalorem, and Belchore, went to settle there; but, they having been expelled by the natives the next year, the Crown of Portugal continued in its former possession, which has never been interrupted. This fact is so notorious, that even M. Malte Brun states it in his Geography of Africa, though he attributes it to a different motive.

Should there even have been a cession or sale of the Island of Bulama to the British Government in 1792, of which the Portuguese Government has no knowledge, it cannot have any validity, inasmuch as the island did not at that time belong any more to the Kings who ceded or sold it, but to the Crown of Portugal ever since the year 1752.

Nevertheless, the Governors of Sierra Leone, forgetting the ancient alliance, amity, and good intelligence happily existing between the Crowns of Portugal and Great Britain, have, at different times, attempted to seize upon that island, in contempt of the just right on which the Portuguese Sovereigns ground the ancient possession of it, and perhaps even without order from the Government of Her Britannic Majesty, as may be supposed.

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In 1827, Sir N. Campbell sought to obtain from the King of Rio Grande a ratification of the cession or sale of the Island of Bulama, said to have been made in 1792 (Document No. 8), and in 1828, the Governor of Sierra Leone wished to take violently possession of that island; which gave occasion to the prudent measures taken by the Governor and Captain-General of the Cape Verd Islands (recorded in Document No. 3), which, from their moderation, show the respect entertained by the Portuguese authorities, wherever they are, for the preservation of the alliance, friendship, and good understanding with Great Britain; and by the Governor-General of the Captaincy of Cape Verde, confirming the Portuguese Crown in the possession of the said island, at which, assisted with much rejoicing and enthusiasm, the kings, envoys, and native gentlemen of the country (Documents Nos. 3 *a* and 4), who sympathised so much with the Portuguese nation, that the King of Rio Grande even offered to the Portuguese Government any territory it might choose to take on the mainland for making settlements (as will appear from Document No. 5), and that, on the contrary, they do not suffer the English to establish themselves there, having violently expelled them from the Island of Bulama; and they would have committed greater excesses in the other settlements of British subjects, had they not been checked by the Portuguese authorities, as appears from Document No. 8.

From the Documents No. 7, 9, and 10, it will be seen that the Portuguese Government, in exercise of its dominion over, and possession of, the Island of Bulama, has sent thither warlike stores and ammunition, arms, ordnance, clothing, and building implements, and has even begun to raise a fortress, and that it has besides incurred many expenses in that settlement, of which it cannot be deprived without grievously trenching on its ancient and incontestable right.

God preserve, &c.

(Signed) CONDE DE VILLA REAL.

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

Palace of Necessidades, November 26, 1834.

Second Enclosure in No. 268.

(Document No. 1.)

The King of Portugal to the Administrator of Sierra Leone.

Para o Rei Administrador de Serra Leoa, Agostinho Lopes.

D. JOZÉ, por Graça de Deos, &c., Recebi na carta do vosso Pay, e na doação que me fez desse paiz com data de 7 do mez de Novembro do Anno de 1752, de que vos envio as copias, huma demonstração verdadeira do seu zelo, e da sua fidelidade, em que persistia depois de tantos annos, dezejando sempre sujeitar o dominio da Serra Leoa, e a sua vontade, o que em fim executou pela dita doação, unindo os seus e vossos dominios perpetuamente a esta corôa. Eu a acceito em meu nome, e dos meus successores, concedendo-vos, e a todos esses povos, o meu Real amparo e protecção, e confio que sereis verdadeiro herdeiro de vosso Pay, e que, conhecendo o seu zelo, o imitareis igualmente n'elle, e em quanto em beneficio de todos não dou as providencias, que lhes podem ser mais uteis, vos encomendo, e encarrego o governo dos meus povos, para que os conserveis em paz e em justiça, cuidando muito na conservação e augmento da religião Catholica, e na fidelidade a mim devida como a seu legitimo Senhor, e que possa prosperar, e cultivarse o commercio com os vassallos deste reino, para que se frequente com elle as noticias d'esse paiz, e se lhe acuda com promptidão ás necessidades espirituaes, e temporaes, e deveis

esperar da minha real grandeza, que sempre vos attenda e favoreça como mereceis.

Deos, &c.,

Dada em Belem a 28 do mez de Novembro de 1753.

(Signed) REY.

Secretaria d'Estado dos Negocios da marinha e ultramar, 21 de Novembro de 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO.
Official Maior.

His Excellency Agostinho Lopes,
&c. &c. &c.

(Translation.)

For the King Governor of Sierra Leone to Agostinho Lopes.

DON JOSEPH, by the grace of God, &c., by the letter of your father and in the gift which he makes to me of that country, dated 7th of the month of November, 1752, whereof I send you copies, I have received a real testimony of his zeal, and of the fidelity in which he has persisted for so many years, being always desirous to subject the dominion of Sierra Leone, and his will which he finally executed by the said donative in uniting his and your dominions perpetually with this Crown. I accept it in my name, and in those of my successors, conceding to you and all the people there my royal countenance and protection, and I trust that you will be the real heir of your father, and that, knowing his zeal, you will likewise imitate him in it, and until I shall, for the benefit of all, take such measures as may be most useful to them, I intrust to you and charge you with the government of my people, to the end that you preserve them in peace and justice, exerting yourself diligently for the preservation and augmentation of the Catholic religion, and in the fidelity due to me as their legitimate Lord, and that the commerce with the subjects of this kingdom may prosper and be cultivated, with the view of thereby obtaining more frequent intelligence from your country, and in order to succour with promptitude its spiritual and temporal necessities, and you may expect of my royal greatness that I will always attend to and favour you as you may deserve.

God, &c.,

Given at Belem the 28th of November, 1753.

(Signed) KING.

Secretary of State's Office for the affairs of the marine and the affairs beyond sea, 21st of November, 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Chief Officer.

His Excellency Agostinho Lopes,
&c. &c. &c.

Third Enclosure in No. 268.

The King of Portugal to the King of Bissau.

PARA O REY DE BISSAU,

D. JOZE, por Graça de Deos, &c. Recebi na vossa carta huma evidente prova do vosso zelo, e fidelidade, e vos agradeço os offerecimentos, que me fazeis, e para vos dar provas da attenção que tenho com vosco, ordenei ao Capitão mor de Cachien, Francisco Roque Soutto Maior, que não fosse a Bissau, e mando em seu lugar para continuar a reedificação da fortaleza, que houve antigamente sujeita ao meu dominio, o Capitão mor, Nicolau de Pina, que espero vos mereça toda a attenção, e estimação, e que em tudo o que se valer de vós, lhe deis ajuda e favor, de que necessitar. O que obrardes conducente ao estabelecimento dos meus vassallos na Illa de Bissau, não só para a sua conservação, mas tambem para que sejaõ preferidos aos das mais nações para o commercio, será muito do meu real agrado, o que executardes

a favor delles; deveis esperar da minha Real Grandeza, que sempre vos attenda.

Deos, &c.,

Dada em Belem aos 28 do mez de Novembro de 1753.

(Signed) REY.

Secretaria d'Estado dos Negocios da Marinha e ultramar, 21 de Novembro de 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Official Maior.

(Translation.)

For the King of Bissao.

DON JOZE, by the grace of God, &c. You have by your letter afforded me an evident proof of your zeal and fidelity. I thank you for the overtures you make me, and, in order to prove to you the regard I entertain for you, I have desired the Royal Captain of Cacheu, Francisco Roque Soutto Maior, not to repair to Bissao, as I have directed the Royal Captain Nicolau de Pina to go instead of him, to continue the restoration of the fortress which was formerly subject to my dominion, and I hope you will receive him with every attention and esteem, and that in whatever he may stand in need of you will assist him, and supply him with what he wants. Whatever you do conducive to the establishment of my subjects in the isle of Bissao, not only as respects their preservation, but also their being preferred to other nations in matters of commerce, and favoured by you, will greatly merit my royal pleasure.

You may expect of my royal greatness that I shall always attend to you.

God, &c.,

Given at Belem the 28th November 1753.

(Signed.) KING.

Secretary of State's Office for the affairs of the marine and beyond seas, 21 November, 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Chief Officer.

Fourth Enclosure in No. 268.

(Document No. 2.)

Copia do Paragrafo do Officio do Governador de Bissau com data de 25 de Março de 1753.

DESDE que chegou a Fragata a barra de Cachem, não tive mais um instante de descanso, e do modo que poude, fui á ilha Bolama, distante desta 12 legoas, assentar um padraõ com as armas Portuguezas esculpidas em un paú de que remetto o instrumento, sendo este o mais facil modo de pôsse, que levantar o estandarte por não termos ainda gente, que la se ponha, maiormente não a tendo para deixar nesta ilha de Bissau guardando o principio da dita fortaleza, e 14 peças montadas sobre os reparos.

Secretaria d'Estado dos Negocios da marina e ultramar em 17 de Novembro de 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Official Maior.

(Translation.)

Official Minute of the Governor of Bissau, dated the 25th March, 1753.

THE moment the frigate had reached the bar of Cacheu, I lost not an instant in making my way, as well as I was able, to the island of Bulama, distant from the bar 12 leagues, in order to erect a pillar with the Portuguese

arms carved on a wooden tablet, of which I enclose a drawing, inasmuch as this is a far more easy way of taking possession than to raise a standard, seeing that we have not yet troops enough to place there, and not even a sufficiency for garrisoning this island of Bissau, and guarding the commencement of the said fortress with the 14 pieces mounted on the works.

Secretary of State's Office for the marine and affairs beyond sea, November 17, 1834.

(Signed) A. J. M. CAMPELO,
Chief Officer.

Fifth Enclosure in No. 268.

(Document No. 3.)

Colonel Mattos to the Governor of Cape Verde.

Minha Residencia em Bissau, 7 de Maio, de 1830.

ILL^{MO} E EX^{MO} SENHOR,

TENHO a honra de transmittir aqui junto a V. E., a Concordata feita no anno de 1823, confirmada neste corrente anno, respectiva a Ilha de Bolama, prevenindo a V. E. que esta tarde parto, para aquella Ilha com os Rey, Inviados, Fidalgos, para tomar posse de novo, com a publicidade compativel, e formalidades do estilo.

(Signed) JOAQUIM ANTONIO DE MATTOS.
Anno de 1828.

Illmo. et Excmo. Senhor Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.

CONCORDATA e Ajuste feito com os Reis Damiaõ e Fabiaõ, o 1º da ilha de Canhabaca, e Senhorio da de Bolama, e o 2º do Rio Grande, terra firme dos Biafaras, contiguo á mesma Ilha, em consequencia das ordens recebidas do Governador Geral da Capitania de Cabo Verde, e do Coronel Manoel Antonio Martins, a quem foraõ dirigidas as ordens Regias da Corte e cidade de Lisboa, para o fim da compra de terrenos para novos estabelecimentos, na costa da Africa occidental vizinhos da Praça de Bissau, e assegurar para a Coroa Portugueza o dominio e fruição da ilha de Bolama, remettendo-se as instrucções accordadas entre o dito Governador Geral e Coronel Martins, ao Coronel Joaquim Antonio da Mattos, e nomeando o para o representar nesta taõ importante commissão, e aprovando como consta dos officios datadas de 20 de Março e 17 de Junho de 1828, de que para constar se fez por termo como abaixo se declara.

ANNO do nascimento de nosso Senhor Jezus Christo de mil oitocentos e vinte oito, aos doze dias do mez de Iulho do dito anno nesta Praça de Guerra de S. Jozé de Bissau, havendo o referido Coronel Mattos de acordo com o Governador da mesma praça mandado convidar as referidas Reis Damiaõ, Fabiaõ, supostos os indisputaveis direitos de conquista, pela Corõa Portugueza na costa d' Africa antes terrenos, haviaõ falladores, que pertendiaõ persuadir o contrario, e querendo-se saber a verdade, tendo chegado o primeiro, e sua comitiva, assim como os enviados do segundo, cujos nomes, e cognomes vaõ de signados e assignados no fim deste, se fez palavra (ajustamento) assistindo o Juiz do povo e homens bons da dita praça, a que depois de assim praticado perante todo o ajuntamento, o referido Coronel Mattos, autorizado, para tratar de hum tal negocio, tomou a palavra, e lhe perguntou se em algum tempo, tinhaõ vendido a ilha de Bolama, ou outro algum terreino, a alguma Nação estrangeira? Responderaõ que naõ, e que nem o podiaõ fazer; que era verdade terem consentido que M. Guivar construir caza de negocio naquella ilha, mas que isso fora por o Governador de Bissau e negociantes da mesma praça lhe darem licença e pedirem, que o deixassem ali estar, que lhes constava, que os Ingleses diziaõ a tinhaõ comprado, o que naõ era verdade. Que naquella occaziaõ, sim tinhaõ recebido presentes d' Agoardente, ferro, polvora, chapeos, &c., dos que estiveraõ na sobredita ilha, mas que o tomaraõ como em agradecimento d' elles os deixarem estar ali, como he de costume com todos os estrangeiros que se querem estabelecer no seus terrenos, declarando por fim, que aos Soberanos de Portugal pertence aquella Ilha de tempos mais remotos, e que se El Rey de Portugal,

ou os seus vassallos, quizerem tomar conta d'ella para a cultivarem, fortifica-la e fazêr ali estabelecimentos, que o podião fazer, o que elles muito estimariaõ, pois que sempre a consideraraõ como dos Portuguezes, asim como elles, naõ obstante serem Gentios, deviaõ ser tidos como taes, dizendo mais, que naõ consintiriaõ a naõ serem Portuguezes, que de outra Naçaõ, se estabelecessem, e dandolhe ja o dito Coronel Mattos o signal d'approvaçaõ pelo seu amor aos Portuguezes tornoulhes a fallar nestes termos: Que por o que haviaõ exposto, elle estava bem certo de que era falso tudo quanto se dizia suposto aquellalha, que immediatamente mandava n'ella construir cazas, e que havia dar parte dos seus bons officios, e amizade ao Governador Geral, e Coronel Martins, para tudo levarem á Real Prezença de Sua Magestade, para o mesmo Augusto e Real Senhor decidir, como for da Sua Vontade, e nesta occasiaõ levantando-se o referido Coronel Mattos, para lhes entregar os Presentes em signal de gratidaõ. E convidando-os para firmarem o que tinhaõ dito, depois de lhes ser lido o assignaraõ, o que depois de tudo assim feito, por Triplicadas, se levantaraõ da palavra hindo para os seus agazalhos; e para a todo o tempo constar, se lavraraõ três do mesmo theor, ficando cada hum com o seu, e eu Joaquim Antonio de Mattos o escrevi; e assignei junto com os referidos Reis e Fidalgos.

(Signed) JOAQUIM ANTONIO DE MATTOS; o REY DAMIAO com signal LAMINA JASSI; do JUIZ do REY do RIO GRANDE; seu filho do dito REY hiquimora DE TANGA SAMBA; DE PEDRO FERNANDEZ, JUIZ do POVO de DOMINGO CORREA; de LORENÇO DA VIEGA; de MANOEL LOPEZ CORREIA; de FAUSTINO LOPEZ; JOSE D'AARANJO SUTELLO; JOAO DA SILVA CASTRO.

Ratificada em sete do Maio de mil oito centos e trinta, pelo filho do novo Rey, denominado Japa Dantan; pelo seu Enviado Laminis Jassi; o Rey Damião; que para esse fim foraõ mandados buscar em virtude de novas ordens pelo mesmo Coronel Joaquim Antonio de Mattos, acrescento dizer o Enviado do novo Rey do Rio Grande, que ha tres annos fora aquello porto o General da Serra Leoa, prezenteando o falecido Rey Fabiaõ, e que lhe deixara hum escripto em Ingles, e que havendo chamado hum Luis da Bolola, para lhe dizer o que continha, naõ so o naõ fez, como ficara com o tal escripto.

(Signed) REY DÁMIAO.
LAMINA JASSI.
JOAQUIM ANTONIO DE MATTOS.

E naõ se contem mais no original, ao qual me reporto: em fé de que me assigno, por estar com elle conforme.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Secretaria de estado dos Negocios de Marinha e Ultramar em 17 de Novembre de 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO,
Official Maior.

(Translation.)

Presidency at Bissao, May 7, 1830.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

I HAVE the honour to enclose to your Excellency the Agreement concluded in 1823, and confirmed in this current year, respecting the island of Bulama, and I inform your Excellency that I am setting out this evening for that island, with the King, the envoys, and gentlemen to take again possession, with all practicable publicity, and the usual formalities.

(Signed) JOAQUIM ANTONIA DE MATTOS.

Year 1828.

*The Most Illustrious and most Excellent Senhor
Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.*

AGREEMENT and adjustment concluded with Kings Damiaõ and Fabiaõ, the former of the Island of Canhabaca and the Seignory of that of Bulama, and the latter of the Rio Grande, the mainland of the Biasaras, contiguous to that island, in consequence of orders received from the Governor-General of the Captaincy of Cape Verd, and from Colonel Manoel Antonio Martins, to whom the Royal order of the Court and city of Lisbon were addressed, to purchase territories for new settlements, on the western coast of Africa, adjacent to the fortress of Bissao, and to secure to the Crown of Portugal the dominion and enjoyment of the isle of Bulama, referring to the instructions furnished and made out conjointly by the said Governor-General and by Colonel Martins, to Colonel Joaquim Antonio de Mattos, appointing him to represent the Governor on occasion of this important commission, and approving, as appears from the Despatches of the 20th March, and 17th June, 1828, of what, in order to its being on record, is contained in the protocol or minute set forth hereinafter.

IN the year of the birth of our Lord Jesus Christ, 1828, the 12th day of the month of July of the said year, in this fortress of war St. Jozé de Bissao, the above Colonel Mattos having, in conjunction with the Governor of that fortress, sent to invite the above Kings Damiaõ and Fabiaõ, taking for granted the indisputable rights of conquest by the Portuguese Crown on the coast of Africa, or rather its territories, there were talkers who would have persuaded men to the contrary, and a desire being expressed to ascertain the truth, and the former having arrived, together with his retinue, as well as the envoys of the latter, whose names and cognomens are recorded and signed hereinafter, there was held a talk in the presence of the "*Juiz do Povo*" and the gentlemen of the said fortress, which having been thus carried on before the whole assembly, the said Colonel Mattos, having authority to transact this business, rose to speak, and inquired of him whether they had at any time sold the isle of Bulama or any other territory to any foreign nation? to which they replied in the negative, and that they were neither competent so to do; that, indeed, they had allowed M. Guivar to build a house of business in that island, but that it was only because the Governor of Bissao and the merchants living in the fortress had given him permission for it, and had solicited that they would suffer him to abide there; that they were aware of the English saying they had purchased the island, but there was no truth in it; that on that occasion they had doubtless been presented with brandy, iron, gunpowder, hats, &c., by those who sojourned in the said island, but that they had accepted these presents as tokens of gratitude for having suffered them to reside there, as it is customary with regard to all foreigners inclined to settle in their territories, declaring, in conclusion, that that island belongs to the Sovereigns of Portugal from the most remote times, and that, if the King of Portugal or his subjects chose to take actual possession of it (*tomar conta d'ella*) for the purpose of cultivating, fortifying, and founding settlements in it, they were welcome, and would thereby greatly gratify them, seeing that they had always considered the island as owned by the Portuguese, a truth to which they would testify as willingly as to that of their being no other than Gentiles. They added, furthermore, that they would not allow any other nation than the Portuguese to form settlements there. Hereupon Colonel Mattos, having expressed to them by signs how much pleased he was with their predilection of the Portuguese addressed them to the following effect:—From what they had stated he was well assured of the fallacy of the reports concerning that island; that he would immediately order houses to be built on it, and would inform the Governor-General and Colonel Martins of their good offices and their friendship, for them to carry up the information to the royal presence of His Majesty, so as that the said august and royal Sovereign might be enabled to decide according to his pleasure. Colonel Mattos then proceeded to deliver them presents in token of gratitude. In the next place he invited them to sign what they had said, and after it had been read to them they signed it. This having been done in triplicate, the talk was concluded and broken up, they returning to their homes. And, to the end that this may remain on record for evermore, it was made out in three copies of the same tenor, each keeping his own copy.

And I, Joaquim Antonio de Mattos, penned and signed the same along with the said Kings and gentlemen.

(Signed.) JOAQUIM ANTONIO DE MATTOS; The King DAMIAO under the signature of LAMINA JASSI; signature of the JUDGE of the King of RIO GRANDE; of his SON SIRAMBA DABU; of the SON of KING DAMIAO; of O. PAIBA; of the Nephew of the said King, Niquimoria; of TANGA SAMBA; of PEDRO FERNANDEZ, the JUIZ DE POVO; of DOMINGO CORREA; of LORENZO DE VEIGA; of MANOEL LOPEZ CORREIRA; of FAUSTINO LOPEZ; of JOZE D'ARANJO SUTELLO; of JOAO DA SILVA CASTRO.

Ratified the 7th May 1830, by the Son of the new King called Japa Dantan, by his envoy Lamina Jassi, by King Damiao, who were sent for on purpose, in consequence of fresh orders from Colonel Joaquim Antonio de Mattos; and the envoy of the new King of the Rio Grande, added that three years ago the General of Sierra Leone had come to that port, while the late King Fabião had still been there, to whom the General handed a paper written in English, when the King sent for one Luiz da Bolola, to explain to him the writing, which Luiz not only failed to do, but retained the paper in his possession.

(Signed) KING DAMIAO.
LAMINA JASSI.
JOAQUIM ANTONIO DE MATTOS.

And nothing further is contained in the original to which I refer, and to testify the present to be a true copy I sign my name.

JOAQUIM ANTONIO DE MATTOS.

Secretary of State's office for the Affairs of the Marine and those beyond sea, the 17th November 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Chief Officer.

Sixth Enclosure in No. 268.

(Document No. 3.)

M. Macedo to the Commandant of Bissao.

(No. 59.) *Quartel General da Villa da Praia da Ilha de S. Thiago,
3 de Novembro, de 1838.*

TENDO recebido os officios de V. S. desde No. 86, até No. 94 inclusive, e não podendo responder nesta occasião a todos elles, vista a pouca demora, que deve ter aqui a chalupa, que V. S. affretou para vir a esta ilha, passo immediatamente a responder ao seu Officio No. 88, que acompanha a nota do Governador de Serra Leoa, pelo qual vejo a sua extraordinaria reclamação sobre a ilha de Bolama, que elle diz foi dada a Sua Magestade Britannica, em data de 29 de Junho de 1792, pelos Reis de Canhabaca, Ialarem, e Belchore. Nestas Circunstancias portanto compreme dizer a V. S. que na actual situação delicada em que se acha Portugal com Inglaterra, V. S. se devera conduzir com toda a circunspeção a respeito da mencionada reclamação da ilha de Bolama, feita pelo Governador de Serra Leoa, em quanto não chegaõ da Corte de Lisboa ordens positivas de Sua Magestade, a quem vou ter a honra de informar sobre o que V. S. me participa, devendo no entanto V. S. evitar por todos os meios de politica, e boa intelligencia que estiverem ao seu alcance qualquer tentativa, que o mesmo Governador haja de fazer na sobredita ilha de Bolama, ja que V. S. não pode resistir, como me diz no seu officio que me dirigio, por não ter força. E quando depois de esgotados todos os recursos de moderação de que tiver lançado maõ V. S. observar e conhecer, que lhe não he possível evitar a occupação da ilha de Bolama por qualquer força Ingleza, V. S. fará saber a essa mesma força, e ao Governador de Serra Leoa, que a occupação, et reclamação daquella ilha feita por elle Governador, è incompetente e não pode, nem deve ter lugar, nem validade sem preceder uma negociação, ou intelligencia entre as duas Cortes de Portugal, e Inglaterra; pois que ha centenas de annos, que o Governo de Portugal possui aquella Ilha. Nesta

consideração espero, que V. S. se portará de modo, que obste á entrada o occupação da referida ilha de Bolama por Tropas Inglezas, servindo-se por ora de politica, e brandura, e não de outros meios, que na presente occasião não podem ser empregados pela melindrosa posição em que se achaõ essa. Praça e a sobredita Ilha. No caso porem de apparecer em Bolama qualquer força Ingleza, que não queira ceder ás razoes que V. S. *hower de pradžir* a favor do Direito, que Sua Magestade Fidelissima tem áquella Ilha, V. S. immediatamente fará o seu protesto da parte do Governo de Sua Magestade Fidelissima, contra a occupação, e usurpação da mencionada Ilha de Balama feita pelo Governador de Serra Leoa. No ultimo Artigo de su officio vejo que V. S. me diz que poderá evitar, querendo eu, o estabelecimento dos Inglezes na Ilha de Bolama, ás que tenho a responder, que não deve entrar em duvida alguma do interesse, que resultará a Portugal em não haver n' aquella Ilha estabelecimiento algum estrangeiro.

Deos, &c.

(Signed)

DOM DUARTE DA COSTA DA SOUZA DE MACEDO.

Snr. Commandante da Praça de Bissau,
&c. &c. &c.

Está conforme. Secretaria do Governo, na Villa da Praia da Ilha de S. Iago, 12 Novembro, 1831.

(Signed) ANTONIO MARQUES DA COSTA SOARES.

Secretario do Governo.

Secretario d'Estado dos Negocios da Marinha, et ultramar em 17 de Novembro de 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO.

Official Maior.

(Translation.)

No. 59.

Head Quarter, Villa de Praia, Isle of St. Iago,
November 3, 1831.

HAVING received your Despatches from No 86 to No. 94 inclusive, and being unable this time to answer all of them, as the sloop you have sent hither makes such a short stay here, I proceed immediately to reply to your Despatch No. 88, which encloses the note of the Governor of Sierra Leone. In the latter I find his extraordinary claim to the isle of Bulama, which, he says, was given to His Britannic Majesty on the 29th June, 1792, by the Kings of Canhabaca, Jalerem, and Belchore. Under these circumstances, then, I must tell you that in the present delicate situation of Portugal with regard to England, you will have to conduct yourself with every circumspection touching the said claim laid to the isle of Bulama by the Governor of Sierra Leone, till we receive from Lisbon the positive orders of His Majesty, whom I shall have the honour of informing of what you state to me, and in the meantime you will by every means of policy and good intelligence in your power obviate any attempt that Governor may make on the said isle of Bulama, since as you say in your Despatch, you cannot resist for want of forces. And if, after exhausting all resources of moderation, you should observe and find that you cannot possibly prevent the occupation of the isle of Bulama by an English force, you will intimate to such force, and to the Governor of Sierra Leone, that the occupation of and the claim laid by the Governor to the isle of Bulama is incompetent, and neither can nor ought to take place, or have validity, unless preceded by a negotiation or understanding between the two Courts of Portugal and England, seeing that the Government of Portugal has now for hundreds of years been in the possession of that island. Accordingly I hope that you will manage to preclude the entry into, or the occupation of, the isle of Bulama by English troops, employing for the present policy, and fair means and no others, which latter are at present out of place, by reason of the delicate situation in which this fortress and the above island are placed. Should there, however, appear at Bulama any English force not disposed to yield to the reasons, which you are to advance in favour of the right which Her Most Faithful Majesty possesses to that island, you will forthwith make your protest on the part of the Government of

CLASS B.

Her Most Faithful Majesty, against the occupation and usurpation of the said isle of Bulama by the Governor of Sierra Leone. You say, towards the end of your Despatch, that if I should wish it you will be able to prevent the establishment of the English in the isle of Bulama, to which I have to return this answer, that you need not entertain any doubt as to the advantage which will result to Portugal from not having any foreign establishment in that island.

God, &c.

(Signed)

DOM DUARTE DA COSTA DE SOUZA DE MACEDO.

The Commandant of the Fortress of Bissao,
&c. &c. &c.

A true Copy. Government house, Villa da Praia, Isle of St. Iago, November 12, 1831.

(Signed) ANTONIO MARQUES DA COSTA SOARES.
Secretary to Government.

Secretary of State's office for the Marine and affairs beyond sea, November 17, 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Chief Officer.

Seventh Enclosure in No. 268.

(Document No. 4.)

Colonel Mattos to the Governor of Cape Verds.

ILMO. E EXCMO. SENHOR,

Ilha de Bolama 9 de Maio de 1830.

TENHO toda a satisfação de poder informar a V. E. que ja tremulaõ as Quinas Portuguezas na Ilha de Bolama, e que a ratificação da posse foi celebrada em o dia 9 do corrente mez, como V. E. se servirá ver do mesmo Termo que aqui inluo; muito me lisongearia, se o que tenho feito a tal respeito for da approvaçãõ de V. E. e do Ministerio de S. Magestade.

Deus guarde, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Ilmo. e Excmo. Senhor Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.

Termo de Ratificação de posse da Ilha de Bolama.

Ilha de Bolama, 9 de Maio de 1830.

No anno do nascimento de Nosso Senhor Jesus Christo de mil oitocentos e trinta aos nove dias do mez de Maio do dito anno, nesta Ilha de Bolama da Costa d'Africa occidental acharão-se presentes o Rey Damão de Canhabaca, seu filho o Parma, seu sobrinho Nequimoca, e o seu Irmaõ grande Eram, o Rey Jacinto, e seu Irmão Obocá, e hum dos filhos do dito Rey Tenchene, todos de Canhabaca, e os Enviados do Rey do Rio Grande, Ingoran Dan Fan, seu filho Jerambu Dabu, e Lanona Jassa com Sanga Sambú, Grandes daquelle Reino; e da outra parte o Coronel Joaquim Antonio de Mattos, em virtude das ordens que recebeo do Governador Geral de Cabo Verde, emanadas de Sua Magestade El Rey de Portugal, e por todos juntos e cada hum *in solidum*, foi dito que de tempos mui longevos El Rey de Portugal sempre estivera de Posse desta Ilha de Bolama, como o tinha mostrado pelo uzo, e corte de madeiras criadas na dita Ilha, declarando elles ditos Reys e Enviados, que pela antiga Posse, digo que pela antiga allianca, e amizade, que sempre tiverão com os Portuguezes, e dezejando sempre a continuação desta, e que para o futuro continue sem interrupção alguma, naõ so sobre qualquer objecto como principalmente ácerca da Ilha de Bolama, por tanto disserão que de novamente asseveravaõ e ratificavaõ a antiga Posse desta sobre dita Ilha de Bolama, de que Portugal sempre esteve, e que elles sempre a consideráraõ como sua pertença; os quaes todos juntos concordarão dever-se fazer de novo o presente Titulo,

ordenando-me a mim Joaquim Antonio de Mattos o escrevesse, como com effeito fiz, e abaixo assignei junto com os ja referidos reys e enviados, e todos juntos passamos a Ponta do Sodoeste da dita Ilha, fronteira a terra, digo fronteira a Costa Firme do Rio Grande, e elles me declararão, que novamente ratificavaõ, davaõ, e transferiaõ todo o direito, que por qualquer principio podiaõ ter á referida ilha, tudo em favor da corôa Portugueza, o que, como encarregado deste negocio, fiz cortar ramos, lançando terra ao ar, mandando abrir os alicerces, para se construir hum forte, o que assim se fez, lançando a primeira pedra para a dita fortaleza, deitando cal sobre esta o Rey Damiaõ de Canhabaca, e celebrando-se todas as solemnidades de estilo e costume em taes autos, assistindo toda a nobreza, e Povo, deraõ as maiores demonstrações de regozijo de taõ interessante estabelecimento, depois do que passamos a entoar hum *Te Deum Laudamus*, diante de huma imagem de Nosso Senhor Jesus Christo, que somente para este effeito se collocou, sendo correspondido bem a salva de artilheria e mosquetaria da força que para esta ilha se mandou estacionar, findo o que, se deraõ immensos vivas a El Rey Nosso Senhor, por taõ feliz lembrança, prognosticando huma prosperidade futura, e no meio de todo este acontecimento, passei a fazer o presente termo, que os ditos Reys e Inviados me disseraõ fizesse para a todo o tempo constar, como fiz junto com elles, e em presença das testemunhas abaixo assignadas.

(Signed) REY DAMIAÕ ; do filho do Rey Damiaõ, O PARMA ; do sobrinho do dito REY NEQUIMOCA, do Irmaõ do dito Rey Eram ; do REY JACINTO DE CANHABACA ; do primeiro filho do dito Rey, OBOA ; do Irmaõ do dito Rey, OBOCA ; do segundo filho do dito Rey, TENCHEM ; do filho do Rey do Rio Grande, JINJORAN DAUFAN SERAMBA DABU ; do Enviado do Rey, LAMINA JASSI ; de dito do dito, SARJA SAMBU ; JOAQUIM ANTONIO DE MATTOS, Director em Chefe do Novo Estabelecimento da Ilha de Bolama ; JOZE MARIA VEIGA, digo JOSE CORREIA VEIGA, Alferez Comandante da Força ; JOAÕ DA SILVA CASTRO ; JOAÕ BAPTISTA DENIZ CHASSEU ; DE JOAÕ FERNANDEZ ; DE PEDRO FERNANDEZ ; DE DOMINGO CORREIA GOMEZ ; DE LOURENCO DA VEIGA ; DE FELLIPPE DA SILVA CARDOZO ; DE ANTONIO DOS SANTOS ; DE ANTONIO FERNANDEZ ; DE DOMINGOS DA SILVA.

E não se continha mais nem menos no proprio original Auto de ratificação da Posse da Ilha de Bolama, a excepção das firmas, signaes e cruces, que huns e outros fizerão por seu proprio punho no referido original, que bem e fielmente passei em publica forma, *verbo ad verbum*, do proprio, a que me reporto, feito e passado na Ilha da Bolama, aos nove de Maio de mil oito centos e trinta. Em firmeza o assigno.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Secretaria d'Estado dos negocios da Marinha e ultramar, em 17 de Novembro de 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO.
Official Maior.

(Translation.)

Bulama, May 9, 1830.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

I HAVE great satisfaction in being able to inform your Excellency that the arms of Portugal are now floating on the Isle of Bulama, and that the ratification of the possession took place on the 9th instant, as your Excellency will be pleased to see in the Minute which I enclose.

It would afford me much pleasure if what I have done on this occasion should meet with the approbation of your Excellency, and the Ministers of His Majesty.

God preserve, &c.

(Signed) ANTONIO DE MATTOS.

The most Illustrious and most Excellent Senhor Caetano Procorpio Godinho de Vasconcellos, Governor-General of the Captaincy of Cape Verd and Dependencies.

*Minute of Ratification of the taking possession of the Island of Bulama.**Island of Bulama, May 9, 1830.*

In the year from the birth of our Lord Jesus Christ 1830, the 9th day of the month of May of the said year in this Isle of Bulama, on the West Coast of Africa, there were present the King Damiao of Canhabaca, his son, Parma, and his nephew, Nequimosa, as also his elder brother, Eram, and the King Jacinto, and his brother Oboca, and one of the sons of the said King Tenchem, all of Canhabaca, and the Envoys of the King of Rio Grande, Ingoran Dan Fan, his son, Feramba Dabu, and Samina Jappa, with Sanga Sambre, Grandees of that kingdom; and on the other part the Colonel Joaquim Antonio de Mattos, in virtue of the orders he received from the Governor-General of Cape Verd, transmitted by his Majesty the King of Portugal; and all together and every one *in solidum*, said that the King of Portugal had from very remote times always been in possession of this Island of Bulama, as he had shown by the use and felling of timber grown on the said Island, the said kings and envoys declaring that on account of the ancient possession and the ancient alliance and amity which had always connected them with the portuguese, they were desirous that it might ever continue for the future without any interruption, and not only as to other objects, but principally with regard to the Isle of Bulama. Wherefore they said that they once more averred and confirmed the possession of the said Island of Bulama, to have ever been held from remote times by Portugal, they having always considered it as her dependency, and they all concurred in the necessity of the present title to be made out anew, directing me, Joaquim Antonio de Mattos, to put it down in writing, as I accordingly did, signing it underneath along with the already mentioned Kings and Envoys; and having altogether repaired to the South West point of the said island contiguous to the mainland, that is contiguous to the "*Costa firme*" of the Rio Grande, they declared to me that they once more ratified, gave, and transferred the whole right which on any ground they might have to the said Island, to and in favour of the Crown of Portugal; and I, as being charged with this transaction, caused branches to be cut off, and cast earth into the air, and ordered foundations to be opened preparatory to the construction of a fort, which was carried into effect by my laying the first stone for the said fort, and by King Damiao of Canhabaca casting some time upon the stone, and by performing all the solemnities usual and customary on such occasions, while all the nobility and people, who also attended, gave indications of the greatest joy at so interesting an occurrence. Whereupon we proceeded to intonate a "*Te Deum Laudamus*," in front of an image of our Lord Jesus Christ, purposely set up, being answered by the discharge of ordnance and small arms from the force which had been ordered to this island. All this concluded by the setting up of immense "*Vivas*" to the King our Lord for such an auspicious festivity, auguring a prosperous time to come. While these rejoicings were going forward I drew up the present Minute, as the said Kings and Envoys told me they desired I would put it on record for ever, in consequence of which I made it out along with them, and in the presence of the witnesses signed underneath.

(Signed) KING DAMIAO; PARMA, nephew of said King; NEQUIMOSA, brother of said King Eram; KING JACINTO DE CANHABACA; eldest son of said King, OBOA; brother of said King, OBOCA; second son of said King, TENCHEM; son of King of Rio Grande, INGORAN DANFAN SERAMBA DABU; Envoy of said King, LAMINA JASSI; Envoy of the same, SANGA SAMBRE; JOAQUIM ANTONIO DE MATTOS, Director in Chief of the New Settlement in the Isle of Bulama; JOZE MARIA VEIGA, that is to say, JOZE CORREIRA VEIGA, Ensign Commander of the Force; JOAO DA SILVA CASTRO; JOAO BAPTISTA DENIZ CHASSIN; JOAO FERNANDES; PEDRO FERNANDEZ; DOMINGO CORREIRA GOMES; LOURENZO DE VEIGA; FELIPPE DA SILVA E CARDOZO; ANTONIO DOS SANTOS; ANTONIO FERNANDEZ; DOMINGOS DA SILVA.

And neither more nor less is contained in the original Act of Ratification of the Occupation of the Isle of Bulama, except the signatures, marks, and crosses which the witnesses made with their own hands in the said original, which I have

truly and faithfully copied in the manner of a public deed, *verbo ad verbum*, and to which I refer. Done and made out in the Isle of Bulama, May 9, 1830. For authentication I sign it.

(Signed) JOAQUIM ANTONIO DE MATTOS,
Secretary.

Secretary of State's Office for the Affairs of the Marine, and those beyond Sea. November 17, 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO,
Chief Officer.

Eighth Enclosure in No. 268.

(Document No. 5.)

Colonel Mattos to the Governor of the Cape Verds.

ILLMO. E EXMO. SENHOR, *Ilha de Bolama, 10 de Maio de 1830.*

DEVENDO V. E. afirmar a Sua Magestade pelo Secretario competente o amor e animo em que todo o gentio d'esta costa está e tem, a favor do mesmo Augusto e Real Senhor, e dos seus fieis vassallos, rogo a V. E. queira levar á presença de Sua Magestade, que o Rey do Rio Grande, terá toda a satisfação, em que o mesmo Real Senhor queira tomar conta de uma grande porção de terra firme, para ali fazer estabelecimento, e tudo aquillo que Sua Magestade julgar de interesse, o que communico a V. E. a rogo do referido Rey por seu filho Sirambá Debú e enviado Laminis Jassi.

Deus guarde, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Ilmo. e Exmo. Senhor Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.

Secretaria de Estado dos Negocios de Marinha e ultramar,
em 17 de Novembro, de 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO, *Official Maior.*

(Translation.)

Isle of Bulama, May 10, 1830.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

As your Excellency will, through the proper secretary, have to assure His Majesty of the affection and attachment felt by the whole population of this Court towards that August and Royal Sovereign, and his faithful subjects, I request your Excellency will be pleased to carry up to the presence of His Majesty, that the King of Rio Grande will be most happy if that Royal Sovereign would possess himself of a large portion of the mainland, in order to form settlements there, and carry into effect whatever His Majesty may deem useful, which I communicate to your Excellency at the instance of the said King, through his son Seramba Debu, and the Envoy Laminu Jassi.

God preserve, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

*The most Illustrious and most Excellent Senhor Caetano Procopio
Godinho de Vasconcellos, Governor-General of the
Captaincy of Cape Verd and Dependencies.*

Secretary of State's Office for the Affairs of Marine
and those beyond sea, November 17, 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO, *Chief Officer.*

Ninth Enclosure in No. 268.

(Document No. 6.)

Colonel Mattos to the Governor of the Cape Verds.

ILLMO. E EXMO SENOR.

Ilha de Bolama, 10 de Maio, de 1830.

O REY grande da Canhabaca, Damiaõ, depois da Posse da Ilha de Bolama, me pediu lhe mandasse vir de Portugal duas caixas de guerra, hum catre, e huma alabarda, se a V. E. parecer justo como a mim, que se obsequie com o que pede, espero que V. E. se servirá de tudo me enviar na primeira occasiaõ.

Deus guarde, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Ilmo. e Exmo. Senhor Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.

Secretaria de Estado dos Negocios da Marinha e ultramar,
em 17 de Novembro, de 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO, *Official Maior.*

(Translation.)

Isle of Bulama, May 10, 1830.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

AFTER taking possession of the Isle of Bulama, I was requested by Damiaõ, the great King of Canhabaca, to write to Portugal for two drums, a small bed, and a halberd. Should your Excellency coincide with me that it is just he should be presented with what he applies for, I hope your Excellency will have the goodness to forward to me the above articles by the first opportunity.

God preserve, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

*The most Illustrious and most Excellent Senhor Caetano Procopio
Godinho de Vasconcellos, Governor-General of the
Captaincy of Cape Verd and Dependencies.*

Secretary of State's Office for the Affairs of the Marine
and those beyond sea, November 17, 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO, *Chief Officer.*

Tenth Enclosure in No. 268.

(Document No. 7.)

Colonel Mattos to the Governor of the Cape Verds.

ILLMO. E EXMO. SENHOR,

Bissao, 18 de Maio, de 1830.

TRANSMITO aqui junto á presença de V. E. a requisiçaõ que faz o Commandante da Força da Ilha de Bolama, para V. E. servir-se de tudo mandar, na primeira occasiaõ, se assim o entender. Naõ havendo naquella requisiçaõ carrinhos, supplico a V. E. doze, por se fazerem precisos.

Deus guarde, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Ilmo. e Exmo Senhor Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.

Secretaria de Estado dos Negocios da Marinha e ultramar,
em 17 de Novembro, de 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO, *Official Maior.*

Quartelem Bissau, 30 de Abril, 1830.

Requisito.

Requisito a V. S. para o novo estabelecimento da Ilha de Bolama o seguinte:—

Hum parque d'artilheria e seus pertences.

Duas peças de calibre 18, e lanternetas para toda artilheria.

Hum sargento habil em ler, escrever e contar, que entenda bem do serviço militar.

Seis praças com seus armamentos, fardamentos e semestres.

Quatorze fardamentos completos, e semestres para as praças que partem para o estabelecimento da Bolama.

Hum sino.

Huma empolheta.

Serras de abrir madeira, e serrotes.

Hum rebolo de amolar machados.

Deus guarde, &c.

(Signed) JOSE CORREA VEIGA,
Alferes Commandante da Força de Bolama.

N.B. Entre as seis praças que requisito, podendo ser, dois delles de Officio de pedreiro será muito util.

(Signed) JOSE CORREA VEIGA,
Alferes Commandante da Força para Bolama.

(Esta conforme.) (Signed) MATTOS.

Secretaria de Estado dos Negocios da Marinha e ultramar,
em 17 de Novembro, de 1834.

(Translation.)

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR, *Bissau, May 18, 1830.*

I ENCLOSE to your Excellency an application made by the Commander of the Force in the Island of Bulama, that your Excellency may be pleased, if you should accede to it, to forward all the articles demanded on the first opportunity. The gun carriages having been forgot in the application, I beg your Excellency will add a dozen of them, as they are necessary.

God preserve, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

The most Illustrious and most Excellent Senhor Caetano Procopio Godinho de Vasconcellos, Governor-General of the Captaincy of Cape Verd and Dependencies.

Requisition.

Quarters at Bissau, April 30, 1830.

Your Excellency is requested to supply the new settlement in the isle of Bulama with the following articles:—

A park of artillery with all that belongs it it.

Two 18-pounders, and small lanterns for the whole artillery.

A sergeant conversant with reading, writing, and accounts, and who is perfectly acquainted with the military service.

Six soldiers, with their arms, suits, and six months' pay.

Fourteen suits and six months' pay, for the soldiers about to proceed to the settlement in Bulama.

A bell.

A "empolheta."

Large saws for timber, and hand-saws.

A grindstone for grinding axes.

God preserve, &c.

(Signed) JOSE CORREA VEIGA,
Ensign Commanding the Forces at Bulama.

N.B. If among the six soldiers whom I require two of them could be masons by trade, it would be very useful.

(Signed) JOSE CORREA VEIGA,
Ensign Commanding the Forces at Bulama.

(A true Copy.)

(Signed) MATTOS.

Secretary of State's Office for the Affairs of the Marine
and those beyond sea, November 17, 1834.

(Signed) ANTONIO JOZE MARIA CAMPELO, *Official Mayor.*

Eleventh Enclosure in No. 268.

(Document No. 8.)

Colonel Mattos to the Governor of the Cape Verds.

ILLMO. E EXMO. SENOR,

Bissau, 23 de Maio, de 1830.

DENTRO deste encontrará V. E. uma copia fiel do papel, que existe em poder do Rey do Rio Grande; deixado pelo General da Serra Leoa em 24 de Junho de 1827 Sir N. Campbell. Como porem este documento trata de hum objecto, que temos entre maõs, he preciso que eu exponha o que julgo util para esclarecimento. O Rey do Rio Grande jamais foi nem pode ser Senhor da Ilha de Bolama, nem das ilhas adjacentes, consequentemente torna-se nulla não so esta ratificação, como a doaçaõ de que trata, que diz ser feita em 3 de Agosto de 1792, a Mr. Bivar. Accresce a isto, o mesmo Rey e Grandes não saberem o que contem o tal papel, como exposeraõ, sendo feito sem publicidade, e só com as pessoas interessadas, mas mesmo que o soubessem, e que a fizessem: "*Nemo dat quod non habet*:" em prova sabido pelos Bejagos da Canhabaca, a quem pertence aquella Ilha, que os Ingleses se forão nella estabelecer; forão immediatamente expulsos e mortos como todos sabemos. Todos os seis Artigos de que aquelle documento se compõe, causão riso, e não sei como possa caber em cabeça humana o querer dar, e fazer Leis em Possessões aonde nenhuma autoridade tem; pois sim venhaõ desocupar, ou privar algum gentio do terreno que occupa; venhaõ cohibir nos seus terrenos, que não tenhaõ desordens uns com os outros, que os não fação escravos, e que os não vendaõ; venhaõ elles deitar as suas instituições por terra, e impor-lhes outras, se bem que pelo 3º artigo, estaõ os homens d'amuito criminozos, e sujeitos ás leys da Gram Bretanha, mas não se lhes tem imposto castigo, talvez por effeito de bondade: o que he em summa de admirar, digo de notar, foi o estenderem-se desde a Ilha da Bolama com as adjacentes até a linha de Guinala, e até o mar do Este Noroeste, e eis aqui estaõ os Bejagos de Canhabaca, Babaque, Xoga, &c., até a minha Ilha de Galinha dadas pelo Rey do Rio Grande e seus sequazes a M. Bivar et a Sir N. Campbell, tem resultado disto Exmo. Senhor os Bejagos estarem impacientes para irem visitar os do Rio Grande, o que tenho por ora obstado, sem con tudo lhe ter feito saber o que a este respeito, e sem primeiramente o participar a V. E. e remetter a copia daquelle documento que tornei a entregar o original por assim mo pedirem, o que me foi custozo obter porque elles estaõ julgando ser algum Breve que os livra de feitiços e de serem escravos algum dia, &c. V. E. pois a vista do que levo exarado poderá fazer judiciozas reflexões e com ellas remette-lo para o Ministerio, se assim o julgar conveniente, porque talvez tinha valor, et seja de alguma transcendencia que eu lhe não dou.

Deus guarde, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Illmo. e Exmo. Senhor Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.

Secretaria de Estado dos Negocios da Marinha e ultramar,
em 17 de Novembro de 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO, *Official Maior.*

(Translation.)

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR, *Bissao, May 23, 1830.*

I ENCLOSE to your Excellency a true copy of the paper delivered on the 24th June, 1827, to the King of Rio Grande by the General of Sierra Leone, Sir N. Campbell. As this document relates to the subject which we have now under discussion, it is necessary for me to state what I imagine will serve towards its elucidation. The King of Rio Grande never was nor could be Lord of the Isle of Bulama, or of the adjacent islands, so that no validity can attach to the ratification any more than to the gift to which it has reference, said to have been made on the 3rd of August, 1792, to Mr. Bivar. It is also to be observed, that neither this King nor the grandes know the contents of the paper, as they themselves owned, seeing that it was drawn up without publicity, and only with the privity of the persons interested. But supposing even that they were aware of the contents, and were parties to the drawing up of the paper "*nemo dat quod non habet*:" in further proof, the moment that the Bijagos of Canhabaca, to whom the island in question belongs, heard the English had come to form a colony there, they were instantly expelled and put to death, a fact which is notorious. The six articles of which that document consists raise a smile, and I am at a loss to understand how it can enter into any man's head to enact laws in possessions where the lawgivers have no authority. Let them dispossess and drive away people from the land they occupy, let them exert their power over territories in which there exist no dissensions, let the new comers not reduce them to slavery, and sell them, let the conquerors overthrow the institutions of the country, and establish others in their stead. Yet, though according to the third article, the people have for a long time been great criminals, and are amenable to the laws of Great Britain, they have not been visited with any punishment, perhaps from motives of humanity. It is also much to be wondered at that they spread themselves from the Isle of Bulama and the adjacent islands to the line of Guimala, and as far as the sea to the W.N.W., where dwell the Bijagos of Canabaca, Borbaque, Xoga, &c., down to my island of Galinha, all which islands were given up by the King of Rio Grande and his retinue to M. Bivar and to Sir N. Campbell. The result of this has been, that the Bijagos are impatient to visit those of Rio Grande, which I have hitherto resisted, without, however, acquainting them with what induced me to that mode of proceeding, and, until I should previously have communicated it to your Excellency, by transmitting a copy of that document, the original of which I have returned, because they desired me to do so, and to obtain which I had been obliged to incur great expense, their impression being that it has the virtue of a species of papal brief to free them from spells, and from being sold into slavery, &c. Your Excellency will, in reference to my observations, please to add thereto your own judicious reflections, and transmit the whole to ministers, if you should deem it proper, as it may perchance prove of some use, and be deemed more important than I myself judge it to be.

God preserve, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

*The most Illustrious and most Excellent Senhor Caetano Procopio
Godinho de Vasconcellos, Governor-General of the
Captaincy of Cape Verd, and Dependencies.*

Secretary of State's Office for the Affairs of the Marine
and those beyond sea, November 17, 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO, *Chief Officer.*

Twelfth Enclosure in No. 268.

(Document No. 9.)

Colonel Mattos to the Governor of the Cape Verds.

ILLMO. E EXCMO. SENHOR,

Bissao, 6 de Junho 1830.

TENHO a satisfação de participar a V. E. que fica prompto o quartel na Ilha da Bolama, que se achão ja recolhidas nelle, tanto a força que V. E. para

CLASS B.

alli mandou estacionar, como o commandante e trem, pertencente a artilheria; havendo cahido o primeiro que se havia feito, em consequencia de hum grande tufão de vento, por as forquilhas que sustinhaõ a cobertura, não estarem em a profundidade precisa, devendo lembrar a V. E. que todas estas obras tem sido feitas n'uma Estação impropria, e que sendo de absoluta necessidade, era forgozo resistir-lhe insistindo na sua ultimação por agora. As tres pessas achaõ-se assestadas na parte mais elevada daquelle ponto, e por ser impossivel fazer fortificação alguma, quer regular, como irregular, a que se procederá em tempo conveniente, sendo certo que so podemos reccar de inimigos Europeos. Heo que nesta occasiaõ tenho a levar ao conhecimento de V. E.

Deos guarde, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Illmo. e Excmo. Senhor Caetano Procopio Godinho de Vasconcellos,
&c. &c. &c.

Secretaria d'Estado dos Negocios da Maripha e ultramar em 17 de Novembro de 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO,
Official Maior.

(Translation.)

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR, *Bissao, June 6, 1830.*

I HAVE the satisfaction to inform your Excellency that the quarters in the Island of Bulama are ready, and that the force which your Excellency ordered to be stationed there, as well as the commander and train of artillery, are arrived—the first which was constructed having fallen down, in consequence of the violence of the wind during a gale, through the posts which supported the roof not being driven in deep enough; for I must observe to your Excellency that all these works were constructed at an improper season, as they were absolutely necessary, their completion being left for the present moment. The three guns are planted in the most elevated part of that point, since it was impossible to erect any fortification whatsoever, either regular or irregular, which will be proceeded with at a more convenient time. After all, we need expect no other enemies than Europeans. Thus much I had to bring to your Excellency's notice.

God preserve, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

The most Illustrious and most Excellent Senhor Caetano Procopio Godinho de Vasconcellos, Governor-General of the Captaincy of Cape Verd, and Dependencies.

Secretary of State's Office for the Affairs of the Marine and those beyond sea, November 17, 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO,
Chief Officer.

Thirteenth Enclosure in No. 268.

(Document No. 10.)

Colonel Mattos to the Governor of the Cape Verds.

ILLMO. E EXCMO. SENHOR,

Bissau, em 30 de Outubro de 1830.

He de meu dever participar a V. E. que as obras na Ilha de Bolama continuão, mas que até agora só a força que V. E. se dignou para alli mandar, he a gente que se acha naquelle estabelecimento, e que se não darem as provi-

dencias, que hum estabelecimento exige, e que eu ja tenho exposto, de cousa alguma serviraõ as despezas, que alli se tem feito, e vaõ fazendo.

Deos guarde, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

Ilmo. e Excmo. Senhor Caetano Procopio Godinho de Vasconcellos
&c. &c. &c.

Secretaria d'Estado dos Negocios da Marinha e ultramar, em 17 de Novembro de 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO,
Official Muior.

(Translation.)

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

Bissau, October 30, 1830.

I AM to acquaint your Excellency that the works in the Isle of Bulama are proceeding, but that up to this moment no more military are arrived there than your Excellency was pleased to despatch thither.

If the measures be not adopted which are required by a settlement, and which I have already indicated, all the expenses already incurred, and still incurring, will be thrown away.

God preserve, &c.

(Signed) JOAQUIM ANTONIO DE MATTOS.

The most Illustrious and most Excellent Senhor Caetano Procopio Godinho de Vasconcellos, Governor-General of the Captaincy of Cape Verd, and Dependencies.

Secretary of State's Office for the Affairs of the Marine and those beyond sea, November 17, 1834.

(Signed) ANTONIO JOSE MARIA CAMPELO,
Chief Officer.

No. 269.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, April 5, 1841.
(Received April 15.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches marked "Slave Trade," up to that of the 22nd ultimo inclusive.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

No. 270.

Viscount Palmerston to Lord Howard de Walden.

Foreign Office, April 22, 1841.

Circular sending Convention with Haiti.

(See No. 36.)

No. 271.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, April 23, 1841.

I HEREWITH transmit to your Lordship a copy of a Despatch from Her Majesty's Chargé d'Affairs at Rio de Janeiro, respecting the honourable line of conduct which M. Bayard, Portuguese Envoy at Rio de Janeiro, has pursued upon the subject of the Slave Trade.

You will by Note to the Portuguese Government communicate to them a copy of the enclosed Paper; and you will in that Note express the satisfaction of Her Majesty's Government at receiving this testimony to the good conduct of the Envoy of Her Most Faithful Majesty upon the subject in question.

I am, &c.

(Signed)

PALMERSTON.

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

Enclosure in No. 271.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, March 1, 1841.*

(See No. 420.)

No. 272.

Lord Howard de Walden to Viscount Palmerston.

MY LORD,

*Lisbon, April 30, 1841.**(Received May 9.)*

I HAVE the honour to enclose a copy of a Note which I have received from Senhor Magalhaes with reference to the proceedings of Commander Adams, of Her Majesty's ship "Acorn," in refusing to move his anchorage in the port of Mozambique.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

(Translation.)

First Enclosure in No. 272.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Foreign Office, April 28, 1841.

THE Minister of Marine has transmitted to me, under date of the 27th of last month, the enclosed copy of a Letter addressed on the 20th of August, 1839, to the Government of Mozambique by Commander Adams, of Her Britanic Majesty's sloop of war "Acorn," in order that I might call your Lordship's attention to the unreasonableness and injustice of the proceedings of that officer, and to the unwarranted manner in which he acted towards the aforesaid Government.

The police regulations of the port of Mozambique permit no vessels, whether national or foreign, to remain anchored in the first anchorage, between the Islands of Goa and Senna, longer than 24 hours, within which period such vessel must pass to the second anchorage, where she may remain indefinitely.

Commander Adams entered the port of Mozambique, without caring to obtain from the Fort of San Sebastian the necessary permission for this object, and without taking on board the pilot who went to meet him for the purpose of bringing in his ship, and he cast anchor in the above-said first anchorage, where he remained longer than the time permitted, which proceeding obliged

the Government of Mozambique to send an officer ("*Visita da Praça*") on board the "Acorn," to inform Mr. Adams that he must pass on to the second anchorage, as in conformity with the said regulations.

To this announcement, coming from the principal authority of the province, and made with all urbanity, Commander Adams replied by putting a false construction on what had been communicated to him, and, without noticing the motives which had dictated it, and which were explained to him.

Your Lordship will not fail to remark, and to report to the Government of Her Britannic Majesty, the menaces of war made by Commander Adams to a Portuguese colony.

The Government of Her Majesty trust in the justice and friendship of the British Government, that decided orders will be sent for the due reproof of that officer, and that there should be no repetition of a case so disagreeable—a case so much the less expected, that the Portuguese Government entertained the highest opinion of Commander Adams on account of the effective support he lately gave in 1840 to the Governor-General of Mozambique on the occasion of the capture of some slave vessels.

I avail, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

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

(Translation.) Second Enclosure in No. 272.

Commander Adams to the Portuguese Authorities at Mosambique.

Her Majesty's ship "Acorn," off Mosambique,

August 20, 1839.

I WAS officially informed by the officer who yesterday came on board my ship, that he had been sent by the authorities in order to make known that I might not remain in this anchorage longer than 24 hours.

I have now to observe to you that Great Britain is the oldest ally of Portugal, and that all vessels, whether of war or of merchandise, are received in our ports with the greatest friendliness, and are permitted to remain as long as they please.

I have, however, to request that you will give me an immediate answer on this subject, and, if it should be intimated to me that vessels and boats of Her Britannic Majesty may not keep this anchorage longer than 24 hours, I shall consider it as a declaration of war, and shall form the blockade of this port, letting no vessel either enter it or leave it; and you must be well aware that I have the means in my power of keeping this anchorage as long as I think proper.

It is not my intention to go again on shore, and if some authority come not here before 11 o'clock to-morrow, to give me satisfaction for the insult thus offered to the British flag, I shall consider it as a declaration of war, and will act accordingly.

I must request that your answer to this be in English, as I know that you have the means of complying with my demand.

I have, &c.

(Signed) JOHN ADAMS.

The Portuguese Authorities at Mozambique.
&c. &c. &c.

No. 273.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, May 1, 1841.

I HEREWITH transmit to your Lordship a copy of a Despatch and of its Enclosure from Her Majesty's Commissioners at Sierra Leone, giving a Re-

port upon the state of the Slave Trade on the western coast of Africa during the year 1840.

I have to desire that your Lordship will by note to the Portuguese Government communicate to them the subject of that portion of the Report from the Commissioners which contains a statement of the Slave Trade carried on from the Portuguese Settlements at Bissao and Cacheo, and from slave factories established by European traders on the native territories, in the neighbourhood of these Portuguese settlements; and you will state that Her Majesty's Government hope that, as the Government of Portugal has begun to take steps for the suppression of the Slave Trade, it will adopt such measures as may be best calculated to put an end to the traffic, carried on under the protection of the Portuguese Settlements.

I have, &c.

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

(Signed) PALMERSTON.

Enclosure in No. 273.

Sierra Leone Commissioners to Viscount Palmerston.

December 31, 1840.

(See Class A, No. 10.)

No. 274.

Viscount Palmerston to Lord Howard de Walden.

Foreign Office, May 8, 1841.

(Circular against holding or being interested in Slave Property.)

(See No. 196.)

No. 275.

Viscount Palmerston to Lord Howard de Walden.

Foreign Office, May 11, 1841.

Circular on the Proposed Instruction to Portuguese Functionaries in Slave-holding Countries, on the hiring, maintaining, and purchasing of Slaves.

(See No. 47.)

No. 276.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, May 12, 1841.

I HAVE received from Her Majesty's Commissioners at Sierra Leone a report of the case of the slave schooner "*San Paulo de Loanda*" which was seized under the flag of Portugal by Commander Hill of Her Majesty's brig "*Saracen*" on the 11th December, 1840, in the river Sherbro, and condemned at Sierra Leone on the 5th February, 1841, on a charge of being concerned in Slave Trade.

From the papers which Her Majesty's Commissioners have transmitted to me it appears, that this schooner sailed under a Lisbon passport dated the 2nd December, 1836, and according to that document, therefore, was upwards of four years old when condemned in February, 1841.

But upon investigation it appeared that the vessel was perfectly new; among her papers, however, was found a list of stores and sails belonging to the American schooner "*Salazar*," and by a Report from Her Majesty's Commissioners at the Havana it appears that a Portuguese schooner, called "*Salazar*," cleared out from the Havana for St. Paul de Loanda on the 20th

October, 1840. All the Consular and custom-house papers of the vessel detained and condemned under the name of the "*San Paulo de Loando*" bear the date of the 20th October, 1840. Moreover, the description of the rig and tonnage of the "*Salazar*" and of the "*San Paulo de Loando*" agree.

There seems therefore good reason for suspecting that the vessel condemned under the name of "*San Paulo de Loando*" was the same which cleared out from the Havana under the name of the "*Salazar*."

Her Majesty's Commissioners at Sierra Leone further report that instances frequently occur, in which Portuguese, landed at Sierra Leone from condemned slave vessels, freely boast that most of their Portuguese papers are entirely false, as appears to have been the case with the "*San Paulo de Loando*."

The ostensible owner of this vessel, Joze dos Rios, stated to be a resident at Oporto, had previously appeared as owner of a vessel bearing the name of "*San Paulo de Loando*," and which was condemned at Sierra Leone on the 18th June, 1840.

You will communicate these circumstances to the Portuguese Government, for such steps as they may think proper to take thereupon.

I am, &c.

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

(Signed) PALMERSTON.

No. 277.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, May 6, 1841.
(Received May 17.)

MY LORD,

I HAVE the honour to enclose a copy of a Note which I have received from Senhor Magalhaes in reply to the Note which I addressed to his Excellency on the 20th March last, a copy of which was transmitted to your Lordship in my Despatch of the 20th of March last, with reference to the suspicions entertained against the "*Minerva*," "*Dous Irmaos*," and "*Angela*," as being destined for the Slave Trade. It being the practice of Slave vessels to clear out for other countries than Africa, and in many instances I understand even for England, it certainly often becomes difficult for the Portuguese Government to interfere with them, but perhaps notice given to Her Majesty's cruizers of the suspected character of any such vessels, or of the port for which they have ostensibly cleared out, and towards which, perhaps, they often do not direct their course beyond a few leagues, while in sight of the coast, may facilitate the means of convicting them of their piratical character, if encountered by Her Majesty's cruizers out of their course, in a totally different direction, or off the coast of Africa.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 277.

(Translation.) *M. Magalhaes to Lord Howard de Walden.*

MY LORD,

Foreign Office, April 30, 1841.

WITH reference to the Note which I addressed to your Lordship on the 26th ultimo, in answer to that which I received from your Lordship under date of the 20th of last month, I have the honour to acquaint you that the Minister of Finance informed me on the 3rd instant, that it had not been in his power to obstruct at the Custom-house the sailing of the Portuguese brigs the "*Minerva*" and the "*Dous Irmaos*," they not having in any way infringed in this port the Decree of the 17th December, 1836, as also that for the same reasons it would be impracticable to put any obstacle to the clearance of the Brazilian brig "*Angela*" if she respect the provisions of the said Decree.

The Minister of Marine, however, informs me, under date of the 7th instant, that he has transmitted the strictest orders to the governors of the colonies to look out for the said vessels, and to detain them in case they should engage in the illicit traffic of slaves.

Her Majesty's Government are extremely anxious to punish with the utmost rigour of the law the owners and correspondents of any vessels that violate the laws in order to engage in the Slave trade, and only on account of the want of documents, or of other sufficient evidence for bringing them to trial, have they hitherto failed to do so; and although every effort be made to obtain such documents and such proofs, in the absence of them it is impossible to take the steps so much desired against those implicated in transactions so disgraceful.

I avail myself, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

Lord Howard de Walden.

&c. &c. &c.

No. 278.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, May 8, 1841.

(Received May 17.)

MY LORD,

I HAVE the honour to enclose a copy of a Note which I have addressed to Senhor Magalhaes, furnishing to his Excellency, according to your Lordship's instructions, a copy of Mr. Ouseley's Despatch of the 1st of March last, transmitted to me by your Lordship, rendering testimony to the upright conduct of M. Bayard, the Portuguese Envoy at Rio de Janeiro, in regard to the Slave Trade.

I had previously the opportunity of stating to Senhor Magalhaes and to Baron Tojal that I should have the satisfaction of making such a communication, at which both ministers were evidently much gratified.

I enclose a copy of the Note which I have since received in reply from Senhor Magalhaes.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

First Enclosure in No. 278.

Lord Howard de Walden to M. Magalhaes.

Lisbon, May 4, 1841.

THE Undersigned, &c., has received instructions from his Government to communicate to Senhor Magalhaes, &c., a copy of a Despatch addressed by Her Majesty's Chargé d'Affaires at the court of Brazil to Viscount Palmerston, in which mention most honourable of Senhor Bayard, Her Most Faithful Majesty's Minister at Rio de Janeiro, is made.

The Undersigned has the honour to convey to M. Magalhaes, in the name of Her Majesty's Government, the expression of the satisfaction of Her Majesty's Government at receiving this testimony to the upright line of conduct, which has distinguished Senhor Bayard's proceedings upon the subject of the Slave Trade.

The Undersigned, &c.

(Signed) HOWARD DE WALDEN.

His Excellency Senhor Rodrigo da Fonseca Magalhaes,

&c. &c. &c.

Second Enclosure in No. 278.

M. Magalhaes to Lord Howard de Walden.

(Translation.)

Foreign Office, May 7, 1841.

THE Undersigned, &c., had the honour to receive the note which Lord Howard de Walden, &c., by the direction of his Government, addressed to him

on the 4th instant communicating to him a Despatch addressed to Viscount Palmerston, by Her Britannic Majesty's Chargé d'Affaires at the court of Rio de Janeiro, under date of the 1st of March last, reporting the zeal and efficacy with which the counsellor Ildefonso Leopoldo Bayard, Portuguese Minister at that port, had constantly opposed the illicit Slave Trade, attempted to be carried on under the Portuguese flag.

Her Majesty's Government, aware of the justice which Her Britannic Majesty's Government renders to the sincerity of their desire to suppress this illicit traffic, had great satisfaction in receiving this assurance that the British Government recognised in the honourable conduct of the counsellor Bayard, how strict were the orders issued by the Government for the purpose of carrying out their protestations against the said traffic; and they glory in having functionaries such as M. Bayard, whose honour and integrity are well known.

The Undersigned, &c.,

(Signed) RODRIGO DA FONSECA MAGALHAES.

Lord Howard de Walden,

&c. &c. &c.

No. 279.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, May 10, 1841.

(Received May 17.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches to that of the 24th ultimo inclusive.

I have, &c.,

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

No. 280.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, May 16, 1841.

(Received May 24.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have addressed to the minister of Foreign Affairs, communicating to his Excellency, according to your Lordship's instructions, that part of the Annual Report of the Commissioners at Sierra Leone, which refers to the Slave Trade carried on in Portuguese possessions on the coast of Africa, and under the Portuguese flag,

I have, &c.,

(Signed) HOWARD DE WALDEN

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

&c. &c. &c.

Enclosure in No. 280.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, May 11, 1841.

THE Mixed Commission established at Sierra Leone for the adjudication of slave vessels, having made its Annual Report to Her Majesty's Government, and as in that document reference is made to the Portuguese possessions of Bissao and Cacheo, and the flag of Portugal, as connected with the Slave Trade, I have been instructed to make known to the Government of Her Most Faithful Majesty the substance of the part in question, which is as follows.

“The river Nunez has not been visited for three years by a slave vessel, but
CLASS B.

has, nevertheless, suffered from the influence of a very active Slave Trade carried on at Bissao, whence agents are despatched to the Nunez to collect slaves, whom they send round to Bissao by every convenient opportunity. The notorious Cayetano Nozzolini (Kyetau), of Bissao, has had his full share in this traffic, and employed in the Nunez at one time two European agents, besides the coloured people in his service, to collect slaves. The estimated annual export of slaves, chiefly to Cuba, from Bissao, is upwards of 2000."

"Of the 20 vessels employed in the Cuba Trade, and which have been condemned during the year 1840, four carried the flag of Portugal."

"Of the eight vessels engaged in the Brazilian trade in slaves, and condemned likewise in the courts of Mixed Commission, two bore the colours of Portugal."

From facts which have come before the Commissioners, it appears that "the Slave Trade in the bights of Benin and Biafra had been withdrawn to the Portuguese settlements south of the Equator."

"The Commissioners "taking a review of the present state of the Slave Trade along the coast from the Gambia to Cape Palmas, excepting, *of course*, the Portuguese colonies, are of opinion it may be pronounced to be so far reduced, that if the principal marts could be permanently blockaded, and the slave dealers thus kept off, at the same time that suitable measures were adopted for bringing the attention of the natives to the lawful productions of the country, the total eradication of the slave Trade might be looked for in a few years."

It is further stated in the report "as a result of the measures adopted for the suppression of the Slave Trade during the year 1840, that there have been 10 vessels bearing the flag of Portugal condemned in the Vice-Admiralty Court of the colony of Sierra Leone, for being equipped for that trade under the provisions of the 2 and 3 Vict. cap. 73.

It appears also from the Report of the Commissioners, that the Slave Trade in general has experienced a most sensible check in almost all of the hitherto well-known haunts of the slave-traders on the coast of Africa, partly owing to the successful vigilance of Her Majesty's cruisers, and partly owing to the natives themselves having fallen upon the stations of the slave traders, destroyed and pillaged their barracoons, and liberated their devoted countrymen.

Under these circumstances Her Majesty's Government anxiously hopes, that the Government of Her Most Faithful Majesty will be induced for the honour of Portugal, as well as from dictates of humanity, to employ effective measures to enforce in the possessions of Portugal in Africa the strictest execution of the laws abolishing the Slave Trade, in their true spirit and most comprehensive sense.

I avail, &c.,

(Signed) HOWARD DE WALDEN.

His Excellency Rodrigo da Fonseca Magalhaes,
&c. &c. &c.

No. 281.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, May 22, 1841.

(Received May 31.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have received from the minister of Foreign Affairs, in explanation of the transport of slaves from Bissao to St. Jago, by the Portuguese schooners of war "*Constituição*" and "*Boa Vista*," the subject of your Lordship's Despatch dated the 14th, and of my note to the Portuguese Government dated the 25th, of August, 1840.

I have, &c.,

(Signed) HOWARD DE WALDEN.

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

First Enclosure in No. 281.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, May 19, 1841.

REFERRING myself to my notes of the 26th August and 30th October, 1840, in answer to your Lordship's note of the 25th August, in which your Lordship transmitted to me the communication received from your Government respecting the schooner of war "*Constituição*," and the schooner "*Boa Vista*," having transported slaves from Bissao to the island of St. Iago. I have the honour to transmit to your Lordship the enclosed copy of an official communication addressed to me by the minister of marine and colonies on the 15th instant, containing the answer returned by the Governor-General at the province of Cape de Verd to the order which had been forwarded to him upon the subject, at the sight of which Her Majesty's Government trusts that the British Government will be convinced, that the transport of slaves effected by the above-mentioned two vessels was in conformity with the dispositions of the decree of the 10th December, 1836, with the formality established in the 4th article of the said decree, as the said slaves were belonging to inhabitants of that province, and, together with their masters, had changed their domicile in the said province.

The said official communication of the Minister of the marine also shows the want of foundation of the aggravating circumstances which seemed to be attached to the fact of transporting slaves by the said two Portuguese vessels.

Her Majesty's Government, in the meanwhile, do not lose the opportunity of giving the most positive orders to the authorities of the colonies, for them to avoid by every possible means in their power the carrying on the prohibited slave traffic, and to inflict on the persons infringing the law the punishment due to their crime.

I avail, &c.,

(Signed)

RODRIGO DA FONSECA MAGALHAES.

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

Second Enclosure in No. 281.

Copy of the Official Letter addressed by the Minister of the Colonies to the Foreign Department, dated May 15, 1841.

(Translation.)

Office of Foreign Affairs, May 19, 1841.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

IN addition to the official letter I had the honour to address to your Excellency on the 31st August last in answer to the one your Excellency sent to me on the 26th of the same month, with the copy of a note from Lord Howard de Walden, in which he calls the attention of Her Majesty's Government on the fact of 28 slaves having arrived at the island of St. Iago from Bissao, on board of the "*Constituição*" schooner, when she took from that place to the said island some troops, the said slaves having been landed in three open boats in two days, which act was considered so scandalous as to engage the municipal chamber of that place to protest before the Governor-General against it, as it appeared by evidence upon oath, and, finally, that it was reported that another schooner (the "*Boa Vista*"), had brought in March, of the same year, some slaves from the same place. I have to inform your Excellency that having forwarded on the 1st September last, through this department, a Royal Order to the Governor-General of that province, with such directions as the case demanded, the said Governor-General, by his official communication, answers that the arrival of the said slaves was in accordance with the disposition of the decree of the 10th December, 1836, with the formalities stipulated in the 4th article of the said decree, because they were slaves belonging to inhabitants of that province, who, in company of their masters, were changing their domicile in the same province, consequently it was a licit change, particularly so under the circumstance of each of the two schooners in the service of the province having only once in the course of

two years gone to Guinea (to Boa Vista in October, 1839, and to Cape de Verd in March, 1840), the first of which brought over two inhabitants of the colony, with 17 persons belonging to their family; and the second, five inhabitants of that colony with 25 persons of their family, who remained at the island of St. Iago, and who were neither sold on the spot, nor sent to be sold abroad, as it is proved by the informations obtained on this subject, this proceeding being perfectly lawful and in no way offending the law which suppresses this traffic, which did not exist in this case, where only a change of domicile was effected. As to what is said that the said Portuguese schooners belonging to the state ought not to have exposed themselves to be accused of being employed in this traffic, the Governor thinks it fully demonstrated that they have not been, nor are now, employed in a similar trade, since the number of slaves on their board alluded to is even less than that which the law authorises. That each of the schooners have only gone to Bissao in the course of two years; that the slaves were not put up for sale, but accompanied their masters as the chief of the families, at the sight of the legal manifest made at the Custom House of Villa da Praia, and that they landed openly, because there was no necessity of hiding what was legal; that with respect to the protest said to have been made by the Municipal Chamber before the Governor against the vessels belonging to the state being employed in so criminal a service, no protest whatever was made either by the Municipal Chamber, or by any authority or person belonging to the province, nor was there any remonstrance made, either verbally or in writing, on this subject, the Municipal Chamber having no authority to protest against the Government, and much less respecting subjects which every one acknowledges to be legal, and by no means affecting the attribute of the Municipal Chamber; the evidence referred to upon oath, stated in the copy of the note of the British Minister, being so far invalidated. The Governor concludes by saying that the schooners in the service of the province cannot (without manifest prejudice both of the public and of the revenue) be dispensed from being employed as packets, as by them, and through them only the regularity of the service between nine islands so distant between themselves and the possessions of Guinea, more than 100 leagues from the capital, can be preserved, consequently it follows that those two vessels cannot be dispensed to be employed (in a legal manner) in transporting merchandises, passengers, and effects from one part to the other of the same province.

May God, &c.

(Signed) ANTONIO JOAQUIM GOMES D'OLIVEIRA.

The Minister of Foreign Affairs,
&c. &c. &c.

No. 282.

Lord Howard de Walden to Viscount Palmerston.

MY LORD,

Lisbon, May 22, 1841.
(Received May 31.)

I HAVE the honour to enclose a copy of a Note which I have received from the Minister of Foreign Affairs, in reply to the Note which I addressed to his Excellency under your Lordship's instructions, communicating to him that part of the Annual Report of the Commissioners at Sierra Leone, referring to the Slave Trade carried on under the Portuguese flag, and in the Portuguese Possessions of Bissao and Cacheo.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 282.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, Lisbon May 19, 1841.

I HAVE the honour to inform your Lordship of my having transmitted to the Minister of Marine and Colonies the Note which your Lordship has addressed to me by order of your Lordship's Government on the 11th instant, containing the Annual Report made by the Mixed Commission at Sierra Leone to the British Government, as far as regards the Slave Trade which has been carried on under the Portuguese flag both at Bissao and Cacheu, and at the same time having requested the said minister, that in taking into the most serious and immediate consideration the contents of the said Note, he may issue the most positive orders for a severe investigation to be proceeded upon on the cases thereby stated, and the parties which may be found conniving at the said traffic to be severely punished, in order that by all possible means the repetition of similar accusations may be avoided; putting him in mind of the absolute necessity of acting with energy in such cases as these, and even going so far as to dismiss any authority that might show weakness in the execution of their duty in this respect.

I avail myself, &c.

(Signed)

RODRIGO DA FONSECA MAGALHAES.

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

No. 283.

*Lord Howard de Walden to Viscount Palmerston.**Lisbon, May 24, 1841.**(Received May 31.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, up to that of the 12th instant.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 284.

Viscount Palmerston to Baron Moncorvo.

SIR,

Foreign Office, June 1, 1841.

WITH reference to the request contained in your Note of the 8th May, 1840, to be furnished with the originals or certified copies of Portuguese papers found on board captured Slave Vessels, I have the honour to transmit to you herewith certified copies of the papers of the "*Emilia*," the "*Recurso*," and the "*Rapido*," three vessels detained under Portuguese colours by Her Majesty's cruisers, for being engaged in Slave Trade.

I have, &c.

(Signed)

PALMERSTON.

The Baron de Torre de Moncorvo,
&c. &c. &c.

No. 285.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, June 8, 1841.

HER Majesty's Government has received information, that the Portuguese slave vessel "*Asseiceira*," of which Soares de Noronha was nominal captain, but João Baptista Boisson the real master, was recently captured off the Coast of Brazil, with 332 slaves on board, by Her Majesty's ship "*Fawn*."

The "*Asseiceira*" was furnished with a passport dated the 20th July, 1838, authorizing her to proceed from Loanda to Mozambique, touching in her way at Rio de Janeiro.

But on the 25th January, 1840, the Portugese Vice-Consul at Rio de Janeiro affixed to that passport his visa, authorising the vessel to undertake a voyage as far as Saint Catherines, on condition that from Saint Catherines she should proceed direct to a port in Portugal, and there present the passport, in order to its being cancelled, and that she might then provide herself with ship's papers according to law; and with that passport the "*Asseiceira*" proceeded on the 28th of January, 1840, in ballast, from Rio de Janeiro for Saint Catherines.

But at Saint Catherines the Portuguese Consul wrote on the same passport another visa, annulling, in fact, the former visa of the Vice Consul at Rio de Janeiro, since it authorised the "*Asseiceira*" to undertake a further voyage to Goa by Mozambique, before the passport should be considered as cancelled.

The "*Asseiceira*," furnished with this new visa, took on board at St. Catherines a cargo for the African trade and set sail; but, instead of proceeding to Goa, put into Quillimane, disposed of her cargo of goods, and shipped a cargo of slaves for the Brazil market.

You will by note communicate these facts to the Portuguese Government, for such steps as they may think proper to take thereupon.

I am, &c.

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

(Signed) PALMERSTON.

No. 286.

Viscount Palmerston to Baron Moncorvo.

Foreign Office, June 9, 1841.

THE undersigned, &c., has the honour to acquaint the Baron de Moncorvo, &c., that Her Majesty's Government has taken into its attentive consideration the claim set up by Portugal to the Island of Bulama; and the Undersigned has the honour to inform Baron Moncorvo that the view which Her Majesty's Government has taken of this matter is as follows:—

The claim of Portugal to the Island of Bulama rests upon the assumption that the Island was granted to the Crown of Portugal on the 7th November 1752, by a Chief of Sierra Leone named Agosthino Lopez, and that it was again granted to the Crown of Portugal on the 12th July, 1798, by a chief of the Island of Canhabaca named Damian.

But as to the grant of 1752, the Undersigned has to observe that no such grant is in existence, and that the only documents brought forward to prove that it ever was made are copies of two letters of thanks which Count Villa Real, in his Note of the 26th November, 1834, to Lord Howard de Walden, stated had been addressed by King Joseph of Portugal to the King of Sierra Leone in return for the grant.

But neither of these two Letters contain the slightest allusion or reference to the alleged grant or even to the Island of Bulama. One of these documents is a copy of a Letter said to have been addressed by King Joseph of Portugal to "the King Governor of Sierra Leone," Agostino Lopez, and it expressed the thanks of the King of Portugal for the gift of "the Country of Sierra Leone."

The second is a copy of a Letter said to have been addressed by King Joseph of Portugal to the King of Bissao; but it does not contain any specific reference to any cession of territory whatever.

Don Joseph, in that Letter, expressed his thanks "for the offers that the King of Bissao had made him," but he did not state what these offers were, and his Majesty further expressed a hope that the King of Bissao would assist the Portuguese to settle at Bissao, and would prefer them to all other nations in regard to commerce.

But even if the alleged grant had been extant, it must be observed that the Chief of Sierra Leone, the assumed donor, had not any right, title, or power to grant away the Island of Bulama. For he had no authority over it or even near it. He was a petty Timmanee Chief, his inconsiderable territory lay at a great distance from the Island of Bulama, and the intermediate country between

his territory and the coast opposite to Bulama was occupied by powerful nations, the North Bullooms, the Soosoos, and the Malloos.

Under these circumstances any title which Portugal can assume to found to the Island of Bulama upon a supposed grant from a chief of Sierra Leone in the year 1752 must necessarily fall to the ground.

It is indeed asserted on the part of the Portugese that in 1753, the year after that in which the alleged grant from the chief of Sierra Leone is said to have been made, the Portuguese had, in consequence of that grant, taken possession of the Island, and had erected upon it a pillar bearing the arms of Portugal. And an extract from a Letter from the Portuguese Governor of the settlement at Bissao is brought forward in proof of this assertion. Now the extract given from that Letter certainly states that the writer had crossed over to Bulama, in order to place on that island, as a record that he had taken possession of it, a pillar with the arms of Portugal engraved thereon in wood; but the Letter added that the writer had no better means of making a title to the island, and that it would have been useless even to erect a standard, since he could leave no men to defend it. It is moreover to be observed that this Letter contained no reference or allusion whatever to the assumed grant, said to have been made the year before, and on which Portugal grounds her claim.

It appears to the Undersigned from the foregoing statement that the Crown of Portugal cannot found any just claim to Bulama upon this alleged grant.

The next ground upon which Portugal rests her claim to this island is a grant alleged to have been made of the island in 1798 to Portugal, by Damian, Chief of the Island of Canhabaca.

Now it is to be observed that this alleged grant is rather alluded to than actually made in the paper which the Baron de Moncorvo transmitted to the Undersigned with his Note of the 9th of August, 1839, and which he quoted as a "*solemn contract*;" and moreover there is no sufficient ground for supposing that the Chief called Damian had such authority over the Island of Bulama, or over its inhabitants, as would have entitled him, under any circumstances, to grant away the island. Moreover, before the date on which this assumed grant by Damian, Chief of Canhabaca, is said to have been made, the Island of Bulama had, in 1792, been made over to England by deed of sale, executed by persons having competent authority to do so; and the English, with the knowledge of the neighbouring Portuguese authorities of Bissao, and without any objection on their part, had taken possession of the island, and had actually made settlements thereupon in virtue of that deed.

Wherefore any subsequent grant of the island to Portugal, such as that alleged to have been made in 1828, and any proceedings had thereupon, must necessarily be invalid.

On the other hand, the title of Great Britain to the Island of Bulama rests on the following grounds:—

In the year 1792 a party of English settlers under Messrs. Dalrymple, Beaver, and others, proceeded to Bulama with an intention of settling on it.

They landed, but were driven off the island by the Canhabacs, to whom it belonged. They withdrew to the neighbouring Portuguese settlement of Bissao, and then entered into negotiation with the Canhabac Chiefs, in order to obtain the formal cession of the Island of Bulama. While they were engaged in this negotiation, the King of the Pepels, who claims the sovereignty of the island on which the Portuguese settlement of Bissao is situated, invited the English to settle in the Bissao territory, instead of going to Bulama, but the English answered that they would not settle at Bissao, nor at any other place where, by establishing themselves, they might give offence to their friends the Portugese, and they continued accordingly their negociation for Bulama.

Having, on the 29th of June, 1792, obtained the cession of that island, they removed thither from Bissao and settled thereupon, conceiving that in so doing they avoided all cause of dispute or occasion of interference with the Portuguese.

The Undersigned transmits herewith to Baron Moncorvo a copy of the answer of the English to the offer made to them by the Chief of the Bissao country, and also a copy of a Minute of the transactions which took place at the time, and a copy of the Deed of Cession of the Island of Bulama.

The validity of that deed is unquestionable. It was concluded by Jalorem and Bellchore, Kings of the Canhabac Tribes, who inhabit a portion of the

continent near to, and some of the islands which lie round, Bulama. These Kings were in actual possession of Bulama itself, and were its undisputed sovereigns.

The deed was formally recorded, and in virtue of it the English at once took possession of the island, where they found no trace of any former European settlement.

The English left the settlement for a time in 1793 but they established themselves there again in 1814.

The right of England to Bulama therefore rests on the gift made in 1792 by competent authority, followed up by undisputed possession, taken in consequence of that Grant.

The Undersigned has therefore to request that the Baron de Moncorvo will state to the Government of Her Most Faithful Majesty, that after a careful investigation of the facts of this case, made with an anxious desire to arrive at the truth, Her Majesty's Government have come to the conclusion that the claim set up by Portugal to the Island of Bulama is invalid, and that the title of Great Britain to it is good. And her Majesty's Government is of opinion that it is bound in duty to the interests of the British Crown to maintain that title.

The Undersigned, &c.

(Signed) PALMERSTON.

Baron da Torre de Moncorvo,
&c. &c. &c.

(Copy.)

First Enclosure in No. 286.

Extract from C. B. Wadstron's Essay on Colonization.

THE Canabaces, inhabiting a neighbouring island, and to whom Bulama belonged, having been prepossessed against the Society, landed a party on the island. After lurking some days in the woods, on the 3rd of June they took advantage of Mr. Dalrymple's absence, who had gone with four men to explore the island, and, surprising the remaining colonists, killed five men and one woman, mortally wounded two men, and carried off four women and three children. Upon this Mr. Dalrymple thought it prudent to draw off his men, and to proceed to the Portuguese settlement on the neighbouring island of Bissao, where he found the "Hankey" and the "Beggars' Bennison" safely arrived, after having touched at Teneriffe and St. Jago.

The Portuguese at Bissao received them with great kindness, and, assisted by M. Sylva de Cordosa, a Portuguese merchant, they despatched a sloop to the Canabaces for the women and children they had carried off, and who were brought back in perfect health, having been in every respect well treated.

On the 10th of June, the King of the Papels, who resides on the island of Bissao, sent a message by his brother to the settlers, of which the following is an explanation:—

"The King of the Papels sent to me—he told me he was given to understand that you wanted to settle, but the Portuguese would not allow you to settle here. But it is not as they choose. The King of the Papels wants to know whether the country belongs to them? The King wishes much you would settle here, though he doth not know what terms you may have come upon. He wishes much you may settle here, though the Roman Catholics wish you to go elsewhere. The King wishes you would let him know any part you would like to pitch upon, provided you could agree and come upon good terms, as at this time they wrote some other Government was here. He has sent his cane as a proof of his fidelity and attachment. Yesterday don't you recollect my hailing for a boat? There were then Papels on shore from the King to settle this affair, as they say themselves that the inhabitants of Bissao do not wish for any other company than themselves; but it is as I, the King of Papels, choose.

"You may depend on the King's word, as he declares he is willing to take up any cause against the Portuguese that may hinder you from landing on any place you may wish to settle on. This is the business those Papels are upon, to know if you are willing to buy any ground from the point, so far down as you please. You may rely the King of Papels will protect. If you do mean to purchase the

ground I will go on shore with you to the King's to morrow, and show you the ground."

Received on board the "Hankey," the 10th of June,

(Signed) T. BURCHALL, *Interpreter.*

To this message Mr. Dalrymple returned the following answer, viz. :—

Second Enclosure in No. 286.

Mr. H. H. Dalrymple to the King of the Papels.

June 11, 1792.

THE British settlers, now at Bissao, gratefully return thanks to the King of the Papels for his hospitable offer of a settlement in his dominions; but as they are desirous of avoiding all occasions of offence to their friends the Portuguese that may tend to weaken the firm and faithful alliance that has long subsisted between their respective sovereigns; and as the object of these settlers is to make an establishment elsewhere, that cannot interfere betwixt the claims or interests of any European power, they beg leave respectfully to decline the invitation, at the same time professing their wish to remain on terms of perpetual amity and alliance with the King of the Papels, and his subjects, and in peace and friendship with all men.

Signed, for myself and the rest of the settlers, on board the ship "Hankey,"

The King of the Papels,
&c. &c. &c.

(Signed)

H. H. DALRYMPLE.

The friendly disposition of the Canabaces being now ascertained, the ships returned to Bulama, from whence Messrs. Beaver and Dobbin were sent to Canabac, where they readily succeeded in purchasing Bulama for 473 bars, agreeable to the Deed of Cession executed by the Kings of that nation, of which the following is a copy, viz. :—

Third Enclosure in No. 286.

Deed of Cession of the Island of Bulama by the Kings Jalorem and Bellehore to the British Colonists.

"WHEREAS certain persons, subjects of the King of Great Britain, conducted by H. H. Dalrymple, S. Young, Sir William Halton, Bart., J. King, Philip Beaver, Peter Clutterbuck, Francis Brodie, Charles Drake, John Paiba, Richard Hancorne, Robert Dobbin, Isaac Ximenes, and Nicholas Bayley, Esqrs., as a Committee to manage their affairs, having arrived on the windward coast of Africa, adjacent to the River Grande; and the said Committee having invested P. Beaver and R. Dobbin, Esqrs., two of their members, with full power to treat with, and purchase from us our Island of Bulama:

"We, the Kings of Canabac, being fully convinced of the pacific and just dispositions of the said persons, and of the great reciprocal benefits that will result from an European colony being established in our neighbourhood, and, being desirous of manifesting our friendship and affection to the King of Great Britain and his subjects, do hereby, in consideration of four hundred and seventy-three bars of goods, by us received, for ever cede and relinquish to the said King of Great Britain all sovereignty over the Island of Bulama, which sovereignty our ancestors have acquired by conquest, and have ever since maintained in undisputed peace.

"We do further solemnly guarantee to the said persons, their heirs and assigns, against all enemies whatever, the full and peaceful possession of the said island: and, by these presents, do bind ourselves and our subjects to aid and assist them against all their enemies whatever; and the same shall have all the force of a firm and faithful Treaty of defensive alliance between the King of Great Britain and ourselves; and, together with the island aforesaid, we do relinquish all claim to any future treaty, subsidy, or composition whatever.

"And of all the premised conditions, we, the two parties, do bind ourselves by the mutual observance, in the presence, and in the name of the omnipotent God of

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faith and justice, and the avenger of perfidy; and we have hereunto set our hands, this 29th of June, 1792.

(Signed)

JALOREM \times KING,
his
mark.

BELLEHORE \times KING.
his
mark.

P. BEAVER,
R. DOBBIN.

No. 287.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, June 10, 1841.

I HAVE received your Despatch of the 22nd ultimo, transmitting to me copy and translation of the answer which the Portuguese Minister has returned to the representation made to the Portuguese Government, respecting the transport of slaves which took place, from Bissao to the island of St. Jago, in the Portuguese ships of war "*Constituição*" and "*Boa Vista*."

I have to desire that you will state to M. de Magalhaes, that this answer consists of mere general allegation, unsupported by any proof, and not even accompanied by the names of the pretended heads of families supposed to have been changing residence, nor with any statement showing what places they came from, and what places they were removing to.

You will further state, that when the British Parliament passed a law forbidding any British subjects from being engaged in Slave Trade, and prohibiting the importation of slaves into any British possession, it was soon found necessary to prohibit by law the removal of slaves from one British island to another, in order to prevent new importations under pretence of removals; and Her Majesty's Government would beg strongly to impress upon the Government of Portugal, that its efforts for the Suppression of Slave Trade will never be effectual, until the Portuguese Government shall also prohibit the transfer of slaves from one Portuguese settlement to another.

I am, &c.

(Signed)

PALMERSTON.

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

No. 288.

Lord Howard de Walden to Viscount Palmerston

Lisbon, May 30, 1841,

(Received June 8.)

MY LORD,

I ENCLOSE a copy of a note which I have received from M. Magalhaes, in reply to the representation which I addressed to his Excellency, under your Lordship's instructions, respecting the encouragement given to the Slave Trade in the Portuguese settlements of Bissao and Cacheo.

His Excellency states that the Government have issued the most positive orders to the Governor of the Cape Verds to cause every vessel concerned in the traffic in slaves at Bissao and Cacheu to be captured.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

(Translation.)

Enclosure in No. 288.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, May 27, 1841.

REFERRING myself to my official note of the 19th instant, I have the honour to inform your Lordship that the Minister of Marine and Colonies, by his official letter to me of the 24th instant, communicates his having issued,

under the same date, the most positive and energetic orders to the Governor-General of the province of Cape Verds, to have every vessel captured that might be employed in the traffic of slaves both at Bissao and Cacheu, in accordance with my request, made to him on the 18th of the same month in consequence of your Lordship's note of the 11th.

I avail, &c.

(Signed)

RODRIGO DA FONSECA MAGALHAES

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

No. 289.

Baron Moncorvo to Lord Leveson.

57, Upper Seymour Street, June 11, 1841.

(Received June 12.)

BARON Moncorvo presents his compliments to Lord Leveson, and has the honour to return, with many thanks, the three papers respecting the slave-ships "*Rapido*," "*Recurso*," and "*Emelia*," which were kindly lent for his perusal.

Lord Leveson,
&c. &c.

No. 290.

Lord Howard de Walden to Viscount Palmerston

Lisbon, June 9, 1841.

(Received June 20.)

(Extract.)

I HAVE the honour to enclose a copy of a Note, which, under your Lordship's instructions, conveyed to me in your Despatch of the 11th ultimo, I addressed to the Minister of Foreign Affairs, communicating to the Portuguese Government the circular addressed by your Lordship to all British functionaries in slave-holding countries, forbidding them to hold slave-property of any kind soever.

I have in reply received a note from M. Magalhaes, of which I enclose a copy, stating that, anxious to comply with the request made by me in the name of Her Majesty's Government, he has issued a circular to the same effect to the Portuguese agents in the Brazils and at Monte Video. I am not aware of the reasons why the circular in question has been confined to the Portuguese authorities in Brazil and at Monte Video, and more especially why those in Cuba and the United States have been passed over; I shall, however, so soon as the Government be constituted, strongly urge the Minister of Foreign Affairs to give further extension to the circular in question.

First Enclosure in No. 290.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, May 26, 1841.

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.

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 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 Portuguese 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 Portuguese Government would address to its agents in slave-holding countries instructions similar to those contained in the enclosed circular.

I have in consequence received instructions to address myself to your Excellency, inviting the Portuguese Government to do so, and thus further to co-operate with the Government of Her Britannic Majesty in the great cause of humanity, for the extinction of slavery, as well as of the Slave Trade.

I have, &c.

(Signed) HOWARD DE WALDEN.

Senhor R. da F. Magalhaes,
&c. &c. &c.

(Translation.)

Second Enclosure in No. 290.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, June 5, 1841.

I HAVE the honour to inform your Lordship that the Government of Her Majesty, duly appreciating the feelings of humanity which moved the British Government to issue orders to their agents in the countries where slavery exists, not to retain any slave in their service, to the end of their being the first to show their reprobation of the Slave Trade, and wishing to acquiesce in the solicitations of the British Government made by your Lordship in their name, by your note of the 26th ultimo, have also issued a circular under this day's date to the same effect, to their agents at Brazil and Monte Video.

I avail, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

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

No. 291.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, June 23, 1841.

I TRANSMITTED to the Admiralty your Lordship's Despatch of the 30th April last, stating that the Portuguese Government have made a complaint against Commander Adams, of Her Majesty's ship "Acorn," on account of his having neglected to comply with the Port Regulations of the harbour of Mozambique, when anchored there in the year 1839. The Admiralty have now transmitted to me the accompanying copy of a letter from Commander Adams, explaining his conduct on the occasion referred to; and I have to desire that your Lordship will by note communicate that paper to the Portuguese Minister, observing that it turns out, as I expected it would, that the complaint is utterly unfounded, and that it originated entirely in the hostility felt by Portuguese slave-traders to the British cruisers employed to prevent the Slave Trade.

I am, &c.

(Signed) PALMERSTON.

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

First Enclosure in No. 291.

Sir John Barrow to John Backhouse, Esq.

SIR,

Admiralty, June 9, 1841.

WITH reference to your Letter of the 1st instant, and its Enclosures, relative to a complaint made by the Portuguese Minister of the conduct of Commander Adams, of Her Majesty's sloop "Acorn," for refusing to comply with the port regulations at Mozambique, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of

Viscount Palmerston, a copy of a Letter from Commander Adams, dated the 6th instant, in explanation of his conduct on the occasion.

I am, &c.

(Signed) JOHN BARROW.

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

Second Enclosure in No. 291.

Her Majesty's Ship "Acorn,"

Plymouth Sound, June 6, 1841.

SIR,

I HAVE the honour to acknowledge the receipt of your Memorandum of yesterday's date, with the accompanying papers, directing me to report on certain circumstances that occurred with the Portuguese authorities at Mozambique in August 1839; in compliance with which, I beg to state as follows:— Having been ordered by my Commander-in-Chief to visit all the ports in the Mozambique channel, and to collect information relative to the Slave Trade, I anchored on the evening of the 19th of August, 1839, between the Island of St. George, and St. Jago, distance three miles from the Mozambique fort, and was visited by the health-boat, the officer of which did not communicate to me any port regulations; so far was my intention from insulting the Portuguese flag, that I sent a message to say that I should do myself the honour of waiting on the members of the Government the following day (the Governor having died) at 11 A.M. On the 20th I went on shore for that purpose, accompanied by two of my officers; on landing at the palace, there was not any person to receive me, and not the least respect shown me, in consequence of which I immediately returned on board, with the intention of getting under way. At 2 P.M. a boat with an officer and an interpreter came on board to apologize for my not being properly received: on going over the side he said in the most insulting manner that *I must* not remain at the anchorage more than 24 hours: in consequence of this (which I considered as a threat), I addressed my letter of the 20th August to the Portuguese authorities. I beg further to add, that the persons composing the Junta of Government, Messrs. Cardoza and St. Anna, were the most notorious slave-dealers in the place, and that they had then in the harbour a large Spanish ship under Portuguese colours, called the "*Relampago*," (since taken by Governor-General Marinho,) only waiting the absence of the "*Acorn*" to embark 800 slaves. The next day the authorities sent me a written apology for their conduct, and I then proceeded in the execution of my orders.

The whole of this correspondence was laid before my Commander-in-Chief, Rear-Admiral Elliot, who expressed his entire satisfaction of my conduct, and I was again placed in command of the Eastern Coast of Africa.

On a subsequent occasion I was placed in a more trying situation, viz. that of acting in concert with Governor-General Marinho in putting down the traffic in slaves; and I beg leave to observe that, by his request in writing, I laid for nearly four months at the same anchorage as that from which the members of the Junta wished to displace me.

I have, &c.

(Signed) JOHN ADAMS, *Commander.*

The Secretary of the Admiralty,
&c. &c. &c.

No. 292.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, June 24, 1841.

WITH reference to my previous correspondence with your Lordship respecting the Island of Bulama, on the Coast of Africa, I herewith transmit to your Lordship for your information, a copy of a Note which, by Her Majesty's command, I have addressed to the Baron de Moncorvo, Her Most Faithful

Majesty's Envoy at this Court, declaring the right of Great Britain to the sovereignty over the Island of Bulama.

I am, &c.

(Signed)

LEVESON.

Lord Howard de Walden,
&c. &c.

In the absence of Viscount Palmerston.

Enclosure in No. 292.

Viscount Palmerston to Baron Moncorvo.

June 9, 1841.

(See No. 286.)

No. 293.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, June 28, 1841.

(Received July 5.)

MY LORD,

I HAVE the honour to enclose a copy of a Note which, under your Lordship's instructions contained in your Despatch of the 10th instant, I have addressed to M. Magalhaes, on the subject of the transport of slaves in the Portuguese vessels of war "*Constituçao*" and "*Boa Vista*," from Bissao to St. Jago, so unsatisfactorily explained by the Minister of the Colonies.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

Enclosure in No. 293.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, June 19, 1841.

HAVING duly transmitted to Her Majesty's Government your Excellency's Note of the 19th of May, in which was enclosed a copy of a Report from the Minister of Marine, respecting the manner in which the vessels of war "*Constituçao*" and "*Boa Vista*," bearing the pendant of Portugal, had been employed in transporting slaves from Bissao to the Island of St. Jago, drawn up as if in refutation of the statement of facts brought before your Excellency in my Note of the 25th of August, 1840, I have been instructed to call your Excellency's attention to the circumstance, somewhat remarkable in so grave a charge, that the answer consists of mere general allegation, unsupported by any proof, and not even accompanied by the names of the pretended heads of families supposed to have been changing residence, nor with any statement showing what places they came from, and what places they were removing to.

I am desired to submit to your Excellency's attention the fact that, when the British Parliament passed a law forbidding any British subjects from being engaged in Slave Trade, and prohibiting the importation of slaves into any British possession, it was soon found necessary to prohibit by law the removal of slaves from one British island to another, in order to prevent new importations under pretence of removals, and to add that Her Majesty's Government would beg strongly to impress upon the Government of Portugal that its efforts for the suppression of Portuguese Slave Trade will never be effectual until the Portuguese Government shall also prohibit the transfer of slaves from one Portuguese settlement to another.

I avail myself, &c.

(Signed)

HOWARD DE WALDEN.

M. Magalhaes,
&c. &c.

No. 294.

*Lord Howard de Walden to Viscount Palmerston.**Lisbon, June 18, 1841.*

MY LORD,

(Received July 5.)

I HAVE the honour to enclose a copy of a note, which under your Lordship's instructions contained in your Despatch of the 8th instant, I have addressed to M. Magalhaes, in representation of the Slave Trade voyage of the "*Asseiceira*," under the facilities afforded by the Portuguese Vice-Consul at St. Catherine's.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

Enclosure in No. 294.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, June 20, 1841.

HER Majesty's Government has received information that the Portuguese slave-vessel "*Asseiceira*," of which Soares de Noronha was nominal captain, but Joao Baptista Boisson the real master, was recently captured off the coast of Brazil, with 332 slaves on board, by Her Majesty's ship "*Fawn*."

The "*Asseiceira*" was furnished with a passport dated the 20th of July, 1838, authorising her to proceed from Loanda to Mozambique, touching in her way at Rio de Janeiro. But on the 25th of January, 1840, the Portuguese Vice-Consul at Rio de Janeiro affixed to that passport his visa, authorising the vessel to undertake a voyage as far as St. Catherine's, on condition that from St. Catherine's she should proceed direct to a port in Portugal, and there present the passport in order to its being cancelled, and that she might then provide herself with ship's papers according to law; and with that passport the "*Asseiceira*" proceeded on the 28th of January, 1840, in ballast from Rio de Janeiro for St. Catherine's.

But at St. Catherine's the Portuguese Consul wrote on the same passport another visa, annulling in fact the former visa of the Vice-Consul at Rio de Janeiro, since it authorised the "*Asseiceira*" to undertake a further voyage to Goa by Mozambique before the passport should be considered as cancelled.

The "*Asseiceira*," furnished with this new visa, took on board at St. Catherine's a cargo for the African trade, and set sail; but instead of proceeding to Goa she put into Quilimane, and disposed of her cargo of goods, and shipped a cargo of slaves for the Brazil market.

I have been instructed to communicate the above facts to your Excellency, for such steps as the Government of Her Most Faithful Majesty may think proper to take thereupon.

I avail myself, &c.

(Signed) HOWARD DE WALDEN.

M. Magalhaes,
&c. &c.

No. 295.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, July 7, 1841.

I HAVE received your Lordship's Despatch of the 9th of June, 1841, enclosing copies of your correspondence with M. Magalhaes, respecting the order given to British agents not to hold any slave-property of any kind

whatever; and I have to desire that you will express to M. Magalhaes the thanks of Her Majesty's Government, for the corresponding instructions which the Portuguese Government have issued to their agents in Brazil and Monte Video.

I have, &c.

(Signed) PALMERSTON.

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

No. 296.

Viscount Palmerston to Baron Moncorvo.

SIR,

Foreign Office, July 9, 1841.

WITH reference to the request contained in your Note of the 8th of May, 1840, to be furnished with the originals or certified copies of Portuguese papers found on board captured slave-vessels, I have the honour to transmit to you herewith certified copies of the papers of the "*Sandade*," a vessel detained under Portuguese colours by Her Majesty's sloop "*Grecian*," for being engaged in Slave Trade.

I am, &c.

(Signed) PALMERSTON.

The Baron da Torre de Moncorvo,
&c. &c. &c.

No. 297.

Viscount Palmerston to Baron Moncorvo.

SIR,

Foreign Office, July 9, 1841.

WITH reference to the request contained in your Note of the 8th of May, 1840, to be furnished with the originals or certified copies of Portuguese papers found on board captured slave-vessels, I have the honour to transmit to you herewith certified copies of the papers of the "*Liberal*," a vessel detained under Portuguese colours by Her Majesty's sloop "*Wolverine*," for being engaged in Slave Trade.

I am, &c.

(Signed) PALMERSTON.

The Baron da Torre de Moncorvo,
&c. &c. &c.

No. 298.

Baron Moncorvo to Viscount Palmerston.

July 13, 1841.

(Received July 13.)

MY DEAR LORD,

I WILL feel extremely obliged to your Lordship if from your correspondence from the Brazils, or from that of the Admiralty, you can inform me whether accounts have reached the Government that a Portuguese ship named the "*Venus*," which sailed from Lisbon for Rio de Janeiro about the month of March last, with a general cargo consisting of 50 pipes of wine and salt, has been seized as suspected of slave-trading, and sent to the Cape of Good Hope for adjudication, on the pretext that one of its coppers was larger than the crew could require.

I am, &c.

(Signed) MONCORVO.

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

No. 299.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, July 15, 1841.

WITH reference to my Despatch of the 22nd of February, 1840, respecting Slave Trade at the Cape Verde Islands, I herewith transmit to you for your information a copy of a Despatch and of its Enclosure, which I have received from Her Majesty's Consul at those islands, giving further intelligence on that subject.

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

I am, &c.
(Signed) PALMERSTON.

Enclosure in No. 299.

Mr. Rendall to Viscount Palmerston.

Boa Vista, April 7, 1841.

(See No. 384.)

No. 300.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, July 16, 1841.

I HEREWITH transmit to you, for communication to the Portuguese Government, a copy of a Despatch which I have received from Her Majesty's Consul at Para, containing information concerning Portuguese Slave Trade.

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

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

Enclosure in No. 300.

Mr. Cowper to Viscount Palmerston.

Para, May 20, 1841.

(See No. 548.)

No. 301.

Lord Howard de Walden to Viscount Palmerston.

MY LORD,

Cintra, July 7, 1841.

(Received July 19.)

I HAVE the honour to enclose the *Diario do Governo* of the 5th instant, in which is published an instruction on the part of the Minister of Marine and Colonies to the Portuguese colonial authorities, requiring bonds to be exacted from Portuguese vessels trading to the coast of Africa, with a view to check the abuse, so constantly practised by slave traders, of obtaining clearances for false destinations on leaving the Portuguese ports, for the purpose of delusion as to the real character of their iniquitous enterprises.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 301.

Decree inserted in the "Diario do Governo" of July 5, 1841.

Secretaria de Estado dos Negocios de Marinha e Ultramar.

Palacio de Cintra, em 22 de Junho, de 1841.

CONSTANDO que algunos navios Portuguezes se dirigem aos portos de Africa, não sendo esse o destino mencionado em seus passaportes; e mostrando a experiencia que taes aberrações da derrota, que naturalmente

deveriam seguir, tem por objecto o illicito trafico de escravos: Manda a Rainha, pela Secretaria d'Estado dos Negocios da Marinha e Ultramar, que as autoridades de Africa oriental, e occidental o ilhas que lhes são adjacentes, todas as vezes, que algum capitão ou mestre de Navio Nacional entrasse em porto de suas respectivas jurisdioções, e que esse porto não venha mencionado no passaporte do Navio, obriguem o dito capitão, ou mestre a prestar fiança de seguir directamente para o seu destino, ficando responsavel pelas consequencias do desvio, que commetter; e essa fiança não será levantada sem que se apresente certidão de o haver assim cumprido. O que se communica ao Governador-Geral da provincia de Angola, para que assim o execute, e faça executar pelas autoridades, que lhe são subordinadas, expedindo-lhes as ordens convenientes.

(Signed) JOSE FERREIRA PESTANA.

Identicas se enviaram aos Governadores-Geraes de Cabo Verde, Moçambique, e Governador das Ilhas de S. Thomé e Principe.

Decree against Slave Trade, inserted in the "Diario do Governo" of the 5th of July, 1841.

(Translation.)

Palace of Cintra, June 22, 1841.

It being known that several Portuguese vessels *direct their course to the ports of Africa*, which, according to their passports, they are not bound to; and experience having proved that such deviation from the course they ought to steer, is for the object of carrying on an illicit trade in slaves, Her Majesty orders, through the department of Marine and Colonies, all the authorities both of Eastern and Western Africa, and of the adjacent islands, whenever any captain or master of a Portuguese vessel should come into any port under their jurisdiction, and no mention of this port be made in the ship's passport, to oblige the said captain or master *to give bail for his following his destination*, he being made responsible for the consequences of any deviation from the course he is bound to follow, *the said bail remaining in vigour until he presents a certificate of having done so*. This order being communicated to the Governor-General of the province of *Angola* to be thus executed by him, and caused to be executed by the authorities under his control, to whom he will give orders to the same effect.

(Signed) JOSE FERREIRA PESTANA.

Similar orders were forwarded to the Governors-General of Cape Verdes, Moçambique, and to the Governor of St. Thomas and Prince's Island.

No. 302.

Lord Howard de Walden to Viscount Palmerston.

Cintra, July 7, 1841.

MY LORD,

(Received July 19.)

I HAVE the honour to enclose the copy of a Note which I have addressed to Senhor Magalhaes in communicating to His Excellency, according to your Lordship's instructions contained in your Despatch of the 23rd ultimo, a copy of a Letter from Commander Adams of Her Majesty's ship "Acorn," in exposition of the real circumstances of the case which gave rise to the complaint brought forward against that officer by the temporary authorities of Mozambique.

In alluding to the subject in conversation with Senhor Magalhaes, his Excellency informed me that he had already remarked to the Minister of Marine (by whom the complaint was forwarded to him officially) upon the extraordinary delay which had taken place in bringing forward the charges in question against Commander Adams, and had expressed an opinion that it was a case which, under such circumstances, might be deemed as *not deserving notice* on the part of Her Majesty's Government.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

Enclosure in No. 302.

Lord Howard de Walden to Senhor Magalhaes.

M. LE CONSEILLER,

Cintra, July 6, 1841.

ON receiving your Excellency's Note of the 28th April, on the subject of a proceeding on the part of Commander Adams of Her Majesty's ship "Acorn," in the port of Mozambique, which had been a matter of serious representation and complaint to the Portuguese Government on the part of the authorities of that colony, I at once reported the same to Her Majesty's Government.

I have received by this week's mail instructions to communicate to your Excellency a copy of a Letter addressed by Commander Adams to the Lords Commissioners of the Admiralty on the subject, by which your Excellency will at once perceive, not only how unwarranted by the circumstances of the case this complaint of the authorities of Mozambique has been, but how evident an explanation is afforded thereby, for the attempt on the part of the said authorities, reflecting disgrace upon their country, to interfere with the position taken up by Her Majesty's ship, inconvenient to their illegal and revolting enterprises as traffickers in slaves.

I avail, &c.

(Signed)

HOWARD DE WALDEN.

Senhor R. da F. Magalhaes,
&c. &c. &c.

No. 303.

Viscount Palmerston to Baron Moncorvo.

MONSIEUR LE BARON,

Foreign Office, July 22, 1841.

I HAVE received accounts from Rio de Janeiro on the subject of the Portuguese brig "*Venus*," concerning which vessel you make inquiries in your note of the 13th instant.

These accounts state that Her Majesty's brigantine "Fawn" met with the "*Venus*" off the coast of Brazil.

The commander pretended that she was bound for Monte Video, but she was in reality intending to go to some small port without a custom-house in the neighbourhood of Rio de Janeiro: a course of proceeding which has been adopted generally by Portuguese slave traders, since the Portuguese Consul at Rio has evinced a determination not to connive at, or to assist, the slave-trading speculations of his countrymen.

The real owner of the "*Venus*" was on board of her when she was met with by the "Fawn." He at first pretended to be a passenger, but afterwards he offered to Lieutenant Foote, commanding the "Fawn," a large sum in gold to allow the "*Venus*" to proceed to Rio de Janeiro, and to be brought before the Mixed Commission.

The owner of the "*Venus*" further declared his readiness to facilitate to Lieutenant Foote all the legal process at Rio de Janeiro before the Mixed Commission, and to bear him harmless of the consequences of a release, to which effect he offered to give to Lieutenant Foote a paper formally signed.

These circumstances, and the fact that two boilers, a slave-deck, an extraordinary quantity of water-casks, and other equipments for the Slave Trade were on board the "*Venus*," induced Lieutenant Foote to send that vessel with an officer and prize crew to the Cape of Good Hope, the vessel being well found and ready to proceed at once on her voyage without entering Rio de Janeiro.

From this statement you will perceive that this vessel was detained and sent to the Cape of Good Hope for adjudication, on better grounds than a simple "pretext that one of her coppers was larger than the crew would require."

I am, &c.

(Signed)

PALMERSTON.

The Baron da Torre de Moncorvo,
&c. &c. &c.

No. 304.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, July 31, 1841.

I HAVE received your Lordship's Despatch of the 7th instant, enclosing a copy of an order issued by the Portuguese Minister of Marine to the Colonial authorities of Portugal, enjoining those authorities to require that Portuguese vessels which touch at ports in Africa not mentioned in their passports, shall give bail that they do not deviate from their avowed course in order to carry on practices of Slave Trade.

And I have to desire that you will express to the Government of Her Most Faithful Majesty the satisfaction of Her Majesty's Government at learning the issue of those orders.

I am, &c.

(Signed) PALMERSTON.

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

No. 305.

Lord Howard de Walden to Viscount Palmerston.

MY LORD,

*Cintra, July 23, 1841.**(Received August 1.)*

I HAVE the honour to enclose a copy of a Note which I have received from the Minister of Foreign Affairs, on the subject of the "*San Paulo de Loanda*," a slave vessel captured under Portuguese colours by Commander Hill of Her Majesty's ship "*Saracen*," by which it would appear, according to an official communication made by the Minister, that notwithstanding the strictest investigation for the purpose of ascertaining whether this vessel had obtained a Portuguese passport either under the name of "*San Paulo de Loanda*" or that of "*Salazar*," nothing could be learned on the subject; while on the other hand it appears by the register that no passport whatever was granted on the 2nd December, 1836, so that there is no doubt that the passport found on board the schooner was a false document, probably forged at the Havana.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

(Translation.)

Enclosure in No. 305.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office for Foreign Affairs, July 15, 1841.

HAVING acquainted the Minister of Marine, for the necessary end, with the communication made by your Lordship to me in your Lordship's note of the 26th of May last, respecting the slave schooner "*San Paulo de Loanda*," having been captured under Portuguese colours in the river Sherbro on the 11th December, 1840, by the British cruiser "*Saracen*," Commander Hill, and condemned at Sierra Leone, I have just now received an official letter from the said Minister of Marine, under the date of the 12th instant, by which he informs me that "notwithstanding the strictest investigations made by his order for the purpose of ascertaining whether the said schooner had obtained a Portuguese passport either under that name or under the name of '*Salazar*' schooner, nothing could be learnt on the subject, finding on the other hand by the respective register book that no passport had been given to any vessel whatever

on the 2nd December, 1836, this circumstance showing that the one possessed by the said schooner is false, and most probably forged at Havana."

I avail, &c.

(Signed)

RODRIGO DA FONSECA MAGALHAES.

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

No. 306.

Lord Howard de Walden to Viscount Palmerston.

Cintra, July 23, 1841.

(Received August 1.)

MY LORD,

WITH reference to my Despatch of the 9th ultimo, in which I enclosed a Note from Senhor Magalhaes, stating that he had addressed a circular to the Portuguese functionaries in slave-holding countries, enjoining them not to hold slave property of any kind whatsoever, I have the honour to report to your Lordship that having spoken to his Excellency on the subject of the omission of the Portuguese authorities in Cuba and in the United States, he at once expressed his willingness, and his intention of immediately including them in the list of authorities to whom the circular was to be addressed.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 307.

Viscount Palmerston to Baron Moncorvo.

Foreign Office, August 5, 1841.

THE Undersigned, &c. has the honour to refer the Baron da Torre de Moncorvo, &c. to the Note which the Undersigned addressed to him on the 8th of August 1840, informing Baron Moncorvo that, in compliance with the request contained in his note of the 11th of July, 1840, all the papers relative to the proceedings of Lieutenant Kellett at the island of Bulama had been forwarded to the senior officer of Her Majesty's ships on the coast of Africa, with directions to him to investigate the whole of the allegations on both sides, and to report the result to Her Majesty's Government.

The report of the senior officer above mentioned having been received, the Undersigned has now to acquaint the Baron de Moncorvo that this officer directed his inquiry in the first place to the alleged robbery of 2,300 ounces of gold belonging to the notorious slave trader, Senhor Caetano Jozé Nozolini, and the result of the inquiry on that point shows that of the four persons who were sent by Senhor Caetano to prove his loss, not one was at Bulama on either of the occasions on which Lieutenant Kellett was there; two of these persons however stated, that shortly before Lieutenant Kellett came to Bulama, in December 1838, they saw 2,300 doubloons in a strong box in Senhor Nozolini's house, and one of them further deposed that when he returned to Bulama in April 1839, four days after Lieutenant Kellett's second visit, he saw the box broken to pieces without any money in it.

On this point, and upon the authority of a respectable British merchant, the report further states, that the Governor of Bissao, Senhor Baretto, had refused to insert this accusation of Senhor Caetano against Lieutenant Kellett in the statement which his Excellency officially forwarded to the Portuguese Government.

The accusation of robbery then rests solely upon the assertion of a person who, though described in the papers forwarded to the Undersigned by the Baron de Moncorvo as Senhor Caetano Jozé Nozolini, major in charge of the settlement in the Bissajos, is better known to the British Government as

Kyetan, a notorious and most unprincipled slave-dealer, and the Undersigned is confident that the Baron de Moncorvo will agree with Her Majesty's Government, that an assertion made by a person of such infamous character as Caetano, and with a direct view to pecuniary advantage to himself, unsupported moreover by any proof or evidence whatever, cannot for a moment be listened to, in opposition to the evidence given by an honourable man like Lieutenant Kellett, holding a commission in Her Majesty's service.

With regard to the alleged ill-treatment and forcible removal of the slaves brought by Lieutenant Kellett from Bulama to Sierra Leone, the evidence given fully confirmed Lieutenant Kellett's own account of his proceedings. For it appears that several of the persons so removed have readily come forward at Sierra Leone to express their gratitude and affection towards their deliverer, and to bear testimony to the fact that the slaves were recovered from the bush, where they had been concealed on the arrival of the "Brisk" in the manner related by Lieutenant Kellett; and they declared that, after expressing in their fashion their joy at being liberated, they voluntarily and gladly embarked for Sierra Leone.

The officer to whom the inquiry was intrusted concludes his report on this part of the case by observing, that Lieutenant Kellett appears to him to have acted with great moderation in executing the orders he had received from the Governor of Sierra Leone.

The only point now remaining to be noticed is the alleged disrespectful treatment of the flag of Portugal, on the occasion of its removal from Bulama; and the Undersigned has much satisfaction in being able to assure the Baron de Moncorvo, that in this instance also the conduct of Lieutenant Kellett has been grossly misrepresented.

For it appears that notwithstanding that Lieutenant Kellett when he landed at Bulama found the Portuguese flag not only intrusively flying in British territory, but exposed to the degradation of being there hoisted as an attempted protection for Slave Trade; yet Lieutenant Kellett nevertheless treated that flag with all the respect compatible with the necessity of hauling it down, and after carefully folding it up, he placed it in the hands of the Governor of Sierra Leone perfectly clean, except from the moral pollution it had undergone; and that Governor reports that when he received it, it showed no marks of having been treated in any unworthy manner.

The Undersigned has now therefore only to request that the Baron de Moncorvo will communicate these facts to the Government of Her Most Faithful Majesty, stating that Her Majesty's Government is glad that they fully confirm the opinion expressed by it, on receiving the statement made in the first instance by Lieutenant Kellett himself, that there was no foundation whatever for the charges which the Portuguese authorities at Bissao had brought against Lieutenant Kellett of misconduct and harshness, in the execution of the orders he had received to put an end to the Slave Trade carried on at the island of Bulama.

The Undersigned, &c.

(Signed) PALMERSTON.

The Baron da Torre de Moncorvo
&c. &c. &c.

No. 308.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, August 5, 1841.

A REPORT has recently reached this office that in the latter end of June last M. Santos, the Portuguese Consul-General at Altona, despatched five large well-manned Danish ships to the coast of Africa, for the alleged purpose of taking possession of an island given to him by the Queen of Portugal.

It is, however, stated that the real object of M. Santos is to employ these vessels in the Slave Trade; and Her Majesty's Government think this is probably the case, for their equipment, which is supposed to have cost M. Santos upwards of 30,000*l.* sterling, appears to have been completed with the greatest secrecy, and the vessels carried no passengers, nor any merchandise on freight, but had more

than a full complement of men and of medical officers, well paid and bound to secrecy.

I have to instruct your Lordship to communicate this statement to the Portuguese Government, and to suggest that strict inquiry should be made into the alleged proceedings; and you will state that Her Majesty's Government cannot doubt that if the foregoing statement should prove correct, and if M. Santos should fail to show that the vessels so despatched by him were intended for, and have been employed in, strictly legal commercial purposes, he will be immediately deprived of the office which he holds under the Government of Her Most Faithful Majesty.

I am, &c.

(Signed) PALMERSTON.

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

No. 309.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, August 6, 1841.

I TRANSMIT to you herewith a copy of a Despatch and of its Enclosure from Her Majesty's Commissioners at Sierra Leone, containing a report of the case of the slave schooner "*Liberal*," detained under Portuguese colours by Her Majesty's ship "*Wolverine*," and condemned at Sierra Leone for being concerned in Slave Trade.

The papers of this vessel were authenticated by M. Pluma, acting Portuguese Consul at the Havana.

In her passport the "*Liberal*" was described as being six years old, but it clearly appeared that at the date which that passport bore she was entirely new.

The muster-roll of the "*Liberal*" stated that every one of the 26 persons therein mentioned had formed her crew for the last two years, and yet it was ascertained that during the first twelve months of that period the vessel had been lying in the port of the Havana.

Upon a close inquiry into the case, it appeared clear that the vessel was a recently built American schooner called the "*Wallace*;" that the papers of another and older vessel called the "*Liberal*" had been transferred to her, and that with the papers of the "*Liberal*," the "*Wallace*" had also adopted the name of the "*Liberal*," and it appeared further that M. Pluma had affixed his certificate to those papers, and had given to this fraudulent transaction, whether knowingly or not I am unable to say, the sanction of his signature.

I have to desire that your Lordship will by note to the Portuguese Government communicate these papers, observing, that the case affords evidence additional to that already laid before the Portuguese Government, of the manner in which M. Pluma's attestations are made to serve the purposes of slave traders.

I am, &c.

(Signed) PALMERSTON.

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

Enclosure in No. 309.

Sierra Leone Commissioners to Viscount Palmerston.

May 14, 1841.

(Class A, No. 78, page 81.)

No. 310.

*Baron Moncorvo to Viscount Palmerston.**Londres, 6 de Agosto de 1841.*

O ABAIXO assignado, Enviado Extraordinario e Ministro Plenipotenciario de Sua Magestade Fidelissima junto a Sua Magestade Britannica tendo recebido ordem do governo da mesma Augusta Senhora para reclamar energicamente perante o Governo de Sua Magestade Britannica contra a presa do brique do commercio Portuguez "*Dom Pedro Duque do Porto*," da Praça de Diu, effectuada a 26 de Março do anno proximo passado nos mares de Africa, pelo brique de guerra Britannico "*Curlew*," Commandante Ross; tem a honra de se dirigir a Sua Excellencia Milord Visconde Palmerston, Rrincipal Secretario de Estado de Sua Magestade Britannica na Repartição dos Negocios Estrangeiros, com o fim de cumprir com as ordens do seu governo, narrando com particularidade as circunstancias daquelle acto inaudito de violencia, e accrescentando aquellas reflexoens que elle espera produzirão no animo de Sua Excellencia a devido impressaõ.

O brique "*Dom Pedro Duque do Porto*" pertencia a varios negociantes notaveis da Praça de Diu, nos Estados da India Portugueza, e se empregava no trafico licito que é de costume fazerse entre aquelles Estados, e as possessoens do Governo Portuguez em Africa, e tendo sabido daquelle Praça em Fevereiro de 1840 foi apresado pelo brique de guerra Britannico "*Curlew*," Commandante Ross, a 26 de Março do mesmo anno á entrada do porto de Moçambique como suspeito de se empregar no trafico da escravatura; servindo de pretextos a tal suspeita os factos, de se achar na carga do dito navio arroz de que se não fazia mençaõ no seu manifesto, e bem assim o da sua construcção em que se notava o que parecia um baileo de escotilha. Aprezado que foi o dito navio, foi logo conducido ao Cabo da Boa Esperança, e alli julgado sem audiencia de partes, e tratada com inhumana barbaridade a sua tripulaçaõ. Os proprietarios do navio recorrevam logo ao Governo Portuguez contra tamanha violencia, munizam as suas reclamaçoens de documentos judiciaes, que o abaixo assignado tem em seo poder e com que não fatigará a atençaõ de Sua Excellencia, senaõ no caso de tal se julgar indispensavel; documentos donde consta ser o arroz achado fóra do manifesto de carga destinado ao rancho da tripulaçaõ, e sustento dos passageiros, que ordinariamente conduzem os navios que navegam naquellas paragens, e que sendo de diferentes castas, religioens e crenças Indianas, só se alimentaõ daquelle genero a que chamaõ puro, sendo apenas o sufficiente para viagem taõ longa como devia ser a daquelle navio, que teria de durar oito a nove mezes de ida e volta. A construcção do navio, outro motivo ou pretexto da sua aprehensam, taõ bem se prova pelos ditos documentos ser a usual e seguida na construcção dos navios que devem fazer esta especie de viagens entre as possessoens Portuguezas de India e Africa, e que servem de transporte a muitos passageiros.

A esta succincta narraçaõ, donde salta aos olhos a verdade, e donde claramente se pode deduzir a falta de fundamento que havia para aprezar o dito navio, como empregado no trafico da escravatura o abaixo assignado accrescentará só as seguintes obvias reflexoens, seguro como está de que o que acaba de expôr é por si só sufficiente para characterisar como violento e contrario a todos os principios de justiça, e de direito das gentes, o acto de apresamento practicado no brique *Dom Pedro*, pelo commandante do brique de guerra Britannico "*Curlew*."

De todos o mares infestados pelo detestavel trafico da escravatura é certo que entre os menos frequentados pelos navios que nelle se occupaõ, saõ aquelles que banhaõ as costas da India, assim como é bem verdade que de todos os navios suspeitos de traficarem, os de nenhuma maneira suspeitos saõ aquelles, que pertencendo aos portos da India fazem as viagens de Africa.

Estas presumpçoens, taõ favoreis á innocencia dos proprietarios do navio em questaõ, deviaõ só ceder perante a verdade clara e manifesta e indubitavel, de que elle continha escravos a bordo; mas em logar desta verdade se apresentaõ só suspeitas, e estas suspeitas desaparecem ainda á vista dos documentos referidos em poder do abaixo assignado, a substancia dos quaes acima fica exposta.

O abaixo assignado conclue reclamando contra o abusivo e violento acto practicado pelo commandante do brique de guerra Britannico "*Curlew*," na

aprehensão do brique Dom Pedro, e appellando para os sentimentos de justiça e lealdade, que animão o Governo de Sua Magestade Britannica, espera o abaixo assignado que uma tal reclamação não será desatendida, que não ficará impune uma tal violencia, e que se fará justiça aos innocentes queixosos; do contrario o commercio dos subditos Portuguezes nas vastas possessoens do Governo Portuguez na India soffrerá um terrivel golpe, de que com difficuldade se poderá levantar; as mesmas possessoens terão uma existencia precaria, e o Governo de Sua Magestade Fidelissima se verá no predicamento pouco lisongeiro de não poder proteger os seus subditos de actos de uma violencia quasi piratica, que arruina o commercio das suas colonias, e põe em risco a sua tranquillidade e obediencia á mae patria; actos que se não forem devidamente reprimidos e castigados tornaraõ suspeito o Governo de ser indifferente pela sorte das mesmas colonias, e de ver com passiva apathia a sua ruina e perda; consequencias estas que como estaõ mui longe dos sentimentos de generosidade, de sincera amizade, e uniaõ de vistas e interesses, que formaõ a base da antiga e boa alliança que tem subsistido entre as duas naçoens, e seus Governos, o abaixo assignado espera que o Governo de Sua Magestade Britannica se appressará em desmentir, castigando taõ inaudita violencia, e proporcionando meios de compensação, aos que por ella soffreram em suas pessoas e propriedades.

O abaixo assignado tem a honra de repetir a Sua Excellencia Milord Visconde Palmerston os protestos da sua mais alta consideração.

(Signed)

BARAO DA TORRE DE MONCORVO.

(Translation.)

London, August 6, 1841.
(Received August 9.)

THE Undersigned, &c., having been directed by the Government of his august Sovereign to prefer a strong complaint to the Government of Her Britannic Majesty against the capture of the Portuguese merchant brig "*Dom Pedro Duque do Porto*," of the fortress of Diu, made on the 26th March of last year, in the African seas, by the British brig "*Curlew*," Commander Ross, has the honour to address himself to Lord Viscount Palmerston, &c., in order to comply with the directions of his Government, by stating circumstantially the particulars of that unheard of act of violence, and adding such reflections as he hopes will make a due impression on his Lordship's mind.

The brig "*Dom Pedro Duque do Porto*" belonged to different respectable merchants of the fortress of Diu in the states of Portuguese India, and was employed in the lawful traffic usually carried on between those states and the possessions of the Portuguese Government in Africa; and having sailed from that fortress in February 1840 was taken by the "*Curlew*," Commander Ross, on the 26th of March of that year, at the entrance of the port of Mozambique, as suspected of engaging in the Slave Trade, the pretext for that suspicion being the facts of there being found among the cargo of that vessel some rice, of which no mention was made in her manifest, and of her being constructed in such a manner that there was observed what appeared to be a hatchway. The captured vessel was forthwith sent to the Cape of Good Hope, and there adjudicated without hearing the parties, her crew being treated with extreme barbarity.

The owners of the vessel immediately applied to the Portuguese Government against so great a violence, and supported their complaints by judicial documents, which the Undersigned has in his possession, but with which he will not trespass on his Lordship's attention, unless it should be deemed indispensable. From these documents it appears that the rice not specified in the manifest of the cargo was intended for the mess of the crew, as well as for the sustenance of the passengers usually conducted by vessels navigating those seas, and who, being of different Indian castes, religions, and creeds, subsist only on that food which they call pure, though the rice alluded to was scarcely sufficient for so long a voyage as that proposed to be performed by that vessel, which was to have lasted from eight to nine months, going and returning. The construction of the vessel, another motive or pretext for her capture, is also proved, by the vouchers above referred to, to be the usual

one followed in the build of vessels which are to make this kind of voyages between the Portuguese possessions in India and Africa, and of which many travellers avail themselves for taking their passages.

To this succinct narrative, in which the truth is manifest, and whence may be clearly inferred the want of foundation for taking the said vessel as employed in the Slave Trade, the Undersigned will only add the following obvious reflections, being certain that what he has stated above will suffice for characterizing the capture of the brig "*Dom Pedro*" by the commander of the "*Curlew*" as violent and contrary to all the principles of justice and of the law of nations.

Of all the seas infested by the detestable Slave Trade it is certain that among the least frequented by vessels occupied in it are those that wash the coasts of India, in the same manner as it is most true that, of all the vessels suspected of trafficking, those not in any way liable to suspicion are the vessels which belong to the ports of India, and which trade to Africa.

These considerations, which are so favourable to the innocence of the owners of the vessel in question, ought to give way only to the clear, manifest, and undoubted truth that she had slaves on board; but in the place of this truth there appear only suspicions, and even these suspicions vanish before the documents in the possession of the Undersigned, the substance of which has been stated above.

The Undersigned in conclusion records his complaint against the abuse and violence committed by the commander of the "*Curlew*" in capturing the "*Dom Pedro*," and appeals to the sentiments of justice and integrity animating the Government of Her Britannic Majesty, hoping that this reclamation will not be disregarded, that such an act of violence will not pass unpunished, and that the innocent complainants will have justice done them; otherwise the commerce of the Portuguese subjects in the vast possessions of the Portuguese Government in India will sustain a terrible blow, from which it will hardly be able to rise; those possessions will have a precarious existence, and the Government of Her Most Faithful Majesty will find itself in the unenviable predicament of not being capable to protect its subjects against acts of an almost piratical violence, which ruins the commerce of its colonies, and endangers their tranquillity and their obedience to the mother country: acts which, unless duly repressed and visited, will make the Government suspected of indifference to the destiny of the colonies, and of beholding with passive apathy their ruin and loss—consequences which, as they are very far from the sentiments of generosity, sincere friendship, and union of views and interests, which form the basis of the ancient and sincere alliance which has subsisted between the two nations and their Governments, inspire the Undersigned with the hope that the Government of Her Britannic Majesty will be anxious to disavow them, by punishing such an unheard-of violence, and affording the means of compensation to those who have thereby suffered in their persons and properties.

The Undersigned, &c.

(Signed) BARON DA TORRE DE MONCORVO.

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

&c. &c. &c.

No. 311.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, August 11, 1841.

I HAVE received your Lordship's Despatch of the 23rd ultimo, stating that the Portuguese Government would address to their agents in Cuba and the United States, as well as to their functionaries in other slave-holding countries, the circular enjoining them not to hold slave property of any kind whatever; and I have to desire that you will express to M. Magalhaes

the thanks of Her Majesty's Government, for this declared intention on the part of the Government of Her Most Faithful Majesty.

I am, &c.

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

(Signed) PALMERSTON.

No. 312.

Baron Moncorvo to Lord Leveson.

57, Upper Seymour Street, August 10, 1841.

(Received August 11.)

BARON DE MONCORVO presents his compliments to Lord Leveson, and has the honour to return the two accompanying papers respecting the vessels "*Liberal*" and "*Sandade*," which were kindly lent for his perusal by Lord Palmerston.

(Signed) BARON DA TORRE DE MONCORVO.

Lord Leveson,
&c. &c.

No. 313.

Viscount Palmerston to Baron Moncorvo.

Foreign Office, August 12, 1841.

(Received August 11.)

THE Undersigned has had the honour to receive the note which was addressed to him on the 6th instant by the Baron da Torre de Moncorvo, &c., complaining that a Portuguese brig named the "*Dom Pedro Duque do Porto*" had been captured off Mozambique by Her Majesty's ship "*Curlew*," and was taken to the Cape of Good Hope, where she was adjudicated without the parties being heard; and further alleging that the crew of the vessel was treated with inhuman barbarity.

The Undersigned is not at present in possession of any information relative to this vessel, except the statement made in Baron de Moncorvo's note, and he is therefore unable to judge how far the account received by the Portuguese Government from the parties interested in the vessel, is borne out by the real facts of the case; but the Undersigned has the honour to point out to the Baron de Moncorvo, that these parties have a remedy, by an appeal to Her Majesty in council, for any injustice which may have been done to them by the decision of the Vice-Admiralty Court at the Cape of Good Hope.

With regard, however, to the conclusion drawn by the Baron de Moncorvo in favour of the innocence of this vessel, from the fact that she sailed from a Portuguese port in India, the Undersigned is sorry to have to say that a great number of African slaves are annually imported into the Portuguese possessions on the coast of India, and that, therefore, the fact that a vessel sailed from one of those ports for the coast of Africa affords no ground whatever for presuming that she was not engaged in Slave Trade.

(Signed) PALMERSTON.

The Baron de Moncorvo,
&c. &c. &c.

No. 314.

Lord Howard de Walden to Viscount Palmerston.

Cintra, August 6, 1841.

(Received August 15.)

MY LORD,

SENHOR MAGALHAES has stated to me his anxious desire to bring to a conclusion the Treaty proposed by Her Majesty's Government for the total abolition of the Slave Trade. His Excellency expressed his hope that the proceedings of the Portuguese Government had of late been such as to

remove all suspicion on the part of your Lordship, as to the sincerity of their disposition to co-operate cordially with Her Majesty's Government in the suppression of the Slave Trade—an object so desirable on all principles of humanity, but more particularly so as regarded the interests of the colonial possessions of Portugal on the coast of Africa.

I remarked, in reply, that it was impossible for Her Majesty's Government to consent to agree to any modification of the Treaty as already proposed to Portugal—that I had already declared this to his Excellency, as well as to his Excellency's predecessors; and that the object being to suppress the Slave Trade effectually, I did not see what alterations could be made the subject of negotiations. Senhor Magalhaes stated in answer that his only difficulty was one of *principle*; that what he desired was the addition of an article, by which the right of search on the coast of Africa should not be rendered perpetual, without any regard to the necessity of the case: he remarked that in the course of time he had no doubt that the Slave Trade would be suppressed on the coast of Africa, and it was with reference to the accomplishment of the objects of the treaty, that he would desire to reserve the power to reconsider the mutual concession made of the right of search.

Senhor Magalhaes declared his willingness to acquiesce in giving to Her Majesty's Government every practical guarantee against this reservation being made instrumental in encouraging the Slave Trade; explaining that all he desired was that when the Slave Trade had ceased *bonâ fide*, that part of the details of the Treaty which conceded the right of search should be subject to revision, under such qualifications, however, or contingent provisions, as might still be considered necessary to perpetuate not only the principle, but the practical operation of the Treaty against the Slave Trade, so long as it existed, or even in the improbable event of any revival after suppression.

I replied that if his Excellency would give me in writing such an article as he would propose, I would submit it to Her Majesty's Government; but that I must say that I thought that as no such reservation had been made by Spain or Brazil, it was difficult to come to any understanding on a point on which the Portuguese laid so much stress, without its being looked upon as a distinction which, in principle, was inconvenient and uncalled for.

Senhor Magalhaes, however, in his reply on this point dwelt much on the different character of the Slave Trade as carried on from the Portuguese possessions, and upon the argument, that when once it was recognised in the African colonies that the Slave Trade was detrimental rather than advantageous to them, it would necessarily cease; and that although there was nothing objectionable in the temporary and mutual concession of extensive powers to attain an end on general principles, yet that such powers should have a limit according to circumstances, particularly when affecting the great principle of right of search on seas off their own coast.

Although Senhor Magalhaes has not proposed the article in question, I have thought it right to report to your Lordship his views, and at the same time to state to your Lordship my opinion, that in consequence of the increased activity of the Government, and the recognised hostility of Senhor Magalhaes to the Slave Trade, the system of fitting out vessels for the Slave Trade in the Port of Lisbon has very much diminished; and, indeed, it has become almost impossible for a Portuguese vessel, or a foreign vessel under the Portuguese flag, now to proceed direct from Lisbon to the coast of Africa equipped, as formerly, for the Slave Trade.

It is extremely difficult to make a Portuguese minister feel, that in requiring stringent stipulations directed against the Slave Trade under the Portuguese flag, no offensive distrust is thus necessarily implied or manifested of the personal declarations of himself or the Government, and that the essence of a Treaty is to bind down to a system, without power of change, the various parties, by whom, owing to different circumstances or principles, the policy of a country, as to co-operation with another state, would otherwise be continually subject to change.

The question of the objection to the perpetuity of the right of search was taken up as a principle, as your Lordship will recollect, first by the Viscount de Sá da Bandeira, and (as was supposed) at the instigation of the French party. There is no doubt, however, that a very general indisposition now exists to give up *this principle*—very much, perhaps, on the score of the un-

popularity of its abandonment, even on the part of those who are ready to grant all practical powers against the Slave Trade.

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

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

No. 315.

Lord Howard de Walden to Viscount Palmerston.

Cintra, August 6, 1841.
(Received August 15.)

MY LORD,

I HAVE the honour to enclose a note which I have addressed to Senhor Magalhaes, in communicating to his Excellency the particulars respecting the Slave Trade carried on under the Portuguese flag, as reported by Mr. Cooper, Her Majesty's Consul at Pará.

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

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

First Enclosure in No. 315.

Lord Howard de Walden to Senhor Magalhaes.

MONSIEUR LE CONSEILLER,

Cintra, July 25, 1841.

I HAVE the honour to communicate to your Excellency herewith information which has been received by Her Majesty's Government from Her Majesty's Consul at Pará, respecting Slave Trade carried on under the Portuguese flag.

I avail myself, &c.
(Signed) HOWARD DE WALDEN.

His Excellency Senhor Magalhaes,
&c. &c. &c.

Second Enclosure in No. 315.

Mr. Consul Cowper to Viscount Palmerston.

Para, May 20, 1841.

(See No. 548.)

No. 316.

Lord Howard de Walden to Viscount Palmerston.

Cintra, August 6, 1841.
(Received August 15.)

MY LORD,

I HAVE the honour to enclose a copy of a note which I have addressed to Senhor Magalhaes, in transmitting to his Excellency, under your Lordship's instructions, a copy of Mr. Consul Rendall's letter respecting the Slave Trade carried on from the Cape Verds.

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

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

Enclosure in No. 316.

Lord Howard de Walden to Senhor Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, July 26, 1841.

WITH reference to my note of the 19th June, on the subject of the Slave Trade reported to be carried on between the Portuguese Colonies on the continent and in the islands off the coast of Africa, I have the honour to make known to your Excellency that, according to further reports received by Her Majesty's Government, it would appear that slaves are generally, in the first instance, brought from Bissao and Cacheo on the African coast to the islands of Mayo and Fuego, and from thence transported to Boa Vista and other northern islands.

In corroboration of the statements that have been made that some of the vessels loading with salt at these islands are also concerned in the Slave Trade, it appears by reports made to Her Majesty's Government, that the Brazilian brig "*Tejo*," Captain Joaquim Pedro Gomes Rosa, about 200 tons burthen, bound to Rio Janeiro, which loaded part of a cargo of salt at the island of Sal in April 1840, also took on board 60 slaves, part from thence and the remainder from Boa Vista and St. Jago.

Another Brazilian brig of about the same tonnage, took in about half a cargo of salt at the island of Mayo in November last, said to be bound for the coast of Brazil, has been reported, on very respectable authority, to have carried with the salt from 90 to 100 slaves from the coast of the island of St. Jago.

With regard to the case brought forward respecting the carrying of slaves from Bissao to the Cape Verds by the two Government schooners called the "*Constituçiao*" or "*Cabo Verde*," and the or "*Boa Vista*," it was then stated that the Municipal Chamber had learned the particulars of the case, and remonstrated with the Governor-General upon the impropriety of such proceedings; it appears, however, from subsequent information, that no such laudable conduct is to be attributed to the Chamber in question.

I have, &c.,

(Signed)

HOWARD DE WALDEN.

His Excellency Senhor Magalhaes,
&c. &c. &c.

No. 317.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, August 20, 1841.

I HAVE received and laid before the Queen your Despatch of the 6th instant, reporting that M. Magalhaes had stated to you his anxious desire to bring to a conclusion the Treaty proposed by Her Majesty's Government for the total abolition of the Slave Trade.

I have to desire that you will state in reply to M. Magalhaes, that Her Majesty's Government would not refuse to conclude a new Treaty with Portugal, if asked to do so by the Portuguese Government, provided the Treaty which the Portuguese Government expressed their wish to sign was, in all respects, the same as the draft last proposed to Portugal by Great Britain; with this single reserve, that, as it is now ascertained that Slave Trade is carried on between the coast of Africa and the Azores, Her Majesty's Government could not agree to any exception, in favour of Portuguese settlers transferring themselves with their domestic slaves from the Continent to the Azores.

You will add, however, that Her Majesty's Government is not at all anxious for such a Treaty, because the powers given by the Act of Parliament are more effectual than those which such a Treaty would confer, inasmuch as a British Vice-Admiralty court is more certain to give a just sentence upon a Slave Trader, than a Mixed British and Portuguese court would always be; for the Portuguese arbitrator would sometimes by lot have the power of giving the deciding voice.

With respect to the desire expressed by M. Magalhaes that an article should be inserted "by which the right of search on the coast of Africa should not be rendered perpetual, without any regard to the necessity of the case," you will observe that the Portuguese Government would do well to undeceive themselves as to the duration which Her Majesty's Government would consent to give to such a Treaty if it was to be concluded.

It is not material what the motive is which makes the Portuguese stickle so much for a limited duration of a new Treaty; Her Majesty's Government will consent to no limit of duration for such a Treaty, unless that limit be commensurate with the continuance of slavery in the world. Thus Her Majesty's Government would not object to a stipulation that the Treaty should expire, whenever all the nations of the world, Mahommedan as well as Christian, or of whatever other religion, shall have set all their slaves free, and shall have abolished for ever the condition of slavery within their respective territories. But Her Majesty's Government are convinced that nothing but the entire abolition of Slavery could prevent the Slave Trade from being renewed by the Portuguese, if the mutual right of search were given up.

I have, &c.,

(Signed) PALMERSTON.

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

No. 318.

Viscount Palmerston to Baron Moncorvo.

SIR

Foreign Office, August 21, 1841.

WITH reference to the request contained in your note of May 8, 1840, to be furnished with the originals or certified copies of Portuguese papers found on board captured slave vessels, I have the honour to transmit the original papers of the "*Dous de Fevereiro*," a vessel detained under Portuguese colours by Her Majesty's brigantine "*Fawn*," for being engaged in Slave Trade.

I have, &c.,

(Signed) PALMERSTON.

His Excellency Baron Moncorvo,
&c. &c. &c.

No. 319.

Baron Moncorvo to Viscount Palmerston.

Foreign Office, July 15, 1840.

(Received August 21, 1841.)

(EXTRACT)

I CALLED in the expectation of being able to see your Lordship, to deliver to you a rough translation of the papers I mentioned to you formerly respecting the number of slaves that have been taken by some of the Portuguese authorities in Africa, in consequence of the Government orders for the execution of the decree of 10th December, 1836, which abolished the Slave-Trade among us.

First Enclosure in No. 319.

Copy of Despatch from the Governor-General of Angola to the Minister of Marine at Lisbon.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

Loanda, January 23, 1840.

It behoves me to communicate to your Excellency, so that it may come to Her Majesty's knowledge, the measures that I have taken for the

restricted observance of the Decree of the 10th December, 1836, upon the extinction of slavery, has resulted the fact of having seized on the shores of this city 10 slaves embarking in a boat in the day, 292 slaves and 4 infants on the site of Ballas, which is on the sea coast to the south of this city, distant three leagues; 266, and 2 dead of the Portuguese schooner "*Nympha*," receiving them from nine boats at sun-set on the 16th instant, on which day she sailed from this port for that of Monte Video, touching at Rio de Janeiro, and lately 358 on the site of Samba, likewise on the sea-coast to the south, and distant from this city three quarters of a league, of which seizures I forward with this the copies No 1 and 4, remarking to your Excellency that the 292 slaves and 4 infants of Bellas were seized by me on the occasion of my going there, conducting to prison white men, soldiers that had deserted from the 1st Corps of the Line of this garrison, and reported had taken refuge in those thickets. Of the slaves seized at Samba no owner has been found, and as to those of Bellas, a proprietor of that place, Manoel Antonio Jorge de Carvalho e Souza having petitioned me for their restitution, declaring that they were for the working of his lands, I granted his request, copy No. 5, upon which claim followed the Despatch, copy No. 6 of the Magistrate acting for the District Judge, to which authority I committed the judging of such prizes, as appears by the copies Nos. 7 and 10, as likewise to the delegate of the King's Attorney-General, and to proceed with the means in their power, as will be seen by the Despatch, copy No. 11, the result of which I shall make known to your Excellency. I hope that these my proceedings will merit the approbation of Her Majesty and of your Excellency, as also that the British nation may not think that there has been more exactness on its part than on ours in the fulfilment of the cited Decree.

I have, &c.

(Signed) MANOEL ELEUTHERIO MALHEIRO.

His Excellency Francisco de Paula d'Aguiar Ottoloni,
&c. &c. &c.

Second Enclosure in No. 319.

(Document No. 1.)

Joaquim Filippe de Andrade to Senhor Estivan de Fonseca Negrao.

SIR,

Head Quarters, Loanda, December 15, 1839.

By order of his Excellency I transmit to you a copy of the report of the ensign commanding the Company of Public Security, which treats of the seizure he made this morning at day-break of a boat, with various articles and ten slaves, so that you may proceed with all energy to the legal investigation and other requisitions, to the end that the author or authors of this smuggling may be known. I also acquaint you that the ten slaves are in the jail at your disposal, and the boat and the articles named in the report were sent to the Arsenal, also at your disposal.

I have, &c.

(Signed) JOAQUIM FILIPPE DE ANDRADE,

Major and Government Agent.

The Illustrious Senhor Estivan de Fonseca Negrao.
&c. &c. &c.

Third Enclosure in No. 319.

Extract of the Report alluded to above of Ensign Joaquim Teixeira de Lima, Commanding.

Barracks, Loanda, December 15, 1839.

THE COMPANY OF PUBLIC SECURITY.

I SEND ten slaves that were seized at 4 o'clock this morning, embarking in a boat in front of the barracks of this detachment. Six were already

in the boat, and four were ready on the shore to embark. The sailors and black men that were in the boat left her and ran away, and not one has been found as yet. The patrol took possession of the boat, and I ordered it to be taken with the ten slaves and to be moored in front of the guard-house on the parade in sight of the sentinel. Four oars, one sail, a kedger, a bucket, a rudder, a sailor's jacket, and an old umbrella, all this was sent to the main guard. The boat belongs to the brig "*Duque de Victoria*."

Fourth Enclosure in No. 319.

(Document No. 2.)

Extract of an Official Letter from Major Joaquim Filippe d'Andrade to Ignacio Joaquim de Mello Pereira.

Head Quarters, Loanda, January 12, 1840.

THE Governor going this morning to know the result of an inquiry he ordered to be made relative to some deserters of the 1st corps of the line of this garrison, found on the estate of Manoel Antonio Jorge de Carvalho e Souza, 292 slaves, coppers, and three men, by name Agostinho Tavares, Rodovalho, Joaquim Antonio Branco, and Marcelino Joze de Santa Anna. The first serves in the house of Fructurzo, the second and third in the house of the said Jorge. His Excellency orders that you will immediately commence proceedings to discover who may be the equipper, in order that he may be punished with the utmost rigour of the law. The slaves were ordered to be brought to the city.

Fifth Enclosure in No. 319.

(Document No. 3.)

Copy of an Official Letter from Major Joaquim Felipe de Andrade to Ignacio Joaquim de Mello Pereira.

Head Quarters, Loanda, January 19, 1840.

By command of His Excellency I transmit to you a copy of a Report made by the captain on guard, of the garrison, of the seizure which took place on the 17th instant at 4 o'clock in the evening at the sight of Samba Grande of 358 slaves which were found collected together on the estate of the lieutenant of cavalry, Agostinho Aurelio d'Oliveira. His Excellency orders that you will immediately commence proceedings to discover who may be the equipper, so that he may be punished with the rigour of the law. The said slaves are to be found at the quarters of the infantry battalion of the line.

Sixth Enclosure in No. 319.

Extract of the Report alluded to above, from Captain Joze Fortunato da Costa to Major J. F. d'Andrade.

Barracks, Loanda, January 18, 1840.

SEIZED at the place called Samba Grande, on the estate of Lieutenant Agostinho Aurelio de Oliveira of the cavalry, 340 odd slaves found in a yard of the house belonging to the said lieutenant, as also some who were in a boat away from the shore, the total being 358, including Antonio Cabinda, a slave of Rio de Janeiro, and a black boy, Antonio, the informer. Running on the shore to seize these that were seen in the boat, two white men and some negroes made their escape that were on the shore at the same place, and whom it was not possible to find afterwards, as likewise a sailor who was in the above-named house. Also were found two boats afloat and near the shore, but without slaves, which could not be taken away or destroyed for want of hands. All the information that could be gathered was, as to the slaves no

owner could be traced; that the negro Antonio Cabinda had come from Rio de Janeiro as cook of the barque "*Esperança*," Captain Rosa; and that he was waiting there to return with others to that city; that Joaquim Domingos had been sold by Joao Antonio de Carvalho; that one Mello had been sold to Matthias Miguel; that Vincente Francisco and Antonio Manoel had been sold by Lieutenant Leitaõ, but did not know to whom; that the black boy Antonio, the informer, had been sold by Antonio Ferreira Lisboa Madeira to the mate of the barque "*Esperança*," whose name was not known; that this cargo of slaves had been seven months getting together in that house, and there was to be found with them four white men, by name Domingos and Marques, both sailors. The names of the two others were not known.

Seventh Enclosure in No. 319.

(Document No. 4.)

*Mr. Boaventura de Lemos Simeao to Ignacio Joaquim de Mello Pereira,
Government Office of the Province of Angola and its Dependencies.*

SIR,

Secretary's Department, January 20, 1840.

WITH this you will find copy of the Documents No. 1 to 5, including the originals contained in the Report No. 3 of No. 6 to 16, also inclusive, as likewise the official Letter of the Captain of the corvette "*Urania*," accompanying them, all relating to the seizure made in the schooner "*Nympha*." She having sailed from this port, was found in *flagrante delicto*, receiving slaves on board close to the island. In order that you may proceed with this fact according to the provisions of the Decree of the 10th December, 1836, the above documents serving to substantiate the crime. I make you acquainted with this by command of his Excellency the Governor-General of the province.

(Signed)

BOAVENTURA DE LEMOS SIMEAO,

Chief Clerk, acting as Secretary.

*Ignacio Joaquim de Mello Pereira,
&c. &c. &c.*

Eighth Enclosure in No. 319.

(Document No. 5.)

Copy of the answer given to the Petition of Manoel Jorge de Carvalho e Souza.

Loanda, January 13, 1840.

No. 266. THE slaves were ironed, some with greater and lesser irons; that they were not useful for agriculture or any other work; that they are newly marked, and with different marks, crowded together in the stores with not even space to lay down, and all in the same manner as is done in the prohibited trade. The farm has not the least appearance of cultivation, nor the ovens indication of being used, which, together with the farm being situated near the shore with a convenient quay for embarking, nobody can doubt, by what is here exposed; and, taking this altogether, the only object is that of smuggling. Notwithstanding the magistrate acting for the district Judge, to whom this petition is going to be sent will grant to the petitioner in accordance with the intimation that has already been made to him in this respect.

(Signed)

BOAVENTURA DE LEMOS SIMEAO,

Chief Clerk, acting as Secretary.

Ninth Enclosure in No. 319.

(Document No. 6.)

*Copy of the answer of the Magistrate acting for the District Judge.**Lisbon, January 17, 1840.*

THE competent Registrar will deliver the negroes seized belonging to the petitioner, giving security, which must be signed by the two merchants offering as such, who will bind themselves in solidum, mentioning in the bond the marks of the negroes, nation, sexes, height, and whatever other characteristic mark that can be distinguished. The said security is fixed at 18 contos de Reis.

(Signed) MELLO PEREIRA.

Tenth Enclosure in No. 319.

(Document No. 7.)

Boaventura de Lemos Simeao to Ignacio Joaquim Pereira de Mello.

SIR,

Loanda, January 14, 1840.

By command of his Excellency, I forward to you enclosed two Reports, which point out the slaves that were in irons and the different marks of them generally.

(Signed) BOAVENTURA DE LEMOS SIMEAO.

Ilmo Senor Ignacio Joaquim Pereira de Mello.

&c.

&c.

&c.

Barracks, Loanda, January 14, 1840.

INVENTORY of the pans and irons sent, and of which I took charge when his Excellency ordered the seizure of the slaves which he found at the site of Bellas on the 12th instant. The fetters were taken from the negroes' legs at Bellas, and the chains of their arms and of other negroes here in the city.

1 large kettle without lid.

1 small kettle with lid.

1 large pan.

1 pair of irons with 6 gyves and held 6 slaves prisoners.

1 pair of irons with 4 gyves and held 4 slaves prisoners.

1 pair of irons with 2 gyves and held 2 slaves prisoners.

1 large chain that held 10 slaves prisoners.

1 large chain that held 7 slaves prisoners.

2 large chains that held 8 slaves prisoners.





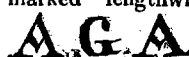




(Signed) JOAQUIM TEIXEIRA DE LIMA, *Ensign.*

Eleventh Enclosure in No. 319.

(Document No. 9.)

Loandes, January 13, 1840.

List of Individuals of Black and Copper Colour who were, on the 12th instant, seized on the Farm at the site of Bellas, and transferred to the Barracks of the Infantry Battalion of the Line and Fortress of St. Miguel, on suspicion of their being there for the purpose of being shipped in the prohibited Trade, with designation of Marks and other particulars tending to the same.

Marks.	Place where marked.	No.	Infants.	Observations.
G	Right shoulder-blade .	93	2	Among the 93 are to be found three with the thicket mark on the right arm, one with the mark  , and two others marked on the left arm with the mark  , said to have been put on at Carnbamba. The infants, one is of the height of three spans, the other four and a half.
ME	Right arm 1 Left breast 7	8		In this number one is marked on the left arm  , and another on the left breast 
E	Right shoulder-blade 8 Right breast 5	13	1	The infant is of the height of three spans.
E	Right and left breast 1 Right breast 4 Left breast 2 Right arm 1	8		
M	Left breast	14		One of these is marked with an anchor on the breast.
S	Left arm	3		
A	Right arm 9 Left arm 2 Left breast 1	12		Three of these are marked in other places, one on the left arm, but the letters cannot be made out. Two marked on the right and left arms, and on the breast, with the letter S
SP	Left breast	12		
P	Right breast 8 Left breast 8 Right arm 4 Left arm 1	21		Among these, three have other marks. One marked lengthwise on the left arm,  one marked  on the right breast; and one marked  (this last mark appears in another part of this list).
GGA	Right arm	1		Cannot well be made out, but it seems to be the mark as represented.
G	Right shoulder-blade 1 Left shoulder-blade . 2	3	1	The infant is of the height of three and a half spans.
AG	Right shoulder-blade .	4		
S	Left breast 4 Right shoulder-blade 1	5		
A	Right arm	1		
X	Right and left arm . .	1		On the left breast is also the mark 
3	Right breast	1		Marked also on the right arm with this mark 
A	Right breast 1 Left breast 2 Right arm 1 Left arm 1	5		One of these has also two marks on the left breast, but they cannot be made out.

Marks.	Place where marked.	No.	Infants.	Observations.
A	Right arm	12	14	Besides the mark that is seen, there is a negro that has on his left arm contrary to that on the right. In this number one is copper colour.
	Left arm	2		
B	Right arm	1		
C	Right arm	5		
	Left arm			
	Right and left breast Left shoulder-blade			
D	Right arm	1		
E	Right breast	1		
F	Right breast	5		
	Left arm			
G	Left shoulder-blade	2		
	Left arm			
M	Left arm	1		
SF	Left breast	2		
5	Left breast	1		
N	Right arm	5		
	Left arm			
A	Right breast	2		
O	Left arm	1		
P	Right breast	3		
	Left breast			
Q	Right arm	1		
A	Left breast	1		
I	Left arm	10		
	Right breast			
Those on whom the mark cannot well be made out.	Right arm	31		
	Left arm			
	Right breast			
	Left breast			
	Right shoulder-blade Left shoulder-blade (Without any)			
Total		292	4	

N.B.—The greater part of these individuals have a mark that is painted on them when in the thicket, and on both sexes; and in the number of these 292,—

75 are children from 4½ spans.	34 are children from 6 spans.
36 „ „ 4½ „ „	16 „ „ 6½ „ „
25 „ „ 5 „ „	

Sum Total . . .	{	Adults	106
		Children	186
		Infants	4
			296

(Signed) BOAVENTURA DE LEMOS SIMEAO,
Chief Clerk, acting as Secretary.

Twelfth Enclosure in No. 319.

(Document No. 10.)

Copy of a Letter from the Captain Lieutenant commanding the Corvette "Urania" to His Excellency Senhor Manoel Eleutherio Malheiro, Governor-General of the Province of Angola.

On board of the Corvette "Urania," anchored in front of the Fort San Pedro, January 19, 1840.

MOST EXCELLENT SIR,

I HAVE the honour to bring under your Excellency's knowledge the original Reports of the second lieutenant Galharedo and of the midshipman Preto, relative to the seizure of the schooner "*Nympha*," which was met by the said midshipman outside the bar, receiving utensils requisite for the transporting of slaves, also a boat alongside with 18 slaves, and likewise eight boats loaded with slaves, and going also towards the said schooner, all of which were seized, making in the whole 269 negroes; and sending, according to the verbal order of your Excellency, all of them to be delivered to the Governor of the fortress of Saint Miguel, he giving me a receipt for 266 living and 2 dead negroes, I having left a black boy for the service of the Captain of the vessel seized, for whom I gave a receipt and ordered it to be delivered to the governor of the fortress. I ordered the nine boats seized, with their respective appendages, to be sent to the arsenal, the copy of which inventory, signed by the director, I likewise transmit to your Excellency, as also the inventory found in the prize signed by Lieutenant Galhardo, the purser of the corvette and by the captain of the schooner. I likewise transmit all the ship's papers which go named in the inventory. As I have orders to sail to day, I passed nine of the schooner's crew to my vessel, and have left Lieutenant Galhard in the schooner with three soldiers, one corporal and five sailors, with orders to anchor within gunshot of the corvette "*Isabel*." There are 16 documents with this my letter, which I have the honour to transmit to your Excellency.

(Signed)

JOAO MARIA FERREIRA DO AMARAL.

Captain Lieutenant Commanding.

Thirteenth Enclosure in No. 319.

(Document No. 11.)

Extract of an Official Letter from Mr. Boaventura de Lemos Simeao, acting as Secretary to M. Pedro de Torres Ribeiro.

*Government House of the Province of Angola.**Secretary's Office, January 23, 1840.*

I AM commanded by his Excellency to acquaint you that for the fulfilment of the decision of the magistrate acting for the district Judge, that by order of his said Excellency you send to this Board, it was ordered that the negroes that were sent to the barracks of the battalion of the line and fortress of Saint Miguel, and that were seized at Bellas, should be given up, in number 292, and four infants, so that the provisions named in the Decree of the 10th December, 1836, as it behoves you by article 20 of the same to watch after the preservation of those unfortunates, and insist on the right they have to their liberty, I transmit to you a list of the witnesses beyond those sent from this office to the magistrate, who should be interrogated, so that the strong indications that have been met with may not be disfigured, that this was a collection from the cargo of a vessel, and not one to be employed in agriculture, with which it is pretended to cover this crime. First, because the slaves for to work it is customary to have a cottage for them to live in. Secondly, because they were put in warehouses in the same manner as if in galleries. Thirdly, because those most capable of work were in fetters, which is seen by the report sent to the magistrate. Fourthly, because there were some sailors, who, on the arrival of his Excellency, ran away, as was also the master of the vessel "*Nossa Senhora de Livramento*," whose papers have been ready at this office since the 8th, as also those of the schooner "*Formigia*" since the 11th, belonging to Manoel

Antonio Jorge de Carvalho e Souza, proprietor of the farm at Bellas; and since the 12th, the day on which the seizure was made, and up to the present day, they, (the papers) have not been solicited. Fifthly, because there were coppers fit for ships on the fire, boiling food for the said slaves when the Governor arrived there. Sixthly, because the farm is not in a state of cultivation to employ so many slaves. A great many of these slaves are children, as is seen by the list that was transmitted to the said magistrate denoting their height and marks, and which could have been for no other purpose than that of shipment; considering this altogether with the facility of embarking, and the farm being so near the sea, and having a convenient bridge for that purpose, it is necessary that you should not let one of these circumstances escape. Seventhly, because not any of these slaves were properly manifested nor the duties paid, a circumstance sufficient to set them at liberty and their owner condemned in the penalties according to the provision of the above cited decree. Eighthly, why did not the factor, on the occasion of his Excellency ordering the negroes out of the strong houses by Ensign Teixeira, ask the reason of it, as also of their being sent to the city? Ninthly, why was a black boy belonging to Ensign Teixeira found there, and of whom they took possession without the least repugnance?

No. 320.

*Lord Howard de Walden to Viscount Palmerston.**Cintra, August 16, 1841.**(Received August 23.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches marked "Slave Trade" to that of the 6th instant inclusive.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

No. 321.

*Baron Moncorvo to Lord Leveson.**Portuguese Legation, August 27, 1841.**(Received August 28.)*

BARON de Moncorvo presents his compliments to Lord Leveson and has the honour to return herewith the papers respecting the vessel "*Dois de Fevereiro*," which were kindly lent by Lord Palmerston for Baron de Moncorvo's perusal.

No. 322.

*Lord Howard de Walden to Viscount Palmerston.**Cintra, August 21, 1841.**(Received August 30.)*

MY LORD,

With reference to my Despatch of the 28th June last, I have the honour to enclose a copy of a note from Senhor Magalhaes, stating that he had received from the Portuguese Legation at Rio de Janeiro a report of the trial and condemnation of the "*Assiceira*" by the Mixed Commission, drawn up in the same terms as the one I communicated to him under your Lordship's instructions. His Excellency adds that it had pleased Her Most Faithful Majesty to dismiss Senhor Silva, the Consul at St. Catherine's, from his post, on account of his blameable conduct with respect to that vessel.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 322.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, August 11, 1841.

I ACKNOWLEDGE the receipt of your Lordship's Note of the 20th of June last, in which you inform me, by order of your Government, of the reprehensible conduct of the Portuguese Consul in the provinces of Rio Grande do Sul and of St. Catherine, respecting the Portuguese brig "*Asseiceira*," which, owing to being employed in Slave Trading, was captured on the Brazilian seas, and afterwards condemned by the Mixed British and Brazilian Commission established at Rio de Janeiro.

A few days after the reception of the said Note from your Lordship, identical informations were received by the Government, both from Her Majesty's Legation and Consulate at Rio de Janeiro, together with the Brazilian Journal "*O Despertador*" No. 938, of the 18th of March of the present year, in which the sentence of condemnation of the said brig "*Asseiceira*" is transcribed. I have the honour to transmit to your Lordship the said journal for your Lordship's information, and in order that your Lordship may know that the punishment ordained by the law was inflicted on the persons concerned in this transaction, illegally carried on by the said vessel.

The abuse committed by the said Consul, José Gonçalves dos Santos Silva, meriting an exemplary punishment, Her Majesty has been pleased to dismiss him from his situation.

I avail, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

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

No. 323.

*Lord Howard de Walden to Viscount Palmerston.**Cintra, August 21, 1841.*

MY LORD,

(Received August 30.)

I HAVE the honour to enclose a copy of the Note which I have addressed to Senhor Magalhaes, in fulfilment of your Lordship's instructions, contained in your Lordship's Despatch of the 6th instant, relative to the case of the "*Liberal*" slave vessel, and the conduct of the Portuguese acting Consul, Senhor Pluma, in affixing his signature to false papers.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 323.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, August 17, 1841.

I HAVE been instructed by Viscount Palmerston to communicate to the Portuguese Government a copy of a Despatch which has been received from Her Majesty's Commissioners at Sierra Leone, containing a report of the case of the slave schooner "*Liberal*," detained under Portuguese colours by Her Majesty's ship "*Wolverene*," and condemned at Sierra Leone for being concerned in Slave Trade.

The papers of this vessel were authenticated by M. Pluma, acting Portuguese Consul at the Havana.

In her passport the "*Liberal*" was described as being six years old, but it clearly appeared that at the date which the passport bore she was entirely new.

The muster roll of the "*Liberal*" stated that every one of the 26 persons therein mentioned had formed her crew for the last two years, and yet it was ascertained that during the first twelve months of that period the vessel had been lying in the port of the Havana.

Upon a close inquiry into the case it appeared clear, that this vessel was a recently built American schooner called the "*Wallace*," that the papers of another and older vessel called the "*Liberal*" had been transferred to her, and that with the papers of the "*Liberal*" the "*Wallace*" had also adopted the name of the "*Liberal*," and it appeared further that M. Pluma had affixed his certificate to those papers, and had given to this fraudulent transaction the sanction of his signature.

This case affords evidence, additional to that already laid before the Portuguese Government, of the manner in which Mr. Pluma's attestations are made to serve the purposes of Slave Traders.

I avail, &c.

(Signed) HOWARD DE WALDEN.

His Excellency Senhor Rodrigo da Fonseca Magalhaes,
 &c. &c. &c.

No. 324.

Lord Howard de Walden to Viscount Palmerston.

Cintra, August 21, 1841.

(Received August 30.)

MY LORD,

I HAVE the honour to enclose a copy of the note which I have addressed to Senhor Magalhaes, in fulfilment of your Lordship's instructions contained in your Lordship's Despatch of the 31st ultimo, conveying the expression of the satisfaction of Her Majesty's Government at the orders issued by the Minister of Marine, requiring vessels not clearing out for the coast of Africa to give bail they do not deviate from their course.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 324.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Cintra, August 17, 1841.

HAVING duly reported to Viscount Palmerston the order issued by the Minister of Marine to the colonial authorities of Portugal, enjoining those authorities to require, that Portuguese vessels which touch at ports in Africa, not mentioned in their passports, shall give bail that they do not deviate from their avowed course, in order to carry on practices of Slave Trade, I have been instructed to express to the Government of Her Most Faithful Majesty the satisfaction with which Her Majesty's Government has received this information.

I have, &c.

(Signed) HOWARD DE WALDEN.

His Excellency Senhor Rodrigo da Fonseca Magalhaes,
 &c. &c. &c.

No. 325.

Lord Howard de Walden to Viscount Palmerston.

Cintra, August 21, 1841.

(Received August 30)

MY LORD,

WITH reference to my Despatch of the 6th instant, I have the honour to enclose the answer of Senhor Magalhaes, on the subject of the Slave Trade carried on under the Portuguese flag from Para.

I have the honour, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

(Translation.)

Enclosure in No. 325.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, August 4, 1841.

IN acknowledging the receipt of your Lordship's note of the 25th ultimo, by which you transmitted the copy of a communication, made under the date of the 20th of May last, by the British Consul, resident at Para, to the British Government, respecting some negotiations in slaves effected there under Portuguese colours, I have the honour to inform your Lordship, that I will repeat, by the first vessel that sails for that province, the necessary orders to the Portuguese Consul resident there, for the purpose of his preventing by all means in his power the continuance of this traffic, applying to the local authorities for their assistance in executing the said orders.

(Signed) RODRIGO DA FONSECA MAGALHAES.

Lord Howard de Walden,

&c.

&c.

&c.

No. 326.

Lord Howard de Walden to Viscount Palmerston.

Cintra, August 23, 1841.

(Received August 30.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked Slave Trade, to that of the 11th instant, inclusive.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c.

&c.

&c.

No. 327.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, August 31, 1841.

I HAVE received your Lordship's Despatches up to those of the 21st inst., inclusive.

With reference to your Despatch of the 21st August, I have to instruct you to state to M. Magalhaes, that Her Majesty's Government return sincere thanks to the Portuguese Government, for having dismissed the Portuguese Consul at St. Catherine's on account of his misconduct in the case of the "*Asseiceira*."

I am, &c.

(Signed) PALMERSTON.

Lord Howard de Walden,

&c.

&c.

&c.

No. 328.

*Lord Howard de Walden to Viscount Palmerston.**Cintra, August 28, 1841.**(Received September 6.)*

MY LORD,

I HAVE spoken to Senhor Magalhaes on the subject of the reported Slave Trade expedition of Senhor Santos, the Portuguese Consul at Altona, and I have shown his Excellency your Lordship's instructions, addressed to me with reference to it.

Senhor Magalhaes assures me that there is no truth whatever in the destination given by report to the vessels in question. He informs me that it is true that the said vessels are destined to the coast of Africa, two for Angola and two for Moçambique; but that Senhor Santos has embarked a very considerable portion of his fortune in this enterprise, which is strictly honourable, and is intended for the establishment of commercial houses at both places, and the opening of a regular and direct trade with the Portuguese colonies.

Senhor Magalhaes states that so far from any secrecy having attended his expedition, the vessels had been sent to rendezvous at Madeira, and that Senhor Santos had sought to make a display of the extent of his speculation, rather than involve it in mystery.

Senhor Magalhaes further expressed his opinion, that the injurious reports which had been spread respecting this expedition emanated from parties here with whom he has had some disagreement as to a proposed partnership in trading to the coast of Africa, and which parties may be fairly looked upon with suspicion as regards the Slave Trade.

Senhor Magalhaes has promised to furnish me with more precise details as to Senhor Santos's expedition.

The island referred to is St. Vicente, one of the Cape Verds, a great portion of which was given by the Viscount de Sá da Bandeira, when minister, for a trifling sum to the notorious Rio Tinto, the editor of the "Nacional" newspaper, the constant advocate of the Slave Trade.

Senhor Santos was induced to take a small lot of this property, but which portion has, I understand, proved to be utterly worthless.

There is no doubt that owing to Senhor Santos's former association with parties interested in the Slave Trade, that suspicion may be fairly attached to such an expedition as the one which he has fitted out; but as Senhor Magalhaes has already been in correspondence with him on the subject, it is not probable that Senhor Santos, who is now very rich, and is embarked in very extensive legal commerce, should risk the consequences to himself, which would be inevitable from the capture of one of the vessels on a Slave Trade voyage.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 329.

*Lord Howard de Walden to Viscount Palmerston.**Cintra, August 31, 1841.**(Received September 12.)*

(Extract.)

IT having come to my knowledge that the Spanish minister at this court has interested himself in behalf of the owners of two slavers seized by Governor Marinho at Moçambique, to the length of urging the Minister of Foreign Affairs to cause their liberation, I consider it my duty to notice this proceeding, so unworthy of a government professing principles of liberty and humanity, and bound by Treaties with Great Britain for the Suppression of the Slave Trade.

It is right to add, however, that on Senhor Magalhaes refusing to give him any answer unless he would write to him officially on the subject, Señor Aguilar let the matter drop.

Cintra, September 4, 1841.

P.S. I have learnt since this Despatch was written, that the two vessels in question were large armed vessels, quite new, owned by Spaniards, commanded by Spanish captains, with mixed crews, but under false papers, and bearing the Portuguese flag.

It appears that Senhor Pluma, of notorious celebrity as Portuguese Consul at the Havana, and who has retained, in defiance of all calls made upon him, the official seal of the Portuguese Consulate, which he uses for the papers of slavers, being Consul for the Tuscan States, affixed by accident the Tuscan seal to the Portuguese papers, and thus at once exposed the fraudulent and illicit character of the ship's papers.

The assumed name of one of the vessels in question is the "*Maria Segunda*." They are supposed, I understand, to be American built.

No. 330.

Lord Howard de Walden to the Earl of Aberdeen.

Cintra, September 13, 1841.

MY LORD,

(Received September 26.)

SENHOR Magalhaes read to me yesterday three letters, which he had received from Senhor Santos this spring, respecting the expedition which he has fitted out for the coast of Africa, on which subject I had already spoken to his Excellency, as reported in my Despatch of the 28th ultimo.

In the first letter Senhor Santos announces to Senhor Magalhaes his intention of embarking in the speculation of establishing commercial houses at Angola and Moçambique, entering into considerable details as to the calculation of success.

In the second he replies to a caution given to him by Senhor Magalhaes, as to the suspicion which had been excited as to the connection of the expedition with the Slave Trade, giving his Excellency a list of the articles of commerce with which his vessels are laden, and expressing a desire that if he, or any of those engaged in the enterprise, should be detected in connection with the Slave Trade, they should *be hanged!*

In the third, he informs Senhor Magalhaes that he had withdrawn from his cargoes planks, which he had intended to take out with a view to aid in the construction of a house, in order to remove all possible suspicion as to their destination or use.

Senhor Magalhaes also read to me a letter from the Portuguese Vice-Consul at Hamburgh on the same subject, in which he encloses a copy of a letter from the house of Santos at Altona, informing him that instructions had been sent to prosecute the London Journal of Commerce, for the libel which had first appeared in that paper respecting Senhor Santos's expedition, and which had been copied into other London papers.

As far as declarations go, and previous correspondence can clear Senhor Santos of suspicion of having destined his vessels for a Slave Trade expedition, I must acknowledge that they appear to me to do so completely.

There is no doubt that he has made enemies here of certain slave traders, and it is supposed by Senhor Magalhaes, that the report in question has been got up by them, for the purpose of exposing Senhor Santos's vessels to embarrassment and detention from Her Majesty's cruisers. Her Majesty's Government will easily understand that all other trade with Portuguese colonies but that in slaves is directly opposed to the interests of the slave trading party, and of those politicians here who raise a cry, for general purposes, of hostility against Great Britain, accusing her of being actuated in her exertions to put down the Slave Trade by the desire of destroying those colonies which, on the cessation of the Slave Trade, would become valueless to the mother country, and fall into our hands. It is therefore but highly probable that Senhor Magalhaes' solution of the origin of these reports against Senhor Santos's expedition is a correct one.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 331.

Lord Howard de Walden to the Earl of Aberdeen.

Cintra, September 13, 1841.

(Received September 26.)

MY LORD,

SEÑOR Magalhaes has communicated to me a copy of the opinion of the Procurador da Coroa (the Queen's Advocate) on the case of two Spanish slavers bearing Portuguese colours, which have been seized at Moçambique and condemned, but which have been claimed by the Spanish Minister at this Court.

In my Despatch of the 31st ultimo I reported to Her Majesty's Government that Señor Aguilar, although interesting himself personally for the release of these vessels, had not ventured to commit himself so far in his official character in favour of the slave traders.

He has since done so, however, as will be seen by the enclosed copy of a report of the Minister of Marine, and of the Procurador da Coroa. The object of obtaining the liberation of the vessels in question on security is but too evident. The valuation which would be put upon them would be infinitely below their real and extraordinary value to the slave traders, to whom the loss of time in their slave trading expeditions at this moment is everything.

These vessels (being built as slave traders) would, in any successful voyage, probably clear four or five times their estimated value as fair traders; thus it would be well worth while for the owners to forfeit at once any security which they might be called upon to give, calculated, as must be done, on the estimate of sworn surveyors, as to their value for ordinary commercial navigation.

I have specially impressed this circumstance on Senhor Magalhaes' attention, reminding his Excellency of the importance which was attached in our Slave Trade treaties to the "breaking up" Article.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

(Translation.)

First Enclosure in No. 331.

*Crown Solicitor-General's Opinion on the Case of the Slavers "Gloria" and
"Donna Maria II."*

MADAM,

Lisbon, July 10, 1841.

YOUR Majesty has ordered me through a portaria (royal order) from the Marine Department, to give my opinion both on the pretension of the petitioners Antonio Vinent e Vives, and Edward Antonio Musard, Spanish subjects, consignees and supercargoes of the Portuguese ship "Gloria," and of the Portuguese vessel "Donna Maria II." also, for their being given up to the petitioners under trial, both with respect to their having been condemned at Moçambique, as likewise regarding the right the said petitioners may have as Spanish subjects of establishing their claim. In my answering, therefore, that royal determination, I have the honour to offer my opinion to your Majesty on both the points in question.

In my opinion neither the vessels claimed can be considered as Spanish property, nor can the petitioners be looked upon as subjects of that nation, having the right to claim them. According to the commercial laws of almost every country, it is essentially necessary, in order that vessels may be considered to belong to a nation, that the property should belong to subjects of that nation, without foreigners having any share in it. The French laws, the very Commercial Code of Spain in the 584th Article, as well as the Portuguese Commercial Code, Article 1289, have so established it, whereas the vessels in question were navigating without

either Spanish flag or Spanish passport, nor are they the property of any subject of that nation, but Portuguese property, according to the deeds of ownership found on board, and produced before the Court by the petitioners; consequently they do not possess Spanish nationality to enable them to claim them, through the Spanish minister representing Her Catholic Majesty, to whose protection they (the petitioners) have no right whatever, as the business is entirely a Portuguese one, which the said petitioners merely represent as agents. The petitioners cannot attribute to the vessels the quality of Spanish vessels without acknowledging as a necessary consequence the fraudulence of the deeds with which the ownership was transferred to Portuguese subjects, thereby confessing the fraud perpetrated by navigating them under Portuguese nationality, as well as the justice of the sentences which have condemned them. The cargo of the vessels which did belong to the Spanish subjects Don José Fatauld, and Don Joao Martins Pecavia, has been already delivered up to them, and the petitioners are not claiming now any property belonging either to them, or to any other Spanish subject, but the property of Portuguese subjects, of whom they are but acting agents, or representatives, either in the quality of supercargoes, agents, or ship's consignees, and to this effect the character of Spanish subjects is of no avail. In addition to this, the second petitioner, Edward Antonio Musard, is not proved by any legal document to be either agent or supercargo of the vessel; on the contrary, having been captain of her at the time she was the Spanish ship "*Socorro*," before her having been judicially sold, he probably remained in her in the same capacity, thus in violation of the law of Article 1362 of the Portuguese Commercial Code, which exacts the quality of a native of these kingdoms, in order to exercise this profession in Portuguese vessels.

It is also necessary to remark, that in the enclosed diplomatic note the character is given to the petitioners of representatives of the Spanish house Pecavia and Co., while this firm has no share whatever in the vessel claimed; I therefore conclude that this transaction is merely a Portuguese one, as far as regards the property of Portuguese subjects of these kingdoms, and I consider the intervention of a foreign nation quite alien from it.

The Portuguese ship "*Gloria*" was condemned by a sentence of the magistrate (Juiz de Direito) of Moçambique on the 31st of August, 1840, to pay a fine of half her value; this sentence having been communicated both to the captain of the vessel and to the petitioners Don Antonio Vinent e Vives on the 1st of September following, neither of them had recourse to the legal defence within ten days (*decendio*), at the expiration of which orders were issued to proceed to the liquidation, at which the petitioner was present, and was made acquainted with the terms of it. It was adjudged finally by a sentence of the 15th of September, which was communicated to the petitioner in order to appear within twenty-four hours; but as the petitioner would not make use of this recourse, the vessel was put up to auction, and was adjudged for want of bidders to belong to the national treasury, by sentence of the 23rd of September of the same year, against which the petitioner made no claim, notwithstanding his having been competently cited by the said sentence, as the document No. 1, Folio 35, and the following documents fully prove.

The Portuguese ship "*Donna Maria II.*" was in the same manner condemned in favour of the National Treasury, by a sentence of the abovementioned magistrate of the 23rd of September of the same year, which having been communicated to the petitioner on the following day, he has consented and given his approbation to it, by a petition signed by him appended to the Act, as it may be seen, folio 31 and following folios of the document No. 1. The said vessels therefore claimed by the petitioners belong to the state and to the public treasury, in consequence of sentences passed in the court of justice, which, so long as they are not abrogated by legal authority, if there should exist any recourse yet left to this effect, they constitute legal truth and justice, and ought to be respected by every Government, because the strength of a case adjudged is a principle of order and public convenience acknowledged by all civilised nations.

Your Majesty's Government cannot consequently, and in consideration of the division of political powers, either examine the merit of the sentences, in order to have them altered or, revoked, or, while they remain in vigour, annul the right insured by them, by ordering the delivering up of objects which have been adjudged to belong to the national treasury.

The simple declaration of an eventual and uncertain right, not yet even discussed in a court of justice, cannot be sufficient to justify the delivering up of property belonging to the nation even upon bail, which, however, our laws admit of in some cases of the process depending on future judgment, and in those cases bail is given in the court, and judged competent by it, but never for the case of delivering up goods definitively condemned and in possession of the owner, on account of a process which is to commence at an indefinite period. If the petitioners as the representatives of the owners of the vessels, Portuguese subjects, consider the sentences passed to be unjust, if they have any appeal to make against them, the court of justice is opened to them, where they can enforce their right; but before this right is adjudged, it is my opinion that the objects claimed ought not to be delivered up to them by the Government, not even upon bail, as they constitute already part of the patrimony of the nation, which Government cannot dispose of in consequence of the laws.

If the judge has committed any prevarication in the sentences, if he has made a bad use of his power, and thereby has made himself responsible to the petitioners for losses and damages, in consequence of the judgment passed, the laws of the country have established competent actions, which are known by every one, and of which the petitioners may avail themselves in the judicial courts, where justice will be done to them; but their claiming from the Government the restitution of objects condemned, appears to me to be illegal.

It is certain that grave illegalities have been committed in the execution of the sentence of the ship "*Gloria*," by shortening the time allowed to the petitioner for his recourse against the liquidation, as well as in the less number of notices published than are established by law for similar sales, which can never be justified by the royal order issued by the Governor of Moçambique of the 15th of September, 1840, and that the responsibility should fall upon him for evading the judiciary power, and for the manifest infraction of the law; but these illegalities can only produce the nullity of the execution, but not attack the condemnatory sentence, which is of an anterior date; and even after the execution of it is invalidated, the sentence in which had no effect, a posterior Royal decree remains intact, without shortening its legal periods, the mulct definitively adjudged, and to which the vessel is answerable, remaining in force, and the vessel cannot consequently be delivered up, without first paying the same fine, nor is there any room to admit bail for future judgment.

The coercion attributed to the petitioners, owing to which they could not interpose any resources, with the protests made on board the English ship "*Alexander Robertson*," cannot be credited, because the petitioners being at liberty to bring forward their defence in the terms of the process, in order to protest on the 30th of September and 1st of October before the court for losses and damages, against all whom it may appertain, as it is seen in the annexed documents, it is not to be presumed that such liberty should be taken from them for their making a legal appeal against the sentences; to this is to be added that no witnesses were even examined in the protests; nor such an irrefragable faith is considered to be devoted to the said protests as not to admit of any contrary proofs, and oblige the Government to believe as truth all that the party protesting are pleased to state in them. Without attempting to justify the foundation of the said sentences, I think that the decision does not do, in detriment of the petitioners, the injustice which they pretend to inculcate.

The vessels were sailing armed, and without any nationality, usurping without any right the Portuguese flag, and manifestly carrying on the Slave Trade proscribed by every civilised nation, and according to the principle of maritime right they were not under these circumstances entitled to the protection of any nation, and ought to have been apprehended as pirates navigating on the high seas with fraudulent designs. The vessels had not the Spanish nationality, because no documents existed showing the property to belong to any subjects of this nation, nor any passport from Spain, which are documents absolutely necessary in order to prove the nationality; and although they were owned by Portuguese subjects, still they could not enjoy Portuguese nationality, nor were they authorised by the laws of the country to navigate as Portuguese subjects.

Portuguese vessels, according to the 1396th Article of the Portuguese Com-

mercial Code, cannot navigate as such without having a competent register, as the certificate of the register is a document of the ship; and by the 1317th and 1318th Articles of the same code, vessels bought from foreigners are not registered until after the respective duties have been paid, which are stipulated for vessels purchased abroad by the *alvara* (decree) of the 16th of September, 1744, and in such case the register can only be made out in Lisbon.

The ship "*Gloria*," of Maltese construction, was sold at Havana on the 15th of February, 1840, to Joao Vinieras, a Portuguese subject, by her ancient owner Don Manoel Sentes, who now appears to be the pilot of the same, in her voyage to Moçambique; and previous to her being registered at Lisbon, in which city alone he could obtain it, she navigates as a national vessel to Moçambique, with a provisional passport, or a Portuguese Consul's pass.

It is evident, therefore, that according to the regulations of the aforesaid Commercial Code, this vessel could not have the Portuguese nationality on that voyage to the coast of Africa, and the less she will obtain it according to the posterior legislation, which is more rigorous on this point. By the 2nd Article of the decree of the 16th of January, 1837, generally understood, and ordered to be put in execution by the royal decrees of the 2nd of March, 1838, and 8th of April, 1839, the ignorance of which cannot be presumed nor taken advantage of, vessels of national construction can only be considered as Portuguese vessels, except such constructed abroad which up to the time of the promulgation of the said decrees had been navigated under Portuguese colours. The said ship, which was bought long after that time, is under neither of these circumstances, therefore she neither could be nationalised, nor could she obtain a Portuguese passport in order to navigate as a Portuguese vessel. To this must also be added that no legal passport was found in this vessel, since the illegal one granted by the Tuscan consul cannot be considered as such, although he calls himself chargé of the Portuguese Consulate, but not authenticated with the Consular seal of the Portuguese arms, and for the want of which seal it is deserving of no credit, nor can any faith be given to his signature in conformity with the 11th Article of the Consular Regulations, approved of by a royal resolution of the 9th of October, 1782.

The ship "*Donna Maria II.*," also formerly a Spanish vessel called *Socorro*, having been purchased at a public auction on the 8th of September, 1836, long after the publication of the Commercial Code, by José Joaquim Barreto, a Portuguese subject, could not navigate with Portuguese nationality previous to her having been competently registered, and she could not have been registered except in this port of Lisbon, for which port only she could have obtained a provisional passport from the Government of Moçambique in order to effect the said register: therefore the illegal register obtained at Moçambique, or the illegal passport passed by the same Government, are of no avail for the purpose of authorising her Portuguese nationality, having in this manner no nationality whatever, because that of Portugal, which she has usurped against the law of that country, is of no avail, and on the other hand she is in want of the Spanish nationality which she has forfeited by the sale, and by the want of passport of this nation, consequently the circumstance mentioned respecting the other vessel is also verified in regard to her, and this circumstance renders her apprehension and condemnation legal. Nor let it be said that the owners of the vessels depended upon the faith of the public authorities, as this being a manifest infraction of the law, and a clear abuse of it, the owners of the vessels, who ought not to have been ignorant of the law, nor of the limits of the power of the authorities and public functionaries, rendered themselves accomplices of the infraction of the same laws, by at one time petitioning, at another showing themselves satisfied with illegal titles which authorised their nationality, and it does not follow because abuses have been some time tolerated that they should be always suffered. Lastly, this vessel has been condemned for fraudulent proceedings in the purchase made of her, in accordance with the 1294th Article of the Commercial Code, and all arguments founded on doing away criminal proceedings lose their strength, when we reflect that this is a civil and not a corporal punishment imposed by the law, in behalf of the public treasury, sued for by the said treasury in an ordinary action, and that the fraud committed in the purchase of her, in order to unduly attribute to the vessel the Portuguese nationality, is a permanent crime so long as the said vessel should make use of this nationality,

upon the ground that the supposed deviation according to right is considered a crime so long as it lasts.

I must conclude from all the principles herewith exposed that it appears to me that the petitioners' claim ought not to be attended to nor granted; but as this is a delicate business, and my opinion may be wrong, I would deem it convenient that your Majesty would consult some other person, in order to adopt that opinion which your Majesty may consider just.

(Signed) JOZE DE CUPERTINO DE AGWIAR OTTOLINI,
Solicitor-General of the Crown.

Second Enclosure in No. 331.

The Portuguese Minister of Marine to the Portuguese Minister for Foreign Affairs.

Office of the Marine Department, September 7, 1841.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

IN answering your Excellency's official Letter of the 17th of June last, enclosing the petitions transmitted to your Excellency by the Spanish Minister, with his notes of the 15th of the same month, in which the petitioners Antonio Vinent e Vives, and Edoardo Antonio Musard, Spanish subjects, consignees and supercargoes of the Portuguese ships "*Gloria*" and "*Donna Maria II.*" sue for the said vessels being delivered up to them upon bail, the same having been condemned at Moçambique; I have the honour to state to your Excellency that after proceeding to a mature examination of the documents explaining the said petitions, and as the Solicitors-General of the Crown and Treasury's opinions have been received on the subject, Her Majesty the Queen has been pleased not to grant the petitioners' claims, because the said vessels having been condemned by a sentence of the magistrate of Moçambique of the 31st of August, 1840, and after this having been liquidated, adjudged to the Treasury by another sentence of the 23rd of September of the same year, owing to the want of bidders, it is not in the power of the Government to give them up, even upon bail (which is not even admissible in cases definitively judged), to those who have been condemned to lose them by the judiciary power, as such delivery, besides its constituting the annulment of the judicial decision, would amount to an alienation of the public patrimony, which the Government cannot make without the concurrence of the legislative power. After what has been stated the intervention of Her Catholic Majesty's Minister can be of no avail to the petitioners, as they have no right to his protection, as the business is perfectly a Portuguese one, of which the petitioners are merely the representatives, as it is evident by the very papers of ownership found on board, or presented by them to the Court of Justice. If the petitioners, however, in the quality of representatives of the owners, Portuguese citizens, consider the sentences to be unjust, if they have still means to defend themselves, or if the Judge has prevaricated in passing the sentences by abusing his power, he is responsible to the petitioners for losses and damages caused by the said sentences, and they may claim their right and enter an action in any court according to law, as it is known by everybody; but before this judicial decision their pretension is not admissible.

May God preserve you, &c.,

(Signed) J. F. PESTANA.

His Excellency the Minister of Foreign Affairs,
&c. &c. &c.

No. 332.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, September 16, 1841.

(Received September 26.)

MY LORD,

I HAVE the honour herewith to transmit a copy of a Note which I have addressed to Senhor Magalhaes in consequence of information which I have received respecting the proceedings of certain vessels, named by me, bearing the flag of Portugal, as connected with the Slave Trade.

I also enclose a copy of the answer which I have received from his Excellency, informing me that he has requested the Minister of Marine to cause this matter to be carefully investigated, in order that the offenders may be duly punished.

I understand that none of these vessels proceeded direct to the coast of Africa from Lisbon; they first made a voyage to Brazil; nevertheless, if the fact of their having been engaged in the Slave Trade *at all* can be proved, they will of course be liable to the penalties of the Portuguese law, and which I trust may be successfully and vigorously enforced against them.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

(Confidential.)

First Enclosure in No. 332.

Lord Howard de Walden to M. da Magalhaes.

M. LE CONSEILLER,

Cintra, September 10, 1841.

I HAVE been informed, on authority which experience has proved to me as entitled to confidence as to accuracy, that the Portuguese brig "*Oliviera*," which arrived in the Tagus last month, having left Lisbon within a year, has been employed on a slave-trading voyage, having landed in Brazil 470 slaves, and that she is now preparing for another expedition; also that the "*Dex de Novembro*," Portuguese brig, which left Lisbon in March last, and which has lately entered the Tagus, has also been employed in a Slave Trade voyage, and had landed at Pernambuco between 500 and 600 slaves. The character of this vessel is notorious at Lisbon.

I learn also that the "*Paquete de Terceira*" has lately left the Tagus on a slave-trading expedition.

I consider it my duty to bring these circumstances under your Excellency's notice with a view to such measures being taken as may be judged expedient by the Government of Her Most Faithful Majesty for the purpose of preventing the law of Portugal being insulted, and the port of Lisbon disgraced, by the Tagus being made the rendezvous for the fitting out of slavers.

There can be no difficulty in verifying the illicit character of the late voyages of the two former vessels, by the examination separately of the individuals constituting their respective crews, and comparing their statements with the ship's logs, and referring to the Portuguese Consuls, and to the port registers at any place where the vessels may be declared to have passed their time, whilst in fact actually employed in their Slave Trade voyages.

I understand that the "*Paquete de Terceira*" has cleared out for a false destination, in which case instructions to the authorities at the Cape de Verde Islands and in Africa might enable them to intercept this vessel previous to its having completed its arrangement for taking in a cargo of slaves.

I avail myself, &c.,

(Signed)

HOWARD DE WALDEN.

His Excellency Senhor Rodrigo da Fonseca Magalhaes,
&c. &c. &c.

Second Enclosure in No. 332.

M. de Magalhaes to Lord Howard de Walden.

(Translation.)

*Office of the Department of Foreign Affairs,**September 15, 1841.*

MY LORD,

I HAVE the honour to inform your Lordship of my having made known to the Minister of Marine, under this day's date, the contents of the Note which your Lordship has addressed to me on the 10th instant, respecting the transactions in slaves effected by the ships "*Oliviera*" and "*Dex de Novembro*," as well as those premeditated by the ship "*Paquete de Terceira*;" at the same time requesting that the business should be carefully investigated in the manner suggested by your Lordship, and in the way most convenient and legal, in order that the criminals may be punished according to law.

I avail, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

The Lord Howard de Walden,

&c. &c. &c.

No. 333.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, September 16, 1841.**(Received September 26.)*

MY LORD,

I HAVE the honour to enclose a copy of a Note which, in pursuance of the instructions conveyed to me by Viscount Palmerston in his Despatch of the 31st ultimo, I have addressed to Senhor Magalhaes, expressing the thanks of Her Majesty's Government for having dismissed the Portuguese Consul at St. Catherine's, on account of his misconduct in the case of the "*Asseiceira*."

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

Enclosure in No. 333.

Lord Howard de Walden to Senhor Magalhaes.

M. LE CONSEILLER,

Lisbon, September 16, 1841.

HAVING duly brought before Her Majesty's Government the contents of your Excellency's Note of the 11th August ultimo, the gratifying duty has devolved on me, under instructions from Viscount Palmerston, of conveying through your Excellency to the Government of Portugal the sincere thanks of Her Majesty's Government for having dismissed the Portuguese Consul at St. Catherine's, on account of his misconduct in the case of the "*Asseiceira*."

I avail, &c.

(Signed) HOWARD DE WALDEN.

His Excellency Senhor R. da Fonseca Magalhaes,

&c. &c. &c.

No. 334.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 9, 1841.

WITH reference to previous Despatches from Her Majesty's Secretary of State to your Lordship, respecting papers granted by the Portuguese authorities at Cape Verds to vessels employed in Slave Trade, I herewith transmit to your Lordship for your information, and for such use as you may be able to make of them in your communications with the Portuguese Govern-

ment on the subject of Slave Trade, copies of Despatches which have recently been received upon this subject from Her Majesty's Consul at the Cape Verds.

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

I am, &c.
(Signed) ABERDEEN.

Enclosures in No. 334.

First.

Mr. Rendall to Viscount Palmerston.

Cape Verds, June 30, 1840.

(See No. 373.)

Second.

Mr. Rendall to Viscount Palmerston.

Cape Verds, December 9, 1840.

(See No. 376)

Third.

Mr. Rendall to Viscount Palmerston.

Cape Verds, February 27, 1841.

(See No. 379.)

Fourth.

Mr. Rendall to Viscount Palmerston.

Cape Verds, July 20, 1841.

(See No. 387.)

No. 335.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, October 9, 1841.

I HEREWITH transmit to your Lordship a copy of a Despatch from Her Majesty's Consul at the Cape Verds, giving an account of an outrage said to have been committed at the Portuguese town of Porto Praia, in the Cape Verds, by some Spanish subjects belonging to the slave vessels "*Victoria*" and "*Felicia*," and by some subordinate Portuguese authorities, upon Lieutenant Seagram and two other officers belonging to Her Majesty's ship "*Termagant*."

And I have to desire that you will communicate to the Portuguese Government the facts contained in the enclosed paper, and urge that Government to cause an inquiry to be instituted into the case, and due punishment to be inflicted on such offenders in it as may be amenable to Portuguese law.

I am, &c.

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

(Signed) ABERDEEN.

Enclosure in No. 335.

Mr. Rendall to Viscount Palmerston.

Cape Verds, July 20, 1841.

(See No. 388.)

No. 336.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, October 9, 1841.

(Received October 19.)

MY LORD,

WITH reference to my Despatch of the 16th ultimo, I have the honour to transmit a copy of a Note which I have received from Senhor Magalhaes, by which his Excellency acquaints me that the Minister of Marine has issued circular instructions, under date of the 20th ultimo, to the authorities in Africa, to watch for and detain the vessel "*Paquete de Terceira*," in the event of her proving to be engaged in or apparently destined for the Slave Trade.

Also, that he had requested the Minister of Finance to give the necessary instructions to the Director-General of the Customs for proceeding to the investigations suggested in my note of the 10th of last month.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

(Translation.)

Enclosure in No. 336.

Senhor Magalhaes to Lord Howard de Walden.

MY LORD,

Foreign Office, October 6, 1841.

WITH reference to the Note which I addressed to your Lordship on the 15th ultimo, I have the honour to acquaint your Lordship that the Minister of Marine has informed me, under date of the 30th ultimo, that on the 20th he issued circulars to the authorities in Africa to watch for and detain the vessel "*Paquete de Terceira*," in the event of its proving to be engaged in or apparently destined for the Slave Trade; having also, under date of the 25th, requested the Minister of Finance to give the necessary instructions to the Director-General of the Customs for proceeding to the investigations suggested in your Note of the 10th of last month.

I have, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

The Lord Howard de Walden,

&c. &c. &c.

No. 337.

The Earl of Aberdeen to Lord Howard de Walden.

Foreign Office, October 30, 1841.

Circular, sending Papers presented to Parliament.

(See No. 113.)

No. 338.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, October 22, 1841.

(Received November 2.)

MY LORD,

HAVING obtained information which led me to believe that a vessel, under the name of the "*Leopoldina*," had left Lisbon on a slave trading voyage, I addressed a note to Senhor Magalhaes on the subject.

I have the honour to enclose copies of the note referred to, and of his

Excellency's reply, in which he informs me that he has taken measures in conformity with my suggestions, with a view to facilitate ulterior proceedings against the parties in Lisbon connected with her, in case of information being obtained confirming the suspicions expressed by me of her character.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

First Enclosure in No. 338.

Lord Howard de Walden to Senhor Magalhaes.

M. LE CONSEILLER,

Lisbon, October 14, 1841.

HAVING been informed that a noted slave brig, the "*Leopoldina*," sailed yesterday for the coast of Africa, having cleared out for Pernambuco, I beg to convey this circumstance to your Excellency.

It must be well known at this moment who are the parties connected with this vessel, and therefore it may be prudent at once to take measures, with a view to facilitate ulterior proceedings against them should the fact of her having proceeded to the coast of Africa for slaves, instead of to Pernambuco, be enabled to be proved by future information to be obtained either through the Portuguese authorities, or any of the British cruisers employed against the Slave Trade.

I avail, &c.

(Signed) HOWARD DE WALDEN.

His Excellency Senhor R. da Fonseca Magalhaes,
&c. &c. &c.

(Translation.)

Second Enclosure in No. 338.

Senhor Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, October 16, 1841.

IN answer to the communication your Lordship had the goodness to make me under the date of the 14th instant respecting the brig "*Leopoldina*," I hasten to impart to your Lordship that on this day I am going to address myself both to the Minister of the Marine and to the Minister of Finance, in order that every measure may be taken calculated to facilitate further proceedings against the persons concerned in the said brig, in case it should be proved that, instead of her going to Pernambuco, she went to be employed in the slave traffic, and in this case the said brig to be captured, in conformity with the Decree of the 10th December, 1836.

I avail, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

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

No. 339.

The Earl of Aberdeen to Baron Moncorvo.

SIR,

Foreign Office, November 5, 1841.

WITH reference to the request contained in your Note of the 8th of May, 1840, to be furnished with the originals or certified copies of Portuguese papers found on board slave vessels, I have the honour to transmit to you certain papers enumerated in the accompanying list, and I have to request

that you will return to me these papers after you shall have perused them, and have made what notes you may think proper, in respect to them, for the use of the Portuguese Government.

I have, &c.

(Signed) ABERDEEN.

The Baron da Torre de Moncorvo,
&c. &c. &c.

List of Papers.

Copy of the Register, Description, Manifest of Cargo, and Pass, found on board the "Boa Nueva."

No. 340.

The Earl of Aberdeen to Baron Moncorvo.

Foreign Office, November 12, 1841.

Circular, sending Papers presented to Parliament.

No. 341.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 4, 1841.

(Received November 14.)

MY LORD,

I HAVE the honour to enclose a copy of a Note which I have addressed to the Minister of Foreign Affairs, on the subject of your Lordship's Despatch of the 9th ultimo, in which your Lordship transmitted Mr. Consul Rendall's Reports of the complaints made against the Juiz de Direito of the Cape de Verd Islands by the solicitor employed by the Portuguese Government to carry on the prosecution of certain parties connected with the Slave Trade.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 341.

Lord Howard de Walden to Senhor Rodrigo da Fonseca Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, October 27, 1841.

HER Majesty's Government has received with astonishment and pain a Report from Her Majesty's Consul in the Cape de Verd Islands, in which the conduct of the Juiz de Direito of those islands is strongly denounced, as in no way in accordance with the declaration of the Government of Her Most Faithful Majesty, in regard to the prosecution of offenders in the Slave Trade. It would appear that the said Juiz de Direito is doing his utmost to thwart the proceedings of the Government Prosecutor (Senhor José Gabriel Cordeiro) in the cases in which proceedings by orders of the Portuguese Government have been instituted against parties concerned in the Slave Trade. In July last the papers connected with the cases in question were held by him in the same state in which they were when he received them from the Governor-General in December of the preceding year; and when Senhor Cordeiro applied to him to be permitted to enter upon his duties, the answer received by that gentleman was "that when the Juiz de Direito wished the affair to proceed he would send for Senhor Cordeiro."

The Juiz de Direito not only has not sent for him at all, but, so far from it,

has proceeded (in abandonment of his duties) to spend six months in a more agreeable climate in the Island of Brava.

It is hardly necessary to add the said Juiz de Direito is strongly suspected (as is but too natural) of being disposed to shelter the parties compromised in the pending prosecutions.

Under these circumstances it is quite unnecessary for me to point out to your Excellency how deeply the honour and credit of Her Most Faithful Majesty's Government are affected thereby, and how important it is that steps should be taken to reform a state of things which if persevered in may lead to the destruction of any confidence in the zeal or loyalty of Portuguese authorities in cooperating with those of Her Majesty's Government, with a view to the suppression of the Slave Trade.

I avail myself, &c.

(Signed) HOWARD DE WALDEN.

Senhor Rodrigo da Fonseca Magalhaes,
&c. &c. &c.

No. 342.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 4, 1841.

MY LORD,

(Received November 14.)

I HAVE the honour to enclose a copy of a note which I have addressed to Senhor Magalhaes on the subject of the extraordinary proceedings of the Juiz de Direito of the Cape Verd Islands, in the case of the outrage reported by Mr. Consul Rendall to have been committed against the commander and officers of Her Majesty's ship "Termagant," by the crew of a Spanish slaver, in the port of Port Praia.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 342.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, October 27, 1841.

I HAVE received instructions from Her Majesty's Government to bring before the Government of Her Most Faithful Majesty the conduct of the Juiz de Direito at Porto Praia, in a case in which the commander and two officers of Her Majesty's ship "Termagant" are parties, and towards whom the said judge's conduct was such as to be highly offensive to Her Majesty's Government.

It appears that, while Her Majesty's ship was lying at anchor at Porto Praia, two Spanish vessels, the "*Victoria*" and the "*Felicia*" (evidently slavers), entered the Bay. The commander of Her Majesty's ship applied to the acting Governor for permission to institute a search on board of them, which was given, and the search was accordingly carried into effect on board one of them. The other, having refused to show her papers, was put in charge of Her Majesty's ship during the night. The next morning she was transferred to the charge of the acting Governor, who caused a Custom House search to be instituted, but, on its being reported that nothing had been found on board contrary to law, she was released.

In the evening, about nine o'clock, Lieutenant Seagram and two of his officers were proceeding for the boat to go on board Her Majesty's ship, when six Spanish sailors belonging to the afore-named slave-vessels (who had no doubt been some time in waiting) insulted them by using the most foul language, at the same time assaulting them with stones. The officers were without their side-arms and quite unprepared for so violent an attack: their first impulse

was to arm themselves with stones, and what knives they had in their pockets: they did so; but at the moment seeing a light, and believing it to come from a guard-house, they repaired thither, in the hope of finding protection. The guard, however, the moment they appeared, charged them with being the aggressors, and hurried them off under arrest to the quarter of the Juiz de Direito; at the same time a report was sent to the acting Governor, of English officers being in charge of the guard, who instantly sent an order for their release.

One of the Spaniards had his head cut open by a stone, and it was attempted to be alleged that the act had been committed by the English officers, but, as they had not thrown a stone, it was no doubt done by one of his own companions, mistaking him in the dark for an Englishman.

Lieutenant Seagram applied to the Consul's agent at Porto Praia to obtain redress for the insults thus offered to him and his officers. The Juiz de Direito was appealed to, the acting Governor stating that the matter belonged to that officer's jurisdiction. The Juiz however refused to hear the complaint of Lieutenant Seagram or his officers, on the plea of their having no witnesses, and the law not permitting him to receive evidence from interested persons, which he considered Lieutenant Seagram and his officers to be. Every remonstrance was made against this decision, but without any effect.

Her Majesty's Consul represents the daring proceedings of these piratical Spaniards who visit the Cape Verd Islands, and the encouragement they receive from the authorities in these possessions of the Portugese Crown, as matter for the serious consideration of Her Majesty's Government, and as strongly contrasting with the peaceful, quiet, and obliging character of the native inhabitants of those islands.

Under these circumstances Her Majesty's Government feels entitled to claim a complete investigation of the proceedings in question, and to look with confidence to the Government of Her Most Faithful Majesty to visit with due punishment such parties as come within its control and jurisdiction.

I avail, &c.

(Signed)

HOWARD DE WALDEN.

Senhor Rodrigo da Fonseca Magalhaes
&c. &c. &c.

No. 343.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 4, 1841.

(Received November 14.)

MY LORD,

I HAVE the honour to enclose a copy of a Note which, with reference to your Lordship's instructions, I have addressed to the Minister for Foreign Affairs, on the subject of the difficulties encountered by Her Majesty's Consul at the Cape Verd Islands, in following up the prosecution of Theophilus Barker, in consequence of the conduct of the Juiz de Direito of that colony.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

Enclosure in No. 343.

Lord Howard de Walden to M. Magalhaes.

MONSIEUR LE CONSEILLER,

Lisbon, October 27, 1841.

IN March last a prosecution (on the subject of which his Excellency the Minister of Justice was consulted by Her Majesty's Consul at Lisbon) was insti-

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tuted, under orders from *Her Majesty's Government*, by Her Majesty's Consul in the Cape Verd Islands, against Mr. Theophilus Barker (late proconsul in those islands) before the Juiz de Direito.

Witnesses were produced to substantiate the charge brought against Theophilus Barker. Although there were several more waiting to be examined, the Juiz de Direito did not require them: thus the case was considered as proved. The solicitor employed by Her Majesty's Government (Senhor José G. Cordeiro) waited for some time for the decision of the Juiz de Direito: none however being given, he addressed a letter to his Excellency, calling for the immediate arrest of Barker. To this the Juiz replied, merely desiring that the demand should be added to the list of papers!

In this state the Juiz de Direito left the case, and has since proceeded to enjoy himself at the Island of Brava.

Her Majesty's Consul represents that Senhor Cordeiro agrees with him, that the delay given to the cause by the Judge will enable Barker to do one of two things—either to make his escape from the islands, or to arrange his property so that it cannot be touched.

Her Majesty's Consul further states, that the said Juiz de Direito is well known to have been a great friend of this Barker, who wrote to the British Commissioners in June 1838, that the Juiz de Direito had *at that date* commenced prosecutions against the Slave Traders of the Cape Verd Islands, and that the Juiz and Governor-General were inveterate enemies to all slave-dealers; but this report is perfectly false, no prosecutions, even to this date, having been commenced against slave-dealers or their agents, and in respect to the praise bestowed upon the Juiz and the Governor, it is notorious that the slave-dealers never had more sincere friends, for one party granted them the Portuguese flag, and the other shut his eyes to the transaction.

Your Excellency cannot fail to recognise, in the proceedings of the Juiz de Direito, a dereliction of duties, and most outrageous and indecent disregard to the ends of justice, and such as Her Majesty's Government feel perfectly satisfied cannot meet with any countenance from the Government of Her Most Faithful Majesty. I have therefore been instructed to submit the circumstances attending this case to your Excellency, in the firm reliance that such measures as the circumstances call for will be taken at the earliest opportunity by the Government of Her Most Faithful Majesty.

I avail myself, &c.

(Signed) HOWARD DE WALDEN.

Senhor Rodrigo da Fonseca Magalhaes,
&c. &c. &c.

No. 344.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 8, 1841.

(Received November 14.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches marked Slave Trade, to that of the 9th October inclusive.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

No. 345.

Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, November 19, 1841.

I BEG to refer your Lordship to my Despatch of the 9th ultimo, respecting an outrage which in the month of July last was committed upon Lieutenant

Seagram and two other officers belonging to Her Majesty's ship "Termagant," by Spanish Slave-dealers, at the Portuguese town of Porto Praya, in the Cape Verds; and which was followed up by insult on the part of a Portuguese guard, and by culpable neglect on the part of the Portuguese Juiz de Direito at that town.

I have now to transmit to your Lordship a copy of a communication, which since the date of that Despatch I have received from Her Majesty's Consul at the Cape Verds, containing a copy of the representation which Her Majesty's Consul had addressed to the Governor-General of those Islands upon the subject; and I have to desire that your Lordship will in the strongest manner support the demand of Her Majesty's Consul, that satisfactory reparation shall be made to Her Majesty's Government, for the outrage and insult committed upon Her Majesty's officers on the occasion referred to.

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

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 345.

Mr. Rendall to the Earl of Aberdeen.

Porto Praia, August 20, 1841.

(See No. 390.)

No. 346.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 11, 1841.

(Received November 22.)

MY LORD,

I HAVE the honour to enclose the copy of a Note which I have received from Senhor Magalhaes, informing me, with reference to the Note of the 27th ultimo, which I addressed to his Excellency, complaining of the proceedings of the Juiz de Direito of the Cape Verd Islands, in the case of the prosecution of Theophilus Barker, that he has earnestly required of the Minister of Marine the punishment of the said judge, if found to be guilty of the conduct of which Her Majesty's Government has complained.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

Enclosure in No. 346.

Senhor Magalhaes to Lord Howard de Walden.

MY LORD,

Office of Foreign Affairs, November 8, 1841.

I HAVE this moment addressed the Minister of Marine, transmitting to him the copy of your Lordship's Note to me written on the 27th ultimo, by order of your Government, and complaining against the Juiz de Direito (magistrate of Cape Verd Islands), for his having been the cause of the law proceedings commenced by the British Consul against Mr. Theophilus Barker, late Vice-Consul in the said islands, being suspended; and have earnestly solicited that the said magistrate might be punished if he gave motive to the said complaint.

I avail, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

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

No. 347.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, November 13, 1841.*

MY LORD,

(Received November 22.)

WITH reference to my Despatch of the 4th instant, I have the honour to enclose a copy of a Note which I have received from Senhor Magalhaes on the subject of the proceedings ordered by the Portuguese Government to be instituted against parties in the Cape Verd Islands, as connected with the Slave Trade, and which have been hitherto entirely neutralised by the conduct of the Juiz de Direito.

Senhor Magalhaes informs me, that he has required of the Minister of Marine that an investigation of the case should immediately take place.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

Enclosure in No. 347.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

November 8, 1841.

I HAVE this day transmitted to the Minister of Marine copy of the Note addressed to me by your Lordship, by order of your Government, of the 27th ultimo, complaining of the Juiz de Direito's (magistrate) neglect of carrying on the proceedings in the islands of Cape Verd commenced against slave-traders.

This complaint calls for the most efficacious measures on the part of Her Majesty's Government, and I have consequently requested the Minister of Marine to cause every possible investigation to be made, in order to ascertain if the said complaint is well founded; and if it should be so, it is necessary to impose on the said magistrate a punishment proportioned to his crime.

I am, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

Lord Howard de Walden,

&c. &c. &c.

No. 348.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, November 13, 1841.*

MY LORD,

(Received November 22.)

WITH reference to my Despatch of the 4th instant, I have the honour to enclose a copy of a Note which I have received from Senhor Magalhaes, on the subject of the representation made by me under your Lordship's instructions, respecting the outrage committed in the port of Porto Praia, by the men of two slavers, towards the commander and officers of Her Majesty's ship "Termagant," in which His Excellency informs me, that he has required of the Minister of Marine that an immediate and strict investigation should be instituted, and the guilty persons brought to punishment.

I have, &c.

(Signed) HOWARD DE WALDEN.

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

&c. &c. &c.

(Translation.)

Enclosure in No. 348.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office for Foreign Affairs, November 8, 1841.

I HAD the honour of receiving your Lordship's Note of the 27th ultimo, in which, by order of your Government, your Lordship complains against the Juiz de Direito (magistrate) of Villa de Praya at Cape Verds, for refusing to take cognizance of the insult offered to the commander and two officers of Her Britannic Majesty's vessel "Termagant."

I have this day addressed the Minister of Marine, explaining to him all the particulars of the subject, not only with reference to the gravity of the insult suffered by the said officers, but also on the urgent necessity of making the said magistrate answer for the fault of which he is accused, and have requested the said minister to take the most energetic measures in order that the most scrupulous investigation may be immediately made on the subject, for the irremissible punishment of the guilty persons as justice demands.

I avail, &c.

(Signed)

RODRIGO DA FONSECA MAGALHAES.

Lord Howard de Walden,
&c. &c.

No. 349.

*Lord Howard de Walden to the Earl of Aberdeen.**Lisbon, November 13, 1841.**(Received November 22.)*

MY LORD,

I HAVE the honour to enclose a copy of a Note which I have received from Senhor Magalhaes, informing me, with reference to the representation I addressed to his Excellency in my Note of the 17th August, respecting Pascoal Pluma, the Consul for Tuscany at the Havana, that he has required of the Ministers of Finance and Marine, that the most positive orders should be issued to render null, and without effect, all certificates and other consular documents furnished by the said Consul, to Portuguese vessels, as regarding their nationality, which nationality shall be proved only by their navigating with such papers as are required by law, and signed by the competent Portuguese authorities.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

(Translation.)

First Enclosure in No. 349.

M. Magalhaes to Lord Howard de Walden.

MY LORD,

Office for Foreign Affairs, November 12, 1841.

I HAVE the honour to transmit to your Lordship, for the information of your Government, the enclosed copy of the official Letter which I have written under this day's date to the Minister of Finance and to the Minister of Marine, in order that they may direct the most positive orders to be expedited from their respective departments, for the certificates and other consular Despatches passed by Pascoal Pluma, Tuscan Consul at Havana, to any Portuguese vessel, to be without any effect or validity to the purpose of showing the Portuguese

nationality of the said vessel, which nationality is only to be proved by their navigating with such ship papers as are exacted by the law, and signed by the competent Portuguese authorities.

In this manner an answer is also returned to the Note which your Lordship addressed to me on the 17th August last, respecting the said Pascoal Pluma, and also to the incessant efforts made by Her Majesty's Government, in order to prevent the notorious abuse practised by the said Tuscan Consul, the moment they came to the knowledge of it fully proved.

I avail, &c.

(Signed)

RODRIGO DA FONSECA MAGALHAES.

Lord Howard de Walden,

&c. &c. &c.

(Translation.)

Second Enclosure in No. 349.

M. Magalhaes to M. d'Avila.

Office of Foreign Affairs, November 12, 1841.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

HER Majesty's Government having been apprized that Pascoal Pluma, the Tuscan Consul at Havana, continued to exercise the functions of Portuguese Consul, notwithstanding the communication made to him by Her Majesty's Chargé d'Affaires in the United States on the 14th September, 1839, respecting Her Majesty's determination to abolish that Consulate, demanding the delivery of the archives and respective seals; it has been determined by this ministry on the 5th February, 1840, through Her Majesty's Minister at Madrid, to solicit from Her Catholic Majesty's Government the forwarding of the necessary orders for the said Pluma not to be longer recognized at Havana as Portuguese Consular Agent, to which the Spanish Government replied on the 11th March following, stating that they had already forwarded the said order to the Captain-General of the Island of Cuba.

But as it afterwards appeared that several vessels had gone into Mozambique with false passports signed by the said Pluma, the Minister of Her Majesty at Madrid has been instructed, on the 27th of February, to solicit from the Spanish Government the most energetic orders to be sent to the authorities at Havana for summoning the said Pluma, in order that he might no longer exercise the functions of Portuguese Consul, and for having the resolution of Her Majesty's Government published in the Havana journals.

Official communications were made through this department on the 11th March of the present year, to the Consul-General of Tuscany in this capital, in order that his Government might compel its aforesaid Consul at Havana to give up the title of Portuguese Consul.

After this period, Her Majesty's Minister at Madrid was informed by the Government of Her Catholic Majesty, of the said request having been complied with at Havana, as much in regard to the solicited intimation as in regard to its publication.

But as from an official Letter from the said Pascoal Pluma, communicated by the said Government, it appears that the said Consul had obeyed, it is true, from the 23rd of April, 1840, forward the order of suppression of the Portuguese Consulate, claimed by Her Majesty's Government, but he, notwithstanding the said intimation, continued to sign ship papers, under the pretext that he was not doing so in the quality of Portuguese, but of Tuscan Consul in default of the former; and as it is indispensable to prevent in every way the criminal abuse practised by the said Pascoal Pluma in his Consular Despatches, in order to make some vessels pass as Portuguese, which never were such, for their being employed in the slave traffic, on which account they have been captured and condemned, I have the honour to request your Excellency will cause the most positive orders to be issued through your department in order that the certificates and other Consular Despatches signed by the said Pascoal Pluma, and granted to any Portuguese vessel, may be of no effect or validity in

howing the Portuguese nationality of the said vessels, which can only be proved by their navigating with ship papers exacted by the law, and signed by the competent Portuguese authorities.

May God, &c.

(Signed) RODRIGO DA FONSECA MAGALHAES.

His Excellency Senhor Antonio J. d'Avila,
&c. &c. &c.

No. 350.

The Earl of Aberdeen to Baron Moncorvo.

SIR,

Foreign Office, November 23, 1841.

WITH reference to the request contained in your Note of the 8th May, 1840, to be furnished with the originals or certified copies of Portuguese papers found on board captured slave vessels, I have the honour to transmit to you herewith the original papers found on board of 15 slave vessels, which have been condemned in the British Vice-Admiralty Court at St. Helena, in pursuance of the provisions of the Act 2 & 3 Victoria, cap. 73.

I have, &c.

(Signed) ABERDEEN.

The Baron da Torre de Moncorvo,
&c. &c. &c.

The papers enclosed in the preceding were those found on board the—
"Andorinha," "Dictador," "Coringa," "Maria Rita," "Luiza," "Marciana,"
"Euro," "Margarida," "Boa Nova," "Triunfo," "Astrea," "Gabriel,"
"Gabriel" (No. 13), "Corisco," and one vessel name unknown.

No. 351.

The Earl of Aberdeen to Lord Howard de Walden.

MY LORD,

Foreign Office, November 27, 1841.

I HAVE received assurances from Baron de Moncorvo, that the Portuguese Government is sincerely desirous to bring to a satisfactory conclusion the negotiation, which has so long been pending between this country and Portugal, for a Treaty, containing provisions calculated to effect the entire suppression of Portuguese Slave Trade, by concert between the two powers.

Her Majesty's Government are aware that a painful impression was produced in Portugal by the Act of the Imperial Parliament of the 2nd and 3rd Victoria, cap. 73, passed for compassing, by means of British cruisers, the suppression of that portion of the African Slave Trade which was carried on by the subjects or under the flag of Portugal; and Her Majesty's Government will be glad to embrace an opportunity for removing any ground of disagreement between the people of this country and of Portugal. They have, therefore, great satisfaction in meeting this overture, for they hope that the Portuguese Government, by concluding the long promised Treaty, will give to them a sufficient reason for recommending to Parliament the revocation of that law.

I consequently send to you herewith a draft of Treaty, substantially the same which has already been proposed to Portugal in 1838, 1839, and 1840; including every amendment which had been made in the previous drafts, with a view to meet the fair objections of the Portuguese Government, and retaining those stipulations only which seemed requisite for its declared object.

Her Majesty's Government are disinclined to urge anything upon the Portuguese Government in the shape of an additional stipulation, for they desire nothing but what is essential for attaining the object avowedly sought by both parties to the Treaty.

The latter part of Annex C may perhaps be shortened without injury to its object; provided, as Her Majesty's Government trust, the Portuguese Government are sincere in their intention to carry that object into effect; but if the Portuguese Government shall object to Annex C as drawn up in the draft

of Treaty with Portugal, your Lordship is at liberty to substitute for it the conditions of Annex C to the Treaty concluded on the 28th of June, 1835, between Great Britain and Spain. I herewith furnish you with a copy of that annex, to be used if occasion shall demand it.

Your Lordship may also omit those words in Article 5, section 3, which stipulated that the household slaves removing with a Portuguese settler, are to be clothed like Europeans in similar circumstances.

I must caution your Lordship against expressing to the Portuguese Government a hope that Her Majesty's Government can consent to omit or alter any of the other stipulations of the draft of Treaty now sent to you; and I hope, therefore, that they will not think of insisting on modifications, the negotiation for which must end in disappointment.

You will acquaint the Portuguese Minister that so soon as this Treaty shall have been concluded, and the ratifications of it are exchanged, and the Penal Law mentioned in the 15th article of it has become a law of Portugal, Her Majesty's Government will deem it a duty to Portugal to take the earliest opportunity to recommend to Parliament to rescind the Act of the 2nd and 3rd Victoria, cap. 73.

I am, &c.

(Signed)

ABERDEEN.

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

First Enclosure in No. 351.

Printed Draft of Treaty, August 1, 1840.

Second Enclosure in No. 351.

A copy of Annex C to the Treaty with Spain, of June 28, 1835.

No. 352.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, November 29, 1841.

(Received December 5.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches marked "Slave Trade," to that of the 19th instant inclusive.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 353.

Lord Howard de Walden to the Earl of Aberdeen.

Lisbon, December 7, 1841.

(Received December 14.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches marked "Slave Trade," to that of the 27th ultimo inclusive.

I have, &c.

(Signed)

HOWARD DE WALDEN.

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

No. 354.

*The Earl of Aberdeen to Lord Howard de Walden.**Foreign Office, December 27, 1841.**Circular for all Laws on Slave Trade.*

(See No. 118.)

No. 355.

*The Earl of Aberdeen to Baron de Moncorvo.**Foreign Office, December 31, 1841.*

THE Undersigned, &c., has the honour to refer the Baron de Moncorvo, &c., to the Note from Viscount Palmerston of the 21st of October, 1840, stating that the commanding officers of Her Majesty's ships "Brisk" and "Modeste" would be called upon for an explanation of their conduct towards the Portuguese vessels "*Raimundo Primero*" and "*Anna Felix*," of which complaint was made in Baron Moncorvo's Note of the 12th of September preceding.

The explanations having been received, the Undersigned has the honour to state the result of them to Baron Moncorvo.

First, as to the case of the "*Raimundo Primero*:"

It appears that on the 21st of February, 1840, Lieutenant Sprigg, commanding the "Brisk," sent his ship's cutter, under the command of a midshipman, Mr. Bowles, to St. Philips Bonnet (close to Benguela) with written orders to detain all suspicious vessels.

On the 25th the "*Raimundo Primero*" hove in sight of the "Brisk," bearing the cutter's small union jack over the Portuguese ensign hoisted to the fore-top gallant mast-head as a signal. Lieutenant Sprigg, after closing with her (at 11 A.M.), immediately ordered that the flags should be hauled down, and the Portuguese flag be restored to its right place.

The commander of the cutter reported to Lieutenant Sprigg, that on the 22nd he perceived two sails in the offing, and chased them.

On coming up with one of them, he found on board 36 domestic slaves, but, on hearing that her consort had also slaves on board, he proceeded to board the second vessel, which proved to be the "*Raimundo Primero*," Manoel Boyes master, having on board a numerous crew, 29 Portuguese soldiers commanded by Lieutenant Garcia, five passengers, many free blacks, and 19 slaves.

She had, moreover, a regular slave copper in use, open hatches, and a large cask completely filled with slave-irons.

It appears that nothing but the determined and vigilant conduct of the prize officer enabled him to keep possession of the vessel and her numerous crew during the four days which had elapsed before Her Majesty's ship "Brisk" found her.

Once she struck the ground in a fog, and immediately the men on board became riotous, and attempted to take the boat and make their escape.

Mr. Bowles then finding that his commands were unheeded, and each moment rendered the fate of the vessel, and the lives of those on board, more precarious, picked out the individual most conspicuous by his gestures, and by throwing things into the boat (which was already cut away), and, after warning him to retire, and the man's refusing to attend to that warning, fired at him; the shot, however, did not take effect, but passed through the shirt collar over the man's shoulder, without raising even the skin.

The effect produced proves that this act was judicious, for silence and authority were restored; those on board co-operated with Mr. Bowles and his crew, and the vessel was ultimately got off.

Lieutenant Sprigg states, that, on hearing Mr. Bowles's statement he approved his conduct, but at the same time represented to him the impropriety of placing the Portuguese flag below the cutter's union jack, and Mr. Bowles admitted that it was an inconsiderate act, but attributed it to his anxiety that he should at once be recognized by Her Majesty's ship "Brisk," and relieved from his

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difficult position ; he and his men having passed the four days during which they kept possession of the "*Raimundo Primero*" almost without sleep or refreshment of any kind.

Both vessels being now hove to, Lieutenant Garcia came on board the "*Brisk*," and endeavoured to induce the captor to allow the "*Raimundo Primero*" to prosecute her voyage.

He represented that all of the money employed in this adventure was his private fortune solely, and that his Government had furnished the military guard then on board. Lieutenant Sprigg, however, knowing that the "*Raimundo Primero*" had always been a slaver, and having found her with slave coppers, wood in plank, slave irons in immense quantities, and open hatches, stated to Lieutenant Garcia that he could not yield to his request with regard to the vessel, but he added that he would make a distinction in his favour, as an officer in Her Most Faithful Majesty's service, by allowing him, the soldiers, and the other passengers, to land with their property.

Lieutenant Sprigg further offered his cabin for Lieutenant Garcia and his lady, and they and the other passengers partook of wine and other refreshments prepared for them.

The soldiers and a part of the Portuguese crew, and all their clothes and their luggage, the latter having been first searched, were put into a boat and sent ashore.

The baggage, &c., of Lieutenant Garcia, and of the passengers, having been conveyed from the "*Raimundo Primero*" to the "*Brisk*," was then also searched, and in a chest belonging to one of the passengers there was a large quantity of specie in a bag, and this Lieutenant Garcia claimed as his property, saying it consisted of dollars, and it was his all.

Lieutenant Sprigg immediately gave him the bag, and he locked it up in a trunk.

The different articles of baggage of Lieutenant Garcia, &c., were now put into a boat, and Lieutenant Garcia having assured the captor that nothing belonging to him had been sent away in the brigantine, except casks of spirits, and other articles of commerce too unwieldy for a boat, embarked in the ship's launch with all the passengers and six Portuguese seamen.

As the boat, however, was on the point of leaving the "*Brisk*," one of the passengers loudly exclaimed that he was robbed of a bag of gold.

Lieutenant Sprigg immediately mustered his crew, searched them and the ship with the lights from the top to the hold, when the small trunk, in which Lieutenant Garcia had deposited the bag of specie already mentioned was discovered forward, broken open, unknown to the sentry, who had had the baggage in charge on the quarter-deck, from the time of its leaving the "*Raimundo Primero*" until it was put into the launch. Beyond this the search proved unavailing, upon which the captor directed that all the persons in the launch should come on board the "*Brisk*" again, when one of the passengers confessed that he had the bag, and produced it. The bag proved to be the same that had been given upto Lieutenant Garcia, but, instead of dollars, it contained doubloons. It further appeared that the greater part of the money belonged to the passenger who now produced it, and that the remainder was the property of the passenger, who missed it from his trunk, and who had naturally exclaimed that he was robbed. It also appeared that the trunk had been taken forward in the dark by the person who claimed the larger portion, and had been broken open by him, with a view to secure his property.

In spite of the proof thus afforded that Lieutenant Garcia had deceived the captor, and that the money which he had been allowed to retain was not in reality his property, but ought to have been forwarded with the vessel, to abide the sentence pronounced upon her, Lieutenant Sprigg, having respect to the circumstance that Lieutenant Garcia was in the service of Her Most Faithful Majesty, restored to him the treasure, which, it has been stated, amounted to 4000 dollars, and the launch giving three cheers to assure those on board the "*Brisk*" that they were thankful, pulled for the shore, which they could easily reach in an hour; besides which, on the way, they passed within hail of Her Most Faithful Majesty's corvette "*Isabel*."

Secondly, the Undersigned has to observe to the Baron de Moncorvo, with regard to the capture of the "*Anna Felix*," that the complaint made by the

Baron de Moncorvo seems to rest entirely on the supposition that the "*Anna Felix*" was legally employed.

But the Undersigned has to observe to Baron Moncorvo, that, from the statement now sent in to Her Majesty's Government, it appears that at the time of the detention of the "*Anna Felix*" there were 56 slaves on board of her; and proof having been adduced to show that she was employed in carrying slaves, to be put on board the slave vessels in Quillimane Roads, she was sent for adjudication of the Cape of Good Hope.

It is therefore clear to Her Majesty's Government that the "*Anna Felix*" was engaged in Slave Trade, and Her Majesty's Government have, therefore, no apology to make to the Portuguese Government on account of her capture and condemnation, but, on the contrary, fully maintain the propriety and legality of those acts.

But Baron Moncorvo has further complained that Commander Eyres permitted his men to remove from the "*Anna Felix*," and to keep possession of, a quantity of merchandise.

The Undersigned begs to state that it does indeed appear that a considerable quantity of the merchandise on board the "*Anna Felix*" was stolen or destroyed. But these articles were stolen or destroyed, not by the crew of Her Majesty's ship "*Modeste*," but by the crew and passengers of the "*Anna Felix*" herself, who, on permission being granted them by Commander Eyres to proceed on board that vessel for their clothes, took advantage of it thus to abuse the confidence reposed in them.

Baron Moncorvo further complains that the Portuguese passengers and crew were landed at the Port of Bombats, where they were entirely abandoned to their miserable fate, deprived of all necessaries; and, moreover, that before landing a part of the effects which remained to them was taken from them by the crew of the corvette, who seized it by main force.

But the articles which Baron Moncorvo states were taken away from those persons when they were sent on shore were part of those very goods which they had stolen; and Commander Eyres would have acted wrongly if he had not taken those goods away from them.

And, with regard to the landing of the crew and passengers at Bombats, the Undersigned has to state that no complaint was at the time made either by the Portuguese or Spaniards on that account. But, on the contrary, Captain Freiri, on having an offer made to him to remain on board the "*Modeste*" with a chance of being landed in one of the Portuguese possessions, preferred being landed at Bombats; and he expressed his thanks to Commander Eyres for the kind treatment he had received at his hands.

From the preceding facts it will appear that the circumstances under which a British ensign was hoisted above the Portuguese flag on board the "*Raimundo Primero*" very much extenuated the blame of that act, the impropriety, however, of which is not contested; and that so soon as the knowledge of it reached the commanding officer of the "*Brisk*," he restored the Portuguese flag to its proper place, and severely reprimanded the officer, who, however, inadvertently, and as a signal only, committed that impropriety.

The Portuguese Government will also perceive that in every other particular regarding the detention of the "*Raimundo Primero*" and the "*Anna Felix*," the commanders of the "*Brisk*" and of the "*Modeste*" did their duty with every possible consideration for the official subjects of Her Most Faithful Majesty.

And on the whole Her Majesty's Government feels confident that the statement given in explanation of these matters will be satisfactory to the Portuguese Government.

The Undersigned, &c.

(Signed) ABERDEEN.

The Baron da Torre de Moncorvo,
&c. &c. &c.

PORTUGAL. (*Consular*)—*Lisbon.*

No. 356.

Viscount Palmerston to Mr. Smith.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 32.)

No. 357.

Viscount Palmerston to Mr. Smith.

Foreign Office, April 22, 1841.

Circular sending Treaty with the Republic of Hayti.

(See No. 36.)

No. 358.

Mr. Smith to Viscount Palmerston.

British Consulate, Lisbon, April 26, 1841.

(*Received May 3.*)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 15th instant, and of its Enclosure, being 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) W. SMITH.

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

No. 359.

Viscount Palmerston to Mr. Smith.

Foreign Office, May 8, 1841.

Circular against holding or being interested in Slave Property.

(See No. 196.)

No. 360.

Mr. Smith to Viscount Palmerston.

British Consulate, Lisbon, May 3, 1841.

(*Received May 12.*)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's

Despatch of the 22nd ultimo, enclosing a copy 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 on the 22nd of March, 1833.

I have, &c.

(Signed) W. SMITH.

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

No. 361.

Mr. Smith to Viscount Palmerston.

British Consulate, Lisbon, May 24, 1841.

(*Received June 1.*)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 8th instant, enclosing 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.

In obedience to your Lordship's commands, I have given to Mr. Meagher the copy of the Memorial enclosed, with suitable instructions.

I have, &c.

(Signed) W. SMITH.

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

No. 362.

The Earl of Aberdeen to Mr. Smith.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 113.)

PORTUGAL. (*Consular*)—*Madeira.*

No. 363.

Viscount Palmerston to Mr. Stoddart.

Foreign Office, May 8, 1841.

Circular against holding or being interested in Slave Property.

(See No. 196.)

No. 364.

Mr. Stoddart to Viscount Palmerston.

Her Majesty's Consulate, Madeira, July 2, 1841.

(*Received September 4.*)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 8th of May last, putting me in possession of a copy of a Memorial from the General Anti-Slavery Convention; and to state in reply that I neither hold nor am interested, either directly or indirectly, in slave property.

I have also much satisfaction in expressing my conviction, that none of Her Majesty's subjects residing in this island are engaged in the Slave Trade, or have capital employed in any way in that odious traffic.

I have, &c.

(Signed)

GEORGE STODDART,

Her Majesty's Consul.

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

&c.

&c.

&c.

PORTUGAL. (*Consular*)—*St. Michael's*.

No. 365.

Viscount Palmerston to Mr. Hunt.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 32.)

No. 366.

Viscount Palmerston to Mr. Hunt.

Foreign Office, April 22, 1841.

Circular sending Convention with the Republic of Hayti.

(See No. 36.)

No. 367.

Viscount Palmerston to Mr. Hunt.

Foreign Office, May 8, 1841.

Circular against holding or being interested in Slave Property.

(See No. 196.)

No. 368.

Mr. Hunt to Viscount Palmerston.

British Consulate, St. Michael's, June 30, 1841.

(Received July 26.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches of the 15th and 22nd of April, enclosing copies of Treaties concluded by Her Majesty with the republic of Hayti and the Argentine Confederation, for the abolition of the Slave Trade.

I have, &c.

(Signed)

THOMAS CAREW HUNT.

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

&c.

&c.

&c.

No. 369.

*Mr. Hunt to Viscount Palmerston.**British Consulate, St. Michael's, July 6, 1841.**(Received July 26.)*

MY LORD,

I HAVE the honour to transmit to your Lordship the enclosed extract from a Report, transmitted to me by the British Vice-Consul at Fayal, of a suspicious vessel which had touched there for refreshments; and I take the liberty to submit, that if information could be given to the commanders of any of Her Majesty's ships of war about to sail from England to the Coast of Africa it might lead to her early capture and condemnation.

I am the more desirous to lay this communication before your Lordship, as a Portuguese vessel, just arrived here, has been chased by a piratical schooner whose description resembles that of the "*Rozita*;" a circumstance which would tend to prove her character, and to show that she has not taken the most direct line for her declared destination.

It may be proper to add that I have made this communication to Her Majesty's Minister at Lisbon, and Consul at Madeira, in order that it may be forwarded to the commanders of Her Majesty's ships arriving at either of those places.

I have, &c.

(Signed) THOMAS CAREW HUNT.

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

&c.

&c.

&c.

Enclosure in No. 369.

*Extract of a Letter from the British Vice-Consul at Fayal to Her Majesty's Consul at St. Michael's.**Fayal, June 28, 1841.*

"THE Spanish schooner '*Rozita*,' Don Manuel de' Armas Cabrera master, of 82 tons burthen, and with a crew of 43 men (entered by the master as 14 men and 29 passengers), touched here yesterday for refreshments. She had every appearance of a vessel engaged in the Slave Trade or other illegal pursuits; but she did not approach near enough to enable me to comply entirely with the instructions of your Despatch No. 4 of last year.

"The following is the only description of the vessel which I had it in my power to take:—her masts raked aft, bowsprit unusually heavy with very little steave, hull black and low in the water, foreyard of great spread, and a long main boom.

"She arrived from Cuba, and is bound to the Cape Verds."

(Signed)

J. S. MINCHIN.

No. 370.

*Mr. Hunt to Viscount Palmerston.**St. Michael's, British Consulate,**July 10, 1841.**(Received August 31.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 8th of May, enclosing the copy of a Memorial presented by the General Anti-Slavery Convention to your Lordship, with respect to the holding

of slave property by officers in appointments under the British Crown: and I have to state in reply, that there is no British functionary within the district of this Consulate who is, directly or indirectly, interested in slave property.

I have, &c.

Signed) THOMAS CAREW HUNT.

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

No. 371.

The Earl of Aberdeen to Mr. Hunt.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 113.)

PORTUGAL. (*Consular*)—*Oporto.*

No. 372.

Viscount Palmerston to Mr. Johnston.

Foreign Office, May 8, 1841.

Circular against holding or being interested in Slave Property.

(See No. 36.)

PORTUGAL. (*Consular*)—*Cape Verds.*

No. 373.

Mr. Rendall to Viscount Palmerston.

British Consulate, Boa Vista, Cape Verds, June 30, 1840.

MY LORD,

(*Received February 8, 1841.*)

I HAVE the honour to transmit herewith for your Lordship's information Copy of a Letter which I addressed the Governor-General of this Province, by desire of Her Majesty's Commissioners at Sierra Leone.

I do not transmit copies of the Enclosures, as I conclude they have been sent to your Lordship in the correspondence from Sierra Leone.

I have, &c.

(Signed)

JOHN RENDALL,
Her Britannic Majesty's Consul.

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

&c.

&c.

&c.

Enclosure in No. 373.

Mr. Rendall to the Governor-General of the Cape Verds.

British Consulate, Boa Vista, Cape Verds,

June 21, 1840.

SIR,

IN obedience to instructions received from Her Majesty's Commissioners at Sierra Leone, I have the honour to enclose herewith the following documents—

Marked No. 1, Copy of a paper purporting to be a list of Portuguese vessels which have obtained passports at the Cape Verd Islands between the months of December, 1835, and June, 1838. The original of this list (which is in the hands of Her Majesty's Commissioners) is dated on the 26th of June, 1839, and bears the signature of the Secretary of the Government at Villa de Praya, Joao Jeronimo Bontempo, and is countersigned by the Governor-General, Marinho. In the column for remarks Her Majesty's Commissioners have inserted the dates of the condemnation of each vessel respectively as it took place.

Marked No. 2, Copy of a Letter addressed to Mr. Barker, lately British Pro-Consul, requesting that he may be confidentially informed whether any, and which, of the vessels comprised in the before-mentioned Enclosure have been captured for being concerned in the Slave Trade; and that he or his successors may be provided with such legal documents connected with their detention and condemnation, as will ensure the punishment of the offenders according to law.

In compliance with this request Her Majesty's Commissioners further direct me to transmit a packet, marked No. 3 à 17, containing the original passports of all the vessels referred to in paper No. 1 which have been captured with slaves on board, and condemned in the British and Portuguese Court of Mixed Commission; also the certificate of the condemnation of each of these vessels respectively, under the signature of the Registrar and the seal of the Court.

Her Majesty's Commissioners have thought it best to confine themselves in the first instance to these cases as named in the margin,* as they are selected and brought forward at the particular request of Governor-General Marinho himself, in which guilt was proved beyond question by the presence of a full

* Prova, Victoria, Negrinha, Primoroza, Esperanza, Traja Milhas, Feliz (1), Diligente, Isabelita, Princesa Africana, Madalena, Ingemane, Rosalia Habanera, Feliz (2), Feliz (3).

cargo of slaves, and which were condemned as Portuguese vessels, under their professed national character, for an undeniable violation of the Slave Trade Treaties between Great Britain and Portugal.

The papers here alluded to are therefore transmitted to your Excellency at the particular request of the late Governor-General for these islands, Colonel Marinho, and in a firm belief that your Excellency will deal with them as the cases of slave-dealing deserve; and I beg to acquaint your Excellency that in the event of your deeming it advisable to prosecute any of the parties concerned to conviction, Her Majesty's Commissioners at Sierra Leone will, upon my Report, furnish all the *original* passports and certificates of condemnation, in all the other cases referred to in the following Enclosure marked No. 34, and in such other cases as may hereafter come before them.

I further take leave to enclose to your Excellency a paper, marked No. 34, which was sent me by Her Majesty's Commissioners for my information, containing a list of all the vessels which have been condemned at Sierra Leone for being engaged in the illicit traffic in slaves, having passports from the Cape Verd Islands, and to draw your Excellency's particular attention thereto, in comparing it with the return enclosed, No. 1, of Governor-General Marinho, which, though prepared in the office of the Secretary of Government at Villa de Praya, purporting to be a correct official document of vessels which have received passports at these islands, does not contain the names of more than 20 out of the 37 vessels shown to have been actually condemned.

The result of the information I have received convinces me that the number of passports granted by the Government of these islands far exceeds the statement made by Governor-General Marinho, and, considering the class of vessels to whom they were granted, leaves little or no doubt in my mind, that the authorities implicated in signing the documents in question could not be ignorant of the illicit purposes in which they were to be employed.

I have, &c.,

(Signed)

JOHN RENDALL,

Her Britannic Majesty's Consul.

His Excellency the Governor-General,

&c.

&c.

&c.

No. 374.

Mr. Rendall to Viscount Palmerston.

British Consulate, Boa Vista, Cape Verds, September 11, 1840.

(Received February 8, 1841.)

MY LORD,

I HAVE the honour to transmit herewith, for your Lordship's information, Copy of a Letter which I this day addressed to Her Majesty's Commissioners at Sierra Leone.

I have, &c.

(Signed)

JOHN RENDALL,

Her Britannic Majesty's Consul.

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

&c.

&c.

&c.

Enclosure in No. 374.

Mr. Rendall to Her Majesty's Commissioners at Sierra Leone.

*British Consulate, Boa Vista, Cape Verd,
September 11, 1840.*

GENTLEMEN,

THE schooner "*Firme*," belonging to Caetano Nosella, arrived at St. Nicolas, one of the Cape Verd islands, on the 3rd instant, direct from the Havana, where it is reported she safely landed a cargo of slaves, that had been taken on board from one of the slave dépôts, in the Bissao, upon the African coast. I understand that this voyage makes the third of a similar kind which this vessel has made to Cuba, with a full cargo of slaves, within a very short period of time. The captain is a native of these islands; and I learn, upon his late visit to St. Nicolas, he landed several boxes of dollars, being, no doubt, his share of the previous voyage.

I am told that a schooner, from Bissao to Cuba, sailed in company with the before-named vessel, having a freight of slaves, belonging to Caetano; and that, when off the coast of Cuba, she was chased by an English man-of-war, which obliged her to run on shore, and she became a wreck; but the captain was enabled to land the slaves, and got clear with them into the country.

A brig called the "*Victoriosa*," also belonging to the before-named Caetano, is now loading here with a cargo of salt, to be delivered to a respectable mercantile house in the Gambia. This vessel sails under the Portuguese flag; but I understand she is American built, and was purchased by the present proprietor in the Bissao, when sailing under the American flag.

A Spanish brig from the Havana, belonging to Pedro Martinez, bound to the African coast, put into Porto Praia a few days since, with the loss of rudder. I am happy to say that the authorities of the place have made a seizure of the vessel, in consequence of irons and other requisites to carry a slave cargo being found on board.

A brig under Spanish colours, which had been purchased at Sierra Leone, and having a passport from the governor of that colony to proceed to Cadiz, also put into Porto Praia, as it is stated, in distress. I am told that the parties concerned in her are notorious slave-dealers, and connected with these islands. From the best information I can glean, I am led to understand that, if sufficient funds can be raised, the vessel in question will proceed to the coast for a cargo of slaves, instead of taking the roundabout way of going to Cadiz.

A Spanish brig from the Havana, also said to be in distress, is now at the island of Brava, where the Governor-General is at present residing. I have been told that an inspection was made on board; but nothing was found to justify the authorities taking possession of her.

Since the date of my last advice, I have heard of no less than nine vessels under the Spanish flag, cruising on and off, off the islands of St. Nicolas and St. Antonio, no doubt with the view of procuring refreshments and water. Some of them went into the harbour of St. Vincent; and I have every reason to conclude that the wants of the whole were amply supplied.

I was informed by a gentleman who watched the motions of one of these vessels that was in sight of his dwelling for several successive days, that upon a strange sail appearing she made towards them; and on two occasions observed her boats to board the stranger. His impression is that she was a pirate; and from information which I have received, from captains of vessels entering this port lately, of being chased by suspicious-looking vessels when to the north of these islands, I have little doubt but that, during the interval the slave vessels are obliged to keep aloof from the coast of Africa to await their cargoes, they then turn their attention to piracy.

I have made it my duty to endeavour to learn the destination upon the coast of Africa of the suspicious vessels appearing at these islands; and the result is, that those coming to the northernmost islands are destined for the coast in the neighbourhood of the Senegal and Goree, with an exception sometimes for the Rio Pongos; while those calling at Porto Praia, Meyo, Fogo, and Brava, are almost invariably destined for the Bissao and Gallinas, the slave-traders at the latter places having agents at Porto Praia and Fogo. I am told it is the intention of some of the owners of the small craft connected with these islands to make, during the ensuing fine season, trips to Bissao and Cacheo, in order to bring over what they call passengers, limiting the number to 10; in fact, to do as the Portuguese men-of-war set them an example, which circumstance was some time since reported to you. In reference to this subject, I must again impress upon you the knowledge that, in the Portuguese possessions of Bissao and Cacheo, there are no old slaves remaining, and, consequently, any that may be brought over here, under the name of passengers, will be of very recent purchase.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

Her Majesty's Commissioners, Sierra Leone,
&c. &c. &c.

No. 375.

*Mr. Rendall to Viscount Palmerston.**British Consulate, Boa Vista, Cape Verds, September 29, 1840.*

MY LORD,

(Received February 8, 1841.)

I HAVE the honour to enclose herewith Copy of a Communication, with an Enclosure, which I this day made to Her Majesty's Commissioners at Sierra Leone.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

First Enclosure in No. 375.

*Mr. Rendall to Her Majesty's Commissioners, Sierra Leone.**British Consulate, Boa Vista, Cape Verds,*
September 29, 1840.

GENTLEMEN,

I UNDERSTAND that Lieutenant Ferreira, the author of the enclosed Communication (a copy only of which is sent), was most cruelly persecuted by the Portuguese authorities, in consequence of some interference of his, at Cacheo, in 1838, in attempting to impede the horrid traffic in slavery at that place.

Lieutenant Ferreira (who at present is in the command of the troops at this island) complains that he is not able to obtain justice for the wrongs inflicted upon him, and therefore wishes to make known his case as widely as possible; particularly that the British Government may estimate the value of the promises made by the Portuguese authorities for the abolition of slavery, in the persecution of one of their servants, engaged in carrying their laws in that matter into effect.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

Her Majesty's Commissioners, Sierra Leone,
&c. &c. &c.

Second Enclosure in No. 375.

Lieutenant Ferreira to Mr. Rendall.

ILLUSTRISSE MONSIEUR CONSUL,

Bone Viste, 31 Juillet, 1840.

JOSE ANTONIO FERREIRA, Chevalier de Tour de la Epée, Lieutenant de Cap-Verts, naturel de Portugál, à etée emprisonné dans Cacheu ou il ete commandant militaire dans le jour 22 de Setembre, 1838, pour s'opposer au trafic des esclaves, par des homes qui vendent des homes; depuis ce temps, il á supporté tourments epouvantables, á etée volé, insulte, placé en immondes prisons, tres rigoureux, comme un assassin, et larron: songant seulement de le assassiner avec famine, fievre, et nudite, denient jusques l'etre gueri dans l'hopital, pour le horreur que isont a quiconque s'opposent au commerce de la esclavage, et sur le point de se venger de cette manier, lachement de les sujets de Sá Majesté Britanique, a qui il á malheureusement dirigé quelque documens de son histoire.

Dans le jour 22 de Fevrier 1839, remué de prison en prison j'ai été intime afin de repondre dans conseil de guerre dans la Bone Viste, devant Monsieur Marinho par de crimes qui faussement lui á impoté Onorio Pereira Barreto, Gouverneur de Guiné, et negociant d'esclaves, sans avoir repondu au de recherche, conformément la loi; et eaient préparé sa defense je la donai a Monsieur le Gouverneur actuel, me jamais il á repondu dans le meme Conseil, pour s'en avoir perdu son proces vervál, a etée ordené faire servise sans plus

satisfaction, comme se voie dans ce document do gouvernement, en experent que de Guinea on presente nouveau proces.

L'faut d'acomplissement de loi qui on pratique avec lui, casuel tout-a-fait nouveau dans le monde, oblige agir l'exposant ; en reclament le droit des gens, dans un pai ou les lois son des lettres sans effet.

Il prie daigner acorder publicite de ses plaintes.

Receve, Monsieur John Rendall, Consul-General Inglois, pour les iles de Cap-Vert, les protests de veneration que vous consacre un malheureux official Portugué.

JOSE ANTONIO FERREIRA,
Lieutenant.

(Copia.)

SEINHEURS pár me opposer au trafic de grande quantité d'esclaves, et a la vente de gens qui ne eté pas esclaves, dans Guinea, ou moi ete commandant militaire je sois prisonier des le 22 Setembre, 1838, sans plus proces. Depuis ce temps lá, j'ai etée vole, et tourmente, et nous vimes de pres tous les horreurs de la mort ; une secrete langueur s'empare de moi avec de profonds soupirs, je verse de larmes ameres, la mort me serait plus douce que la faiblesse honteuse ou je me vois lance pár mes persecuteurs afin d' ils se vinger de toutesceux qui s'opposent ao trafic des esclaves, que se fai toute a l'ore dans ce province : je mouveré oui me je expere trouver dumoins publicite de mes plaints dans les subdits de Sá Mageste Britanique si securables a tous les infortuné qui cherchent son abri dessous son drapeau.

Receve les protests de grande respect avec le quel je vous adresse mes tristes lettres. Cap-Vert ville de Praia, 20 de Mai, 1840. Illustrissime Monsieur le Commandant do Navire de Guerra Anglois, sirte dans ce port. José Antonio Ferreira, Tenente. Escripte conformement,

FERREIRA.

No. 376.

Mr. Rendall to Viscount Palmerston.

British Consulate, Bon Vista, Cape Verds, December 9, 1840.

MY LORD,

(Received February 8, 1841.)

IN reference to my Letter, addressed to your Lordship, of the 30th of June last, enclosing copy of a communication made to his Excellency the Governor-General of this province, I have now the honour to enclose copy of one (without date) which I have just received from that officer in reply.

I have, &c.
(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

&c. &c. &c.

(Translation.)

Enclosure in No. 376.

Senhor Mello to Mr. Rendall.

Government General of the Province of Cape Verds.

MOST ILLUSTRIOUS SIR,

I HAVE the honour to acknowledge the receipt of the Letter which you addressed to me, under date of the 21st of June last, enclosing 18 documents, to show that there is a remarkable difference in point of diminution in the number of ships which, according to the list made out by the ex-secretary Bomtempo, and signed by my predecessor, here obtained passports from December 1835, till July 1838 ; and the vessels condemned as engaged in the Slave Trade, according to the statement presented by the Mixed Commission of Sierra Leone. Upon examining this subject as carefully as possible, I have come to the conclusion that the acts in question, being referable to the period when Brigadier Marinho was governor of this province, whose government was interrupted by that of Colonel Aronca, who some time after again gave up the

government to the said Brigadier Marinho, it is by no means surprising that these changes could not take place without interfering with the due order of the public service, and that it should be difficult to collect the legitimate data necessary for arriving at the true result desired. If to this be added that I received your letter just when on the point of setting out for this island, you will be aware that I am not able to pursue the commenced examination till, the rainy season being over, I shall have returned to that capital.

Permit me, Sir, to repeat, what I have already intimated to you, that it will be necessary for you to present the exequatur of Her Most Faithful Majesty, in order to enable you to continue here the exercise of your consular functions.

I have, &c.

(Signed) JOAO DE FONTES PEREIRA DE MELLO,
John Rendall, Esq., Governor-General.
 &c. &c.

No. 377.

Viscount Palmerston to Mr. Rendall.

Foreign Office, April 15, 1841.

Circular sending Copy of Treaty with the Argentine Confederation.
 (See No. 32.)

No. 378.

Mr. Rendall to Viscount Palmerston.

British Consulate, Boa Vista, Cape Verds, January 25, 1841.

MY LORD,

(Received April 19.)

I HAVE the honour to transmit herewith, for your Lordship's information, a copy of a Letter I this day addressed to Her Majesty's Commissioners at Sierra Leone.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

Enclosure in No. 378.

Mr. Rendall to Her Majesty's Commissioners, Sierra Leone.

British Consulate, Boa Vista, Cape Verds,
January 25, 1841.

GENTLEMEN,

THE brig under Spanish colours, with a passport from the Governor of Sierra Leone, to proceed to Cadiz, and alluded to in my Despatch of the 11th of September last, and particularly described to the officer who landed here from Her Majesty's brig "Cygnet," the said vessel being in this harbour at the time refitting, is now at the Island of Sal, taking in water at Palmyra Bay, having got together a large quantity of empty casks, and is expected to sail daily for the Gallinas, the noted Pedro Blanco having some interest in her. The name she at present takes is the "*Republican*," and commanded by José Joaquin Santanna.

A Spanish polacca, called the "*Leone*," last from Teneriffe, is now in this harbour, with a cargo suited for the African market. I learn she proceeds in a day or two to the Island of Sal, to prepare a supply of water, and that she is destined for the Pongos to take in a cargo of slaves.

I continue to receive intelligence of vessels generally direct from the Havanna, under Spanish and Portuguese flags, calling for orders at Porto Praia, St. Jago, under canvass, and then proceeding to Bissao, Pongos, and Gallinas, on the African coast, for cargoes of slaves.

The harbour of St. Vincent is seldom without a slave-vessel, waiting her time to proceed to the African coast, except when an English vessel enters, as they then get under weigh, and cruise off St. Antonio until the harbour is clear again.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

Her Majesty's Commissioners,
&c. &c. &c.

No. 379.

Mr. Rendall to Viscount Palmerston.

British Consulate, Bou Vista, Cape Verds, February 27, 1841.

MY LORD,

(Received April 19.)

IN reference to my Despatches of the 30th of June and 9th of December last, I have now the honour to transmit to your Lordship another copy of a Letter, but of a more satisfactory kind, which I have received from his Excellency the Governor-General, in reference to several cases of prosecution against persons, for obtaining the Portuguese flag at St. Jago, and using it in the Slave Trade.

I have sent a copy of the enclosed Letter to Her Majesty's Commissioners at Sierra Leone, and advised the propriety of their sending me the remaining cases, alluded to in their Despatch of the 31st of December, 1839, in order that the parties therein concerned may also be legally proceeded against.

I beg to assure your Lordship that I shall not fail to use due diligence in watching the nature of the proceedings of the Portuguese Government, and reporting the result to your Lordship.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

(Translation.)

Enclosure in No. 379.

The Governor-General of the Cape Verds to Mr. Rendall.

Government-General of the Province of Cape Verds,
December 30, 1840.

MOST ILLUSTRIOUS SIR,

ACCORDING to what I stated to you in my Letter of the 28th of last September (which you acknowledge having received without date by your answer of the 27th of November), I now have the honour to acquaint you that, in compliance with the directions forwarded to me by Her Majesty's Government, I have this day issued an order to the "Juiz de Direito" of the district to take cognizance of, and proceed against, the owners, captains, and other individuals, of the vessels, which were at different times furnished with flags in this province, and were subsequently condemned by the Mixed Commission at Sierra Leone for having been taken with slaves on board.

I also take this opportunity of doing myself the honour to acknowledge having received the copies enclosed in your above-mentioned Letter of the 27th of November, for the purpose of showing what steps you have adopted to obtain your exequatur.

God preserve you many years.

(Signed) JOAO DE FONTES PEREIRA DE MELLO,
Governor-General.

John Rendall, Esq.,
&c. &c.

No. 380.

*Mr. Rendall to Viscount Palmerston.**British Consulate, Boa Vista, Cape Verds, April 2, 1841.*

MY LORD,

(Received April 19.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 13th of August, 1840, transmitting, for my information, one copy of two series of Papers relating to the Slave Trade, which have been presented to the two Houses of Parliament during the Session of 1840.

I beg to assure your Lordship that the Papers in question shall have my immediate attention.

I have, &c.

(Signed)

JOHN RENDALL,

*Her Britannic Majesty's Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

No. 381.

*Mr. Rendall to Viscount Palmerston.**British Consulate, Boa Vista, Cape Verds, April 2, 1841.*

MY LORD,

(Received April 19.)

I HAVE the honour to transmit herewith a copy of a Letter I addressed to Her Majesty's Commissioners at Sierra Leone, on the 5th ultimo, for your Lordship's information.

I have, &c.

(Signed)

JOHN RENDALL,

*Her Britannic Majesty's Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

Enclosure in No. 381.

*Mr. Rendall to Her Majesty's Commissioners, Sierra Leone.**British Consulate, Boa Vista, Cape Verds,
March 5, 1841.*

GENTLEMEN,

I HAVE the honour to acknowledge the receipt of your Letters dated the 30th of November and 12th of February last.

Her Majesty's ship "Wanderer," the Hon. Captain Denman, has, I am happy to say, paid a visit to these islands; and although he has not yet been successful in meeting with any Slave-vessels, it has afforded me an opportunity of giving him personally a good deal of information.

I am also happy to learn from Captain Denman that he anticipates an early return to these islands.

I have, &c.

(Signed)

JOHN RENDALL,

*Her Britannic Majesty's Consul.**Her Majesty's Commissioners,*

&c.

&c.

&c.

No. 382.

*Viscount Palmerston to Mr. Rendall.**Foreign Office, April 22, 1841.**Circular sending Convention with the Republic of Hayti.*

(See No. 36.)

No. 383.

*Viscount Palmerston to Mr. Rendall.**Foreign Office, May 8, 1841.**Circular against holding or being interested in Slave Property.*

(See No. 196.)

No. 384.

*Mr. Rendall to Viscount Palmerston.**British Consulate, Boa Vista, Cape Verds, April 7, 1841.**(Received June 30.)*

MY LORD,

I HAVE the honour to transmit herewith, for your Lordship's information, a copy of a Letter which I yesterday addressed to Her Majesty's Commissioners at Sierra Leone.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

Enclosure in No. 384.

Mr. Rendall to Her Majesty's Commissioners, Sierra Leone.

British Consulate, Boa Vista, Cape Verds,
April 6, 1841.

GENTLEMEN,

IN reviewing the various matters which I have reported to you since my arrival in these islands, I take leave to make the following corrections.

In my Despatch of November, 1839, I alluded to the probability of an immediate removal of the seat of government from Porto Praia, St. Jago, to Porto Grande, St. Vincent. I now learn that no serious intention exists with the Portuguese Government to carry out such a change. The inhabitants of Porto Praia, who, as a matter of course, are against any change at all, appear to have had sufficient influence, combined with the great scarcity of money, to alter the views of the Government in this matter.

The Agricultural Company, also alluded to in the same Despatch, has, I am sorry to say, failed in the most signal manner. Various causes are assigned, but I believe the true one to be, that the company was formed in Europe without proper reference to these islands, and consequently to the absence of influential native inhabitants as members or proprietors thereof.

In regard to my report of there being depôts of slaves at this and some of the other islands, I beg to explain, that slaves are generally in the first instance brought from Bissao and Cacheo on the African coast, to the islands of Mayo, St. Jago, and Fuego, and from thence transported to this and the other northern islands.

In corroboration of my statement in the belief that some of the vessels loading with salt at these islands are also concerned in the Slave Trade, I beg to state that I have ascertained beyond a doubt that the Brazilian brig "*Tego*," Captain Joaquim Pedro Gomes Rosa, bound to Rio Janeiro, which loaded part of a cargo of salt at the island of Sal in April, 1840, also took on board sixty slaves, part from thence, and the remainder from this island and St. Jago; she was a vessel of about 200 tons burthen.

Another Brazilian brig, of about the same tonnage, took in a half-cargo of salt at the island of Mayo in November last, said to be bound to the coast of Brazil (her name, however, I cannot learn), and is reported to me, by very respectable authority, to have carried with the salt from 90 to 100 slaves from the coast of the island of St. Jago.

In reference to my report of the neglected state in which these northern islands are left by the Portuguese Government, I regret to say that little or nothing has been done, and that little only in this island. The Governors

have not the power to detain a slaver or pirate, even should they feel so inclined, if the slightest resistance was to be offered.

In my Despatch of May last year, reporting the carrying of slaves from Bissao to these islands, by the two Government schooners called the "*Constituição*" or "*Cabo Verd.*," and the " " or "*Boa Vista.*," I stated that the Municipal Chamber of St. Jago had learnt the particulars of the case, and remonstrated with the Governor-General upon the impropriety of such doings. I find, however, that my informant was deceived in the matter, and that no such laudable conduct is to be credited to the account of the chamber in question.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

Her Majesty's Commissioners,
&c. &c. &c.

No. 385.

Mr. Rendall to Viscount Palmerston.

British Consulate, Boa Vista, Cape Verds, May 11, 1841.

MY LORD,

(*Received July 29.*)

I HAVE the honour to enclose herewith, for your Lordship's information, copy of a letter which I yesterday addressed Her Majesty's Commissioners at Sierra Leone.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

Enclosure in No. 385.

Mr. Rendall to Her Majesty's Commissioners, Sierra Leone.

British Consulate, Boa Vista, Cape Verds,
May 10, 1841.

GENTLEMEN,

SUSPICIOUS vessels, with Portuguese and Spanish flags, continue to call at Porto Praia, St. Jago, under sail, on their way to the coast of Africa, from Cuba and Porto Rico, but they seldom remain more than four or five hours. I heard, a day or two since, of a similar craft being for some days between the islands of Fogo and Brava, and of two cruising on and off the island of St. Antonio.

The Spanish schooner "*Virginia*," of a New York pilot-boat rig, Captain Antonio Prieto, has been in and out of this port several times since the 6th ultimo, the day he arrived from Porto Rico, having been employed in transporting live cattle, &c., from hence to some of the other islands. It is said the "*Virginia*" is to remain at the islands for at least another month, when I learn she is to proceed to the Rio Pongos for a cargo of slaves.

The Spanish schooner "*Matanzas*," Captain Francisco Monteiro, after having been for some time at the islands, sailed from Porto Praia for the Rio Pongos on the 21st ultimo, having originally come from thence. During this vessel's stay here she was freighted by the Portuguese Government to proceed from Porto Praia, St. Jago to the island of St. Vincent, and to return.

I beg to draw your particular attention to the encouragement given to Spanish slave-vessels by the Portuguese authorities, not only in employing vessels of this description themselves, but in permitting individuals to do the like, and thereby affording to that flag privileges which are denied to English vessels.

The Government of these islands have certainly made two or three seizures of Spanish vessels at Porto Praia and the island of Brava, since the present Governor-General has resided at those places. At none of the other islands,

however, has anything of a similar kind occurred, nor is it likely such an event will occur, so long as the northern islands remain in the state they are at present. The commandants are generally ensigns, and have nothing beyond their pay, amounting to about 2*s.* 6*d.* per diem.

It is much to be regretted that vessels notoriously engaged in the Slave Trade should so readily find an asylum in these islands; their proximity to the slave depôts of Sénégal, Goree, Casamansa, Bissao, Nunez, Pongos, &c., renders it absolutely necessary that the most decided opposition should be given in this quarter to individuals, as well as measures, at all tainted with the infamous traffic in human flesh.

I have been told of a very recent importation of a few slaves at this and the island of Sal from the Leeward Islands, and this intelligence agrees with a statement respecting Bissao which has just been made to me.

My informant was lying at anchor opposite Bissao, in February last, when two topsail schooners belonging to Kytaneo proceeded up the river, and entered a creek within sight, communicating with the river Jette, and, upon making some inquiries, he learnt that the schooners had gone to take in slaves (they having been sent forward two days before in canoes), intending to pass to sea by that river, which my informant subsequently heard they did, with full cargoes of slaves; one was bound to these islands, and the other to Cuba. My informant assures me that all the slaves collected at Bissao by Kytaneo are sent away by the route mentioned, or through the Cacheo River. This information agrees with a former statement I made to you upon this subject.

I am assured, from unquestionable authority, that slaves are held in large quantities at Sénégal and Goree, that the French still continue to purchase slaves in their trade with the natives, and that neither at Sénégal nor Goree is there any cultivation in progress for which such a supply of labour might be required.

The captain of an English vessel, who brought to these islands from Sierra Leone several Spanish prisoners, late masters and supercargoes of vessels, has informed me that on the passage up he was shown by these people, upon a chart, the various spots along the coast of Africa where they had gone to look for cargoes of slaves; and, amongst other places, was the coast north of the Sénégal, and about Cape Blanco, and the neighbourhood of Goree.

Some persons residing in these islands, who are known to be concerned in Slave Trade matters, have been heard to say that the French at Sénégal and Goree carried on the Slave Trade as much, and indeed more, than the Portuguese did at Cape Verd Islands. I was told by an inhabitant of these islands that when he was at Goree a short time since, he had not been in the island two hours before several offers were made for the sale of slaves, and that he could have purchased a cargo, had he required them, to be loaded out of sight of Goree.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

Her Majesty's Commissioners,
&c. &c. &c.

No. 386.

Mr. Rendall to Viscount Palmerston.

British Consulate, Boa Vista, Cape Verds, June 28, 1841.

(Received July 29.)

MY LORD,

I HAVE the honour to transmit herewith, for your Lordship's information, copy of a letter which I this day addressed Her Majesty's Commissioners at Sierra Leone.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

Enclosure in No. 386.

*Mr. Rendall to Her Majesty's Commissioners, Sierra Leone.**British Consulate, Boa Vista, Cape Verds,
June 28, 1841.*

GENTLEMEN,

SINCE my last, of the 10th ultimo, I have to record the arrival of two more Spanish slave-vessels at these islands, seeking information, and hiding from British cruisers.

The Spanish schooner "*Amelia*" called at Porto Praia in the beginning of this month from Havana, and proceeded to Bissao, where, finding British cruisers to be in the neighbourhood, she returned to St. Jago, and is, I believe, at this moment riding at anchor at Porto Praia. I understand she is to remain there until the receipt of news from Bissao, when she will proceed to the creeks in that neighbourhood, and take her slaves on board, passing to sea by the River Jette.

Six days previous to the return of the before-mentioned vessel from Bissao, another Spanish schooner anchored in the roads of Porto Praia, having come direct from Havana. She remained three days, and then sailed for Bissao.

A prize schooner from Sierra Leone, which, it is said, Don Pedro Tito (a Spaniard, who was lately married in this island) was permitted to purchase, upon the condition of his taking away from Sierra Leone all the prisoners that were then at Sierra Leone, arrived here on the 9th instant, with 124 Spaniards, Portuguese, and Brazilians. The vessel remained a week, landed the Portuguese and Brazilians, and took the Spaniards on to Cuba.

This vessel will no doubt be on the coast in a month or two for a cargo of slaves, and I have heard that she will proceed direct from Havana to the River Pongos.

Within the last two months I have been compelled twice to complain of murder and brutal outrage being committed upon British subjects in these islands; and, as these acts have been committed by Spaniards, I conceive I cannot too forcibly impress upon your attention the importance of some notice being taken of the countenance given to Spanish slave-traders in this quarter. The native population are a quiet and respectful class of persons; in fact I do not believe that any more so are to be found.

Before Spanish vessels come to anchor at Porto Praia a communication is had with the Spanish Consul, and according to the signal made from the consulate, so the vessel conforms to.

I have, &c.

(Signed) JOHN RENDALL,
*Her Britannic Majesty's Consul.**Her Majesty's Commissioners,
&c. &c. &c.*

No. 387.

*Mr. Rendall to Viscount Palmerston.**British Consulate, Boa Vista, Cape Verds, July 20, 1841.**(Received September 20.)*

MY LORD,

IN reference to my Despatch of the 27th of February last, reporting certain Slave Trade prosecutions ordered to be made by the Portuguese Government before the Juiz de Direito of these islands, I have the honour to state, for your Lordship's information, that I yesterday made inquiries from the gentleman lately appointed the Government prosecutor in the matter, Senhor José Gabriel Cordeiro, of the state of these proceedings, and I find that the Juiz de Direito still holds the papers, in the same state as when he received them from the Governor-General in December last, and that this officer, in reply to an application of Mr. Cordeiro to be permitted to enter upon his duties, stated that when he wished the affair to proceed he should then send for Mr. Cordeiro.

The Juiz de Direito left Porto Praia about a week since, for the island of Brava, there to pass the rainy season; and Mr. Cordeiro informs me that the

several causes cannot be commenced until this officer's return, which it is supposed will not take place before the month of January or February next. Mr. Cordeiro is fearful that by the delay thus anticipated the ends of justice will be defeated, whereas had he been permitted to proceed with the prosecutions, upon the nomination of his appointment as Government prosecutor, he feels confident that he would have been able ere this to have brought many of the parties to justice, provided, he says, that all the papers necessary to ensure conviction are in existence.

I have, however, been informed, and my authority is very respectable, that the Juiz de Direito will not proceed further in these prosecutions, not having a perfect case to act upon. It is said that no bonds are in existence, that none were ever given, and that the Juiz is only keeping the papers in their present state, that the Portuguese Government may say, in the event of being called upon by the English Government, that the affair is in the hands of the legal authorities of the Cape Verd Islands.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

No. 388.

Mr. Rendall to Viscount Palmerston.

British Consulate, Boa Vista, Cape Verds, July 20, 1841.

MY LORD,

(*Received September 20.*)

I HAVE the honour to report to your Lordship that Her Majesty's brig "Termagant," Lieutenant Seagram commander, visited this port on the 1st instant, remaining four days, and then proceeded to Porto Praia, on route back again to the coast of Africa.

While at anchor at Porto Praia, two Spanish slave-vessels, "Victoria" and "Felicia," came into the harbour in open day, demonstrating the little fear these people entertain in entering a port of the Cape Verd Islands. The commander of the "Termagant" was on shore, who perceiving at first sight that they were slave-vessels, applied to the acting Governor for permission to make a search in the harbour, to which, I understand, an assent was given, and Lieutenant Seagram immediately proceeded on board to carry it into effect. One of the vessels quietly submitted, but the other refused to show her papers, and was consequently put in charge of an officer of a man-of-war during the night. The following morning, Lieutenant Seagram transferred the charge of this vessel to the acting Governor, who caused a Custom-house visit to be made, and nothing being found on board contrary to law, the vessel was released.

In the evening, about 9 o'clock, Lieutenant Seagram and two of his officers were proceeding for the boat to go on board their vessel, when six Spanish sailors belonging to the before-mentioned slave vessels (who had, no doubt, been some time in waiting) insulted them, by using most foul language, at the same time assaulting them with stones. The officers were without side-arms, and quite unprepared for so violent an attack: their first impulse was to arm themselves with stones and what knives they had in their pockets; they did so, but at the moment seeing a light, and believing it to come from a guard-house, they repaired thither in the hope of finding protection. The guard, however, the moment the officers entered, charged them with being the aggressors, and hurried them off, under arrest, to the quarters of the Juiz de Direito; at the same time a report was sent to the acting Governor of English officers being in charge of the guard, who instantly sent an order for their release. One of the Spaniards had his head cut open with a stone, and it was attempted to be alleged that the act had been committed by the English officers, but as they had not thrown a stone it was no doubt done by one of his own companions, mistaking him in the dark for an Englishman.

Lieutenant Seagram applied to my agent, at Porto Praia, to obtain redress for the insults thus offered to him and his officers. The Juiz de Direito was appealed to, the acting Governor stating that the matter belonged to that

officer's jurisdiction. The Juiz, however, refused to hear the complaint of Lieutenant Seagram or his officers, they having no witnesses, and the law not permitting him to receive evidence from interested persons, which he considered Lieutenant Seagram and his officers to be. Every remonstrance was made against this decision, but without effect, and Her Majesty's brig "Termagant" sailed, Lieutenant Seagram protesting against the lawless outrage that had been committed upon him and two of his officers.

I beg to assure your Lordship that I shall not fail to bring this affair before the Governor-General, who is now at the Island of Brava, and I am in hopes that Lieutenant Seagram will again call here, as I understand he was to go to Portendic, having the presents on board for the chiefs at that place who are interested in the gum-trade.

The daring proceedings of these piratical Spaniards, their extreme hatred to the English, and the encouragement they invariably receive from the authorities of these islands, are matters which I conceive worthy of some consideration, particularly when this makes the third complaint of the kind submitted to your Lordship within the last two months.

I feel it my duty again to state that the native inhabitants of these islands are a peaceful, quiet, and obliging race of people, and are much attached to the English.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

&c. &c. &c.

No. 389.

The Earl of Aberdeen to Mr. Rendall.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 113.)

No. 390.

Mr. Rendall to Viscount Palmerston.

British Consulate, Boa Vista, Cape Verds, August 20, 1841.

(Received November 9.)

MY LORD,

IN reference to my Despatch of the 20th ultimo, detailing certain treatment received by Lieutenant Seagram, R.N., commanding Her Majesty's brig "Termagant," from the authorities of Porto Praia, St. Jago, I have now the honour to enclose copy of a letter, which I this day addressed the Governor-General in reference to this matter, and which I trust will meet with your Lordship's approbation.

I have, &c.,

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

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

&c. &c. &c.

Enclosure in No. 390.

*Mr. Rendall to the Governor-General of the Cape Verds.**British Consulate, Boa Vista, Cape Verds,**August 20, 1841.*

SIR,

I HAVE for some days past been expecting the arrival of one of Her Majesty's cruisers at this port, and I intended to have availed myself of that conveyance to represent personally to your Excellency the very serious outrages, lately committed upon British subjects at Porto Praia. A small sloop, however, offering for the Island of Brava, I deem it proper to delay no longer in laying before your Excellency the grievances I have to complain of.

The murder of an English subject (a passenger by one of the transports calling for refreshments) in the streets of Porto Praia, in May last, and in the month following a violent outrage inflicted upon some gentlemen (passengers by a similar vessel) who were peaceably returning to their vessel at an early hour after dark, must of course be fresh in your Excellency's recollection, as both cases were especially reported. I have particularly reverted to these cases that I might the more forcibly draw your Excellency's attention to the fact, that if proper measures of protection had been taken at the period these outrages were committed, the flagrant act of which I have now further to complain, would not perhaps have occurred.

It appears that Her Britannic Majesty's brig "Termagant," Lieutenant Seagram, commander, put into Porto Praia, about the 6th of July last, for refreshments; that two days after her arrival two suspicious schooners, under the Spanish flag, came into the harbour together. Lieutenant Seagram was on shore at the time, who pronounced them to be slave-trading vessels, and under that impression obtained from the acting Governor of Porto Praia his sanction for his, Lieutenant Seagram's, making a search on board in the harbour. In carrying this service into effect Lieutenant Seagram met with some rude and abusive behaviour on board one of the suspected craft, which was well armed in every respect, and which vessel, I believe, was, on the following morning, given into the charge of the acting Governor. It appears that, although nothing was found on board either of the vessels (they having both run away from the chase of English cruisers on the coast of Africa) to cause their seizure, yet no doubt exists in any one man's mind who saw them, but that they were engaged in the Slave Trade.

The evening after this occurrence Lieutenant Seagram and two of his officers, who were without side-arms, were proceeding to the beach to go on board their vessel: when at the top of the hill, going to the Custom-house, they passed two Spanish sailors, who immediately followed, and as they proceeded farther, four more Spaniards were observed lying in wait, all being armed with knives, who immediately commenced an attack upon Lieutenant Seagram, by throwing stones and using abusive language. It was fortunate that himself or officers were not injured; but this circumstance is to be accounted for in their having, at the commencement of the attack, observed a light, which they at once made towards, and it proved to be the guard-house, otherwise murder would have ensued. I have before said that Lieutenant Seagram and his officers were without side-arms, who, when followed by the two Spaniards, and observing them to be armed, became sensible of their defenceless state, and Lieutenant Seagram having a clasped knife in his pocket opened it, and they all armed themselves with stones. In this state they entered the guard-house, without having made use of knife or stone. I mention this circumstance as it is stated that one of the attacking Spaniards was wounded in the head, which must have been inflicted by his companions, they mistaking him in the dark for one of the Englishmen.

The conduct of the guard upon this occasion appears to be highly blamable, for, instead of affording the English officers the protection and courtesy they had a right to expect, they were instantly charged as the aggressors, placed under arrest, and in this state, at ten o'clock at night, conveyed to the quarters of the Juiz de Direito. The acting Governor, however, hearing of the affair, sent orders for their release.

CLASS B.

I must here particularly impress upon your Excellency's mind that Lieutenant Seagram was on shore depending for protection of person upon the Portuguese authorities, and at the time of the outrage was peaceably and quietly proceeding at an early hour to go on board his vessel, when part of a lawless crew of an armed Spanish slave-vessel attacked him in the manner I have described, and in defiance of his explanations, his rank, and station, a Portuguese guard, headed by a non-commissioned officer, placed him and the officers in his company under arrest, and marched them in this degrading manner through the town, laughed at and abused by the Spaniards, to the quarters of the Juiz de Direito, and there released them without any explanation being afforded by the authorities.

Lieutenant Seagram came ashore the following day to seek redress, to demand inquiry, and that the parties implicated should meet their due reward.

The application to the acting Governor was answered by a reference to the Juiz de Direito, who at once gave it as his legal opinion that no inquiry could take place into Lieutenant Seagram's complaint, as he was without witnesses, his own officers not being competent, they having been present, and therefore parties implicated. The Juiz de Direito was immovable upon this point of law, and Lieutenant Seagram, after every exertion being made to obtain some redress or satisfactory explanation, was obliged to leave Porto Praia without any or the least being afforded for the previous outrage and insult inflicted upon him.

In this stage of my Despatch I must digress, in order to state what I conceive to be the causes (to account satisfactorily) that outrages and murder should be inflicted upon Englishmen, when nothing of the kind happens to any other foreigner.

I have for some time past observed that the ports in these islands have been much frequented by Spanish slave-trading vessels, that they have been permitted freely to enter and to depart without the law of Portugal being strictly carried into effect. I am aware of these description of vessels having been employed by private individuals, and it is reported that your Excellency's Government not long since chartered one.

Your Excellency must be aware that privileges like these must be of some consequence, particularly to disappointed contrabandists, who in their inhuman traffic stand so much in want of a friendly port, after being chased and hunted by English cruisers upon the African coast. It is not expected that these desperate men are friendly to Englishmen under any circumstances; that they are not so in a friendly port, the fact may be adduced in the cases of murder and outrage, the subject of my report, they having been all committed by disappointed Spaniards.

Under these circumstances I do therefore hope that your Excellency will see the necessity, in order to prevent further bloodshed, of providing an effective police, particularly if the present state of things is to be allowed to continue.

It now becomes my duty, placed by my sovereign as the representative and protector of British honour and interests in these islands, to demand from your Excellency due attention to the statement I have now made, and to require that your Excellency will order atonement to be made for the satisfaction of my Government, in consequence of the outrage and insult committed upon the person of Lieutenant Seagram, commanding Her Majesty's brig "Termagant" during the period he was on shore at Porto Praia, as before described.

I have further to remind your Excellency that I have yet to learn what has been done in the case of the murder before alluded to, and that nothing satisfactory has yet been received from the authorities of Porto Praia, for the outrage committed upon the English passengers, also before alluded to.

I have, &c.

(Signed) JOHN RENDALL,
Her Britannic Majesty's Consul.

The Governor-General,
&c. &c.

No. 391.

The Earl of Aberdeen to Mr. Rendall.

SIR,

Foreign Office, November 17, 1841.

I HAVE received your Despatches of this year's series up to that of the 20th of August.

I have the satisfaction to acquaint you Her Majesty's Government highly approves the representation which you addressed on the 20th of August last, to the Governor-General of the Cape Verds, demanding atonement to be made to Her Majesty's Government, for the outrage and insult committed upon Lieutenant Seagram and others, Her Majesty's officers, in the month of July last, during the period they were on shore at Porto Praia.

And I have instructed Her Majesty's Envoy at Lisbon, to support in the strongest manner the object of your representation.

I am &c.

(Signed) ABERDEEN.

John Rendall, Esq.,
&c. &c.

No. 392.

Earl of Aberdeen to Mr. Rendall.

SIR,

Foreign Office, December 23, 1841.

WITH reference to previous correspondence respecting the outrage committed at the Portuguese town of Porto Praia, in the Cape Verd Islands, by some Spanish subjects belonging to the slave-vessels "*Victoria*" and "*Felicia*," and by some subordinate Portuguese authorities, upon Lieutenant Seagram and two other officers belonging to Her Majesty's ship "*Terma-gant*," I herewith transmit to you, for your information, a copy of a Despatch which I addressed to Her Majesty's Envoy at Lisbon on the subject in question, together with a copy of the reply which I have received thereto.

I am, &c.

(Signed) ABERDEEN.

John Rendall, Esq.,
&c. &c.

Enclosures in No. 392.

1. *The Earl of Aberdeen to Lord Howard de Walden, October 9, 1841.*
 2. *Lord Howard de Walden to the Earl of Aberdeen, November 13, 1841.*
- (See Nos. 335 and 348.)

No. 393.

Viscount Canning to Mr. Rendall.

SIR,

Foreign Office, December 23, 1841.

I AM directed by the Earl of Aberdeen to inform you that Her Majesty's Government have learned that certain Mendian Africans are on their way from the United States to Sierra Leone in the barque "*Gentleman*," under the protection of Mr. James Steele, Mr. William Raymond, and Mr. Henry Richard Wilson.

These Africans are the survivors of those who, in 1839, seized the Spanish vessel "*Amistad*" while on their passage from the Havana to the estates of the persons who had purchased them; and who, having been taken by an American brig of war, and brought into New London, Connecticut, have, by decree of the Supreme Courts of the United States, been declared to be at liberty from all claim.

Her Majesty's Government is desirous of aiding these individuals in their wish to return to Mendi, by way of Sierra Leone; and I am therefore to desire that, if the vessel which conveys them should touch at any part of the Cape Verd Islands, you will afford to them all proper protection and assistance towards the object stated, during any necessary stay of those persons within the district of your Consulate.

I am, &c.

(Signed) CANNING.

John Rendall, Esq.,
&c. &c.

No. 394.

The Earl of Aberdeen to Mr. Rendall.

SIR,

Foreign Office, December 24, 1841.

WITH reference to your several Despatches, animadverting on the conduct of the Juiz de Dereito of the Cape de Verds, in the case of the prosecutions commenced against persons implicated in Slave Trade transactions, I herewith transmit to you, for your information, copy of a Despatch from Her Majesty's Envoy at Lisbon, on the subject of the measures taken by the Portuguese Government with reference to that individual.

I am, &c.

(Signed) ABERDEEN.

John Rendall, Esq.,
&c. &c.

Enclosure in No. 394.

Lord Howard de Walden to the Earl of Aberdeen, November 13, 1841.

(See No. 347).

Mr. Ouseley to Viscount Palmerston.

Rio Janeiro, October 16, 1840.

(Received January 1, 1841.)

MY LORD,

THE list which I have the honour to enclose contains a return of vessels, under the flag of Portugal, engaged in Slave Trade, which have entered this port during the last four months until the 1st of September of this year.

Only three vessels have entered during that period, having on board 738 Africans, and out of this number 284 were captured by Her Majesty's brig "Wizard" on board the "*Idalia*," or "*Paquete de Benguela*."

Since the beginning of this year, however, some vessels have effected a disembarkation of Africans in the smaller ports and on the coasts of this province, of which no return can be obtained here. Possibly 1000 Africans have thus been introduced.

Latterly nearly all slave vessels have obtained Brazilian papers and flag. Those which have sailed from here under the Portuguese flag are the "*Treze de Junho*," captured by Her Majesty's ship "*Curaçoa*," and sent to Barbadoes for adjudication; the "*Marianna*," supposed to return with a legal cargo, but with a few negroes to be landed on the coast; and the "*Idalia*," or "*Paquete de Benguela*," captured on her return by Her Majesty's brig "Wizard," as already mentioned.

Notwithstanding the efforts of the slave traders, and their resort to the Brazilian flag and to that of the United States, and the secrecy and caution of their proceedings, it is extremely gratifying to me to be enabled to call your Lordship's attention to the success of the measures adopted by Her Majesty's Government, and the good effects of the exertions of British cruisers, in causing a marked diminution in the number of Africans introduced into this country, and in that of vessels engaged in Slave Trade.

Thus, during the months of May and June, no slave vessels whatever entered this harbour; and of the three which came in during July and August one was captured. The slave dealers have not for many years been so completely discouraged, nor have their speculations been so unsuccessful, as during the last six months, and it is satisfactory to observe that public opinion respecting the Slave Trade is undergoing a gradual but perceptible change in Brazil, which, if it can be fostered and increased, will probably be more effectual in suppressing that traffic, than great exertions and sacrifices on the part of Great Britain; although it must not be forgotten that the amelioration that I trust will continue in the moral feeling of this country is chiefly to be attributed to the acts of Her Majesty's Government, and to the steps taken in conformity with your Lordship's instructions by Her Majesty's servants.

I have, &c.

(Signed) W. G. OUSELEY.

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

Enclosure in No. 396.

Return of Vessels engaged in the Slave Trade, under the Portuguese flag, which have entered the port of Rio de Janeiro, between April 30 and September 1, 1840.

1840.—MAY and JUNE.—Nil.

JULY.

Schooner "*Marianna*," from Benguela; landed 80 slaves outside the bar. She was reported with a cargo of bees-wax and ivory, and again sailed for Benguela on the 27th of August.

AUGUST.

Schooner "*Bellona*," from Angola; landed 374 slaves at Campos.
Brig schooner "*Idalia*," alias "*Paquete de Benguela*," from Benguela, with 284 slaves. Captured by Her Majesty's ship "Wizard."

Total number of slaves imported by three vessels during four months as above—738.

(Signed) W. G. OUSELEY.

No. 397.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, October 16, 1840.

(Received January 1, 1841.)

MY LORD,

I HAVE the honour to forward to your Lordship a list of all the vessels engaged in Slave Trade that have, as far as I have been enabled to ascertain, sailed from this port, from January 1 to October 1 of the present year.

Of these vessels, 32 in number, only 10 pretend to be Portuguese, all the others, with the exception of two Americans, being under the Brazilian flag: nearly all, however, of those vessels which now claim to be Brazilian, were navigated under Portuguese colours, until the new Act was enforced; and many of them retain the same name, and have the same commanders and crews, as they had at the beginning of this year, and before captures were made under the new Act.

I regret to say that the "*Pilgrim*," now on her third voyage, and "*Sophia*," although *bonâ fide* North American vessels, are both undoubtedly engaged in Slave Trade. They proceed hence, as I have already had the honour of mentioning to your Lordship, with the fittings and articles requisite for supplying sometimes two or three slave vessels, which are transferred, probably, on the coast of Africa, to Portuguese or Brazilian vessels, and return with a legal cargo. But they also bring a certain number, from 50 to 90 negroes, whom they land on this coast, or near Montevideo, but they use so much precaution, and their nominal and real commanders are so frequently changed, that it is difficult to ascertain with certainty when or where they disembark the Africans.

The cargoes of the American vessels consist of tobacco, small arms and gunpowder, spirits, farinha, &c., but also *bracelets* or *armlets*, doubtless manacles; and, in the "*Sophia*," there are declared to be *rings* or *arfolas*, which are, probably, fetters for the legs.

The objections to detaining and searching vessels under the flag of the United States render it extremely difficult to detect and expose the practices of the North American slavers.

There are some other vessels engaged in Slave Trade, but which clear out for Montevideo, or for ports on the coast, and meet vessels from the coast of Africa, and transfer their cargoes and the Africans as suits their object; but I have not been as yet enabled to trace, with sufficient exactness for positive detection, the persons and vessels thus employed. They do not, however, bring many negroes, and are provided with passports from local authorities, declaring the Africans on board to be Creoles, and not recently imported negroes. Great caution and secrecy are, however, observed in all these transactions.

An armed steamer or two attached to this station, there is little doubt, would put an end to the Slave Trade in six months, as at present carried on in this country. It not unfrequently happens that our cruisers are aware of the fact of slave vessels having entered little bays or ports on the coast, or being in the offing, during the intervals between the land and sea breezes, awaiting the arrival of canoes and fishing boats from the shore to land the Africans they have on board. They are even sometimes in sight of them, but baffling winds or calms, the neighbourhood of dangerous shoals, being on a lee shore, or other circumstances, prevent them from capturing vessels that would be certainly taken by steamers in a very few hours.

I have, &c.

(Signed) W. G. OUSELEY.

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

Enclosure in No. 397.

Return of Vessels engaged in the Slave Trade, which have sailed from the Port of Rio de Janeiro between January 1 and October 1, 1840.

Date of Sailing.	Class of Vessel.	Name.	Flag.	Declared Destination.	Remarks.
1840. Jan. 13 .	Brig Schooner	Congresso .	Portuguese	Benguela	Captured by Her Majesty's brig "Wizard."
„ 29 .	Schooner . .	Umbellina .	„	Lisbon and Benguela.	
Feb. 2 .	„	Marianna .	„	Benguela	Returned, July 4, with bees' wax, ivory, and slaves, and sailed again August 7.
„ 3 .	Barque . . .	Roza	„	Cape Verds	
„ 4 .	Brig Schooner	Esperança .	„	Cape Verds and Angola.	Captured by Her Majesty's brig "Fawn."
„ 5 .	Schooner . .	Esperança .	„	Lisbon and Benguela.	
„ 16 .	„	Bellona . . .	„	Cape Verds and Angola .	Returned, August 30, with cargo of slaves.
March 11	Ship	Flor de Rio Grande .	Brazilian .	„ „	
„ 14	Brig	Flor de Londa .	„	Lisbon & Ports of Africa.	Captured by Her Majesty's ship "Curacao."
„ 28	Brig Schooner	Treze de Junho	Portuguese	Benguela	
April 4 .	„	Idalia	„	Lisbon and Benguela .	Captured, with cargo of slaves, by Her Majesty's ship "Wizard."
„ 15 .	Brig	Pilgrim . . .	American .	San Thomé	
„ 21 .	Smack	Flo de America .	Brazilian .	Angola.	This vessel returned, on July 18, from Cabenda, and sailed again for San Thomé on September 5.
May 16 .	„	Vencedora Feliz . . .	„	Cape Verds and Benguela	
„ 18 .	Brig	Confiança . .	„	„ and Angola .	This vessel returned from Benguela on September 26. On the 24th of that month a canoe, with 47 slaves discharged from her, was captured by the boats of the Brazilian schooner of war "1 ^o de Abril."
June 2 .	Barque	Andorinha . .	„	„ „	
„ 7 .	Schooner . . .	Josefina . . .	„	Angola „ and Benguela.	This vessel is only 55 tons burden.
„ 14 .	Brig	Estrella de Cabo . . .	„	Benguela.	
„ 20 .	Smack	Donna Eliza .	„	Cape Verds and Benguela	
July 12 .	Brig	Pacifico . . .	„	Cape Verds and Angola.	Returned, August 30, with cargo of slaves.
„ 23 .	Brig Schooner	Claudina . . .	„	Azores and Africa.	
Aug. 1 .	Brig	Animoso Feliz	„	Benguela and Gold Coast.	Returned, August 30, with cargo of slaves.
„ 6 .	Brig Schooner	Maria	„	Sofala and Goa.	
„ 18 .	Smack	Conceição Felicidade do Brazil . .	„	Cape Verds and Benguela.	
„ 27 .	Schooner . . .	Marianna . .	Portuguese	Benguela.	Returned, August 30, with cargo of slaves.
„ 30 .	Brig Schooner	Fluminense .	Brazilian .	Cape Verds and Benguela.	
„ 30 .	Brig	Sophia	American .	Cape Verds and Ambriz.	Returned, August 30, with cargo of slaves.
Sept. 4 .	Brig Schooner	Espadarte . .	Brazilian .	Benguela & Pernambuco.	
„ 13 .	Brig	Dous Amigos	„	Cape Verds and Benguela.	Returned, August 30, with cargo of slaves.
„ 16 .	„	Orozimbo . .	„	Angola and Benguela.	
„ 17 .	Brig Schooner	Ilze de Outubro . .	„	San Thomé and Africa.	Returned, August 30, with cargo of slaves.
„ 26 .	Brig	Fortuna . . .	„	Cape Verds and Benguela.	

(Signed)

W. G. OUSELEY.

No. 398.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, October 17, 1840.

(Received January 1, 1841.)

MY LORD,

A CANOE with 47 Africans on board has lately been captured by a Brazilian cruiser. As I had obtained information of this capture, as also of some details respecting it, I addressed a note to the Brazilian Minister on the subject; and, after some correspondence, the case has been submitted to the Mixed Court of Commission.

I have the honour of laying before your Lordship copies of part of the correspondence that has taken place on this subject; and shall have to recur to it on a future occasion, the immediate departure of the packet only allowing me

time to mention that the Imperial Government have certainly shown in this, as in other late occurrences, their good intentions respecting the Slave Trade suppression.

The capture of 47 Africans by one of His Imperial Majesty's cruisers has given rise to some bitterly hostile remarks in certain papers of this capital; and letters have been published, entering at some length into arguments, generally most untenable, against the legality, policy, and conduct of the Government in this matter.

In the face of these demonstrations and of the approaching elections, the Ministers deserve the greater credit, for the firmness and probity of their measures for the suppression of the Slave Trade.

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 393.

Mr. Ouseley to M. Aureliano.

British Legation, Rio de Janeiro,
October 1, 1840.

SIR,

HAVING seen by the journals of this capital of the 28th ultimo, and having been informed from other sources, that His Imperial Majesty's cruiser "*Primeiro de Abril*," commanded by Lieutenant J. M. Nogueira, has captured off Angra a canoe with 47 newly imported Africans on board, being part of a large number, the remainder of whom were landed with the connivance of the local authorities, I hasten to state to Senhor Aureliano de Souza e Oliveira Continho, Minister, Secretary of State for the Department of Foreign Affairs, my conviction that Her Majesty's Government, on being informed of this practical proof of the intention of the Imperial Government to discourage the Slave Trade, and to make use of the means at their disposal for its suppression, will feel great satisfaction; and I have the honour, on my part, to express to his Excellency the gratification that I feel, as Her Majesty's Chargé d'Affaires, at being enabled to communicate to the Queen's Government this act of co-operation on the part of the Brazilian Government with that of Great Britain, in the suppression of the traffic in Africans.

At the same time it is my duty to mention to the Minister for Foreign Affairs, that I am informed by Her Majesty's Commissioners of the Mixed Commission Court, that the case of this capture has not yet been brought before it for adjudication, and that, particularly in so clear a case, the tenor of the Convention is expressly to prevent unnecessary delay in bringing captures before the Commissioners.

In the present instance it is especially desirable that no delay should take place, as the parties implicated, as I learn from good authority, are unfortunately in a position that may enable them to take measures for defeating the ends of justice; while at the same time it renders doubly disgraceful their participation in crimes of this nature.

I avail myself, &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano de Souza e Oliveira Continho,
&c. &c. &c.

(Translation.)

Second Enclosure in No. 393.

M. Aureliano to Mr. Ouseley.

Rio de Janeiro, October 2, 1841.

THE Undersigned, &c., acknowledges the receipt of the Note which Mr. Ouseley, &c., addressed to him on the 1st instant, in which, referring to
CLASS B.

the capture by a Brazilian vessel of war of a canoe laden with Africans, with the intention of landing them on some point of the coast, he requires that this case should be brought before the Brazilian and English Mixed Commission Court, as being the competent tribunal.

The Undersigned accepts with pleasure Mr. Ouseley's compliments, who acknowledges this fact as a proof of the sincerity and good faith, with which the Imperial Government continues to act against the contraband traders in Africans, it being a subject of much satisfaction that the capture should have been made by a vessel of the Brazilian navy; and the Undersigned is enabled to inform Mr. Ouseley, that the Mixed Commission has already met in session to inquire into the affair in question, in consequence of orders given to this end, in the form stipulated in the existing treaties between the two nations.

The Undersigned, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

No. 399.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, October 17, 1840.

(Received January 1, 1841.)

MY LORD,

THE "*Paquete de Benguela*," otherwise "*Idalia*," captured by Her Majesty's brig "*Wizard*," Commander Birch, has lately been condemned by the Mixed Commission Court.

I have this day received a notification from the commander of Her Majesty's ship "*Crescent*," that the negroes on board the condemned slaver, in number 271, were delivered over to the Brazilian authorities, in conformity with the stipulations of the treaty.

I proposed to the Brazilian Minister that the negroes should be taken charge of by Her Majesty's Government, in anticipation of the arrangement, proposed in conformity with instructions from your Lordship some time ago.

In reply, Senhor Aureliano stated that, although the Brazilian Government was prepared to entertain the proposed alteration in the existing regulations, yet that until the new arrangement should be mutually agreed upon, they must continue to dispose of the Africans as heretofore.

I shall have the honour to lay before your Lordship, on a future occasion, the steps that I have taken on this subject.

With respect to the "*Paquete de Benguela*," or "*Idalia*," it should perhaps be mentioned that, had that vessel not been taken with Africans on board, she was so equipped as to evade the letter of all the provisions made in the articles that authorise the capture of vessels fitted for the Slave Trade.

There were no manacles or fetters on board; there were no mess-kids, no leaguers, or vessels such as are usually taken for holding water; no bulkheads or planks, but skins and hides; the joists or posts coming under the description of firewood and spars. In short, the evasion of the equipment articles was complete.

Such of the crew of the "*Idalia*" as remained prisoners on board the "*Crescent*," after the condemnation of the vessel, have been sent on board the Brazilian guard-ship, and are to serve in the Imperial navy. They were not included in the sentence of condemnation.

I have, &c.

(Signed) W. G. OUSELEY.

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

No. 400.

Mr. Backhouse to Mr. Ouseley.

(Extract.)

Foreign Office, January 4, 1841.

WITH reference to your Despatch of the 24th September last, relating to Rio de Janeiro, I herewith transmit, for your information, copies of correspondence which has recently passed between Her Majesty's Minister at Lisbon and myself upon that subject.

First Enclosure in No. 400.

*Viscount Palmerston to Lord Howard de Walden.**November 30, 1840.*

(See Class B, 1840, No. 118, page 128.)

Second Enclosure in No. 400.

*Lord Howard de Walden to Viscount Palmerston.**December 17, 1840.*

(See Class B, 1840, No. 127, page 139.)

No. 401.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, January 5, 1841.

WITH reference to my Despatch to you of the 29th of December, 1840, respecting a supply of iron bedsteads for the "Crescent" receiving-ship at Rio de Janeiro, I herewith transmit to you, for your information, a copy of a Letter from the Admiralty, stating that a supply of those articles will shortly be forwarded to Rio de Janeiro for the vessel in question.

I am, &c.

W. G. Ouseley, Esq.,
&c. &c.

(Signed) PALMERSTON.

Enclosure in No. 401.

Sir John Barrow to Mr. Backhouse.

SIR,

Admiralty, December 26, 1840.

HAVING laid before my Lords Commissioners of the Admiralty your Letter of the 21st instant, I am commanded by their Lordships to acquaint you, for the information of Lord Palmerston, that the iron cradles required for the "Crescent" will be forwarded to Rio de Janeiro, by the first transport proceeding with supplies for the squadron, which will probably be despatched in the spring.

I am, &c.

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

(Signed) JOHN BARROW.

No. 402.

Viscount Palmerston to Mr. Ouseley.

(Extract.)

Foreign Office, January 16, 1841.

I approve of your reasons for having delayed to urge the Brazilian Ministers, officially, to give full satisfaction to Her Majesty's Government upon the subject of the suppression of Slave Trade.

But I have at the same time to desire that, at the earliest moment at which you can do so with advantage, you will urge the Brazilian Government, first, to

ratify the additional Articles concluded with Great Britain; secondly, to remodel the Slave Trade Abolition Treaty of 1826; and, thirdly, to take those other measures for the effectual suppression of Slave Trade, which, under instructions from this office, you have already urged them to adopt.

No. 403.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, January 18, 1841.

I HEREWITH transmit to you a Copy of a Despatch which I have received from Her Majesty's Consul at Rio de Janeiro, and a Copy of a Communication from Her Majesty's Commissioners at Rio de Janeiro.

I have to draw your attention to the statement of Mr. Hesketh contained in these Papers, that "the Mixed Commission Court at Rio de Janeiro, as at present organized, appears destitute of efficient means to search out officially satisfactory evidence on points on which its judgment is required;" and I have to desire that you will report to me, for the information of Her Majesty's Government, your opinion, whether that statement of Mr. Hesketh is correct; and also what are the best means of remedying the inconvenience, if it really exists.

W. G. Ouseley, Esq.,
&c. &c.

I am, &c.
 (Signed) PALMERSTON.

First Enclosure in No. 403.

Mr. Hesketh to Viscount Palmerston.

September 25, 1840.

(See Class B, 1840, No. 84, page 203.)

Second Enclosure in No. 403.

Her Majesty's Commissioners at Rio de Janeiro to Viscount Palmerston.

October 12, 1840.

(See Class A, No. 202, page 267.)

No. 404.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, January 23, 1841.

I HAVE referred to Her Majesty's Advocate-General your several Despatches respecting the capture of the Brazilian slave-vessel "Pompeo," by the "Fawn," acting tender to Her Majesty's ship "Stag;" and I have now to transmit to you, for your information, a Copy of a Despatch which I have addressed upon that subject to Her Majesty's Commissioners at Rio de Janeiro; and a Copy of a Letter, which, under my directions, has been addressed to the Secretary to the Admiralty.

W. G. Ouseley, Esq.,
&c. &c.

I have, &c.
 (Signed) PALMERSTON.

First Enclosure in No. 404.

Viscount Palmerston to Her Majesty's Commissioners at Rio de Janeiro.

January 23, 1841.

(See Class A, No. 207, page 277.)

Second Enclosure in No. 404.

Mr. Backhouse to the Secretary to the Admiralty.

SIR,

Foreign Office, January 23, 1841.

WITH reference to your Letter of November 15th, 1839, on the capture of the Brazilian slave-vessel the "*Pompeo*" by the "*Fawn*," acting as tender to Her Majesty's ship "*Stag*," I am directed by Viscount Palmerston to transmit to you, for the information of the Lords Commissioners of the Admiralty, the accompanying copy of a Despatch, which his Lordship has addressed to Her Majesty's Commissioners at Rio de Janeiro upon that subject; and I am to add that, with respect to the claim of Commodore Sullivan, for a per-centage for taking care of specie found on board a slave-ship, the Queen's Advocate is of opinion that this claim cannot be deemed to come properly within the scope of the proclamations, for regulating the allowance for the conveyance of specie and jewels on board Her Majesty's ships and vessels; but the Queen's Advocate observes that, as the proclamation of the 12th of June, 1819, has conferred on the Lords Commissioners of the Admiralty a large discretionary power for cases omitted in the scale of rates set forth in the proclamation, he thinks that their Lordships' decision may properly be acquiesced in.

The Queen's Advocate observes further on this question, that as the condemned vessels are to be sold for the benefit of the Governments who are the contracting parties to the Convention under which the ships are captured, no per-centage, nor any deductions beyond the necessary expenses attending the sale of the captured vessel, should be allowed without the consent of both Governments concerned.

I am, &c.

(Signed)

J. BACKHOUSE.

The Secretary to the Admiralty,
&c. &c. &c.

No. 405.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, November 12, 1840.**(Received January 24, 1841.)*

MY LORD,

I READ to the Brazilian Minister for Foreign Affairs, according to your Lordship's directions, the Despatch dated the 6th of July last (which I had the honour to receive from your Lordship by the last packet, in reply to the note of Senor Lopes Gama of the 26th of February last, transmitted in my Despatch of the 14th of April last), communicating to the Imperial Government, that Her Majesty's Government, having reconsidered the case of the claims for indemnities to owners of certain Brazilian slave-vessels, first urged by the Government of Portugal upon the British Government in 1823, which forms the subject of the late Minister's note,—“Her Majesty's Government cannot consent to pay these offending parties anything in the shape of compensation for any loss or expenses incurred by them in such illegal undertakings.”

As Senhor Aureliano did not express a wish to be furnished with a copy of your Lordship's Despatch, I have not given him one.

I am informed that Senhor Montezuma, the recently appointed Brazilian Minister in London, is instructed to urge these claims upon your Lordship's attention.

I have, &c.

(Signed)

W. G. OUSELEY.

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

Mr. Ouseley to Viscount Palmerston.

Rio Janeiro, November 21, 1840.

(Received January 24, 1841.)

MY LORD,

THE "*Congresso*," outward-bound slaver under Portuguese colours, detained under the new Act by Her Majesty's brig "*Wizard*," Commander Birch, has, according to accounts lately received here, been condemned at the Cape of Good Hope, whither it had been sent (see my Despatch of February 17) for adjudication.

All the other slave-vessels, the "*Roza*," "*Sandade*," and "*Tentador*," that had previously been sent from hence to the Cape, had already been condemned.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

No. 407.

Mr. Ouseley to Viscount Palmerston.

(Extract.)

Rio Janeiro, November 25, 1840.

(Received January 24, 1841.)

I HAVE the honour to enclose the copy of a Letter that I have received from Captain Birch of Her Majesty's brig "*Wizard*," stating that the "*Congresso*," Portuguese slaver, taken by him, had been condemned at the Cape of Good Hope.

Enclosure in No. 407.

Captain Birch to Mr. Ouseley.

Her Majesty's brig "Wizard,"

Rio de Janeiro, November 20, 1840.

SIR,

I HAVE the honour to inform you that the Portuguese patacho "*Congresso*," detained by Her Majesty's brig "*Wizard*" on the 17th of January, 1840, and by your advice sent to the Cape of Good Hope for adjudication, was, after a contested trial, condemned on the 30th of August, 1840.

From the conflicting evidence given by the different witnesses, the Judge, Sir John Wilde, deemed it necessary personally to examine the vessel and cargo previously to passing sentence. I must in justice state that to the unremitting zeal and activity displayed by Mr. Edward Baynard, the prize-master, throughout the trial, the captors are mainly indebted for its favourable issue.

The "*Congresso*" arrived at the Cape of Good Hope on the 29th of February, after a tedious and boisterous passage of forty days. The Monition was served on the 5th of March, but the American Consul, Mr. Chase, having received instructions from Rio de Janeiro to defend the vessel on the part of the claimants, it became necessary to employ counsel and raise funds to the amount of upwards of 600*l.*, bearing interest, on my personal responsibility, to disburse unavoidable charges attending the prosecution. To enumerate the various shifts adopted by the claimants would occupy pages, every possible scheme being put in force to create delay and increase our expenses.

	£.	s.	d.
Charges not allowed by the Court as costs allowance to Mr. Edward Barnard, prize-master, from February 29th to October 6th, 1840, at 12 <i>s.</i> per day for board and lodging, his presence being necessary in Cape Town	132	12	0
Surveys and inspections, upwards of	100	0	0
Proctor's taxed Bill allowed as costs against claimants, with every probability of its being finally deducted from proceeds arising from the sale of vessel and cargo	378	0	0
	<hr/>		
	610	12	0

To sum up all, the claimants have noted an appeal, which will tie the proceeds up for eighteen months. Putting aside all the expenses of the interest on the cash advanced, it will be apparent that, if I had not possessed the means of raising the requisite funds, the protracted trial, which ended in the condemnation of the "*Congresso*," could not have been continued.

I have, &c.

(Signed) T. F. BIRCH,
Commander.

W. G. Ouseley, Esq.
&c. &c.

No. 408.

Mr. Ouseley to Viscount Palmerston.

Rio Janeiro, November 26, 1840.

(Received January 24, 1841.)

(Extract.)

THE present Brazilian Administration certainly evince—considering the peculiar circumstances of this empire, and the popular opinions and habits respecting Slavery and the Slave Trade—a most praiseworthy determination to discourage the Slave Trade, and to act honourably in fulfilling their engagements with Her Majesty's Government.

The two brothers Andrada, Ministers of the Empire and Finance, and the Minister of Marine, Senhor Hollanda Cavalcanti, particularly distinguish themselves by their firmness and energetic measures against the Slave Trade.

Although at the risk of sacrificing their popularity, and while the elections have been in progress, they have not hesitated to adopt measures well calculated to crush the trade in Africans.

The pressure of other business obliges me to defer, until the departure of the next packet, more particular statements of the steps taken by the Brazilian Ministers. One of them, however, is particularly judicious; and as according with a late instruction from Her Majesty's Government, received by Her Majesty's Consuls and Commissioners, I think it right to mention. The Ministers of Marine has lately prohibited the employment of slaves in the naval arsenals and dockyard work. Free labour is daily advertised and contracted for.

Senhor Aureliano, the Minister for Foreign Affairs, likewise mentioned to me that he was endeavouring to further a similar plan in other works. It must be recollected, however, that the Minister of Foreign Affairs has little share in the details of the administration of the other departments of government.

The orders of the Minister of Marine to the Brazilian cruisers are positive as to effectually suppressing the Slave Trade, and his Excellency enforces the execution of his instructions. As I shall have the honour of returning to the subject, I only add that at present the Slave Trade is effectually discouraged, and much diminished; and further that, as connected with this matter, I am authorised to inform your Lordship that there appears no probability of M. Moreira being again (notwithstanding powerful efforts and interest made in his favour) accepted as Portuguese Consul-General by this Government.

No. 409.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, December 14, 1840.

(Received February 13, 1841.)

MY LORD,

THE Minister of Marine, Senhor Hollanda Cavalcanti (who formerly, when a candidate for the Regency, stood next, in the number of votes obtained, to Senhor Aranjó Lima, the late Regent), has lately given instructions to the Brazilian naval officers to endeavour to capture slave-vessels on the coast wherever they are found. These orders are not given as a mere form. I learn that an

officer lately in command of a small cruiser that had been employed on a station notorious for carrying on the Slave Trade, was asked, on his return into harbour, whether he had not seen any slavers? On replying in the negative, he was told that in that case it would be necessary to employ an officer who "could" find such vessels; and he was ultimately deprived of his command, and the cruiser sent out with a new commander.

This vessel subsequently, when off a part of the coast much resorted to by slavers, disguised its exterior, hoisting the Portuguese flag, and employed the signals usually made by slave vessels, upon which canoes and boats put off to her with several of the proprietors of estates, and other persons interested in the Slave Trade. On their boarding the cruiser, they were all immediately made prisoners, to the number of 15 or 20, and were brought to this port, where their capture and reported trial has excited much attention, and violent animadversions on the part of the slave-trading interests.

A canoe, with 47 new negroes, was also lately captured by a Brazilian cruiser, as I had the honour to report in my Despatch of the 17th October last.

Prospects of reward and promotion are held out to the naval officers who succeed in capturing slave-vessels; and the effect of these very praiseworthy exertions on the part of the Minister of Marine is to discourage the slave-trading speculations, infinitely more than repeated captures by Her Majesty's vessels. The slave-dealers cannot for the present look for covert assistance or connivance on the part of the Brazilian Government; and their advocates and accomplices cannot raise a cry of foreign aggression, insults to the flag, abuse of superior force, &c. Articles and correspondence have already appeared in the Journals nearly as violent on the subject of the conduct of the Imperial Government, as those which formerly were published against Her Majesty's officers. It is my duty to state to your Lordship, in justice to the Brazilian Government, that I learn that these efforts on its part to fulfil its engagements with Great Britain are made at some sacrifice. In the district from which the prisoners were brought to this capital by the cruiser, as I have had the honour to mention in this Despatch, not a single vote was given, it is said, to the Government candidates at the late elections.

I have, &c.

(Signed)

W. G. OUSELEY.

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

No. 410.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, March 3, 1841.

I HAVE received your Despatch of the 14th of December, 1840, stating the measures which the Brazilian Government have adopted for fulfilling their Treaty engagements with Great Britain to put down the trade in slaves; and I have to desire that you will express the extreme gratification which this information has afforded to Her Majesty's Government.

I am, &c.

(Signed)

PALMERSTON.

W. G. Ouseley, Esq.,
&c. &c.

No. 411.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, January 7, 1841.

(Received March 6.)

MY LORD,

I HAVE the honour to transmit to your Lordship copies of a Note from the Brazilian Minister of Foreign Affairs, dated September 22 last, complaining

of the detention of the "*Alexandre*," Brazilian galliot, by Her Majesty's brig "*Grecian*," Captain Smyth, and of the answer which I addressed to Senhor Aureliano on the 15th ultimo.

Your Lordship will perceive that Senhor Aureliano evidently seeks to give a character to the seizure of the "*Alexandre*" that would tend to prevent all captures of vessels employed in the indirect Slave Trade, or in transshipping negroes from slavers off the coast. In my reply I have endeavoured to counteract this tendency. With respect to the particular case in question, there is little doubt that the "*Alexandre*," and other vessels of a similar description, are frequently employed in the service of the slave-traders for carrying the water-casks, &c., with which the slavers for the coast of Africa are supplied at small ports on this coast. Although no conviction has followed in this case, the character of those who defended it may be judged by the circumstance of the master having sworn to the sum of 1500 dollars having been taken from him by the prize crew of the "*Grecian*," and that others of the crew of the "*Alexandre*" swore to having been robbed of different sums. This part of the case having been taken before the Conservatorial Court (as a separate charge against the captors), in order to bring the matter to a more speedy and equitable decision than might otherwise have been obtained, the charge was dismissed as utterly unfounded.

I trust not to have to trouble your Lordship further on the case of the "*Alexandre*," although a disposition has been shown to make the most of it as a grievance and exceptional proceeding.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

First Enclosure in No. 411.

M. Aureliano to Mr. Ouseley.

(Translation.)

Rio de Janeiro, September 22, 1840.

THE Undersigned, &c. has the honour to transmit to Mr. Ouseley, &c., a copy of the sentence which the Brazilian and British Mixed Commission Court resident in this capital pronounced on the 10th instant, directing that the Brazilian galliot "*Alexandre*," which was taken by the English brig-of-war "*Grecian*," Commander W. Smyth, as it left this port, should be released and immediately delivered to its owners.

The procedure of this commander is not only in opposition to Article 5 of the additional Convention of July 28, 1817, which forms part of that of November 23, 1826, but is even shocking ("revoltante"), from the circumstances which accompanied the capture of a vessel, which has for so long a period prosecuted its lawful line of commerce between this port and that of Campos. Besides, visiting the merchant-vessels of a friendly nation during peace time is an absolute insult to the flag of such nation; and Mr. Ouseley well knows that his own enlightened Government recognises this principle of the law of nations, in having urged (as it now still does) the ratification of the additional article signed at this capital on July 27, 1835, by the Plenipotentiaries, the Councillor Manoel Alves Branco, and Mr. Henry Fox—an article which authorises the visiting vessels belonging to both nations under the circumstances declared therein. In consideration of this, the Undersigned has received orders from His Majesty the Emperor to require the satisfaction which is due for the violence which the said officer committed, and the want of respect which he manifested for the rights and dignity of the Brazilian Government and nation; the owners being indemnified for the losses and injury which they have suffered from so unjust a detention, as has been required by them.

The Undersigned must also declare to Mr. Ouseley, that the Imperial Government views with pain the occurrence of facts so irregular and deserving of punishment, as those practised by the commander of the "*Grecian*," since they tend not only to indispose and embitter the minds of Brazilian subjects, who thus suffer annoyances in their lawful commerce and industry, but have even the effect of seriously embarrassing the Imperial Government, at a moment when,

CLASS B.

as is notorious to Mr. Ouseley, the Imperial Government is animated by the sincerest desire to take energetic measures for suppressing at once the inhuman and iniquitous contraband trade in slaves.

The Undersigned, &c.

(Signed)

AURELIANO DE S. E. O. CONTINHO.

W. G. Ouseley, Esq.
&c. &c.

Second Enclosure in No. 411.

Mr. Ouseley to M. Aureliano.

British Legation, Rio de Janeiro, December 15, 1840.

THE Undersigned, &c. would sooner have replied to the Note, which he had the honour of receiving from Senhor Aureliano de Souza e Oliveira Continho, &c., dated the 22nd September last, respecting the detention of the "*Alexandre*" by Her Majesty's brig "*Grecian*," but the absence of Captain Smyth, commander of the brig-of-war, and the necessity of procuring the requisite information, has prevented the undersigned, until the present moment, from replying to his Excellency's Note.

Senhor Aureliano states that the proceeding of Captain Smyth, in capturing the "*Alexandre*," is not only contrary to the 5th Article of the Convention of 1817, but was accompanied by circumstances that rendered this detention particularly reprehensible; and, being in time of peace, it became an insult to the Brazilian flag, and an act of violence, for which satisfaction and compensation are demanded by his Excellency on the part of the Imperial Government.

His Excellency further states that his Government regrets that acts, which he qualifies as illegal and deserving of punishment, should be committed—the more so, as they are calculated to irritate Brazilian subjects, and to embarrass the Imperial Government when endeavouring to carry into effect measures suppressive of the Slave Trade, which traffic his Excellency justly characterises as inhuman and iniquitous.

The Undersigned, after giving the subject of Senhor Aureliano's Note his earnest attention, and having carefully followed the legal proceedings in the case of the "*Alexandre*" before the Mixed Court, cannot but be of opinion that his Excellency has been misled by *ex parte* statements into a totally erroneous view of this case. So far from any violation of the Convention for the suppression of Slave Trade having been committed by the commander of the "*Grecian*," the Undersigned is at a loss to understand in what manner the mutual end and object of the Convention, viz., the suppression of the traffic in Africans, is to be carried into effect, excepting by the examination and detention of vessels suspected of being engaged in that traffic.

That the commerce in which the "*Alexandre*" was engaged was lawful, could only be proved to the captors by the result of the judicial examination, as many suspicious circumstances attended the voyage of that vessel; such as the quantity of water-casks, and the irregularity or want of certain papers; and although the fact of the employment of the "*Alexandre*" in legal commerce might be known to many persons, whether Brazilians or others, at this capital, it evidently was not so, not likely to be so, to the captors.

With respect to the detention being made in a time of peace, the Undersigned begs to remind Senhor Aureliano, that all the captures made for some years past, and many of them of vessels leaving the port of this capital, have been made in a time of peace, which, unfortunately, by no means prevents the continuance of the Slave Trade on this coast.

With respect to compensation or damages for the capture in question, it does not appear to be in the present case a subject for diplomatic correspondence. The Mixed Court of Commission has taken cognizance of the case, and will proceed, doubtless, in the usual manner, in conformity with the regulations annexed to the Treaty for the suppression of the Slave Trade.

No disrespect could either be intended or supposed by the act of detaining a vessel suspected of violating the laws of this empire; and the result of the trial of the "*Alexandre*" proves that no unnecessary violence, no want of the usual

observances and forbearance, was perceptible in the conduct of the captor. On the other hand, the behaviour of the master and crew of the "*Alexandre*" was far from being such as to call for extraordinary indulgence; and a fictitious and most unjustifiable claim was brought for certain sums of money, alleged by those on board the "*Alexandre*," whose trunks and property were never out of their own possession, to have been taken from them; which claim has, after due examination, been proved by the competent tribunal to have been utterly unfounded, and can only be characterised as a barefaced attempt at fraud on the captors.

Finally, although the Undersigned cannot but regret that the legal commerce of Brazilian subjects or others is liable to be in some manner impeded by the efforts in suppression of the Slave Trade, yet he must impute those impediments to the criminal undertakings of those interested in the Slave Trade; as long as it is notorious that vessels enter and leave this harbour daily engaged in the traffic of Africans, and as long as the penal and preventive laws of the empire on this matter are almost openly infringed, so long will the possibility exist of vessels being occasionally detained that may not be criminally employed.

The Undersigned gladly testifies to the praiseworthy and honourable efforts of the present Administration, as evinced on several late occasions, to vindicate, respecting the trade in human beings, the laws of humanity and justice, and the dignity of the empire. It is from increased exertions of this nature that the Imperial Government, in conjunction with that of the Queen, may hope ultimately for an extinction of the Slave Trade, and a consequent cessation of the causes of dissatisfaction that may occasionally arise out of the measures for the suppression of that criminal traffic.

The Undersigned, &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano de S. e O. Continho,
&c. &c. &c.

No. 412.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, January 12, 1841.

(Received March 9.)

(Extract.)

THE proposed new Slave Trade Convention has not ceased to occupy my attention; and although I have not received a satisfactory or official answer to my Note respecting it, it will not probably be long before I shall be able to report to your Lordship some progress made towards its conclusion.

The late elections served for some time as an excuse for delaying the negotiation of the new Treaty; then the fêtes for the Emperor's birthday (2nd December), and the numerous holidays that occurred towards the end of the year (during which, in fact, all the public offices are shut), furnished Senhor Aureliano with motives for not meeting me or writing. It is not improbable that M. Montezuma or M. Lisboa has been instructed to broach this subject to your Lordship, but I shall urge the Government here on it immediately.

Ill health has prevented me, until lately, from having frequent opportunities of seeing the Ministers and others who may be useful in furthering your Lordship's views.

A Brazilian cruizer has just captured two more slave vessels after they had landed their Africans.

No. 413.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, March 12, 1841.

WITH reference to former correspondence, respecting the negroes liberated by sentence of the Mixed Court of Commission at Rio de Janeiro, I observe that it does not appear from your Despatches, that you have hitherto been able to induce the Brazilian Government, first to agree to a set of regulations,

which might secure to those negroes who have been emancipated by sentence of the Mixed Commission that freedom, which has hitherto been withheld from them; and, secondly, to conclude a convention, by which the negroes who might hereafter be emancipated should be transferred to a British colony, where their permanent liberty would be secured.

I have in consequence to desire that you will present a Note to the Brazilian Government, stating that strong representations have again been made to Her Majesty's Government, that the negroes, who have been emancipated by sentence of the Mixed Commission at Rio de Janeiro, do not enjoy that freedom, which the Brazilian Government is bound by Treaty to secure to them.

Her Majesty's Government, therefore, propose, and earnestly request of the Brazilian Government, that all those negroes may be brought before the Mixed Commission, according to a nominal list, in order that the Commission may ascertain, by personal examination of each of them, whether they are in a state of entire and perfect freedom, so that any restriction which may exist upon the liberty of any of them may immediately be made to cease. You will press this proposal in the most earnest manner upon the Brazilian Government.

You will add that arrangements will be made by you for sending off to the nearest British colony such of these liberated negroes as may be willing to go thither; and as the condition of slavery has been entirely abolished in those colonies, the negroes who may be sent thither will be perfectly sure of retaining their liberty.

You will further earnestly urge the Brazilian Government to agree, that all the negroes who may in future be emancipated by virtue of the Convention between Great Britain and Brazil shall, immediately after emancipation, be delivered over to British authority, to be sent to a British settlement; and you will state to the Brazilian Government, that Her Majesty's Government will cheerfully bear the expense of the arrangements for transferring the liberated negroes to a British colony. I herewith transmit to you for your information a copy of an Instruction which I have addressed to Her Majesty's Commissioners at Rio de Janeiro upon this subject.

I have to desire that you will concert with Her Majesty's Commissioners the arrangements necessary to carry the abovementioned measures into effect.

For this purpose you will select a proper officer to receive the negroes from the Mixed Court of Commission; you will settle with the Commander of Her Majesty's receiving ship "Crescent" the means of accommodating the negroes on board that ship, until a passage can be procured for them to a British colony; you will send them under proper custody to such British colony, stating in a Letter to the Governor thereof the circumstances under which they are sent, and recommending them to his care.

You will send me an account of the expense incurred in the execution of these measures, together with the vouchers for the same; and you will draw for the amount thereof upon the Lords of Her Majesty's Treasury, giving to their Lordships and to me notice of the bills.

I am, &c.

(Signed) PALMERSTON.

W. G. Ouseley, Esq.
&c. &c.

Enclosure in No. 413.

Viscount Palmerston to Rio Commissioners.

March 12, 1841.

(See Class A, No. 217, p. 292.)

No. 414.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, March 16, 1841.

I HAVE received your Despatch of the 7th January last, enclosing copies of a correspondence, which had taken place between the Brazilian Minister for

Foreign Affairs and yourself, respecting the detention of the Brazilian galliot "Alexandre" by Her Majesty's brig "Grecian;" and I have the satisfaction to acquaint you that Her Majesty's Government approve the Note which you addressed to the Brazilian Minister on the 15th December, 1840, upon this subject.

I am, &c.

W. G. Ouseley, Esq.
&c. &c.

(Signed) PALMERSTON.

No. 415.

M. Montezuma to Viscount Palmerston.

Montague Place, March 25, 1841.

(Received March 27.)

LE Gouvernement Impérial ayant nommé Monsieur Joaquim Thomaz do Amaral, Commissaire Arbitre de la Commission Mixte Brésilienne et Anglaise, séant à Sierra Leone, qui vient d'arriver à Londres, le Soussigné, du Conseil de Sa Majesté l'Empereur du Brésil et son Envoyé Extraordinaire et Ministre Plénipotentiaire près de Sa Majesté Britannique, a l'honneur de prier à son Excellence Monsieur le Vicomte Palmerston, principal Secrétaire d'État de Sa Majesté Britannique au Département des Affaires Etrangères, de vouloir bien adresser les instructions nécessaires aux autorités Britanniques, afin que Monsieur do Amaral y soit dûment reconnu en sa qualité officielle.

Le Soussigné a également l'honneur de prévenir Monsieur le Vicomte Palmerston, que Monsieur Hermenegildo Frederico Niteresi fut nommé Juge Commissaire, et non pas Commissaire Arbitre, comme il fut annoncé à son Excellence dans la note du 2 Août de l'année dernière, ce que doit être aussi communiqué aux autorités de Sierra Leone.

Le Soussigné profite de cette occasion, &c.

(Signé) MONTEZUMA.

(Translation.)

Montague Place, March 25, 1841.

THE Imperial Government having appointed M. Joaquim Thomas do Amaral, who has just arrived in London, to be Arbitrator in the Mixed Brazilian and British Commission at Sierra Leone, the Undersigned, Councillor of His Majesty the Emperor of Brazil and his Envoy Extraordinary and Minister Plenipotentiary at the Court of Her Britannic Majesty, has the honour to request that his Excellency Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, will be pleased to address the necessary instructions to the British authorities, in order that M. do Amaral may be there duly recognised in his official capacity.

The Undersigned has also the honour to acquaint Viscount Palmerston, that M. Hermenegildo Frederico Niteresi was appointed Commissary Judge, and not Commissioner of Arbitration, as was stated to his Excellency in the Note of the 2nd of August of last year, which circumstance should likewise be communicated to the authorities of Sierra Leone.

The Undersigned, &c.
(Signed) MONTEZUMA.

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

No. 416.

Viscount Palmerston to Mr. Ouseley.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 32.)

No. 417.

*Mr. Cuseley to Viscount Palmerston.**Rio de Janeiro, February 28, 1841.**(Received April 15.)*

MY LORD,

THE total abolition of slavery in the Oriental Republic by Frutos Rivera, adopted, it is said, at the last extremity, to furnish means of defence against the projected attack of General Oribe on Monte Video, might, it appears to me, be turned to good account as affecting the question of slavery in Brazil.

The legitimate influence now possessed by Her Majesty's Government in the Rio de la Plata might prevent a return to slavery in Monte Video and the Banda Oriental, if, as is probable, it be again placed under the government of Oribe.

It is important also as affecting the general question of slavery and the Slave Trade that Paraguay should, under whatever form of government it may now assume, not be suffered to admit of slavery; but, as affecting Brazil, it is especially desirable that all the bordering states should not only abolish slavery, but confer absolute freedom on slaves escaping to their territories. At present it might not be difficult to introduce such a principle of legislation—hereafter it will become much more difficult. If any pretext is suffered to exist by which negroes, as slaves, can be claimed or transferred from any of the neighbouring States across the frontiers into Brazil, it will undoubtedly be abused by the slave-dealers.

At the present moment an indirect Slave Trade is carried on through Monte Video, by small coasting-vessels and others, bringing from 10 to 20 or 30 "boçal," or new negroes, ostensibly from the Oriental Republic, where this transfer is connived at. It is difficult, while slavery exists in the Rio de la Plata, to prevent this system; the absolute extinction of slavery in all the surrounding States would close the door to much indirect Slave Trade now carried on, and which accident sometimes discovers.

Not long ago a small schooner from Monte Video was wrecked on the coast of Rio Grande. The crew were saved, but 30 negroes on board were all drowned, being confined below.

The immediate neighbourhood of a free State always strongly affects the security and influence of slavery in the bordering territory, however strongly it may there be supported by the form of government. This is particularly exemplified in Canada with respect to the neighbouring slave States of North America.

It might become expedient for Rio Grande, where few slaves exist at present, and many of them are serving with the rebels, to abolish slavery altogether, if it ceased to exist, or to be allowed as a claim upon the person of a fugitive in the bordering States.

I do not take the liberty of mentioning this subject but as affecting the question of slavery and Slave Trade in Brazil; and I have the honour of forwarding the enclosed summary of the late proceedings at Monte Video, to which I allude, as they have been made known subsequent, probably, to any opportunity having occurred for communicating them directly from thence.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

Enclosure in No. 417.

*Extract from the "Nacional" (the Monte Videan official paper) of
January 26—29, 1841.*

D. FRUTOS RIVERA has decreed the immediate liberty and enlistment in the Military Corps of the Republic of all the male slaves belonging to Monte Videan citizens, for the purpose of increasing the means of defence at the present crisis.

This "Measure of Safety," as it is styled by the "Nacional," directs that "every man should be called to the service of his country—every coloured man ought to be enlisted and belong to some military corps.

"Men of colour are fitter for active service than any others, and they will naturally show much more bravery, inasmuch as if overcome they will be reduced again to slavery.

"A Commission, chosen from among the slave-owners, is to administer the fund, arising from the pay to the liberated coloured soldiers, as an indemnification to the owners. And in consequence of these measures every slave (meaning, probably, every person of colour) found after a fixed time without a military uniform, on account of his master not having presented him to the authorities, is to be confiscated to the State, and his owner subjected to further penalties.

From the "Nacional" of January 26.

"The capital will be garrisoned by a force of coloured men, as a matter of public necessity."

The article, which appears to be official, concludes by remarking, that "these measures will meet with resistance, but not among the body of the people, who are sagacious enough to comprehend their perils and the means of overcoming them; nor among the coloured population, who will understand that their lives and property and the honour of their families are to be saved.

From the "Nacional" of January 28.

"The *Measure of Safety* of declaring free all the male slaves who exist in the Republic, and incorporating them in the national army, has the support of all the patriots who meditate coolly on this state of things.

"The absolute abolition of slavery would give abroad an extraordinary credit for enlightenment and philanthropy to the administration of General Rivera. A numerous class of society, (the freed slaves,) debtors to his justice for the greatest of benefits—liberty, will be blindly devoted to him, and will rather permit itself to be exterminated than yield to the hordes of Rosas.

"By the absolute abolition of slavery we should have all the infantry we require for the army, the squadron, the capital, the heads of departments, and the principal points on the coast.

From the "Nacional" of January 29.

"The measure of safety, by which thousands of now enslaved hands generously emancipated will grasp their arms in the cause of liberty, has the sympathy of all energetic hearts, and does not meet with other objections except those which timidity, egotism, and indecision oppose to great measures."

No. 418.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, March 1, 1841.

(Received April 15.)

(Extract.)

I TAKE the liberty of suggesting the expediency of the necessary instructions and Slave Trade papers being furnished to all Her Majesty's cruisers on this (and perhaps other) stations for detaining slave vessels under the flag of every nation, with which Great Britain has Slave Trade Conventions giving such authority.

The advantages derived from the Slave Trade Suppression Treaties entered into by Her Majesty's Government with powers, apparently, never likely to have any connection with the traffic, have been sufficiently proved by the late detention of the Hamburgh barque "*Louise*." The Swedish brig "*Fritz*," lately preparing to leave this port for the coast of Africa, has been deterred by this capture, I learn, from prosecuting the intended slave trading voyage.

Now that the flag of Portugal and that of Brazil afford little or no protection to the slavers, we must be prepared for their resorting to that of any nation, whose agents will lend themselves to these illegal and dishonourable transactions.

I am the more particular in bringing this matter to your Lordship's notice, as I have reason to fear that many, if not most, of Her Majesty's cruisers on this sta-

tion are as yet unprovided by the Admiralty with the papers or necessary instructions respecting vessels under the flags of the several nations or governments, such as Sweden, Denmark, Hanse Towns, Tuscany, Naples, &c., &c.

The flag of Switzerland is, perhaps, alone likely to remain wholly unemployed by the slave traders.

No. 419.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, March 1, 1841.

(Received April 15.)

(Extract.)

THE Hamburgese barque "*Louise*," destined for different ports on the coast of Africa, and taking the cargoes and fittings of three or more slave vessels, has been detained by Her Majesty's brig "*Grecian*," Captain Smyth.

This experiment under the flag of Hamburg would have been followed by a similar abuse of other flags, and been likely to baffle the suppressive measures of Her Majesty's Government.

The Consul for Bremen, acting as Hamburgese Consul, has addressed a protest to me respecting this vessel, which, together with other correspondence with Her Majesty's naval officers, and the details of this case, must await the departure of the next packet, as there is not time for me to have the honour of transmitting them at present.

The detention of this vessel has caused the utmost consternation among slave-traders; and I regret to say there is reason to fear that many English houses are, indirectly at least, concerned in the speculation.

Your Lordship must be prepared for the possibility of strong remonstrances, founded upon false statements of this case, being sent to Her Majesty's Government.

No. 420.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, March 1, 1841.

(Received April 15.)

(Extract)

It is with much satisfaction that I have remarked the line of conduct adopted by the Chevalier Bayard, the present Portuguese Envoy at this court, respecting the Slave Trade.

It is so much in the power of the Portuguese diplomatic or consular agents, if inclined to abuse their trusts, to further the interests of the slave-dealers, that their proceedings in this country must necessarily excite the attention of Her Majesty's servants, as affecting their efforts for the suppression of the traffic in men.

When M. Bayard arrived, he assured me that his Government was sincerely desirous of carrying into effect the laws of Portugal against Slave Trade, and that as far as he could he should prevent their being infringed. The Portuguese Minister has constantly acted in accordance with this declaration.

I had the honour on former occasions to mention that the conduct of the late Minister Resident of Portugal was far different from that of M. Moreira, the person so long suffered to disgrace the Government of Her Most Faithful Majesty by his shameless corruption and connivance in Slave Trade speculations in this country; yet M. Figanière, not being aware of the abuses carried on by the Portuguese Consulate, suffered vessels to clear out for the Portuguese possessions on the coast of Africa, that were by the present maritime laws of Portugal not legally entitled to be considered as Portuguese.

The papers found on board slave-vessels lately captured sufficiently prove this fact. M. Bayard at once put a stop to this evasion of the law by rigorously enforcing its provisions. His firmness on this point is, however, equalled by that which he shows in defending the legitimate interests of his countrymen. The result is, that the flag of Portugal is now seldom resorted to by the slave-traders, and when used it is without any authority; and the representative of Portugal is generally and deservedly respected.

No. 421.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, March 2, 1841.**(Received April 15.)*

MY LORD,

I DO not forward by this packet copies of the correspondence that has taken place respecting the new Convention for the suppression of the Slave Trade, nor that relating to the ratification of the Additional Acts, expecting daily to receive a more definite and satisfactory answer to my reply to the last note from the Brazilian Government respecting the latter subject. And as regards the Treaty, I have urged upon the Minister for Foreign Affairs the expediency of embodying in a counter proposition the objections that his Excellency has made to certain points in the draft, presented by me to the Minister, in conformity with the instructions with which your Lordship was pleased to honour me.

By the next packet I trust to be enabled to submit to your Lordship the counter proposal of the Brazilian Government.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

No. 422.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, February 15, 1841.**(Received April 21.)*

(Extract.)

The "Grecian" sent a large Portuguese brig, "*Sandade*," to the Cape of Good Hope a few days ago.

The moral effect of the general order sent by your Lordship to the different Consulates in this country, forbidding English Consuls or Functionaries from having any slaves, or from being interested in slave property, has been greater than might perhaps have been anticipated. Your Lordship is probably not aware that some of the English Consuls at the provincial ports of this empire possess a number of slaves, and that the fact is adverted to in a taunting manner by Brazilians frequently, when speaking of the measures of Her Majesty's Government.

I take the liberty of recommending that this order be enforced, and if Foreign Governments could be induced to send similar instruction to their Legations as well as Consulates, it would have a good effect.

I believe that with few exceptions none of the Foreign Legations have slaves; the French, for instance, have not; but the effect of a general order from all European Governments (I doubt whether the United States Government would entertain such a proposal) would have much effect in fostering the feelings already awakened against slavery in this capital.

I hope to be enabled by the packet to report some progress in the new Slave Trade Treaty and additional articles; but the Ministry are, it is said, divided among themselves, and a modification if not a total change, is already spoken of, which much retards any negotiations.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

No. 423.

*Viscount Palmerston to Mr. Ouseley.**Foreign Office, April 22, 1841.**Circular sending Convention with Hayti.*

No. 424.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, March 13, 1841.*

MY LORD,

(Received May 7.)

WITH reference to your Lordship's Despatch of the 18th of April, 1840, which I had the honour to receive on the 26th of June last, respecting the capture of the slave-vessel "*Sandade*," under Portuguese colours, at a short distance from the harbour of Rio de Janeiro, I beg to inform your Lordship that accounts have been received from the Cape of Good Hope of the ultimate condemnation of that vessel, as a good prize to Her Majesty's brig "*Wizard*."

I take the liberty also of offering to your Lordship my sincere thanks for the gratifying expressions of satisfaction, with which your Lordship is pleased to announce to me the approbation of Her Majesty's Government of the steps which I took on that occasion, and I trust that my future endeavours to merit similar encouragements may not be unsuccessful.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

No. 425.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, March 13, 1841.*

MY LORD,

(Received May 7.)

I HAVE the honour to transmit to your Lordship copies of further correspondence that has taken place between Her Majesty's Legation and the Imperial Government, respecting the ratification of the additional articles to the Slave Trade Convention, since the date of that relating to the same subject forwarded in my Despatch of September 26, 1840.

Expecting daily a reply to my last note (Enclosure No. 4), I reserve any observations on this matter, until after the receipt of the Brazilian Minister's note.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

First Enclosure in No. 425.

*Mr. Ouseley to M. Aureliano.**British Legation, January 20, 1841.*

THE Undersigned, &c., regrets that the length of time that has elapsed without receiving from Senhor Aureliano de Souza e Oliveira Continho, &c., any reply to the note which he had the honour to address to his Excellency on the 2nd of September, 1840 (respecting the immediate ratification of the additional articles to the Slave Trade Convention, signed by Mr. Fox and Senhor Alves Branco in July, 1835), excepting the note dated the 24th of September last (in which the occupation of the Imperial Government in other affairs of immediate interest was alleged as a motive for postponing the consideration of this subject), obliges him, on the part of Her Majesty's Government, to request that a matter, upon which a delay of such length could not have been anticipated, should at once receive the attention which it deserves.

No constitutional obstacle now existing to the immediate ratification of those articles, the Undersigned trusts that Senhor Aureliano will perceive the expediency of at once proceeding to act in this matter, consistently with the repeated assurances of past administrations, and in accordance with the sentiments which Her Majesty's Government is persuaded actuate the present Government of this empire.

The Undersigned begs also to remind the Minister of Foreign Affairs of the modification admitted by Her Majesty's Government, at the request of that of Brazil, in one of the additional articles, as mentioned in his note of September 2, 1840.

And avails himself, &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano de Souza e Oliveira Continho,
&c. &c. &c.

(Translation.)

Second Enclosure in No. 425.

M. Aureliano to Mr. Ouseley.

Rio de Janeiro, January 22, 1841.

THE Undersigned, &c., acknowledges receipt of the note which on the 20th instant Mr. Ouseley, &c., addressed to him, in which he refers to the previous note of September 2 last, wherein he requested, on the part of his Government, the early ratification of the additional articles to the Convention of November 22, 1826, signed on the 7th July, 1835, by Messrs. Alves Branco and Fox, as plenipotentiaries of the two nations, and insists afresh on the conclusion of this matter.

The Undersigned already, on the 24th of September last, stated to Mr. Ouseley the strong reasons, which offered themselves to the Imperial Government for not ratifying precipitately an arrangement of such importance, the essential objects of which have always merited the most serious consideration of the Governments, which have happened to be placed in identical circumstances.

The Imperial Government, however, has not failed to give due attention to this matter; and, on the contrary, even the very fact that it appreciated its importance constitutes the reason that the ministry of his Imperial Majesty, being fully occupied with innumerable affairs of weight, on which they were obliged to take immediate steps, have not yet agreed upon the definitive decision that Mr. Ouseley requires.

The Undersigned, however, will not omit opportunely to move the advance and conclusion of the object in question, in order that he may have it in his power duly to reply to Mr. Ouseley, who, the Undersigned trusts, will do justice to the Imperial Government, acknowledging the sincere desires and strong efforts that it is making to draw closer the relations of perfect harmony existing between the two nations.

The Undersigned renews, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

Third Enclosure in No. 425.

Mr. Ouseley to M. Aureliano.

British Legation, January 27, 1841.

IN conformity with instructions which the Undersigned, &c., has had the honour to receive from Her Majesty's Government by the last packet, he begs to remind his Excellency, Senhor Aureliano de Souza e Oliveira Continho, &c., of the continued postponement of the ratification of the additional articles to the Convention of November 23, 1826, which were concluded by the plenipotentiaries of the two Governments in the year 1835.

The Undersigned has the honour to refer Senhor Aureliano to previous correspondence on this subject, and to the repeated assurances of the Imperial Government of its wish to carry into effect this and other measures suppressive of Slave Trade; and is instructed to state to his Excellency that, under the present circumstances of the Imperial Government, and the possession and exercise by the Crown of its full prerogatives, the Queen's Government considers itself entitled to de-

The Undersigned has since then, on more than one occasion, had the honour to recall this important proposal to Senhor Aureliano's attention, when his Excellency explained that the press of other and urgent business, connected with the highest interests of the Government, obliged the Ministry, of which his Excellency forms a part, to defer completing and carrying into execution the proposed Convention, which however in the mean time was undergoing the consideration and examination required by its importance.

The Undersigned will not conceal from Senhor Aureliano that he hoped to have been, before the present time, enabled to transmit to the Queen's Government the satisfactory result of the negotiation with which he has the honour to be charged. The more so as, from the well-known sentiments of the Imperial Government respecting the suppression of the Slave Trade, it was natural to suppose that other subjects might have been postponed, in order to complete at once the new arrangements necessitated by the prompt acceptance by Her Majesty's Government of the proposal made on the part of that of the Emperor. Six months having now elapsed, and the matters more immediately calling, at the auspicious commencement of a new era in the government of the empire, for the attention of the Administration, no longer occupying exclusively the Imperial Government, the Undersigned has now the honour formally and earnestly to request his Excellency to hasten the conclusion of a measure, to which no objection can exist, and of which the importance and probable salutary effects are daily becoming more evident, in order to avoid the inconveniences, and frequently complicated and unpleasant affairs, to which the existing Slave Trade Convention, unsuited to the present circumstances of this empire, inevitably gives rise.

The Undersigned will have the honour of waiting on Senhor Aureliano on Monday the 18th instant, in order to treat of the subject of this Note; but should it not then be in his Excellency's power to grant him a conference, he requests his Excellency to appoint an early day on which to honour him with an interview.

The Undersigned, &c.

(Signed)

W. G. OUSELEY.

Senhor Aureliano de Souza e Oliveira Continho,

&c.

&c.

&c.

(Translation.)

Second Enclosure in No. 426.

M. Aureliano to Mr. Ouseley.

Rio de Janeiro, January 26, 1841.

THE Undersigned acknowledges receipt of the Note which Mr. Ouseley addressed to him on the 15th instant.

Mr. Ouseley, referring to his previous Note of July of last year, in which he signified that his Government formally accepted a proposal which was offered in 1839, on the part of the Imperial Government, on the extinction of the Brazilian and English Mixed Commissions, and enclosed a draft of a Convention on this subject, now urges and again requests the conclusion of this affair, which Mr. Ouseley says has already obtained the prompt acquiescence of the British Government.

The said draft, however, presented by Mr. Ouseley, requiring to be examined with mature reflection by the Ministers of His Imperial Majesty, with a view afterwards of coming to a definitive agreement respecting it, the Undersigned having already submitted it to his noble colleagues for the said purpose, as he has verbally communicated to Mr. Ouseley, the above agreement has not yet been possible, from the multiplicity of affairs that have latterly occupied the attention of the Imperial Government, which entertains, however, the best wish to arrive at a solution worthy of the two Governments; and because, notwithstanding the Undersigned will always be ready to listen to all that Mr. Ouseley may wish to say to him on this subject, he hastens to signify to him that on Thursday of next week, at mid-day, he will receive him in this office, for the purpose of granting him the conference requested in the Note, to which the Undersigned has now the honour to reply.

The Undersigned, &c.

(Signed)

AURELIANO DE SOUZA E
OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,

&c.

&c.

(Translation.)

Third Enclosure in No. 426.

*M. Aureliano to Mr. Ouseley.**Rio de Janeiro, February 8, 1841.*

THE Undersigned has had the honour of addressing himself to Mr. Ouseley in reply to his latest Notes, in which he insists on the adoption, by the Imperial Government, as early as possible, both of the additional Articles to the Convention of November 23, 1826, on the traffic in slaves, which Articles had previously been submitted for approval to the Chamber of Deputies, and likewise of the proposal or project of a new Convention, offered by Mr. Ouseley in consequence of the Government of Her Britannic Majesty having given its adherence to a proposal or memorandum presented to Mr. Ouseley, with the object of finding a means of doing away with the Brazilian and British Mixed Commission at this court, and of arriving at an agreement, for rendering effective the abolition of the illegal commerce in Africans.

The Undersigned has more than once said to Mr. Ouseley, that this being an affair of great importance he had submitted it to the particular cognizance of each of his worthy colleagues, in order afterwards to enter on the discussion thereof, and to adopt a definitive agreement upon it, which the Undersigned would then have had the honour of bringing to the knowledge of Mr. Ouseley. This definitive agreement it has not yet been possible to come to, on account of the many objects of internal administration which have occupied the attention of the actual Government of His Majesty the Emperor, which counts only a few months of existence. However, the Undersigned cannot delay at once informing Mr. Ouseley that the project of Convention which he has presented, on the basis of the memorandum of Senhor Candido Baptista de Oliveira, cannot merit the assent of the Government of His Majesty the Emperor, as it at present stands. First, because it would subject Brazilians to an entirely foreign tribunal; secondly, because it would legislate for such as are neither Brazilian nor British subjects, which is opposed to all principles of universal public right. Besides which its dispositions are too vague as respects the vessels which are to be considered as suspected of being occupied in the traffic; and Mr. Ouseley will easily conceive, that, although the desire experienced by the Imperial Government to adopt measures for rendering more effective the abolition of the traffic be very strong, still it is necessary that this be done with all circumspection and prudence, in order not to shock the principles of Brazilian nationality, nor expose the commerce of Brazil to vexatious hinderances. All these reasons induce the Brazilian Government to wish as yet still to meditate, and seek after adequate means for enabling it to attain the object it had in view in that Memorandum of Senhor Candido B. de Oliveira, without wounding the above-mentioned principles, and exposing Brazilian subjects to such vexations, and the Government itself to suffering the bitterest censures of the Legislative Chambers.

The above, which the Undersigned has the honour to communicate to Mr. Ouseley, because he requires an early answer on the subject, for the purpose of transmitting it to his Government by the next packet, need present no impediment to the continuance of the conferences between the Undersigned and Mr. Ouseley, devoted to the consideration of this object, to which the Imperial Government will likewise continue to apply itself, in order to arrive at the desired agreement.

The Undersigned, &c.

(Signed)

AURELIANO DE SOUZA E
OLIVEIRA CONTINHO.*W. G. Ouseley, Esq.,*
&c. &c.

Fourth Enclosure in No. 426.

*Mr. Ouseley to M. Aureliano.**British Legation,**Rio de Janeiro, February 28, 1841.*

THE Undersigned, &c., in reply to the Note which he had the honour to receive from Senhor Aureliano de Souza e Oliveira Continho, &c., dated February

8th, stating that certain objections exist as to the proposed new Convention for the effectual suppression of the Slave Trade, which has formed the subject of different representations from the Undersigned, and conferences with his Excellency, has the honour now further to propose, that the Imperial Government should embody such objections as may, in their opinion, exist to any of the Articles as at present proposed on the part of Her Majesty's Government, in a Draft of Treaty containing the whole of such provisions as they would desire to carry into effect.

The Undersigned, reminding Senhor Aureliano that it is extremely desirable that the counter-proposition of the Imperial Government be forwarded at his Excellency's earliest convenience, requests the Minister for Foreign Affairs to accept, &c.

(Signed)

W. G. OUSELEY.

Senhor A. de Souza e Oliveira Continho,
&c. &c. &c.

Fifth Enclosure in No. 426.

Mr. Ouseley to M. Aureliano.

British Legation,

Rio de Janeiro, March 4, 1841.

SIR,

WITH reference to one of the subjects of the conference with which your Excellency honoured me this morning, I lose no time in requesting, that the Imperial Government be pleased to name a minister to conclude the new Convention for the effectual suppression of the Slave Trade, on the basis proposed by Brazil in 1839, the negotiation of which has been confided to me by Her Majesty's Government.

Your Excellency was pleased, when I first had the honour of bringing this matter officially before you, to inform me that, as Minister for Foreign Affairs, your Excellency was personally charged with the negotiation of the proposed Treaty, and pointed out that a matter of such importance, requiring frequent references to the Council of the Empire, would be facilitated by a direct communication between the Minister of Foreign Affairs and myself.

I venture, however, now to propose that a minister, if possible, as conversant with the subject as your Excellency, be appointed by the Imperial Government, as the multiplicity and urgency of the daily business of the Foreign Department necessarily prevent your Excellency from giving that time to the details of the proposed Treaty, that its important nature requires. Indeed, it is incumbent upon me, honoured as I have been by the trust reposed in me by Her Majesty's Government on this occasion, urgently to recommend any measure that may tend to carrying into effect the instructions that I have received; and it appears to me that the appointment of a minister, charged especially with the negotiation in question, is most essential to its speedy completion.

I avail myself, &c.

(Signed)

W. G. OUSELEY.

Senhor A. de Souza e Oliveira Continho,
&c. &c. &c.

No. 427.

Mr. Ouseley to Viscount Palmerston.

(Extract.)

Rio de Janeiro, March 13, 1841.

(Received May 7.)

HER Majesty's brigantine "Fawn," commanded by Lieutenant Foote, lately captured off San Sebastian the slave-brig "*Dous de Fevereiro*," with 380 Africans on board; also known by several other names, as the "*Fortuna*" and "*Duas Irmãs*," &c., under Portuguese colours.

The "*Dous de Fevereiro*" is sent with the Africans on board to a British colony.

No. 428.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, March 13, 1841.*

(Extract.)

(Received May 7.)

Immediately that it was reported in this capital that the "*Louise*" had been detained by a British cruiser, M. Vallentin requested me to name a day and hour for receiving him, and subsequently called, bringing with him the master of a Swedish vessel recently chartered for the Coast of Africa.

M. Vallentin having verbally asked my opinion as to the risk of capture of a Swedish vessel under similar circumstances to those of the "*Louise*," I thought it my duty to point out in the strongest terms the extreme improbability of such a voyage being completed without interruption from Her Majesty's cruisers, and to impress upon him the grave responsibility he would incur in giving the slightest encouragement to such a speculation.

M. Vallentin expressed, in very becoming terms, his desire to prevent the flag of His Swedish and Norwegian Majesty from being disgraced by any participation in the Slave Trade, and urged the legality of the voyage. I appealed to the good faith of M. Vallentin and the Swedish master of the merchantman as to whether they, as well as myself and every one on the Exchange in Rio Janeiro, were not convinced that the real purpose of the proposed voyage was the carrying Slave Trade, to which appeal they did not reply.

I am informed that the Swedish vessel is no longer advertised for the Coast of Africa.

No. 429.

*Viscount Palmerston to Mr. Ouseley.**Foreign Office, May 8, 1841.**Circular against holding Slave Property.**(See No. 196.)*

No. 430.

*Viscount Palmerston to Mr. Ouseley.**Foreign Office, May 11, 1841.**Circular on proposed Instruction to Brazilian Functionaries in Slave-holding Countries.**(See No. 47.)*

No. 431.

*Viscount Palmerston to Mr. Ouseley.**Foreign Office, May 17, 1841.*

SIR,

I HAVE received your Despatch of the 13th of March last, stating that the slave-vessel "*Dous de Fevereiro*" had been sent to a British colony; and I have the satisfaction to acquaint you, that Her Majesty's Government entirely approve the arrangement in question, and consider it desirable that all slave-ships brought to Rio, and of which the character is Portuguese, should be sent for adjudication to a British colony, under the Act of the 2nd and 3rd Victoria, cap. 73, whether such ships have slaves on board or not.

I have, &c.

W. G. Ouseley, Esq.,
&c. &c.

(Signed) PALMERSTON.

No. 432.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, May 24, 1841.

WITH reference to your Despatch of the 1st of March of this year, respecting the honourable conduct of M. Bayard, the Portuguese Envoy at Rio de Janeiro, in regard to the Slave Trade, I herewith transmit to you a copy of a Despatch which I addressed upon that subject to Her Majesty's Envoy at Lisbon, and a copy of the answer which I received from him.

I am, &c.

W. G. Ouseley, Esq.,
&c. &c.

(Signed) PALMERSTON.

First Enclosure in No. 432.

*Viscount Palmerston to Lord Howard de Walden.**April 23, 1841.*

Second Enclosure in No. 432.

*Lord Howard de Walden to Viscount Palmerston.**May 8, 1841.*

(See Nos. 271 and 272.)

No. 433.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 14, 1841.**(Received June 14.)*

MY LORD,

I HAVE to thank your Lordship for the expressions of approbation on the part of Her Majesty's Government, which you were pleased to convey to me, in your Lordship's Despatch of September 1, 1840, of the conduct that I pursued respecting the capture of the slave-vessel "*Treze de Junho.*"

I feel highly gratified by receiving this proof of my proceedings having been satisfactory to your Lordship on that occasion, and hope that on others my efforts to act in accordance with your Lordship's views may not be less successful.

It is a further source of gratification to me, in reference to this capture, that intelligence has been received here that the "*Treze de Junho,*" together with her cargo and appurtenances, have been duly condemned in the Vice-Admiralty Court of Barbadoes.

I have, &c.

(Signed) W. G. OUSELEY.

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

P. S.—It is with regret that I hear that certain English mercantile houses of high standing in this capital were, indirectly at least, largely concerned in the speculation of the "*Treze de Junho.*"

No. 434.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 17, 1841.**(Received June 14.)*

MY LORD,

THE Portuguese slave-vessel "*Dous de Fevereiro*" taken under the new Act by Her Majesty's brigantine "*Fawn,*" sailed for Demerara on the 19th of March with 180 Africans on board.

CLASS B.

I endeavoured, in conjunction with Captain Jones, to cause the most healthy of the Africans to be selected, so as to allow time for the remainder to recover strength and be enabled to follow their comrades on the return of the "*Dous de Fevereiro*," or on the occurrence of a favourable opportunity; and at the same time care was taken to send such a number of females as would be proportionate to the males, as far as circumstances would allow, as will appear by the list contained in the enclosed Letter from Mr. Donellan.

I must reserve for the "Magnet" packet, shortly to sail from hence, the chief part of the correspondence that has taken place respecting the "*Dous de Fevereiro*," and, in the mean time, have the honour to transmit copy of a Letter that I wrote to Captain Jones, senior officer in command here, in answer to different applications from that officer, as also a copy of a Despatch that I forwarded to the Governor or acting Governor of Demerara, or to the Governor-General of whatever colony the "*Dous de Fevereiro*" might reach.

Although Captain Jones recommended, in compliance with the wishes of the captor, that the "*Dous de Fevereiro*" should be sent to St. Helena on account of the greater facility of the return voyage, yet the risk of missing the island, an accident which sometimes occurs even to well-appointed vessels, the necessity of furnishing a chronometer at all events to make the island, and the extreme distress that might occur to so many human beings in case of the death or sickness of the single officer charged with the navigation of the vessel, induced me strongly to prefer Demerara, especially as the services of the labourers are much more required, I learn, at that colony than at St. Helena.

A shipwrecked master of a merchantman fortunately required a passage to Demerara, and possessing a chronometer and being a competent navigator, it was thought expedient to give him a passage on board the "*Dous de Fevereiro*," and thus an able assistant (or substitute in case of sickness) for the officer in command was furnished for that voyage.

I have, &c.

(Signed)

W. G. OUSELEY.

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

First Enclosure in No. 434.

Lieutenant Donellan to Mr. Ouseley.

Her Majesty's Receiving Ship 'Crescent,' Rio de Janeiro, March 18, 1841.

SIR,

I BEG to acquaint you that I have this day discharged 180 Africans, late of the prize "*Dous de Fevereiro*," into that vessel for a passage to Demerara in the following proportions, namely:—

Men	50
Women	25
Boys	60
Girls	45

Total . . . 180

I have, &c.

(Signed)

M. DONELLAN,
Lieutenant and Commander.

W. G. Ouseley, Esq.
&c. &c.

Second Enclosure in No. 434.

Mr. Ouseley to Captain Jones.

*British Legation, Rio de Janeiro,
March 15, 1841.*

SIR,

WITH reference to the contents of your Letter of the 8th instant, and other communications for which I have to thank you, I think it my duty to recom-

mend that the "*Dous de Feveiro*" be sent to Demerara or Trinidad rather than St. Helena.

From what I have ascertained there seems little doubt but that the greater part of the Africans would have to be transported from St. Helena to the West Indies after condemnation, thus entailing further expense and difficulty. It would, I find from the opinions of yourself and that of others conversant with the matter, be absolutely necessary to provide the "*Dous de Feveiro*" with a chronometer to enable the officer in charge of that vessel to make the island with probable certainty; that in the event of missing that island difficulties might be experienced, from want of water and other circumstances, in making Sierra Leone or some other port on the coast of Africa.

Should weather or accidental circumstances necessitate taking shelter in a port (as was the case with the "*Treze de Junho*" taken to Barbadoes, and which put into Bahia in distress), the voyage to Demerara offers several in which to take refuge, Bahia, Pernambuco, Pará, &c.; and even were circumstances to prevent proceeding to Demerara, the prevailing winds would always admit of making Trinidad or some of the West India Islands.

The negroes of the "*Dous de Feveiro*" in any of Her Majesty's West India possessions would immediately find that care and employment as free labourers which conduces at once to their own advantage, and to defray in part the expenses which their capture and liberation necessarily entail on Her Majesty's Government.

Under these circumstances I have requested Mr. Consul Hesketh to forward the preparations for supplying the "*Dous de Feveiro*" in such matters as are not provided for by Her Majesty's naval service. I shall forward a Despatch to the Governor of the colony to which the "*Dous de Feveiro*" will proceed for adjudication, which I shall be obliged by your giving in charge to the officer in command of the "*Dous de Feveiro*."

I have, &c.

(Signed) W. G. OUSELEY.

Captain J. Jones, R.N.
&c. &c.

Third Enclosure in No. 434.

Mr. Ouseley to Henry Light, Esq.

British Legation, Rio de Janeiro,

March 17, 1841.

SIR,

I HAVE thought it my duty to recommend that the Portuguese slave-brig "*Dous de Feveiro*," known under many other names, as the "*Fortuna*," "*Duas Irmaas*," &c., lately captured under the New Act of Parliament by Her Majesty's brigantine "*Fawn*," should be sent to Demerara for adjudication, with 180 of the Africans found on board her, it not being possible, consistently with the health and safety of the prize-crew and Africans, to send more than that number at once. Such of the remainder of the negroes as are in good health are for the present on board Her Majesty's receiving-ship "*Crescent*," the sick in an hospital-ship.

As there can be no defence made in the case of this capture, having 380 negroes on board when taken remaining alive out of 500 shipped on the Coast of Africa, I take the liberty of strongly recommending that the "*Dous de Feveiro*," which from a survey held upon her appears in remarkably good order and is reputed a fast sailer, should be with her prize-crew sent back hither as soon as possible. The "*Fawn*" is a very small cruiser, (formerly the "*Carolina*" slaver, taken on this coast,) and the absence of an officer and prize-crew much weakens her complement. The "*Dous de Feveiro*" will then probably (unless another opportunity occurs in the mean time by the capture of a vessel without Africans on board, or otherwise, or unless the Commander-in-Chief on this station, Admiral Sir Edward King, should adopt a different course) be again sent to Demerara with the remainder of the Africans, in charge of whatever officer and prize-crew the Commander-in-Chief may think fit to send with her.

I have been informed that labourers such as those now forwarded by the "*Dous de Fevereiro*" are in request at the colony under your Excellency's government, and I should be obliged by having your opinion and recommendation as to the propriety or comparative expediency of sending from hence in future, when opportunity offers, other Africans under circumstances similar to those from on board the "*Dous de Fevereiro*" to Demerara, Trinidad, or any of the West India Islands.

The object of Her Majesty's Government being, I am convinced, best served in the present instance, both for the advantage of the Africans and for that of Her Majesty's colonial possessions, by sending the negroes to the colony under your Excellency's government, I venture to request your countenance and assistance to Mr. Johnstone, the officer in charge of the "*Dous de Fevereiro*," so as to enable him, with his men and vessel under his command, to return as soon as possible to this capital.

In case of bad weather or other incidental circumstances so far injuring the "*Dous de Fevereiro*" as to render her unseaworthy, or occasion much loss of time in repairs and refitting, could a passage be provided for Mr. Johnstone and the prize-crew to Para? They might thence proceed by the monthly steam-packets to this port with but little delay.

Not being aware of the resources of the colony under your Excellency's government, nor with its local circumstances, it is with diffidence that I suggest the possibility of allowing a steamer to tow the "*Dous de Fevereiro*" some part of her way, so as to obtain an offing should she return hither at once.

I have, &c.

(Signed) W. G. OUSELEY.

His Excellency Henry Light, Esq., Governor of Demerara,
&c. &c. &c.

No. 435.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, April 17, 1841.

(Received June 14.)

MY LORD,

I HAVE the honour to forward a copy of a Despatch which I addressed to Rear-Admiral Sir E. D. King, commander-in-chief of Her Majesty's naval forces on this station, by Her Majesty's brig-of-war "*Wizard*," respecting the crew and passengers of the "*Sandade*" slaver.

The "*Wizard*" sailed on the 28th of February, taking the individuals named in the accompanying list.

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 435.

Mr. Ouseley to Sir E. D. King.

British Legation, Rio de Janeiro,

February 27, 1841.

SIR,

THE slave-vessel "*Sandade*" having been captured under the new Act for the suppression of the Slave Trade under the flag of Portugal, by Her Majesty's brig "*Grecian*," Captain Smyth, and sent to the Cape of Good Hope for adjudication, it was found necessary that the greater part of the prisoners from on board should be left on board Her Majesty's receiving ship "*Crescent*," in this harbour,

until an opportunity should occur of forwarding them, according to the provisions of that Act, to a Portuguese colony.

The departure of the "Wizard" for the Cape of Good Hope enables the senior officer on this station to send the prisoners in question thither, from whence they can proceed to the nearest Portuguese possessions, or be placed on board any of Her Most Faithful Majesty's vessels of war that may be met with. I have therefore, in conformity with the wishes of Her Majesty's Government, officially requested Captain Jones to direct that the prisoners, as per enclosed list, be forwarded by Her Majesty's brig "Wizard" to the Cape.

There being at present upwards of 800 human beings on board the "Crescent," and among them upwards of 60 refractory and some desperate prisoners, with sickness existing in the ship, it is highly desirable that the commander of Her Majesty's receiving ship should be as far as possible relieved of the great responsibility devolving upon him, increased by the weakness of the guard of marines at present allotted to that vessel.

The prisoners now sent are not forwarded as witnesses, but merely to be disposed of in conformity with the provisions of the new Act.

I have, &c.

(Signed) W. G. OUSELEY.

Rear-Admiral Sir E. D. King,
&c. &c. &c.

Second Enclosure in No. 435.

*Her Majesty's Receiving Ship "Crescent,"
Rio de Janeiro, February 27, 1841.*

*List of Prisoners from "Sandade" Slaver, sent to the Cape of Good Hope in
Her Majesty's Brig "Wizard."*

1° Piloto . . .	Antonio Jozé de Cunha.
2° ——— . . .	Luiz de Souza Fonseca.
Contramestre .	Jozé Coelho.
Marinheiros .	Joaquim dos Santos Reis.
	Jozé de Paiva.
	Francisco Roiz da Silva.
	Manoel do Reys Lima.
	Patricio Samoes.
	Joao Antonio.
	Francisco Roiz dos Santos.
	Anicito Francisco Leal.
	Manoel Luiz de Oranjo.
Carpinteiro .	Joaquim Lopez.
Moços . . .	Francisco Machado.
	Joao Baptista.
	Jozé Paulo Moreira.
	Evensio Miguel Affonso.

No. 436.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, June 28, 1841.

I HAVE received your Despatch of the 17th of April last, stating the measures which you had adopted for sending the Portuguese vessel "*Dous de Fevereiro*" to Demerara instead of to St. Helena, as at first intended; and I have to acquaint you that Her Majesty's Government approves the course which you have pursued on this occasion.

I am, &c.

W. G. Ouseley, Esq.,
&c. &c.

(Signed) PALMERSTON.

No. 437.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 25, 1841.*

(Extract.)

(Received July 2.)

WITH reference to the case of the "*Sandade*" outward bound slave-vessel, under Portuguese colours, sent to the Cape of Good Hope by Her Majesty's brig "*Grecian*" for adjudication under the new Act, I have the honour to inform your Lordship that I forwarded to Admiral Sir E. King, together with the Despatch, a copy of which is enclosed in my Despatch of April 17, to your Lordship, a private letter respecting the individuals from on board the "*Sandade*," an extract from which I have now the honour to enclose.

By thus forwarding the crews and others from on board slave vessels to a great distance much interruption is given to the slave-trading speculations; and I was the more inclined to recommend this measure whenever a good opportunity offered, as on former occasions, when similar steps were taken with respect to Portuguese crews of slave vessels, your Lordship was pleased to convey to me the approval of them by Her Majesty's Government, as mentioned in your Lordship's Despatch of July 19, 1839, for which I beg to offer my grateful acknowledgments.

Enclosure in No. 437.

Extract of a Private Letter from Mr. Ouseley to Rear-Admiral Sir E. D. King, dated Rio de Janeiro, February 27, 1841.

WITH respect to the prisoners from on board the "*Sandade*" it is essential that they should be sent, as directed in the instructions, to a Portuguese colony, but I have, when no opportunity has offered for forwarding them, given them over to the commanders of Portuguese men-of-war, and this mode of proceeding has been approved; therefore I mention it in my official Letter. It is also of the highest importance that they should be thus treated; it assists materially the objects of Her Majesty's Government, by rendering the punishment of the slave traders real, as far as it goes: first, confinement on board a man-of-war, then a voyage that takes them out of harm's way for an indefinite time, and, probably, ultimately deters them altogether from embarking in such pursuits, and the complete prevention of all the designs of their employers and themselves, and the consequent losses and embarrassments in their correspondence and speculations; in short, we destroy one undertaking, and prevent two or three, by the capture of each vessel thus treated. The longer they are delayed, and the further they are sent from the slave-trading ports, the better. There is no reason to allow them to go on shore even, if there is a hulk or convenience to keep them until they are sent to a Portuguese possession.

No. 438.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 25, 1841.**(Received July 2.)*

MY LORD,

WITH reference to the subject of my preceding Despatch, I have the honour to mention to your Lordship that the "*Sandade*" slaver captured by the "*Grecian*" brig-of-war, and sent to the Cape of Good Hope for adjudication, is not the slave vessel of the same name taken near this harbour by Her Majesty's brigantine "*Fawn*" early in 1840.

Slave-traders are in the habit, particularly of late, since the vigilance of Her Majesty's cruisers has caused them much loss, of giving the same name to several different vessels, and each vessel generally goes by a variety of names, for the purpose of misleading Her Majesty's officers.

With respect to the "*Sandade*," prize to the "*Fawn*," and condemned at the Cape of Good Hope, I had the honour fully to report the circumstances under which that slaver was captured in my Despatch of February 17, 1840, and had

subsequently the gratification of receiving from your Lordship the expression of the approval of Her Majesty's Government.

I have, &c.

(Signed) W. G. OUSELEY.

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

No. 439.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, April 30, 1841.

(Received July 2.)

MY LORD,

I HAVE the honour to transmit to your Lordship copies of a correspondence that has taken place between the Imperial Government and myself, respecting certain unauthorized acts asserted to have been practised by the Commander of a British schooner of war named "Frar-ras-moon," as also by the captain of Her Majesty's ship "Racehorse."

Having applied to the officer in command of Her Majesty's vessels on this station, and having corresponded with Her Majesty's Consuls at the northern ports of this Empire, respecting the very improbable accounts given of the transaction complained of by the Brazilian Government, knowing from experience also how little credit such complaints generally merit, I abstained from bringing the subject earlier under your Lordship's consideration, in the hope that it might be satisfactorily arranged by Her Majesty's Legation.

A reference, however, to Her Majesty's Government now seems necessary, as doubtless the Commander of the "Racehorse" may be able to furnish authentic information as to the apocryphal schooner accused of having, in fact, robbed the "*Amalia*."

A statement having appeared in the papers some time ago of the assassination of a British prize-crew by the crew of a detained slaver, answering the description of the "*Amalia*," it is not impossible that the accusation of the abstraction of a sum of money may have been invented, in order to direct attention into a wrong channel, and prevent discovery of the perpetration of such an outrage.

I am enabled, by information received from Her Majesty's Consul at Pará, to give a further reply to the Brazilian Minister respecting this affair, which in the mean time it becomes my duty to lay before your Lordship.

I have, &c.

(Signed) W. G. OUSELEY.

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

(Translation.)

First Enclosure in No. 439.

M. Lopes Gama to Mr. Ouseley.

Rio de Janeiro, April 28, 1840.

THE Undersigned, &c. &c., has the honour to transmit to Mr. Ouseley, &c. &c., a representation accompanied by eight documents which Antonio Pinto Ferreira Vianna, and Co., proprietors of the brig-schooner "*Amalia*," have addressed to the Imperial Government.

From these papers it is gathered, that the said vessel, on its return voyage from Angola, whither it had been freighted for the purpose of carrying thither some Portuguese colonists, fell in off that coast with the British schooner-of-war "Frar-ras-moon," which, having detained the "*Amalia*" for the space of eighteen hours, under the pretext of her being employed in the traffic in Africans, afterwards abandoned her without restoring the sum of 5256 dollars

270 rs. in gold coins of 6 dollars 600 rs. each, which was being brought here on account of the said Vianna and Co.

This was not the sole act of violence suffered by the schooner "*Amalia*;" yet another of a very grave nature was practised by the commander of the British corvette "*Racehorse*," who, being in the port of Maranham, sent a boat to examine her, the crew of which behaved themselves in a very reprehensible manner, disobeying the remonstrance which a custom-house officer, who was on board the "*Amalia*," made them.

Acts of this nature practised by Her Britannic Majesty's naval officers against innocent merchant-vessels are doubtless very offensive to the dignity of the Imperial Government, and for this reason it is necessary that they be so disapproved by the enlightened Government of Her Britannic Majesty, that for the future the said officers should limit themselves to the duties prescribed to them by the law of nations. And notwithstanding that the commander of the "*Racehorse*" endeavoured to excuse himself with the President of the province of Maranham, as the British Vice-Consul has affirmed, by alleging that it had been by mistake that the said boat boarded the "*Amalia*," still the fact of a Brazilian vessel being so visited in a harbour of the empire is, of itself alone, intolerable, and claims due amends to be made.

In consideration of the above, the Undersigned, confiding greatly in the sentiments of good harmony of which Mr. Ouseley has given proofs, hopes that he will do all in his power, in order that not only due satisfaction be given to the Imperial Government, corresponding to the offence it has received, but also that the money belonging to the proprietors of the "*Amalia*" may be restored to them.

The Undersigned, &c.

(Signed)

CAETANO MARIA LOPES GAMA.

W. G. Ouseley, Esq.,
&c. &c.

(Translation.)

Second Enclosure in No. 439.

M. Aureliano to Mr. Ouseley.

Palace of Rio de Janeiro, August 17, 1840.

It appearing officially to the Imperial Government that the English corvette "*Racehorse*" left Bahia without paying the fine of one conto of reis, which, in virtue of the 135th Article of the Regulations of the 22nd of June, 1836, the Inspector of the Custom House had imposed on her, for her irregular and highly reprehensible conduct to the Brazilian schooner "*Amalia*," also anchored in that port; the Undersigned, &c. &c., referring to the note of the 28th of April last, in which his predecessor, communicating to Mr. Ouseley, &c. &c., this act, both violent and derogatory to the dignity of the Imperial Government, claims due reparation, has only now to add that the non-payment of the fine has much increased the offence, and for this reason it is to be hoped from his enlightened sentiments that Mr. Ouseley will interfere, in order that the Imperial Government may receive the full satisfaction to which it has an indisputable right, and which is moreover so necessary to the preservation of the harmony and good friendship which so happily subsist between the two Governments.

The Undersigned avails, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

(Translation.)

Third Enclosure in No. 439.

*M. Aureliano to Mr. Ouseley.**Palace of Rio de Janeiro, March 15, 1841.*

THE Notes not having yet been answered which the Undersigned, &c., addressed on the 28th of April and 17th of August last year to Mr. Ouseley, &c., both containing serious matter, inasmuch as they refer to the satisfaction due, as well to the Imperial Government for the unusual and offensive proceeding on the part of the commander of the English corvette "Racehorse" towards the brig-schooner "*Amalia*" in the port of Maranham, as to Antonio Pinto Ferreira Vianna and Co., owners of the said vessel "*Amalia*," for the sum of money, which, in gold coin of 6 dollars 400 reis, was on its way there, on account of the same, and was taken by the British schooner-of-war "Frar-ras-moon," it becomes the duty of the Undersigned again to call the attention of Mr. Ouseley to these facts, and to the indemnity that is indispensable for the offences which have been committed.

The Undersigned renews, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

Fourth Enclosure in No. 439.

*Mr. Ouseley to M. Aureliano,**March 19, 1841.*

WITH reference to the Note of the 15th instant, in which Senhor Aureliano, &c., renews the subject of a complaint made by the proprietors of the "*Amalia*," the Undersigned, &c., has to apologise to his Excellency for not having sooner replied to the notes addressed to him by his Excellency's predecessor in office, touching the asserted improper proceedings of the commander of Her Majesty's corvette "Racehorse" respecting the slave-schooner "*Amalia*," as also relating to a pretended abstraction of a sum of money from the same schooner, by an English cruiser said to be called the "Frar-ras-moon."

The Undersigned had the honour to mention to Senhor Aureliano's predecessor in office that, the corvette "Racehorse" not belonging to this station, the information required could only be procured by addressing the Admiralty through the proper channel, which would necessarily require much time; as to the other charge, without remarking upon its extreme improbability, not to say absurdity, in which it resembles late fabricated charges of the crew of the "*Alexandre*," it suffices to remark that there is no vessel in Her Majesty's service of the name of "Frar-ras-moon," nor of any appellation that appears in the least similar.

The Undersigned regrets to say that the circumstance of his not having in writing notified the steps he had taken in this matter to the Imperial Government had escaped his memory; but he will not fail to take an early opportunity of laying before his Excellency the true account of this vessel, and of the pretended claims of its owners. For the present he will merely have the honour of assuring his Excellency that there is not the slightest doubt that the "*Amalia*" was engaged in the Slave Trade at the time of the alleged occurrences, which is further proved by the subsequent capture and condemnation of that vessel on the coast of Africa.

The Undersigned avails, &c.

(Signed) W. G. OUSELEY.

His Excellency Senhor Aureliano,
&c. &c. &c.

No. 440.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 30, 1841.*

(Extract.)

(Received July 2.)

WITH reference to the subject of my preceding Despatch, it may be right to state that the schooner of war accused of having taken 5256 dollars 730 reis from the slave-vessel "*Amalia*," and which the complainants call the "*Frar-ras-moon*," is, it appears to me, probably the "*Fair Rosamond*." A clue may possibly be obtained by examining the log of that cruiser, by which the pretended claim brought forward by the Brazilian Government may be traced to its source, should your Lordship think it necessary to cause inquiry to be made into this matter.

No. 441.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 30, 1841.**(Received July 2.)*

MY LORD,

I HAVE the honour to forward to your Lordship copy of a note that I addressed in pursuance of the instructions contained in your Lordship's Despatch of the 9th December, 1840, respecting the non-observance by the Imperial Government of the provisions of the Slave Trade Suppression Convention, declaring persons, convicted of participation in the traffic in Africans, subject to the pains and penalties awarded against piracy.

Under the present administration of Brazil there is little hope of any effective co-operation with Her Majesty's Government in the suppression of the Slave Trade, the change of ministry having taken place shortly after the date of my note; and Senhor Aureliano's illness continuing to prevent his attendance at the Foreign Department, no prompt reply can be expected to my representation, and I therefore submit it without further delay to your Lordship's consideration.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

Enclosure in No. 441.

Mr. Ouseley to M. Aureliano.

THE Undersigned, &c., has the honour, in conformity with the peremptory instructions of his Government, to address Senhor Aureliano, &c., respecting the attempted nullification of one of the principal repressive measures, provided by the Treaty for the Suppression of the Traffic in Africans, attaching to the participation in that crime the punishment decreed against acts of piracy; which departure from the stipulations of the convention has, as his Excellency is aware, been on more than one occasion the subject of remonstrance and representation, from Her Majesty's Commissioners and diplomatic agents.

In the case of the "*Leal*" condemned slave-vessel, one of the most glaring instances of evasion of the provisions of the treaty occurred. The Undersigned has the honour to transmit to Senhor Aureliano a copy of a Despatch, which was addressed in July last by Her Majesty's Commissioners to Lord Palmerston, and a copy of which was transmitted to the Undersigned, which proves that the steps taken by the Imperial legal authorities, respecting the piratical criminal Antonio José de Abreo Guimaraes, were calculated to shield that person from the legitimate consequences of his conviction, as provided by the first article of the Convention of 1826.

It is the duty of the Undersigned to request that his Excellency will at once interfere, so as to prevent the recurrence of any infringement of the treaty, such

as that which formed the subject of the enclosed Despatch, a mode of proceeding regarded by Her Majesty's Government as utterly inadmissible.

The Undersigned cannot anticipate from the present Government of this empire any wish to support a measure, that can only be interpreted as a direct attempt to protect convicted slave-traders.

It is true that the Imperial Government has proposed the abolition of the Mixed Commission Court, as at present established, and Her Majesty's Government has at once responded to the desire expressed for adopting more summary and effectual repressive measures, but until a new convention has been completed the Undersigned is instructed to remind the Minister of Foreign Affairs, that a perseverance on the part of the Imperial Government in the decision in question would not only at once render nugatory the sentence of the Mixed Court, but offer impunity to persons convicted of slave-trading, whenever they give security for the sum demanded for bail, being, unhappily, too certain of their acquittal by a Brazilian jury.

The Undersigned is further obliged to remind Senhor Aureliano, that in this matter, as well as in many others connected with the treaty for the suppression of the Slave Trade, if His Imperial Majesty's Government take upon themselves to nullify the stipulations of the existing convention, the Queen's Government would, it is clear, be justified in regarding that treaty as, *de facto*, at an end, or might have an equal right with that of Brazil to consider it not binding upon them, whenever the objects they have in view are best consulted by disregarding its stipulations.

Her Majesty's Government, however, having expressed their readiness at once to conclude a new treaty with Brazil, in the mean time regards the existing convention as for the present in force. It therefore only remains for the Undersigned earnestly to press upon Senhor Aureliano the necessity of carrying into full effect the penalties attached to piracy, against those persons convicted, as in the case of Abreo Guimaraes, of that crime in one of its worst forms, and to request, &c., &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano de Souza Continho,
 &c. &c. &c.

No. 442.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, April 30, 1841.

(Received July 2.)

(Extract.)

HAVING found a clue to some of the speculations of the slave-traders in this capital, I took an opportunity of bringing the matter to the notice of the Brazilian Minister for Foreign Affairs, at the same time giving him such information, as might enable his Excellency to interrupt the proceedings against which I remonstrated.

The enclosed note was written to Senhor Aureliano to call his attention more immediately to a branch of the slave-trading system in this capital, and I have now the honour to transmit a copy and translation of his Excellency's answer.

I have reason to believe that measures were in effect taken by the last ministry to put a stop to the practice, by which the laws against the Slave Trade were evaded.

First Enclosure in No. 442.

Mr. Ouseley to M. Aureliano.

Légation Britannique, ce 14 Février, 1841.

MONSIEUR LE MINISTRE,

J'AI eu l'honneur de chercher votre Excellence Jeudi au Département des Affaires Etrangères, mais, n'ayant pas été assez heureux pour l'y trouver, j'écris afin d'appeler à l'attention de votre Excellence l'annonce dans le journal "Le Despertador" du 11 (Jeudi), No. 6344, dont j'ai l'honneur de transmettre copie, qui sert à prouver jusqu'à quel point les lois de l'empire repressives de la traite sont

méprisées et ouvertement outragées. "Les Capitaines de *Bandeira*" sont, comme votre Excellence le sait sans doute, nominalement les capitaines des négriers, qui sont, en effet, commandés par d'autres, et ne sont employés que pour aider les entreprises des trafiquants en Africains.

De même l'équipement des bâtimens dans ce port évidemment pour être employés dans la traite, se fait journellement, et sans le moindre empêchement de la part des autorités. Pour éviter les dépenses, et pour défrauder les revenus de l'empire, les bâtimens pour la côte se rendent d'ici à différens petits ports à peu de distance de la capitale, où il n'y a point de douâne, et là, mettant à bord leurs cargaisons, ainsi que les chaines, menottes, &c. &c., dont ils se servent pour leur abominable commerce, partent pour la côte d'Afrique. Depuis que le Gouvernement de Portugal a fait quelques efforts pour coopérer avec celui de la Reine, pour la repression de la traite dans les colonies Portugaises, je regrette d'avoir à annoncer à votre Excellence, que le pavillon Impérial sert à protéger ce trafic en sortant des ports du Brésil : les mêmes batimens hissent le pavillon Portugais en retournant de la côte d'Afrique.

J'aurai l'honneur plus tard d'adresser à votre Excellence d'une manière plus détaillée au sujet de ces infractions directes et indirectes des lois, également opposées aux intérêts de l'humanité et à ceux de l'empire.

Je prie, &c.
(Signé) W. G. OUSELEY.

Son Excellence M. Aureliano,
&c. &c. &c.

(Translation.)

(Confidential.)

M. LE MINISTRE,

British Legation, February 14, 1841.

I HAD the honour to call upon your Excellency at the Foreign Department on Thursday, but, not having been so fortunate as to find you there, I write, in order to call the attention of your Excellency to the announcement in the newspaper "Le Despertador" of the 11th (Thursday) No. 6344, of which I have the honour to transmit a copy, which tends to prove to what point the laws of the empire, suppressing the trade, are despised and openly infringed. The captains "*de Bandeira*" are, as your Excellency doubtless knows, nominally the captains of slavers, who are, in reality, commanded by others, and are only employed to aid the undertakings of the slave-traders.

In like manner the equipment of vessels in this port evidently destined for the trade is carried on every day, and without the least impediment on the part of the authorities. To avoid expense, and to defraud the revenues of the empire, vessels for the coast repair from here to different small ports a short distance from the capital, where there are no Custom-houses, and there, getting on board their cargoes, as well as the chains, handcuffs, &c. &c., which they use for their abominable traffic, set out for the coast of Africa. Since the Portuguese Government has made many efforts to co-operate with Her Majesty's Government for the suppression of the trade in the Portuguese colonies, I regret to have to announce to your Excellency that the Imperial flag is used to cover this traffic by vessels leaving Brazilian ports; the same vessels hoist the Portuguese flag while returning from the coast of Africa.

I shall have the honour at a future period to address your Excellency in a more detailed manner on the subject of these direct and indirect infractions of the laws, equally opposed to the interests of humanity and to those of the empire.

I pray, &c.
(Signed) W. G. OUSELEY.

His Excellency Senhor Aureliano,
&c. &c. &c.

Second Enclosure in No. 442.

*Advertisement from the "Despertador" newspaper of February 11, 1841,
Rio de Janeiro.*

(Translation.)

CAPTAINS of coast (of Africa) vessels are informed, that a captain "*de Bandiera*" and two sailors lately arrived from Angola are wanted, who may address themselves to No. 27, Beco do Cotovello (6,344).

Third Enclosure in No. 442.

M. Aureliano to Mr. Ouseley.

(Translation.)

Palace, Rio de Janeiro, March 12, 1841.

HAVING on the 19th February last acknowledged the receipt of the communication of the 16th of the same month from Mr. Ouseley, Her Britannic Majesty's Chargé d'Affaires, in which he calls my attention to an advertisement published in the "*Despertador*," No. 6,344, in order to prove that the laws of the empire for the suppression of the Slave Trade are set at nought and openly infringed, since not only "*Capitães de Bandeira*" (who are the actual captains of the slave-vessels) are advertised for, but also the equipments of these vessels are daily carried on in this harbour, without any interruption on the part of the authorities, I have now the honour to communicate to Mr. Ouseley, that the Minister of Justice informs me, that he has desired the Chief of Police (*Chefe da Policia*) to inquire into this affair, and to proceed legally against any one who may come under the dispositions of the third article of the law of the 7th November, 1831, and also most religiously to observe the regulation of the 12th April, 1832, respecting the vessels which leave this port; in order that steps may be legally taken respecting those which may be suspected of being destined for the Slave Trade; and that he has likewise instructed the presidents of the provinces of Rio de Janeiro and St. Paul's in the same sense as the chief of the police, respecting the vessels which might proceed to fit out for that trade in any of the ports of the said provinces.

And I may also be enabled, through the departments of Marine and Finance, to answer the assertion, that the Brazilian authorities do not impede the Slave Trade which the Imperial Government has at heart to extinguish.

I renew, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

No. 443.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 30, 1841.**(Received July 2.)*

MY LORD,

THE note which I have now the honour to transmit to your Lordship contains a remonstrance against the treatment of the Africans, liberated by the Mixed Commission in Brazil, respecting whom the interference of Her Majesty's Legation, as far as it can be rendered useful, becomes daily more requisite.

As I shall have occasion to return to this subject, and to address the Imperial Government on several circumstances relating to it that have come to my knowledge, I do not trouble your Lordship with further observations at this moment.

The total perversion of the humane provisions, intended by the Treaty to secure the welfare of the Africans, furnishes one of the strongest arguments for completely remodelling that convention, according to your Lordship's wishes.

I have, &c.

(Signed) W. G. OUSELEY.

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

Enclosure in No. 443.

*Mr. Ouseley to M. Aureliano.**British Legation, March 21, 1841.*

ON the occasion of the recent delivering to the Brazilian authorities of upwards of 300 Africans from on board the "*Asseiceira*" slaver, it becomes the

duty of the Undersigned, &c., to appeal to Senhor Aureliano as Minister and Secretary of State for Foreign Affairs, for his Excellency's interference, in order to ensure to those individuals that good treatment and ultimate complete emancipation that the Queen's Government and that of His Imperial Majesty had in view in concluding the Treaty for the Suppression of the Slave Trade.

It is with regret that the Undersigned is obliged to represent to Senhor Aureliano, that under former administrations, and even up to the present time, the Africans nominally liberated by the Mixed Commission have in fact, with perhaps a few exceptions, not reaped the benefit of the humane efforts made in their favour; and that the regulations for their advantage and protection, the credit of issuing most of which is due to his Excellency himself, when formerly in office, have been systematically evaded.

It is with pain that the Undersigned mentions the extreme misconduct of certain officers, in whose charge these Africans have been placed in the *Caza de Correçao* and elsewhere, in the personal maltreatment of the unfortunate Africans, and the general abuse of their trust.

These Africans have, it is positively asserted, instead of being placed with responsible persons of good character, been literally sold to individuals, and taken to estates in the interior, and simulated certificates of their death, or the substitution of those of other deceased negroes, been resorted to to conceal these shameful transactions.

Aware of the humane disposition of Senhor Aureliano, and of the benevolent intentions of the Government of which he forms a part, especially as regarding the wrongs inflicted on the natives of Africa by the cupidity and cruelty of those engaged in the Slave Trade, it is with confidence that the Undersigned applies to the Imperial Government to put an effectual end to the criminal abuses, that have been too long perpetrated with impunity against those who have a right to the mutual protection of the two Governments.

The employment by the Imperial Government or its officers of these individuals, or the apprenticeship of the Africans only to persons of responsibility, within reach and under the observation of the authorities, but more especially a general registration of each individual African, with the appointment of a visiting magistrate and a protector of the Liberated Africans, would go far to ensure the efficacy of the protective measures in their behalf.

The registration resorted to in the West Indies, previously to the total abolition of slavery in Her Majesty's possessions, was found of the greatest practical benefit.

The Undersigned ventures to make these suggestions, as it is clear to every one acquainted with this matter, that by the present system of treating the Liberated Africans in Brazil the beneficent views of either Government have not been attained.

The Undersigned further has the honour to submit to the consideration of the Imperial Government, that the Mixed Commission might with propriety be charged with the protection of the Liberated Africans, who, as a rule, ought never to be employed at a distance from this capital. The Commissioners being in immediate communication with the Supreme Government, their beneficial interference might be rendered effectual in securing the *bonâ fide* good treatment, and ultimate complete emancipation, of the apprenticed negroes.

The Imperial Government will doubtless agree with the Undersigned as to the impossibility of allowing the humane and costly efforts for the freedom and advantage of those Africans, rescued from the felonious traders in human beings, to be set at nought by the connivance and complicity of those who abuse the trust confided to them; and the Undersigned looks forward with confidence to whatever measures Senhor Aureliano's enlightened judgment will enable his Excellency to put in force, for the better protection of the Africans when intrusted to the care of the Government of this empire.

The Undersigned avails, &c.

(Signed)

W. G. OUSELEY.

Senhor Aureliano de Souza Continho,
&c. &c. &c.

No. 444.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro April 30, 1841.**(Received July 2.)*

(Extract.)

I HAVE the honour to submit to your Lordship's consideration the enclosed copies of a correspondence that has taken place between Her Majesty's Commissioners, Mr. Consul Porter, and myself, respecting a certificate furnished by Her Majesty's Consul at Bahia, according to the previous usage of that gentleman's predecessors in office, to the master of the "*Nova Aurora*," detained under suspicion of being engaged in the African carrying Slave Trade.

First Enclosure in No. 444.

(Separate.)

Mr. Porter to Mr. Ouseley.

SIR,

British Consulate, Bahia, March 8, 1841.

IT has been the custom of the owners and shippers of cargo on board vessels bound from this port to the coast of Africa, to present at the British Consulate clearances and passports, signed by the presidents of this province, and authorities, requesting that the Consul would recognise these signatures. Such was the case previous to the departure of the Brazilian brig "*Nova Aurora*." The owner stated that his vessel was going on a legal voyage, having on board a general cargo and passengers for the coast of Africa; at the same time presenting seven passports and two clearances, with the request that I would recognise the signature of the President and acting chief of police. I granted certificates to that purport, such having been the custom of my predecessors.

I now beg leave to enclose a copy of these certificates; and I shall feel obliged if you will be so good as to inform me whether, application being made, I may grant similar certificates. Manifests, and other papers belonging to those vessels, are often required to be registered at this consulate.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.*

W. G. Ouseley, Esq.
&c. &c.

Form of Certificates given by the Consul at Bahia to vessels going to the Coast of Africa.

I, EDWARD PORTER, Her Britannic Majesty's Consul for this city and province of Bahia, do hereby certify that the signature Paulo Jozé de Mello Azevedo e Brito, at the foot of the foregoing passport, is the own proper handwriting of his Excellency Paulo Jozé de Mello Azevedo e Brito, President of this province; an act whereof being required, I have granted the same under my hand and seal of office at Bahia, this day of February, one thousand eight hundred and forty-one.

(Signed)

EDWARD PORTER, *Consul.*

Second Enclosure in No. 444.

Mr. Ouseley to Mr. Porter.

(Extract.)

Rio de Janeiro, March 27, 1841.

WITH reference to the subject of your Despatch marked "Separate," of the 8th instant, it appears to me, that it is at least unnecessary, and may be inexpedient, for a British Consul in Brazil, to give certificates such as that, a copy of which you forward to me, particularly to vessels, clearing for the coast of Africa.

The sole object which the owners or masters of vessels have in requiring such certificates is to avoid interruption from Her Majesty's cruisers on account of suspected employment in Slave Trade. Those vessels which are in fact engaged in illegal trade will be most anxious to obtain papers, such as that a copy of which you are good enough to refer to me.

Although that paper is a mere attestation of the signatures of certain Brazilian authorities, it is to be apprehended, and experience has proved, that boarding officers from Her Majesty's vessels (often very young men, and not acquainted with the subterfuges to which the slave traders resort, nor with the Portuguese language) may be deceived by the appearance of the signature of a British Consul, and at once abandon all further search; and unsuspecting good faith might allow the release of a vessel, which a strict examination would have caused them justly to detain.

It is for this reason that Mr. Hesketh, Her Majesty's Consul at this port, refuses all applications for such certificates on the part of owners of vessels for the coast of Africa, as unfortunately all Brazilians and Portuguese destined for that coast are liable to strong suspicions of being employed in the Slave Trade. It is even to be recommended, that when the precise and *bonâ fide* object for which a consular signature is requested is not very obvious, yet caution should be observed in giving it.

From the view I take of this matter, I consider it my duty therefore to recommend that you should abstain from giving papers such as that furnished to the master of the "*Nova Aurora*," and in general to be extremely careful in ascertaining the motives for which your signature may be required, especially with reference to the African trade. At the same time, as you state to me that it has been the custom of your predecessors in office to furnish such documents as that in question, it will be advisable to refer the matter to Her Majesty's Secretary of State for Foreign Affairs.

I have, &c.

(Signed) W. G. OUSELEY.

Edward Porter, Esq., Her Majesty's Consul, Bahia,
&c. &c. &c.

Third Enclosure in No. 444.

Her Majesty's Commissioners to Mr. Ouseley.

SIR,

Rio de Janeiro, April 16, 1841.

SENTENCE of restitution having been passed yesterday by the Commissary Judges on the Brazilian brig "*Nova Aurora*," we enclose to you herewith a certified copy of the same.

We beg to call your attention to that part of the sentence, which refers to the irregularity of the passport with which the "*Nova Aurora*" was navigating, in case you should think proper to make it the subject of any further representation to the Imperial Government, and we would also suggest the propriety of a caution being given to Mr. Porter at Bahia, as well as to Her Majesty's consuls in this empire generally, the expediency of which the "*Autos*" in this case sufficiently attest, though no mention is made of the subject in the sentence. We allude to the official certificate given by that gentleman to the signature of the President of Bahia. It is very true that this certificate is strictly confined to a recognition of the President's signature, but our cruisers, seeing a certificate of a British Consul, might be apt (although this does not appear to have been the case with Commander Christie) to look no further, and to consider it as a sufficient voucher that the document itself was lawful, although, as in the present case, it might be far from being so for the purpose for which it was used.

We have, &c.

(Signed) GEORGE JACKSON.
FREDERIC GRIGG.

W. G. Ouseley, Esq.,
&c. &c. &c.

Fourth Enclosure in No. 444.

Mr. Ouseley to Her Majesty's Commissioners.

GENTLEMEN,

British Legation, April 18, 1841.

I HAVE to thank you for the announcement in your Letter of the 16th instant, of the acquittal of the Brazilian brig "*Nova Aurora*," detained under strong suspicions of being engaged in the Slave Trade with irregular papers.

With reference to that part of your letter relating to the certificate given by Mr. Consul Porter, you will perceive, by the accompanying extract from a Despatch which I addressed to Her Majesty's Consul at Bahia, on the receipt of one in which that gentleman referred this matter to me, that I entirely coincide with you as to the inexpediency of giving such papers as that in question.

I have, &c.

(Signed)

W. G. OUSELEY.

Her Majesty's Commissioners, Rio de Janeiro,
&c. &c. &c.

No. 445.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 30, 1841.**(Received July 2.)*

(Extract.)

WITH reference to the Despatches of the 13th March and 17th inst., reporting that the "*Dous de Fevereiro*," slaver, taken under Portuguese colours, had been sent with 180 Africans to Demerara to be condemned under the new Act, I have now the honour further to mention to your Lordship that circumstances have tended to confirm my opinion as to the expediency of taking this step, instead of bringing the case before the Mixed Court, under the present peculiar circumstances of this country and of the Mixed Commission.

One of the great difficulties and causes of delay in adjudication of vessels under the Portuguese flag before the Mixed Court, is the production of legal proof of fraudulent papers or of Brazilian property. In the case of the "*Dous de Fevereiro*," the moment that a suspicion got abroad of the true destination of the vessel, overtures were made to the captors, which showed that every obstacle hitherto opposed to the discovery of the true character of the slave vessels under similar circumstances to those of the "*Dous de Fevereiro*" would at once be removed.

The Brazilian Commissioner, Senhor Carneiro de Campos, announced his resumption of his duties (he had procured a leave of absence for three months) and readiness to commence proceedings against the "*Dous de Fevereiro*."

To account for conduct so unusual as this, it must be recollected that, at present, the destination of the Africans styled *de jure*, liberated, is a chief source of patronage to the ministers,—that the Brazilian officers of justice, those of the commission, the Municipal Judge, in short every person employed in the case of a slave vessel, avail themselves of this opportunity of turning their venality to account. The Brazilian Government also perceived that, by thus disposing of slave vessels, Her Majesty's Government have the means in their power of remedying the defective provisions and execution of the present Slave Trade Treaty, and so far coercing their consent to remodelling that Convention; and the Brazilian Commissioners saw how strong a proof is furnished by this case of the reluctance of captors to undergo the vexatious and dilatory proceedings of the Mixed Commission.

Independent, therefore, of the advantages to the Africans and to Her Majesty's colonies gained by sending the "*Dous de Fevereiro*" to Demerara, I trust that the general objects of Her Majesty's Government have been effectually secured by that measure.

It will be in my opinion expedient to proceed in a similar manner with every vessel that is captured under Portuguese colours. I am prepared for the opposition that must be expected to this plan, as every effort will be made to continue, if possible, the old system.

(Translation.)

Enclosure in No. 445.

Extract of a Minute of the Session of February 26, 1841.

THE Brazilian Commissary Judge, Joao Carneiro de Campos, appeared this day, and declared that, although the period of his leave of absence had not yet elapsed, he nevertheless was ready to enter upon the process of the new prize "*Duas Irmaas*," alias "*Dous de Fevereiro*," which lately entered this harbour.

(A true Copy.)

(Signed)

BRAZ MARTINS DA COSTA PASSOS,
Secretary.

No. 446.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, April 30, 1841.*

(Extract.)

(Received July 2.)

PENDING the adjudication of the "*Asseiceira*" slave vessel by the Mixed Court of Commission, the capture of the "*Dous de Fevereiro*" brought a great additional number of Africans on board Her Majesty's receiving ship "*Crescent*," so that at one time upwards of 800 persons were on board that vessel.

It unfortunately happened that at that moment Mr. Brookes, the chief surgeon of the "*Crescent*," was ill, and for some time incapable of attending to his duties. It was impossible for the senior officer in command of Her Majesty's vessels in this harbour to spare more than one medical attendant to assist in the care of the sick from on board the two prizes; the cases were at first very dangerous and numerous, the dreadful state of the "*Dous de Fevereiro*" when captured having caused a great mortality on board that vessel.

Under these circumstances, both the senior officer and Lieutenant Donellan, commanding the "*Crescent*," applied to me to procure medical assistance, as the hospital ship (for which the "*Asseiceira*" served) alone required the whole time and care of at least one surgeon: I thought it therefore my duty to engage the services of Dr. M'Kenzie, an English physician, formerly an army surgeon, and it may be considered fortunate that I was enabled to obtain such efficient medical assistance, having, from the nature of the service required, met with several refusals to applications, previously made to other properly qualified surgeons.

With respect to the manner in which Dr. M'Kenzie performed the duties intrusted to him, the enclosed copies of part of a correspondence relating to them, sufficiently prove that they were considered efficient.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

First Enclosure in No. 446.

*Lieutenant Donellan to Mr. Ouseley.**Her Majesty's Receiving Ship "Crescent,"**Rio de Janeiro, March 31, 1841.*

SIR,

I HAVE the honour to acquaint you that reports were circulated generally here, that the present mortality amongst the Africans on board Her Majesty's receiving ship "*Crescent*" was owing to the medical officers not using the proper treatment for their cases. I suggested to Mr. Brookes, the surgeon, the propriety of his making an application for a public investigation, by medical officers, into the treatment pursued towards the sick Africans under his charge; Mr. Brookes very readily complied, and I enclose all the documents, four in number, relating thereto, by which you will perceive that the result has been very satisfactory.

I have, &c.

(Signed)

W. DONELLAN,

*Lieutenant and Commander.**W. G. Ouseley, Esq.,*

&c. &c. &c.

Second Enclosure in No. 446.

Pursuant to an Order from Jenkin Jones, Esq., Captain of Her Majesty's ship "Curaçoa," and Senior Officer at Rio de Janeiro,

WE, whose names are hereunto subscribed, have been on board Her Majesty's ship "Crescent," and carefully inquired into the present state and condition of the negroes now on board, the medical and dietetic treatment adopted towards them, the causes to which the existing mortality may be traced, and the general economy of that ship, in so far as it was likely to affect the health of the negroes; and we are decidedly of opinion that the medical treatment of the sick negroes has been most humane and judicious in every respect, and that the mortality now existing may be distinctly attributed to the deplorable and unhappy condition in which they were received from the "*Dous de Fevereiro*," in which vessel they appear to have suffered most severely, and many of them, no doubt, were in an unhealthy state at the time of their embarkation, which alone can account for the very unusual proportion of 148 deaths among 510 individuals during the passage of 33 days; while we find that in the 32 days elapsed since the vessel's arrival in this port, the deaths have only amounted to 44, which number, considering all circumstances, we do not think extraordinary.

One hundred and eighty of the most healthy have been selected and sent to Demerara, and from the state of great emaciation and debility of the majority of the remainder, arising from the privations and hardships they endured on board the "*Dous de Fevereiro*," producing irremediable disease, we much fear that a considerable mortality will still prevail amongst these unfortunate creatures.

We also beg to state, that on inquiring into the general economy and condition of the "Crescent," we find her in a most clean and wholesome state, and the arrangements and regulations for the management of the negroes appear to us to be well calculated to fulfil the purpose for which we understand the "Crescent" to be intended.

Given under our hands on board Her Majesty's ship "Crescent," at Rio de Janeiro, this 29th day of March, 1841.

(Signed) WILLIAM GUNN, M.D.,
Surgeon of Her Majesty's ship "Curaçoa."
JOHN MUNRO, M.D.,
Surgeon of Her Majesty's ship "Grecian."

No. 447.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, April 30, 1841.

(Received July 2.)

(Extract.)

THE passport furnished by the Portuguese Consul at St. Catherine's to the "*Asseiceira*" slave vessel being evidently contrary to the regulations promulgated by the Government of Portugal, and in defiance of the declarations published in this capital by Her Most Faithful Majesty's Minister, it appeared to me right to address the Brazilian Minister for Foreign Affairs respecting the misconduct of the Portuguese Consular agent,

It is to be regretted that, if reports now current here be true, the Portuguese Government does not give (at least to its Governors of the colonies in Africa) encouragement to efforts in suppression of the Slave Trade, as it is affirmed that a Governor of Mozambique, (I believe,) who lately distinguished himself by active and effectual measures against the slave traders, has been recalled and deprived of his Government.

No. 448.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 5, 1841.

(Received July 2.)

MY LORD,

THE continued and serious illness of the Brazilian Minister for Foreign Affairs has prevented for some time the formal nomination of a minister to nego-

tiate, on the part of Brazil, the new Slave Trade Convention, on which your Lordship did me the honour to empower me to treat.

The opening of the chambers, and the necessity of preparing the usual reports from each department of state, have also occupied the ministers. Having, however, taken occasion to represent strongly to Senhor Aureliano the expediency of no longer delaying the progress of the proposed treaty, his Excellency appointed me a meeting with him at the Chamber of Deputies yesterday, being unable to attend at the Foreign Department during the commencement of the session, and being obliged, though still very weak, to attend the chambers.

Without troubling your Lordship with the details of this conference, I have the honour to inform you that, after Senhor Aureliano had dwelt at some length on the difficulty and delicacy of the Brazilian Government, respecting the question of Slave Trade and slavery, it was (on my urging a positive progress to be reported by the packet to your Lordship) agreed that an official communication should be sent on the morrow (this day), stating the appointment of Senhor Lopes Gama as minister on the part of the Imperial Government to negotiate the new treaty, and I am led to believe that the additional appointment of assistant negotiators, as mentioned in my preceding Despatch, will not for the present at least be carried into effect.

The Emperor, I am informed, has signed the commission of Senhor Lopes Gama, and I now only await the formal notification of his Excellency's appointment to have the honour of communicating it to Her Majesty's Government.

I have the honour, &c.

(Signed) W. G. OUSELEY.

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

&c.

&c.

&c.

No. 449.

Mr. Ouseley to Viscount Palmerston.

Rio Janeiro, May 9, 1841.

(Received July 9.)

(Extract.)

I HAVE the honour to mention that, when the seamen and others from on board the slave vessels refused to enter the Brazilian service on the conditions fixed by the Minister of Marine, the commander of Her Majesty's receiving ship "Crescent," Mr. Donellan, informed me that he declared to them that, as they had given a great deal of trouble, both by attempts at escape, irregular communication with the shore, and unfounded complaints, ultimately causing official application to be made for their being allowed to volunteer, and then, when all the necessary steps had been taken through Her Majesty's Legation, and the Brazilian commander was alongside with his boat to receive them, refusing to leave the "Crescent," he (Mr. Donellan) should consider himself under the necessity of in future not allowing them the same indulgences and liberty of communication, &c., as they had hitherto received, but should treat them strictly as prisoners until sent to a Portuguese possession or otherwise dealt with; and that any attempt at kidnapping negroes, escape, or mutiny, would be instantly punished by putting them in irons and close confinement: upon which declaration being accurately translated to them, after a few hours' deliberation, they all, as Mr. Donellan informed me, "agreed most cheerfully to volunteer into the Imperial service."

I have, &c.

Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

No. 450.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 9, 1841.

(Received July 9.)

MY LORD,

FINDING that the masters and crews of slave vessels, who had on different occasions been allowed to volunteer into the Brazilian naval service (in accord-

ance with an arrangement with the Imperial Government that I have already had the honour to mention to your Lordship) were frequently suffered to go at large, and either purchase their discharge or obtain it through the interest of their employers the slave-dealers, I wrote a semi-official Note to the Brazilian Minister for Foreign Affairs, pointing out how detrimental this mode of proceeding was to the Imperial service, and how much it facilitated the remanning of slave vessels, the two principal considerations which had ostensibly induced the Brazilian Government to adopt the measure of receiving them as seamen.

In reply I received the Note, a copy of which, as well as of my own, I have the honour to enclose.

Subsequently I ascertained that the Minister of Marine had in fact taken real steps to prevent the abuse in question, by causing a general order to be read on the quarter-deck to the seamen volunteering, to the effect that they must not suppose that their entering the Imperial service was a mere form, and that they would at once be enabled to purchase their discharge, but that they must be ready at any moment to proceed to Rio Grande, Para, or wherever their actual services may be required.

Upon this more than half the number refused to volunteer. I was gratified to learn that the ex-Minister of Marine, Senhor Hollanda Cavalcanti, had taken such prompt and effectual means, for preventing the engagements of these individuals from being made a mere mode of returning to their former illegal occupation.

I have reason to fear that under the present ministry no such steps to discourage the Slave Trade and augment the Brazilian Navy will be taken.

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 450.

(Note Verbale.) *Mr. Ouseley to M. Aureliano.*

Rio Janeiro, March 14, 1841.

HER Britannic Majesty's Chargé d'Affaires has the honour to inform his Excellency the Minister of Foreign Affairs, that subsequent to the date of his Note of the 9th instant, twenty-six of the seamen from the "*Asseiceira*" slave vessel, lately condemned in this capital, were transferred to the Imperial frigate "*Campista*," in conformity with the previous agreement to that effect.

It is however necessary to notify to his Excellency that, on former occasions, several of those persons who had volunteered on board Brazilian men-of-war had found means, through private interest, to obtain their immediate discharge, and had re-embarked instantly in fresh slave-trading speculations and been again taken.

A considerable number of good mariners might be supplied to the navy of this Empire from captured slave vessels, and it is to be regretted that this eligible mode of assisting to man the Imperial vessels should be defeated by allowing many of the seamen thus obtained to quit the important branch of the service, in which they voluntarily engage, upon slight grounds.

Besides it appears to Her Majesty's Chargé d'Affaires, that the detention of the individuals referred to for a certain term, in the capacity of seamen in the Imperial service, would act as a most efficient additional means in suppressing the illegal traffic in Africans, to abolish which entirely both Her Majesty's and the Imperial Government are pledged, inasmuch as while serving on board His Imperial Majesty's vessels of war, they would be effectually prevented from engaging for some time in illicit speculations of this nature.

Venturing to suggest that the Minister of Marine be informed of the substance of this communication, Her Majesty's Chargé d'Affaires requests his Excellency to accept, &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano de Souza Continho,
&c. &c. &c.

(Translation.)

Second Enclosure in No. 450.

*M. Aureliano to Mr. Ouseley.**Rio de Janeiro, March 1841.*

IN answer to the *note verbale* which Mr. Ouseley, &c. addressed to me on the 14th instant, I have the honour to inform him that I forwarded a translation of it to the Minister of Marine, in order, that taking into consideration Mr. Ouseley's remarks, he might issue the necessary order to put an end to the abuse in question.

On this occasion I reiterate, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

William Gore Ouseley, Esq.,
 &c. &c. &c.

No. 451.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, May 15, 1841.*

MY LORD,

(Received July 9.)

WITH reference to the Despatch in which I had the honour to transmit to your Lordship by last mail a copy and translation of the Emperor's speech from the throne on opening the present Session of the General Legislative Assembly, I think it my duty to mention that the intention announced of providing for the introduction of "*Braços uteis*" or useful labourers into Brazil is likely and asserted to be meant to be interpreted in many parts of this country (particularly in the interior and distant provinces) as holding out a prospect of encouragement to the Slave Trade, and the revocation of the Law of November 7, 1831, although the Minister of Foreign Affairs carefully explained to me that the intention was to prepare for the adoption of a system of immigration or colonization of free European labourers and settlers.

In justice also to Senhor Aureliano it should be stated that his Excellency, when I pointed out the necessarily corrupting influence of slavery on free labourers, acquiesced in a suggestion that I offered as to securing a certain portion of freehold and separate land for colonists, possibly a whole district, favourably situated for administrative and municipal separation, within which a by-law or police regulation should prevent the introduction of slaves or slavery under any pretext.

I have, &c.

(Signed) W. G. OUSELEY.

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

No. 452.

*Mr. Ouseley to Viscount Palmerston.**Rio Janeiro, May 17, 1841.*

MY LORD,

(Received July 9.)

HER Majesty's brigantine "*Fawn*" (formerly "*Carolina*," slaver), after blockading the coast from the port of Campos to Cape Frio against slave vessels for some weeks past, captured, and sent to the Cape of Good Hope for adjudication, the Portuguese brig "*Venus*," 51 days from Lisbon, pretending to

be bound to Montevideo, but being in reality destined for Macahé, or some other small port in this neighbourhood where no custom-house exists. This plan appears now adopted generally by Portuguese slave traders since the determination of the Portuguese Minister not to connive at or assist the slave-trading speculations of his countrymen has become evident.

The real owner of this vessel, who at first figured as a passenger, offered to Lieutenant Foote, in command of the "Fawn," large sums in gold to allow the "Venus" to proceed to Rio de Janeiro, and to be brought before the Mixed Commission, and further declared his readiness to facilitate to Mr. Foote all the legal process, and bear him harmless of the consequences of a release, &c. &c., to which effect he offered to give him a formal paper signed.

This circumstance, and that of two boilers, a slave-deck, an extraordinary quantity of water-casks, and other equipments for the Slave Trade, being found on board, induced Mr. Foote not to hesitate a moment in sending the "Venus" with an officer and prize-crew to the Cape of Good Hope, she being well found and ready to proceed at once on her voyage without entering this harbour.

Thirteen of the crew, passengers, &c., are now on board Her Majesty's receiving ship, ready to be forwarded by the first opportunity to a Portuguese territory.

The "Venus" is the seventh slave-vessel captured (including the "Eliza," driven on shore and destroyed) by Her Majesty's brigantine "Fawn" since she has been under the command of Lieutenant Foote. She had previously detained slave vessels, soon after her being purchased into the service. This active cruiser can scarcely now undertake a cruize of any length, unless with assistance from other vessels, so many of her officers and men having been detached with prizes. The "Grecian" brig of war, also reduced in complement by sending away prizes, is the only other ship of war, packets excepted, in harbour.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

No. 453.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, July 21, 1841.

I HAVE received your Despatch of the 25th April, 1841, on the subject of the disposal of prisoners from on board the captured slave vessel "Sandade," and I have the satisfaction to inform you that Her Majesty's Government approves the measures you adopted with regard to those individuals.

I am, &c.

(Signed)

PALMERSTON.

W. G. Ouseley, Esq.

&c.

&c.

No. 454.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, July 22, 1841.

I HAVE received your Despatch of the 30th April, 1841, enclosing a copy of a Note which you addressed to the Brazilian Minister on the occasion of

delivering up to the Brazilian authorities the negroes from on board the condemned slave vessel "*Asseiceira*."

I have to desire that you will request that these negroes may be delivered over to your care to be sent to a British Colony, where they would by law be sure of remaining free.

I am, &c.

W. G. Ouseley, Esq.
&c. &c.

(Signed) PALMERSTON.

No. 455.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, July 23, 1841.

I HAVE received your Despatch of the 30th April last, on the subject of the slave vessel the "*Dous de Feveireiro*."

I have in reply to state to you that Her Majesty's Government entirely approves of that vessel having been sent to Demerara for adjudication; and Her Majesty has commanded that directions shall be given to the Board of Admiralty that all vessels taken under the Portuguese flag may be sent to a British colony for trial, whether with or without slaves on board.

I have to desire that you will intimate to the Brazilian Government that some such summary proceeding will be adopted with regard to slave ships taken under the Brazilian flag, if the Government of Brazil continues to set at nought, as it hitherto has done, the engagements which it has taken by the Treaties of 1817 and 1826 to prevent Slave Trade being carried on by Brazilian subjects.

I am, &c.

(Signed) PALMERSTON.

W. G. Ouseley, Esq.
&c. &c.

No. 456.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, July 24, 1841.

I HAVE received your Despatch of the 30th April last, stating that you had engaged temporarily an additional medical gentleman to assist in the care of the sick who were on board the slave prizes "*Asseiceira*" and "*Dous de Feveireiro*," and I have the satisfaction to inform you that Her Majesty's Government approves your conduct in this respect.

I am, &c.

(Signed) PALMERSTON.

W. G. Ouseley, Esq.
&c. &c.

No. 457.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, July 26, 1841.

I HAVE received your Despatches respecting the appointment of a minister on the part of Brazil to undertake with you the negotiation of the proposed new Treaty between Great Britain and Brazil on Slave Trade; and I have to signify to you Her Majesty's commands that you shall continue

the negotiation in question conjointly with Mr. Hamilton on the part of Great Britain.

I am, &c.,

W. G. Ouseley, Esq.,
 &c. &c. &c.

(Signed) PALMERSTON.

No. 458.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 4, 1841.

I TRANSMIT to you herewith under flying seal a Despatch which I have addressed to Sir George Jackson, informing him that Her Majesty has been pleased to transfer him from his situation as Commissary Judge at Rio de Janeiro, under the Convention between Great Britain and Brazil on Slave Trade, to the similar appointment at Surinam under the Treaty between Great Britain and the Netherlands.

I transmit to you likewise a copy of a Despatch which I have addressed to Mr. Samo, notifying to him that Her Majesty has been pleased to appoint him to be Commissary Judge at Rio de Janeiro in the room of Sir George Jackson.

You will notify to the Brazilian Government the appointment of Mr. Samo as Her Majesty's Commissary Judge; and you will request that he may be recognised in that capacity by the Brazilian Government when he shall have arrived at Rio, and shall have taken the usual oaths of office.

In the mean time you will acquaint Mr. Grigg with this appointment, and recommend him to take the necessary steps for filling up the vacancy of Judge *ad interim*, according to the form prescribed by the Conventions under which the Commission was established.

I transmit to you a packet containing Mr. Samo's commission of appointment. I have directed that gentleman to wait upon you on his arrival at Rio de Janeiro. You will then give him that packet, and will introduce him to Her Majesty's Commissioner of Arbitration, and to the Brazilian functionaries with whom he may have to act.

I am, &c.,

W. G. Ouseley, Esq.,
 &c. &c. &c.

(Signed) PALMERSTON.

First Enclosure in No. 458.

Viscount Palmerston to Sir George Jackson.

August 4, 1841.

(See Class A., No. 267, p. 366.)

Second Enclosure in No. 458.

Viscount Palmerston to Mr. Samo.

August 4, 1841.

(See Class A., No. 233, p. 331.)

Third Enclosure in No. 458.

Packet containing Mr. Samo's Commission of Appointment.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 12, 1841.

I RECEIVED your Despatches of the 30th of April last, on the subject of complaints made by the Brazilian Minister that the British schooner of war "Frar-ras-moon" had detained the Brazilian schooner "*Amalia*" during a space of eighteen hours, and had taken from her the sum of 5256 dollars 730 reals in specie, and that Her Majesty's sloop "Racehorse" had acted in a reprehensible manner in attempting to search the "*Amalia*" in the port of Bahia.

I have caused inquiry to be made into the facts of this case, and I have now to desire that you will state to the Brazilian Government that by an entry on the log of Her Majesty's schooner "Fair Rosamond," which from the similarity of the name to that of "Frar-ras-moon," was probably the cruiser referred to in the note from the Brazilian Minister, that the "Fair Rosamond" met with and boarded a Brazilian schooner called the "*Amalia*," in the afternoon of the 13th of January, 1840. It was well known that the "*Amalia*" had been engaged in Slave Trade in many preceding voyages, and at the time when she was met with by the "Fair Rosamond" she was on her voyage from the notorious slave-trading port of St. Paul de Loanda.

The commander of the "Fair Rosamond," therefore, detained the "*Amalia*" until he could ascertain whether or not there were sufficient grounds for sending her to trial for being concerned in Slave Trade at the time of his meeting with her.

But as there did not then appear sufficient grounds to justify this proceeding, the "Fair Rosamond" released the "*Amalia*" early in the morning after he had met with her. Afterwards, however, it appeared that during the search a seaman of the "Fair Rosamond" had fraudulently received from a passenger in the "*Amalia*" 56 half-doubloons; and 46 of these half-doubloons, having been found in the seaman's possession, were, on the 13th of October, 1840, handed over to John José Silva, Esq., the Brazilian Vice-Consul in London, for the purpose of being restored to their right owner. With respect to the conduct of the commander of Her Majesty's ship "Racehorse" towards the "*Amalia*," it appears that he sent a boat to board that vessel at Bahia before she had been cleared by the Custom House, and that such proceeding was contrary to the regulations of the place, but that the commander of the "Racehorse" was not at the time aware of the port regulations in this respect; and that on having been made cognizant of them he apologised personally to the president of the province for having unconsciously infringed them.

I am, &c.,

(Signed) PALMERSTON.

W. G. Ouseley, Esq.,
&c. &c. &c.

No. 460.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 18, 1841.

(Received August 12.)

MY LORD,

I HAVE the honour to transmit a copy of a Note that I addressed to the Brazilian Minister for Foreign Affairs respecting the Africans from on board the slave-schooner "*Emilia*," condemned by the Mixed Court of Commission in 1821.

The fate of the Africans distributed in this country after sentence being passed by the Mixed Court is unfortunately far from being such as was intended by Her Majesty's Government. I have had the honour already of bringing this subject to your Lordship's notice, and I have on more than one occasion made representations to the Imperial Government on the treatment but too generally experienced by the liberated Africans.

Several considerations which I shall have the honour elsewhere to lay before your Lordship induce me to bring this subject strongly before the Imperial Government at this moment, and I consequently thought it my duty to transmit this Note without awaiting further instructions specially referring to its object.

I have, &c.,

(Signed) W. G. OUSELEY.

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

P.S. I have received an answer from the Brazilian Minister, stating that His Excellency had referred for information on the subject of my Note to the Minister of Justice.
W. G. O.

Enclosure in No. 460.

Mr. Ouseley to M. Aureliano.

SIR,

British Legation, May 17, 1841.

ON the 31st of July, 1821, the slave-schooner "*Emilia*" was condemned by the Mixed Commission in this capital. The negroes from on board her, to the number of 352, were subsequently liberated and distributed for the term of four years by the direction of the Imperial Government.

Her Majesty's Government taking a due interest in the welfare of all those Africans whose right to freedom has been at so much cost secured by its exertions, is naturally desirous of ascertaining the ultimate fate of those distributed in Brazil. Information on this point is also required in order to enable the negotiations with which I have the honour to be charged for the new Convention for the better suppression of the Slave Trade to proceed with advantage. There is also, I regret to observe, reason to fear that in this country the humane and well-conceived instructions of the Imperial Government, acting in conjunction with that of Her Majesty for the furtherance of the common objects in view, viz., the suppression of the Slave Trade, the redress of the wrongs, and the promotion of the welfare of the Africans, have been completely defeated by the cupidity and illegal acts of individuals, and the connivance of subaltern authorities.

These considerations induce me, as the organ of Her Majesty's Government, to apply to your Excellency for information as to the present position of the 352 Africans from on board the "*Emilia*," to inquire whether those individuals enjoy all the rights of Brazilian citizens, or whether the competent authority delivered to them at the expiration of their term of servitude the necessary certificates of freedom; and whether their temporary employers fulfilled their contract towards them in respect to humane treatment, sufficient food and clothing, giving them such instruction as may enable them to earn a livelihood, and in general how they have complied with the advantageous provisions contained in the instructions issued by the Imperial Government, principally through your Excellency's intervention, when formerly in office.

The future fate of those Africans liberated by the Mixed Commission, and whose terms of servitude will soon expire, becomes a grave subject of consideration. If the Imperial Government intends not to secure to these individuals the privileges of naturalized Brazilians, but means to put in force the law of the 7th of November, 1831, those persons will have a right to appeal to the protection of Her Majesty's Government in order to be transported out of this empire, and placed in a state of security and independence.

I doubt not that the application which I now have the honour to make for your Excellency's intervention in procuring this information for Her Majesty's Government will be met with the usual urbanity and readiness that I have experienced from you on other occasions.

I avail myself, &c.,

(Signed) W. G. OUSELEY.

His Excellency Senhor Aureliano,
&c. &c. &c.

No. 461.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 18, 1841.

(Received August 12.)

(Extract.)

THE Enclosure is a copy of a Letter which I addressed to Mr. Consul Hesketh, on my request to further the preparations of the "*Dois de Fevereiro*" for sea, and second the commanding officer and myself in this branch of the service.

The receipt of your Lordship's Despatch of March 12, 1841, has, although not conveying a direct authorization of my conduct in respect to the "*Dois de Fevereiro*," in a great measure confirmed me in the hope that it will not be disapproved by your Lordship. Convinced as I was, and am, that it is hopeless to expect that the Africans confided to Brazilian authorities will either be justly or humanely treated, or protected in their rights, while slavery exists in this country; being also certain that no greater discouragement can be given to the Slave Trade than thus disposing of the captured Africans, and that the interests of the Africans themselves are best consulted by the plan adopted for the "*Dois de Fevereiro*;" I could not, consistently with my sense of duty, have allowed the Africans from on board that vessel, upwards of 300, to be consigned to a *de facto* state of slavery, worse than that general in this country, and which, at least until the receipt of your Lordship's late Despatch, appeared, by any other means than those which I adopted, utterly irremediable.

It was consequently my intention, in all cases of capture similar to that of the "*Dois de Fevereiro*," to send the vessels and Africans to Demerara.

The "*Asseiceira*" would have been purchased in order to forward the remaining Africans from on board the "*Dois de Fevereiro*," and some others, to Demerara, but for some defects in her qualities ascertained by a proper examination.

Further, until the return of Rear-Admiral Sir Edward King, daily expected, it will not be easy, if possible, to fit out, and man, and equip, in an efficient manner, a vessel for the number of human beings to be intrusted to it for conveyance.

I am also desirous of learning by the return of the "*Dois de Fevereiro*," which is hourly expected, whether my suggestions have been successfully followed, in which case all the remaining Africans can be at once shipped for their destination.

I have, &c.

(Signed)

W. G. OUSELEY.

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

&c.

&c.

&c.

Enclosure in No. 461.

Mr. Ouseley to Mr. Hesketh.

SIR,

British Legation, March 9, 1841.

WITH reference to former communications and requests on my part for your assistance in fitting for sea the captured slave vessel "*Dois de Fevereiro*," in such matters as depend upon your branch of the service, I now request that you will direct that such supplies may be procured as are necessary for a voyage of about five weeks for 180 negroes, exclusive of the officers and prize-crew that may be sent with that vessel.

Should any assistance in labour or workmen be indispensable, that Her Majesty's squadron is unable to furnish, I should be obliged by your causing

it to be properly executed, trusting entirely to your experience in matters of this nature, and your zeal for Her Majesty's service in using your discretion as to the quantity, price, and quality of the provisions, labour, stores, &c., furnished under your directions.

You will have the goodness to cause the accounts, accompanied by the usual vouchers, of the several expenses incurred for the "*Dois de Fevereiro*" to be included in a general account, so as to enable me to pay the amount into your hands whenever it may be necessary.

Captain Jones, senior officer, &c., was some days ago applied to by me respecting the "*Dois de Fevereiro*," and has already afforded every assistance in his power, and will be found ready to further the preparations of that vessel for sea in whatever depends upon his branch of the service.

I have, &c.

(Signed) W. G. OUSELEY.

Robert Hesketh, Esq.,
&c. &c.

No. 462.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 20, 1841.

(Received August 12.)

MY LORD,

SINCE I had the honour to address your Lordship on the subject of the liberation of slaves by the Government of Monte Video, in my Despatch of 28th February last, Mr. Dale, Acting Consul at that port, has forwarded to me a copy of the reply of Mr. Consul-General Hood to the Monte Videan Minister's communication referred to in my Despatch of 13th March last, an extract from which I have the honour to enclose, which has given rise in this capital to some invidious observations on the conduct of Her Majesty's agents respecting the emancipation of slaves. With reference to this subject, I took occasion, in conversation with the Monte Videan Envoy (appointed to represent his Government at the approaching coronation), Senhor Megarinos, incidentally to express, as a private opinion, that it did not appear to me probable that Her Majesty's Government would support or enforce, under the present laws of England respecting slavery, a claim for compensation for negroes held in slavery by British subjects and liberated by order of the Government of Monte Video.

I have, &c.

(Signed) W. G. OUSELEY.

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

(Extract.)

Enclosure in No. 462.

Mr. Consul-General Hood to the Monte Videan Minister of Foreign Affairs.

"IF, however, it should prove, as it is publicly reported, that the executive intends by some legislative enactment to appropriate *this class of property* to the service of the state, it will follow as a natural consequence, that British subjects must *be indemnified in specie* for the full value of their property, and for the injuries they may thereby sustain.

"The undersigned, trusting that the Government will not find itself placed in the situation which it apprehends may justify this strong measure, salutes his Excellency with his particular consideration and respect."

(Signed) THOMAS SAMUEL HOOD.

His Excellency the Minister of Foreign Affairs,
&c. &c. &c.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 20, 1841.

(Received August 12.)

MY LORD,

IN conformity with the instructions that I had the honour to receive in your Lordship's Despatch of December 23, 1840, I renewed my endeavours to induce the Brazilian Minister of Foreign Affairs to discontinue the observance of the numerous holidays that now delay the proceedings of the Mixed Commission.

Finding that there was no hope of inducing the Imperial Government to act at once in this matter, I addressed, after consulting with Mr. Grigg, the British Commissary of Arbitration, in order to ascertain the views of Her Majesty's Commissioners respecting this matter, a Note to Senhor Aureliano in the terms directed by your Lordship, a copy of which I have the honour to enclose.

The only points in which I have ventured to depart from the exact tenor of your Lordship's instructions are, alluding to the proposed new convention, in not mentioning the "prolongation" of suffering "entailed upon the unfortunate slaves" by their detention on board the vessels; my reason for this omission is that, since the arrival of Her Majesty's receiving-ship "Crescent," the Africans placed on board that vessel, so far from experiencing any increased sufferings, are in fact better provided for, and infinitely happier, than they are likely to be after their delivery to the Brazilian authorities, their maltreatment being but too general after distribution.

Their health, cleanliness, and general welfare being carefully attended to on board the "Crescent," many even of those that were received in an apparently dying state have recovered wonderfully. On the late delivery of the Africans captured on board the "*Asseiccira*," the Brazilian officers themselves declared that they never had seen negroes arriving from the coast in such a fine state of health and general condition.

I have also taken upon myself to except in the general demand for non-observance of holidays, besides Sundays, "a few high festivals, such as Good Friday, some days at Easter and Christmas," and I believe Her Majesty's Commissioners concur with me in opinion, that these exceptions, and perhaps that of such anniversaries as the Emperor's birthday and others, must be conceded, as it would be utterly repugnant to the usages of this country, and I think impracticable, to induce any Brazilian functionary to act officially on those days. Indeed they plead the observance of similar holidays in British courts of law.

In the enclosed copy of the Brazilian Minister's reply to my Note, your Lordship will perceive that his Excellency refers to former answers of the Imperial Government on the same subject, and insists upon the impossibility of acceding to the proposal made in accordance with your Lordship's instructions.

I have communicated to Her Majesty's Commissioners the substance of my Note, and a copy of that now enclosed from the Brazilian Minister.

I have, &c.

(Signed)

W. G. OUSELEY.

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

First Enclosure in No. 463.

Mr. Ouseley to M. Aureliano.

British Legation, Rio de Janeiro, April 24, 1841.

THE Undersigned, &c. has the honour, in conformity with instructions recently received from Her Majesty's Government, to remind his Excellency Senhor Aureliano de Souza e Oliveira Continho of former representations against the extreme delay and inconvenience resulting from the interruption to the

business of the Mixed Court of Commission for Suppression of Slave Trade, from the numerous holidays observed by that Court, in conformity with the custom of Brazilian courts of law, but totally contrary to the spirit and regulations of the Convention under which the Mixed Court is constituted. Thus, for example, in the case of the Dom Joao de Castro, thirteen weeks elapsed between the commencement of the adjudication of that vessel and the final sentence; of which period the British Commissioners have explained, in reply to the inquiries of Her Majesty's Government, into the causes of the protracted length of these, and the general proceedings of the Mixed Court, that thirty-three days had been either Sundays or holidays, during which the Court did not sit.

Senhor Aureliano is aware that the regulations for the Mixed Commission, annexed to the Convention of 1817, by which the Court is bound to regulate its proceedings, require the Commissioners in ordinary cases to pronounce sentence upon each vessel within twenty days from the day on which she enters the port of adjudication; whereas, by the practice of observing holidays insisted on by the Brazilian Government, the time available for the proceedings of the Court is so curtailed as to make it sometimes difficult for the Commissioners to adhere to the direct stipulations of the Convention upon this point. It has been on former occasions the duty of the Undersigned to remind the Imperial Government that the Mixed Court of Commission is not a Brazilian court of law, and he now requests Senhor Aureliano to bear in mind that this international court, composed of judges both of Great Britain and of Brazil, is bound to regulate its proceedings by the Convention under which the Commission is established, and not by the laws and forms of proceedings of courts of law of either of the two countries, and he trusts that his Excellency will see the expediency of giving such immediate instructions to the Brazilian Commissioners as may prevent the irregularities and delays against which he is now instructed strongly to remonstrate.

It was evidently intended by the Convention that the forms to be maintained by the Court should be such as to render to the suitors the most speedy sentence consistent with a due examination into the case and with justice; whereas the frequent recurrence of holidays defeats this purpose. The delays thus created tend to produce serious injury to the interests of the suitors, and prevent the unfortunate Africans from being landed for a much longer period than is necessary.

Among the many and serious defects of the Mixed Commission which have induced the Imperial Government to propose its complete abolition, and the conclusion of a new Treaty, the dilatoriness of its proceedings is not the least. Her Majesty's Government, in cordially acceding to the wishes of that of Brazil for concluding a more effective Convention, cannot, however, but wish to render in the mean time the Mixed Court, under the existing Treaty, as efficient as the nature of its provisions will admit, and therefore cannot agree to the continuance of practices opposed to its letter and spirit. It is upon these grounds that the Undersigned urgently requests that Senhor Aureliano will direct, without further delay, the Brazilian Commissioners to keep open court and to continue their proceedings on those days,—Sundays and a few high festivals, such as Good Friday, some days at Easter and Christmas excepted, on which the ordinary courts of law in Brazil are closed.

The Undersigned, &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano de Souza e Oliveira Continho,
&c. &c. &c.

Second Enclosure in No. 463.

M. Aureliano to Mr. Ouseley.

(Translation.)

Rio de Janeiro, May 15, 1841.

THE Undersigned, &c., having already, on a previous occasion, acknowledged receipt of the Note which Mr. Ouseley, &c., addressed to him on the 24th of last month, will now proceed to reply to it, after having heard on the

subject the Brazilian Commissioners of the Brazilian and British Mixed Commission.

Mr. Ouseley complains of the great delays that have occurred in the adjudication of prizes by the Commission, caused by the numerous holidays on which the Brazilian Commissioners, confining themselves to the practice of the tribunals of the country, have not chosen to transact business, and for the sake of example brings forward the fact of the adjudication of the brig "*Dom Joao de Castro*," in which thirteen weeks elapsed between the denouncement of the vessel and the final sentence.

Already in 1838 was this matter brought forward in the Commission by the British Commissary Judge, which being communicated to the Imperial Government by the Brazilian Commissary Judge was (and could have been in no other form) responded to in the following manner: "That, it being contrary to the general rule of Brazilian law, which annuls all acts and judgments effected on such days, and the Convention containing no express determination establishing an exception, as there was in the criminal code respecting the sessions of the juries, business could not be transacted on holidays under the sole authority of the Commissaries, who could never have the power of giving force to that which the law annuls." In respect, however, of the case of the brig "*Dom Joao de Castro*," the Brazilian Commissary Judge declares that, the process on this vessel having commenced on December 24, 1839, and the usual forms having been complied with and the questions to the crew put, &c., there followed the requisitions, first of the British Consul in his capacity of proctor of the captor, then those of the British Commissary Judge, and lastly that of the master of the brig, requesting, in conformity with Article I of the regulations for the Mixed Commissions annexed to the Convention of July 28th, 1817, the term of four months to enable him to procure from Mozambique the documents which should prove that the said brig was the property of a person residing there; afterwards, doubts respecting the security required by the commission for concession of the said term according to the form of the said article, in consequence of which, the Christmas holidays supervening, it was only at their conclusion and the renunciation of the above recourse by the said master on the 25th of January, that sentence of condemnation was then immediately pronounced on the 28th of that month.

Therefore, if to these circumstances, which all of them justify the delay of the sentence on the brig "*Dom Joao de Castro*," are added the substantial considerations which the Brazilian Commissary Judge brings forward on the difficulty of observing the rules of law and justice, by strictly following the course established by Article 3 of the above regulation when it is requisite to discover those actually interested in speculations now entered into with the greatest deceit, considerations which the Undersigned considers himself as fully excused from laying before Mr. Ouseley, as the yare, through the medium of the British Commissioners, equally open to him. The Undersigned hopes that Mr. Ouseley will be convinced of the zeal and regularity with which the Brazilian Commissioners act, and who are otherwise worthy of praise rather than of censure.

The Undersigned, &c.,

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c. &c.

No. 464.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 21, 1841.

MY LORD,

(Received August 12.)

I HAVE the honour to forward to your Lordship a copy of a Note that I addressed to the Brazilian Minister for Foreign Affairs, remonstrating against the connivance of certain local magistrates and officers of this capital in the Slave

Trade speculations carried on by vessels entering this harbour from the coast of Africa.

The abuses of this nature are notorious, and although latterly less frequent than formerly, still call loudly for the interference of the Imperial Government. Under the present administration, it is to be feared that there is little chance of their being remedied by any voluntary measures of the Government.

I have received an acknowledgment of my Note with an assurance that Senhor Aureliano had applied to the proper quarter from information on the subjects of complaint.

I have, &c.

(Signed) W. G. OUSELEY.

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

&c.

&c.

&c.

Enclosure in No. 464.

Mr. Ouseley to M. Aureliano.

SIR,

British Legation, May 5, 1841.

It has been on more than one occasion my duty to represent to your Excellency's predecessors in office the systematic misconduct of the Juiz de Paz of the first district of Santa Rita, in conniving at the illegal acts of slave traders, and indeed even affording them indirect assistance.

I was led to suppose that measures had been taken to put an end to malpractices of this description, but it is with regret I observe that the most evident means of preventing the misconduct complained of, viz. the prompt removal of the officers who unworthily abuse their position in order to protect illegal undertakings, has not been resorted to by the competent authority.

The result has been, as might have been anticipated, a continuance of that encouragement to the Slave Trade which may be said to amount to direct participation. Thus now as formerly, when I had the honour of bringing the subject to the attention of the Imperial Government, slave vessels arriving from the coast of Africa, after landing negroes in some of the smaller bays and inlets in the neighbourhood of this port, entered in ballast, often with an extremely slight attempt at effacing the proofs of their illicit employment.

The numerous water casks, the boilers, &c., the fetid odour peculiar to slave vessels, as well as the horrid instruments of the abominable traffic in human beings, such as chains, irons, fetters, &c., remain scarcely concealed in the vessels, while nominally searched by the Juiz de Paz of Santa Rita; yet invariably after the usual announcement of such a vessel (universally known to have landed a number of Africans at some particular point) directly from the coast of Africa in ballast, a circumstance alone sufficient to give grounds of suspicion and detention, and that it has been placed under the inspection of the police, scarcely a day or two afterwards it is publicly announced that the vessel in question, after having been examined by the Juiz de Paz of Santa Rita, has been freed from all further difficulty and allowed to proceed to the usual anchorage, there to prepare for a fresh voyage, in defiance alike of the laws of the empire and of the Convention with Great Britain.

I will not occupy your Excellency's time by attempting to characterize such conduct as this, nor is it necessary to point out how loudly it calls for the prompt interference of the higher authorities of this country, if only to vindicate themselves from the charge which might with apparent justice be brought against them, of tacit encouragement to such proceedings, unless such efficacious measures be adopted as may prevent their continuance.

It would be superfluous to mention in detail any particular slave-vessel to your Excellency on this occasion: it would be easy to furnish a long list of such with many details. Trusting, however, to the readiness expressed by the Imperial Government to go hand in hand with that of Her Majesty in extinguishing the Slave Trade, and authorized as the organ of my Government as long as the present convention and the regulations and declarations dependent on it remain in force, I call upon your Excellency in full and amicable confidence to take such steps in this matter as may serve to remove a source of

CLASS B.

direct encouragement to the Slave Trade existing under the very seat of the Supreme Government of this country, which furnishes at once a matter of public scandal and a just subject of complaint on account of the contempt shown to positive engagements with Great Britain.

It is my duty to make this representation to your Excellency, in the hope that Her Majesty's Government may find in the frank co-operation of that of Brazil, by removing these subjects of complaint, such a prospect of their remedy as will prevent the necessity not only of further representations, but of having to seek future measures of prevention in respect to them.

I avail, &c.

(Signed) W. G. OUSELEY.

His Excellency Senhor Aureliano,
 &c. &c. &c.

No. 465.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 21, 1841.

(Received Aug 12.)

MY LORD,

THE Africans liberated by the sentence of the Mixed Court of Commission have hitherto, in conformity with the provisions of the Treaty for the suppression of the Slave Trade now in force, been made over to the Imperial Government. The first step taken by the Brazilian authorities respecting them is to place them in charge of the *Caza de Correçcao*, where they ought to be properly fed, clothed, and taken care of until distributed among residents in this capital or its neighbourhood. On this subject I beg to refer your Lordship to Mr. Fox's Despatch of 13th November, 1834.

In fulfilment of the spirit of your Lordship's instructions having endeavoured to obtain accurate information respecting the fate of the Africans distributed in this country, I ascertained that at the *Caza de Correçcao* the maltreatment of these unfortunate beings recommenced, and that while deposited there the grossest abuses of trust, and often great cruelties, were perpetrated.

On a late occasion upwards of 60 were reported as dead out of a few hundreds, in a very short space of time, and where no dangerous or contagious disorder was even asserted to exist. These 60 Africans were sold to different persons, and many of them sent into the interior. These practices had become systematic, and the fact of the real sale of most of those confided to the Brazilian authorities is scarcely concealed from general notice, and is even sometimes a subject of pleasantry.

I thought it my duty to make on several occasions strong representations against this utter perversion of the intentions of the Treaty for the suppression of the Slave Trade, as a reference to my previous correspondence will show.

On account of several well-founded charges, and possibly in part on account of the particular abuses existing in the *Caza de Correçcao*, against which I had remonstrated, the late administration had deprived the head of that establishment of his situation, and placed another individual there, a major of Engineers, a German by birth, and likely to perform his duties with greater fidelity and humanity.

One of the first acts, however, of the present ministers (whose principal adherents consist of the Slave Trading party in this country, to whom the leading members of the late ministry were hostile) was to dismiss the recently appointed director of the *Caza de Correçcao*, and re-appoint the former officer, against whose proceedings it had been my duty to remonstrate.

These and other circumstances which I have the honour in other Despatches to report to your Lordship, induced me to address the Note, a copy of which I have now the honour to transmit to your Lordship, and so strongly did the inexpediency of any longer confiding to the Brazilian authorities the Africans liberated by the Mixed Court appear to me to be proved, that I was about to crave from your Lordship instructions as to their future disposal.

The receipt of your Lordship's Despatch of 12th March, by the last packet, puts an end to the hesitation which I naturally felt in taking, on my own view of the case, decided steps so contrary to those hitherto adopted with respect to the liberated Africans.

I take the liberty of adding that the mode of disposing of the liberated Africans proposed in your Lordship's abovementioned Despatch is, according to the opinions which my experience of this country has enabled me to form, such as when carried into effect will enable Her Majesty's officers to be really instrumental in securing to the liberated Africans that freedom for which Great Britain has stipulated with the Brazilian Government, and which it is utterly impossible to secure for them at present in this country.

I have, &c.

(Signed) W. G. OUSELEY.

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

P. S.—The reference to the persecution of a Brazilian naval officer for interference with the Slave Trade contained in the enclosed note, and the delivery to their asserted owners of many Africans illegally brought into this country, I have the honour to explain in another Despatch of this date.

(Signed) W. G. O.

Enclosure in No. 465.

Mr. Ouseley to M. Aureliano.

SIR,

British Legation, Rio de Janeiro, May 18, 1841.

It was my unpleasant duty some time ago (see my Note of March 21,) to represent to your Excellency the extreme misconduct of the director of the Casa de Correçao towards the Africans liberated by sentence of the Mixed Court of Commission in this capital, placed temporarily in the care of that institution. Your Excellency was pleased to reply that due inquiries into the serious charges that I then, and also on previous occasions, personally communicated should be instituted; and, as I presumed, partly at least in consequence of my representations, the director of the Casa de Correçao was dismissed and another appointed. Since I had the honour to address your Excellency on this subject, I have been informed by persons entirely deserving of credit, that, so far from the accounts which had reached me being exaggerated, they were unhappily not by any means sufficiently strong to give a just idea of the abominable treatment experienced by the unfortunate Africans confided to the discretion of the unworthy officer at the head of the Casa de Correçao.

By the connivance and complicity of other subaltern officers belonging to the establishment or indirectly connected with it, I am credibly informed that numbers of the unfortunate Africans, for whose complete liberation and restoration of their rights the good faith of the British and Brazilian Government is pledged, have been sold, many sent to the interior, and their death declared by falsified attestations, supported by the substitution of the bodies of deceased Africans, not connected with the liberated negroes.

It was therefore with surprise and regret that, in the face of this and other serious charges which I shall have the honour on a future occasion of bringing before your Excellency, that I perceived one of the first acts of the present competent minister was to replace the individual in question in a trust he had so long abused. Since then succeeding acts of the present administration have shown a determination to discontinue the praiseworthy efforts of their predecessors in office for the discouragement of the Slave Trade and the punishment of its abettors—the late notorious case of the persecution of a naval officer for executing faithfully his orders in suppression of the traffic in Africans. I allude to the case of the commander of the "*Invencibel*," a matter unfortunately but too general a subject of scandal in this capital to necessitate any delicacy with regard to it, although under discussion in the legislative body; the restoration

to their kidnappers and oppressors of the Africans illegally imported, and subsequently seized by Brazilian officers of the navy and others in execution of their duty and in virtue of orders issued by the late minister. All these circumstances, as well as the declared sentiments of certain high Brazilian authorities on the question of the Slave Trade, oblige me to declare to your Excellency that it will be necessary for me, as the organ of Her Majesty's Government, to suspend the delivery to the Brazilian authorities of any Africans hereafter liberated by the Mixed Court, until at least such arrangements are made through your Excellency's intervention as may secure the ends which both Governments declared they had in view in concluding the Convention for the suppression of the traffic in men, and in framing subsequent regulations necessary to its due execution.

Under no circumstances can a single liberated African be again intrusted to the director of the Casa de Correçao, and I must await your Excellency's adoption of efficacious measures for the due care of the unfortunate beings under the protection of both Governments, on the receipt of further instructions from Her Majesty's Government, before any more Africans are delivered into the power of those who are directly opposed to the humane objects which Her Majesty's Government and that of Brazil have so frequently declared their determination to secure.

I avail, &c.

(Signed) W. G. OUSELEY.

His Excellency Senhor Aureliano,
 &c. &c. &c.

No. 466.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, May 21, 1841.

(Received August 12.)

(Extract.)

In conformity with the instructions which I had the honour to receive in your Lordship's Despatch of March 3, 1841, I addressed a note to the Imperial Government, expressing the extreme gratification afforded to that of Her Majesty by the information which I had forwarded to your Lordship, respecting the measures adopted by the late administration for the fulfilment of their treaty engagements with Great Britain to put down the trade in slaves.

As the present administration have at once not only ceased to enforce the measures of their predecessors in office, but have shown a decided resolution to protect the Slave Traders and, as the declared principles of some of its leading members in favour of the importation of Africans have been carried actively into effect on late occasions, I thought it my duty to notice a change of conduct in the Brazilian Government to which it is impossible for me, as the organ of Her Majesty's Government, to be indifferent. The note and the answer to it from the Brazilian Minister of Foreign Affairs, copies of which I have the honour to transmit to your Lordship, will show that, however really inclined to favour the traffic in human beings, the ministers wish to avoid the odium and possibly other consequences of their conduct with which the present improved state of public opinion, felt even in this country, threatens them.

With respect to Senhor Aureliano's insinuation that I am not inclined to do justice to the good intentions of the Brazilian Government as regards the suppression of the Slave Trade, your Lordship is enabled to estimate its justice by a reference to my correspondence, in which I have always endeavoured to bring every circumstance favourable to the Imperial Government, and likely to increase the mutual respect and good feeling of the two Governments, fairly before your Lordship.

It must be recollected, however, that the Brazilian Minister for Foreign Affairs is placed in a situation of some delicacy and difficulty, having formed

part of the late administration and being required now to act with men of opposite feelings and interests.

First Enclosure in No. 466.

Mr. Ouseley to M. Aureliano.

Rio de Janeiro, May 22, 1841.

THE Undersigned, &c., having, in fulfilment of a pleasing duty, represented to Her Majesty's Government, in the terms that it appeared to him to deserve, the conduct of the late administration of this Empire in adopting measures to co-operate with that of Great Britain in the suppression of the Slave Trade, and in honourably endeavouring to fulfil their treaty engagements with Great Britain in respect to that matter, has had the satisfaction of receiving instructions to express to Senhor Aureliano, &c., the entire gratification which this information had afforded the Queen's Government.

It were superfluous to state to Senhor Aureliano how much pleasure it would afford the Undersigned to be enabled to report to Her Majesty's Government that a continuance of measures such as those of the late ministers promised shortly and with frank concurrence of the Imperial Government to extinguish a traffic which civilised nations have determined shall not be suffered under any circumstances longer to disgrace humanity, nor elude the vigorous steps that have been resolved upon for its utter extinction.

The Undersigned avails, &c.

(Signed) W. G. OUSELEY.

His Excellency Senhor Aureliano,
&c. &c. &c.

Second Enclosure in No. 466.

M. Aureliano to Mr. Ouseley.

Rio de Janeiro, May 31, 1841.

(Translation.)

THE Undersigned, &c., acknowledges receipt of the note, addressed to him on the 22nd of May by W. G. Ouseley, &c., in which he expresses on the part of his Government the favourable impression produced by the measures adopted by the last administration of the empire, in co-operating for the suppression of the Slave Trade, and expresses the hope, that he may be enabled to inform Her Britannic Majesty's Government, that the present administration will follow in the steps of the last, frankly uniting for the extinction of a traffic that all civilized nations have determined to abolish.

The Undersigned thanks Mr. Ouseley for this communication, which is the more agreeable as he is not accustomed to find Mr. Ouseley acknowledge the fidelity, with which the Imperial Government fulfils the stipulations of its treaties in the strictest manner in its power; and the Undersigned is persuaded that the expression of similar sentiments will, with equal justice, be signified to him respecting the present ministry, which, certainly, is not less exact than the former in faithfully fulfilling its engagements with friendly and allied nations, any more than in duly sustaining the dignity of the Brazilian Crown and that of the country.

The Undersigned, therefore, regards in this light, doubtless the right one, the distinction which might otherwise appear to be made in Mr. Ouseley's note, and which the Undersigned would be obliged to repel, as injurious to any administration knowing its own dignity, and conscious of the purity of its intentions, and the justice of its conduct.

The Undersigned renews, &c.,

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

No. 467.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, May 24, 1841.
(Received August 12.)*

MY LORD,

I HAVE the honour to forward to your Lordship copy of my answer to a Despatch that I received from Mr. Consul Porter, respecting the detention of the "*Nova Aurora*" Brazilian brig, by her Majesty's ship "*Rose*," on suspicion of being engaged in the carrying Slave Trade, which vessel has been released by the Mixed Court of Commission.

In taking upon myself to make the suggestions which my Despatch contains, and in mentioning my opinion of the expediency of treating the demonstrations of hatred and threats of violence from the slave-trading party with contempt, while adopting the most vigorous measures consistent with due caution, and that are compatible with the instructions of Her Majesty's Government, I have only communicated the result of an experience of some years, passed in continual efforts to defeat the objects of the slave dealers in this country, and to further the measures of Her Majesty's Government in suppression of their traffic.

I have, &c.

(Signed)

W. G. OUSELEY.

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

Enclosure in No. 467.

Mr. Ouseley to Mr. Consul Porter.

SIR,

British Legation, Rio de Janeiro, May 17, 1841.

WITH reference to your Despatch of 9th March last, I have been prevented from earlier replying to it by the necessity of attending to other immediate business.

You will have seen in the public journals the sentence releasing the "*Nova Aurora*," and the reasons given for that release. It is to be regretted that Captain Christie did not send to this capital the two principal and material witnesses in this case: had he done so, or even secured their authenticated testimony, the sentence might have been widely different.

Naval officers are often unaware or neglectful of the importance of attending accurately to the exact forms and documents required before a legal tribunal, and especially before the Mixed Commission, where every sort of chicanery and difficulty is thrown in the way of the captors.

I think it my duty to remark that, in such cases as that of the "*Nova Aurora*," Her Majesty's Consuls might with advantage take upon themselves to suggest to the naval officers every necessary precaution, in order effectually to secure conviction of the captured slaver, and I recommend their acting accordingly.

With respect to the excitement and threatened violence caused at Bahia by the detention of the "*Nova Aurora*," Her Majesty's officers must be prepared in this country for similar demonstrations in the course of their necessary duties. In this capital, where captures are frequent, the most virulent calumnies and abuse, and personal threats of assault and assassination, have been frequent, both against civil and naval British authorities.

I have ever found that the most effectual means of discouraging these vindictive efforts is treating them with entire contempt, and continuing the most vigorous measures against the Slave Trade that I can command, at the same time that no precaution that prudence can suggest should be neglected, and no favourable opportunity lost, of counteracting mischievous representations by counter-statements.

I make this remark without by any means implying that the least neglect of

duty has occurred on the part of any of Her Majesty's Consular Agents, but merely with a view to communicate the results of my observations and experience in this country on the points you mentioned.

E. Porter, Esq.,
&c. &c.

I have, &c.
(Signed) W. G. OUSELEY.

No. 468.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, June 14, 1841.

(Received August 12.)

(Extract.)

THE immediate departure of the packet, and the accidental pressure of other business, oblige me to refer to the enclosed copies of correspondence, reserving for another opportunity the remarks upon it which I may think it my duty to submit to your Lordship.

I have had three or four meetings with Senhor Lopes Gama on the subject of the negotiation with which his Excellency is charged, and, as far as I can judge until the Brazilian counter-proposition is formally made, nothing can be more satisfactory than the depositions and opinions of the Brazilian Plenipotentiary.

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 468.

(Translation.)

M. Aureliano to Mr. Ouseley.

Palace, Rio de Janeiro, May 25, 1841.

THE Undersigned, &c., in addition to what he has already communicated, has to state to Mr. Ouseley, &c., that under this date he transmits to the Senator Caetano Maria Lopes Gama the necessary full powers to treat, in the character of Brazilian Plenipotentiary, with the Plenipotentiary or Plenipotentiaries named by Her Britannic Majesty, for the purpose of clearly defining the stipulations of the Convention of the 23rd November, 1826, entered into by the two Governments for the suppression of the Slave Trade, avoiding by this means any collisions or doubts, which might hinder the steady progress of such an important and philanthropic object.

The Undersigned, in thus fulfilling the commands of His Majesty the Emperor, considers that he gives a convincing and irrefragable proof of the desire which animates the Imperial Government of continually drawing closer the bonds of friendship and perfect understanding which unite the two nations, by thus seeking to cause a cessation of any motives that could by possibility disturb them.

The Undersigned renews, &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

Second Enclosure in No. 468.

Mr. Ouseley to M. Aureliano.

British Legation, Rio de Janeiro, June 3, 1841.

IN ACKNOWLEDGING the receipt of the Note with which Senhor Aureliano de Souza e Oliveira Continho, &c., honoured the Undersigned, &c., dated the 25th ultimo, wherein his Excellency, referring to former communications on the

same subject, announces officially that the senator C. M. Lopes Gama has received the requisite full powers to treat as Brazilian Plenipotentiary, with the Plenipotentiary or Plenipotentiaries named by Her Majesty, in order clearly to define the stipulations of the Convention of November 23, 1826, for the suppression of Slave Trade, in order, as his Excellency observes, to avoid possible doubts or collisions that might impede the march of the philanthropic objects in view. It is the duty of the Undersigned to observe to Senhor Aureliano, that however gratifying to the Undersigned may be the nomination by His Imperial Majesty of the distinguished senator Senhor Lopes Gama, as Plenipotentiary on the part of Brazil for this negotiation, it is incumbent upon the Undersigned to refer Senhor Aureliano to his Note of August 23, 1840, clearly stating the basis upon which he has had the honour to be instructed by Her Majesty's Government to enter upon a negotiation, with a Minister appointed on the part of Brazil, to conclude a convention between Great Britain and Brazil.

If the present Note of Senhor Aureliano is intended to convey an assent to the proposal of Her Majesty's Government contained in the Note of the Undersigned of August 23, 1840, he has the honour of remarking, that some alteration, or more clear explanation, is necessary to remove the ambiguity of the present wording of his Excellency's Note.

Desirous, however, of avoiding if possible any difficulty, which might add to the great delay that has attended all steps in this matter on the part of the Imperial Government, the Undersigned, having already had the honour of conferring with Senhor Lopes Gama on the matter in question, has invited that Minister to make, on the part of Brazil, a counter-project, embodying the views of Brazil respecting the proposed Convention, and clearly defining the differences, if any, between the measures that the Imperial Government is desirous of adopting, and those which the Undersigned has already had the honour, in conformity with the instructions of his Court, of communicating to Senhor Aureliano.

The Undersigned, &c.

(Signed)

W. G. OUSELEY.

His Excellency M. Aureliano,
&c. &c. &c.

Third Enclosure in No. 468.

Mr. Ouseley to M. Lopes Gama.

MONSIEUR LE MINISTRE,

Légation Britannique, ce 3 Juin, 1841.

REFERANT AU sujet des conférences que j'ai eu dernièrement l'honneur d'avoir avec votre Excellence, relativement à la négociation dont nous sommes chargés par nos Gouvernemens respectifs, et plus particulièrement à la Note officielle du 25 Mai de Monsieur le Ministre des Affaires Etrangères, où son Excellence m'annonce officiellement que Sa Majesté Impériale a bien voulu confier à votre Excellence les pleins pouvoirs nécessaires pour traiter des mesures à adopter pour mettre fin à la Traité des Noirs, et leur assurer une protection contre ceux qui cherche à les reduire à l'esclavage, j'ai maintenant l'honneur, comme il y a bien de croire que quelque divergence existe dans la manière dont les deux Gouvernemens envisagent cette question, d'inviter votre Excellence à vouloir bien incorporer dans un contre-projet la proposition des mesures, que le Gouvernement Impérial jugera convenable pour attendre les objets philanthropiques des deux Gouvernemens.

Il serait ici superflu de répéter combien je me félicite d'avoir l'honneur de traiter avec votre Excellence de cette matière importante, à laquelle le monde civilisé entier prend un haut intérêt que chaque jour ne fait qu'accroître. J'espère qu'elle trouvera de mon côté les preuves de la bonne volonté dont je suis animé de concilier les intérêts légitimes du commerce maritime, avec l'adoption des mesures efficaces, aujourd'hui indispensables, que reclame cette question.

Je m'empresse, Monsieur le Ministre, de renouveler à votre Excellence, &c.

(Signé)

W. G. OUSELEY.

Son Excellence M. Lopez Gama,
&c. &c. &c.

(Translation.)

Mr. Ouseley to M. Lopes de Gama.

M. LE MINISTRE,

British Legation, June 3, 1841.

REFERRING to the subject of the conferences I have lately had the honour to hold with your Excellency relative to the negotiation with which we are charged by our respective Governments, and more especially to the official Note of the 25th May from the Minister for Foreign Affairs, in which his Excellency informs me officially that His Imperial Majesty has been pleased to confide to your Excellency the necessary full powers to treat of the measures to be adopted for putting an end to the Slave Trade, and for securing to the negroes protection against those who seek to reduce them to a state of slavery. I have now the honour,—as there is reason to believe that some difference exists as to the manner in which the two Governments regard this question,—to invite your Excellency to be pleased to embody in a counter-project the proposition of the measures, which the Imperial Government shall consider advisable to attain the philanthropic objects of the two Governments.

It would be superfluous herein to repeat how much I congratulate myself on having the honour to confer with your Excellency on this important subject, in which the whole civilized world takes a high interest, which is daily increasing. I hope you will find on my part proofs of my inclination to conciliate the true interest of maritime commerce, with the adoption of the efficacious measures, now indispensable, which are called for by the subject in question.

I have, &c.

(Signed) W. G. OUSELEY.

His Excellency M. Lopes Gama,
&c. &c. &c.

Fourth Enclosure in No. 468.

M. Lopes Gama to Mr. Ouseley.

MONSIEUR,

Rio de Janeiro, ce 9 Juin, 1841.

JUSQU'À ce moment j'avois l'espoir de pouvoir répondre à la lettre officielle, que vous m'avez fait l'honneur de m'adresser en date du 3 de ce mois, mais des circonstances qui ne vous sont sans doute pas inconnues m'en empêchent. Je puis toutefois vous assurer que je m'occupe incessamment à examiner l'affaire dont nous sommes chargés, et je me flatte que le résultat de nos travaux sera couronné de l'approbation de nos Gouvernemens.

Je profite, &c.

M. Chevalier Ouseley,
&c. &c.

(Signé) LOPES GAMA.

(Translation.)

M. Lopes Gama to Mr. Ouseley.

SIR,

Rio de Janeiro, June 9, 1841.

UP to the present moment I hoped to be able to reply to the official letter you did me the honour to address to me on the 3rd instant, but circumstances which are doubtless not unknown to you prevent me from so doing. I can nevertheless assure you that I am incessantly engaged in the consideration of the affair with which we are charged, and I flatter myself that the result of our labours will be crowned with the approbation of our Governments.

I avail myself, &c.

W. G. Ouseley, Esq.
&c. &c.

(Signed) LOPES GAMA.

No. 469.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, June 14, 1841.*

(Extract.)

(Received August 12.)

HAVING reason to believe that the Brazilian Government purposely avoided giving a direct answer to the frequent official and personal representations that I have made, urging the ratification of the additional articles to the Slave Trade Convention, affecting to understand that the question of the additional articles was merged in that for the negotiation or remodelling of a Slave Trade Convention, I addressed the Note, a copy of which I have the honour to transmit.

The answer that I have received from the Brazilian Minister, the transmission of which I am obliged to postpone, fully confirms the supposition I entertained. His Excellency expresses surprise and regret at my thus bringing forward a matter, for the discussion of which provision is made by the appointment of Senhor Lopes Gama to treat on the affairs of the Slave Trade generally, and considers the question of the ratification as for the present at rest, and included in the negotiation entered upon by Brazil.

Enclosure in No. 469.

*Mr. Ouseley to M. Aureliano.**British Legation, June 3, 1841.*

THE Undersigned, &c., referring Senhor Aureliano, &c., to former correspondence which has continued for some years past respecting the ratification of the additional articles to the Slave Trade Convention, and not having been honoured with any satisfactory reply, has now to express to His Excellency, on the part of Her Majesty's Government, the regret and surprise occasioned by the neglect that the representations and requests of Her Majesty's Government have met with on the part of that of Brazil.

It was confidently hoped that the Executive Power, being now no longer subjected to those restraints, which the minority of His Imperial Majesty occasioned, would have gladly availed itself of the first opportunity in order to ratify the articles in question, as no doubt existed on the part of the Undersigned of the sincerity of the repeated assurances of the Imperial Government, of its readiness to adopt more effectual measures in suppression of the Slave Trade than those now in operation. This just hope having been disappointed, it becomes the duty of the Undersigned now to inquire, on the part of Her Majesty's Government, what are the final intentions of the Imperial Government respecting those articles.

Whether the Imperial Government declines to ratify the acts of its Plenipotentiary, now that the ratification depends wholly on itself, or intends at once to redeem its pledges on this subject, the Undersigned is compelled to demand an immediate and explicit answer, which he therefore has the honour to request Senhor Aureliano to furnish with the least possible delay. So many years have now elapsed since the signature of these articles, that his Excellency can find no difficulty in promptly declaring the final resolution of the Imperial Government respecting them.

The Undersigned, &c.

W. G. OUSELEY.

Senhor Aureliano,
&c. &c.

No. 470.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, June 14, 1841.**(Received August 12.)*

(Extract.)

THE Portuguese minister, Chevalier Bayard, communicated to me the other day a letter from a resident near Campos, a native of Madeira, Senhor Patricio Mendes, who afforded the greatest assistance in advancing money, procuring food and necessaries for the English officers and boat's crew, when maltreated by the Brazilian local authorities of Campos, as I have the honour to report in my Despatch of the 15th instant.

Captain Freemantle, Commander of the "Clio," and Lieutenant Cox, had also previously written in the highest terms, of the prompt and friendly interposition of the Portuguese subject, Senhor Mendes, without whose assistance the officers and crew would have been in the most serious distress, as the Brazilian authorities, being in fact the accomplices, if not the actual parties engaged in the systematic introduction of negroes, paid not the slightest attention to the request of the imprisoned officers for food, bedding, &c.

I shall write to the Portuguese Minister, in the terms I think it deserves, respecting the friendly conduct of Senhor Mendes.

Senhor Patricio is a coffee planter and merchant, established in the neighbourhood of Cape Frio, and formerly during the political struggles in Portugal a refugee in England; and the credit due for his assistance on this occasion is enhanced by the consideration that it was afforded at considerable risk, that his interests may be greatly compromised in consequence of his interference, and possibly his person be exposed to much danger, from the vindictive measures of the slave dealers and their abettors.

I have, &c.

(Signed) W. G. OUSELEY.

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

Enclosure in No. 470.

Campos, Villa de San Joao da Bana,
May 29, 1841.

MOST ILLUSTRIOUS SIR,

THE English brig of war "Clio," Captain Freemantle, having sailed on the 8th instant to cruise on the coast, and the same Captain having sent a launch to cruise at the place called Puima, with two officers (Lieutenant H. L. Cox and C. J. Cerjat) and a crew of 13 persons, they, having missed the brig and being without provisions, were obliged by hunger and thirst to make for this city; on their arrival they were detained by the Juiz de Paz of this place, and the boat with its furniture of war taken possession of on the 20th instant. As I was the only person here who understood something of the language, I was called by the Justice of the Peace to act as interpreter. The said officers were in want of provisions both for themselves and their people, the Judge gave them nothing whatever, and I, seeing they were abandoned, without money or provisions, without a Consul, and that the authorities refused to supply them with anything, as a Portuguese subject, and knowing them really to be English officers by the uniform in which they were dressed, and in attention and consideration towards a nation in alliance with Portugal, offered not only my house to the officers, but also every assistance required by the crew. It happens that on the 24th, by order of the same Judge, the same officers were taken to prison, and with them the crew also, where I still continued to lend them the same assistance, beds, clothes, and all they wanted. On the 27th an officer of the same brig, then anchored outside the bar, came ashore to inquire into the cause of the imprisonment of these officers. He returned to the brig, and on the day following (the 28th) the same officer and Commander Freemantle landed with the brig's documents, and demanded the boat and people, or otherwise that he should act as required in order to get his people given up to him, which the

Juiz de Paz immediately did, giving up everything. Mr. Freemantle thanked me much for the assistance I had afforded his people, and took leave of me with the most cordial thanks. Lieutenant Cox repaid me all the expenses I had incurred, and all the money I had spent.

I make known the above to you, in case any one should blame me as interpreter, for not properly translating or understanding the words. I inform you also, that the officer Cerjat speaks Spanish, and therefore understands something of Portuguese. The Commander speaks, reads, and writes Portuguese.

God preserve you, &c.

(Signed)

P. H. F. MENDES.

To *W. G. Ouseley, Esq.*
&c. &c.

No. 471.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, June 15, 1841.

(Received August 12.)

(Extract.)

I HAVE the honour to transmit copies of a correspondence that has taken place, respecting an outrage committed on two officers and a boat's crew, belonging to Her Majesty's brig "Clio," by the authorities at Campos.

As this matter is still pending, and the packet sails immediately, I must beg to refer your Lordship to the accompanying Documents, confining myself to submitting a general account of the occurrence in question, on which I shall have to address your Lordship on a future occasion.

On the morning of the 23d ultimo Lieutenant Donellan called on me, bringing a message from Captain Smyth, of Her Majesty's ship "Grecian," excusing himself for not communicating formally a copy of a Letter that he had just received from Lieutenant Cox, forcibly detained as a pirate, with a boat's crew, at Campos, and which Letter was delivered to me by Mr. Donellan. The "Grecian" was already under weigh, and almost out of the harbour, Captain Smyth having, very properly, lost not a moment in proceeding to the assistance of the officer and men of the "Clio."

From the haste with which the copy of Lieutenant Cox's Letter had unavoidably been made, some errors had occurred which rendered it not clearly intelligible, and I awaited further accounts, the steam-boat from Campos being hourly expected, before I applied to the Brazilian minister; but, on the next morning Mr. Donellan again called, and brought reports of the lives of the officers and crew being in danger from the violence of the mob and of the ruffians (in the pay of the slave-dealers), that they were in irons, and exposed to the greatest insults, &c.

As on a late occasion a Brazilian naval officer, commander of the launch "*Invenivel*," employed by the late administration in suppression of the Slave Trade, had been grossly maltreated, conducted in open day in irons through streets inhabited by Portuguese and other slave-traders, under circumstances of aggravated outrage, in this capital, I felt that, allowing for the exaggeration usual in matters of this sort, it was my duty to take prompt measures, which, if they should prove to be not absolutely necessary on the present occasion, would have a good moral effect at least, and prevent similar proceedings in future. I directed Mr. Donellan, who was himself senior officer at the moment, to proceed on board and get the "Delight," the only disposable vessel in harbour, ready for sea instantly, giving her an additional officer and men if he could, and suppressing whatever was necessary, to endeavour to procure an eligible interpreter, pilot, &c.

In the mean time I wrote the necessary official Letter to Mr. Donellan, and requested Mr. Gordon to go at once to Senhor Aureliano, wherever he might be, and verbally, in order not to lose time, to inform his Excellency of the occurrence and to request him to send a Brazilian officer on board the "Delight," or an instruction to the authorities of Campos to enlarge the English officers (I ascertained subsequently that there were two officers) and

crew, but that the "Delight" could not wait, as the men's lives were reported to be in danger, longer than the necessary time for getting under weigh.

Senhor Aureliano was not at the office, but at the Chamber of Deputies, and seemed to conceive that it was utterly impossible to get the "Delight" to sea that day, or any officer ready to go on board it. His Excellency, however, expressed his desire and readiness to do all he could to remedy the misconduct of the authorities of Campos. The "Delight" got to sea in three hours after Mr. Donellan's departure from my house, through the praiseworthy exertions of the commander of the "Crescent" (on board which vessel the sails of the "Delight" were deposited when the order was given for her to go to sea), and of Lieutenant Troubridge, with the disposable force of the "Crescent." Your Lordship will, I trust, make due allowance for the circumstances of haste under which most of my enclosed correspondence was necessarily written. The sensation generally produced in this capital, by the sudden departure of the packet as a brig of war, was very salutary; and although it happened that the occurrences at Campos did not ultimately require the presence of the "Delight," yet I do not feel that I have any reason to regret having decided upon sending that vessel to sea. Campos is about two or three days' sail from Rio de Janeiro.

The officers and boat were employed against slave-vessels when taken into custody at Campos, and the hostility shown them is entirely attributable to this cause.

First Enclosure in No. 471.

Commander Freemantle to Lieutenant Cox.

You are hereby required and directed to take command of the pinnace, and to repair in her to the islands called Piumas (situated a little to the northward of the parallel of 21° S. lat., and within half a mile of the main land), and you are to cruise between them and the Island of Francisca.

These islands are the resort of slave-vessels coming over from Africa, and boats are in the habit of going off from them to land the cargoes of negroes; it will be your especial object to prevent the entrance of such vessels or boats, and to examine, and, if suspicious, detain them. If you should make any capture, you are to use your best endeavours to rejoin the "Clio" immediately; and as it is not my intention to be out of sight of the islands named, or at a greater distance from them than thirty miles in the direction of Campos, you will have little difficulty in doing so; the accompanying signals will further facilitate the object. You will use your own judgment as to anchoring in any of the above-named islands, as you find most suitable to the weather, or to carrying into effect the object of your being detached from the ship. But you are to be exceedingly careful to avoid giving any cause of offence to the inhabitants, or engaging in any altercation or dispute; and should you find any opposition offered to your anchoring in any particular harbour, you had better yield in the first instance, and reserve the matter for my consideration. Whenever you see the "Clio" closing to communicate with you, you are to repair on board to report your proceedings.

Given under my hand, on board Her Majesty's ship "Clio," off Campos,
12th May, 1841.

Lieutenant Cox,
&c. &c.

(Signed)

STEPHEN G. FREEMANTLE,
Commander.

Second Enclosure in No. 471.

Lieutenant Cox's Statement of his being a British Officer rejected by Authorities of Campos.

THE contents of the above paper have been explained to me. I object that, on landing from a boat with British colours and pendant flying, two

officers in British naval uniform have not had their statements received by the authorities. The orders under which I am acting were then submitted to the said authorities. We are still detained, although it is clearly understood that our sole object in landing was the purchase of provisions.

(Signed) H. L. COX, *Lieutenant,*
H. B. M. Brig "Clio."

Third Enclosure in No. 471.

Mr. Ouseley to M. Aureliano.

SIR,

British Legation, Rio de Janeiro, May 23, 1841.

I LOSE not a moment in addressing your Excellency on a matter, the grave nature of which neither requires nor leaves time for offering, at present, any comment.

One of the boats of Her Majesty's brig "Clio," having taken possession on the 12th instant of a brig with 300 negroes on board, near the Puma Islands, was attacked and fired upon by a party of seventy to eighty men, in six or seven large boats sent from the shore.

After an engagement which lasted some time, notwithstanding the disparity of numbers, and after four of the English boat's crew were wounded, the brig was retaken by the party from the shore, and soon afterwards was seen to be on fire.

The boat of Her Majesty's sloop, being in want of water and provisions, put into Campos. The officers and crew, instead of receiving the assistance that they had a right by the right of the usage of all civilized nations to expect from the authorities, to whom they communicated their character and the objects for which they entered the port, have been most unjustifiably detained, and on the 20th were, notwithstanding the remonstrances of the lieutenant commanding the boat, still at Campos, the authorities pretending a necessity of referring to the President of the Province, before they could be suffered to depart, and accusing them of piracy, &c.

These circumstances have been communicated by the officer in command of the boat, in an official Letter, copy of which has been forwarded to me by the commanding officer of Her Majesty's naval forces in this harbour.

I have earnestly to request your Excellency's immediate intervention, in order that any further misconduct of the local authorities at Campos be at once prevented, leaving for the future the demands which it will doubtless be my painful duty to make on the Imperial Government, for their due punishment, and for satisfaction for the extraordinary treatment received by the subjects of a friendly nation on this occasion.

It is also my duty to inform your Excellency that Her Majesty's sloop of war "Grecian" has already sailed to rejoin and reinforce the "Clio" and the "Fawn," and to afford that protection to the English officers and crew which it appears that the Brazilian authorities are so far from offering that it will probably be against them that Her Majesty's vessels will be forced to act.

I need not say that it is with deep regret that I am obliged on this occasion to approve the steps taken in self-defence by Her Majesty's naval officers, and to warn your Excellency that I throw all the consequences of this grave occurrence entirely on the Brazilian Government, inasmuch as late notorious events prove that the authorities of this country, so far from being able if willing to extend protection in cases similar to that on which I have now the honour to address your Excellency, have, on the contrary, as in the glaring case of the launch "*Invencivel*," acted in a manner which proves that it is now positively incumbent upon Her Majesty's vessels to take the strongest measures for their own defence in performing their duties in suppression of the Slave Trade.

Repeating my urgent request for your Excellency's prompt interference in this very serious matter, I have only for the present the honour of adding my assurance of the high consideration.

His Excellency Senhor Aureliano,
 &c. &c. &c.

(Signed) W. G. OUSELEY.

Fourth Enclosure in No. 471.

Mr. Ouseley to Lieutenant Donellan, R.N., Senior Officer, in Command of Her Majesty's Ship "Crescent."

*British Legation, Rio de Janeiro,
May 24, 1841.*

SIR,

WITH reference to the intelligence received yesterday of the outrages committed at and near Campos, against an officer and boat's crew belonging to Her Majesty's ship "Clio," and it being further reported this morning that the local authorities, in conjunction with a violent mob of slave-dealers and their accomplices, have imprisoned the lieutenant and men, and, as it is highly probable, from the late treatment of a Brazilian officer by the authorities and population of Paraty on a similar occasion, the most serious indignities, if not injuries, may be sustained by the British officers and men, I have to request that you will direct Her Majesty's packet "Delight" (no other disposable force being at present in this harbour) to get ready instantly for sea; supplying, as far as lies in your power, whatever deficiencies in arms and ammunition she may labour under; and to instruct her commander to proceed without delay to Campos and there place himself under the command of whatever senior officer he may find there, probably either Captain Freemantle or Captain Smyth. Should he be himself the senior officer on arriving there, it will be necessary for him to inquire of the *Juiz de Paz*, or other competent local authorities, for the officer, crew, and boat of the "Clio," and that they be promptly released if in confinement, and lend them whatever aid and assistance he can, either in returning to their ship, or on whatever service they may be employed by their commanding officer.

If they are already enlarged and have left Campos, the Commander, after ascertaining the fact, will return hither, unless his services are required by a senior officer, or that any of Her Majesty's cruisers or boats need his assistance.

I have given due notice to the Brazilian Government, of this and the other steps taken in this matter, and have requested them to send a competent Brazilian officer on board Her Majesty's packet, with the necessary instructions to the local authorities. Should, however, the Brazilian officer not proceed on board the "Delight" without delay, it will be expedient nevertheless to get under weigh immediately, as a boat may easily overtake the "Delight" in this weather before she reaches the forts. The commander will therefore be prepared to take on board such officer, together with perhaps two or three other persons, should a boat follow him with them on board.

But I do not recommend taking any number of Brazilian troops, beyond a corporal's guard at the utmost, at the requisition of the Brazilian officer.

I have, of course, to recommend that, in the first instance, only an officer accompanied by the Brazilian officer should be sent on shore, the armed boat's crew remaining in the boat, while the officer makes the necessary inquiries; nor need I point out the necessity of a calm and courteous demeanour, at the same time that no precaution be neglected to enable the whole force that the "Delight" can employ to be available, if necessary, in case of assault or outrage. The Commander must be prepared for attacks on his boats by the piratical boats, represented as numerous and very full of men well-armed, and a boat-gun might be very serviceable.

Although it is my duty to recommend circumspection and due respect towards the Brazilian authorities, yet it will be necessary to show a firm determination not to suffer any outrage or indignity to be committed on Her Majesty's officers and men. With respect to the armed launches and boats of the Slave Traders, I should advise that every possible means be employed to capture, sink, or destroy them.

If they have Africans on board whom they are seeking to land or kidnap from a captured slaver, it is evident that the desire to spare them must in some measure govern the efforts of the commander, but, rather than endanger any of Her Majesty's boats and men, it may be necessary to endeavour to sink such piratical launches, if attacking and surrounding a boat.

The commander will take occasion to inform the Brazilian officers and authorities, that Admiral Sir E. King is daily expected, and that any of Her Majesty's ships of war that may enter this harbour will probably immediately proceed to Campos, to support the force already there if necessary.

I make these suggestions with deference to the experience of yourself and the other naval officers, and to your better knowledge of the rules of the service, in which matter it is not my province to interfere.

If the services of a trustworthy interpreter, an Englishman if possible, could be secured to go on board the "Delight" to Campos, it would be highly advantageous, or that of a pilot, if a well qualified and trusty pilot can be procured. The expense will be borne by me.

I have, &c.,

(Signed)

W. G. OUSELEY.

To Lieutenant Donellan, R.N.,
&c. &c.

Fifth Enclosure in No. 471.

*Her Majesty's Receiving Ship, "Crescent,"
Rio de Janeiro, May 24, 1841.*

SIR,

I BEG to acknowledge the receipt of your letter of this date, and to acquaint you that I have given Lieutenant Lorey, Commanding Her Majesty's packet, "Delight" a copy of such for his guidance, also an order to proceed immediately to Campos, a copy of which I enclose.

Additional-Lieutenant Troubridge, waiting to join the "Southampton," and four marines belonging to this ship, I have ordered to be lent to her, for the purpose of rendering assistance.

Mr. Hunt (Marshal) has also taken a passage in her as interpreter.

I have, &c.

(Signed)

M. DONELLAN,

(COPY.)

By Malachi Donellan, Esq., Lieutenant and Commander of Her Majesty's Receiving Ship "Crescent," and senior Officer present.

IN pursuance of a letter I have this morning received from Mr. Ouseley, Her Majesty's Chargé d'Affairs, a copy of which I herewith enclose for your guidance,—

You are hereby required and directed to proceed immediately in Her Majesty's brig under your command to Campos, and comply with the accompanying instructions as much as lies in your power, and having so done you will return to this port without delay.

Given under my hand, on board Her Majesty's Receiving Ship "Crescent" at Rio de Janeiro, May 24, 1841.

(Signed)

M. DONELLAN,

Lieutenant Commander and Senior Officer.

To Lieutenant M. Lorey,
Commanding Her Majesty's Packet "Delight."

Sixth Enclosure in No. 471.

(Translation.)

M. Aureliano to Mr. Ouseley.

Palace Rio de Janeiro, May 24, 1841.

THE Undersigned, &c., acknowledges the receipt of the note which Mr. W. G. Ouseley, &c., addressed to him yesterday, relating the fact said to have taken place near the island of Puma, that of the attack of a boat belonging to the English brig "Clio," which captured a vessel with 300 Africans on board, and that the vessel was retaken by an attacking party, said to amount to 70 or 80 men from the shore, after four of the Englishmen in the boat had been wounded.

Mr. Ouseley further states that this boat went into Campos, being in want of water and provisions, and that the local authorities detained the crew in prison,

accusing them of piracy, and refusing their enlargement, having referred the matter to the President of the province of Rio de Janeiro.

The Undersigned has to signify in reply to Mr. Ouseley, that the first news he had of this disagreeable occurrence was this morning, when he received the note to which he now replies, and that he is about to apply this day to the said President to obtain the necessary information on this matter, taking immediately the proper steps, in order that the British subjects said to be detained at Campos may be delivered to the Commander of the "Clio," or any other British officer duly authorised by the Commander of the English Naval Forces to convey them to this capital, where this affair may be arranged according to justice.

The Undersigned has thus done all in his power to avoid the consequences of a conflict he sincerely laments, and defers until better informed on the subject, replying more fully to the said note.

It is, however, the duty of the Undersigned to repel the serious accusations which Mr. Ouseley makes against the Imperial Government, particularly in a case on which he likewise cannot be fully informed, and it would be also in his power to point out abuses which the English cruisers are practising, in detaining vessels as employed in the Slave Trade, so evidently unconnected with it, that they are immediately released by the mixed Brazilian and British Commission, and others, which the Undersigned reserves for a fit opportunity to be brought forward, because he does not wish to make representations not founded on official and incontestable documents.

The Undersigned has many times stated to Mr. Ouseley, that the Imperial Government is as much interested in the suppression of the commerce in Africans as that of Her Britannic Majesty, but that it is indispensable for it to proceed with the utmost prudence, considering the peculiar circumstances of Brazil, the prejudices of its inhabitants, and that the most adequate means will not be found in compelling them by force, but in convincing them of the utility and justice of this philanthropic measure.

The Undersigned cannot expatiate in this communication, which must be immediately forwarded in order to tranquillise the fears of Mr. Ouseley, and hopes he has given a convincing proof of how much he desires to soften and avoid any occurrences, which may disturb the good understanding subsisting between the two nations; but the enlightened mind of Mr. Ouseley will do the justice to allow that it is the strict duty of the Undersigned to maintain the dignity of the Imperial Government, and of the sovereign and independent nation whose minister he has the honour to be.

The Undersigned hopes, therefore, that Mr. Ouseley, since he intends sending a vessel to Campos, will send in it an English naval officer, duly authorised to convey here the individuals in question, in order to examine duly into the affair, and should he desire it, he may also be the bearer of the order of the President of the Province, to whom I will in that case write to have it entrusted to him.

The Undersigned, &c.

AURELIANO DE S. E. O. CONTINHO.

(Signed)

To *W. G. Ouseley, Esq.*,
&c. &c. &c.

Seventh Enclosure in No. 471.

Lieutenant Lorey to Lieutenant Donellan, R.N.

SIR,

Her Majesty's Ship Delight, May 29, 1841.

I BEG leave to state that whilst proceeding to Campos in obedience to your orders, I fell in with Her Majesty's brig "Partridge" on Thursday last, off Cape Frio, and, on showing Lieutenant Morris my orders, he took a copy of them, and ordered me to Rio, proceeding himself to execute the instructions of Her Majesty's Chargé d'Affaires.

I have, &c.

(Signed)

W. LOREY,
Lieutenant and Commander.

To *Lieutenant Donellan, R.N.*,
&c. &c. &c.

Eighth Enclosure in No. 471.

Commander Freemantle to Mr. Ouseley.

*Her Majesty's ship "Clio,"
off Campos, May 30, 1841.*

SIR,

By the "Partridge," which joined me yesterday evening, I had the satisfaction of receiving a copy of your letter to Lieutenant Donellan, of Her Majesty's ship "Crescent," explaining the cause of her sudden appearance. The "Grecian" had arrived in the morning, and the "Fawn" the evening before, so that, had I been unable myself to obtain information of the unjustifiable detention of the boat, and the harsh imprisonment of the people, relief would not long have been withheld. I hope it will not be considered presumptuous, but I feel I should be wanting in my duty, were I not respectfully to acknowledge and to express my thanks for the exertions and prompt measures, which you have adopted in behalf of a portion of my ship's company.

In the absence of my Commander-in-Chief, and in order that you may be fully and truly informed of the various insults and outrages that have been offered to the officers and men in the boat I thought it necessary to detach from the "Clio," I beg leave to enclose to you a copy of Lieutenant Cox's report to me of his proceedings whilst in execution of his orders (of which I also enclose a copy), and the (*originals*) depositions which I obtained from the masters of small vessels which I boarded during my uncertainty of the fate of the boat: in which you will not fail to observe that one Felizberto, the *Juiz de Paz*, of Villa Nova de Benevento, a village about a mile and a half from the spot where the slaver was run ashore, is deeply compromised by assisting at the recapture, in contempt of the principles of the Convention between his Government and ours.

At Piума itself there is no resident authority; and, as the slave vessel was abandoned by all the crew before Lieutenant Cox got on board, I presume of course, that the seizure in the first instance was lawful. However, that is not a matter at present to enter into; I have, therefore, only to acquaint you further, that, by the master of the sumaca "*Flor do Mar*" (one of those already referred to), I subsequently heard the destination of our boat, and I anchored off Campos, sent in an officer to ascertain the truth, and to demand her immediate liberation.

This officer, Mr. Boothby, a mate, saw Manoel da Cruiz Costa, the *Juiz de Paz*, and was acknowledged by him as a British officer; but he, notwithstanding, refused to give up the boat or prisoners, and alleged as his reason that, having referred the matter to Rio de Janeiro, it was placed utterly out of his power. The next morning I went on shore myself in a small boat, having shifted the "Clio" as near the bar of the river as safety would allow, and having exchanged salutations with the *Juiz de Paz*, and shown him my commission, charged him in direct terms with the scandalous insults and indignities which had been imposed upon Lieutenant Cox and his party.

This Government officer immediately recognised my position, commenced a tissue of miserable excuses and servile apologies, and demeaned himself in a most obsequious and abject manner, throwing upon the judge of the district all the blame of his own venal and contumelious actions. In reply I merely recapitulated the evidence which Mr. Cox had adduced of his nationality, namely, "his uniform, his ensign and pennant, the known dress of British men-of-war's men, and the better known Government mark upon the boat, her sails, cordage, bunting, arms, and other furniture," as well as his having submitted his very orders as a more positive assurance. The *Juiz* immediately delivered up the prisoners and laboured to exculpate himself, but I ceased all further conversation with him; and finding me determined to preserve silence, after about half an hour, he retired to his office. As soon as I had equipped and launched the boat, which had certainly been properly guarded and taken care of, I left the village without exchanging a word or having any dealing with a soul in it, excepting Senor Patricio Teixeira, mentioned in Lieutenant Cox's letter. There were a great many people of all classes on the beach to witness the whole

proceeding, but not one of them opened his lips. This occurred on the 28th, the day before the "Grecian" and "Partridge" arrived.

I have, &c.

W. G. Ouseley, Esq.,
&c. &c. &c.

(Signed)

STEPHEN G. FREEMANTLE,
Commander.

No. 472.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, June 15, 1841.

(Received August 12.)

MY LORD,

THE enclosed correspondence, to which I have the honour of referring your Lordship, arose out of the persistence of the Brazilian authorities in practically setting aside the provisions for suppression of Slave Trade, and rendering the sentences of condemnation passed by the Mixed Court of Commission of little or no effect.

This matter having already been the subject of ineffectual remonstrance on the part of her Majesty's Legation, I considered it my duty to employ language in the accompanying note, such as the occasion appeared to me to justify, and the tendencies of the Brazilian authorities to require.

I have, &c.

(Signed)

W. G. OUSELEY.

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

First Enclosure in No. 472.

Her Majesty's Commissioners to Mr. Ouseley.

(Extract.)

Rio de Janeiro, May 5, 1841.

WITH reference to your Letter, giving your reasons for removing Joao Baptista Boisson from on board the "Crescent" to the French frigate, we beg to inform you that, that individual having been seen walking about the streets of Rio since the sentence of this Court, declaring him to have incurred the penalty of the 1st Article of the Convention of the 23rd November, 1826, had been forwarded to the Municipal Judge for execution, and much uncertainty existing as to the result of the proceedings had against the other individuals pronounced by that sentence to have incurred the same penalty, we took the necessary steps, by means of a petition to the Justice of the Peace for the first district of Santa Rita, to ascertain precisely what had taken place before that authority, and we are desirous of drawing, without loss of time, your most serious attention to the facts which the accompanying certificate, passed only this day, discloses.

It does not become us to enter into a discussion respecting the grounds on which the Justice of the Peace rests the sentence of the acquittal, which he has pronounced with regard to all, but Boisson, concerned in the case of the "*Asseiceira*," further than to observe that he appears to have attended principally if not wholly, to the depositions; which, being chiefly those of suspected, not to say criminal, parties, could not be expected to have any other tendency than to exculpate and prove them to be free of all crime; whereas the basis of the sentence of this Commission is founded on circumstantial and collateral proof, drawn from the ship's papers, and other documents seized on board the vessel. But you will perceive from this Document (in which it is somewhat singular to find one of the individuals cited, Jozé Bernardino de Sa — called only Jozé Bernardino), that the "Promotor Publico" himself makes no mention of the sentence given by this Mixed Commission, as condemnatory of the individuals therein declared to have in-

curred the penalty of the 1st Article of the Convention of the 23rd November, 1826, and treats it only as a "denuncia" against them as comprehended in the law of the 7th November, 1831, with which law this Commission has no concern whatever, and of which the sentence of this Court said not one word, and confining its action solely to the condemnation of the vessel.

This mode of dealing with the sentence reduces it even to less than the finding of a true bill by our Grand Jury. Not merely is the right of the Justice of the Peace to decide upon the guilt of the parties recognised thereby, but it is still further left to his judgment to characterise the crime for which, if at all, they are to be tried.

The decision, therefore, of this Court, as regards the guilt of the individuals, is become a perfect nullity: violators of the 1st Article of the Convention of the 23d November, 1826, however notorious and clear their participation in the illegal traffic, can never be punished unless actually found on board the slave vessel; the most guilty parties in the adventure will thus, as in the case in question of the "*Asseiceira*," often escape with impunity, and the fiat of the Justice of Peace will proclaim to the public and to the Court, that against those condemned by it *there exists not so much as an indication of guilt*.

We need hardly point out to you, sir, how fatally the views and dignity of the two high contracting parties to the above Convention are compromised by such a procedure as this, by which the declared will of two great empires, far from deterring offenders by a dread of the consequences of their malpractices, is set at naught, and laughed at as a solemn mockery, while those engaged in its execution on the part of Her Majesty become objects only of derision and contumely.

The most alarming feature of this proceeding appears to us to be the unhesitating acquiescence therein of the "Promotor Publico,"—an officer specially appointed to vindicate the supremacy of the laws, and to watch over and maintain their inviolability, which is to be inferred, as well from his not appealing from the sentence of the Justice of the Peace to the Jury, as he was entitled, if not bound to do, as from the very terms of his petition against the parties in this case, which in fact precluded the slightest chance of a verdict of guilty being returned against some of those whom he pretended to prosecute, or, indeed, against any person not found on board the vessel.

We have often, Sir, remonstrated against the sentence of this Court being made dependent upon that of any other tribunal; the Convention expressly declares that such sentences shall be without appeal; this principle has been fully recognised again and again, and more specifically since you have had charge of Her Majesty's affairs at this Court; the executive, in relation to it, has declared *this* to be an exceptional tribunal, without the sphere of the ordinary tribunals of the country; the principle is acted upon without demur or difficulty as regards the vessels; whence then can a distinction be drawn between the property and individuals? The sentence of this Court suffices for the condemnation of the former, why should it not equally avail for that of the latter?

The opinion of the law officers of the Crown, as conveyed in the Duke of Wellington's Despatch to the British Commissioners in reply to their inquiries respecting the measure of punishment to be awarded to the infractors of the 1st Article of the Convention of 1826, so far from unsettling, or giving any just grounds for doubt on this point must, we think, be taken, when rightly understood and considered, with its context, and with the obvious intention of the parties to that Convention, to confirm the supremacy of the sentence of this Court, leaving, it is true, to the authorities of each country respectively to decide to what degree of punishment those found guilty by such sentences are amenable, in conformity with the laws there in force against piracy, but by no means to authorise the reversal of a verdict declaring the act of piracy to have been actually committed.

The question of admissibility to bail, which has again been decided in favour of Boisson, who is at large awaiting the further farce of the sentence of a jury, becomes, under the present view of the case, very secondary, and is, in fact, merged in the main question, which we trust you will think it right to

bring under the consideration of the Imperial Government, with all the earnestness which its importance seems to call for.

We have, &c.

W. G. Ouseley, Esq.,
&c. &c. &c.

(Signed)

GEORGE JACKSON.
FREDERIC GRIGG.

Second Enclosure in No. 472.

Mr. Ouseley to M. Aureliano.

British Legation, Rio de Janeiro, May 11, 1841.

THE Undersigned, &c., has the honour to transmit to Senhor Aureliano de S. e O. Continho, &c., the accompanying extract from an official representation that he has received from Her Majesty's Commissioners, &c., respecting a matter which it has already been the duty of the Undersigned to call to the attention of His Excellency.

The grave nature of this representation, showing as it does that the most essential provisions, mutually guaranteed for the prevention of the Slave Trade, are systematically and openly evaded, and the engagements with Her Majesty's Government, in this respect, treated with utter contempt, renders it incumbent upon the Undersigned to call the most serious attention of the Imperial Government to the contents of the enclosed Despatch. The able and complete manner in which the protection afforded by Brazilian authorities to those convicted of the crime of converting their fellow-creatures into merchandise, is exposed in that Despatch, renders it superfluous for the Undersigned to offer any further remarks upon it.

It is, however, the imperative duty of the Undersigned, on this occasion, clearly to explain to his Excellency the Minister of Foreign Affairs, that conduct such as that pursued in this country with reference to the subject of the enclosed letter, proving, as do also many other circumstances, that the Undersigned has already had the honour of noticing to his Excellency, an entire disregard of the execution of the stipulations suppressive of the Slave Trade, and showing that the effectual measures clearly pointed out by the spirit and letter of the existing Convention are sacrificed to the exigencies of an interested party; in fine, the consideration of all these circumstances obliges the Undersigned again to remind Señor Aureliano, that the Queen's Government must thus be considered as exonerated from the observance of such parts of the existing Treaty as are not, in its opinion, conducive to the object in view.

In fact the Imperial Government, under a former administration, felt and duly declared the insufficiency of the existing Treaty for the present circumstances of this country, and Her Majesty's Government having promptly responded to the desire then expressed for framing a new Convention, has seen with surprise the little readiness shown by succeeding administrations to carry into effect the proposal in question. If the peculiar opinions or interests of those at present directing the councils of the Imperial Government lead them not to further the negotiation of the proposed Convention, while, at the same time, the measures adopted anticipate that change by a complete departure from the principles of the former Convention, it must be recollected that Her Majesty's Government will be equally justified in taking, on their part, such steps as they may judge proper, and it is consequently incumbent on the Undersigned to prepare the Imperial Government for the possible adoption of measures in suppression of the Slave Trade, not expressly contemplated in the existing Treaty.

The Undersigned, &c.

(Signed)

W. G. OUSELEY.

His Excellency Senhor Aureliano de S. e O. Continho,
&c. &c. &c.

No. 473.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, June 21, 1841.**(Received August 12.)*

MY LORD,

WITH reference to the subject of my Despatch of the 30th of April, I have now the honour to transmit to your Lordship copy of a note, received from the Brazilian Minister of Foreign Affairs, respecting the conduct of the Portuguese Consul at St. Catherine's.

I have, &c.,

(Signed)

W. G. OUSELEY.

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

(Translation.)

Enclosure in No. 473.

*M. Aureliano to Mr. Ouseley.**Palace, Rio de Janeiro, May 29, 1841.*

MR. OUSELEY, &c., having represented against the conduct of the Vice-Consul of Her Most Faithful Majesty at the city of Desterro, Province of St. Catherina, as much implicated in the Traffic in Slaves, abusing the functions of his office for illegal ends, I required from the President of that Province, that he should institute an examination into this affair, informing him at the same time, that, in case of the justice of the complaint being verified, he should intimate to that commercial agent, that the Imperial Government would cause the withdrawal of the *Bene placito* that it had conceded to him.

I have just received the official reply of the said President, dated the 8th instant, in which he sets forth, that the commercial agent of Her Most Faithful Majesty in that city is José Gonçalves dos Santos e Silva, Consul of Her said Majesty in that Province and in that of Rio Grande de S. Pedro, residing in the former, with his family, for more than twenty years; that, having proceeded to very minute investigations, in order to discover whether the illegal Traffic in Slaves was carried on in that Province, it was demonstrated to him that it had been so formerly, as he had informed the Government of His Majesty the Emperor, through the Minister of Finance, but that it had ceased, and that the last introduction of Africans is said to have taken place at the end of 1839; and that, in all these investigations and inquiries to which he proceeded, there was no indication that the said consul was at any time engaged in the traffic referred to.

From what I have stated, I am certain that Mr. Ouseley will be persuaded that the information given to him on this matter was not strictly exact, and that in this affair he will likewise recognise a further proof of the prompt attention, that his applications experience at the hands of the Imperial Government.

I renew, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c. &c.

No. 474.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, June 21, 1841.**(Received August 12.)*

MY LORD,

IN conformity with the instructions that I had the honour to receive from your Lordship in your Despatch of the 12th of March last, I addressed

the note, of which a copy is enclosed, to the Brazilian Minister for Foreign Affairs, proposing that all Africans, liberated by sentence of the Mixed Court of Commission, should be sent to a British Colony.

I have, &c.,

(Signed)

W. G. OUSELEY.

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

P. S. At the moment of closing this Despatch the answer of the Imperial Government to my note (Enclosure No. 1) arrived, of which I have the honour to transmit a copy and translation.

(Signed)

W. G. OUSELEY.

First Enclosure in No. 474.

Mr. Ouseley to M. Aureliano.

British Legation, June 16, 1841.

STRONG representations having lately been repeated to Her Majesty's Government, that the negroes, who have been emancipated by sentence of the Mixed Commission at Rio de Janeiro, do not enjoy that freedom which the Brazilian Government is bound by Treaty to secure to them, the Undersigned, &c., has therefore been instructed to propose to the Imperial Government, that all those negroes may be brought before the Mixed Commission, according to a nominal list, in order that the Commission may ascertain by personal examination of each of them, whether they are in a state of entire and perfect freedom; so that any restriction which may exist upon the liberty of any of them may immediately be made to cease.

The Undersigned has in consequence now the honour to address Senhor Aureliano, and begs most earnestly to request His Excellency's intervention for carrying into effect this measure.

The Undersigned has further the honour to inform His Excellency, that he is empowered to make immediate arrangements for sending off to the nearest British Colony such of these liberated negroes as may be willing to go thither; and as the condition of slavery has been entirely abolished in those colonies, the negroes who may be sent thither will be perfectly sure of retaining their liberty.

Her Majesty's Government also, taking into due consideration the great difficulties that experience has proved do, in fact, prevent Africans emancipated in Brazil by the Mixed Commission from obtaining their entire liberty, while slavery continues to exist in this empire, has instructed the Undersigned to urge the Imperial Government to agree, that all the negroes who may in future be emancipated by virtue of the convention between Great Britain and Brazil, shall, immediately after emancipation, be delivered over to British authority to be sent to a British settlement; and Her Majesty's Government will cheerfully consent (in accordance with a former proposal made on the part of Brazil) to bear the expense of the arrangements for transferring the liberated negroes to a British Colony.

The Undersigned, in requesting Senhor Aureliano to give his earliest attention to this proposal, which appears to embrace the only practicable means of carrying into full effect the humane objects, which both Governments had in view in concluding the Convention for the suppression of the Slave Trade,

Avails himself, &c.

(Signed)

W. G. OUSELEY.

To His Excellency Senhor Aureliano de S. e O. Continho,
&c. &c. &c.

Second Enclosure in No. 474.

M. Aureliano to Mr. Ouseley.

(Translation.)

Palace, Rio de Janeiro, June 19, 1841.

THE Undersigned, &c., acknowledges the receipt of the note which Mr. Ouseley addressed to him on the 16th instant, in which, after saying that strong representations have been made to the Government of Her Majesty the Queen, alleging that the negroes emancipated by sentence of the Mixed Commission of Rio de Janeiro do not enjoy that liberty which the Brazilian Government is bound by Treaties to secure them, he concludes by declaring that he has received instructions to propose:—1st. That all the blacks who have been emancipated by that tribunal should be presented before the Brazilian and English Mixed Commission, in order, according to a nominal list for the purpose, to examine whether they be in a state of complete and perfect liberty, and to cause to cease immediately any restriction which might exist on the liberty of any of them. 2nd. That prompt arrangements should be entered into, in order that such emancipated negroes as desired it should be sent to the nearest British Colony; and likewise in order that all the blacks, who may in future be liberated in virtue of the Convention subsisting between the two Crowns, should be immediately delivered to the British authorities to be sent to an English settlement, his Government willingly obliging itself to bear the expenses necessary for their transfer.

The Undersigned abstains for the present from duly replying to the first proposition of Mr. Ouseley, because he requires from the Minister of Justice the information necessary to this end, it being his duty, however, now immediately to declare to Mr. Ouseley, First, that these representations and accusations are for the most part exaggerated, and originate in malevolence: Secondly, that it is possible that one or another of the individuals to whom the services of these negroes have been confided may have committed some abuse, as happens in every part of the world, since, where there are men and laws, there exists more or less some abuse of the latter. As regards the second proposition, however, it is his duty to signify to Mr. Ouseley in reply, that he is about to forward his note to the Brazilian Plenipotentiary, the senator Lopes Gama, in order to take it into consideration in the negotiation which he has to enter upon with the British Plenipotentiary, respecting other proposals made by Mr. Ouseley, as this is the most regular and promptest manner of proceeding with the one now newly made by him.

The Undersigned, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

No. 475.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, June 21, 1841.

(Received August 12.)

MY LORD,

I LEARN that a Portuguese house has been established in Hamburgh for the purpose of trading with the Portuguese ports on the western coast of Africa; that the parties interested intend to despatch, during the month of March, several vessels, freighted with Manchester and German goods for the African trade. The "*Georgiana*," the ship "*Vasco de Gama*," the brig-schooner "*Sultan*," the schooner "*Esperança*," and the brig "*Camomens*," were all, it is said, ready to sail from Hamburgh.

Whether the proposed speculations are intended to cover the Slave Trade, I have not been able to ascertain with certainty. The declared object is legitimate commerce with Portuguese possessions in Africa.

Possibly the intended speculation of the Hamburgh barque "*Louise*" was connected with the Portuguese house, that now undertakes the African trade from Hamburgh.

With reference to the case of the "*Louise*" as mentioned in my Despatch

of March 13, it is incumbent on me to state that I was misinformed by Captain Smyth as to the amount of the freight paid for that vessel. Instead of 8000*l.* it was 8000 dollars: the latter sum, however, is infinitely greater than the usual rate of payment for legal voyages of that length. That officer was misled by an error in the hurried copy taken of the papers of the "*Louise*."

The Slave Traders, looking to the present administration, which is considered as Portuguese in its tendencies, for support, have again commenced speculations, latterly much discontinued. The efforts, however, of Her Majesty's cruisers on the coast of Africa and here, continue to cause great loss and discouragement to the Slave Traders with Brazil.

I have, &c.,

(Signed) W. G. OUSELEY.

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

No. 476.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 21, 1841.

WITH reference to your Despatch of the 21st of May last, I have the satisfaction of informing you, that I approve of the note which you addressed on the 5th of May to the Brazilian Minister for Foreign Affairs, remonstrating against the connivance of the magistrates and officers at Rio de Janeiro in slave trade speculations.

I have, &c.

(Signed) PALMERSTON.

W. G. Ouseley, Esq.
&c. &c.

No. 477.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 23, 1841.

I HAVE received and laid before the Queen your Despatches of the 18th and 21st of May last, relative to the condition of the Africans, who have been liberated by decree of the British and Brazilian Mixed Court of Commission at Rio de Janeiro, and made over to the care of the Brazilian Government.

I entirely approve of the note which you addressed to the Brazilian Minister on the 18th of May, stating that you would "suspend the delivery to the Brazilian authorities of any Africans hereafter liberated by the Mixed Court until, at least, such arrangements were made by the Brazilian Government as may secure the ends, which both Governments declared they had in view in concluding the Convention for the suppression of traffic in men, and in framing the regulations necessary for the due execution" of that Convention.

For the Convention states, that the negroes emancipated by sentence of the Mixed Court shall be delivered over to the Government, in whose territory the Court which shall have judged them shall be established: but they are not to be so delivered for the benefit of that Government, but for their own; not to be employed or sold as slaves, but to be employed as servants or free labourers; their liberty being placed under the guarantee of that Government.

In regard to negroes emancipated from Brazilian slave ships by sentence of a Mixed Court at Rio, this stipulation has been notoriously violated by the Brazilian Government, and by its authorities. These negroes do not enjoy that liberty which the Brazilian Government engaged to

guarantee to them, and they are not employed as free labourers, but are in the condition of slaves.

Under these circumstances Her Majesty's Government cannot any longer be parties to the injustice, which the Brazilian Government commits towards these negroes; and I have to instruct you to inform the Brazilian Minister, that Her Majesty's Government cannot deliver over to the Brazilian Government any more free negroes, to be treated as slaves; and that, therefore, until the Brazilian Government shall show that it faithfully executes its engagements towards emancipated negroes, all negroes who may in future be brought to Rio in a captured Brazilian slave ship will be retained on board the "Crescent" receiving ship, till the slave ship has been condemned, and then, instead of being delivered over to the Brazilian Government, will be sent to a British Colony.

In communicating this arrangement to the Brazilian Minister, you will point out to him, that if the Brazilian Government contend, as an excuse for not having performed their engagements, that the custody of these negroes would be a burden to the Brazilian Government, were that Government faithfully to execute the engagements it has undertaken by the Convention, then the Brazilian Government cannot feel any objection to the intended arrangement, unless it makes some undue advantage of the negroes, in violation of the stipulations of the Convention.

I have further to desire that in carrying this measure into effect you will follow the instructions given you in my Despatch of the 12th March last, as to the removal from Rio of such of the emancipated negroes, already in the Brazils, as might be given up to you by the Brazilian Government, in compliance with the request of Her Majesty's Government.

A copy of this Despatch will be sent to Her Majesty's Commissioners at Rio de Janeiro, for their information and guidance, and the Lords of the Admiralty will be requested to instruct the officers in command of Her Majesty's ships on the Brazilian station to take, in concert with you, the necessary measures for carrying this arrangement into effect.

I am, &c.,

(Signed) PALMERSTON.

To *W. G. Ouseley, Esq.*
&c. &c.

No. 478.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 25, 1841.

I HAVE received your Despatch of the 15th June last, enclosing copy of a note which you addressed to Senhor Aureliano, on the subject of the opposition of the Brazilian tribunals to the execution of sentences passed by the Court of Mixed Commission, and I have the satisfaction of informing you, that Her Majesty's Government approve of the language which you made use of on the occasion in question.

I am, &c.

W. G. Ouseley, Esq.
&c. &c.

(Signed) PALMERSTON.

No. 479.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 26, 1841.

I HAVE received your Despatch of the 15th June last, upon the subject of an outrage committed on two officers and a boat's crew belonging to

Her Majesty's brig "Clio," by the authorities of Campos, and I have the satisfaction to inform you, that Her Majesty's Government highly approve of your proceedings and arrangements in this affair.

You will demand from the Brazilian Government the punishment of the local authorities who committed this outrage, as well as of the offenders who attacked the boat and wounded the seamen; and you will state, that if the Brazilian Government cannot or will not afford redress in such cases, the British naval force will be obliged to take it, and to treat the people on the coast who may commit such acts as pirates or banditti, subject to no law, and obeying no legal authority.

I am, &c.

W. G. Ouseley, Esq.,
&c. &c. &c.

(Signed) PALMERSTON.

No. 480.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 27, 1841.

WITH reference to your Despatch of the 18th May last, relative to the Portuguese slave vessel "*Dois de Fevereiro*," I have to repeat to you the instruction already given you in my Despatch of the 17th May, relative to this vessel, namely, that all Portuguese slave ships captured off Brazil, as well as elsewhere, should be dealt with under the Act of Parliament, and should not be sent before the Mixed Commission.

I am, &c.

W. G. Ouseley, Esq.,
&c. &c. &c.

(Signed) PALMERSTON.

No. 481.

Viscount Palmerston to M. Montezuma.

Foreign Office, August 27, 1841.

THE Undersigned, &c., has the honour to state to M. Montezuma, &c., that by the Convention of the 23d November, 1826, between Great Britain and Brazil, for the suppression of Slave Trade, it is stipulated that the negroes, emancipated by sentence of the Mixed Courts, shall be delivered over to the Government, in whose territory the Court, which shall have judged them shall be established: but they are to be so delivered, not for the benefit of that Government, but for their own benefit; not in order to be employed or sold as slaves, but in order to be employed as servants or free labourers, their liberty being placed under the guarantee of such Government.

But with regard to the negroes emancipated from Brazilian slave ships by sentence of the Mixed Court at Rio, this stipulation has been notoriously violated by the Brazilian Government, and by its authorities. These negroes do not enjoy that liberty which the Brazilian Government engaged to guarantee to them, and they are not employed as free labourers, but are in the condition of slaves.

Under these circumstances Her Majesty's Government cannot any longer be parties to the injustice, which the Brazilian Government commits towards these negroes; and Her Majesty's Government cannot deliver over to the Brazilian Government any more free negroes to be treated as slaves.

The Undersigned, therefore, has the honour to request that M. Montezuma will state to his Government, that until that Government shall show that it has faithfully executed its engagements towards the emancipated negroes, all negroes who may in future be brought to Rio in a Brazilian slave ship, captured by one of Her Majesty's cruisers, will be retained on board the "Crescent" receiving ship, till such slave ship shall have been

condemned, and then, instead of being delivered over to the Brazilian Government, they will be sent to a British colony. And the Undersigned has to add that instructions to this effect have been given to Her Majesty's representative in Brazil, and to the Board of Admiralty.

The Undersigned has, in conclusion, to observe, that if the Brazilian Government contend, as an excuse for not having fulfilled their engagements on this subject, that the maintenance of these negroes in a state of real freedom would be a burthen to the Brazilian Government, and that consequently that Government cannot faithfully execute the engagements it has undertaken by the Convention, then the Brazilian Government cannot feel any objection to the intended arrangement, nor can it object to comply with the request, already made by Her Majesty's Government, that all the negroes who have heretofore been declared by sentence of the Mixed Court at Rio to be free shall forthwith be handed over to the British Government to be removed to a British colony; and Her Majesty's Government cannot persuade themselves that the Brazilian Government will be induced to decline to comply with these two requests, on the ground that it makes an undue profit or advantage by selling, or by giving as a present, to private individuals the services and labour of such negroes for a limited number of years, because such a proceeding is a direct violation of the engagements of the Brazilian Crown.

The Undersigned avails, &c.

Monsieur Montezuma,
&c. &c. &c.

(Signed) PALMERSTON.

No. 482.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, August 31, 1841.

WITH reference to your Despatches upon the subject of the connection of the Portuguese Consul at St. Catherine's with the Slave Trade, I herewith transmit to you, for your information, a copy of a Despatch from Her Majesty's Envoy at Lisbon, informing me, that the said Consul has been dismissed from his situation by the Government of Her Most Faithful Majesty, in consequence of his misconduct in the case of the "*Asseiceira*."

I am, &c.

W. G. Ouseley, Esq.,
&c. &c. &c.

(Signed) PALMERSTON.

Enclosure in No. 482.

Lord Howard de Walden to Viscount Palmerston.

Lisbon, August 21, 1841.

(See No. 322.)

No. 483.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, June 30, 1841.

MY LORD,

(Received September 2.

I HAVE the honour to enclose copy of a Note that I thought it my duty to address to the Brazilian Minister for Foreign Affairs, respecting one Joaquim Tomas de Faria, a notorious slave trader, and at the same time a

magistrate and military officer, of considerable property in the neighbourhood of Campos.

The reply of Senhor Aureliano, copy and translation of which are enclosed, after stating that he had asked information from the Minister of Justice on the subject of my Note of the 17th ultimo, respecting the Africans liberated in 1821 by the Mixed Court of Commission (see Enclosure in my Despatch of 18th May last), adds, that the facts mentioned in my Note of the 24th ultimo have also been referred to the proper quarter, for information, with a view to preventing the criminal practices that I point out.

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 483.

Mr. Ouseley to M. Aureliano.

British Legation, May 24, 1841.

THE Undersigned, &c., has the honour to state to Senhor Aureliano, &c. &c., that positive information having been communicated to him, that the Slave Trade is carried on to a great extent in the neighbourhood of Campos, at several points, particularly on the estate of a notorious slave dealer named Joaquim Tomas de Faria, he thinks it right to make his Excellency aware of the facts, with a view to the prevention of the abuses, which daily are committed by that person and his agents.

The house and property of this individual are situated at a place called Marginhos, about ten miles north-east of Campos; what adds to the scandal and guilt of the party concerned is, that Senhor Joaquim Tomas de Faria is both a Juiz de Paz and holds a military commission under the Imperial Government. This unworthy functionary has large launches and canoes always ready on his estate to put out to meet slave vessels, and assist in the disembarkation of the Africans from on board them.

There are many other depôts for the same atrocious and illegal practices, as those of which Senhor J. T. de Faria is guilty, as at Macahê, at the entrance of the river São João, at Point Bugois, at the Armação, at Point Negro, also within the islands of Marica, another close under the Sugar Loaf, at Marambaya, at the west of Ilha Grande, at Ubatuba particularly, and at Tamandra, on an estate owned by the notorious and convicted slave dealer José Bernardino de Sá, and at many other places, of which the Undersigned will readily give to Senhor Aureliano such particulars as his Excellency may desire, to enable the Imperial Government to vindicate the dignity of its laws and fulfil its engagements with Great Britain in suppression of the Slave Trade.

The Undersigned, in giving this information, not only fulfils his duty towards his Government, but performs an act of justice to that of Brazil, in affording the Imperial Government an opportunity of acting in conformity with the repeated assurances, received by that of Her Majesty from successive Brazilian Ministers, of their desire to co-operate in extinguishing the traffic in human beings. He more especially has the honour of calling the attention of Senhor Aureliano to the extraordinary circumstance of a person, holding both a civil and military post under the Imperial Government, so glaringly abusing his trust, as it will be the easier for the competent authority duly to interfere, for the prevention and punishment of the crimes by which he disgraces the Imperial service.

The Undersigned, &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano,
&c. &c.

Second Enclosure in No. 483.

(Translation.)

*M. Aureliano to Mr. Ouseley.**Palace, Rio de Janeiro, June 9, 1841.*

THE Minister of Justice has just informed me, that the necessary information respecting the fate of the Africans found on board the schooner "Emilia," on the 31st July, 1821, has been duly demanded, as requested by Mr. Ouseley, &c., in his Note of the 17th May last, and as soon as it is made known to me, I shall communicate it to Mr. Ouseley.

I shall also on this occasion state to Mr. Ouseley, that the said Minister of Justice, in consequence of the communication made by Mr. Ouseley in his Note of the 24th of the above-mentioned month of May, upon information furnished him upon matters connected with the illegal traffic in Africans, at different points in the provinces of Rio de Janeiro and St. Paul's, has issued to the Presidents of the same the necessary orders, not only to proceed to the most circumstantial investigations into the alleged facts, and communicate whatever might be the result thereof, but also that they should use every means in their power to prevent their recurrence, if correct. And I likewise reserve these explanations in order to bring them to the knowledge of Mr. Ouseley, to whom

I have the honour to renew, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c.

No. 484.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, July 6, 1841.*

(Extract.)

(Received September 2.)

WITH reference to my Note to the Brazilian Minister for Foreign Affairs, of the 21st March, enclosed in my Despatch dated the 30th April last, I have the honour to transmit copy of a Letter that I addressed to Her Majesty's Commissioners, in consequence of an official request from the Imperial Government, inviting them to form part of a Commission appointed to examine into the abuses in the treatment of the liberated Africans, confided to the administration of the "*Casa de Correçao*" in this capital.

This proposal is the result of the representations that I thought it my duty to make against the mal-practices of certain Brazilian authorities having charge of the liberated Africans.

I trust that these abuses may be exposed by the exertions of Her Majesty's Commissioners, and that the limits, within which the Brazilian Minister has at present confined the duties of the Commissioners, may be hereafter extended so as to empower them to investigate the cases of all the Africans that have been distributed by the Imperial Government, and thus attain the object that I had in view in making the application in my Note of the 21st March, which has hitherto remained without effect, and facilitate the fulfilment of your Lordship's wishes, as expressed in your Despatch of the 12th March of this year.

Enclosure in No. 484.

*Mr. Ouseley to Her Majesty's Commissioners.**British Legation, Rio de Janeiro,**July 2, 1841.*

GENTLEMEN,

HAVING thought it my duty to remonstrate with the Imperial Government against the treatment experienced by the Africans liberated by the

sentences of the Mixed Court of Commission when placed in the "*Casa de Correçao*," I have just received from the Minister of Foreign Affairs a reply to my representation.

I shall take an early opportunity of communicating for your information the correspondence that has taken place on this matter; the immediate departure of the packet preventing me from doing so at this moment, I confine myself in the mean time to informing you that the Imperial Government has resolved upon naming a Commission to examine into the alleged abuses of the administration of the "*Casa de Correçao*," and have requested me to propose to you, gentlemen, to form part of this Commission.

The other members of the proposed Commission are to be the Brazilian Judge and Arbitrator, and Senhor Manuel de Jesus Valdetara, "*Juiz de directo da Ira Vara Crime*;" a secretary will be chosen for this Commission from among the officers of the department of Justice.

It would be superfluous on my part to point out to you, gentlemen, the advantageous results which may be expected from the appointment of a Commission such as that now proposed. It is essential, in my opinion, however, that British officers of experience in the matters which will have to be examined into, should form part of this Commission, in order practically to further the objects of Her Majesty's Government; and it is therefore that I consider it my duty strongly to recommend that you should consent to become members of the proposed Commission.

Requesting to be furnished with your decision on this proposal, at your earliest convenience,

I have, &c.

(Signed) W. G. OUSELEY.

To Her Majesty's Commissioners,
&c. &c. &c.

No. 485.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, July 6, 1841.

(Received September 2.)

MY LORD,

WITH reference to the subject of your Lordship's Despatch of May 5, 1841, received by the last packet, and former communications, I have the honour to transmit a copy of a letter that I addressed to Rear-Admiral Sir E. D. King, Commander-in-Chief of Her Majesty's Naval Forces on this station, respecting a barque lately captured by Her Majesty's brig "*Grecian*," which appears to me well fitted for serving as a Transport for the negroes taken on board the "*Flor de Loando*" or others to a British possession.

The Admiral not having yet been enabled to complete the necessary surveys and repairs, not having received instructions from the Admiralty, has not hitherto officially answered my application. There will, I believe, be no difficulty in preparing and employing the captured vessel as I propose.

I have, &c.

(Signed) W. G. OUSELEY.

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

Enclosure in No. 485.

Mr. Ouseley to Rear-Admiral Sir Edward D. King.

British Legation, Rio de Janeiro,

June 24, 1841.

SIR,

IN pursuance of instructions lately received from Her Majesty's Government respecting the disposal of liberated Africans, I have the

honour to address you, for the purpose of ascertaining whether the barque (supposed to be the "*Constante*") lately captured by her Majesty's brig "*Grecian*," under the new Act for Suppression of Slave Trade, is in a fit state to serve as a Transport for Africans to any of Her Majesty's possessions where a Vice-Admiralty Court exists; as also how many Africans could conveniently, and with due regard to health and safety, be conveyed by that vessel.

Should the "*Constante*" be, in your opinion, fit for the proposed service, I should be obliged by your informing me how soon it could be got ready for sea, and whether it be necessary, in equipping it, to incur expenses which cannot, by the rules of the service, be defrayed by you, sir, as Commander-in-Chief on the station.

I have, &c.

(Signed) W. G. OUSELEY.

To Rear-Admiral Sir E. D. King,
&c. &c. &c.

No. 486.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, July 7, 1841.

(Received September 2.)

MY LORD,

IN reply to my Note to the Brazilian Minister of Foreign Affairs of the 3rd June last, His Excellency addressed to me the Note, copy and translation of which I have now the honour to transmit.

Your Lordship will perceive that although my Note related solely to the ratification of the additional articles to the Slave Trade Convention of 1826, yet Senhor Aureliano's reply embraces many topics but indirectly connected with that matter.

Thinking it expedient, and consistent with the instructions with which your Lordship honoured me, to separate the question of the ratification of the additional articles from others, and particularly, for the present, from that of the proposal for a new Slave Trade Convention, and moreover, being of opinion, from the tone adopted latterly by the Brazilian Government, that it had become necessary to place in a clear light the steps that have been taken up to the present moment to further the negotiation of the new Convention, I addressed the Note, Enclosure No. 2, to the Minister for Foreign Affairs, replying to such parts of His Excellency's note as related to the new Convention, having in preparation an answer to that part of it, which relates to the ratification of the additional articles and other matters.

The circumstance of the arrival of Mr. Hamilton, Her Majesty's Envoy at this Court, being hourly expected, rendered me the more desirous of preventing Senhor Aureliano from embarrassing the negotiation of the new Treaty, by including matters with which it is but indirectly connected, and placing on record, in a distinct manner, the real *status in quo* of the question.

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 486.

M. Aureliano to Mr. Ouseley.

(Translation.)

Palace of Rio de Janeiro, June 8, 1841.

THE Undersigned, &c., has the honour to acknowledge the receipt of th Note of the 3rd instant, which Mr. W. G. Ouseley, &c., has just addressed

to him, in which, with reference to the correspondence that he has had with this department of State, relative to the ratification of the additional articles to the Convention on the traffic in slaves, and declaring that he has not had the honour of receiving any satisfactory reply with respect to it, he adds, that he finds himself under the necessity of expressing to the Undersigned, on the part of the Government of Her Britannic Majesty, his regret and surprise at the disregard that the representations and requisitions of the said Government have met with on the part of that of Brazil. Mr. Ouseley adds, further, that, having hoped that the Executive Power would ratify those articles, immediately that, by the declaration of the majority of the Emperor, it ceased to be subject to the restrictions occasioned by his minority; considering the repeated assurances of the Imperial Government, that it would adopt measures of more efficacy than the existing ones for the abolition of the traffic; and seeing himself deceived in his just hopes, he considers it his duty to inquire, on the part of his Government, what are the final intentions of the Imperial Government relative to these articles; whether the Imperial Government declines ratifying the act of their Plenipotentiary, now that the ratification depends solely on the Government, or whether it intends at the same time to fulfil its promises, and asks upon this for an explicit and immediate reply.

In the first place the Undersigned finds himself likewise under the necessity of expressing to Mr. Ouseley, on the part of the Imperial Government, his regret and surprise at seeing that Mr. Ouseley, in all his correspondence on this subject, for some time back, has sought to make unjust and unfounded accusations against the Imperial Government, one of them being that which he now makes—that is, that the representations and requisitions of the Government of Her Majesty the Queen of Great Britain have met with disregard from the Government of His Majesty the Emperor; when the fact is, that no Government perhaps has been more compliant, having besides motives for not being so much so; and none has been more frank and sincere in the questions that have been agitated on this matter. In order to prove this the Undersigned does no more than call the attention of Mr. Ouseley to the notes of the Undersigned in reply to his own, and very particularly to all that he has said to him, in the verbal conferences that he has had the honour to hold with Mr. Ouseley. And because, perhaps, on account of its not having been stated in notes, Mr. Ouseley appears to have forgotten it, it is, therefore, the duty of the Undersigned to mention here what has passed between the Undersigned and Mr. Ouseley with respect to the ratification of these additional articles.

After the declaration of the majority of His Majesty the Emperor, Mr. Ouseley addressed himself to the Undersigned, requesting the ratification of those articles, which at that time were before the Chamber of Deputies, to whom they had been submitted by one of the predecessors of the Undersigned, seeing that then the ratification depended on the legislative power.

The Undersigned immediately required them from that Chamber; and in consequence of the many objects that then occupied the attention of a new administration, they could not at that time be at once examined, as it was requisite they should be, by each of the members of that administration. The Undersigned, in his verbal conferences with Mr. Ouseley, had the honour to communicate this to him to the above effect more than once; and when the administration, less entangled in the matters of internal security and the pacification of the Empire, which had engaged all its attention, disposed itself to examine these articles, it was then that Mr. Ouseley presented the project of a new Convention, which he declared to be based on a memorandum which Senhor Candido Baptista de Oliveira had formerly offered to him, Mr. Ouseley, then requesting the adoption of this project. The Undersigned, after hearing his colleagues of the then ministry, and after receiving the commands of His Majesty the Emperor, replied to Mr. Ouseley, that the Imperial Government could not admit the said new Convention, for the reasons that he stated in his note of February 8th of this year: then, Mr. Ouseley requested that a counter-project should be presented; and, as he remarked that the Undersigned, from being much occupied, could not draw it up with the promptitude that Mr. Ouseley desired, and that he had not either the time for entering into a regular conference and discussion with respect to the

same, he suggested the propriety of naming a Plenipotentiary on the part of the Imperial Government, for the purpose of entering into a negotiation *ad referendum* with Mr. Ouseley. The Undersigned having, on this subject likewise, taken the commands of His Imperial Majesty, consented to the proposal of Mr. Ouseley, and occupied himself at once in inquiring what Brazilian citizen, being willing, could best be charged with this office, so as to satisfy the two Governments, Brazilian and British; and soon after, he communicated to Mr. Ouseley, that the senator Caetano Maria Lopes Gama was about to be named, as, in fact, he has been, and the nomination was actually communicated to Mr. Ouseley. The Undersigned is convinced that Mr. Ouseley will not forget that the Imperial Government not having to treat with Mr. Ouseley alone, but being charged with very many other affairs, it was not possible that it should proceed in the matter with the rapidity that Mr. Ouseley appears to desire. Now this nomination of Senhor Lopes Gama for the purpose of entering into negotiations *ad referendum* with Mr. Ouseley having been officially communicated to Mr. Ouseley, who, in his notes, has successively and alternately required, now the ratification of these articles, and now the adoption of his project of Convention, which renders useless and unnecessary the same articles, it appears frivolous that Mr. Ouseley should address himself again to the Undersigned to require this reply that he now asks for, since the fact of the Imperial Government having named this Plenipotentiary is of itself a significative reply; it means, "treat with our Plenipotentiary, and, in his conferences, he will tell you what opinion the Imperial Government forms both with respect to these articles, as well as upon the new Convention that you have proposed; and he will endeavour to arrive at an agreement worthy of the views and of the dignity and interests of the two friendly and allied Crowns." The Undersigned has, more than once, sometimes in his notes and sometimes verbally, assured Mr. Ouseley that the Imperial Government, appreciating its true future interests and the cause of humanity and civilization as much as the Government of Her Majesty, the Queen of Great Britain, sincerely desires the complete abolition of the traffic in slaves; but considering the peculiar circumstances of Brazil, even the prejudices of its inhabitants, and the abuses and vexations which the lawful commerce of the Empire may suffer, and has already suffered, in consequence of precipitate and violent measures, it desires to proceed in this affair, assuredly a most important one, with the prudence and circumspection with which it ought to act; and it is certain that the enlightened Government of Her Britannic Majesty, unless ill-informed, will see in this proceeding the stamp of wisdom, and will acknowledge that, far from prejudicing the philanthropic views of the two Governments, and the true interests of the two Crowns, it tends, on the contrary, to favour them. The Undersigned has too high an idea of the enlightenment and judgment of Mr. Ouseley to require to develop this assertion, as also he judges that he need not repeat here the many other considerations that he has laid before him, one of them being, that England herself found it necessary to proceed in this matter with some leisure and prudence: if, therefore, England exercised this prudence in relation to her colonies, it is requisite that Brazil should exercise it with relation to herself.

From all that the Undersigned has said, and which serves likewise as a reply to Mr. Ouseley's other note of the 3rd current, Mr. Ouseley will acknowledge the injustice with which he has made such accusations against the Imperial Government, which, after all, is as free and independent as that of Her Britannic Majesty; and although less powerful, has not on this account the less right to be respected in its intentions by the Governments which, like that of Her Britannic Majesty, value themselves on loving justice, and respecting the independence of nations. The Undersigned is very certain that the Government of the Queen, when these questions shall be presented to it in their true point of view, will do justice to the intentions and to the prudent march of the Government of the Emperor: if, however, this should not be so, the Undersigned will find himself under the melancholy necessity of publishing all the correspondence that has taken place on this matter between the Undersigned and Mr. Ouseley, in order to justify the Imperial Government in the eyes of its own subjects and of the world, if perchance acts of violence and of contempt of the existing Treaties should be practised, under the futile pretext that the Undersigned is induced to believe will be sought for to justify them; acts with which Mr. Ouseley openly threatens the Government of His Imperial Majesty in his note of the 4th instant, to which the Undersigned will duly reply.

The Undersigned will not go to greater lengths in this matter, because he still hopes that Mr. Ouseley will acknowledge, in consideration of the above, that he has been excessively unreasonable and unjust; and so much the more so, in that the Undersigned again signified to him, on this occasion, that he has already sent to the Brazilian Plenipotentiary the necessary instructions to enable him to enter upon the conferences with the British Plenipotentiary, duly authorized for this end, in the form required by Mr. Ouseley.

It is, however, the rigorous duty of the Undersigned to treat of another subject, which may possibly involve offence to the national dignity, if Mr. Ouseley should not give the due explanations which he promised in the last conference that he had with the Undersigned.

The Undersigned was totally ignorant of the occurrences that Mr. Ouseley mentioned to him in his note of May 23rd, in certainly dark colours: he hastened to despatch the necessary orders for the delivery of the individuals said to be detained at Campos, for forwarding to this capital, *to any officer of the English navy, duly authorized, in order carefully to examine the affair.* The Undersigned is already officially informed that the English subjects were treated with all respect while they continued detained, because the local authorities, in consequence of their unforeseen appearance at Campos, and their being provided with arms, might, although they were subjects of a friendly and allied nation, consider them as pirates, especially as recent accounts, well or ill founded, had appeared, that these public enemies latterly frequented the coast of Brazil, making prizes, and it might have been feared that it was they who thus violated the territory of the Empire by disembarking armed.

The Undersigned, therefore, feels persuaded that he has had every consideration for Mr. Ouseley, as he communicated to him at greater length in a confidential manner; and this subject not being one of those which the Undersigned would consider as of little importance, he claims of Mr. Ouseley the necessary explanation of the causes which gave occasion to that unreasonable disembarkation of a foreign force in the Empire, in order to be able to address him hereafter as befits a minister of the Brazilian nation.

The Undersigned, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

To W. G. Ouseley, Esq.
&c. &c. &c.

Second Enclosure in No. 486.

Mr. Ouseley to M. Aureliano.

*British Legation, Rio de Janeiro,
5th July, 1841.*

THE Undersigned, &c., has now the honour, referring to the correspondence and conferences that have taken place relative to the Convention, a draft of which the Undersigned had the honour, in fulfilment of the instructions of his Court, to transmit to the Imperial Government in August, 1840, to offer some remarks to Senhor Aureliano, &c., which are called for, it appears to him, by the tenor of his Excellency's correspondence, and particularly by his note of the 8th ultimo.

Confining himself for the present to that part of Senhor Aureliano's Note, which relates to the proposal made by Her Majesty's Government, responding to the previous overtures of that of Brazil, the Undersigned will have the honour, on another occasion, to reply to the observations on other topics which his Excellency's Note contains; the Undersigned, as the organ of the Queen's Government, having ever considered and treated them as separate subjects of negotiation or discussion.

Without entering into a lengthened recapitulation of all that has passed respecting the proposed Convention, the Undersigned calls to Senhor Aureliano's attention more particularly, that the draft of that Treaty, already a subject of personal communication, was officially placed in his Excellency's hands in August last; that in his Note of the 15th January last he urged his Excellency to conclude the Convention in question; that the Notes of his Excellency until

that of the 8th February, in fact, only stated that multifarious business necessarily prevented Senhor Aureliano from giving the requisite time and attention to this negotiation.

In the Note of the 8th February, Senhor Aureliano at length replied officially in writing to parts of the proposal made, objecting to certain points in the draft presented by the Undersigned, but proposing that the Conferences should continue, in order to arrive at the desired arrangement (*"accordo desejado"*). It was in this note that his Excellency, for the first time, included the question of the additional articles in that of the proposed new Convention. At the moment, although he felt that he was unauthorised by his Government to confound those distinct subjects of discussion, yet the Undersigned did not fail to transmit to his Court the Note of the 8th February, by the packet that sailed on the 14th March. But perceiving, from the tenor of that Note, as well as from the verbal communications with which Senhor Aureliano honoured him, that the hopes justly entertained of the ready acquiescence of that of Brazil in the terms proposed for the new Treaty without alteration, were not to be realised, it became his duty to request Senhor Aureliano to embody, in a counter-project or draft, such stipulations as the Imperial Government would be willing to adopt, with a view to its immediate transmission to London, as stated in his Note of the 28th February.

Finding, however, that the combined and extreme occupation of Senhor Aureliano, as Minister for Foreign Affairs, rendered it very difficult for his Excellency to afford that time and attention to the negotiations of the proposed Treaty that its importance, and the urgent necessity of placing the measures for the suppression of Slave Trade on a new footing, required, the Undersigned had the honour, after consulting his Excellency on the subject, formally to propose, in his note of the 4th of March, the appointment, in accordance with the sense of his instructions, of a Minister specially to carry on the negotiations already commenced with the Undersigned.

Although much correspondence, both confidential and official, passed in the interim, directly or indirectly relating to the proposed Convention, it was not until the 25th of May that Senhor Aureliano officially and formally announced the appointment of Senhor Lopes Gama to treat on the part of Brazil.

It is incumbent on the Undersigned, in reference to this official announcement, to remind Senhor Aureliano of the tenor of his official and confidential replies to that communication; and further, it is now his duty expressly to point out that, whereas the Undersigned had the honour to inform his Excellency officially, in August of 1840, that "Her Majesty's Government received the proposal of the Imperial Government (founded on the *memorandum* placed in the hands of Her Majesty's Legation on June 22nd, 1839) "with much satisfaction, and that the Undersigned was instructed to enter upon a negotiation with a Minister appointed on the part of Brazil, to conclude a Convention between Great Britain and Brazil, on the basis laid down by the *memorandum* before mentioned"—on the other hand, in the note of the 25th of May the Imperial Government, without referring to its former proposal and declaration, that it only waited the answer of the British Government to the proposal contained in the above-mentioned *memorandum*, in order to enter upon the necessary negotiations with Great Britain thereupon, confines itself to announcing that the senator Senhor Caetano Maria Lopes Gama has been named Brazilian Plenipotentiary, to treat with the Plenipotentiary or Plenipotentiaries of Her Majesty, "for the purpose of more clearly defining the stipulations of the Convention of November 23, 1826, for the Suppression of Slave Trade, thus to avoid collision or doubts which might interfere with the effectual attainment of that important and philanthropic object," *com o fim de claramento se definirem as estipulações da Convenção de 23 de Novembro de 1826, para a repressão do commercio de Escravos evitando, se per esta forma quaesquer collisões ou doirdas que possam entorpecer o regular andaments de hum tao importante e philantropico objecto."*

It is unnecessary to point out the great discrepancy between the proposal made on the part of the Queen's Government, and this reply of that of Brazil. But the Undersigned, desirous of avoiding as far as possible all difficulty and delay in this negotiation that might possibly only arise from a point of form, invited again the Imperial Government to embody its views in a counter-project, and called upon Senhor Lopes Gama as well as upon Senhor Aureliano to further this object.

The Undersigned is unwilling for a moment to believe, that any intentional want of respect towards Her Majesty's Government, or a cessation of the good understanding so much to be desired respecting the objects of the proposed Convention, can have occasioned the delay or non-deliverance of the counter-project on the part of Brazil. Taking into consideration, however, the very peculiar circumstances of this important negotiation, the readiness with which Her Majesty's Government entertained the proposals of Brazil, and the present position of the negotiation, it becomes the duty of the Undersigned to point out to Senhor Aureliano that this continual procrastination, as well as the apparently ambiguous terms of the acceptance by the Imperial Government of the proposal now made, in consequence of former overtures on the part of Brazil, by Her Majesty's Government, may be liable to an unfavourable interpretation, and on this point the Undersigned is obliged, unwillingly, to refer to the language of the latter part of his confidential note of the 28th of May, in which he clearly expresses his doubts as to the satisfaction of Her Majesty's Government at the tone adopted by that of Brazil in this negotiation, particularly as relates to the announcement contained in the note of the 25th May.

On the other hand, the Undersigned fully acknowledges the justice of the representations made by Senhor Aureliano, on different occasions, of the extreme difficulties, by which a Brazilian Ministry is surrounded in treating with Her Majesty's Government on questions relating to Slavery and the Suppression of the Slave Trade. It is the knowledge of these difficulties, and the circumstance of his having duly represented them to Her Majesty's Government, that have induced the Undersigned to consider the apparent unwillingness of the Imperial Government to enter frankly on this negotiation, as attributable to causes possibly beyond their control, and therefore not furnishing those grave subjects of complaint or offence, which, under different circumstances, might have arisen.

It is not, however, for the Undersigned to judge definitively of this matter. A year having nearly elapsed since the draft of the proposed new Convention was officially placed by him in the hands of Senhor Aureliano; his Excellency having been formally requested in February last (when the Undersigned was officially informed by his Excellency's note of the 8th of February, that the proposals made would not be acceptable in their present form) to furnish the Undersigned with a counter-project, for consideration or transmission to Her Majesty's Government. From that time until this moment (without any part of this delay being, the Undersigned must be allowed to say, caused by himself), the question remains in *statu quo*, and must so continue until the Undersigned be furnished by Senhor Aureliano, either directly or through the medium of Senhor Lopes Gama, with such draft or counter-project, as may clearly demonstrate the intentions of the Imperial Government on the proposed Convention.

In the mean time, the Undersigned is obliged to lay the present state of the whole question before Her Majesty's Government, in order to explain his own conduct, and prevent the possible imputation of having suffered to pass unnoticed conduct, that may be interpreted as a forgetfulness of the attention due to proposals made on the part of Her Majesty's Government, or possibly as a total rejection of overtures, which were in fact previously invited by those of the Imperial Government.

The Undersigned has also the honour to remark, that while he admits to a great extent the difficulties with which the Brazilian Government has to contend in effectually putting a stop to the Slave Trade, on the other hand, the continuance of that illegal traffic is also pregnant with dangers, and fruitful in subjects of discord; and the provisions of the Treaty now in force are not in harmony with the present circumstances of Brazil, nor such as the exigencies of its relations with the rest of the civilized world demand.

It is unnecessary to dwell at present on the impolicy of adding to a population that may be regarded as domestic enemies, and as preventive of the increase and prosperity of civilized inhabitants or industrious colonists. The recruits furnished by the Slave class to the insurgents in the Southern and Northern Provinces of the Empire are likewise a constant and serious source of evil to His Imperial Majesty's Government. But the frequent and disagreeable discussions between the two Governments, or their agents, arising out of disputed

captures, or from measures in suppression of the Slave Trade, the legality of which is contested, are much to be deprecated; yet, as long as the present imperfect and inefficient system of suppression exists, it is scarcely possible, without allowing entire impunity to the traffickers in human beings, to avoid them.

But a question of such vast importance to the welfare and commercial prosperity of Brazil is now agitated in England, that the Undersigned could not but deplore that the Imperial Government should neglect, in deference to the interested views of a slave-trading and anti-national party, or from any other motives, to adopt at once such a line of policy, with regard to the new Convention proposed by Her Majesty's Government, as would not fail, in his opinion, to be of the happiest effect in furthering the mutual interests and cementing the friendship of the two countries. It is scarcely necessary to say that the Undersigned alludes to the question of the admittance of the produce of Brazil at a moderate duty into the English market, against which measure one of the most powerful arguments used by its opponents is founded on the continuance of the Slave Trade in this empire, and the alleged blindness of the Imperial Government to the evils of slavery and the Slave Trade, and its reluctance to remedy those evils.

A prompt agreement in the proposed Convention would, it appears to the Undersigned, furnish the best evidence of the sincerity of the co-operation of the Imperial Government in the philanthropic efforts of that of Her Majesty in suppression of Slave Trade, and at the same time afford a strong argument for the reduction of duties on Brazilian produce.

Finally, the Undersigned, notwithstanding the discrepancy that he has already noticed to Senhor Aureliano, as apparently existing between the views of Her Majesty's Government and those of Brazil, respecting the basis of the proposed Convention, willing to contribute, by every means in his power, to further the negotiation with which he is charged, is ready to receive and refer to Her Majesty's Government the counter project or draft of the Imperial Government for that Convention, whenever he shall have the honour of receiving it, directly or indirectly, from his Excellency, and afterwards will be happy to continue, as far as his instructions permit, the negotiations already commenced, reserving always the case of his conduct in so doing being approved by Her Majesty's Government, and subject to its view of the measures now to be adopted, in consequence of the unlooked for delay that has occurred on the part of the Imperial Government, in duly responding to its friendly proposals.

The Undersigned, &c.
(Signed) W. G. OUSELEY.

His Excellency Senhor Aureliano,
&c. &c. &c.

No. 487.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, July 7, 1841.
(Received September 2.)

MY LORD,

THE enclosed copy of a semi-official note that I addressed to the Chevalier Bayard, Portuguese Minister, enclosed a letter of thanks to Senhor Mendez, a Portuguese subject, whom I had the honour to mention to your Lordship as having been of great assistance to the officers and boat's crew of Her Majesty's brig "Clio," when imprisoned by the local authorities of Campos.

Enclosure No. 3 is a copy of the Portuguese Minister's reply to me. I also forwarded a duplicate of my letter to Senhor Mendez, through the English mercantile house of Cairns, Astley, and Co., from whom I had obtained knowledge of a letter from Senhor Mendez, mentioning the occurrence at Campos.

I have, &c.,

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 487.

Mr. Ouseley to the Chevalier Bayard.

June 27, 1841.

MR. OUSELEY, &c., presents his compliments to the Chevalier Bayard, &c., and requests his Excellency to be good enough to forward the letter, that he has the honour to enclose under flying seal, to Senhor Patricio Hadriano Teixeira Mendez, a Portuguese subject residing near Campos.

This gentleman on the occasion of the outrage, lately committed by certain subaltern authorities of Campos on two British officers and a boat's crew, who put in there for provisions, behaved in the handsomest and most friendly manner towards them, as Mr. Ouseley learns from Captain Fremantle, commander of the "Clio," as also from the lieutenant commanding the boat. In fact, both officers and crew would have been in danger of starvation but for the generous assistance afforded by Senhor Mendez. The local authorities, after having caused the Englishmen, who had, unsuspectingly, applied to them for assistance, (supposing the usages of civilised nations to be in force at a place so near the capital,) to be imprisoned, and then carried their barbarism so far as to refuse them food or other necessaries.

Mr. Ouseley cannot but feel highly gratified, both as the organ of his Government and personally, at the proof afforded in this instance by a Portuguese subject of good feeling towards his countrymen, and considers it his duty to express in the warmest manner to the Minister of Portugal his sentiments on the occasion.

He requests Senhor Bayard to be good enough to let him know what expense has been incurred by Senhor Mendez, and into whose hands it is to be repaid, trusting to have a future opportunity of testifying his sense of the obligations which his countrymen are under to Senhor Teixeira.

Mr. Ouseley has been confined to his room for some days by indisposition, or he would earlier have requested Senhor Bayard to forward the enclosed letter, and begs his Excellency to accept, &c. &c.

(Signed) W. G. OUSELEY.

The Chevalier Bayard,
&c. &c.

Second Enclosure in No. 487.

Mr. Ouseley to Senhor Mendez.

SIR,

British Legation, Rio de Janeiro, June 24, 1841.

I HAVE learned from Captain Fremantle of Her Majesty's brig "Clio," as well as from the official communication of a lieutenant commanding a boat of that vessel, that they were indebted to your kind and generous assistance, for some alleviation of the gross maltreatment they lately experienced from certain unworthy authorities at Campos. I now, therefore, in the fulfilment of a pleasing duty, request that you will accept the sincerest thanks of those officers, to which I beg to add my own.

Both in a public and private capacity I have to express the extreme gratification that your obliging and disinterested conduct towards my countrymen has caused me. When the requests of the English officers for food and absolute necessaries while in prison were refused, these disgraceful proceedings of the authorities violating the usages of all civilised nations, were thus, in some measure, remedied by the kind interference of a Portuguese subject. I sincerely trust that an opportunity may offer which may enable me to evince the feelings of obligation, as well as those of esteem and consideration, with which

I have, &c.

(Signed) W. G. OUSELEY.

Senhor Patricio Mendez,
Villa de S. Joao Campos,
&c. &c. &c.

Third Enclosure in No. 487.

Monsieur de Bayard to Mr. Ouseley.

A la Légation Portugaise, le Juillet 1, 1841.

J. S. BAYARD, &c. &c., a eu l'honneur de recevoir la note que S. E. Mr. Ouseley, &c. &c., a bien voulu lui adresser, pour le charger d'envoyer à M. A. P. Teixeira Mendes, sujet Portugais, résident à Campos, une lettre de remerciemens pour les services qu'il a été dans le cas de rendre à des officiers et à des marins au service de S. M. B., qui furent mis en état d'arrestation par les autorités locales de S. Joao de Barra, près de Campos.

Quoique M. Mendes n'ait fait qu'accomplir des devoirs d'humanité envers des personnes souffrantes recommandables par leur situation, et que se conformer aux sentimens qui existent et qui devront toujours exister entre deux nations alliées depuis des siècles. M. Bayard n'a pas manqué d'approuver la conduite de M. Mendes, et de prier son Gouvernement de lui répéter une approbation égale, afin de montrer que les discussions et les réclamations entre les deux Gouvernemens ne doivent point altérer les dispositions de bienveillance entre les sujets des deux nations, puisque les meilleurs amis peuvent quelquefois n'être pas d'accord.

Tels étant les sentimens bien connus du Ministre de Portugal, il a vraiment éprouvé une grande satisfaction voyant dans la Note citée ci-dessus que M. Ouseley, ainsi que le Capitaine Freemantle et les officiers du canot se plaisent à reconnaître qu'un sujet Portugais n'a pas laissé échapper l'occasion de montrer ses bonnes intentions en faveur des sujets Britanniques; et il se flatte qu'il s'en trouvera d'autres qui l'imiteront, si des cas se présentent où ils puissent être utiles.

M. Mendes saura sans doute apprécier la lettre que M. Ouseley lui écrit, pour le remercier des secours qu'il a prêtés, et se trouvera naturellement satisfait par les louanges qu'elle contient, d'autant plus qu'il assure avoir été payé des dépenses qu'il a portées en compte, ce qui prouve qu'il ne voudrait point recevoir plus d'argent.

Cependant on ne manquera pas de lui faire la demande.

W. G. Ouseley, Esq.,
&c. &c.

(Signé)

M. BAYARD.

No. 488.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, July 7, 1841.

(Received September 2.)

MY LORD,

THE present ministry is entirely Portuguese in its tendencies, and is supported by the Slave-trading party, consequently unfavourable to the adoption of effectual measures in suppression of the traffic in Africans.

Several captures of slave-vessels have lately been made by Her Majesty's cruisers. Slaves that formerly were sold for 200 milrees are now sold for 800, and the risk of insurance, that used to be calculated at about 11 per cent., is now at 50 per cent. The diminution effected by the exertions of Her Majesty's officers in the number of Africans imported is very great.

I have, &c.

(Signed)

W. G. OUSELEY.

No. 489.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, September 3, 1841.

WITH reference to your Despatch of the 30th June last, I have the satisfaction to acquaint you, that I approve of the note which on the 24th May you addressed to Senhor Aureliano, relative to the Slave Trade carried on at Campos by Senhor Faria.

I am, &c.

(Signed) PALMERSTON.

W. G. Ouseley, Esq.,
&c. &c.

No. 490.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, September 3, 1841.

I HAVE received your Despatch of the 6th July last, stating that, at the formal request of the Brazilian Government, you had invited Her Majesty's Commissioners to become members of a Commission, appointed by the Brazilian Government to inquire into the abuses existing in the treatment of liberated negroes, confided to the Brazilian Government under the Treaty for the suppression of Slave Trade; and I have the satisfaction to inform you that I approve of the steps you have taken in this affair.

I am, &c.

(Signed) PALMERSTON.

W. G. Ouseley, Esq.,
&c. &c. &c.

No. 491.

Viscount Palmerston to Mr. Ouseley.

SIR,

Foreign Office, September 3, 1841.

I HAVE received your Despatches of the 7th July last, relative to the outrage committed at Campos upon the officers and boat's crew of Her Majesty's ship "Clio," and I have to acquaint you that I approve the Note which you addressed on the 4th of June to Senhor Aureliano upon this subject; and also of your having forwarded to M. Mendez a letter of thanks for the services which that gentleman rendered to the officers of the "Clio" while they were detained by the Brazilian authorities.

I am, &c.

(Signed) PALMERSTON.

W. G. Ouseley, Esq.,
&c. &c. &c.

No. 492.

Lord Leveson to Mr. Ouseley.

(Extract.)

Foreign Office, September 3, 1841.

WITH reference to your Despatch of the 30th April last, on the subject of the certificate given by the acting British Consul at Bahia to the master of
CLASS B.

the "*Nova Aurora*," detained under suspicion of being engaged in the African Slave Trade, I am directed by Viscount Palmerston to transmit, for your information, a copy of the instruction which has been addressed to Consul Porter on this matter.

Enclosure in No. 492.

Viscount Palmerston to Mr. Porter.

August 31, 1841.

(No. 570.)

No. 493.

The Earl of Aberdeen to Mr. Ouseley.

(Extract.)

Foreign Office, September 30, 1841.

I HAVE now to state to you that Her Majesty's Advocate-General has reported, that he sees no reason to alter the view taken in his Report, the substance of which was embodied in a Despatch to Her Majesty's Commissioners at Rio de Janeiro, dated the 23rd January, 1841, a copy of which Despatch was transmitted to you on that date.

But, with respect to the amount of compensation awarded to the owners of the "*Pompeo*," the Queen's Advocate thinks that there cannot be a doubt that it is unreasonable and excessive; and he would have considered it so to be, even if the circumstances attending the transaction had been most favourable to the innocence of the owners, instead of being, as it appears to him that they are, most unfavourable.

The Queen's Advocate has further stated that, if the question depended upon the merits of the owners, it is clear they would not justly be entitled to a single shilling; and he is therefore of opinion, that if ever there was a case in which a Government should forbear to press for the extreme rights of its subjects, the Brazilian Government ought to show that forbearance in the present instance, in which the owners have obtained a decree of restitution of their ship, and of compensation for its detention, not on account of their own innocence, or of the legality of the voyage in which they were engaged, but solely from the want of formal authority in the capturing vessel.

If, therefore, the Brazilian Government should again apply to you on the subject of the sum awarded by the Mixed Court in the case of the "*Pompeo*," I have to instruct you to reply to the Brazilian Minister by a note, in which you will state the several reasons herein given for the hesitation of Her Majesty's Government to comply with this demand for the payment of the damages awarded by the Mixed Court in the case of the "*Pompeo*," and you will express the confident hope of Her Majesty's Government, that the Brazilian Government will waive any claim to the payment of these damages, which, you will observe, have been awarded in favour of the owners of a vessel undoubtedly equipped for a slave trading voyage.

No. 494.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 7, 1841.

(Received October 7.)

MY LORD,

WITH reference to the subject of the enclosure in my Despatch of the 6th July, 1841, I have the honour to forward to your Lordship copies of fur-

ther correspondence that has taken place between Rear-Admiral Sir E. D. King, Commander-in-Chief of Her Majesty's naval forces on this station, Mr. Consul Hesketh, and myself, respecting a slave barque (supposed to be the "*Constante*") captured to the northward of this port by the "Grecian" brig of war, commanded by Captain Smyth, under the late Act for the more effectual suppression of the Slave Trade.

It is my wish and intention to send this vessel, if possible, either to Demerara or to the Cape of Good Hope, with the remaining Africans from on board the "*Flor de Loanda*."

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 494.

Rear-Admiral Sir E. D. King to Mr. Ouseley.

SIR,

"Southampton," Rio de Janeiro, July 5, 1841.

HAVING, in consequence of your Letter to me of the 24th ultimo, directed a survey to be held on the state of the "*Constante*," I have now the honour to enclose the surveying officers' report of their proceedings, upon which I have nothing particular to remark, except that, owing to the present reduced state of Her Majesty's stores on the island of Cobras, it is very doubtful whether the materials mentioned as necessary to fit the "*Constante*" can be supplied from that depôt.

I have, &c.

(Signed) E. D. KING,

Rear-Admiral and Commander-in-Chief.

W. G. Ouseley, Esq.,
&c. &c. &c.

Second Enclosure in No. 494.

Mr. Ouseley to Rear-Admiral Sir E. D. King.

SIR,

British Legation, July 10, 1841.

I HAVE to request, with reference to the contents of your Letter of the 5th instant, that you will be pleased to give directions to prepare the barque "*Constante*", (as she is said to be called) for sea, and for conveying certain liberated Africans to one of Her Majesty's colonial possessions.

The "*Constante*" having been captured under the new Act, will have to be sent to a British Vice-Admiralty Court for adjudication; it will therefore under any circumstances be necessary to prepare her for sea. But as a considerable saving will accrue to Her Majesty's Government by employing that vessel as a transport for the Africans now to be sent from this country, and as it is probable that it may be found expedient to employ her permanently for similar purposes on this station, I submit to you, sir, the propriety of at once placing the "*Constante*" in a condition effectually to perform the service of a transport, both on the present and future occasions.

I have requested Her Majesty's Consul, Mr. Hesketh, to furnish whatever assistance it may be in his power to afford in preparing the "*Constante*" for

sea, and for that purpose to take such directions as you may think fit to give.

Rear-Admiral Sir E. D. King,
&c. &c. &c.

I have, &c.
(Signed) W. G. OUSELEY.

Third Enclosure in No. 494.

Mr. Ouseley to Mr. Hesketh.

SIR,

British Legation, July 10, 1841.

I HAVE the honour to request that you will confer with Admiral Sir E. D. King, with a view of preparing the slave barque, said to be the "*Constante*," lately captured by Captain Smyth, under the new Act for the suppression of the Slave Trade, for sea, and for sending her before a British Vice-Admiralty Court, and also to serve to transport Africans to Her Majesty's colonial possessions.

Such stores or assistance as may be required for this purpose by the Commander-in-Chief you will have the goodness to afford, as in the late case of the "*Dois de Fevereiro*."

Robert Hesketh, Esq.,
&c. &c. &c.

I have, &c.
(Signed) W. G. OUSELEY.

No. 495.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 7, 1841.

(Received October 7.)

MY LORD,

I HAVE had the honour on former occasions to submit to your Lordship various details relating to the service of Her Majesty's receiving ship "*Crescent*."

No instructions regarding the temporary custody on board the "*Crescent*" of prisoners from on board slave vessels having been received by the Commander-in-Chief of Her Majesty's naval forces on this station, nor by Her Majesty's Legation, and occasional inconvenience to the service having thus arisen, I consulted with Sir Edward King as to the best mode of proceeding for furthering the objects of Her Majesty's Government, and the general tenor of your Lordship's instructions respecting the disposal of such prisoners. I have now the honour to forward copies of the correspondence that took place between the Admiral and myself on this matter, on which no difficulty or irregularity is henceforward likely to occur.

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

I have, &c.
(Signed) W. G. OUSELEY.

First Enclosure in No. 495.

Rear-Admiral Sir E. D. King to Mr. Ouseley.

SIR,

"Southampton," Rio de Janeiro, July 4, 1841.

HER Majesty's sloop "*Clio*" having detained a brigantine under Portuguese colours named the "*Felix Vencedor*," for being fitted for the Slave Trade, and sent her to the Cape of Good Hope for trial, I have directed Commander

Freemantle to deliver the persons detained in her, on board the "Crescent" as prisoners, and instructed Lieutenant Donellan, by the memorandum, of which the enclosed is a copy, to receive them and keep them in safe custody for your further directions and disposal, which I hope will meet your views, as being in accordance with the arrangements proposed at our last interview on this subject.

I have, &c.

(Signed) E. D. KING.

W. G. Ouseley, Esq.,
&c. &c. &c.

Rear-Admiral and Commander-in-Chief.

Second Enclosure in No. 495.

Rear-Admiral Sir E. D. King to Lieutenant Donellan.

"Southampton," Rio de Janeiro, July 3, 1841.

(Memorandum.)

It is my direction that you receive the prisoners named in the margin from Her Majesty's sloop "Clio," and keep them in safe custody on board Her Majesty's ship "Crescent" under your command, victualling them according to the regulations, and following the directions of Her Majesty's Minister at this court for their further treatment and disposal.

(Signed) E. D. KING,

Rear-Admiral and Commander-in-Chief.

Lieutenant Donellan, R.N., Commanding
Her Majesty's Receiving Ship "Crescent,"
&c. &c. &c.

Third Enclosure in No. 495.

Mr. Ouseley to Lieutenant Donellan.

SIR,

British Legation, July 8, 1841.

IN reply to your official communications of the 4th and 7th instant, the latter asking for instructions respecting the prisoners in your custody, I have to request that you will keep them, until you hear further from me, without any direct communication with the shore or with visitors.

These restrictions are not intended to interfere with the exercise of your discretion as regards supplies of provisions, clothes, &c., subject to such inspection as may prevent the possibility of improper communication, or concealed correspondence.

I am, &c.

(Signed) W. G. OUSELEY.

Lieutenant Donellan, R.N.
&c. &c.

Fourth Enclosure in No. 495.

Mr. Ouseley to Rear-Admiral Sir E. D. King.

SIR,

British Legation, July 9, 1841.

By the receipt of your official communication of the 4th instant, forwarding a memorandum addressed to the commander of Her Majesty's receiving ship "Crescent," I gave the necessary directions to Mr. Donellan, who had duly forwarded to me a copy of your memorandum, together with

a request for instructions respecting the prisoners from on board the "*Felix Vencedor*."

The course you have been pleased to adopt on this occasion appears to me to obviate any difficulty, which might possibly arise respecting the treatment of prisoners such as those above-mentioned, until further instructions be received from Her Majesty's Government, and I have to offer you my thanks, Sir, for the prompt co-operation which you have afforded me on this, as on every occasion in which it has been my duty to request your assistance.

I have the honour, &c.

(Signed) W. G. OUSELEY.

Rear-Admiral Sir E. D. King,
&c. &c. &c.

No. 496.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 7, 1841.

(Extract.)

(Received October 7.)

I HAVE the honour to transmit to your Lordship, referring to my Despatch of the 7th ultimo and its enclosures, copy of a note that I addressed to the Minister for Foreign Affairs in reply to that part of his Excellency's note of the 8th ultimo (Enclosure No. 1 in the above Despatch) which relates to the ratification of the additional articles to the Slave Trade Convention, signed by Mr. Fox and Senhor Alvez Branco.

Enclosure in No. 496.

Mr. Ouseley to M. Aureliano.

British Legation, July 27, 1841.

WITH reference to such parts of the note that Senhor Aureliano, &c., addressed to the Undersigned &c., on the 8th ultimo, as related to the proposal for a new convention for the suppression of the Slave Trade, the Undersigned had the honour to reply in his note of the 5th instant. On account of the multiplicity of occupations to which Senhor Aureliano has had to attend, and the inevitable interruption to the usual course of business mentioned by his Excellency as resulting from the solemnities on the late auspicious occasion of the coronation of his Imperial Majesty, the Undersigned had refrained from addressing his Excellency on the other principal subject of his Excellency's note of the 8th of June, viz., the ratification of the additional articles to the Slave Trade Convention signed in 1835 by Mr. Fox and Senhor Alvez Branco. The Undersigned has now the honour to reply to some remarks in Senhor Aureliano's note respecting those articles.

The Undersigned begs to remind Senhor Aureliano, that the two subjects of the ratification of the articles in question, and the conclusion of a new Treaty for the suppression of the Slave Trade, have ever been regarded by Her Majesty's Government, as far as relatês to the negotiations upon them with the Imperial Government, as distinct questions, and they have constantly been treated as such by the Undersigned. His Excellency's note implies that the Undersigned addressed the Imperial Government on the former matter upon the declaration of His Imperial Majesty's majority, and that *subsequently* he had the honour of proposing to his Excellency the project of a new Treaty upon the basis previously proposed by the Imperial Government. Such an impression would be erroneous. The Undersigned had the honour of presenting to the Imperial Government the project of the new Convention in his note of August 23, 1840. It was on the 2nd of September last that he first wrote officially

to his Excellency urging the ratification of the additional articles. By a reference to the correspondence that has passed on this matter, and more particularly by the tenor of the notes of the 2nd and 19th September, 1840, of those of the 20th and 27th January, 1841, and of the 3rd of March last, and to other written or personal communications, it will appear that throughout the negotiations on this matter have been kept by the Undersigned apart from those of the proposed Treaty.

As the Undersigned has had, on more than one occasion, the honour to state to Senhor Aureliano, the conclusion of a new Treaty, or the remodelling of that now existing, may apparently occupy some time, whereas the additional articles having been already maturely considered and signed by the Plenipotentiaries of the two Governments, years having elapsed since their signature, the Imperial Government having also constantly declared its readiness to carry them into effect, the expectation was natural that it would at once embrace the opportunity afforded of fulfilling its declared wishes to co-operate with Her Majesty's Government in this matter.

The proposal therefore of Senhor Aureliano to recommence negotiations on articles already so fully discussed and actually signed, and to add the revision of these articles, which the Undersigned presumes is intended by his Excellency, to the duties already confided to Senhor Lopes Gama, was entirely unexpected. Although Her Majesty's Government was pleased to instruct the Undersigned to enter upon the negotiation proposed by Senhor Candido Baptista de Oliveira, as also separately to demand from the Imperial Government the fulfilment of its assurances respecting the ratification of the additional articles, yet it was not contemplated that the latter would experience any further delay; consequently the proposal of the Imperial Government to reconsider those articles is not expressly provided for in the instruction, under which the Undersigned is empowered to treat on a new Slave Trade Convention.

The reply of Senhor Aureliano to the note of the Undersigned of the 3rd ultimo must then be regarded as a rejection of the proposal from Her Majesty's Government for the immediate ratification of the additional articles, even with the modification of one of them acquiesced in by Her Majesty's Government in conformity with the wishes of that of Brazil, and it only remains for him to refer the matter to his Court.

The Undersigned refrains from making any observations on the unexpected change in the sentiments of the Imperial Government, respecting the ratification of the articles signed by the Brazilian Plenipotentiary in 1835. It appears to him that Her Majesty's Government will not learn without surprise that the Imperial Government declines to avail itself of the powers with which it is now invested to fulfil its repeated assurances, nor feel satisfaction at finding that it considers those articles as being still a subject of negotiation.

The Undersigned avails, &c.

(Signed) W. G. OUSELEY.

Senhor Aureliano,
&c. &c.

No. 497.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 7, 1841.

(Received October 7.)

(Extract.)

I HAVE the honour to inform your Lordship that the remaining Africans from on board the "*Dois de Fevereiro*" Portuguese slave-brig are about to be forwarded to British Guiana on board the colonial steamer "*Venezuela*," now in this harbour.

The Government of British Guiana, as I am informed by Despatches received from Governor Light by the "*Venezuela*," have taken prompt and effective measures to convey to that colony Africans captured on this or other stations.

The "*Venezuela*" is employed entirely on this service, and brought back the officers and prize crew that were sent in charge of the "*Dois de Fevereiro*."

The Governor of Guiana has further empowered me to name an agent, if unable to attend personally to the details of the service required, for furthering the interests of British Guiana, as relates to the conveyance of captured Africans from this country to that colony, requesting me to furnish that agent with such instructions as I might think most conducive to this purpose, and have sent me a variety of documents and legal authorizations respecting the services required.

I have thought it my duty, taking into consideration the instructions that I have had the honour to receive at different times, and more especially your Lordship's lately received Despatch, of the 17th of May last, to respond to the utmost of my power to the desires of the Government of British Guiana, in furthering the conveyance to that colony of captured Africans.

In this view I have authorised Mr. Henry Ouseley, attached to Her Majesty's Legation, to act as agent for the colony of British Guiana, and provided that gentleman with instructions, such as appeared to me immediately necessary for carrying into effect the wishes of the Colonial Government.

The Government of British Guiana engages to defray all expenses incurred in forwarding captured Africans to that colony, and have empowered their agents to draw for the amount of such expenses.

The "*Venezuela*" would already have sailed, but, to avoid possible interruption from Brazilian authorities or accidents, I thought it advisable to request Sir Edward King to despatch a cruiser with that steamer, at least as far as Pernambuco. Accordingly, the Admiral will send the "*Rose*" corvette in a day or two, thus giving an additional security for the success of this first experiment, the result of which may be of great importance to Her Majesty's colonies, and bring about a systematic adoption by the Colonial Governments of similar measures to those taken by Guiana.

Above 120 Africans of the "*Dois de Fevereiro*" will go by the "*Venezuela*," a few from the "*Flor de Loanda*."

More might have been sent according to the usual calculations, but I thought it advisable on this occasion not to crowd the steamer, particularly as there is a barque in port captured under the late Act, which is capable of conveying all the remaining negroes from the "*Flor de Loanda*."

No. 498.

The Earl of Aberdeen to Mr. Ouseley.

SIR,

Foreign Office, October 13, 1841.

I HAVE received your Despatch of the 7th of August last, containing an account of arrangements, into which you had entered with the Commander of Her Majesty's naval forces at Rio de Janeiro, as to the temporary control and management of prisoners on board of Her Majesty's Receiving Ship "*Crescent*" at that place. And I have to state to you that I concur in these arrangements.

I am, &c.

(Signed) ABERDEEN.

W. G. Ouseley, Esq.,
&c. &c.

No. 499.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 31, 1841.

(Extract.)

(Received October 28.)

WITH reference to your Lordship's Despatch of January 18, 1841, instructing me to report to your Lordship, for the information of Her Majesty's

Government, my opinion whether the statement of Mr. Hesketh, that "the Mixed Commission Court at Rio de Janeiro, as at present organized, appears destitute of efficient means to search out, officially, satisfactory evidence on points on which its judgment is required," is correct, and also what are the best means of remedying this inconvenience if it actually exists, I have the honour to state, that the Mixed Court certainly does not, it appears to me, search out evidence or get at the truth in the cases brought before it for adjudication, in an efficient manner. Perhaps officially, as a court of justice, that Commission may not be invested with direct powers to sift evidence and call for witnesses, yet it appears generally to exercise the other judiciary functions of tribunals in this and other countries.

But if, as a Court, the Mixed Commission cannot compel or call for evidence, yet the individuals composing it have much in their power in obtaining it. Senhor Carneiro de Campos, especially, as chief Secretary in the department of Justice, might, if inclined so to do, materially assist the business of the Court, having access to the documents and proceedings in the department of Justice.

It is certain that, whether or not the powers of the Court are insufficient to procure a fair trial, those of the Proctor employed before the Court are infinitely more limited; and it is preposterous (if the object be to detect the truth, and sift evidence, personal or documentary) to direct the Proctor to do so, unassisted by the Court or the British Commissioners, who, I cannot but think, might, by personal examination into the truth of the allegations of the slave traders, much further the objects of Her Majesty's Government. The British Commissioners (if the Court refuses to act) might, by application through Her Majesty's Legation, if not otherwise, be likely to obtain the communication of documentary evidence, at least in cases where it is much required.

With respect to the proofs required to convict individuals of participation in Slave Trade, it seems to me that Her Majesty's Commissioners misconceive the character and functions of a Proctor when they require that he, and not the British Commissioners, should endeavour to prosecute to conviction and bring to punishment those who are guilty of slave trading.

As Proctor, Mr. Hesketh has to consult the interests of the captor, and endeavour to secure the condemnation of the vessels for which he is employed; but he is not to be looked upon as a public prosecutor, and be expected to ferret out proofs against individuals, for the sole purpose of convicting them, without assistance from the British Commissioners. Doubtless as Consul, Mr. Hesketh, if applied to, would do, and has certainly done, all in his power to bring the guilty parties to condemnation, and prove the complicity of Slave Traders; but it appears at least equally the duty of the Commissioners to use all their efforts, whether extra-judicially or otherwise, to a similar effect.

No. 500.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 31, 1841.

(Extract.)

(Received October 28.)

WITH reference to your Lordship's Despatch of May 11, 1841, respecting the employment of Slaves by the Agents of European Governments, I have the honour to inform your Lordship that some time ago, Baron Daiser, the Austrian Minister, freed the negroes in his service, as I am indirectly informed, in consequence of an injunction to that effect from his Government, and he has since then employed European and free servants.

The Chevalier Bayard, the Portuguese Minister, also has lately received instructions, as that gentleman informed me, not to purchase or have any interest in slaves. None of the members of Foreign Missions at this Capital, with, perhaps, one or two exceptions, now possess slaves, although foreign agents, those composing Her Majesty's Legation excepted, hire slave labour.

No. 501.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, August 31, 1841.**(Received October 28.)*

(Extract.)

IN my Despatch of the 7th instant I had the honour to mention to your Lordship, that the "Venezuela" steamer had been sent to this capital by the Government of Her Majesty's colony of British Guiana, in order to convey the remaining Africans from on board the "*Dois de Fevereiro*" to Demerara.

The "Venezuela" accordingly took her departure with 120 Africans from the "*Dois de Fevereiro*," four from the "*Flor de Loanda*," and five emancipated negroes.

No. 502.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, August 31, 1841.**(Received October 28.)*

(Extract.)

WHEN Her Majesty's ship "Rose" and brig-of-war "Grecian" together with a slave barque, prize to the latter, and the "Venezuela" steamer, (sent from Demerara hither,) left this harbour in company on the 15th instant, the forts at the entrance of the ports fired at them several times, and latterly with ball, although at such a distance and in such a direction as not to damage them.

The Admiral Commander-in-Chief did not suppose at first that the shots were fired at those vessels; but the public prints, and latterly a note from the Imperial Government, leave no doubt that the Commandant of the Fort fired in order to cause the steamer and prize to heave to. As the steamer was employed in the service of Her Majesty's squadron, of which fact the Imperial Government had been duly apprised by me, had an officer on board, and the prize also was manned and officered from the squadron, and bore a pennant, the pretension of a right to examine and detain either, and treat them as merchant vessels, contrary to the usages of the port and all former precedent, appeared to me entirely inadmissible, and only adopted with other measures in deference to the slave-trading and Portuguese party now dominant in this country, I have thought it my duty to insist, in my communications with the Imperial Government upon the privileges of men-of-war being as heretofore extended completely to all vessels exclusively employed for Her Majesty's service, or prizes to men-of-war.

It is not possible to forward to your Lordship by this opportunity copies of the correspondence to which this matter has given rise. The public mind has been worked upon by extremely violent articles in the papers. I regret to see that the present Administration covertly lends itself to these hostile demonstrations, and has openly encouraged the slave dealers by dismissing from the post of captain of the port one of the very few Brazilian officers who is sincerely and actively opposed to the Slave Trade, and has conferred decorations and places on notorious slave dealers.

No. 503.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, August 31, 1841.**(Received October 28.)*

MY LORD,

ON the 26th instant, the Minister for Foreign Affairs delivered to me in person the counter project of a Slave Trade Convention, embodying the measures that the Imperial Government propose to adopt for the better suppression of the Slave Trade.

A copy of his Excellency's Note enclosing the counter project accompanies this Despatch, and I have the honour also to transmit copies of the correspondence that ultimately led to the delivery of the counter project.

It will not be possible for me to have the honour of at present submitting to your Lordship such remarks, as seem to be called for by some of the Articles proposed by the Imperial Government. A modification of the additional Articles

signed by Mr. Fox and Senhor Alvez Branco is incorporated in the enclosed draft, but the chief point on which it appeared to me particularly necessary to urge the Imperial Government is that conceded in the Sixth Article, agreeing that the Africans, after liberation, shall be placed at the disposal of Her Majesty's Government.

I have, &c.

(Signed) W. G. OUSELEY.

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

First Enclosure in No. 503.

M. Aureliano to Mr. Ouseley.

(Translation.)

Palace of Rio de Janeiro, August 26, 1841.

THE Undersigned, &c., acknowledges the receipt of the Note of the 21st instant, in which Mr. W. G. Ouseley, &c., tells him that, having complied with the invitation of the Senhor Caetano Lopes Gama, he went the preceding day to the Department of Foreign Affairs in order to receive a Counter-project, on the part of the Imperial Government, which should correspond to the project of a Convention for the Suppression of the Traffic in Slaves which Mr. Ouseley presented some time ago, notifying officially to the Undersigned on that occasion that he was duly authorized by the Government of Her Majesty the Queen to negotiate any Treaty that might be founded on the bases previously proposed by the Imperial Government, but that notwithstanding, Senhor Lopes Gama refused to deliver the said Counter-project, since he did not consider himself authorized by his instructions to treat with Mr. Ouseley.

Besides this, Mr. Ouseley remarks that, in his Note of the 5th of last month, he had already noted the discrepancy which existed between the instructions given to him by his Government and those which the Undersigned announced to Mr. Ouseley as having been given to Senhor Lopes Gama, since his instructions were to negotiate on a new Convention on the bases proposed by Brazil (that is, on the memorandum of Senhor Candido B. de Oliveira), and the full powers of Senhor Lopes Gama are very limited, and do not include those bases; whence Mr. Ouseley concludes that the Imperial Government has not acceded to the request contained in his Note of the 4th of March last, "that a Minister should be named on the part of Brazil to negotiate on those bases." And Mr. Ouseley, protesting against the delay occasioned by this means, and especially against all that may be considered disrespectful or derogatory to the dignity of Her Majesty the Queen, requests of the Undersigned a satisfactory explanation, "since," says Mr. Ouseley, "the measures adopted by the Undersigned must be considered as a refusal to comply with the engagements, formally and officially contracted by the Imperial Government with that of the Queen, and as an interruption of the negotiation founded on the proposal made by Brazil in August, 1839."

Mr. Ouseley, however, being desirous of avoiding all that might impede the progress of the negotiation with which he was charged, declares that he is still ready to receive from the Undersigned such a project or proposal of a Treaty as may contain the counter proposals of the Imperial Government, in order that he may be the bearer of it to England.

The Undersigned will commence by declaring, that he deeply regrets having observed in the language of Mr. Ouseley, for some time past, and especially during the actual Administration of Brazil, a wish to detect, in the acts of the Imperial Government, little good faith, a desire to procrastinate, and a want of consideration for the Government of Her Majesty the Queen, when, on the contrary, the truth is that in all this affair, and in others that the Undersigned has had the honour of treating with Mr. Ouseley, he is conscious of having always employed the best good faith, as indeed is proper to his character; that he has had the most ardent and sincere desire to arrive at a satisfactory result, which, attaining the end that both the Governments have in view, may compromise neither their dignity nor their interests; and finally, that he has always treated with the greatest consideration the Government of Her Majesty the Queen and their agents in Brazil.

In the particular question which forms the subject of Mr. Ouseley's Note, to which the Undersigned has the honour to reply, the Undersigned has already

explained to Mr. Ouseley, in his Note of the 20th instant, both the cause of the delay that has occurred in the Imperial Government's taking a definitive resolution on the additional Articles signed by Messrs. Alves Branco and Fox, and the reasons for which it conceived that it could not admit the project of a new Convention presented by Mr. Ouseley, and which he says is based on the proposal or memorandum of Senhor Candido Baptista de Oliveira; and he has already frequently explained to Mr. Ouseley that the Government of His Majesty the Emperor does not consider, and could not consider, that memorandum as a formal engagement, to which it was to be strictly subjected, the additional Articles even not being so, inasmuch as they had not yet been ratified, and either of the high contracting parties has it in its power to propose their modification before the definitive act of ratification. Consequently when the Undersigned, in the course of this negotiation, verbally explained to Mr. Ouseley (during the last administration, and in pursuance of the determination of the ex-ministers his colleagues) the expediency of modifying those articles, with a view to establishing further securities for the legal commerce of the empire (in the which Mr. Ouseley appeared to agree), and when, with regard to the new Convention, he explained to Mr. Ouseley, in pursuance of the same determination, that the project presented by Mr. Ouseley could not be admitted, no objection, however, existing to his offering, as Mr. Ouseley requested, a counter project, which, while it satisfied the views of the two Governments as regards the efficiency of the abolition, should, however, not compromise their dignity or their interests,—the Undersigned in all this acted with the best good faith, and without desire or intention of delaying the matter, and much less of treating with disrespect the Government of the Queen, since, assuredly, no Government whatever is treated with disrespect by any other which, keeping in view its own interests and its own dignity, endeavours to arrive at an agreement which may be agreeable and acceptable to both. It was in consequence of observing the numerous occupations of the Undersigned, which hindered him from presenting immediately the said Counter-project, that Mr. Ouseley suggested the utility of nominating a Brazilian Plenipotentiary to negotiate with him, and although in his Note of the 4th of March he said “on the bases proposed by Brazil,” still the Undersigned was far from thinking, first, that the bases were only that memorandum; second, that except on those Mr. Ouseley could not enter upon any negotiation; and he could so much the less suppose this, since it is certain that, in one of the verbal conferences, Mr. Ouseley appeared disposed to consent to the modification of the additional Articles, with a view to establishing further securities for the legal commerce of the empire. The Undersigned, therefore, was always persuaded that Mr. Ouseley had full powers from his Government to conclude any new Convention whatever, having for its object to render effective the abolition of the traffic; and having made the above observations, both on the additional Articles and on the project of Mr. Ouseley, he was not bound to refer to any of them in the full powers which were given to Senhor Lopes Gama, and therefore it was mentioned in them (and in his correspondence with Mr. Ouseley he always made use of the same phrase) in order “to define and explain the stipulations of the Convention of 1826”—a phrase under which is evidently comprehended any new agreement whatever, having for its object to render effective the abolition of the traffic—a phrase which does not even preclude any discussion whatever, on the bases of that memorandum, or on the additional Articles, in order to arrive at a satisfactory arrangement, which the Undersigned endeavoured to obtain by the nomination of Senhor Lopes Gama, and by the instructions given to him, but which arrangement he now admits that he cannot obtain, because Mr. Ouseley declares that he has no full powers but to treat on those bases, and not having therefore exchanged them with Senhor Lopes Gama, that he could not enter into discussion in order to arrive at the desired arrangement; Senhor Lopes Gama having also been unable, from the same reason, to give Mr. Ouseley any Counter-project on which the discussion could turn, so as to arrive at the said arrangement. The good faith of the Government of His Majesty the Emperor is, however, such that the Undersigned does not hesitate to present to Mr. Ouseley a Counter-project, which Senhor Lopes Gama has just sent to the Undersigned, informing him that it was the Counter-project he had intended to offer to Mr. Ouseley, in order to open a discussion upon it, and to arrive at an agreement satisfactory to the two Governments; the Undersigned regretting that Mr. Ouseley, from not having full powers for this purpose, could not enter upon this discussion and conclude the

negotiation,—a negotiation for which the Imperial Government will always be ready through the medium of its Plenipotentiary. The Undersigned will not cease to repeat to Mr. Ouseley that the Imperial Government desires, as much as that of the Queen, the complete abolition of the traffic, but that, having to contend with difficulties peculiar to itself, it seeks to employ in this important affair the necessary prudence and circumspection; that it seeks to preserve the dignity and independence of the Brazilian nation; that it seeks, in fine, that its legal commerce should not be molested and oppressed by abuses resulting from measures precipitate or ill considered, although adopted for so just, laudable, and politic an end as the abolition of so inhuman a traffic—abuses which Mr. Ouseley cannot deny have already occurred, since the Mixed Commission itself have acquitted vessels unduly captured by the British cruisers—abuses which, as they are continually irritating more and more the population of Brazil, already naturally indisposed (generally speaking) against the abolition, indispose it likewise, not only against British subjects (which cannot coincide with the interests of the two Governments), but likewise against Brazilian administrations, which do not seek to prevent them by adequate and friendly means, as the Undersigned has endeavoured to do. From all that has been said, Mr. Ouseley will perceive that the Imperial Government in this, as in all other affairs, has constantly shown its good faith, and the most amicable dispositions and deference for the Government of Her Majesty the Queen of Great Britain, and the relations with whom he desires to draw still more closely for the good of the two countries; and on this account he will never hesitate to enter into any new arrangement, in which, attaining the end that both have in view, the interests and dignity of both should be consulted with prudence and circumspection. And the Undersigned at once declares to Mr. Ouseley that, in this new arrangement, the Imperial Government will not hesitate to concede that the negroes captured on board slave-vessels on the coasts of Brazil be placed, so soon as the vessels are adjudicated by the Mixed Commission at Rio de Janeiro, at the disposal of the Government of the Queen, in order that they may be removed from Brazil to wherever may be judged convenient; on condition, however, that, with respect to vessels suspected of having been employed in the traffic, or of being destined for it, securities should be established which might preserve them from all molestation or abuse; and on condition that Brazilian subjects be not tried and punished, except by the national laws of the country, as is due to the dignity and independence of the nation to which they belong, this being a principle which was not provided for in the project of Mr. Ouseley (said to be based on the memorandum of Senhor Candido B. de Oliveira), which subjected all vessels (even those under suspicion) and their crew, to the jurisdiction of the English Admiralty, in which it was impossible that any Government should concur having a sense of its own dignity and interests, and that did not wish to degrade itself in the eyes of the whole world, and debase itself before its own subjects. The British Government would assuredly not do it, and being bound to be just, with so much the more reason that it is strong, it cannot require that another should consent to do so.

The Undersigned renews, &c.,

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO

W. G. Ouseley, Esq.,

&c. &c. &c.

Second Enclosure in No. 503.

(Translation.)

Counter Project.

His Majesty the Emperor of Brazil and Her Majesty the Queen of Great Britain and Ireland, observing how inefficacious have been the measures adopted by the Treaty concluded between the two Crowns on the 23rd November, 1826, for the total abolition of the commerce in slaves, and recognizing the continuation of that commerce as a crime of the nature of those, the repression of which, in its preparatory style, is so much the more just and necessary as their prevention thereby becomes more easy; but desiring, at the same time, that the means employed for this purpose may not be converted into annoyances and impediments to the lawful commerce of the subjects of the two Crowns,—have resolved to

annex to the aforesaid Treaty certain supplementary Articles, and to this end they have named as their Plenipotentiaries, to wit, His Majesty the Emperor of Brazil, Senhor, &c., and Her Majesty the Queen of Great Britain, Mr., &c., who, having exhibited their full powers, which were found to be in good and due form, have agreed upon the following Articles:—

Art. 1. It is mutually determined by the two high contracting parties, that every Brazilian or British vessel that may be visited in virtue of the above-mentioned Treaty of November 23, 1826, shall be lawfully detained, should there be found on board of it all or no small assemblage of the various objects mentioned below:—

1st. Hatches with open gratings, instead of the close hatches which are usual in merchant vessels.

2nd. Divisions or bulk-heads in the hold or deck in greater number than for vessels engaged in lawful trade.

3rd. Spare planks in such quantity, and prepared in such a manner, as to indicate that they are destined for a second deck or platform for negroes.

4th. More shackles, handcuffs, and bolts than necessary to place under restraint the third part of the crew in case of mutiny or other similar crime.

5th. A larger quantity of water in casks or tanks than is sufficient for the consumption of the vessel, with reference to the length of its voyage.

6th. An extraordinary number of casks or other vessels for holding liquids, unless the master shall exhibit a certificate from the Custom-house of the place whence he cleared outwards, stating that a sufficient security had been given by the owners of such vessels, or their agents, that such extraordinary number of casks or of other vessels shall only be used to receive palm oil, or for other purposes of lawful commerce on the coast of Africa.

7th. A greater quantity of mess-tubs or kids than are requisite for the crew and the other uses of a merchant vessel.

8th. A boiler of an unusual size, and much larger than what is necessary for the use of the crew of the vessel, or more than two boilers of a proportionate size for this purpose.

9th. An extraordinary quantity of rice, of the flour of Brazil (mandioca or cassava), flour of maize, or of Indian corn, beyond what might be abundantly necessary for the consumption of the vessel, unless such articles be entered on the manifest as part of the cargo for trade.

10th. Cotton prints, coromandels, thread, "fragatas," coarse blue bafts, beads, guns.

The detention, however, shall not take place, even although the search should prove the presence of a large quantity of planks or of any other piece of wood, of empty vessels, or of any containing objects of commerce, as well as of the articles and the merchandize mentioned under Nos. 9 and 10 of this Article, when the vessel shall be bound from one or other port of Brazil or for any port that may not be on the coast of Africa where the traffic in slaves may be carried on.

Art. 2. The vessels detained under the circumstances specified in the preceding Article shall be submitted to the adjudication of the Brazilian and English Mixed Commission established at Rio de Janeiro, if they shall have sailed from any port of Brazil, as this tribunal is the best calculated to obtain the proofs on one side or the other, and to give sentence with full knowledge of the case. In case, however, of the said vessels having sailed from other ports, they shall be tried by any of the Mixed Commissions to which the captors may proceed.

Art. 3. It being desirable that the vessels captured with negroes should be tried in the places least distant from that of capture, the two high contracting parties have determined to establish two additional Mixed Commissions, one at Demerara and another at the Cape of Good Hope, which shall have the same attributes as those possessed by the Mixed Commissions of Rio de Janeiro and Sierra Leone, in virtue of the said Treaty and of these supplementary Articles.

Art. 4. It is equally agreed upon between the two high contracting parties, that in all cases in which the detained or captured vessel shall be condemned by any of the said Mixed Commissions, it shall be immediately after its condemnation broken up entirely, and sold in separate parts, unless either of the two Governments should wish to purchase it for the public service.

Art. 5. In order the more easily to effect payment of the indemnities, in cases wherein the vessels may not be condemned, the two high contracting parties agree that the same Mixed Commission that shall have given the sentence of acquittal,

proceeding to the determination of the amount of damages, should draw on the Government that has to pay them bills payable at sight, in favour of the owners of the vessels, for the sums to which the said indemnities shall amount.

Art. 6. Experience having made evident the difficulties which present themselves to the Imperial Government's undertaking the removal from Brazil of the negroes emancipated by sentences of the Mixed Commission of Rio de Janeiro, it is agreed that, henceforward the removal of such negroes for any other country whatsoever shall be made, for the account and according to the arrangement of the British Government.

Art. 7. It is agreed, finally, that the product of the sale of the vessels condemned by the Mixed Commissions shall be applied in the manner determined on by the Imperial Government, to purposes of immigration of free people, who shall be under the protection or direction of the same Government; and Her Britannic Majesty promises to concur in whatever other measures may be in the competency of the British Government to animate and protect similar undertakings.

Art. 8. The present Articles shall be ratified by the two high contracting parties, and the ratifications thereof shall be exchanged within eight months, reckoning from the date of their signature, or sooner if possible.

These additional Articles shall have the same force and power as if they were inserted word for word in the aforesaid Treaty of November 23, 1826.

Third Enclosure in No. 503.

M. Lopez Gama to Mr. Ouseley.

MONSIEUR,

Rio de Janeiro, le Aout 18, 1841.

Comme nous nous sommes convenus que la meilleure manière d'entrer dans la négociation dont nos souverains nous ont chargés serait de vous présenter un Contre-projet, où des mesures efficaces pour mettre fin à la Traite des Noirs soient adoptées, j'ai l'honneur de vous faire part que je viens de le rédiger, et que je n'attends que notre réunion pour l'échange et l'examen de nos pleins pouvoirs, afin de nous occuper de la discussion de ces mesures, et d'arriver au résultat de notre mission.

Je vous engage donc à vous rendre après demain vers cinq heures au Bureau des Affaires Etrangères, où vous me trouverez, si toutefois cette heure peut vous convenir.

Veillez, monsieur, agréer, &c.,

A Monsieur Ouseley,
&c. &c. &c.

(Signé) LOPEZ GAMA.

(Translation.)

SIR,

Rio de Janeiro, August 18, 1841.

IT being agreed between us that the best manner of entering upon the negotiation with which we are charged by our Sovereigns would be to present to you a Counter-project, in which efficacious measures would be adopted to put an end to the Trade in Blacks, I have the honour to acquaint you that I have just concluded the Draft of it, and await but a meeting with you for the exchange and examination of our full powers, in order that we may engage in the discussion of these measures, and arrive at the result of our mission.

I invite you, therefore, to call to-morrow about five o'clock at the Foreign Office, where you will find me, should that hour suit your convenience.

I pray you to accept, &c.,

W. G. Ouseley, Esq.,
&c. &c. &c.

(Signed) LOPEZ GAMA.

Fourth Enclosure in No. 503.

Mr. Ouseley to M. Lopez Gama.

MONSIEUR LE MINISTRE,

Légation Britannique, le 19 Aout, 1841.

J'AI l'honneur d'accuser réception de la lettre que votre Excellence a bien voulu m'adresser en date d'hier. Je ne manquerai pas de me rendre au Bureau du Département des Affaires Etrangères conformément à ce que votre Excellence me mande, afin de recevoir de ses mains un Contre-projet de Convention pour la

repression de la Traite; le Gouvernement Impériale répondant de cette manière aux propositions que j'ai eu l'honneur de lui faire de la part de ma Cour dans le Projet de Traité présenté par moi, il y a un an, à son Excellence Monsieur le Ministre des Affaires Etrangères.

Je profite, &c.,

(Signé)

W. G. OUSELEY.

Son Excellence Monsieur Caetano Maria Lopez Gama.
&c. &c. &c.

(Translation.)

MONSIEUR LE MINISTRE.

British Legation, August 19, 1841.

I HAVE the honour to acknowledge the receipt of the letter which your Excellency was pleased to address to me yesterday. I will not fail to present myself at the Department for Foreign Affairs in conformity with your Excellency's direction, in order to receive from your hands a Counter-project of a convention for the suppression of Slave Trade; the Imperial Government replying in this manner to the propositions I had the honour to address to it on the part of my Government in the project of Treaty presented by me a year ago to his Excellency the Minister for Foreign Affairs.

I avail myself, &c.,

(Signed)

W. G. OUSELEY.

His Excellency Senhor Caetano Maria Lopez Gama,
&c. &c. &c.

Fifth Enclosure in No. 503.

Mr. Ouseley to M. Aureliano.

British Legation, August 21, 1841.

IN compliance with an invitation from Senhor Lopez Gama, the Undersigned, &c., proceeded yesterday to the Bureau of the Department of Foreign Affairs, in order to receive a Counter-project on the part of the Imperial Government, responding to the Draft for a Convention for the suppression of the Slave Trade that he had the honour of presenting a year ago to Senhor Aureliano, &c. &c., having officially at that time notified to His Excellency that he was duly authorized by his Government to negotiate such a Treaty on the basis previously proposed by the Imperial Government. Senhor Lopez Gama refused, however, to deliver the Counter-project in question, as His Excellency did not consider himself authorized by the Instructions received from Senhor Aureliano to treat with the Undersigned.

The Undersigned had occasion to remark in his Note of the 5th ultimo on the discrepancy that existed between the Instructions with which his Government had honoured him, and those which Senhor Aureliano announced as given to Senhor Lopez Gama. From the document exhibited by Senhor Lopez Gama as containing his Excellency's full powers, it is evident that those powers are extremely limited, and that the Imperial Government has not acceded to the request contained in the Note of the Undersigned of the 4th March last, "to name a Minister on the part of Brazil to negotiate with the Undersigned the new Convention on the basis proposed by Brazil."

Formally protesting against the delay thus occasioned, and especially against whatever may be considered disrespectful or derogatory to the dignity of Her Majesty's Government in the conduct of that of Brazil in this matter, to which subject it has already been the duty of the Undersigned to advert, (see his Note of the 5th July.) and trusting that Senhor Aureliano will be enabled to give a satisfactory explanation of it, it is incumbent on the Undersigned to declare that the measures adopted by his Excellency must, in his opinion, be considered as a refusal to fulfil the engagements formally and officially contracted by the Imperial Government towards that of the Queen, and as a discontinuance of the negotiation founded on the proposal made by Brazil in August, 1839.

Desirous, however, of avoiding, as far as depends on him, every step that may impede the negotiation with which he has the honour to be charged, the Under-

signed is still ready to receive from Senhor Aureliano such Project or Draft of a Treaty, embodying the Counter proposals of the Imperial Government, as he had the honour of officially requesting from his Excellency in his Note of the 28th February of this year, in reply to certain objections and remarks made by Senhor Aureliano while personally carrying on this negotiation.

Should, therefore, Senhor Aureliano be prepared to transmit such Counter-project, the undersigned requests His Excellency to communicate it at his earliest convenience, as the mission of the Undersigned being about to cease, he may thus have the honour of being himself the bearer of it to England, reserving always the case of his conduct in so doing, under the peculiar circumstances that have marked the proceedings of the Imperial Government in this negotiation, being approved by Her Majesty's Government.

The Undersigned awaits, &c.,

His Excellency Senhor Aureliano,
&c. &c. &c.

(Signed) W. G. OUSELEY.

No. 504.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 31, 1841.

(Received October 28.)

MY LORD,

ON more than one occasion I have had the honour to report to your Lordship on the employment of vessels under the United States Flag in the Slave Trade. Several American vessels have lately entered this harbour from Africa, after having landed negroes on the coast. The "*Solon*," the "*Himmalek*," the "*William Jones*," the "*Sophia*," (burnt when about to fall into the hands of Her Majesty's cruisers,) and the "*Pilgrim*," and many others are engaged in Slave Trade.

It affords me much satisfaction to state that Commodore Ridgeley, Commander-in-Chief of the United States squadron on this station, and Mr. Slacum, the American Consul, have exerted themselves in the most praiseworthy manner, in order to detect the criminal proceedings of their countrymen, and bring the guilty parties to punishment.

Both these gentlemen prove, by their honourable efforts to prevent the Flag of their country from being disgraced by covering the traffic in human beings, that they not only entertain feelings respecting the Slave Trade in accordance with those declared by their Government, but endeavour practically to carry into effect the laws of their country, which are peculiarly severe against Americans participating in the Slave Trade.

I have, &c.,

(Signed)

W. G. OUSELEY.

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

No. 505.

Mr. Ouseley to Viscount Palmerston.

Rio de Janeiro, August 31, 1841.

(Received October 28.)

(Extract.)

I HAVE thought it my duty to afford the American Commodore and Consul assistance in procuring information respecting American slave vessels, and it gives me much satisfaction to inform your Lordship that Mr. Slacum has positively refused papers to certain American vessels engaged covertly in Slave Trade, has prevented the sale and transfer of others, and has detected the fraudulent transactions connected with Slave Trade, in which several Americans are involved, and he intends to expose the whole system to the Government of the United States.

No. 506.

*The Earl of Aberdeen to Mr. Hamilton.**Foreign Office, October 30, 1841.**Circular sending Papers presented to Parliament.*

(See No. 113.)

No. 507.

*Monsieur Lisboa to the Earl of Aberdeen.**Montague Place, November 9, 1841.**(Received November 10.)*

PAR sa Note du 27 Août dernier, Lord Palmerston a fait savoir à M. de Montezuma que jusqu'à ce que le Gouvernement Brésilien ait montré qu'il remplit fidèlement ses engagements envers les noirs émancipés par la Commission Mixte, séante à Rio de Janeiro, tous ceux qui à l'avenir y seront amenés à bord d'un négrier Brésilien, capturé par un des croiseurs Anglais, seront retenus, et après jugement, envoyés à quelque Colonie Britannique, au lieu d'être remis au Gouvernement Brésilien.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur de Brésil, a l'honneur d'assurer son Excellence le Comte d'Aberdeen, Principal Secrétaire d'Etat de Sa Majesté Britannique au Département d'Affaires Etrangères, que la susdite Note de Lord Palmerston a été dûment portée par son prédécesseur à la connaissance du Gouvernement de Sa Majesté Impériale.

La mesure que Lord Palmerston annonce étant néanmoins une violation flagrante de l'Article VII du règlement du 28 Juillet 1817, maintenu et confirmé par la Convention du 23 Novembre, 1826, le Soussigné n'a pas besoin d'attendre les ordres de son Gouvernement pour appeler sur ce sujet la sérieuse attention de Lord Aberdeen.

Par l'Article qui vient d'être cité, et que Lord Palmerston rappelle lui même au commencement de sa Note il a été stipulé que les noirs ainsi émancipés, " shall receive from the Mixed Commission a certificate of emancipation, and shall be delivered over to the Government on whose territory the Commission which shall have so judged them shall be established, to be employed as servants or free labourers." " Each of the two Governments binds itself to guarantee the liberty of such portion of those individuals as shall be respectively consigned to it."

Le Soussigné en présence d'une clause aussi explicite et aussi claire s'expliquerait mal la communication de Lord Palmerston, quand même elle s'étaierait sur des considérations plus plausibles que la simple allégation, sans aucune preuve à l'appui, ou indication précise, " que les stipulations en faveur de ces noirs émancipés ont été notoirement violées par l'administration et les autorités Brésiliennes." Quand une accusation pareille serait démontrée, et qu'on pourrait effectivement prouver en outre que ces noirs émancipés, " réduits à la condition d'esclaves, ne jouissent pas de la liberté, que le Gouvernement Impériale s'est engagé de leur garantir," en ces cas même la marche naturelle et autorisée par les usages internationaux serait la proposition et la discussion entre les deux hautes parties contractantes de quelques nouveaux moyens à adopter d'un commun accord, pour la réalisation du but qu'on se serait proposé, et qu'on n'aurait pas atteint à cause de l'inefficacité des mesures antérieurement prises. Mais le Soussigné ne peut s'empêcher de trouver étrange qu'on ait recours à une violation manifeste d'une Convention solennelle, comme unique et exclusif expédient d'en assurer la fidèle exécution.

Le Gouvernement de l'Empereur, au lieu de se croire obligé de fournir la preuve qu'on en exige de ce qu'il remplit ses engagements, doit au contraire se supposer le droit de demander qu'on lui en fournisse des accusations injurieuses, qu'on n'hésite pas à lui faire à titre de justification d'un procédé évidemment attentatoire de son indépendance et de sa souveraineté

Le Soussigné à trop de confiance dans l'équité de Lord Aberdeen, et dans les intentions nobles et bienveillantes que son Excellence lui témoigne à l'égard de son pays, pour ne pas se flatter qu'il soit fait droit à cette première représentation que le Soussigné à l'honneur de lui soumettre, moyennant la révocation immédiate

des ordres que Lord Palmerston aurait expédiés à la suite de sa Note du 27 Août de cette année.

Le Soussigné saisit, &c.

(Signed)

MARQUES LISBOA.

Son Excellence le Comte d'Aberdeen,
 &c. &c. &c.

(Translation.)

MY LORD,

Montagu Place, November 9, 1841.

By his Note of the 27th August last, Lord Palmerston acquainted M. de Montezuma, that until the Brazilian Government shall have shown that it faithfully fulfils its engagements in favour of the negroes emancipated by the Mixed Commission at Rio de Janeiro, all those who shall in future be carried there in Brazilian slave vessels captured by British cruizers will be retained, and after sentence forwarded to some British colony, in lieu of being handed over to the Brazilian Government.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil has the honour to assure his Excellency the Earl of Aberdeen, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, that the abovementioned Note of Lord Palmerston has been duly laid before the Government of His Imperial Majesty by his predecessor.

The measure which Lord Palmerston announces being nevertheless a flagrant violation of the 7th Article of the Regulation of the 28th July, 1817, which is supported and confirmed by the Convention of the 23d November, 1826, the Undersigned has no occasion to await orders from his Government, in order to call the serious attention of Lord Aberdeen to this subject.

By the Article just cited, and which Lord Palmerston himself notices at the beginning of his Note, it was stipulated that the negroes thus emancipated "shall receive from the Mixed Commission a certificate of emancipation, *and shall be delivered over to the Government on whose territory the Commission which shall have so judged them shall be established*, to be employed as servants or free labourers; each of the two Governments binds itself to guarantee the liberty of such portion of those individuals as shall be respectively consigned to it."

With a clause so explicit and clear before him the Undersigned could scarcely understand the communication of Lord Palmerston, even if it rested upon more plausible considerations than the simple allegation, without any proof in support, or precise indication "that the stipulations in favour of these emancipated negroes have been notoriously violated *by the Brazilian administration and authorities*." If such an accusation could be substantiated, and it could, moreover, be effectually proved, that the emancipated negroes, "reduced to the condition of slaves, do not enjoy the liberty which the Imperial Governments engaged to guarantee to them," even in these cases, the natural steps to be taken, as authorized by international custom, would be the proposal and discussion between the two high contracting parties of some further means, to be agreed upon jointly, for attaining the object proposed, which had not been attained owing to the inefficiency of the measures previously pursued. But the Undersigned cannot help thinking it strange that recourse should be had to a manifest violation of a solemn treaty, as the only and exclusive expedient for securing its faithful execution.

The Government of the Emperor, instead of feeling obliged to furnish the proof exacted from it that it fulfils its engagements, must on the contrary consider itself entitled to demand to be furnished with proofs of the injurious accusations, which are made without hesitation against it by way of justification of a proceeding evidently in attaint of its independence and sovereignty.

The Undersigned has too much confidence in the equity of Lord Aberdeen, and in the noble and benevolent intentions expressed to him by his Excellency with regard to his country, not to feel assured that justice will be done to this first representation which the Undersigned has the honour to submit to him, by directing the immediate revocation of the orders which Lord Palmerston shall have issued in pursuance of his Note of the 27th August last.

The Undersigned avails himself, &c.,

(Signed)

MARQUES LISBOA.

No. 508.

*The Earl of Aberdeen to M. Montezuma.**Foreign Office, November 12, 1841.**Circular sending Papers presented to Parliament.*

(See No. 114.)

No. 509.

The Earl of Aberdeen to Mr. Hamilton.

SIR,

Foreign Office, November 17, 1841.

HER Majesty's Government have had before them Mr. Ouseley's Despatch of the 7th July last, respecting the assistance which the Senhor Mendes afforded to the officers and boat's crew of the "Clio," on the occasion of the outrage committed against them by the authorities of San João Campos; and I have to desire that you will transmit to Senhor Mendez, by a favourable opportunity, the enclosed packet containing a letter expressing the thanks of Her Majesty's Government, and also a gold medal, bearing Her Majesty's portrait, in memorial of the services rendered by M. Mendez to Her Majesty's subjects on the occasion referred to.

I am, &c.,

(Signed)

ABERDEEN.

H. C. J. Hamilton, Esq.,
 &c. &c. &c.

Enclosure in No. 509.

The Earl of Aberdeen to M. Mendez.

SIR,

Foreign Office, November 17, 1841.

HER Majesty's Government has learnt that you supplied generously the wants of Lieutenant Cox, and other officers and men of Her Majesty's brig "Clio," when they were kept in prison without the necessaries of life by the authorities of St. João Campos.

I have to request that you will accept the warm thanks of Her Majesty's Government for your kind attentions to those persons, at a time when they were reduced to great straits by the acts of outrage committed against them.

And Her Majesty has commanded me to send to you the accompanying gold medal, bearing the portrait of Her Majesty, in memorial of the sense which Her Majesty entertains of the services which you rendered to Her Majesty's subjects.

I have, &c.,

(Signed)

ABERDEEN.

Senhor Patricio Hadriano Texeiro Mendez,
 &c. &c. &c.

No. 510.

*Mr. Hamilton Hamilton to Viscount Palmerston.**Rio de Janeiro, September 9, 1841.**(Received November 17.)*

MY LORD,

WITH reference to Mr. Ouseley's Despatch of February last, reporting the detention of the piratical slave vessel "Malek Adhel," in the harbour of Bahia, by Lieutenant Goldsborough, commanding the United States schooner "Enterprise," and that she had been sent by him for adjudication to the United States; I have the honour to inform your Lordship that Commodore Ridgeley, Commander-in-

Chief of the United States naval squadron on this station, has received information that the hull of this vessel had been condemned, but that no sentence whatever had been delivered on her cargo.

It appears that the evidence furnished by the crew of the "*Malek Adhel*," as to certain acts of piracy committed by her master on merchant vessels which he had fallen in with, was the cause of her condemnation.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

No. 511.

Mr. Hamilton Hamilton to Viscount Palmerston.

Rio de Janeiro, October 20, 1841.

(Received December 5.)

MY LORD,

I HAVE the honour to acknowledge the receipt on the 6th instant, by Her Majesty's packet "*Pigeon*," of your Lordship's Despatches, dated July 21 to that dated August 4 inclusive, addressed to Mr. Ouseley.

I have, &c.

(Signed) HAMILTON HAMILTON.

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

No. 512.

Mr. Hamilton Hamilton to Viscount Palmerston.

Rio de Janeiro, October 20, 1841.

(Received December 5.)

(Extract.)

ON the 31st of August arrived in this port the Portuguese brig "*Anna*," captured by Her Majesty's sloop "*Acorn*," having on board nearly 500 Africans.

With an insufficient and bad supply of water and provisions, and afflicted with complicated diseases, the condition of these unfortunate beings seems to have been more than usually wretched. Numbers died within a few days subsequent to their capture; but, after being turned over to Her Majesty's receiving ship, the "*Crescent*," their health rapidly returned.

The arrangements which were made by Mr. Ouseley for the removal to Her Majesty's colony of Demerara of the negroes liberated from the "*Dous de Fevereiro*" having received the approbation of Her Majesty's Government, I decided to adopt similar arrangements with regard to those found in the "*Anna*," and, so soon as their convalescence should be sufficiently established, to place them—at least the greater part—at the disposal of Mr. Henry Ouseley, the agent for the Colonial Government of Demerara in all matters relating to the transport thither from this port of liberated Africans; and the remainder at that of Rear-Admiral Sir Edward D. King, at his request, in order to be sent to the Cape of Good Hope.

The last returns made from the "*Crescent*" gave 450 Africans in a fit state for removal, of whom 300, or two-thirds, were assigned to Mr. Henry Ouseley, who had chartered the British bark "*Lady Rowena*" to convey them to Demerara; and 150 more, or one-third, to the Rear-Admiral for conveyance to the Cape in the "*Anna*" prize. The remainder in hospital on board the "*Crescent*" amount to nine.

The "*Lady Rowena*" sailed for her destination on the 4th instant, under convoy, to a certain latitude, of Her Majesty's brig "*Wizard*." She was provided with the needful passports, &c., and conveyed to the Governor of Demerara the letter from myself, of which the enclosed is a copy. The "*Anna*" sailed on the 10th for the Cape, where she is to be brought before the Vice Admiralty Court for adjudication.

Enclosure in No. 512.

Mr. Hamilton Hamilton to Governor Light.

(Extract.)

British Legation, Rio de Janeiro, October 1, 1841.

I HAVE the honour to inform your Excellency that the "Lady Rowena," British bark, sails hence to-morrow morning for Demerara, conveying 309 negroes, as below,* who are placed at your disposal in the same manner and for the same purpose as were those recently sent to Demerara on board the "Dous de Fevereiro" and the "Venezuela."

These liberated Africans are a portion of the cargo found on board the "Anna," a Portuguese brig recently captured by the "Acorn" British sloop-of-war; and though they were then suffering under a complication of maladies, their present state of health, from the good care and attention bestowed on them in the "Crescent" receiving ship, is very satisfactory. The other portion, in number 150, has, at the request of Rear-Admiral Sir Edward D. King, commanding Her Majesty's squadron on this station, been placed at the disposal of the Colonial Government at the Cape of Good Hope.

The "Lady Rowena" has been chartered expressly for this service by Mr. Henry Ouseley, and, in order to secure her against all interruption on her voyage, she has been put under the safeguard of a British pennant by the Rear-Admiral, and provided with a passport and such other documents as have appeared useful.

* Men	89
Women	59
Boys	88
Girls	73
Total	309

N.B.—Nine of the above, viz. 1 man, 1 woman, 7 children, were afterwards removed from the "Lady Rowena" to Her Majesty's receiving ship "Crescent," as being unfit, from their bad state of health, to bear the voyage.

No. 513.

*Mr. Hamilton Hamilton to Viscount Palmerston.**Rio de Janeiro, October 20, 1841.**(Received December 5.)*

(Extract.)

THE Note of Senhor Aureliano, Minister of Foreign Affairs, treats chiefly of the capture by Her Majesty's brig of war "Grecian," of the Brazilian patacho "Castro," and of a barque, the supposed "Constante," but they are especially remarkable for the arguments, by force of which his Excellency seeks to substantiate charges brought against some of Her Majesty's ships of war.

The drift of these arguments is to establish, that the acts complained of are detrimental to the legitimate commerce of Brazil, and manifestly hostile to the letter of the Treaties existing between the two countries.

Enclosure in No. 513.

M. Aureliano to Mr. Ouseley.

(Translation.)

Palace, Rio de Janeiro, July 3, 1841.

THE Undersigned, &c., is about to call the serious attention of Mr. W. G. Ouseley, &c., to the irregular manner in which certain English cruisers are proceeding, injuring the lawful commerce of Brazilian subjects, in manifest infraction of the Convention of November 23, 1826, which directed the application, *mutatis mutandis*, of all the matters and things in the said Treaties (previous) contained, as well as the Instructions, Regulations, and Forms of Instruments annexed to the Treaty of 28th July, 1817.

The Undersigned will not refer to less recent facts than those of the galliot "Alexandre," and the brig "Nova Aurora," whose undue seizure as implicated in the illegal traffic in slaves, was so evident, that the Brazilian and English Mixed Commission not only ordered their release and delivery to their owners, but has already been occupied in deciding the indemnifications to which they are entitled, and which the Undersigned hopes will, in conformity with the 10th Article of the Convention Additional to the Treaty of 22d January, 1815, be liquidated, since

His Britannic Majesty obliges himself by the same to pay, within the space of a year at farthest from the decision of each case, to the individuals having just claim to the same, the sums which by the Commissioners named in the preceding Articles may be awarded.

The Undersigned will limit himself to treating of the case of the Brazilian patacho "*Castro*," (detained on the 1st of last June, by Her Britannic Majesty's brig of war "*Grecian*," Commander William Smyth, an officer who has much distinguished himself in similar violent proceedings) under suspicion of the said patacho being employed in the commerce in slaves.

Mr. Ouseley must already have official knowledge of the sentence pronounced by the Mixed Commission on this case, and which the Undersigned has already ordered to be published by the press for the information of those whom it may concern, and the solid foundations on which it rests, cannot escape Mr. Ouseley's perspicacity.

It is gathered from the said sentence, that that vessel is the property of the Brazilian subject, Manoel Caetano de Castro; that it has been employed by him in the coasting trade between this port and that of Caravellas; and that sailing from thence on the 28th of May of this year, furnished with a passport and other legal documents, as well for navigating as for the cargo for Caravellas by Campos, it was detained at the distance of between 300 and 400 yards from the shore by the above-mentioned brig "*Grecian*," which was then anchored between the Isles Branca and Feia, in the bay of Santa Anna, on the coast of this empire, as Commander Smyth mentioned in his statement.

Notwithstanding that Article 2 of the Instructions given by the two Governments, declares expressly that no merchantman or slave ship can, on any account or pretence whatever be visited or detained whilst in the port or roadstead belonging to either of the two high contracting parties, or within cannon-shot of the batteries on shore, and still less so if it be not employed in such a traffic, circumstances in which the patacho "*Castro*" evidently was, still the Mixed Commission would not immediately release it, as being incompetent to adjudicate the case, and because the capture was illegal, but proceeded to the most minute examination, by its own officers, of the boilers, and other indications alleged by the captor as justifiable grounds for her detention; it heard the depositions of the witnesses, and particularly of the two Swiss passengers who were on their way to their estates in the neighbourhood of Caravellas, and only after all these investigations, which brought the whole affair to light, was it that it pronounced the sentence referred to.

The Undersigned leaves it to the enlightened understanding of Mr. Ouseley to calculate how disagreeable such facts are, placing as they do in manifest violation of the existing Treaties, all the lawful commerce of the empire at the mercy of the caprice of certain officers of the English Navy. The Undersigned, in consideration of Article 7 of the Convention of 22d January, 1815, where treating of the instructions to be given to vessels of war destined to hinder the illegal commerce in slaves, it says,—“The two high contracting parties reserve the faculty of altering the said Instructions, in whole or in part, according to circumstances, it being, however, well understood that the said alterations cannot take place but by common agreement, and by the consent of the two high contracting parties,” does not recognize any other pretended Instructions that the English cruisers may think proper to appeal to, since the Undersigned can never persuade himself that the enlightened British Government would support such a proceeding, without the indicated alterations having been treated of by plenipotentiaries duly authorized and sanctioned by the two high contracting parties.

The Undersigned protests, therefore, solemnly against such acts that attack the dignity of the Imperial Government, that molest the lawful commerce of Brazilian subjects, which it is its rigorous duty to support, and that produce exactly the contrary result to that which the two Governments have in view,—that of extirpating the commerce in Africans by the forms already, and which may be hereafter, stipulated, now that the plenipotentiaries of the two nations are about to commence negotiations on the said important matter.

The Undersigned besides declines all and every responsibility for the conflicts, or disagreeable occurrences which may perchance result from the odium which may be brought on the British cruisers by the acts of violence which they are practising, under the pretext of orders or instructions which the Imperial Government will never recognise in the face of what has been now declared.

The Undersigned, however, hopes, that Mr. Ouseley will hasten to intervene with those officers who have clearly gone beyond the Commission that their Government has charged them with, in order that acts like those referred to, which may be considered as absolute hostilities, and are so little in accordance with the perfect harmony existing between the two nations, may cease, especially when the Imperial Government, for the purpose of giving its attention in the most adequate manner to whatever defects may haply exist in the Convention of 23d November, 1826, agrees to enter into Treaty, in order well to define the said Articles, and to terminate whatever uncertainties may have been met with in their execution, so as to obtain the philanthropic ends which counselled them.

The Undersigned, likewise, informs Mr. Ouseley that he has instructed the Brazilian minister in London, to endeavour to convince Lord Palmerston how proper it would be to alter the proceedings of the said English officers, of which he has not perhaps official knowledge, and avails himself, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,

&c. &c. &c.

No. 514.

Mr. Hamilton Hamilton to Viscount Palmerston.

Rio de Janeiro, October 20, 1841.

(Extract.)

(Received, December 5.)

I HAVE the honour to address your Lordship on an occurrence which has given occasion lately to some unpleasant correspondence with the Imperial Government, and to a great deal of very angry and insulting commentary on the part of the public journals of the Capital. The details are as follows.

Early in July last there arrived in this port, but independently of each other, the steamer "Venezuela," from British Guiana, and a slave barque, supposed to be the notorious "Constante," which had been captured by Her Majesty's ship "Grecian," under very suspicious circumstances. The former had come commissioned by the Colonial Government of Demerara to receive on board whatever liberated Africans might be found here willing to embark for that colony, and the latter, in order to be refitted for a voyage to the Cape of Good Hope, where she was to be brought before the Vice Admiralty Court for adjudication.

With reference to the former vessel as being employed in Her Majesty's service Her Majesty's Chargé d'Affaires addressed to the Brazilian Government, on the 22nd July, a requisition that she might be exempted from the payment of dues, and the observance of regulations, usually exacted from merchant vessels, but no notice was taken of it before the 4th of September.

On the morning of the 15th of August Her Majesty's corvette "Rose," and the brig "Grecian," got under weigh, accompanied by the "Venezuela" and the "Constante," the steamer proceeding with liberated Africans to Demerara, under convoy of the "Rose," the latter under that of the "Grecian," to the Cape of Good Hope. As they were passing the Forts of Villegagnon and Santa Cruz, several guns were fired, and, as is alleged by the Government, at the steamer, to make her bring to. But the ships of war pursued their course, and passed the bar with their convoy.

On the 23d of August, Mr. Ouseley received from the Minister of Foreign Affairs a communication to the following effect, that the occurrence above mentioned involved two facts, both infringing the port regulations, one being the removal from the harbour, under protection of two ships of war, of a barque claimed as Brazilian property, but which being reported a British prize when brought into port, as such, ought not to leave the port before judgment had been passed on her in the Mixed Commission Court, the other being the protection afforded by the "Rose" to the "Venezuela," for the purpose of enabling the latter vessel to get to sea without being visited; and this statement was accompanied by a demand for satisfactory explanations, by a reference to former disputed grievances done by British cruisers, and by an anticipation of consequences detrimental to the interests of both nations, and to the harmony and amity subsisting between them.

the fortress of Santa Cruz, and it is the more evident that the said corvette decidedly protected the steamer, inasmuch as, on the occasion of her departure, her assistance in towing was not by any means necessary, the wind being so favourable that, without being towed, the said brig "Grecian," and barque "Constante," went out in company with them as proved by the proper documents.

The Undersigned therefore, considers it his imperative duty to bring the above to the knowledge of Mr. Ouseley, and earnestly to request the necessary explanation of so disagreeable an occurrence, which will doubtless be quite satisfactory and suitable to the dignity of the empire, whose flag ought to be respected by vessels of war of friendly nations, and the port regulations observed, as generally practised by all civilized nations.

The Undersigned cannot omit on this occasion calling the attention of Mr. Ouseley to the following observations, which has moreover been frequently made, that facts of this nature so far from calming any irritation which may have been excited in the minds of the Brazilian population by certain infractions, on the part of the English cruizers, of the letter of existing treaties, on which infraction, the Undersigned has made representations, on the contrary only increases its rendering more difficult the measures which the Imperial Government might wish to adopt in concert with Her Britannic Majesty's Government for the complete abolition of Slave Trade, in that prudent manner which is counselled by the wisdom of both Governments; and without which, any measures, far from producing good, would only bring about disagreeable results, perhaps fatal to the interests of both nations.

The Undersigned is persuaded that Mr. Ouseley will perceive the justice of this demand, and will not delay giving that due satisfaction which the case requires,

And he avails himself, &c.,

(Signed) AURELIANO DE SOUZA E OLIVEIRA CONTINHO.

W. G. Ouseley, Esq.,
&c. &c. &c.

Third Enclosure in No. 514.

Mr. Ouseley to M. Aureliano.

Rio de Janeiro, August 26, 1841.

THE Undersigned, &c. &c., had the honour to receive from Senhor Aureliano, &c., &c., the Note dated 23d instant, respecting certain occurrences alleged to have taken place on the departure of part of Her Majesty's squadron from this port on the 15th instant, and which seem to his Excellency to require explanation.

Although the Undersigned will apply to the Rear-Admiral, Commander-in-chief of Her Majesty's naval forces on this station, in order to obtain information on this matter, on which he has as yet not received any official information, he thinks it his duty to remark that Senhor Aureliano appears to have been entirely misinformed respecting the facts of the case, as there will doubtless be little difficulty in proving to his Excellency hereafter.

In the mean time the Undersigned begs to remind Senhor Aureliano, that in his Note of the 22d inst. he had the honour to announce to his Excellency that the "Venezuela" steamer was employed by Her Majesty's squadron, and placed at the orders of the Commander-in-chief of Her Majesty's naval forces, and was not a merchant vessel, consequently not subject to the regulations affecting those vessels, but to be treated as other similar vessels, transports, store-ships, and the like.

With respect to the slave barque, prize to Her Majesty's ship "Grecian," which Senhor Aureliano designates as Brazilian, and named the "Constante," the Undersigned has the honour to inform his Excellency that no papers or crew were found on board that vessel, and that she consequently had no proof of national character whatever; that she was taken, under the late Act for the better Suppression of the Slave Trade, under the Portuguese or false colours, and was consequently not brought before the Mixed Commission Court; that no proofs were found of ownership in Brazil, although every indication of her employment in the Slave Trade existed on board. This information was not given officially by the captor

to the Undersigned, but he communicates it to his Excellency from a desire at once to remove the false impression, evidently given of the nature of this capture.

Senhor Aureliano must be aware that prizes taken by men of war, and officered and manned from the capturing vessel, are considered by all nations as being under the flag of that vessel, and sharing in its rights. They hoist a pendant, and must be considered, to all intents and purposes, as men of war. No interference with this right can be admitted by the Undersigned, as general usage and several precedents in this country, and in all others, sufficiently determine.

Not the slightest intention of disrespect to the flag of this empire could be intended by Her Majesty's naval officers, nor permitted by Her Majesty's Government, either on the present or any other occasion, as both the "Venezuela" and the "*Constante*," forming part of the squadron under the command of Rear-Admiral Sir E. King, they were not liable to interruption on their entrance or departure from this port. It was therefore with extreme surprise that the Undersigned learnt from the daily journals that it was asserted that those vessels had been fired upon by a Brazilian fort. On reference to Sir E. King, that officer declared that he was under the impression that the accounts must be entirely incorrect, as such conduct on the part of the commandant of the fort would be very highly reprehensible, and contrary to all usage among civilized nations, and would most infallibly lead to most grave consequences, unless explained. The Undersigned therefore, supposing these reports incorrect, abstained from asking any explanation on the subject.

Senhor Aureliano having however distinctly stated that the commandant of the fortress thought proper to fire at part of Her Majesty's squadron, it becomes the imperative duty of the Undersigned to ask for his Excellency's prompt intervention, in order that the precipitate and unwarrantable conduct of the commandant of the fort of Santa Cruz may be duly reprehended, and any repetition of such acts strictly prohibited; and it would be further the duty of the Undersigned to require at the hands of the Imperial Government the punishment of that officer, and reparation for this act of hostility, but that it was doubtless the result of erroneous information, and ignorance of the real character of the British vessels sailing from this capital on the 15th.

Her Majesty's legation will have further to address Senhor Aureliano respecting this matter. In the mean time, the Undersigned requests, &c.,

(Signed) W. G. OUSELEY.

Senhor Aureliano de Souza e Oliveira Continho.
&c. &c. &c.

Fourth Enclosure in No. 514.

Rear-Admiral Sir E. D. King to Mr. Hamilton Hamilton.

Her Majesty's Ship "Southampton,"

Rio de Janeiro, September 4, 1841.

(Extract.)

On the 11th ultimo Mr. Ouseley applied to me by the Letter dated August 11, of which the enclosed is a copy, to direct one of the squadron under my orders to convoy and protect the steam-vessel "*Venezuela*," belonging to Her Majesty's colony of Demerara, with liberated Africans on board, for some distance on her return to that settlement; and as I had Mr. Ouseley's assurance that the vessel in question was perfectly regular in her papers and employed upon a legitimate service—of which, indeed, there could be no doubt—and as he, moreover, stated that he had apprized the Brazilian Government fully concerning her character and objects in visiting this port, I at once directed Her Majesty's sloop "*Rose*" to afford her convoy and protection accordingly, furnished the commander of the "*Venezuela*" with the necessary instructions, and they consequently sailed hence together at daylight on the 15th ultimo for their destination.

With regard to the vessel which Senhor Aureliano calls the "*Constante*," she was brought into this port during my absence as a prize to Her Majesty's sloop "*Grecian*," for being equipped for the Slave Trade; and as she had, when captured, neither colours nor papers, nor any one on board, the captors were unable to determine to what nation she belonged, and therefore brought her in here to be fitted for a voyage to one of Her Majesty's colonies, for trial before a Court of Vice-Admiralty, in accordance with the existing regulations.

I have been at all times most anxious to pay strict regard to the regulations of this port; therefore, when Commander Smyth reported his intention to me to send this prize for trial to the Cape of Good Hope, I requested Mr. Ouseley to acquaint me whether she ought, under all the circumstances of the case, to be allowed to depart; and you will see by his reply that he was decidedly of opinion that she ought to proceed for trial as proposed; I therefore consented to her departure, and she left this, in company with the "Grecian," after daylight on the 15th of August last, along with the "Rose" and "Venezuela."

I am quite unaware that either Her Majesty's sloops or the vessels under their special convoy, in thus leaving the harbour in the usual manner after daylight in the morning, committed the slightest infraction of the Port Regulations, or derogated in any way from the proper dignity of the Brazilian flag, all these four vessels wearing their national colours and pendants conspicuously on the occasion; and as there were many other vessels leaving the port that morning at the same time, I concluded that several guns, which were reported to me to have been fired after the vessels under my orders had passed the forts a considerable distance, were fired at the merchant vessels then going out, or that they were preparatory to or in some way connected with a royal salute that was fired almost immediately afterwards; for it was impossible for me to suppose for a moment that the forts of this country would have been suffered to offer so gross and unwarrantable an insult to the British flag as that of firing upon Her Majesty's vessels and their convoy, under the well-known circumstances of those then leaving this port, which were in fact at that moment zealously engaged in following up the letter and spirit of the Treaties and Conventions for the effectual suppression of the Slave Trade; a duty wherein the Brazilian Government and Brazilian subjects were unquestionably bound to afford them every possible aid and co-operation, instead of attempting to annoy them by hinderance and insult.

Most assuredly, had I been aware of the indignity which appears by the Note of Senhor Aureliano to have been offered on that occasion to the British flag, it would have been my imperative duty to have demanded at the time immediate and adequate atonement; and I am now no less constrained to request, in the most urgent manner, that you will, as early as possible, call upon the Brazilian Government to explain this wanton outrage, and to make such suitable reparation as the British nation have a just right to expect.

It becomes more necessary for me to urge this demand, from the circumstance that on several other occasions Her Majesty's ships and boats have been fired at lately, without provocation, by the forts of this country, and from the painful recollection that no satisfactory explanation or apology has yet, as far as I know, been made for the seizure of a boat belonging to Her Majesty's sloop "Clio" and the imprisonment of her officers and crew, in the month of May last, at Campos.

I have at present no further positive information to offer regarding the occurrences attending the departure of the "Rose" and "Grecian" and the vessels under their convoy on the occasion under reference; but I shall be happy to acquaint you with any additional intelligence on the subject that may hereafter come to my knowledge.

I have, &c.

(Signed) E. D. KING,

Rear-Admiral and Commander-in-Chief.

Hamilton Hamilton, Esq.
&c. &c. &c.

Fifth Enclosure in No. 514.

Mr. Ouseley to Rear-Admiral Sir E. D. King.

SIR,

British Legation, August 11, 1841.

THE "Venezuela" steamer being about to proceed to Demerara with the remaining Africans from on board the "*Dous de Fevereiro*," in accordance with instructions from Her Majesty's Government, and having reason to fear that interruption may be experienced from Brazilian cruizers by that steamer in proceeding to her destination with Africans on board, unless she be accompanied by one of Her Majesty's vessels at least for a considerable part of her voyage, I have to request that you will be pleased to direct that a vessel of war may be sent to sea with that steamer, if there do not exist on your part any objection to this course.

It is highly desirable that this first experiment in forwarding captured Africans by a vessel sent expressly from Her Majesty's colonial possessions should not fail in consequence of misconception or unwarrantable interference; and it is on this account that I am the more anxious that a vessel of war may accompany the "Venezuela," which, although provided with sufficient documents, and officially announced to the Imperial authorities as being engaged in the service of Her Majesty's Government, may yet, if unprotected, be subjected to interruptions, the consequence of which, with many persons on board, might be very injurious. I trust to have the honour of personally communicating with you to-day on this matter. The "Venezuela" is ready for sea at a few hours' notice.

I have, &c.

(Signed)

W. G. OUSELEY.

Rear-Admiral Sir E. D. King, K.C.B.
&c. &c. &c.

No. 515.

Mr. Hamilton Hamilton to Viscount Palmerston.

Rio de Janeiro, October 20, 1841.

(Received December 5.)

MY LORD,

I HAVE the honour to acquaint your Lordship that on the 1st of August the Brazilian brig "*Picao*" reached Bahia from the coast of Africa, and was successful in landing 480 slaves on the Island of Itaparica; and it is believed that by this time she has sailed again for the coast on the same errand.

The voyages performed by this vessel have proved so uniformly successful that a company has recently been formed in that city, for the express and sole purpose of pursuing this detestable traffic with the greater activity, and four or five vessels have been purchased, and are probably now at sea.

It has been reported to me also that two slavers, one called the "*Nereide*," were to sail from the port of Campos about the 30th ultimo, but the Rear-Admiral commanding Her Majesty's squadron had then no disposable force which could be sent off that port.

To these circumstances I have not failed to invite the attention of Senhor Aureliano, Minister Secretary of State for the department of Foreign Affairs, and two or three Brazilian ships of war have recently gone on a cruise, but as yet with no apparent success.

I have, &c.,

(Signed)

HAMILTON HAMILTON.

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

No. 516.

Mr. Hamilton Hamilton to Viscount Palmerston.

Rio de Janeiro, October 20, 1841.

(Received December 5.)

MY LORD,

SINCE writing the preceding Despatch, I have learnt that the slave traders, finding the coast of the province of Rio de Janeiro so vigilantly watched by Her Majesty's cruisers as to render the safe landing of a cargo of slaves thereon very doubtful, while the provinces of Bahia and Pernambuco, for want of adequate force on the Brazilian station, are left comparatively unprovided with such cruisers, have latterly pursued the novel course of importing the "*Boçães*," or new negroes, destined for the markets of the province of Rio de Janeiro, from the coast of Africa, direct to the two northern provinces above mentioned, and of sending them subsequently down to this province in coasting-vessels, as if the said "*Boçães*," or new negroes, were "*Ladinos*," or slaves long and legally in the empire, whom it is lawful to transfer in this manner from one province to another.

During the present month of October no less than four vessels, as mentioned below, have entered the harbour of Rio de Janeiro with altogether 205 negroes on board them, the said negroes being entered in the several manifests as "*escravos para entregar*," slaves for delivery.

Vessels' Names.	Class.	Tonnage.	Where from.	Date of Arrival at Rio de Janeiro.	Number of "Boças" Africans on Board.
Flor de Maraby . . .	Patacho . . .	128	Bahia . . .	October 2 . . .	35
Relampayo . . .	Brigantine . . .	146	Pernambuco . . .	" 2 . . .	24
Bomfin . . .	Brig . . .	255	" . . .	" 11 . . .	78
Firmeza . . .	Bark . . .	224	" . . .	" 17 . . .	68
					205

It is my intention, after the departure of the packet, to address a Note to the Brazilian Government on this subject. I have, &c.,

(Signed) HAMILTON HAMILTON.

To the Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 517.

Mr. Hamilton Hamilton to Viscount Palmerston.

Rio de Janeiro, October 20, 1841.

MY LORD,

(Received December 5.)

I HAVE recently had two interviews with Senhor Antonio Carlos de Andrada, Minister of the Empire in the last administration, on the subject of Slave Trade.

These interviews took place at his request, and his object was to express to me his firm conviction, that no means would be completely effectual for the suppression of the traffic but covering the Brazilian coast with innumerable British small craft, some of them steamers; and that if this system were persevered in for a year or two, inferring that the captures would increase in a ratio commensurate with the augmentation of force brought into activity, general bankruptcy among the slave merchants would be the infallible result.

I cannot but be persuaded, my Lord, that this view of the question is a sound one, and, under this persuasion, should ill perform my duty did I not press Her Majesty's Government, in the most urgent manner, to augment the number of light cruisers on this station, to the extent recommended by Senhor Andrada.

The capital employed in the traffic is enormous, the activity which directs it indefatigable; but both would prove unavailing, opposed to the vigilance of so large a force arrayed against them. The additional expense thus entailed on Great Britain must obviously be considerable, though for a brief period only; while no term can be assigned to the duration of the present system, nor any speculation ventured as to its issue. I have, &c.,

(Signed) HAMILTON HAMILTON.

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

No. 518.

The Earl of Aberdeen to Mr. Hamilton Hamilton.

(Extract.)

Foreign Office, December 9, 1841.

I HAVE received your Despatches up to those dated October 20, 1841.

I have to state to you that, for the present, Her Majesty's Government judges it most desirable for the service that the Africans captured in slave-vessels, and taken to Rio de Janeiro, should, on their arrival in that port, become wholly subject to the orders and provisions of Her Majesty's Envoy at Rio.

You will, therefore, as Her Majesty's Envoy, take upon yourself this charge.

But you will understand that this arrangement is temporary, and subject, of course, to such alterations in principle and in detail, as Her Majesty's Government may consider to be necessary.

No. 519.

The Earl of Aberdeen to Mr. Hamilton Hamilton.

SIR.

Foreign Office, December 11, 1841.

WITH reference to your Despatches of the 20th October last, representing that the British naval force employed at present in suppressing Slave Trade on the coast of Brazil is inadequate to that end, I herewith transmit, for your information, a copy of a Letter which has been this day addressed, under my direction, to the Admiralty, urging the augmentation of Her Majesty's squadron upon the coast of Brazil for the more effectual fulfilment of the object in question.

I am, &c.,

Hamilton Hamilton, Esq.,
 &c. &c. &c.

(Signed) ABERDEEN.

Enclosure in No. 519.

Viscount Canning to the Secretary to the Admiralty.

SIR,

Foreign Office, December 11, 1841.

I AM directed by the Earl of Aberdeen to request that you will call the attention of the Lords Commissioners of the Admiralty to the several representations which have been made, in the course of the last and present year, upon the subject of suppressing Slave Trade on the coast of Brazil.

Lord Aberdeen does full justice to the zeal and activity displayed by the commanders of Her Majesty's cruizers on that station; but he is of opinion that, without a considerable addition to the force employed, the trade will never be effectually crushed in that quarter.

From the accounts which Lord Aberdeen has received, it appears to be now carried on almost with impunity on various portions of the coast, notwithstanding the exertions of the officers engaged in its suppression; and he therefore thinks that every effort should be made to augment Her Majesty's naval force destined for this purpose.

Lord Aberdeen requests that you will move their Lordships to take into consideration the practicability, consistently with other objects of Her Majesty's service, of making such an addition to the present force on the coast of Brazil as shall render improbable the escape of a single vessel engaged in the trade; and I am desired by his Lordship to suggest, whether the employment of steam-vessels on this service might not prove highly efficacious in attaining the object in view.

I am directed to transmit to you, to be laid before the Lords Commissioners of the Admiralty, copies of Despatches* from Mr. Hamilton, Her Majesty's Minister at Rio de Janeiro, upon this subject.

I have, &c

(Signed) CANNING.

The Secretary to the Admiralty,
 &c. &c. &c.

* Dated October 20, 1841.

No. 520.

*The Earl of Aberdeen to Mr. Hamilton Hamilton.**Foreign Office, December 27, 1841.**Circular asking for all Laws on Slave Trade.*

(See No. 118.)

No. 521.

The Earl of Aberdeen to Mr. Hamilton Hamilton.

SIR,

Foreign Office, December 31, 1841.

I HAVE to instruct you to draw the attention of the Brazilian Government to the several representations, which the state of the negroes emancipated in Brazil under the Treaties and Conventions with Great Britain upon Slave Trade, has made it imperative upon the British Government to address to the Government of Brazil.

From time to time the Brazilian Government has professed a readiness to authorize an investigation of the condition of each negro already emancipated, and has also promised to prepare and promulgate such regulations as should secure to those negroes the freedom, of which, by the avowal of the Brazilian functionaries, these negroes are now deprived.

Her Majesty's Government is aware of the difficulties of such investigation, and of framing such regulations in Brazil, where the country is of vast extent, and the temporary masters of these negroes may be interested in retaining them in slavery, contrary to the intent with which the negroes were apprenticed to them; but Her Majesty's Government feels itself bound to see to the due execution of the provisions of the Treaty engagements in favour of the negroes. Her Majesty's Government believes also that the Brazilian Government is desirous to do justice upon this subject; and therefore Her Majesty's Government presses with earnest confidence this point upon the attention of the Government of Brazil, and hopes that, in answer to the representations which in consequence of this Despatch you will make to the Brazilian Government, you will be able to give me an intimation, that the desired investigation is in progress, and that the regulations referred to will be prepared and put into practice, for restoring and securing liberty to the negroes in question.

I am, &c.

(Signed) ABERDEEN.

Hamilton Hamilton, Esq.
 &c. &c. &c.

No. 522.

The Earl of Aberdeen to Mr. Hamilton Hamilton.

SIR,

Foreign Office, December 31, 1841.

I HAVE received your Despatch, Slave Trade, of the 9th September last, enclosing translations of the Note of the 26th of August preceding from M. Aureliano to Mr. Ouseley, covering a project of convention between Great Britain and Brazil upon Slave Trade, proposed by the Brazilian Government in lieu of the additional articles signed between Mr. Fox and the Brazilian Plenipotentiary in June, 1835, and of the draft of an additional convention, subsequently proposed to the Brazilian Government on the basis of a memorandum drawn up by M. d'Oliveira.

Her Majesty's Government have at present under consideration the counter-project of convention now proposed by M. Aureliano; and though the counter-project now proposed by Brazil does not meet the views of Her Majesty's Government, upon all the points which to Her Majesty's Government appear desirable for securing the object contemplated by the Treaty of 1826, I hope Her Majesty's Government and the Government of Brazil may come to a satisfactory understanding upon the subject, and the ultimate object of Her Majesty and the Emperor of Brazil upon this subject be eventually fulfilled by the conclusion of this convention.

I am, &c.

(Signed) ABERDEEN.

Hamilton Hamilton, Esq.
 &c. &c. &c.

BRAZIL. (*Consular*)—*Rio de Janeiro.*

No. 523.

Mr. Hesketh to Viscount Palmerston.

Consul's Office, Rio de Janeiro, October 17, 1840.

(Received January 14, 1841.)

MY LORD,

I HAVE the honour to transmit returns of the vessels which arrived from Africa during the quarter ending the 30th of September last, and of those which during the same period sailed from hence to Africa.

In the list of arrivals, there is one vessel under American colours; and there is little doubt that slaves were landed from her at some of the out-ports, as well as from the "*Bellona*" and "*Vencedora Feliz*."

The departures were twelve vessels, and all, no doubt, destined for the Slave Trade. The seven vessels referred to in the column for remarks have assumed the Brazilian flag for the purpose of leaving this port, but it is most probable that defective Portuguese papers are also on board, for the purpose of hoisting, when convenient, the Portuguese flag.

The parties concerned in such vessels have had influence sufficient to suppress any public notice of the flag under which the vessels sailed from this harbour, to prevent as much as possible publicity in this particular.

I have, &c.

(Signed)

ROBERT HESKETH,
Her Britannic Majesty's Consul.

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

First Enclosure in No. 523.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending September 30, 1840.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
July 18 . . .	Brig . . .	Pilgrim . . .	James M. Hill . . .	American . . .	180	12	Cabenda . . .	Days.	Ballast . . .	In quarantine.
Aug. 30 . . .	Schooner . . .	Bellona . . .	F. J. da Souza . . .	Portuguese . . .	117	12	Angola . . .	35	''	''
'' 31 . . .	Brigantine . . .	Idalia, or Paquete de Benguela.	Francisco Per. Nunes . . .	'' . . .	77	12	Benguella . . .	32	280 slaves . . .	Detained by Her Majesty's brig "Wizard."
Sept. 26 . . .	Smack . . .	Vencedora Feliz . . .	Jozé P. d'Aranjo . . .	Brazilian . . .	85	8	'' . . .	31	Wax and ivory . . .	Detained by police.
								32		

(Signed)

ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 523.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending September 30, 1840.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
July 12 . . .	Brig . . .	Pacifico . . .	Antonio A. da Luz . . .	Brazilian . . .	305	15	Cape Verds <i>via</i> Angola . . .	General . . .	* These seven vessels are said to have cleared outwards as Brazilian, retaining on board the documents under which they were previously navigated as Portuguese. In the public returns of departures these vessels are reported in a novel manner, by omitting any declaration of the vessels' nationality.
'' 23 . . .	Brigantine . . .	Claudina . . .	A. F. C. Vasconcellos . . .	* American . . .	130	18	Azores <i>via</i> Africa . . .	Brandy and goods . . .	
Aug. 1 . . .	Brig . . .	Animoso Feliz . . .	F. S. Lima . . .	Brazilian . . .	180	24	Benguella and Mina Coast . . .	'' . . .	
'' 18 . . .	Smack . . .	Conceição Felicidade do Brazil.	A. S. d'Almeida . . .	* . . .	110	15	Cape Verds <i>via</i> Benguella . . .	'' . . .	
'' 27 . . .	Schooner . . .	Marianna . . .	M. A. Rodrigues . . .	Portuguese . . .	80	14	Benguella . . .	Brandy and tobacco . . .	
'' 30 . . .	Brig . . .	Sophia . . .	A. Crook . . .	American . . .	294	9	Cape Verds <i>via</i> Ambriz . . .	Goods . . .	
'' 30 . . .	Brigantine . . .	Fiumense . . .	F. J. O. Valença . . .	* . . .	122	12	Cape Verds <i>via</i> Benguella . . .	'' . . .	
Sept. 4 . . .	'' . . .	Espadarte . . .	Jozé dos Santos Braga . . .	* . . .	125	12	Benguella <i>via</i> Pernambuco . . .	General . . .	
'' 13 . . .	Brig . . .	Dous Amigos . . .	Francisco Joaquim . . .	* . . .	227	16	Cape Verds <i>via</i> Angola and Benguella.	'' . . .	
'' 16 . . .	'' . . .	Orozimbo . . .	M. J. de Carvalho . . .	* . . .	192	15	Angola and Benguella . . .	'' . . .	
'' 17 . . .	'' . . .	Onze de Novembro . . .	J. A. de Carvalho . . .	* . . .	206	17	S. Thomé (Brazil) <i>via</i> Africa . . .	'' . . .	
'' 26 . . .	'' . . .	Fortuna . . .	L. J. A. O. e Silva . . .	Brazilian . . .	209	21	Cape Verds <i>via</i> Benguella . . .	'' . . .	

(Signed)

ROBERT HESKETH, Her Britannic Majesty's Consul.

No. 524.

*Mr. Hesketh to Viscount Palmerston.**Consul's Office, Rio de Janeiro, December 11, 1840.**(Received February 13, 1841.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch dated August 13, 1840, transmitting papers relating to the Slave Trade, in two series, which were presented by Her Majesty's command to the two Houses of Parliament during the session, and for which I respectfully thank your Lordship.

I have, &c.

(Signed)

ROBERT HESKETH,
*Her Britannic Majesty's Consul.**The Right Hon. Viscount Palmerston, G.C.B.*

&c.

&c.

&c.

No. 525.

*Mr. Hesketh to Viscount Palmerston.**Consul's Office, Rio de Janeiro, December 12, 1840.**(Received February 13, 1841.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, dated August 24th, 1840, transmitting a copy of a Memorial from the General Anti-Slavery Convention, and making known that Her Majesty's Government concurs in the sentiments expressed in that Memorial, and especially in the opinion that it would be unfitting for any officer, with an appointment under the British Crown, directly or indirectly, to hold or to be interested in slave property; I have to acquaint your Lordship that I do not, directly or indirectly, hold slave property, nor am I interested either directly or indirectly in such property.

On the contrary, in common with others, who like myself do not possess any slaves, I suffer by the existence of slavery in this country, being subjected to the high wages paid for hired servants, whereby the expense of living is greatly increased.

As the resolution referred to in your Lordship's Despatch alludes also to the hiring of slaves, or I suppose to the employment of hired slaves, by persons requiring either handicraft labour or domestic service; and as the employment of slaves on hire, though not expressly stated in your Lordship's Despatch, may nevertheless be inferred, it behoves me to state that I employ as domestic servants two negroes and one negro woman who are slaves, fed and clothed by me, the total of whose wages paid to their respective owners is 64*l.* a year. Of the men, one is a groom, and the other a waiter; and the woman I was forced to hire to nurse one of my children. I shall, however, under present circumstances, discharge them as soon as possible.

Besides these, I employ in and about the house seven free negroes, whose wages paid to them, including clothing, but independent of food, amount to 96*l.* per annum, so that the hire of slaves in comparison to that of free negroes is as 21 to 14, and therefore if negroes could be found sufficiently clear of vices to be employed as domestic servants, there is every inducement to prefer them to slaves.

Unfortunately it is very difficult to find, and even to keep, useful domestic servants who are free, whether white or coloured, male or female; and the most effectual method to retain them is by increasing their number to secure to them leisure, which appears an enjoyment that all value more than the accumulation of wages by constant work.

It is almost needless to observe that in this country of slave labour, no provisions can be had, no articles of dress made, no dwellings repaired, nor any hired conveyances, or portorage made use of, without employing slaves.

I have, &c.

(Signed)

ROBERT HESKETH.

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

&c.

&c.

&c.

No. 526.

Viscount Palmerston to Mr. Hesketh.

SIR,

Foreign Office, March 5, 1841.

I HAVE received your Despatch of the 12th December, 1840, respecting the employment of slaves by British functionaries; and I have to express to you my satisfaction at your having discharged those hired slaves who were in your service.

I am, &c.

R. Hesketh, Esq.
&c. &c. &c.

(Signed) PALMERSTON.

No. 527.

*Mr. Hesketh to Viscount Palmerston.**Consul's Office, Rio de Janeiro, January 4, 1841.**(Received March 6.)*

MY LORD,

I HAVE the honour to enclose a list of arrivals from Africa during the quarter ending 31st December, 1840, consisting of four Brazilian and one American vessel, which last having arrived in ballast, it is to be feared that this vessel and her four Brazilian consorts have all brought slaves, landing them at some of the outports.

I also enclose a list of departures to Africa for the same period, being nine vessels, all of which cleared outwards as Brazilian.

The activity of the British cruisers on the coast of Africa has lately forced the slave-dealers to forego the advantage of taking cargoes to Africa, substituting instead, specie, which, though it may ensure greater expedition in their nefarious transactions, deprives them of the means of fraudulently employing, and to a considerable degree purloining, the capital of all those who find themselves obliged to sell merchandise on credit.

The "*Sultana*," under the Portuguese flag, returned this month in the same state as she sailed last June, ostensibly for Valparaiso, having failed in obtaining a cargo of human beings at her real destination on the coast of Africa. And though all this is notorious, no measures are likely to be enforced to punish the parties interested.

I have, &c.

(Signed) ROBERT HESKETH,
Her Britannic Majesty's Consul.

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

First Enclosure in No. 527.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending December 31, 1840.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
Oct. 3.	Brigantine.	Josephina.	Francisco J. Ribeiro.	*Brazilian.	120	Angola.	Days. 33	Wax, &c.	Detained by police.
" 17.	Brig.	Flor de Loanda.	Antonio dos Reis.	"	160	"	38	Wax, Ivory, &c.	In quarantine.
" 18.	"	Estrella do Cabo.	Joaquim Maria.	"	217	Eenguella.	"	Ballast	Ditto.
Nov. 26.	"	Pilgrim.	J. Hayley.	American.	180	Cabinda.	30	"	Detained by police.
Dec. 22.	"	Conceição de Maria.	J. P. da Costa.	Portuguese.	181	Angola via Pernambuco.	"	Wax and Oil.	

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 527.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending December 31, 1840.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
Oct. 4.	Brig	Animo Grande.	Francisco J. Madeira.	Brazilian.	217	Mozambique	General	
" 11.	Brigantine.	Paquete do Rio da Prata.	J. E. de Souza.	*	154	Angola	"	
" 29.	"	23 de Julho.	A. P. da Silva.	"	81	Benguella	Brandy and Goods	
" 30.	Smack.	Vencedora Feliz.	F. A. Gomes.	"	85	"	"	
Nov. 10.	Barque.	Constante.	F. M. de Almeida.	"	237	Azores, Africa, and Canaries	General	
" 15.	Brig	Jupiter.	P. de Mello e Aguiar.	"	164	Benguella	"	
" 23.	"	Tejo.	J. P. G. Roza.	"	268	Goa, by Africa	Brandy and Goods	
Dec. 14.	Brigantine.	Josephina.	F. J. Ribeiro.	"	120	Benguella	"	
" 27.	Brig	Estrella do Cabo.	J. M. P. Fontes.	"	223	"	General	

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

* The Vessels marked * were not reported as Brazilian in the printed Harbour Returns, evidently for the purpose of favouring description.

No. 528.

*Viscount Palmerston to Mr. Hesketh.**Foreign Office, April 15, 1841.**Circular sending Treaty with Argentine Confederation.*

(See No. 32.)

No. 529.

*Mr. Hesketh to Viscount Palmerston.**Consul's Office, Rio de Janeiro, March 1, 1841.*

MY LORD,

(Received April 19.)

I HAVE the honour to enclose a copy of an affidavit made by Allan Anderson, a British seaman, landed at this place in distress from the British brig "Jolly Tar," the master of which vessel, Mathew Le Rossignol, charitably brought him from one of the Cape Verd Islands, where he had been left sick.

It appearing from the enclosed deposition that the American brig "Funchal" was sold at "Ilha do Sal" for the purpose of trading on the coast of Africa under a crew partly composed of American citizens, I deemed it my duty to transmit the enclosed particulars.

I have, &c.

(Signed)

ROBERT HESKETH.

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

Enclosure in No. 529.

Affidavit of Allen Anderson.

ALLEN ANDERSON, a native of Cambeltown, Argyleshire, about 20 years of age, hereby declares, on solemn oath taken on the Holy Evangelists, that being ill of fever and ague, and not getting medicines on board, he left at Baltimore the ship "William," Captain Brown, of Glasgow. That having partly recovered his health, he shipped as ordinary seaman on board the American brig "Funchal," Captain Claypole, of about 175 tons, and sailed about the 14th of October last from Baltimore for Madeira with lumber and staves. That on the vessel's arrival there, deponent perceived some difficulty on shore in consequence of the vessel's register not being regular, the vessel being detained by the forts, but subsequently released by the interposition of the Commander of an American man of war schooner the "Dolphin," and after a stay at Madeira of about a month proceeded in the vessel to "Ilha do Sal" for a cargo of salt. But after arrival at that island, the vessel was sold by the master to a Portuguese resident called Martins, or some such name, who had the Portuguese colours hoisted on board the said brig. That the master and all the crew left her, except the following persons, viz., the mate, who remained to navigate the vessel, who was called Lanton, or some such name, an American, and sail-maker at Baltimore; the cook, called Reis, or some such name, a Portuguese, and two of the crew, called Luke and Charles, whose surnames the deponent does not recollect; the first, he believes, is British; the second a Dutchman, but both naturalized American citizens. Further, that deponent cannot more exactly state the above names, never having seen them written, and that he can both read and write.

That the "Funchal" is a long, low, sharp brig; her sides falling inwards, with a woman figure-head; false stern windows, no quarter-badges, top gallant bulwarks; bows spreading out; black outside, with two white streaks; green inside; white masts, and black yards; stern davits, but bolt carried inside long bolt; no boom aft, but a main trysail, with a traveller on the taffrail; long top-gallant masts; coppered, but copper very old; leaky; pumps aft the booby-hatch; cabin skylight.

The undersigned, Allen Anderson, further declares, that he heard the said brig was intended for the coast of Africa.

(Signed) ALLEN ANDERSON.

Sworn at Rio de Janeiro this 18th day of February, 1841,
before me,

ROBERT HESKETH, *H. B. M. Consul*.

No. 530.

Viscount Palmerston to Mr. Hesketh.

Foreign Office, April 22, 1841.

Circular sending Convention with Haiti.

(See No. 36.)

No. 531.

Mr. Hesketh to Viscount Palmerston.

Consul's Office, Rio de Janeiro, April 19, 1841.

(Received July 3.)

MY LORD,

I HAVE the honour to enclose a return of the vessels which sailed for the coast of Africa from this place during the quarter ending March 31st., and also a return of the vessels which arrived from thence during the same period. Of the three arrivals, two were captured; and of the three departures, each is of a different flag, showing that the slave-dealers are driven to every species of contrivance to lessen the risk of obstruction in their nefarious trade; and, even so, one of the vessels departing was detained.

I have, &c.

(Signed)

ROBERT HESKETH,
Her Britannic Majesty's Consul.

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

&c.

&c.

&c.

First Enclosure in No. 531.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending March 31, 1841.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
Feb. 9 . . .	Brig . . .	Conceição de Maria . . .	J. P. da Costa . . .	Portuguese . . .	190	14	Angola	General.	
„ 21 . . .	„ . . .	Sophia	Mathew Hale.	American	294	12	Cape Verds, <i>viâ</i> Africa	Goods.	
„ 25 . . .	Barque . . .	Louisa	C. H. Boye	Hamburgh.	363	13	„	General.	

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 531.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending March 31, 1841.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Number of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
Jan. 2 . . .	Schooner . . .	Sultana	A. J. de Faria	Portuguese	175	10	Angola	Days. 27	Wax and oil	Detained by police.
„ 14 . . .	Brig	Asseiceira	A. da S. Matadõ . . . . .	. . . . .	..	..	Quilimane . . . . .	..	331 slaves	Captured by Her Majesty's ships "Fawn" and "Part-ridge."
Feb. 22 . . .	„	Duas Irmaus . . . . .	. . . . .	. . . . .	..	..	Benguella . . . . .	..	380 slaves	Captured by "Fawn."

(Signed) ROBERT HESKETH, Her Britannic Majesty's Consul.

No. 532.

*Mr. Hesketh to Viscount Palmerston.**Consul's Office, Rio de Janeiro, July 1, 1841.*

MY LORD,

(Received September 2.)

I HAVE the honour to enclose a return of the arrivals at this port from the coast of Africa during the quarter ending 30th ultimo, being four vessels, one American and three Portuguese.

I have not been able to ascertain that they have brought slaves, but there is every reason to believe the reports that, during the quarter referred to, three vessels have landed slaves at the out-ports, from whence they are new fitted out on the return voyage to Africa. It is, however, impossible to ascertain positively the names of such vessels.

I also enclose a return of departures to Africa, of which three are American and one Portuguese.

I have, &c.

(Signed)

ROBERT HESKETH,
*Her Britannic Majesty's Consul.**The Right Hon. Viscount Palmerston, G.C.B.*

&c.

&c.

&c.

First Enclosure in No. 532.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending June 30, 1841.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Number of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
April 15 . .	Barque . . .	Flor de Amizade . .	Jos de Souza Lobo .	Portuguese .	296	..	Angola	Days. 27	Wax and oil.	
May 7 . .	Ship . . .	Saluda	E. P. Lond	American .	289	11	,,	28	Ivory and ballast . .	Detained by police.
,, 31 . .	Brig . . .	Dois de Fevereiro . .	J. F. Roza	Portuguese .	195	16	,,	23	Wax and mats . . .	Ditto.
June 2 . .	,,	Conceição de Maria . .	J. F. da Costa . . .	,,	200	17	,,	32	,,	

(Signed)

ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 532.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending June 30, 1841.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
April 4 . .	Brigantine .	Solon	W. C. Wright . . .	American .	168	7	Coast of Africa	General.	
,, 8 . .	Brig . . .	Africano	J. L. de Castro . . .	Portuguese .	218	14	Africa	Ditto.	
,, 18 . .	,,	Hinnaleh	M. A. Beauvais . . .	American .	246	10	Benguella and Angola . .	Goods and oil.	
,, 19 . .	,,	William Jones . . .	W. E. Newcomb . . .	,,	220	9	Benguella	General.	

(Signed)

ROBERT HESKETH, Her Britannic Majesty's Consul.

First Enclosure in No. 536.

ARRIVALS at Rio de Janeiro from the Coast of Africa during the Quarter ending September 30, 1841.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Number of Crew.	Where from.	Passage.	Reported Nature of Cargo.	Remarks.
August 8 .	Brigantine .	Solon	W. C. Wright	American .	134	7	Angola	Days. 27	Ballast	Detained by police.
„ 15 .	Brig	William Jones	W. Jones	„	196	12	Benguella	29	Wax and Ballast	In quarantine.
„ 27 .	„	Himmaleh	Andrew Beauvais	„	265	11	Angola	30	„	Detained by police.
„ 31 .	„	Anna	H. F. Franco	Portuguese .	..	..	Benguella . . . . .	..	473 Slaves	Prize to Her Majesty's Ship Acorn.

(Signed)

ROBERT HESKETH, Her Britannic Majesty's Consul.

Second Enclosure in No. 536.

DEPARTURES from Rio de Janeiro for the Coast of Africa during the Quarter ending September 30, 1841.

Date.	Description.	Name.	Master.	Nation.	Tonnage of Crew.	Number of Crew.	Where bound.	Reported Nature of Cargo.	Remarks.
July 25 . .	Brig	Conceição de Maria	Jozé P. da Costa	Portuguese .	193	11	Angola	General	

(Signed)

ROBERT HESKETH, Her Britannic Majesty's Consul.

BRAZIL. (*Consular*)—*Maranhã*.

No. 537.

Mr. Moon to Viscount Palmerston.

British Consulate, Maranhã, December 4, 1840.

MY LORD,

(*Received January 19, 1841.*)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch dated August 24, 1840, enclosing copy of a Memorial from the General Anti-Slavery Convention, and informing me that Her Majesty's Government concurred in the sentiments expressed in that Memorial,

I am happy to inform your Lordship that, since Mr. Vice-Consul Wilson's Despatch of the 13th of October last, no vessels suspected of being engaged in the illicit traffic in slaves have sailed from or arrived in this port.

I have, &c.

(Signed) JOHN MOON, *Her Britannic Majesty's Consul.*

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

&c.

&c.

&c.

No. 538.

Mr. Moon to Viscount Palmerston.

British Consulate, Maranhã, January 11, 1841.

MY LORD,

(*Received March 10.*)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of August 13, 1840, which came to hand this day by way of Rio de Janeiro, transmitting for my information one copy of two series of Papers relating to the Slave Trade, presented to the two Houses of Parliament during the last session by Her Majesty's command.

I have, &c.

(Signed) JOHN MOON, *Her Britannic Majesty's Consul.*

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

&c.

&c.

&c.

No. 539.

Viscount Palmerston to Mr. Moon.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 32.)

No. 540.

Viscount Palmerston to Mr. Moon.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 36.)

No. 541.

*Mr. Moon to Viscount Palmerston.**British Consulate, Maranham, July 10, 1841.*

MY LORD,

(Received August 28.)

I HAVE the honour to acknowledge receipt of your Lordship's Despatch of April 22, 1841, transmitting copy of a Convention concluded at Port au Prince on the 23d 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 November, 1831, and 22d March, 1833.

I have also the honour to enclose to your Lordship a list of vessels arrived at this port from the coast of Africa, for the quarter ending 31st March last. Also a list of departures from this port to the same coast, during the half year ending 30th June last. I am glad to say that no vessels have arrived from that coast during the second quarter of this year.

I beg to refer your Lordship to the enclosed copy of my correspondence with Her Majesty's Chargé d'Affaires at Rio de Janeiro during the present year, under the head of "Slave Trade," and these letters contain all the information I can give your Lordship on this subject.

I have, &c.

(Signed) JOHN MOON, *Her Britannic Majesty's Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

First Enclosure in No. 541.

List of Vessels arrived at the Port of Maranhã during the Quarter ending March 31, 1841.

Date of Arrival.	Description of Vessel.	Name of Vessel.	Name of Master.	Tonnage.	Number of Crew.	Whence.	Days' Passage.	Reported Nature of Cargo.	Name of Owner.
1841. Feb. 27	Portuguese schooner .	Agua	Raymundo Antonio Lima .	60	13	Island of Sam Thomé	25	Ballast	Raymundo Antonio Lima.

British Consulate, Maranhã, March 31, 1841.

(Signed)

JOHN MOON, Her Britannic Majesty's Consul.

Second Enclosure in No. 541.

List of Vessels departed from the Port of Maranhã to the Coast of Africa during the Half-Year ending June 30, 1841.

Date of Departure.	Description of Vessels.	Name of Vessels.	Name of Masters.	Tonnage.	Number of Crew.	Where Bound.	Nature of Cargo.	Name of Owners.
1841. April 8	Brazilian schooner .	Lealdade	Jose Maria da Silva Porto .	112	14	Islands of Cape Verd, Sam Thomé, and Principe.	Rice, sugar, biscuit, flour, spirits, and foreign merchandise.	Felisberto Joze Corria, of Maranhã.
May 5	Portuguese schooner .	Agua	Raymundo Antonio Lima .	60	11	Islands of Sam Thomé and Principe.	Ditto ditto ditto	Said master.

British Consulate, Maranhã, June 30, 1841.

(Signed)

JOHN MOON, Her Britannic Majesty's Consul.

Third Enclosure in No. 541.

Mr. Moon to Mr. Ouseley.

SIR,

British Consulate, Maranhã, April 20, 1841.

I HAVE the honour to inform you that the schooner "*Agua*," referred to and described in Mr. Vice-Consul Wilson's Despatch of 15th April, 1839, entered this port on the 27th February last, and reported in ballast from the island of Sam Thomé.

Some time after her arrival I heard that she had discharged a cargo of slaves in the bay of Saint Marcos; and that these said slaves were deposited for sale in the house of her consignee.

On these circumstances coming to my knowledge, I informed the President of them, and he expressed surprise at the information, and appeared to be ignorant that any suspicion attached to the vessel, but promised to have the consignee's house searched.

On the same occasion I also informed the President that I had heard that the schooner "*Lealdade*" was fitting out for a slaving voyage, and he promised me that he would have her examined before she sailed, in order to see if she had any preparations on board that could lead to the suspicion of her being intended for a slaver. She, however, sailed on the 8th instant, and I have not heard that she was examined, neither do I think the house of the "*Agua's*" consignee has been searched.

The President professes to be a great advocate for the abolition of the Slave Trade, but his acts do not support his professions. The "*Lealdade*" is the schooner referred to in Mr. Vice-Consul Wilson's Despatch of 7th May, 1840. She is a vessel of 112 tons (Brazilian measurement) under the hermaphrodite rig, sits low on the water, and has a little, but not much rake in her masts.

She cleared out for Cape Verde and the islands of Sam Thomé and Principe, and sailed as above mentioned. Her master's name is Joze Maria da Silva Porto, and her cargo consisted of the following articles, viz., 225 bags of rice, 200 boxes of sweetmeats, 20 canisters of sugar, 20 barrels of biscuits, 30 barrels of flour, 16 bales, 13 cases of dry goods, 6 cases, 1 barrel of hardware, 2 barrels of lead shot, 3 crates of earthenware, and 200 demijohns and 1 case of spirits.

The "*Agua*" has been cleaned and re-painted since her arrival, but does not appear for the present to be preparing for another voyage. These are the only vessels that I have any suspicion of having been concerned in the Slave Trade to this port within the last six months.

I have, &c.

(Signed)

JOHN MOON, *Her Britannic Majesty's Consul.**W. G. Ouseley, Esq.,*
&c. &c. &c.

Fourth Enclosure in No. 541.

Mr. Moon to Mr. Ouseley.

SIR,

British Consulate, Maranhã, May 27, 1841.

BEGGING to refer to my Despatch of 20th ultimo, I then expressed that the President had not ordered the house of the consignee of the "*Agua*" to be searched, but I was wrong, for I have since ascertained that it was searched the day after I gave the information to him of the cargo of the "*Agua's*" slaves being on sale there.

But it appears the consignees had been advised of the intended search, and had in the previous night removed the slaves from his house, so that when the search was made, his premises were found clear of them.

I have also to acquaint you that the schooner "*Agua*" above referred to sailed again from this port on the 5th instant, having cleared out for the "*Ilhas de Sam Thomé e Principe*," and her cargo consisting of the following articles, viz., 12 pipes of Cachassa, 30 bags of rice, 8 half barrels of sugar, 6 barrels of olive oil, 2 half pipes, and 4 barrels of vinegar, 4 bales and 3 cases of dry goods, 1 box of gilt beads, 12 barrels of flour 6 half pipes, and 25 barrels of wine.

Her old commander Raymundo Antonio Lima goes again as captain, and I have little doubt she intends bringing another cargo of slaves to this place, if she have a tolerable opportunity of doing so.

I have, &c.

(Signed) JOHN MOON, *Her Britannic Majesty's Consul.*

W. G. Ouseley, Esq.,
&c. &c. &c.

No. 542.

Earl of Aberdeen to Mr. Moon.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 113.)

No. 543.

Mr. Moon to Viscount Palmerston.

British Consulate, Maranhã, September 25, 1841.

(Received November 9.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 15th of April, 1841, (which reached this consulate on the 13th instant, by way of Rio de Janeiro,) transmitting for my information a copy of a Treaty concluded on the 24th May, 1839, between Her Majesty and the Argentine Confederation for the abolition of the Slave Trade, the ratifications of which were exchanged at Buenos Ayres on the 16th May, 1840.

I have, &c.

(Signed) JOHN MOON, *Her Britannic Majesty's Consul.*

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

BRAZIL. (*Consular*)—*Pará.*

No. 544.

Mr. Cowper to Viscount Palmerston.

British Consulate, Pará, November 2, 1840.

MY LORD,

(*Received January 2, 1841.*)

I TAKE the liberty of stating the following fact to your Lordship, in proof of the beneficial effect produced upon the Slave Traders by the Act of the British Parliament, dated August 24, 1839.

I had the honour to transmit to your Lordship certain particulars relating to the brig "*Angela*," belonging to one of the richest merchants, and formerly one of the greatest slavers, in *Pará*.

Shortly after the "*Angela*" had left here for Lisbon, with the intention of obtaining Portuguese colours, and of proceeding to Ambriz for slaves, news arrived of many captures effected by Her Majesty's cruisers on the coast of Africa. Her owner not only forwarded Instructions to the "*Angela*" to proceed to Liverpool, but he has since chartered two British vessels, and is now carrying on the most extensive and successful British commerce of any merchant here.

The "*Angela*" has lately arrived from Liverpool with a full cargo of British manufactured goods, and is now on the berth for London, Liverpool, Lisbon, or Gibraltar, but as a pleasing sign of the times, the Portuguese portion of her crew have mutinied, and are now on board the corvette, in consequence of a suspicion on their parts that the brig is to be sent to the coast of Africa.

This suspicion I believe to be groundless, but it is satisfactory to know that the humane exertions of Her Majesty's Government are producing good and practical effects.

I have, &c.

(Signed)

H. AUGUSTUS COWPER, *Consul.*

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

&c.

&c.

&c.

No. 545.

Mr. Cowper to Viscount Palmerston.

British Consulate, Pará, November 12, 1840.

MY LORD,

(*Received January 4, 1841.*)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, dated August 24 and September 7, 1840; the former enclosing a memorial from the anti-slavery convention.

I beg to inform your Lordship that I have never possessed a slave, and that in conformity with your Lordship's present commands, I immediately dismissed those whom I had hired as domestic servants.

I would take the liberty of suggesting, that if all British subjects living abroad, who possessed slaves, were to lose their rights as such till they parted with them, I conceive the example would be salutary, and in strict accordance with the general wishes of the nation.

I have, &c.

(Signed)

H. AUGUSTUS COWPER, *Consul.*

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

&c.

&c.

&c.

No. 546.

*Viscount Palmerston to Mr. Cowper.**Foreign Office, April 15, 1841.**Circular sending Treaty with the Argentine Confederation.*

(See No. 32.)

No. 547.

*Viscount Palmerston to Mr. Cowper.**Foreign Office, April 22, 1841.**Circular sending Convention with Hayti.*

(See No. 36.)

No. 548.

*Mr. Cowper to Viscount Palmerston.**British Consulate, Pará, May 20, 1841.**(Received July 9.)*

MY LORD,

IT is several months since I have been enabled to obtain any information respecting the Slave Trade; but I have now heard, on good authority, that three cargoes have been landed during the last two months, one in this river and two at the junction of the province with Maranhão; one of the latter was by the notorious "*Amalia*," which is daily expected here from Maranhão to complete her cargo for the African coast.

I understand that this voyage she landed only 120 slaves, all from the Cape Verdes, to which they were brought from the main land in small boats, in numbers of 8 or 10.

A noted slave-dealer here was surprised by the arrival of one of his vessels from Lisbon about a fortnight ago, instead of from Africa. The reason for her change of destination, of course, has not transpired; but she is now preparing here for the Coast. Her present name is the "*Minerva*." She has been called the "*Mathilde*," or "*Matilda*," and several other names. She is of French build, brig rigged, measuring from 180 to 200 tons, no cut-water, now painted with a narrow red streak, and she is one of the handsomest modelled vessels I ever saw.

Scarcity of money in this province is the great drawback to the enterprise of the slavers, who cannot, of course, receive payment in produce after six months' credit.

I have, &c.

(Signed) H. AUGUSTUS COWPER, *Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c. &c. &c.

No. 549.

*Mr. Dickenson to Viscount Palmerston.**British Consulate, Pará, June 15, 1841.**(Received July 31.)*

MY LORD,

I HAD this day the honour of receiving your Lordship's Despatch of the 22nd of April, 1841, enclosing a copy of a Convention, concluded at Port au Prince, which I have duly added to the archives of this Consulate.

I have, &c.

(Signed) HENRY DICKENSON, *British Vice-Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c. &c. &c.

No. 550.

*Earl of Aberdeen to Her Majesty's Consul.**Foreign Office, October 30, 1841.**Circular sending Papers presented to Parliament.*

(See No. 113.)

No. 551.

*Mr. Dickenson to Viscount Palmerston.**British Consulate, Pará, October 7, 1841.**(Received December 4.)*

MY LORD,

I TAKE advantage of the departure of Her Majesty's sloop "Rover," for Barbadoes, to inform your Lordship that fortunately nothing requiring her services has occurred during her stay here. It is true that vague reports have been in circulation as to a number of slaves having been recently landed in this river; but it has not been possible to trace them to any authentic origin. And I have further the honour to inform your Lordship, that certain pamphlets forwarded to me by His Excellency Her Majesty's Chargé d'Affaires at Rio for circulation are still in my possession, which will be amply accounted for by a copy of my Despatch to His Excellency on the subject, which I enclose for your Lordship's information.

I have, &c.

(Signed) HENRY DICKENSON, *British Vice-Consul.*

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

Enclosure in No. 551.

Mr. Dickenson to Mr. Ouseley.

SIR,

British Consulate, Pará, September 21, 1841.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, and with it the 25 pamphlets referred to in your Excellency's former Despatch, for the circulation of which I shall, in conformity with your Excellency's commands, take such measures, as may seem most efficacious for the furtherance of the efforts of Her Majesty's Government in the suppression of the Slave Trade. I regret, however, to observe, that the present moment is far from being auspicious for the purpose, in consequence of an insurrectionary movement on the part of some slaves, who, misguided by some turbulent coloured people sent hither from the southward, on account of similar acts, collected together on the night of the packet's arrival, vociferating for liberty, sending up sky-rockets and committing acts of insubordination, which led to the capture of some 15 of them on the spot, and of others subsequently. They appear to have acted on a feigned or real belief that, on the coronation of the Emperor, their emancipation had been granted; an event which such proceeding must tend to procrastinate, rather than to accelerate.

I trust that your Excellency will coincide with me in thinking that the circulation of the pamphlets immediately after this movement of the slaves would rather tend to defeat, than to promote, the views of Her Majesty's Government, and might even be construed, by ill designing persons, into a wish to promote or justify revolt.

I have, &c.

(Signed) HENRY DICKENSON, *British Vice-Consul.*

W. G. Ouseley, Esq.,
 &c. &c. &c.

No. 552.

*Mr. Dickenson to Viscount Palmerston.**British Consulate, Pará, October 7, 1841.*

MY LORD,

(Received December 4.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, enclosing 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, and that the same has been duly deposited and registered in the archives of this Consulate.

I have, &c.

(Signed) HENRY DICKENSON, *British Vice-Consul.**The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

BRAZIL. (*Consular*)- *Pernambuco.*

No. 553.

Mr. Goring to Viscount Palmerston.

British Consulate, Pernambuco, October 24, 1840.

(*Received January 14, 1841.*)

MY LORD,

ON the 16th instant I had the honour of receiving your Lordship's Despatch of the 23rd of April last, enclosing a copy of a Treaty concluded at Caracas on the 15th of March, 1839, between Her Majesty and the Republic of Venezuela for the abolition of the Slave Trade.

This copy has been deposited among the archives of Her Majesty's Consulate at this port.

I have, &c.

(For Edward Watts, Her Britannic Majesty's Consul,)

(Signed) JOHN GORING.

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

No. 554.

Mr. Goring to Viscount Palmerston.

British Consulate, Pernambuco, November 23, 1840.

(*Received January 14, 1841.*)

MY LORD,

C. C. FRANKLAND, Esq., commander of Her Majesty's sloop "Pearl," during that vessel's cruize off this port, a few days ago, lent to me a number of the "United Service Gazette," from which I transcribed the "Return presented to the House of Commons of the slave-vessels captured and condemned from the 1st of January, 1839, to the 9th of March, 1840, &c., &c."

This document, so important in proving the fixed determination of Her Majesty's Government to annihilate the detestable traffic in slaves, and displaying the zeal and energy of the officers of Her Majesty's navy, in obedience to an intent so laudable, I translated and caused its insertion in the official Diario of this city as the means of extensive circulation.

A number of this Diario I have the honour to enclose, and should be proud in learning that the measure adopted may meet with your Lordship's sanction.

The editor of the Gazette informs me that, owing to the interest which the document alluded to has excited, the sale of the paper of that day has been quadrupled.

I have, &c.

(For Her Britannic Majesty's Consul,)

(Signed) JOHN GORING.

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

Enclosure in No. 554.

Diario de Pernambuco, No. 256, November 23, 1840.

No. 555.

Viscount Palmerston to Mr. Goring.

SIR,

Foreign Office, February 9, 1841.

I HAVE received your Despatch, marked "Slave Trade," of the 23rd November, 1840.

I have the satisfaction to acquaint you that I approve of your conduct in causing the return of slave-vessels captured and condemned from the 1st of January, 1839, to the 9th March, 1840, to be inserted in the Diario of Pernambuco.

I am, &c.

*John Goring, Esq.,
Acting British Consul, Pernambuco.*

(Signed) PALMERSTON.

No. 556.

*Mr. Goring to Viscount Palmerston.**British Consulate, Pernambuco, January 30, 1841.**(Received April 10.)*

MY LORD,

THE honour of receiving your Lordship's Despatch of the 13th of August last was deferred until the 2nd instant, upon which day it was delivered at this Consulate, having arrived by one of the Brazilian steam-vessels from Rio de Janeiro.

The Enclosures the envelope contained of one copy of three series of papers, marked A. B. and C., and three further series, similarly marked, relating to the Slave Trade, which had been presented to the two Houses of Parliament, during the past Session, by Her Majesty's command, are deposited in the archives of this office with those other similar interesting documents.

I have, &c.

(Signed) JOHN GORING, *Acting Consul.*

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

No. 557.

*Viscount Palmerston to Her Majesty's Consul.**Foreign Office, April 15, 1841.**Circular sending Treaty with the Argentine Confederation.**(See No. 32.)*

No. 558.

*Viscount Palmerston to Her Majesty's Consul.**Foreign Office, April 22, 1841.**Circular sending Treaty with Hayti.**(See No. 36.)*

No. 559.

*Mr. Cowper to Viscount Palmerston.**British Consulate, Pernambuco, July 22, 1841.**(Received September 2.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, enclosing copies of the Treaties entered into between Her Majesty's Government and the Republics of Haiti and Buenos Ayres for the Suppression of the Slave Trade.

I have, &c.,

(Signed) H. AUGUSTUS COWPER, *Consul.*

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

No. 560.

*Mr. Goring to Viscount Palmerston.**British Consulate, Pernambuco, July 26, 1841.*

(Extract.)

(Received September 20.)

I HAVE the honour of enclosing to your Lordship the returns of the Slave Trade within the limits of this province, for the period from the 1st of October, 1840, to the 30th ult., detailed in three abstracts, viz. :—

No. 1. List of those vessels which have sailed from hence for the Coasts of Africa, the nation, cargo, &c.

No. 2. List of those vessels which have arrived from hence, &c. &c.

No. 3. List of those vessels now loading in this port for the Coasts of Africa.

Reflecting upon these documents, it appears obvious that due vigilance is not observed by the superior authorities of the province; that those of inferior grade abuse the power delegated to them, otherwise the open disembarkation of the slaves, their introduction into the environs, nay within the city itself, could easily be checked; the cupidity of the importers binds the eye of justice, paralyzing the efforts of the few who are adverse to the infamous trade.

First Enclosure in No. 560.

List of Vessels which have sailed from Pernambuco for the Coasts of Africa, presumed to be employed in the Slave Trade, between the 1st of October, 1840, and the 30th June, 1841.

Date of Clearance.	Class of Vessel.	Name of Vessel.	Tonnage	Crew.	Name of Master.	Name of Owner.	Under what Flag.	For what Part of the Coast destined.	Nature of Cargo, Remarks, &c.	Milreis.
1840. October .	Brig . .	San Manoel Angelo	236	15	Manoel Limoes .	B. A. de Miranda .	Brazilian .	Loanda	175 barrels, 278 latas sugar; 177 pipes of rum: value	10,494
„	„	Uniaõ	244	16	H. J. Vierra . .	Ang. F. Carneiro .	Ditto	Ditto	3 barrels, 87 latas sugar; 217 pipes of rum	9,995
November.	„	Oliveira	203	16	P. A. de Rocha .	Mendese Oliveira .	Portuguese.	Angola	16 barrels, 207 latas sugar; 112 pipes, 1 barrel of rum	9,951
„	Brigantine .	Conceição de Maria	179	14	Angelo Montano .	Master	Brazilian . .	Quillemane . .	35 barrels sugar; 62 pipes, 158 barrels rum, at 3,387 dollars	11,586
December.	Pataxo . .	San José	78	14	J. P. da Silva . .	J. F. d'A. Lisbõa .	Portuguese.	Loanda	1 box; 40 barrels, 83 latas sugar; 64 puncheons of rum	4,196
„	Barque . .	Flor de Tejo, late the Andorinha.	271	15	J. Dias Cardoso .	An. Frans. Carneiro	Brazilian . .	Ditto	90 barrels, 53 latas sugar; 154 pipes rum	9,019
1841. January .	Pataxo . .	Paq. de Madeira .	75	14	Joaõ de Souza Brito	The same	Portuguese .	Mozambique .	139 barrels sugar; 7 pipes, 55 barrels rum, at 2,000 dollars; and 300 pieces of gold, 6 dollars, 400	10,071
March . .	Brig	Pernambucano . .	205	16	J. J. Pimenta . .	M. G. P. Lima . .	Brazilian . .	Cape Verde, per Loanda.	536 barrels, 37 latas sugar; 146 pipes 8 barrels of rum	8,650
June . . .	Barque . .	Ermelinda, late the brig Uniaõ.	244	17	H. S. Vieira . . .	A. F. Carneiro . .	Ditto	Angola	26 barrels, 26 latas sugar; 191 pipes and barrels, 9½ barrels, rum; 22,250 cigars; and sundries	11,151

Second Enclosure in No. 560.

List of Vessels which have arrived from the Coasts of Africa, at the various Ports and Creeks within the Province of Pernambuco, between the 1st of October, 1840, and the 30th of June, 1841.

Date of Arrival.	Class of Vessel.	Name of Vessel.	Tonnage	No. of Crew.	Name of Master.	Name of Owner.	Under what Flag.	From what Part of the Coast arrived.	Remarks.
1840.									
Nov. . . .	Schooner	Espadarte	125	13	José dos Braga . .	M. J. d'Oliveira . .	Brazilian	Benguella	Sailed for Rio de Janeiro.
Dec. . . .	Brig	Pacifico	305	10	Antonio Antunes Luz	M. M. Mergu	Portuguese	Angola	Passengers, ballast, &c.
.. . .	.. . .	Conceição Maria . .	203	17	. . . . .	. . . . .	.. . .	.. . .	Wax, mats, palm-oil, &c.
1841.									
Jan. . . .	.. . .	Paquete de Loanda	190	15	. . . . .	. . . . .	.. . .	.. . .	118 pipes of wine, laded at Oporto.
March . . .	.. . .	União	244	16	. . . . .	. . . . .	Brazilian	Loanda	Received on board 683 slaves, of which number 183 died on the passage, having been at sea 43 days; the vessel much crowded; short of water and provisions. Landed at Catuama about 500 slaves, very many in a sickly, weakly condition from their severe privations.
.. . .	.. . .	San Manoel	231	16	. . . . .	. . . . .	.. . .	.. . .	Wax, mats, &c.; 13 passengers.
April . . .	.. . .	Oliviera	313	18	. . . . .	. . . . .	Portuguese	Angola	Took on board 764 slaves! of which number 117 died during the voyage, the remainder landed to the southward of this port; many perished on the beach from excessive thirst, weakness, and disease. Humanity sufferers at the picture drawn of their sufferings; some were removed to the residence of one of the partners, about four miles distant from this city, where they are daily perishing, victims to the cupidity of those employed in this inhuman traffic.
May 16 . .	Barque . .	Flor de Teijo, late Andorinha.	171	15	João Rib. da Silva .	Ang. Fran. Carneiro	Brazilian . . . .	.. . .	Received on board 720 slaves! more than 50 died on the passage; landed at Catuama about 650 to 670; very many in a most wretched state from want and disease, through the overcrowded condition of the vessel. The remarks upon the "Oliviera" (above) are equally applicable to the unfortunate slaves imported in this vessel.

Third Enclosure in No. 560.

List of Vessels in the Harbour of Pernambuco loading for the Coasts of Africa, and presumed to be employed in the Slave Trade, upon the 30th of June, 1841.

Date of Arrival.	Class of Vessel.	Name of Vessel.	Tons.	Name of Master.	Name of Owner.	Under what Flag.	From what Part of the Coast landed.
1841.							
April 2	Brig .	Temerario*.	275	D. F. da Silva	M. F. Pontes .	Brazilian	..
May 16	Barca .	Florde Teijot†	172	J. R. da Silva	Ang. F. Carnero	..	Angola .

* Will sail in a few days, port not yet published.

July 26.—N.B. The "*Temerario*" sailed on the 21st instant for Angola, with an assorted cargo, for the coast, and 26 passengers; in the course of the following night, or early the next day, in violent squalls, carried away both masts, and compelled to bear up for Paraiba.

† This vessel, formerly the "*Andorinha*," varies her national flag from Brazilian to Portuguese, in accordance with the wishes of her owner; has been eminently successful in the nefarious traffic, and, like her fellow-barque the "*Emelinda*" (lately the Brazilian brig "*Uniao*"), escaped the vigilance of the English cruisers. Will sail about the middle of July.

No. 561.

The Earl of Aberdeen to Her Majesty's Consul.

Foreign Office, October 30, 1841.

(Circular, sending Papers presented to Parliament.

(See No. 113.)

BRAZIL. (*Consular*)—*Bahia.*

No. 562.

Mr. Backhouse to Mr. Porter.

SIR,

Foreign Office, January 21, 1841.

I HEREWITH transmit to you copies of communications which have been received from the Colonial Office and from Her Majesty's Commissioners at Sierra Leone, relative to a British vessel named the "*Guiana*," which has been condemned in the Vice-Admiralty Court in that Colony for violation of the Act 2 and 3 Vic. cap. 73, for the suppression of the Slave Trade.

As the result of the voyage of this vessel proved that she was engaged in the Slave Trade, and as it appears that she sailed from Bahia with the sanction of the British Consulate at that port, and that her papers were endorsed by the British Vice-Consul, it is necessary that Her Majesty's Government should forthwith be furnished with a full and precise account of the whole course of proceedings at the British Consulate relating to her, which are referred to in the accompanying correspondence; and I am accordingly directed by Lord Palmerston to call upon you for such a detailed report upon this subject without loss of time.

And I am further directed by his Lordship to take the opportunity which the present instance of fraud and deception affords, to draw your particular attention to the necessity of extreme caution and vigilance on the part of Her Majesty's Consuls, whenever they are applied to to give their sanction to the despatch of vessels for the coast of Africa.

I have, &c.

Edward Porter, Esq.
&c. &c. &c.

(Signed) J. BACKHOUSE.

First Enclosure in No. 562.

Mr. Stephen to Mr. Backhouse.

(Extract.)

Downing Street, December 31, 1840.

I AM directed by Lord John Russell to transmit to you, for the information of Viscount Palmerston, the enclosed copies of two Despatches and of their Enclosures which have been received from the Governor of Sierra Leone, stating that the Liverpool brig "*Guiana*" had been condemned in the Vice-Admiralty Court in that colony for aiding and abetting in the illicit traffic in slaves.

Second Enclosure in No. 562.

Governor Doherty to Lord John Russell.

MY LORD,

Government House, Sierra Leone, August 15, 1840.

A BRIG belonging to the port of Liverpool, named the "*Guiana*," which had been detained while on her passage from Bahia to the Bight of Benin, by the "*Viper*" schooner of war, one of Her Majesty's cruising squadron on the coast,

on suspicion of being concerned in the Slave Trade, was, on the 12th instant, condemned as prize in the Court of Vice-Admiralty in this colony, for aiding and abetting in the illicit traffic, in violation of the provisions of the Consolidated Act.

As this is the first instance which has occurred during many years of the condemnation of an English vessel for this offence, I deem it proper to acquaint your Lordship with the circumstance; and to transmit the accompanying copy of the judgment which was pronounced in the case, for your Lordship's information.

I have, &c.

(Signed)

R. DOHERTY, *Governor.*

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

Judgment in the Case of the "Guiana."

THE English brig "*Guiana*," whereof George Nickells, jun., is master, was registered at Liverpool on the 15th day of January, 1839, and is owned by James Logan and John Moore, in equal proportions, merchants of that place. The vessel having proceeded to Bahia was there chartered by the master to Manoel Francisco Lopez, of that city, on the 2nd day of January, 1840, for a voyage to Lagos on the coast of Africa.

The vessel was loaded with merchandise, shipped, as it appears by her manifest, by six different parties at Bahia, and the nature and description of the goods found on board of her are described in the Commission of Survey held by order of the Court, to be such as are usually employed in the Slave Trade.

The "*Guiana*" having completed her cargo proceeded direct to the coast of Africa, where she was captured on the 26th day of March last in latitude 4° 27' N., longitude 5° 26' W., by Lieutenant Godolphin James Burslem, commanding Her Majesty's schooner "*Viper*."

The capture took place, as appears by the affidavit of Humphrey John Julian, mate of the "*Viper*," by reason that the said brig being a British vessel was aiding and abetting the Slave Trade, contrary to the Act of Parliament passed on the 24th day of June, 1824, and entitled "An Act to Amend and Consolidate the Laws relating to the Abolition of the Slave Trade." The affidavit then proceeds to state, that the said brig "*Guiana*" was let to freight, or on hire, by the said George Nickells, the master thereof, to one Manoel Francisco Lopez, a merchant at Bahia, in Brazil, for the purpose of conveying goods, wares, and merchandise to divers persons on the coast of Africa, as appears by a charter-party found on board the said brig at the time of her seizure.

The said goods, wares, and merchandise were to have been delivered at noted places on this coast for carrying on the Slave Trade.

The Court considering further proof necessary directed a libel to be drawn up by the proctor for the prosecution, which was done and filed in the registry of this Court on the 17th June, and the allegations contained therein were assigned to be proved on the 26th day of that month.

In support of the charges alleged against the brig "*Guiana*," certain letters found on board of her at the time of seizure were translated and filed in evidence, and other papers and letters have been invoked from the Court of Mixed Commissioners for the same object. I shall advert to those in the order in which they came before the Court, and it is by these contents that the fate of this vessel must be decided.

No. 1, in the first set of translations, is a letter dated Bahia, 1st February, 1840, addressed to Joaquim Menzes Campos, supercargo of the brig "*Guiana*," and signed by Manoel Francisco Lopez at that place, of which the following is an extract:—

"Enclosed you will find a bill of lading and invoice of a quantity of tobacco, spirits, and other description of merchandise, which I have put on board the English brig "*Guiana*" at this place, and consigned to you at Onim. The cargo is insured by a company at Liverpool for 60,000 dollars."

The letter then proceeds to direct Campos to "confine himself to legal trade," and that he "was to purchase three canoes, and hire canoe-men at Elmina for the purpose of unloading the cargo at Lagos with all possible speed, and despatch her back to Bahia."

On referring to the bill of lading and the original invoice mentioned in this

letter, and to the vessel's manifest to which the bill of lading is attached, I find that the goods shipped by Lopez are consigned to Campos, or to Domingo Jozé Martinez, of whom I shall have occasion to speak hereafter.

The bill of lading in question is not signed by the master, for what reason does not appear, unless it be the objection inserted in it about a deficiency of 14 rolls of tobacco. I cannot, however, but view the circumstance with suspicion.

In the second set of translations of papers found on board the detained vessel are the following:—

No. 1 is a list of articles purchased at Elmina.

No. 2 is a paper containing instructions for the treatment of diseases peculiar to slaves when confined on board of vessels. The following is an extract from this document:—

“I feel persuaded that the disease called scurvy is almost invariably brought on from a want of good food and fresh water, from the close foul air which is breathed, and which produces sickness, particularly when there are any number on board vessels, or confined in prisons.”

The master states in answer to the seventh interrogatory put to him by order of the Court, that he “never saw the paper writing No. 41, now produced, to his knowledge, before, and does not know for what purpose it was intended.”

No. 3 is a translation of a letter numbered 40, dated Bahia, 26 January, 1840, addressed to Domingo Jozé Martinez by Jozé Joaquim Gomez Guines, informing him of the sales of *his* 18 bales, which the former had sent by the “*Juliana*,” showing a balance in favour of Martinez of 4,416 dollars, 440 reis.

The account sales of these 18 bales consigned by the said Domingo Jozé Martinez from Onim to his correspondent Jozé Joaquim Gomez Guines, at Bahia, proves them to have been *slaves*, for although they are called *bales* in the correspondence, yet the account sale descends into particulars, and plainly describes them as so many men, women, and children, the parties to whom they were sold, the charges for medicine administered to them when at the factory, and the provisions and clothes with which they had been supplied.

In this letter No. $\frac{40}{3}$ there is a clear and undeniable proof that Jozé Joaquim Gomez Guines, who is a shipper of goods on board the “*Guiana*,” consigned to his slave-factor or agent at Onim, Domingo Jozé Martinez, and to whom a large proportion of the cargo on board the “*Guiana*” is consigned, are persons carrying on the Slave Trade, and who doubtless imagined they would effectually cloak their unworthy designs by shipping their goods on board an English vessel, to protect them from seizure by British cruisers.

No. 4 is a letter to Manoel Joaquim Bachelor, of Onim, to the care of Senhor Campos, Bahia, 18th January, 1840, viz., “We beg to acquaint you that we do hereby agree to allow you *six dollars* commission on every *bale* that you send on our account, either to Senhor Martinez or to this place, and we allow you 100 dollars a month for all your other expenses. We have already given you that part of the letter which we have written to Senhor Martin, advising him to send you an assortment of goods, as well as some spirits and other articles, which we have not sent from hence.”

The letter then proceeds to direct that “all bales on hand may be sent by *the schooner*, and send them to this place, and put on board all he can.”

(Signed) GANTON and MARTIN.
JAMES PARTHEL.

No. 5 is of no importance.

No. 6, a letter addressed to Manoel Joaquim D'Almeida, if absent to Carlos Roza Negur, and in his absence to Joaquim Pinto Menzes Campos Aguda, Bahia, 12th February, 1840, stating that “he had sent by the English brig ‘*Guiana*’ an invoice of goods amounting to 881,580 reis.

“The goods were put on board by Manoel Francisco Lopez to be delivered by Campos.”

(Signed) ESLADE MZ. DE CARVALHO.

The foregoing are extracts of letters and papers found on board the brig “*Guiana*,” and I shall now proceed to give similar extracts from papers invoked

by the captor's proctor from the Courts of Mixed Commission, and which are as follows:—

CLASS A.

The claim of Jozé de Souza Campos for the Brazilian "*Sociedade Feliz*."

This vessel had on board various merchandise, consisting of 1,000 rolls of tobacco, and *one cauldron*, shipped by the notorious slave-dealer Manoel F. Lopez, also on behalf of Martinez de Couto Vianna, supercargo of the said brigantine.

This vessel was condemned, for being equipped, 13th December, 1839.

A.

Campos made an affidavit in support of his claim, in which he swears that "Lopez shipped the cauldron and enclosed it *in a box*." This Manoel Francisco Lopez is the individual who shipped the goods on board the "*Guiana*," and consigned them to the slave-dealer Domingo Jozé Martinez, at Onim, of whom I have had occasion to speak, and whose pursuits I have described.

No. 24, A.

A letter of Lopez to Vallacca, at Onim, informing him that Queen Donna Maria had made a Treaty with the English Government declaring Slave Trade piracy.

B., No. 22.

Letter addressed to Jozé Pinto Menzes Campos, at Onim, or, in his absence, to Jozé Cotta, at his factory at Onim. Bahia, 10th February, 1840.

"Señor Pinto Menzes Campos is requested to receive from Señor Cotta, at Onim, the sum of 1680 dollars, and to send the money to him, or, in the event of there being a vessel engaged in a legal trade, and that will receive on freight a *cargo of asses*, of which you are already aware that I wish you to purchase me the value of half this amount, and to send them to me, or to Jozé Pena Carlho da Cunha, or to Raimundo da Pez.

"You must also obtain for me not less than *four pair of seats*, which must be high, tall, pretty good-looking, even though they should cost 70 dollars, for which I shall feel under the greatest obligation.

(Signed)

"LEWIS PACHECO DA SA.

"N.B. In procuring a vessel, be sure to procure one returning to this place *with bales*, whereby you may with confidence send me the remainder."

This letter at once stamps the character and pursuits of the illustrious Señor Pinto Menzes Campos, supercargo of the English brig "*Guiana*," whereof one George Nickells lately was, or pretended to be, master.

B.

Enclosure No. 2 to No. 22.

SEÑOR JOZE COTTA,

Bahia, February 10, 1840.

I have to request the favour of your sending me by any one that may bring people, as I would wish you to purchase this kind of goods and to remit them to me at this place, and to be delivered either to me, or, in my absence, to Jozé Pena Carvalho da Cunha, or Raimundo da Pez, and with what remains out of the 1680 dollars, I must ask you to make a good selection, and procure for me at least four pair of *seats*, high, tall, good-looking, and young, though they should even cost 70 dollars.

(Signed)

LEWIS PACHECO DE SA.

B., No. 42.

Bahia, February 1, 1840.

Letter addressed to Manoel da Paxas Fen^a, at Onim, enclosing to him a bill of lading of 13 pipes and 10 half-pipes, put on board the English brig "*Guiana*," and belonging to the parties as follows:—

"6 to Gonacho Alfonso Vianna, mate of the schooner '*Maria*.'

6 half-pipes and 3 pipes on account of Joaquim Lopez Pereira.

4 pipes and 4 half-pipes to Domingo Jozé da Costa Sieres.

"Separate bills of lading for each of the parties have not been made out, in consequence of the captain not being willing to sign so many of these documents.

(Signed)

"JOZE DA COSTA, Jun., and Co.'

This Jozé da Costa, jun., and Co., are shippers of goods on board the "*Guiana*," consigned to different parties at Onim. They were the owners of the polacca "*Santo Antonio Victorioso*," condemned in the British and Brazilian Courts of Mixed Commission in this colony, for being equipped for the Slave Trade, in May last; and Joaquim Lopez Pereira was the master thereof, and to whom a consignment of spirits is on board the "*Guiana*."

There is a second instance of the master of the "*Guiana*" refusing to sign bills of lading "for so many of these things."

To the third interrogatory put to him on this point, he says that "he signed all the bills of lading for the delivery of the goods on board; never refused to sign any that agreed with his mate's account."

This statement is directly at variance with the letters of M. F. Lopez, the principal shipper, and of Jozé da Costa, jun., and Co., who state to their consignees at Onim that the master refused to sign their bills of lading, not liking to sign so many of these things. A reference to those documents before the Court proves this fact, for they are not signed. I cannot, therefore, but view the master's evidence with the greatest distrust; the circumstance of his having refused to sign these bills of lading for so large a proportion of the cargo on board the "*Guiana*" has created in my mind a suspicion most unfavourable to all his proceedings, and his evasive answer to a plain and simple interrogatory is, to use the words of a well-known eminent civilian, "a modesty that is not without its meaning."

B., No. 45.

A letter to Joaquim Jozé de Brito Lund, Onim, Bahia, 17th January, 1840, stating that, "as the coast was in an unsettled state, they were not encouraged to send another cargo, owing to a part of the first which was remitted by Vianna having been altogether lost; and with regard to the second, the profits were even less, as we only received 32 S. on account of that cargo.

"You have expressed a desire to put on board of Captain Vianna all that you have received on account of the business, as well as some fees on account of the cargoes which it appears belong to my brother and Gregorie. In answer, I have to acquaint you, that you must at once ship them for this port in any vessel you can obtain. Failing in this, you may forward them to Havana, to be there delivered to Lograno in the name of the different parties to whom they may belong, taking care to remit to me at this place the account sales.

"Enclosed you will receive a bill of lading of six pipes of spirits which I have put on board the English brig "*Guiana*" on your account and risk. I must beg of you to use your utmost exertions in forwarding my object in the receipt of the S. which you are aware have been some time due to us, as well on account of the first as on account of the last voyage, and therefore hope to receive them as early as possible after the receipt of this letter, together with those which may be embarked as mentioned in an earlier part of this."

Every person at all conversant in the mode of conducting correspondence relative to the Slave Trade, knows that *Ss* and *bales* mean slaves.

JOZE HENRIQUE FERRAK.

The extracts of letters which I have quoted, and which have been filed in support of the captor's libel against the brig "*Guiana*," clearly stamp the characters of the shippers and consignees of the cargo to be persons concerned and actively engaged in the Slave Trade.

The master of the "*Guiana*" makes an advantageous charter of his vessel to Manoel Francisco Lopez, of Bahia, a well-known slave-dealer; he receives on board a cargo of merchandise well assorted for the Slave Trade, and that trade only; it is shipped by slave-dealers, and consigned to slave-dealers residing at their factories at Onim or Lagos, on this coast, a place, above all others, notorious for its traffic in slaves, and for that trade only. He received a letter of instructions from Edwards and Co., of Bahia, who appear to have been the consignees of the brig on the outward voyage from Liverpool, but who have thrust him forward as the person chartering the vessel to Lopez, for what object this Court is not informed.

He is the person who made the charter-party, the man making the contract and directing the actual course of the vessel. From him, therefore, might have been expected some testimony as to the engagements of his vessel, had he been actuated by pure and disinterested motives; but no explanation has been offered, no claim

has been filed either for vessel or cargo; and the master having refused to be examined on special interrogatories put to him by order of this Court until compelled by an attachment issued against his person, has left an impression injurious to his credit and conduct in the whole of this transaction, an impression but too clearly established by the letters and papers to which I have had occasion to advert in the course of this inquiry.

He is, therefore, a reluctant witness, and one from whom no satisfactory information could be obtained.

I am satisfied on the facts of this case, that it was the plan of this voyage, by those interested in its results, to avail themselves of a highly advantageous freight to the slave marts at Lagos, on the coast of Africa, for the purpose of conveying merchandise under the supposed protection of the British flag. No claim has been made, and no explanation having been offered, the present evidence, which I have already quoted, must be taken as conclusive in proving indubitably the vessel's employment in carrying goods to be employed in the Slave Trade; and that, being so employed, freighted, and hired, she is justly subject to confiscation.

The case of the English brig "George and James," adjudicated and condemned in this Court in October, 1825, is very similar to that of the "*Guiana*." The "George and James" came to the coast of Africa, and having proceeded to Wydah, Dolland, her master, there sold the vessel to Mr. Ramsay, who was his first mate. Ramsay took her to the Brazils, shipped a cargo, and proceeded back again to Wydah, where a considerable portion of such cargo was distributed to vessels which were on that part of the coast trading for slaves.

This vessel was taken by Her Majesty's ship "Atholl" at or off Wydah, brought to Sierra Leone, tried under the Consolidated Slave Trade Abolition Act (5 Geo. IV., cap. 113, sec. 4) in the Court of Vice-Admiralty, and condemned under the 4th section of the said Act, by which it is enacted (recite).

This vessel's charter became the subject of a correspondence between His Majesty's Vice-Consul at Bahia and the Right Hon. George Canning, then His Majesty's Secretary of State for Foreign Affairs.

Mr. Canning referred the matter to the King's Advocate-General, who reported that by the Act of the 5th Geo. IV. for the suppression of the Slave Trade, cap. 113, sec. 7 (recite); and he further gives his opinion that the employment of British shipping described in the Vice-Consul's letter comes within the terms of this prohibition.

With this authority before me, the legal difficulty which presented itself in this case is in a great measure removed.

I shall therefore condemn the "*Guiana*" under the 4th section of this Act, with all her boats, guns, tackle, apparel, and furniture; and together likewise with all property, goods, or effects found on board belonging to the owner or owners, part owner or owners, as forfeited to our Sovereign Lady the Queen; and, as it regards the cargo, I pronounce for the penalties imposed by the 7th section of the said Act, which are double the value of all the money, goods, and effects shipped, transhipped, laden, received, or put on board of the "*Guiana*," to be recovered from the respective shippers or consignees of the goods. And moreover, I order and direct the cargo on board the said brig "*Guiana*" to be held in deposit until such penalties are recovered, or eventually to be sold, as the justice of the case may require.

August 12, 1840.

(A true Copy.)

(Signed)

N. W. MACDONALD,

Acting Colonial Secretary.

Third Enclosure in No. 562.

Governor Doherty to Lord John Russell.

Government House, Sierra Leone,

August 20, 1840.

(Extract.)

I do myself the honour to transmit, for your Lordship's information the accompanying copies of Letters addressed to me by the Queen's Advocate, the Acting Secretary to Government, and the Police Magistrate, respecting the escape from arrest of the master and mate of the brig "*Guiana*," after the condemnation of

CLASS B.

that vessel on the 12th instant, which I have reported to your Lordship in my Despatch of the 15th.

Those individuals could not be brought up and committed previous to the adjudication of the vessel, except upon the affidavit and evidence of the prize officer or one or more of the prize crew, and those parties declined to move in the matter until the case should be decided.

There is every reason for believing that the master at least, George Nickell, effected his escape in the "Henry Macormack," William Leech master, a schooner belonging to Mr. Hamilton Macormack, merchant, of this colony, which sailed on the 13th instant for the port of Cork, with Mr. Macormack himself on board; and it will be perceived by the Acting Secretary's letter, that Mr. Macormack has rendered himself liable in very heavy penalties, both for his own departure, which took place without a passport, and for that of any other person who may have left the colony in his vessel in the same illegal manner.

If the law of England will admit of Mr. Macormack and the master Nickell being seized in Great Britain and sent back to Sierra Leone, the measure would be attended with the best results.

The Queen's Advocate at Sierra Leone to Governor Doherty.

SIR,

Freetown, August 15, 1840.

I HAVE the honour to state, for your Excellency's information, that the captain and mate of the brig "Guiana," against whom warrants were issued for their apprehension, have not been found by the bailiffs, and are supposed to have embarked on board Mr. Macormack's schooner, which left this harbour two days ago for England.

I beg also to state that six men belonging to the said "Guiana's" crew are now in custody.

I have, &c.

(Signed) JOHN CARR, *Queen's Advocate.*

His Excellency Colonel Doherty,
&c. &c. &c.

The Acting Colonial Secretary to Governor Doherty.

SIR,

Secretary's Office, Freetown, August 18, 1840.

I HAVE the honour to report, for your Excellency's information, that on Wednesday last, the 12th instant, the British brig "Guiana," whereof George Nickell, junior, was master, having been condemned in the Vice-Admiralty Court of this colony for having been engaged in aiding and abetting the Slave Trade, it was found necessary to issue a warrant for the apprehension of the said master, in order that he might be dealt with as the law directs.

At the request, therefore, of the Queen's Advocate, I immediately waited on the Police Magistrate at the Police Office, and having given the necessary information as to the condemnation of the "Guiana," and as to the said George Nickell, jun., being the master of her, a warrant was issued for his apprehension, certainly no more than a quarter of an hour after the rising of the Vice-Admiralty Court; and having been informed that it was the master's intention to proceed home in Mr. Hornell's vessel, I took the opportunity while at the Police Office of directing the sub-inspector, in whose hands the warrant was placed, to search every vessel in the harbour for Captain Nickell, and bring him on shore and lodge him in the Police Office.

I most certainly expected that, as no delay whatever had occurred in issuing the warrant after the condemnation of the vessel, the master would have been taken; but I regret to report to your Excellency that I have been informed he has effected his escape and sailed from this harbour in the schooner "Henry Macormack," William Leech master (late the American schooner "Courtney"), the property of Mr. Hamilton E. Macormack, a merchant of this colony, and which vessel sailed on Thursday, the 13th, for Cork.

If Mr. Macormack has permitted this person to be taken away in his vessel from this colony (and there cannot be any doubt on the subject), he has, having himself entered into bond with his master, made himself and his master liable to the penalties laid down in Act of the Governor in Council, under date the 18th

September, 1827, which enacts, that the master of every ship or vessel shall give security in the secretary's office, with one sufficient householder, in the sum of three hundred pounds, that he shall not carry away from this colony any person whatever without such person having first obtained a passport from the secretary of the colony.

It appears, also, on reference to the register of passports, that Mr. H. E. Macormack left this colony without any passport himself; and although it would have been wiser perhaps, in consequence of Mr. H. E. Macormack's intention to leave the colony himself, not to have accepted him as security for the master of his vessel (which occurred in consequence of Mr. Fergusson, who took the bond, not knowing at the time that such was Mr. Macormack's intention), still, as it has been a practice repeatedly followed here, I conceive, that, should it be deemed necessary to take any legal measures in this case, Mr. Macormack has, as well as his master, become clearly liable, not only for taking away the master of the "*Guiana*" without a passport, but for leaving the colony himself without one.

I have, &c.,

(Signed) N. W. MACDONALD, *Acting Colonial Secretary*.

His Excellency Governor Doherty,
&c. &c. &c.

The Police Magistrate at Freetown to Governor Doherty.

SIR,

Freetown, August 18, 1840.

I HAVE the honour, in obedience to your Excellency's order, to report to you what I had done, and what took place in reference to myself in the case of Nickell, lately Master of the British Brig "*Guiana*." On Wednesday the 12th current, in the Vice-Admiralty Court, the Queen's advocate came to me and inquired if I had a warrant; I told him I had not, but that I would send for one, which I did. After the court was dismissed (about one o'clock) I walked to the police-office, accompanied by the deputy-registrar of the Vice-Admiralty Court, in whose name I made a warrant out for Nickells' seizure, signed and delivered it to the sub-inspector on duty for execution, telling him that he would, in all probability, find him on board of a vessel then preparing for sea, or in the owner's house. I then went to the secretary's office to get a paper containing the names of a mate and seaman belonging to the "*Guiana*." I returned to the police-office, made out these two warrants and delivered them for execution, stating that the mate would most likely be found in another vessel preparing for sea. I then left, and returned about two o'clock to inquire respecting the success of the constable, who told me that they had just returned from the wharf and could not get a boat. I then told them to hire one, and left. I heard no more of the matter till five o'clock, when the sub-inspector came to my house, and told me that himself and the head constable had visited the two vessels, and the house of one of the owners, but could find neither master nor mate; but they had found the seaman and had him in charge. I remarked that it was a pity they did not find the others, but recommended that they should keep a good look out. The above contains all I know of the case.

I have, &c.,

(Signed) J. MACRAE, P. M.

His Excellency Governor Doherty,
&c. &c. &c.

Declarations of Five Seamen of the "Guiana."

Police Office, Freetown, Monday, August 17, 1840.

Before C. MACRAE, Esq., P. M.

JAMES Metcalfe, William Long, Daniel Carey, Joseph Ishol Anthony, and John Goodman, brought up by warrants and charged with having been found on board the brig "*Guiana*" at the time of her capture by Her Majesty's brig "*Viper*," Lieutenant Burslem Commander, for aiding and abetting the Slave Trade.

N. W. Macdonald, Esq., sworn:—States that he is registrar to the Court of Vice-Admiralty: the brig "*Guiana*" was condemned in that court for aiding and abetting the Slave Trade.

Defence.—James Metcalfe states, he is a native of Cumberland, shipped at Liverpool on board the brig "*Guiana*," bound for Bahia, stayed there two months, shipped with the understanding that he was to return in the vessel to Liverpool; on being told at Bahia that the vessel was going to the Coast of Africa, made inquiry as to whether it was a legal voyage, and was told it was; had no advance of wages, nor any promise of any; had he been aware that the vessel had an improper cargo on board he would not have joined her; did not know that the vessel was taking a cargo for the purpose of being employed in the Slave Trade on the Coast of Africa.

William Long states, he is a native of Harwich, in Essex, shipped at Bahia at the British Consul's office; the Consul, Mr. Whateley, told him the vessel was going on a legal voyage to the Coast of Africa, and that she was to return to Bahia with a cargo of palm oil, or else in ballast; went to Bahia in the Liverpool brig "*Emerald*," from which he was discharged, and he then shipped on board the "*Guiana*;" had he had any suspicion of the nature of her cargo, or what it was intended for, or that she was bound on an illegal voyage, he would not have joined her. The captain of the "*Emerald*" recommended him to Captain Nickell; asked the British Consul at Bahia, Mr. Whateley, if the vessel was going a legal voyage, and was informed by him that she was; received a document from the British Consul's office, of which the following is a copy:—

"John Long,

"Be pleased to pay the bearer, seaman of the brig '*Emerald*,' the sum of six pounds eleven shillings and four-pence sterling, being the balance of wages due to him for his services on board the said vessel.

"Bahia, 3rd January, 1840.

"To Messrs. Glen and Anderson,

"Corn Hill, Liverpool,

"or, Messrs. Ryan and Dale,

"63, Old Broad Street,

"London.

"John Varty.

"These are to certify that the above order was given for wages due to John Long, seaman of the brig '*Emerald*,' he having been discharged at this port with the consent of all parties.

"British Consulate,

"Bahia, 31st January, 1840.

(L.S.)

"JOHN WHATELEY,

"Vice Consul."

Daniel Carey states, that he is a native of Dublin, shipped at Bahia on board the "*Guiana*," went to Bahia on board a steam-vessel, and left her at that place; was told by a Mr. Wilson, a merchant at Bahia, that the "*Guiana*" wanted men, and was going to the Coast of Africa; shipped at the British Consul's office; did not suspect the "*Guiana*" was going on an unlawful voyage, had he suspected such to be the case he would not have joined her; had only the usual wages, 2*l.* 10*s.* per month, and no small stores; had 4*l.* per month on board the steamer. The captain and the consul told him the vessel was to take in a cargo of palm oil, or else to return in ballast; on their passage fell in with Her Majesty's brig "*Viper*," the captain of which came on board, when Captain George Nickell, jun., of the "*Guiana*," told him that he was on a lawful voyage, and that if he sent him to Sierra Leone he must stand the consequences; shipped with the understanding of returning to England in the "*Guiana*," after her return to Bahia; saw nothing in the cargo to make him suspect there was anything wrong in it. An American vessel shipped a similar cargo and returned without being obstructed; had no suspicion that the cargo was consigned to any person on the Coast of Africa engaged in the Slave Trade; thought the voyage was perfectly legal; the captain of Her Majesty's brig "*Cameleon*" boarded the "*Guiana*" at Bahia, but said nothing.

Joseph Ishol Anthony states, he was born at Hastings; shipped on board the "*Guiana*" at Bahia; went there in the "*Ellen Marr*," which he left on arriving there; Captain Benstead, of the "*Ellen Marr*," and Captain Nickell, of the "*Guiana*," went with him to the British Consul's office, at Bahia, and he agreed before that officer to go on board the "*Guiana*" in the capacity of steward; conceived it was a legal voyage, and heard nothing to make him think otherwise; had

he suspected otherwise he would not have joined her; shipped on the understanding that he was to return to Bahia, and to proceed thence to England; had the usual wages of 2*l.* 10*s.* per month; did not know the cargo of the "*Guiana*" was consigned to any persons engaged in the Slave Trade.

John Goodman states, he was born at Deptford and brought up in Dublin; shipped on board the "*Guiana*" at Bahia, had been previously three years in the Brazilian service, from which he had got his discharge; shipped at the British Consul's office at Bahia, and signed articles in presence of the consul; asked the consul if there was any harm in shipping in the "*Guiana*," who told him not to be frightened, he was quite safe; had no suspicion that it was otherwise than a legal voyage, had he thought so he would not have joined the vessel; understood that the "*Guiana*" was to take in a cargo of palm oil on the African Coast or else to return in ballast; shipped on the understanding, that on his return to Bahia he was to proceed in the "*Guiana*" to England; had 2*l.* per month wages; had no idea that the person to whom the "*Guiana's*" cargo was consigned was in any way connected with the Slave Trade; had no document from the consul at Bahia.

Ordered—That the prisoners be discharged.

(Signed)

C. MACRAE, P. M.

A true Copy.

(Signed)

J. B. CATTELL, J. P.

Fourth Enclosure in No. 562.

Sierra Leone Commissioners to Viscount Palmerston.

August 27, 1840.

(See Class A, 1840, No. 17, page 17.)

No. 563.

Mr. Porter to Viscount Palmerston.

British Consulate, Bahia, December 31, 1840.

(Received March 10, 1841.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of 13th August, 1840, with copy of two Series of Papers relating to the Slave Trade, which have been presented to the two Houses of Parliament by Her Majesty's command.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.*

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

&c.

&c.

&c.

No. 564.

Consul Porter to Viscount Palmerston.

British Consulate, Bahia, December 31, 1840.

(Received March 10, 1841.)

MY LORD,

I HAVE the honour to transmit herewith List No. 1 of the vessels which have entered the port of Bahia from the coast of Africa during the three months ending the 31st December, 1840.

List No. 2 of the vessels which have departed for that coast during the same period.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.*

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

&c.

&c.

&c.

First Enclosure in No. 564.

List of Vessels which have entered the Port of Bahia from the Coast of Africa, from the 1st of October to the 31st December, 1840.

No.	Date of Entry.	Nation.	Class of Vessel.	Name of Vessel.	Tonnage	No. of Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Whence.	Days Out.	Remarks.
1	Nov. 17.	Portuguese.	Yacht	Nra. Sra. das Dolores	50	8	Manl. Anto. Vieira	Joao Anto. Magalhms.	Ballast.	Onim.	47	Landed 137 slaves.
2	Nov. 19.	Brazilian	B. schooner	Novo Intrepido	155	18	Manoel Jozé	Joao da Costa, jun.	General	Do.	33	
3	Nov. 20.	Belgian	Barque	Independencia.	229	11	J. H. Smit.	Deden.	Salt	Ajudá	28	
4	Nov. 24.	French	Brig	Mirabeau	272	11	De Jole	Le Perteire	General	Coast of Africa	36	
5	Nov. 26.	Brazilian	Schooner	Juliana	107	22	Quirino Antonio	Joagm. Roiz Pinto.	Ballast.	Do.	22	Landed 330 slaves.
6	Dec. 5.	American	Brig	Alexander	198	9	Rauch		Do.	Onim.	27	

British Consulate, Bahia, 31st December, 1840.

(Signed) EDWARD PORTER, Consul.

Second Enclosure in No. 564.

List of Vessels which have cleared out from the Port of Bahia for the Coast of Africa, from the 1st of October to the 31st December, 1840.

No.	Date of Clearance.	Nation.	Class of Vessel.	Name of Vessel.	Tonnage	No. of Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Destination.	Days Out.	Remarks.
1	Oct. 21.	Brazilian	B. schooner	Feliz Ventura	123	11	Jozé Mariano	Franco. Jozé da Silva	General	St. Thomas	Not known.	
2	"	French	Barque	Ceres	411	18	Quintu	Badem	Tobacco and rum.	Coast of Africa	"	
3	Nov. 4.	Portuguese.	Schooner	Gracioza Vengativa	65	8	Jozé Manoel	Graciano J. Roiz	General	St. Thomas	"	Not suspected.
4	Nov. 13.	Brazilian	Do.	Picao	160	29	Picao	Anto. Pedrozo	Ballast.	Coast of Africa	"	
5	Nov. 29.	Portuguese.	Barque	Flor d'Amizade	226	21	Joao de Sza Lobo	d'Albuquerque.	Tobacco and rum.	Angola	"	
6	Dec. 11.	Brazilian	Schooner	Pedro Segundo	167	18	Anto. J. Mauricio	Anto. Pedrozo	Ballast.	Coast of Africa	"	
7	Dec. 12.	Do.	Do.	Juliana	133	18	Quirino Antonio	Jozé Maria Henriquez.	Do.	Do.	"	

British Consulate, Bahia, 31st December, 1840.

(Signed) EDWARD PORTER, Consul.

No. 565.

Viscount Palmerston to Mr. Porter.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 32.)

No. 566.

Viscount Palmerston to Mr. Porter.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 36.)

No. 567.

Mr. Porter to Viscount Palmerston.

British Consulate, Bahia, March 31, 1841.

(Received June 21.)

MY LORD,

I HAVE the honour to enclose a Return No. 1 of vessels which have entered the port of Bahia from the coast of Africa during the three months ending this day. Return No. 2 of the vessels which have sailed to that coast during the same period.

I have, &c.

(Signed) EDWARD PORTER, *Consul.*

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

First Enclosure in No. 567.

List of Vessels which have Entered the Port of Bahia from the Coast of Africa, from the 1st January to the 31st March, 1841.

No.	Date of Entry.	Nation.	Class of Vessel.	Name of Vessel.	Tonnage	No. of Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Whence.	Days Out.	Remarks.
1	Jan. 6	Brazilian	Schooner	Picaõ	160	25	Picao	Anto. P. d'Albuquerque	Ballast	Coast of Africa	41	Landed 550 slaves.
2	Jan. 8	Do.	Do.	Vertude Uniaõ	41	16	Simao Pereira	Luis Pacheco da Sa.	Do.	Do.	50	Landed 80 slaves.
3	Jan. 26	French	Barque	Ville de Marseille	310	15	Charles Forbes	Not known	Wax, &c.	Benguella	23	
4	March 13	Portuguese	Schooner	Gracioza Vingativa	16	10	Jozé Manoel	Graciano Jc. Roiz	Ballast	Princes' Island	27	Landed 61 slaves.
5	March 31	French	Barque	Ceres	291	18		Badem	Salt	Coast of Africa	33	Captain died at sea.

British Consulate, Bahia, 31st March, 1841.

(Signed) EDWARD PORTER, Consul.

Second Enclosure in No. 567.

List of Vessels which have Cleared out from the Port of Bahia for the Coast of Africa, from the 1st January to the 31st March, 1841.

No.	Date of Clearance.	Nation.	Class of Vessel.	Name of Vessel.	Tonnage	No. of Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Destination.	Days Out.	Remarks.
1	Jan. 7	Portuguese	Schooner	Gentil Africana	187	10	Manl. Pinro. da Sa.	Anto. Manl. Ferreira	Rum	Angola	Not known.	
2	Feb. 19	French	Brig	Marabout	231	14	De Ioie	Le Perteire	General	Coast of Africa	;	
3	Feb. 22	Brazilian	Do.	Nova Aurora	165	16	Joaõ Se. Peixoto	J. J. dos Stas. Malhado	Do.	Do.	;	
4	March 21	Do.	Smack	Fortuna	83	7	Fran. Je. da Rocha	Jozé Joaquin. d'Almada.	Do.	Do.	;	Detained, and sent to Rio de Janeiro by H. M. S. Rose.
5	March 24	American	Schooner	Illinois	74	5	J. Swift	Not known	Do.	Do.	;	

British Consulate, Bahia, 31st March, 1841.

(Signed) EDWARD PORTER, Consul.

No. 568.

*Mr. Porter to Viscount Palmerston.**British Consulate, Bahia, May 23, 1841.*

(Extract.)

(Received July 29.)

ON the 13th inst. I had the honour to receive the Foreign Office Despatch of January 21st, enclosing copies of communications which had been received from the Colonial Office and Her Majesty's Commissioners at Sierra Leone, relative to the British brig "*Guiana*," condemned in the Vice-Admiralty Court in that colony for violation of the Act 2 and 3 Vic., c. 73, for the suppression of the Slave Trade, and desiring that I should forthwith furnish Her Majesty's Government with a full and precise account of the whole course of the proceedings of the British Consulate relating to the brig "*Guiana*," and calling my particular attention to the necessity of extreme caution and vigilance, whenever applied to to give my sanction to the despatch of vessels to the coast of Africa.

In compliance with the commands of your Lordship, I beg leave to state, that the brig "*Guiana*" left Bahia for the coast of Africa in the month of February, 1840; that although I had taken charge of the archives of this Consulate on the 31st of December previous, my *exequatur* was detained at Rio de Janeiro until the middle of the month of March. Mr. Vice-Consul Whately continued to discharge the consular duties connected with shipping and the Brazilian authorities up to that period. I therefore transmitted to Mr. Vice-Consul Whately copies of the communications made by the Colonial Office and Her Majesty's Commissioners at Sierra Leone, requesting him to furnish me with the desired information.

I have now the honour to lay before your Lordship Mr. Whately's report of the proceedings which took place in relation to that vessel, together with copies of the certificates, which are invariably given at this Consulate to the masters of British vessels, to enable them to obtain their clearances from the Custom-House and other public departments of this place.

I beg to assure your Lordship that due caution and vigilance shall be observed by me, whenever applied to to sanction the despatch of vessels to the coast of Africa.

First Enclosure in No. 568.

Mr. Porter to Mr. Whately.

SIR,

British Consulate, Bahia, May 17, 1841.

I TRANSMIT for your perusal the accompanying correspondence received from the Foreign Office relative to a British vessel named the "*Guiana*," which sailed from this port for the coast of Africa in the month of February, 1840, and was there condemned for violation of Act 2 and 3 Vic., c. 73, for the suppression of the Slave Trade.

I am commanded by Lord Palmerston forthwith to furnish Her Majesty's Government with a full and precise account of the whole proceedings at the British Consulate relating to her, which are referred to in the accompanying correspondence; and as at the time of the sailing of the "*Guiana*" you were discharging the consular duties, and it is stated that her papers were endorsed by the British Vice-Consul, I have to request you will give me such a detailed report upon the subject, that I may transmit the same without loss of time to his Lordship.

I have, &c.

(Signed) EDWARD PORTER, *Consul.**John Whately, Esq.,**&c. &c. &c.*

Second Enclosure in No. 568.

Mr. Whately to Mr. Porter.

(Extract.)

Bahia, May 21, 1841.

I HAVE the honour to acknowledge the receipt of your Letter of 17th inst., with its sundry enclosures from the Foreign Office, respecting the brig "*Guiana*," which proceeded from this port to the coast of Africa in February last year, and

CLASS B.

requesting from me a detailed report of the circumstances in order that you may transmit the same to Lord Palmerston, as the said brig had been condemned for aiding and abetting in the Slave Trade, under the 4th section of the Act of 5 Geo. IV., c. 113, which Act not existing in the consulate, I am ignorant as yet upon what precise point the confiscation took place.

As far as my memory will carry me, I will relate what occurred at the consulate, of which you will no doubt have a perfect recollection, as you were here at the time, the archives of the consulate having been delivered over by me on 31st December previous, and I merely continued to act in consequence of the unaccountable delay which took place in the forwarding of your *exequatur* from Rio de Janeiro; and I feel confident that, had you considered that there was anything illegal in the voyage the "*Guiana*" was represented to be about to undertake, as far as was known to us, you would have mentioned it at the time. Previous, however, to making these observations, it may not be amiss to state, that the manifest and other documents, alluded to in the report as having been certified by me, were not registered at the consulate, in consequence of the parties demanding the certificates not requiring their registration; upon this point I was always particular during the time I had charge of the consulate, as it was the one upon which my predecessor lost his office, and my attention was particularly called to it when I was installed.

With respect to what took place at the consulate I have to state,

1st. That I perfectly recollect having been applied to either by Nickell, the master of the "*Guiana*," or Joseph Edwards and Co., the consignees, to know my opinion if a British vessel could accept a freight to proceed on a legal voyage to the coast of Africa. My reply was in the affirmative. An outline of a charter I think was produced at the time; but it neither specified name of charterers, consignees, or shippers.

2d. The master, Nickell, applied to me for advice, stating that part of his crew would not proceed to the coast of Africa, when I immediately referred to the ship's articles which were deposited in the consulate, and found that the contemplated voyage was not included; and I informed the said master that the crew could not be obliged to proceed thither. He then wanted to discharge them. This I would not permit, without, indeed, he could find them other vessels, or exchange those that were not satisfied to proceed on the voyage with the crews of other British ships in port. This was ultimately arranged, and they were then brought before me and paid the wages due to them, and discharged from the "*Guiana*," at the same time signing the articles of the respective ships they had consented to join, and the others entering on board the "*Guiana*" in their places. The articles of the respective vessels were then endorsed in conformity.

3d. The manifest was brought to me when the "*Guiana*" was ready for sea; and I perfectly remember having certified to it, the master (Nickell) having, as well as I recollect, made the usual declaration thereto, viz., "that it contained a correct account of all the goods laden on board the '*Guiana*' on her present voyage," or to that effect. Having referred to a copy of the said manifest, it only confirms the opinion formed at the time I certified to the original, that it contained nothing but lawful merchandise, and such as every day is shipped for the coast of Africa.

Upon investigation I find that not one single package of the goods which the "*Guiana*" brought from Liverpool was embarked in her again when she proceeded to the coast of Africa, which seemed to be the opinion entertained in the report from Sierra Leone, dat d 27th August, 1840.

The remuneration to be paid for the "*Guiana*" was by no means out of proportion to that received by other ships for similar voyages, and many foreign vessels have proceeded since of different flags, viz., French, American, Belgian, and Sardinian, receiving even a higher remuneration in proportion to tonnage.

With respect to the charter-party of the "*Guiana*," I cannot bring to my mind ever having seen it; but I have seen many, and nothing is more common than a master of a vessel presenting his charter-party to his Consul, should he require his advice upon it.

The bill of lading of each set which is retained by the master of a vessel, and is usually attached to the manifest, is very seldom signed by him.

Third Enclosure in No. 568.

Mr. Porter to Mr. Whately.

SIR,

British Consulate, Bahia, May 21, 1841.

I HAVE received your letter of this date, and answer to mine of the 17th inst., stating the particulars, as far as you remember, which took place at this consulate relative to the brig "*Guiana*." I shall have the honour to lay the same before Viscount Palmerston by the earliest conveyance.

Notwithstanding the archives of the consulate had been delivered to me on the 31st December previous, I was compelled, in consequence of the non-receipt of my *exequatur* from the Central Government, to request that you would continue to discharge the duties of the consulate connected with the authorities of this place. I have not the least recollection of having received at that time any communication relating to the brig "*Guiana*."

You state that the manifest and other documents were not registered, because the parties did not require it; nevertheless, as I am desirous to prove that the consulate regulations were not departed from in this instance, I have to request that you will, as far as in your power lies, furnish me with a form of clearances, and any other papers granted by you to the master or charterer of that vessel.

I have, &c.

John Whately, Esq.,
&c. &c. &c.

(Signed) EDWARD PORTER, *Consul.*

Fourth Enclosure in No. 568.

Mr. Whately to Mr. Porter.

SIR,

Bahia, May 22, 1841.

IN reply to your Letter of yesterday respecting the clearances of the "*Guiana*" from the consulate, they in nowise differed from those of other vessels at the time, and to the best of my belief are such as are furnished to vessels at present.

With regard to your not having the least recollection of having received at the time any communication relating to the "*Guiana*," it must be the best proof of nothing extraordinary having taken place.

I have, &c.

(Signed) JOHN WHATELY, *Vice-Consul.*

Edward Porter, Esq.,
&c. &c. &c.

Fifth Enclosure in No. 568.

FORMS of Certificates invariably given at the British Consulate, to Masters of Vessels, to enable them to obtain their clearances from the Custom-house and other Public Departments at Bahia.

(A.)

O ABAIXO assignado, Consul de Sua Majestade Britannica, nesta cidade e provincia da Bahia, certifica que o navio Inglez, de Londres, está desembaracado por este Consulado, para seguir sua viagem, e he proprietario mencionado no registro do dito navio, B. de —.

Consulado Britannico,
Bahia, de de 1841.

(Assignado) EDWARD PORTER, *Consul.*

(Translation.)

(A.)

THE undersigned, Her Britannic Majesty's Consul for this city and province of Bahia, certifies that the British ship "*A*," of London, is clear from this consulate to pursue her voyage, and that her owner, named in the register, is B., of —.

British Consulate,
Bahia, of , 1841.

(Signed) EDWARD PORTER, *Consul.*

(B.)

Consulado Britannico,
Bahia, de de 1841.

ROL de equipagem do navio Inglez "C," de Londres, que segue viagem para Pernambuco.

D. E., *Master*.

F. G., *Mate. &c. &c. &c.*

O abaixo assignado, Consul de Sua Majestade Britannica nesta cidade e provincia da Bahia, certifica que o presente contem verdadeiramente os nomes da tripulaçãõ do dito navio, de que he mistre D. E. segundo as declarações que hei tomado e documentos que se me tem apresentado.

(Assignado) EDWARD PORTER, *Consul*.

(Translation.)

(B.)

British Consulate,

Bahia, of , 1841.

LIST of the crew of the English ship "C," of London, which proceeds to Liverpool.

D. E., *Master*.

F. G., *Mate. &c. &c. &c.*

The undersigned, Her Britannic Majesty's Consul for this city and province of Bahia, certifies that the foregoing contains faithfully the names of the crew of the said ship, of which D. E. is master, according to the declaration which he has made, and documents which have been presented to me.

(Signed) EDWARD PORTER, *Consul*.

No. 569.

Mr. Porter to Mr. Bidwell.

British Consulate, Bahia, May 27, 1841.

SIR,

(*Received July 9.*)

IT frequently occurs that applications are made at this consulate, by the owners and masters of vessels bound to the coast of Africa, to have the manifests, bills of lading, and other documents registered, and consular attestations that such has actually taken place, likewise requesting consular recognition to the signatures of the President and other authorities attached to those documents.

It had been the custom of my predecessors to grant such certificates, which I have followed in some few instances; but being desirous to prevent, if possible, any misconstruction of my acts in the discharge of my consular duties, I requested the opinion of Her Majesty's Chargé d'Affaires at Rio de Janeiro, on this subject, who advised me to refer to Her Majesty's Government.

In consequence of this advice, I have abstained from granting any certificates to vessels going to that coast, and shall therefore feel obliged if you will be so good as to inform me whether I can legally continue to do so.

I herewith transmit forms of the certificates which have been given on these occasions.

I have, &c.,

(Signed) EDWARD PORTER, *Consul*.

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

Enclosure in No. 569.

FORM of Certificates.

THE undersigned, Her Britannic Majesty's Consul for this city and province of Bahia, hereby certifies that A. B., owner, and C. D., master, of the ——— ship "———," personally appeared at this consulate, and declared that the manifest and bill of lading hereto attached are a true and faithful statement of the

cargo shipped on board the said vessel; which manifest and bill of lading have, at their request, been registered at this consulate.

British Consulate,

Bahia, of , 1841.

(Signed) EDWARD PORTER, *Consul*.

I EDWARD PORTER, Her Britannic Majesty's Consul for this city and province of Bahia, do hereby certify that the signature, Paulo Joze de Mello de Azevedo Brito, at the foot of the foregoing document, is of the own proper handwriting of his Excellency Paulo Joze de Mello de Azevedo e Brito, President of the province. An act whereof being required, I have granted the same under my hand and seal of office at Bahia, this day of , 1841.

(Signed) EDWARD PORTER, *Consul*.

No. 570.

Mr. Bidwell to Mr. Porter.

SIR,

Foreign Office, August 31, 1841.

IN reply to your Despatches of the 23rd and 27th of May last, requesting to be informed whether you are to continue to use the form in which the British Consul at Bahia has been in the habit of attesting the signature of the President of Bahia, when subscribed to the clearance granted to the masters or owners of British vessels bound to the coast of Africa, I am directed by Viscount Palmerston to inform you, that if the circumstances under which any British vessel was about to prosecute a voyage from Bahia to the African Coast were such as to induce a reasonable suspicion that she was going thither with a view to an illicit traffic in slaves, a British Consul might legally and properly refuse the required certificate or attestation. If, however, on the other hand, there should be no reasonable ground for believing that the vessel was about to contravene the laws for the abolition of the Slave Trade, it is stated that a Consul would scarcely be justified in withholding his signature, and thereby departing from what you have described to have been the invariable practice at Bahia.

I am therefore to instruct you to be particularly careful to investigate all applications which may be made to you, before you attest the signature of the President of Bahia to any papers which may be given to British vessels which may clear out from that port for the coast of Africa.

(Signed) J. BIDWELL.

E. Porter, Esq.,
&c. &c. &c.

No. 571.

Mr. Porter to Viscount Palmerston.

British Consulate, Bahia, July 7, 1841.

(Received September 2.)

MY LORD,

I HAVE the honour to transmit Lists, No. 1, of vessels which have arrived at this port from the coast of Africa during the three months ending the 3rd ultimo; and No. 2, of those which have sailed hence for that coast during the same period.

The Portuguese smack "*Conceição*," which arrived at this port on the 24th June from the Island of St. Thomas, as per List No. 1, is said to have brought from that place 24 negroes, who were landed here under the denomination of colonists, each negro being furnished with a passport from the government of that island. I strongly suspect this is a plan adopted, for the purpose of introducing slaves into this province, and, if not checked, will speedily be followed by others engaged in this nefarious traffic.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.

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

First Enclosure in No. 571.

List of Vessels which have Entered the Port of Bahia from the Coast of Africa, from the 1st April to the 30th June, 1841.

No.	Date of Entry.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Whence.	Days Out.	Remarks.
1	May 2	English	Cutter.	Prince Oscar	70	6	Balbirnie	Balbirnie	Coffee	St. Thomas	25	Said to have landed 24 negroes as colonists.
2	June 24	Portuguese	Smack	Conceicao	35	11	J. F. d'Oliveira	Not known.	General.	Ditto	29	
3	" 28	American	Schooner	Illinois	74	7	J. Swift	Ditto	Oil, &c.	Africa	23	

British Consulate, Bahia, 30th June, 1841.

(Signed)

EDWARD PORTER, Consul.

Second Enclosure in No. 571.

List of Vessels which have Cleared out from the Port of Bahia for the Coast of Africa, from the 1st April to 30th June, 1841.

No.	Date of Clearance.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Destination.	Days Out.	Remarks.
1	April 15.	Brazilian	B. Schooner	Nova Intrepido	155	18	J. L. Pereira	Joao da Costa, jun.	Tobacco, &c.	Africa	Not known.	Said to have been captured by Her Majesty's cruisers. Landed slaves here on her former voyage. Ditto.
2	" 23.	French	Brig	Saphir	180	14	Lemauff	Not known.	Ditto	Ditto	"	
3	" 25.	Brazilian	Patacho	Firm	154	24	S. de Brito	José M. Henriques	Ballast	Ditto	"	
4	" 27.	Ditto	B. Schooner	Picon	160	25	Picon	A. P. d'Albuquerque	Ditto	Ditto	"	
5	May 8.	Portuguese	Yacht.	Dores	22	8	A. T. Mattos	Not known.	Tobacco, &c.	St. Thomas	"	
6	" 30.	Ditto	Schooner	Graciosa Vingativa	16	10	M. A. Guimes	Ditto	Rum, &c.	Ditto	"	
7	June 5.	English	Cutter.	Prince Oscar	70	6	Balbirnie	Balbirnie	Ditto	Africa.	"	
8	" 9.	French	Brig	Courier de la Seine	151	12	Bronzans	Not known.	Ditto	Ditto	"	

British Consulate, Bahia, 30th June, 1841.

(Signed)

EDWARD PORTER, Consul.

No. 572.

*Mr. Porter to Viscount Palmerston.**British Consulate, Bahia, July 16, 1841.**(Received September 2.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, enclosing copy of a Treaty concluded at Buenos Ayres between Her Majesty and the Argentine Confederation for the abolition of the Slave Trade; and copy of a Convention concluded at Port au Prince, 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.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.*

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

No. 573.

*The Earl of Aberdeen to Mr. Porter.**Foreign Office, October 30, 1841.**Circular sending Papers presented to Parliament.**(See No. 113.)*

No. 574.

*Mr. Porter to Viscount Palmerston.**British Consulate, Bahia, September 22, 1841.**(Received November 22.)*

MY LORD,

I HAVE the honour to lay before your Lordship the enclosed copy of a Despatch, addressed by me to Her Majesty's Chargé d'Affaires at Rio de Janeiro, expressive of my apprehension that the Slave Trade on this coast would increase, unless prevented by Her Majesty's cruisers, and calling his attention to the very inadequate naval force at present on this station.

I have, &c.

(Signed)

EDWARD PORTER, *Consul.*

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

Enclosure in No. 574.

Mr. Porter to Mr. Ouseley.

SIR,

British Consulate, Bahia, August 31, 1841.

IN my Despatch, January 18, 1841, I took the liberty of pointing out to you the inadequacy of the naval force on this station, to prevent the importation of slaves into this province.

Her Majesty's sloop "Rose" sailed for Rio on the 1st July, since which time none of Her Majesty's ships of war have been in this port, excepting the brig "Partridge," which remained here 48 hours on her way to and from Pernambuco.

On the 1st instant, the notorious brig schooner "Picao" arrived here from the coast of Africa, landed her cargo of 480 slaves on the west side of the island of Itaparica, and is again about to leave this on a similar expedition.

The many successful voyages made by this vessel with slaves have induced several individuals here to form a company, for the express purpose of prosecuting this abominable traffic; they have already purchased five vessels, which are now ready and on the eve of sailing; this circumstance will, I trust, sufficiently prove

the necessity of having vessels of war constantly on this station. Had such been the case, these individuals would scarcely have dared to risk their capital in so dangerous and uncertain a speculation.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.

W. G. Ouseley, Esq.
&c. &c.

No. 575.

The Earl of Aberdeen to Mr. Porter.

SIR,

Foreign Office, December 16, 1841.

WITH reference to your Despatch of the 22d September last, respecting the inadequacy of the British naval force at Bahia to prevent the traffic in slaves, I herewith transmit to you a copy of a letter which has been received at this department from the Admiralty, stating that the arrangements recently made with respect to the naval force in the Brazils will, it is hoped, obviate in future the difficulties complained of.

I am, &c.

(Signed) ABERDEEN.

Edward Porter, Esq.,
&c. &c.

Enclosure in No. 575.

Sir John Barrow to Viscount Canning.

Admiralty, December 1, 1841.

MY LORD,

(*Received December 4.*)

HAVING laid before my Lords Commissioners of the Admiralty your Lordship's Letter of the 30th of last month, with the accompanying Copy of a Despatch from Her Majesty's Consul at Bahia, on the subject of the inadequacy of the British naval force on that station to prevent the inportation of slaves, I am commanded by their Lordships to acquaint you, for the information of the Earl of Aberdeen, that my Lords trust that the arrangements lately made for dividing the command at the Cape of Good Hope and the Brazils will in future obviate the difficulties complained of.

I am, &c.

(Signed) JOHN BARROW.

Viscount Canning,
&c. &c.

No. 576.

Mr. Porter to Viscount Palmerston.

British Consulate, Bahia, October 23, 1841.

MY LORD,

(*Received December 27.*)

I HAVE the honour to enclose Returns of the Trade between this place and the coast of Africa for the quarter ending the 30th September last.

I likewise forward a Supplementary List of Vessels which have sailed with the intention of going to the coast of Africa, having cleared out for other ports.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.

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

First Enclosure in No. 576.

List of Vessels which have Entered the Port of Bahia from the Coast of Africa, from the 1st July to the 30th September, 1841.

No.	Date of Entry.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Whence.	Days Out.	Remarks.
1	July 16.	French.	Brig.	Cesar.	152	13	Treovard.	Cor.	Ballast.	Aguda.	29	Landed 480 slaves.
2	Aug. 2.	Brazilian.	B. Schooner.	Picon.	195	31	Picon.	A. P. d'Albuquerque.	Ditto.	Africa.	95	
3	" 3.	French.	Brig.	Marabout.	172	13	De Joie.	Le Pertier.	General.	Ditto.	33	
4	Sept. 1.	Ditto.	Ditto.	Le Saphir.	187	13	Le Mauif.	Not known.	Oil, &c.	Ditto.	27	

British Consulate, Bahia, 30th September, 1841.

(Signed) EDWARD PORTER, Consul.

Second Enclosure in No. 576.

List of Vessels which have Cleared out from the Port of Bahia for the Coast of Africa, from the 1st July to the 30th September, 1841.

No.	Date of Clearance.	Nation.	Class of Vessel.	Name of Vessel.	Tons.	Crew.	Name of Master.	Name of Owner.	Reported Cargo.	Destination.	Days Out.	Remarks.
1	Aug. 1.	Brazilian.	Yacht.	Socorro.	31	7	Antonio A. Gonzales.	Antonio A. Gonzales.	Rum, &c.	St. Thomas.	Not known.	
2	" 6.	Ditto.	Barque.	Emelinda.	224	17	J. A. de Carvalho.	J. A. de Carvalho.	General.	Angola.	"	
3	" 16.	Ditto.	Schooner.	Vencedoro.	69	13	R. A. de Carvalho.	R. A. de Carvalho.	Ditto.	St. Thomas.	"	
4	Sept. 18.	French.	Brig.	Cesar.	227	13	Treonante.	Cor.	Rum, &c.	Africa.	"	
5	" 26.	Ditto.	Ditto.	Marabout.	231	14	De Joie.	Le Pertier.	General.	Ditto.	"	Detained by Her Majesty's ship "Rose."
6	" 29.	Brazilian.	Schooner.	Galiana.	144	19	J. Pedro da Sa.	J. Pedro da Sa.	Ballast.	St. Thomas.	"	

British Consulate, Bahia, 30th September, 1841.

(Signed) EDWARD PORTER, Consul.

Third Enclosure in No. 576.

Supplementary List of Vessels which have sailed from the port of Bahia for the coast of Africa (having cleared out for other ports), from the 1st July to the 30th September, 1841.

July 25. Portuguese brig "*Melvira*," Valparaiso.

August 19. American schooner "*Illinois*," Gibraltar.

August 29. Portuguese brig "*Viajante Felix*," Lima.

September 5. Brazilian brig schooner "*Picon*," Valparaiso.

British Consulate, Bahia, September 30, 1841.

(Signed) EDWARD PORTER, *Consul*.

No. 577.

Mr. Porter to Viscount Palmerston.

British Consulate, Bahia, October 27, 1841.

MY LORD,

(Received December 27.)

I HAVE the honour to inform your Lordship that Her Majesty's sloop "*Rose*" returned to this port on the 11th inst. from a cruise, having detained the French brig "*Marabout*" on suspicion of being engaged in the Slave Trade.

This vessel had previously left this port under suspicious circumstances; and it appears from Commander Christie's statement, that he found on board enough to justify his sending her before the French Court at Cayenne.

The *élève* French Consul, having been acquainted of the detention of the "*Marabout*," addressed a letter to me requesting that her crew might be landed and placed at his disposal.

I transmitted his Letter to Commander Christie, who stated, in his reply to me, that the Treaty between Great Britain and France would not admit of his landing the crew and passengers, unless the *élève* French Consul would grant an assurance in writing that these individuals should be forthwith forwarded to Cayenne; which offer was not even noticed by the *élève* French Consul in his reply to Commander Christie.

A protest was left at this consulate, a copy of which I herewith transmit, together with the correspondence that has taken place with the French Consul regarding the detention of the crew of the "*Marabout*;" similar copies I have forwarded to Her Majesty's Minister at Rio de Janeiro.

I have, &c.

(Signed) EDWARD PORTER, *Consul*.

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

&c. &c. &c.

First Enclosure in No. 577.

M. de Vallat to Mr. E. Porter.

MONSIEUR,

Bahia, Octobre 13, 1841.

LE Commander Christie, commandant du sloop de S. M. B. la "*Rose*," m'ayant informé hier qu'il avoit arrêté en mer, en vertu de l'Article 6 de la Convention du 22 Mars, 1833, entre la France et la Grande Bretagne, le brick Français le "*Marabout*," que j'avois expédié pour la côte d'Afrique, j'ai eu l'honneur de lui répondre immédiatement en le priant de remettre à ma disposition les hommes de l'équipage qu'il a gardés prisonniers à son bord en envoyant leur bâtiment devant la juridiction Française de Cayenne.

Ma lettre étant resté sans réponse, je me vois forcé de recourir à votre autorité, pour obtenir celle à laquelle l'humanité et la justice me donnent droit. Quelle que soit la validité de la prise du "*Marabout*," point que je ne reconnais ni ne conteste en ce moment, le commandant de la "*Rose*" ne devrait pas ignorer qu'il a violé la Convention précitée du 22 Mars, 1833, en transbordant sans nécessité l'équipage du "*Marabout*," ou le cas échéant en ne l'envoyant pas immédiatement à Cayenne

à la suite du bâtiment. Je vous prie, en conséquence, de rappeler à cet officier, son devoir qu'il paraît avoir si coupablement oublié. Jamais la Convention, en vertu de laquelle il a arrêté le "*Marabout*," ne lui donnait le droit d'en traiter l'équipage en prisonnier de guerre.

Je ne me fais pas juge du reste, Monsieur, des sentiments qui ont pu dicter au Commander Christie sa résolution; et quelque peu convenable que soit son silence à mon égard après la demande que je lui ai adressée hier, il n'en est pas moins de mon devoir de protester, Monsieur, contre la détention des matelots Français prisonniers à bord de la "*Rose*." L'illégal et injuste détention de près de quinze jours qu'ils ont déjà subie devrait, ce me semble, paraître suffisante à tout le monde.

J'espère dès lors que vous voudrez bien, Monsieur, intervenir en votre qualité de Consul auprès du commandant de la "*Rose*," et que tous les Français gardés prisonniers à bord de son bâtiment seront conduits demain au consulat de France, et laissés à ma disposition.

Je profite de cette occasion pour vous renouveler, Monsieur, l'assurance des sentiments distingués avec lesquels j'ai l'honneur d'être, &c.

(Signé) C. DE VALLAT.

M. Porter,
&c. &c.

Second Enclosure in No. 577.

Mr. Porter to Lieutenant Christie.

SIR,

British Consulate, Bahia, October 13, 1841.

I HAVE the honour to transmit copy of a Letter which has been addressed to me by the acting French Consul, in which he requests that the sailors belonging to the detained brig "*Marabout*," now on board Her Majesty's sloop "*Rose*," may be landed and placed at his disposal.

As to the propriety of complying with the request of the French Consul, I beg leave to submit the same for your consideration.

I have, &c.

(Signed) EDWARD PORTER, Consul.

Lieutenant P. Christie, H. M. S. "*Rose*."

Third Enclosure in No. 577.

Mr. Porter to M. de Vallat.

SIR,

British Consulate, Bahia, October 13, 1841.

I BEG leave to acknowledge the receipt of your Despatch of this day's date, and to acquaint you that I have communicated to Commander Christie, of Her Majesty's sloop "*Rose*," your request to have placed at your disposal the crew of the detained brig "*Marabout*."

On my receiving the answer of Commander Christie, I shall, without loss of time, transmit the same to you.

I have, &c.

(Signed) EDWARD PORTER, Consul.

C. de Vallat, E. Consul of France,
—&c. &c. &c.

Fourth Enclosure in No. 577.

Lieutenant Christie to Mr. Porter.

SIR,

H. M. S. "*Rose*," Bahia, October 13, 1841.

I HAVE had the honour to receive your Letter of this day's date, enclosing a copy of a Letter from the acting French Consul, requesting that the crew of the French brig "*Marabout*," detained by me, might be landed and placed at his disposal; and beg to acquaint you that I this day wrote to the acting Consul,

offering to land the whole of the crew and passengers immediately, provided he would grant me his assurance in writing that they should be forwarded to Cayenne as soon as possible, agreeable to the Treaty between Great Britain and France; otherwise that it was my intention to carry them to Rio de Janeiro, there to be placed at the disposal of his Excellency the French Minister and British Commander-in-Chief. I at the same time explained to him my reasons for taking them out of their vessel, and that I could not leave my station to convey them there myself.

In his reply, he makes no mention of giving me his assurance that they shall be forwarded to Cayenne, from which I conclude that he will not take the responsibility; consequently I have no alternative.

The brig "*Marabout*," to which he alludes, I detained in consequence of finding a shifting or slave-deck regularly fitted with beams fore and aft, his hold and a shifting bulk-head to form a female slave-room, in violation of the sixth Article of the French Treaty. She had also shackles on board, more water-casks, empty and full, than sufficient to carry water for his crew and passengers; a greater quantity of farinha, jerked beef, &c., than could be used by them during the passage; and one of my boats succeeded in picking up a bundle thrown overboard by her, containing a quantity of letters, several of which were directed to some of the principal slave-dealers in Africa; this alone speaks volumes against her; and I strongly suspect she threw many other things overboard during the night. Under these circumstances it was, of course, my duty to detain her; and I could only spare very few men to navigate her. I was obliged to take the greatest part of her crew and passengers out.

I have, &c.

E. Porter, Esq.,
&c. &c. &c.

(Signed) P. CHRISTIE.

Fifth Enclosure in No. 577.

Mr. Porter to M. de Vallat.

SIR,

British Consulate, Bahia, October 14, 1841.

I BEG leave to acquaint you that I have this day received a Letter from Commander Christie, of Her Majesty's sloop "*Rose*," in reply to mine of the 13th instant, wherein I communicated to him your request to have the crew of the French brig "*Marabout*" delivered over to the French consulate, and placed at your disposal.

Commander Christie informs me that he had communicated to you his willingness to comply with your request, provided you would grant him an assurance in writing that the said crew and passengers should be forwarded forthwith to Cayenne, in conformity with the existing Treaty between Great Britain and France, and that in your reply to him no notice is taken of the assurance which he required; consequently he concludes from your silence on that subject you are not willing to take upon yourself the responsibility; therefore he says no alternative remains but that of conveying them to Rio Janeiro, there to be placed at the disposal of his Excellency the French Minister and the British Commander-in-Chief.

I have, &c.

C. de Vallat,
&c. &c.

(Signed) E. PORTER, *Consul.*

Sixth Enclosure in No. 577.

Consulat de France à Bahia, Chancellerie.

CE jourd'hui, treize Octobre mil huit cent quarante un, à l'heure de deux de relevée et demie, nous, A. Gense, Chancelier substitué du Consulat de France à Bahia, domicilié en cette ville, rue et Ladeira da Prequica, à la requête de Monsieur de Vallat Charles Antoine Marie, Elevé Consul de France, actuellement gérant le Consulat de France en cette ville, lequel élit expressément et à peine de nullité par ces présentes domicile en sa Chancellerie, située rue da Alfandega Trapiche da Ponte, nous sommes transporté même rue da Alfandega en la Chancellerie du Consulat Anglais dans cette ville où étant et parlant à M. George Blandy, secrétaire

du Consul de Sa Majesté Britannique à Bahia, ainsi déclaré avons signifié à Monsieur le Consul de Sa Majesté Britannique le protêt suivant.

PROTET.

Nous, Elève Consul de France, gérant le Consulat de France à Bahia et dépendances :

Vu la lettre à nous écrite le onze Octobre courant par le Sieur Christie, Commandant du sloop de Sa Majesté Britannique la "Rose," actuellement mouillé en rade de Bahia ;

Vu en outre la lettre à nous écrite au bord de la "Rose," sur désignée, le lendemain 12 Octobre, par le Sieur Meunier, second Capitaine du brick de commerce Français le "Marabout ;"

Attendu que de la seconde de ces lettres il appert que le vingt-sept Septembre dernier et à environ quatre lieues en mer du phare de Bahia, le brig le "Marabout," sorti de Bahia la veille, après avoir été légalement expédié par nous pour la côte occidentale d'Afrique, a été arrêté par le sloop de Sa Majesté Britannique la "Rose," comme suspect d'être armé pour le trafic illicite de la Traite des Noirs ;

Attendu que de la lettre du Commandant Christie résulte la confirmation de ces faits, et qu'en outre il en appert que le brig le "Marabout" a été arrêté pour avoir été trouvé en contravention avec le s. 3 de l'Article 6 de la Convention supplémentaire du 22 Mars, entre la France et la Grande Bretagne ;

Attendu que des deux lettres ci-dessus résulte en même temps la preuve que le Commandant Christie, avant de diriger le "Marabout" sur Cayenne, conformément à l'Article 5 de l'annexe à la convention supplémentaire précitée en a enlevé l'équipage et les passagers, qu'il a retenus et retient encore aujourd'hui prisonniers à son bord, au mépris des Art. 2, 3 et 4 de la dite annexe, et malgré la demande écrite que nous lui avons faite en réponse à sa lettre du 11 Octobre, de les mettre à notre disposition ;

Vu le traité entre la France et la Grande Bretagne relatif à la repression du crime de la Traite des Noirs en date du 30 Novembre, 1831, ensemble la Convention supplémentaire et son annexe du 22 Mars, 1833 :

Au nom des intéressés et ayant droit absents, dont nous sommes le représentant légal, nous protestons contre la saisie illégale du brig le "Marabout :"

Nous protestons pour fausse application du s. 3 de l'Article 6 de la Convention supplémentaire précitée, attendu que les planches que le Commandant a jugées devoir donner lieu à la saisie du bâtiment avaient été achetées à Bahia pour remplacer celles que le Capitaine du "Marabout," après trois voyages successifs à la côte d'Afrique, y avait vendues à son dernier, et étaient destinées à faire un entrepont volant, lequel doit exister à bord du "Marabout," selon que le mentionnent les expéditions de la douane Française dont le Capitaine est porteur, ainsi que le Commandant de la "Rose" eut dû s'en assurer ;

Attendu aussi que du certificat délivré par nous le 17 Septembre dernier au Capitaine Dejoie sur sa requête, lequel a été exhibé par lui en mer au Commandant Christie, résulte la preuve contraire, qui, comme spécifie le préambule de la Convention supplémentaire précitée, devait écarter tout soupçon d'armement pour un trafic illicite ;

Nous protestons contre la violation des Articles 3 et 4 de l'annexe à la dite Convention supplémentaire, attendu que de leurs termes résulte que nul n'avait le droit de distraire tout ou partie de l'équipage et des passagers du "Marabout" de leur bord, sans les faire suivre immédiatement sur un autre bâtiment en destination pour Cayenne, où remise doit en être faite aux autorités Françaises, avec les mêmes formalités que pour le bâtiment de la cargaison :

Réserveons aux intéressés ou à nous-mêmes, après plus ample information, le droit d'arguer de tout autre moyen de nullité.

C'est pourquoi réservant d'intenter toute demande en indemnité pour le dommage occasionné ou en récupération d'objets quelconques, nous protestons d'hors et déjà de nullité de l'arrestation du brig Français le "Marabout," par le sloop de Sa Majesté Britannique la "Rose," et de tout ce qui a pu ou pourrait être fait en conséquence.

Et comme gérant du Consulat de France à Bahia, nous protestons en cette qualité contre la détention illégale de sujets Français à bord du sloop de Sa Majesté Britannique la "Rose," renouvelant les déclarations et protestations que nous avons déjà faites les onze et douze Octobre, tant auprès du Commandant Christie que du

Consul de Sa Majesté Britannique à Bahia, et nous déclarons prendre ce jour toutes réserves de droit au nom des prisonniers Français détenus à bord de la "Rose," lesquels ne se trouvent pas dans le libre exercice de leur volonté.

Et pour que qui de droit n'en ignore, nous ordonnons que le présent protêt sera signifié ce jourd'hui même au Consul de Sa Majesté Britannique à Bahia par notre Chancelier le Sr. A. Gense, laquelle signification vaudra tant pour lui que pour le Commandant de la "Rose," dont le bâtiment a depuis deux jours refusé toute communication avec la terre, et reste encore inabordable pour tout étranger.

Fait à Bahia en la Chancellerie du Consulat de France le présent protêt, que nous avons signé et muni du sceau officiel de ce Consulat, le treize Octobre, mil huit cent quarante un.

(Signé) C. DE VALLAT. (Sceau de Consulat.)

Le Chancelier Substitué,
A. GENSE.

(Translation.)

PROTEST.

I, Elève Consul of France, conducting the French Consulate at Bahia, and its dependencies,

Considering the letter written to me on the 11th of the current month of October, by Mr. Christie, the commander of Her Britannic Majesty's sloop "Rose," now at anchor in Bahia Roads;

Considering also the letter written to me on board the "Rose," dated the next day, the 12th of October, by Mr. Meunier, second captain of the French merchant-brig, "*Marabout*:"

Whereas, from the second of these letters, it appears that, on the 27th of September last, at about four leagues at sea from the lighthouse of Bahia, the brig "*Marabout*," which left Bahia the evening before, after having been legally cleared out by me for the west coast of Africa, was detained by Her Britannic Majesty's sloop "Rose," as suspected of being fitted for the illicit trade in slaves:

Whereas, the letter of Commander Christie confirms these facts, and it appears moreover from that letter that the brig "*Marabout*" has been detained for having been found contravening the third section of the 6th article of the Supplementary Convention of March 22, between France and Great Britain:

Whereas, these two letters at the same time prove that Commauder Christie, before sending the "*Marabout*" to Cayenne, conformably to the 5th article of the Annex to the Supplementary Convention above quoted, took out her crew and passengers, whom he detained, and still detains, as prisoners, on board his ship, in contempt of Articles 2, 3, and 4 of the said Annex, and in spite of the written demand which, in reply to his letter of the 11th of October, I made to have them placed at my disposal:

Considering the Treaty between France and Great Britain, relative to the suppression of the crime of Slave Trade, dated the 30th of November, 1831, as also the Supplementary Convention and its Annex, of the 22nd of March, 1833:

In the name of the parties interested, and who are absent, of whom I am the legal representative, I protest against the illegal seizure of the brig "*Marabout*."

I protest, on account of the false application of the third section of Article 6 of the before-mentioned Supplementary Convention, seeing that the planks which Commander Christie considered as giving grounds for the seizure of the vessel had been bought at Bahia to replace those which the master of the "*Marabout*," after three successive voyages to the coast of Africa, sold there on his last voyage, and were destined to form a flying middle deck, which ought to exist on board the "*Marabout*," as mentioned in the clearances granted by the French Custom-house, of which the master is the bearer, as the commander of the "Rose" ought to have satisfied himself.

Whereas, also, the certificate given by me, on the 17th of September last, to Captain Dejoie, at his request, and which he exhibited at sea to Commander Christie, proves the contrary, which, as specified by the Preamble of the above-mentioned Supplementary Convention, ought to ward off all suspicion of fitting-up for illegal traffic:

I protest against the violation of Articles 3 and 4 of the Annex to the said Supplementary Convention, seeing that no right is given, by the terms of those

articles, to take all or any part of the crew and passengers of the "*Marabout*" from on board, without forwarding them immediately in another vessel to Cayenne, where they should be delivered over to the French authorities with the same formalities.

I reserve to the parties interested, or to myself, after more ample information, the right to bring forward every other argument in support of the nullity [of the capture.]

Wherefore, reserving the advancement of all demands for indemnity for the damage occasioned, or for the recovery of any articles, I protest, as regards the past and the future, against the detention of the French brig "*Marabout*," by Her Britannic Majesty's sloop "*Rose*," as null; and against whatever may arise in consequence.

And as conducting the French Consulate at Bahia, I protest in that capacity against the illegal detention of French subjects on board Her Britannic Majesty's sloop, "*Rose*," renewing the declarations and protestations I made on the 11th and 12th of October, as well respecting Commander Christie as Her Britannic Majesty's Consul at Bahia; and I declare that I this day take all legal objections in the name of the French prisoners detained on board the "*Rose*," who are not in the free exercise of their will.

And that no one, who it is right [should know this] may be ignorant of it, I order that the present Protest be notified this very day to the Consul of Her Britannic Majesty at Bahia, by my Chancellor, A. Gense; which notification shall serve as well for himself as for the commander of the "*Rose*," whose vessel has for two days refused all communication with the land, and on board which no foreigner is admitted.

The present Protest was made at Bahia, at the Chancellerie of the French Consulate, and I have signed it, and affixed to it the official seal of the Consulate, the 13th of October, 1841.

(Signed) C. DE VALLAT. (Seal.)

(Signed) A. GENSE,
Chancelier Substitué.

No. 578.

Consul Porter to Viscount Palmerston.

British Consulate, Bahia, October 27, 1841.

MY LORD,

(Received December 27.)

It appears that the French brig "*Marabout*" was loaded by various individuals here connected with the Slave Trade, her cargo destined for the coast of Africa: previous to her sailing she took on board, at this port, several planks, for a portion of which a certificate was granted by the French Elève Consul to the master of the brig.

It has been notorious for some time past, that trade from this to the coast of Africa has been chiefly carried on under the French flag. These vessels have hitherto been so fortunate in making profitable voyages, that individuals here erroneously imagined that English cruizers had instructions not to intercept them, consequently several French vessels have of late been chartered, the greater portion, I believe, by the New Company, to which I referred in the Enclosure to my Despatch of the 22nd September last.

I have, &c.

(Signed) EDWARD PORTER, *Consul.*

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

NETHERLANDS.

No. 579.

Sir E. C. Disbrowe to Viscount Palmerston.

The Hague, December 29, 1840.

(Extract.)

(Received January 7, 1841.)

I HAVE the honour to enclose the copy of a Note which I have received from Baron Verstolk de Soelen, in reply to mine of the 2nd and 29th of October, on the subject of the canoes and rowers furnished by the Governor of Elmina to the Brazilian brigs "*Sympathia*" and "*Pompeiro*," captured whilst engaged in the Slave Trade on the coast of Africa.

Baron Verstolk, in his Note, defends the conduct of the Netherland authorities on that coast from any intentional encouragement of the Slave Trade, and points out the difficulties of refusing altogether assistance to every vessel navigating on this coast, from the mere apprehension of their afterwards engaging in Slave Trade; but he concludes with an assurance, which I am confident your Lordship will receive with pleasure, that, in consequence of these representations, orders have been issued to the authorities of St. George d'Elmina to furnish, in future, neither rowers nor canoes to any vessel, without having previously ascertained that it is not fitted out for the Slave Trade.

Enclosure in No. 579.

Baron Verstolk to Sir E. C. Disbrowe.

MONSIEUR LE CHEVALIER,

La Haye, le 26 Décembre, 1840.

J'AI l'honneur de recevoir successivement les offices que vous avez bien voulu m'adresser le 2 et le 29 d'Octobre dernier, portant plainte de ce que l'administration coloniale d'Elmina avait mis des rameurs de canots à la disposition des navires Brésiliens "*Sympathia*" et "*Pompeiro*," lesquels en suite, après avoir été arrêtés par des croiseurs Anglais, ont été confisqués en vertu du traité conclu entre l'Angleterre et le Brésil pour la répression de la traite des nègres.

Bien que la liste des navires qui ont jeté l'ancre à Elmina pendant le deuxième trimestre de cette année ne soit pas encore parvenu au département des colonies, et que l'on n'ait ainsi aucune connaissance officielle que les bâtimens dont il s'agit soient entrés dans la rade d'Elmina, l'on ne doute pas que l'affaire ne se soit passée comme les pièces l'annoncent.

Néanmoins on ne croit pas qu'elle puisse donner lieu à accusation contre l'administration d'Elmina. Il n'existe point de preuve depuis nombre d'années que l'administration Neerlandaise à la côte, ou les employés, personnellement aient transgressé les lois sur la traite des nègres; et si quelqu'un d'eux s'est effectivement senti disposé à la faire, toute occasion lui en aura été ôtée par les instructions dont j'ai eu l'honneur de porter le contenu à votre connaissance le 28 Mars dernier, et par lesquelles il a été ordonné non seulement de permettre aux croiseurs Britanniques de visiter les vaisseaux dans les rades Neerlandaises, mais même de leur prêter à cet égard l'assistance la plus efficace.

Je dois révoquer en doute que l'acte de procurer des canots et des rameurs aux navires qui trafiquent sur la côte fournisse la preuve d'une complicité en faveur de la traite des nègres.

Il est d'usage par tout le long de la côte de louer des bâtimens marchands, des canots et des rameurs. On épargne ainsi ses propres hommes, qui sans cela ne tarderaient pas à succomber dans cette atmosphère malsaine sous le poids du service pénible que leur impose l'obligation de ramer continuellement pour aller et

venir. Les canots sont en outre beaucoup plus convenables que les chaloupes et les barques construites à la manière Européenne pour entrer dans les rivières et les criques où se fait le commerce. On peut bien accorder que les canots et ces rameurs s'emploient quelquefois à aller chercher des esclaves, comme cela paraît avoir été le cas avec le "*Symphia*" et le "*Pompeiro*," mais on ne saurait convenir que telle soit exclusivement leur destination.

Les autorités Néerlandaises ne sont coupables, que lors qu'elles laissent fournir des canots à des bâtiments évidemment équipés pour la traite, mais nullement lors qu'il ne consiste pas *à priori* de cette intention.

La possibilité d'abus n'est pas un motif suffisant de refuser une assistance également nécessaire et utile au trafiquant légal.

S'il en était autrement, on devrait refuser aussi l'eau potable et les vivres, attendu qu'il y aurait possibilité de faire servir aussi aux esclaves cette eau et ces vivres. Un pareil système mènerait trop loin et ne saurait sérieusement se soutenir.

Pour ce qui concerne les listes transmises ci-incluses des rameurs fournis aux bâtiments "*Symphia*" et "*Pompeiro*," pour naviguer vers la côte inférieure, ce document officiel prouve qu'on n'a point soupçonné de négoce illicite à Elmina. Ces listes sont dressés par le Sieur H. Varlet, jun., qui en qualité de maître de fabrique et de magasin est chargé de surveiller le service des gens de canot mis éventuellement à la disposition de tous les navires qui mettent à l'ancre à Elmina, et qui par mesure de police doit en faire le relevé. C'est un fait du reste que quand les navires arrivant sur la côte occidentale d'Afrique veulent abuser des canots et des rameurs pour la traite des nègres, ils n'ont nullement besoin d'en faire la demande aux établissements Néerlandaises, attendu qu'ils peuvent en obtenir aussi bien dans les établissements Anglais et Danois, où on leur fournit également ce secours.

Il est très vraisemblable que les plaintes si fréquentes contre les autorités Néerlandaises de la côte du chef de ces fournitures de canots doivent leur origine aux instigations des marchands qui désirent à tirer à eux tout le commerce, et voient avec peine que tous les navires ne viennent pas chez eux.

Quoiqu'il en soit, Monsieur le Chevalier, on a trouvé dans les représentations que vous avez été chargé de me faire sur cet objet une raison suffisante pour inviter les employés à Elmina à ne laisser fournir ni canots ni rameurs, sans s'être préalablement assurés que les navires ne se trouvent pas équipés pour la traite.

Je me flatte que dans tous les cas les intentions du Gouvernement Britannique se trouveront remplies, et que dorénavant il ne sera plus produit de nouvelles plaintes.

(Signé) VERSTOLK DE SOELEN.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

(Translation.)

SIR,

The Hague, December 26, 1840.

I HAD the honour to receive successively the Despatches you were pleased to address to me on the 2nd and 29th October last, complaining that the colonial authorities of Elmina had placed canoe-men at the disposal of the Brazilian vessels "*Symphia*" and "*Pompeiro*," which vessels were subsequently, on being seized by British cruisers, confiscated, under the treaty concluded between England and Brazil for the suppression of the trade in slaves.

Although the list of vessels which have cast anchor at Elmina during the second quarter of this year has not yet reached the Colonial department, and there is not therefore any official information of the vessels in question having entered the roadstead of Elmina, it is not doubted that the affair occurred as stated. Nevertheless it is not believed there is any cause for complaint against the authorities of Elmina. There is no proof, for a number of years past, that the Netherland authorities on the coast, or the employés individually, have transgressed the laws against Slave Trade, and, if any among them have really felt disposed to do so, all opportunity will have been prevented by the instructions which I had the honour to communicate to you on the 28th March last, whereby it is directed not only that British cruisers be permitted to visit vessels on the Netherlands' roadsteads, but even to render them, for that purpose, the most efficacious assistance.

I must express a doubt as to whether the act of procuring canoes and rowers
CLASS B.

for vessels trading on the coast furnishes proof of complicity in favour of Slave Trading.

It is the custom all along the coast for merchant vessels to hire canoes and rowers. They thus save their own men, who would otherwise soon succumb in that unwholesome climate to the hard labour of continually rowing backwards and forwards. Besides which, canoes are much more convenient than sloops and vessels built in the European style, for entering rivers and creeks where trade is carried on.

It may be well believed that canoes and rowers are sometimes employed in fetching slaves, as appears to have been the case for the "*Simpathia*" and the "*Pompeiro*," but it cannot be admitted that such is their exclusive occupation.

The Netherlands authorities are only culpable when they allow canoes to be supplied to vessels evidently equipped for the Slave Trade, but not when there is no evidence *à priori* of such intention. The possibility of abuse is not a sufficient reason for refusing assistance as necessary as it is useful for lawful traffic. Were it otherwise, they would have to refuse also fresh water and provisions, lest there were a possibility of their being also made to serve for slaves. Such a system would go too far, and could not seriously be maintained.

As regards the enclosed lists of the rowers supplied to the "*Simpathia*" and "*Pompeiro*" to navigate them towards the lower coast, this official document proves that no illicit transaction was suspected at Elmina. These lists are prepared by M. H. Varlet, jun., whose duty it is, as master of the works and storekeeper, to attend to the service of the canoe-men, who are eventually placed at the disposal of all vessels anchoring at Elmina, and who by means of the police has to attend to their despatch. For the rest, it is a fact that when vessels arriving on the western coast of Africa wish to take advantage of canoes and rowers for the purpose of the Slave Trade, they have never any occasion to apply to the Netherlands establishments for them, inasmuch as they can obtain them as well from the English and Danish establishments, where such assistance is equally supplied.

It is very likely that such frequent complaints against the Netherlands authorities of the coast, of the chief of these supplies of canoes, owe their origin to the instigations of merchants who wish to draw to themselves the whole Trade, and see with regret that all the vessels do not come to their consignment.

However this may be, Sir, sufficient reason is shown in the representations you have been charged to address to me upon this subject, for recommending to the authorities at Elmina not to allow either canoes or rowers to be supplied, without being previously assured that ships are not equipped for the Slave Trade.

I trust that in any case the desires of the British Government will be accomplished, and that henceforth no further complaints will arise.

(Signed) VERSTOLK DE SOELEN.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

No. 580.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, January 23, 1841.

I HAVE received your Despatch of the 29th December, 1840, together with a copy of a note from Baron Verstolk enclosed in it.

Her Majesty's Government have had great satisfaction in learning by that note that the Dutch government has issued orders to the authorities of St. George d'Elmina not to furnish in future either rowers or canoes to any vessel, until those authorities shall have ascertained that such vessel is not fitted out for the Slave Trade.

You will address a note to the Dutch minister to that effect.

But Baron Verstolk in his note states, that in all probability the complaints which have so frequently been made against the authorities of Elmina for furnishing canoes to Slave Traders owe their origin to the jealousy of British and other merchants, who are anxious to draw the whole commerce of that neighbourhood to the establishments of their own nations on the coast; and it is right therefore that

you should explain to Baron Verstolk, that the information on which Her Majesty's Government has grounded its complaint on this subject was derived from Her Majesty's Commissioners at Sierra Leone, and not from any British or foreign merchants.

I am, &c.
(Signed) PALMERSTON.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

No. 581.

Sir E. C. Disbrowe to Viscount Palmerston.

The Hague, February 5, 1841.

(Extract.)

(Received February 8.)

I HAVE the honour to enclose the copy of a Note which, in obedience to your Lordship's commands, I have addressed to Baron Verstolk de Soelen, relative to the accusations which he brought against British merchants on the west coast of Africa.

Enclosure in No. 581.

Sir E. C. Disbrowe to Baron Verstolk.

The Hague, February 1, 1841.

THE Undersigned, &c., has the honour to acknowledge the receipt of the Note which his Excellency Baron Verstolk de Soelen, &c., did him the honour to address him on the 26th of December, 1840, a copy of which was immediately forwarded to Lord Palmerston.

The promptitude with which orders have been issued to the authorities at Elmina, not to furnish rowers or canoes to any vessels until those authorities shall have ascertained that such vessel is not fitted out for Slave Trade, has given great satisfaction to Her Majesty's Government.

But Baron Verstolk, in his Note, states:—"C'est un fait que, quand les navires arrivant sur la côte occidentale d'Afrique veulent abuser des canots et des rameurs pour la traite des nègres, ils n'ont nullement besoin d'en faire la demande aux établissemens Neerlandais, attendu qu'ils peuvent en obtenir aussi bien dans les établissemens Anglais et Danois, où on leur fournit également des secours.

"Il est très vraisemblable que les plaintes si fréquentes contre les autorités Neerlandaises de la côte, de chef de ces fournitures de canot doivent leur origine aux instigations des marchands, qui désirent attirer à eux tout le commerce, et voient avec peine que tous les navires ne viennent pas chez eux."

When both Governments have shown so disinterested a feeling, and have given such proofs, in their reciprocal communications, of being solely actuated by a desire to put a stop to the Slave Trade, it is rather unfortunate that it should have been thought necessary to attribute the observations of the British Government to a feeling of commercial jealousy on the part of the British and Danish merchants. It will, however, be quite sufficient to answer this objection by referring to the correspondence, from which it appears that the information on which Her Majesty's Government acted was derived from Her Majesty's Commissioners at Sierra Leone, and not from any British or foreign merchants.

The Undersigned, having offered these remarks in the hope of destroying any erroneous impressions, and not from any desire of provoking discussion on this head, begs leave to offer the thanks of Her Majesty's Government to that of the King of the Netherlands for this new proof of its co-operation in the measures necessary for suppressing the Slave Trade, and he avails himself, &c.

(Signed) E. C. DISBROWE.

His Excellency the Baron Verstolk de Soelen,
&c. &c. &c.

No. 582.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, February 17, 1841.

I HAVE received your Despatch of the 5th instant, and I have the satisfaction to acquaint you that I approve of the note which you addressed to Baron de Verstolk on the 1st of that month, on the subject of the accusations which his Excellency had brought against British merchants on the west coast of Africa.

I am, &c.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

(Signed) PALMERSTON.

No. 583.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, March 12, 1841.

You will find, in the archives of Her Majesty's Mission at the Hague, under the dates stated at the foot of this Despatch, a series of communications with the Dutch Government, respecting the state of those negroes who were liberated by sentence of the Mixed British and Dutch Commission established at Surinam, under the Treaty of the 4th May, 1818, between Great Britain and the Netherlands, for the suppression of Slave Trade.

By that Treaty it was stipulated that the negroes emancipated by the sentence of the Mixed Court of Commission should be delivered over to the Government in whose territory "the court which judged them should be established, and that the negroes should be employed, under the direction of that Government, as servants of free labourers;" and each of the two Governments concerned bound itself, under that Treaty, to guarantee the liberty of such portion of those negroes as should be consigned to it.

Now it appears that, as far back as 1823, 49 negroes had been emancipated by sentence of the Mixed Commission at Surinam; and yet it seems that, in the year 1832, they were not all free.

Her Majesty's Government had much correspondence with the Government of the King of the Netherlands, for the purpose of improving the condition of these negroes, and also to secure to them the entire freedom to which they are entitled by the Treaty; and the report which, on the 6th of October, 1832, the Dutch Government transmitted to Her Majesty's Government, upon the state of these negroes, was that only 9, who had enlisted into a free corps, were free; that 14 were still employed in field-labour, as slaves; that 15 were sick or superannuated in hospitals; and that the remaining 11 had died.

Since the year 1832, the Dutch Government have not informed Her Majesty's Government of any alteration in the state of these negroes.

I have therefore to desire that you will bring this subject again under the consideration of the Dutch Government. You will remind that Government that all the survivors of these negroes ought long since to have been in a state of complete freedom; and you will request that they may all be brought before the Mixed Commission, in order that the Commissioners may ascertain, by personal examination, whether they are free or not. You will suggest that any who may wish to quit Surinam, for the purpose of going to a British colony, should be allowed to do so; and you will state that the British Commissioners will be authorized to defray the expense of their conveyance thither.

I am, &c.,

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

(Signed) PALMERSTON.

To Sir Charles Bagot, April 25, 1828.
Sir Charles Bagot, May 16, 1828.
To Sir Charles Bagot, March 12, 1831.
Sir Charles Bagot, May 5, 1831.
To Sir Charles Bagot, July 7, 1831.
Sir Charles Bagot, April 27, 1832.
To Mr. Bligh, August 17, 1832.
Mr. Bligh, September 11, 1832.
Mr. Jerningham, October 26, 1832.

No. 584.

*Sir E. C. Disbrowe to Viscount Palmerston.**The Hague, March 23, 1841.**(Received March 26.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches to that of the 12th instant inclusive.

In obedience to your instructions, I have presented a Note to Baron Verstolk, in conformity with the tenor of your Despatch of the 12th instant.

I shall see his Excellency in a day or two, and press him for an answer, so that the orders may be received in time to be transmitted by the next post to the West Indies.

I have, &c.,

(Signed)

E. C. DISBROWE.

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

No. 585.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, April 10, 1841.

HER Majesty was pleased, on the 16th of July, 1838, to appoint Edward Wyndham Harrington Schenley, Esq., in the room of Campbell James Dalrymple, Esq., to be Her Majesty's Commissioner of Arbitration in the Mixed British and Netherlands Court of Commission established at Surinam, under the Treaty of the 4th of May, 1818, between Great Britain and the Netherlands, for the suppression of the Slave Trade.

I have to desire that you will announce this appointment to the Government of the King of the Netherlands, and request that orders may be sent out to Surinam, for the formal recognition of Mr. Schenley in the above-mentioned character.

I am, &c.,

(Signed)

PALMERSTON.

*Sir E. C. Disbrowe, G.C.H.,**&c.**&c.**&c.*

No. 586.

*Viscount Palmerston to Sir E. C. Disbrowe.**Foreign Office, April 15, 1841.**Circular sending Treaty with the Argentine Confederation.**(See No. 32.)*

No. 587.

*Viscount Palmerston to Sir E. C. Disbrowe.**Foreign Office, April 22, 1841.**Circular sending Convention with Hayti.**(See No. 36.)*

No. 588.

*Sir E. C. Disbrowe to Viscount Palmerston.**The Hague, April 20, 1841.*

MY LORD,

(Received April 22.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 10th instant; and I beg to inform you that I have written to Baron Ver-

stolk, announcing the nomination of Mr. Schenley as Commissioner of Arbitration at Surinam.

I beg also to acknowledge the receipt of your Lordship's Despatch of the 15th instant.

I have, &c.,

(Signed) E. C. DISBROWE.

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

No. 589.

Sir E. C. Disbrowe to Viscount Palmerston.

The Hague, May 4, 1841.

(Received May 6.)

MY LORD,

I HAVE the honour to enclose to your Lordship the copy of a Note which I have received from Baron Verstolk de Soelen, in answer to one addressed to him in obedience to your Lordship's commands.

I have, &c.,

(Signed) E. C. DISBROWE.

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

Enclosure in No. 589.

Baron Verstolk to Sir E. C. Disbrowe.

MONSIEUR LE CHEVALIER,

La Haye, le 3 Mai, 1841.

AYANT fait part à mon collègue le Ministre de la Marine et des colonies de l'office que vous avez bien voulu m'adresser le 19 Mars dernier, je suis à même d'avoir l'honneur de vous annoncer, que sous le date du 21 du mois passé des instructions réitérées ont été transmises à Monsieur le Gouverneur-Général des Possessions Neerlandaises aux Indes Occidentales, lui enjoignant sous sa propre responsabilité de prendre soin afin que tout ce qui pourrait encore manquer à l'affranchissement plein et entier des nègres survivans provenans du brick "*The Snow*," ou "*Los Nuevos*," si tant est qu'il y manque quelque chose, soit accompli sans délai, et qu'après avoir à cet effet déclaré à chacun de ces individus séparément, qu'il peut se considérer comme complètement assimilé à un nègre libre de la colonie, lui, le Gouverneur, ait à tenir la main à ce que ces nègres soient aussi effectivement et *bonâ fide* traités comme le sont les nègres libres.

Le Gouvernement du Roi se flatte que cette mesure, qu'il s'est empressé de prescrire de la manière la plus positive, paraîtra satisfaisante au Gouvernement de Sa Majesté Britannique, et l'engagera à ne plus insister sur la proposition énoncée dans votre office susmentionné, et qui tendait à faire comparaître individuellement tous les nègres survivans dont il est question par devant la Commission Mixte de Surinam, pour y être interrogés personnellement s'ils sont libres ou non. Outre qu'une innovation de ce genre serait tout-à-fait étrange et contraire aux principes de l'Administration Coloniale, elle devient, aujourd'hui qu'aucune raison locale ou de convenance qui aurait pû exister antérieurement ne saurait retarder l'exécution en plein et dans toutes les stipulations du Traité du 4 de Mai, 1818, entièrement superflue et sans objet.

Il est permis de croire qu'il en est de même de l'offre que vous avez été autorisé de faire au nom de votre Gouvernement, qui propose de se charger des frais, auxquels pourrait donner lieu la translation de l'un et de l'autre de ces nègres dans une des colonies Anglaises.

Que si un de ces individus parfaitement libre désire quitter la colonie de Surinam, il en est sans doute le maître et personne assurément ne l'empêchera. Mais vous voudrez bien reconnaître, Monsieur le Chevalier, qu'une co-opération du Gouvernement Colonial à son renvoi serait incompatible non-seulement avec l'intérêt bien entendu de la colonie, mais encore avec la Lettre du Règlement

annexé au *Traité de 1818*, qui veut que les nègres émancipés soient remis au Gouvernement de la résidence de la Commission Judiciaire Mixte, en vertu d'une sentence de laquelle leur emancipation a été prononcée.

Je saisis, &c.,

(Signé) VERSTOLK DE SOELEN.

Son Excellence Sir E. C. Disbrowe, G.C.H.,
 &c. &c. &c.

(Translation.)

SIR,

The Hague, May 3, 1841.

HAVING communicated to my colleague the Minister of Marine and the Colonies, the Official Letter you were pleased to address to me on the 19th March last, I have now the honour to acquaint you that, on the 21st of last month, reiterated instructions were transmitted to the Governor-General of the Netherlands Possessions in the West Indies, enjoining him, on his own responsibility, to take care that whatsoever be still wanting towards the full and perfect emancipation of the surviving negroes of the brig "*Snow*," or "*Los Nuevos*," if indeed there be anything so wanting, be accomplished without delay, and that after having stated the same to each of those individuals separately, that he may consider himself as completely assimilated to a free negro of the colony, he, the Governor, has to see that these negroes be likewise effectually and *bonâ fide* treated in the same manner as other free negroes.

His Majesty's Government trusts, that this measure, which he has endeavoured to prescribe in the most positive manner, will be satisfactory to the Government of Her Britannic Majesty, and will occasion its not insisting upon the proposition announced in your above-mentioned letter, and which tended to the production of all the surviving negroes in question, before the Mixed Commission at Surinam, to be personally questioned as to whether or not they are free. Besides that such an innovation would be altogether strange and contrary to the principles of colonial Administration, it becomes at the present day, when any local cause or expediency that may have existed previously would not retard the execution in full and according to all the stipulations of the Treaty of the 4th May, 1818, entirely superfluous and without object.

The like may be believed of the offer which you have been authorized to make in the name of your Government, which proposes to bear the expenses that might be incurred by the transfer of any of these negroes to British Colonies. For if one of these individuals, perfectly free, should desire to leave the colony of Surinam, he is doubtless at liberty to do so, and certainly nobody will prevent him. But you will acknowledge, Sir, that the co-operation of the colonial Government on the occasion of their removal would be incompatible not only with the well-known interests of the colony, but moreover with the letter of the regulation annexed to the Treaty of 1818, which directs that the emancipated negroes be handed over to the Government of the country in which the Mixed Commission may reside, in virtue of a sentence by which their emancipation has been decreed.

I avail myself, &c.,

(Signed) VERSTOLK DE SOELEN.

No. 590.

Viscount Palmerston to Sir E. C. Disbrowe.

Foreign Office, May 11, 1841.

Circular respecting proposed instructions to Netherlands functionaries in slave-holding countries.

(See No. 47.)

No. 591.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, May 18, 1841.

I HAVE received your Despatch of the 4th instant, enclosing copy of a Note which you had received from Baron Verstolk, in answer to the representation which, according to my directions, you had addressed to that minister, respecting the negroes emancipated by sentence of the Mixed British and Netherland Court of Commission at Surinam.

I have now to desire that you will present to Baron Verstolk a Note, thanking the Dutch Government for the instructions they have promised to give, which no doubt will prove highly advantageous to the negroes in question.

But as these negroes are, by the provisions of the Treaty, entitled to be free, Her Majesty's Government cannot see any good reason why they should not be invited to appear before the Mixed Commission, for the purpose of proving by their own personal acknowledgment that they are free. And as Her Majesty's Government presume that any free man may quit a Dutch colony if he chooses to do so—because, if he were not at liberty to do so, he would not be entirely a free man—Her Majesty's Government cannot ascertain upon what grounds the Dutch Government should object to these persons removing to a British possession, if they are desirous of doing so, and if the expense of their removal should be defrayed by the British Government.

Baron Verstolk states, that the regulation annexed to the Treaty of 1818 provides that negroes emancipated by sentence of a Mixed Commission shall be delivered over to the Government in whose territory the Court which shall have emancipated them shall be established.

This is perfectly true. But the regulation provides that such negroes shall be employed only as servants or free labourers and not as slaves; and the regulation also states, that each Government guarantees the liberty of such emancipated negroes as may be consigned to its care.

It is evident therefore that these negroes were to be delivered over to one of the two Governments not as a property but as a trust; not for the benefit of such Government, but for the benefit of the negroes themselves, and in order that the permanent authority of the state might watch over them in the colony in which they might be placed, and might carefully protect them against any infringement of their liberty.

But one of the inherent attributes of liberty is the freedom of locomotion; and if these negroes are not free to go where they like, the Dutch Government has not yet fulfilled its engagements to guarantee their liberty.

Her Majesty's Government must again therefore earnestly request, that these negroes may be brought before the Mixed Commission, in the manner and for the purpose already stated; and as their number is very small, Her Majesty's Government cannot conceive that there can be any difficulty in doing so.

I am, &c.

(Signed) PALMERSTON.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

No. 592.

*Sir E. C. Disbrowe to Viscount Palmerston.**The Hague, May 18, 1841.*

MY LORD,

(Received May 20.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 11th instant, and I beg to enclose the copy of a Note which I have in consequence addressed to Baron Verstolk.

I have, &c.

(Signed) E. C. DISBROWE.

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

Enclosure in No. 592.

Sir E. C. Disbrowe to Baron Verstolk.

MONSIEUR LE BARON,

The Hague, May 16, 1841.

The British Government having at all times experienced the willingness of that of the Netherlands to co-operate in measures adapted to suppress the Slave Trade, I have been instructed to communicate to your Excellency the Circular, which Lord Palmerston has addressed to all British functionaries in slave-holding countries.

Your Excellency will, I have no doubt, perceive the utility of the measure; and I am further instructed to suggest that the effect of these orders would, in the opinion of Her Majesty's Government, receive a great moral support, and produce much additional good, if His Netherland Majesty should be of the same opinion, and should think fit to assist the efforts of the British Government, and to afford additional discouragement to slave trading, by adopting analogous measures with respect to the Netherland functionaries.

In submitting these considerations to your Excellency's notice, I avail myself, &c.

(Signed) E. C. DISBROWE.

Baron Verstolk de Soelen,
&c. &c.

No. 593.

*Sir E. C. Disbrowe to Viscount Palmerston.**The Hague, May 28, 1841.*

MY LORD,

(Received May 30.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th instant, and I beg to enclose the copy of a Note which I have in consequence addressed to Baron Verstolk.

On attentively considering his Excellency's Note of the 3rd of May, it appears that orders were sent out on the 21st of April to the Governor-General of the Netherland Possessions in the West Indies, to take the necessary steps for giving full liberty to these negroes, and as, by a phrase in his Note, it would appear that he admits the perfect right of locomotion, I have assumed the question as decided; at the same time I have carefully inserted the sentence in order to prevent the possibility of a doubt.

I have, &c.

(Signed) E. C. DISBROWE.

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

Enclosure in No. 593.

Sir E. C. Disbrowe to Baron Verstolk.

MONSIEUR LE BARON,

The Hague, May 25, 1841.

IN conformity to my instructions, I beg to acknowledge the receipt of the Note which your Excellency did me the honour to address me on the 3rd of May, respecting the fate of certain negroes emancipated by sentence of the Mixed British and Netherland Court of Commission at Surinam; and I am further directed to return to your Excellency the thanks of the British Government for the orders which have been addressed to the Governor-General of the Netherland Possessions in the West Indies on this occasion, and which no doubt will prove highly advantageous to the negroes.

Her Majesty's Government recognise with pleasure the promptitude with which these orders have been transmitted, and rejoice to find that no difference of opinion exists as to the power of the negroes to quit the colony when they please to do so.

It is perfectly true, as your Excellency states, that the regulation annexed to the Treaty of 1818, provides that the negroes emancipated by sentence of a Mixed Commission shall be delivered over to the Government, in whose territory the

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Court which shall have emancipated them shall be established, but I am sure it will not have escaped your Excellency's attention, that the regulation also provides that such negroes shall be employed only as servants or free labourers, and not as slaves; and the regulation also states that each Government guarantees the liberty of such emancipated negroes as may be consigned to its care.

It is evident, therefore, that these negroes, when delivered over to one of the two Governments, are delivered over not as property but as a trust; not for the benefit of such Government but for the benefit of themselves, and in order that the permanent authority of the State might watch over them in the colony in which they might be placed, and might carefully protect them against any infringement of their liberty, one of the inherent attributes of which is freedom of locomotion; if the negroes are not free to go where they like, it cannot be contended that their liberty is really and *bonâ fide* guaranteed to them. The Governor-General of the Netherland Possessions in the West Indies, having been ordered on his own responsibility to give full effect to the liberty guaranteed to the negroes taken on board the "*Snow*" "*Los Nieves*," there can be no doubt that these orders will be obeyed, and that from the time his Excellency receives his instructions, they will be completely freed from every restraint to which they may have been previously subjected, and with full liberty of locomotion assigned to them.

Your Excellency in your Note of the 3rd of May states, "*Que si un de ces individus parfaitement libre désire quitter la colonie, il en est sans doute le maître, et personne assurément l'empêchera.*"

Their right of locomotion is thus fully assured to them; but if any one of the negroes wish to avail himself of it, he could scarcely quit the colony without incurring a certain expense, and as your Excellency has in your former correspondence stated that the experiments tried in favour of these negroes have already caused great expense to the Netherland Colonial Government, the British Government is unwilling to call on that of the Netherlands for any further pecuniary sacrifice for this object, whilst the British Government disclaims the wish of using any undue influence to obtain consent of the individuals; still, with the interest it feels in this question, an interest based solely on the principles of humanity, it has charged me to repeat, that it will willingly take upon itself the expense incident to the removal of the negroes, if any of them should wish to emigrate from Surinam to a British colony.

And if permission is granted them to change their residence, their removal could easily be accomplished, without calling upon the Colonial Government to do anything incompatible with its duty to the colony, particularly as every intervention of the Mixed Commission would be an act in strict accordance with the Treaty of 1818.

With regard to the appearance of the individuals before the Mixed Commission, I am ordered to express the regret of the British Government that any difference of opinion on this head should be found to exist, and it is with pain that it feels itself compelled to revert to this point.

The British Government would most reluctantly propose to that of the Netherlands any measure, which it conceives to be in contradiction with the principles of its colonial Administration; but as the question relative to these negroes is not founded upon the principles of Colonial Administration, but on Articles of a special Treaty, Her Majesty's Government feel it a duty incumbent on them, in these particular circumstances, again earnestly to request the Netherland Government to reconsider the objections it has urged, and to consent that the negroes may be brought before the Mixed Commission for the purposes already stated.

The advantages of such a proceeding to the cause of humanity would be great, by showing the perfect unanimity which exists in the views of the two Governments respecting the treatment of the liberated slaves, and their reciprocal confidence in each other; and as the number of persons who are to appear is very small, Her Majesty's Government conceive that no real difficulty could exist on the occasion; and surely measures may be taken with great facility by the Governor-General to prevent this step from being misconstrued, or of assuming the appearance of a measure subversive of colonial policy or detrimental to his authority.

I avail myself, &c.,

(Signed) E. C. DISBROWE.

The Baron Verstolk de Soelen,
&c. &c. &c.

No. 594.

*Sir E. C. Disbrowe to Viscount Palmerston.**The Hague, July 13, 1841.**(Received July 15.)*

MY LORD,

I HAVE the honour to enclose the copy of a Note which I have received from Baron Verstolk de Soelen, in reply to one which, in conformity with your Lordship's instructions, I addressed to his Excellency on the 18th of May, recommending that the Netherlands authorities residing in countries where the state of slavery is legal, should not themselves be allowed to be possessors of slaves.

The Netherland Government, I have the satisfaction to say, perfectly agree in opinion with that of Her Majesty, and the necessary orders have in consequence been issued to the officers of this Government residing in slave-holding countries.

I have &c.,

(Signed)

E. C. DISBROWE.

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

Enclosure in No. 594.

Baron Verstolk to Sir E. C. Disbrowe.

MONSIEUR LE CHEVALIER,

La Haye, le 10 Juillet, 1841.

EN réponse à votre office du 18 Mai dernier, j'ai l'honneur de porter à votre connaissance que le Gouvernement des Pays Bas, partageant l'opinion du Cabinet Britannique, par rapport à l'objet de la Circulaire dont une copie accompagnait le dit office, et désirant co-opérer autant que possible à atteindre le but proposé, s'est empressé à faire entendre aux agens Néerlandais dans les états où il existe des esclaves, qu'il le juge contraire à l'esprit des Traités sur l'Abolition de la Traite, que des agens tiendraient des esclaves, ou qu'ils seraient intéressés directement à une propriété de pareille nature.

Je saisis, &c.

(Signé)

VERSTOLK DE SOELEN.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

(Translation.)

SIR,

The Hague, July 10, 1841.

IN reply to your official Letter of the 18th May last, I have the honour to acquaint you that the Netherlands Government, participating in the opinion of the British Cabinet respecting the object of the Circular, of which a copy is enclosed in your said Letter, and desirous of co-operating to the utmost for the attainment of its end, has lost no time in making known to Netherlands' agents in those states where slavery exists, that it considers it contrary to the spirit of the Treaties for the Abolition of the Slave Trade, that its agents should hold slaves, or be directly interested in property of the like nature.

I avail myself, &c.

(Signed)

VERSTOLK DE SOELEN.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

No. 595.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, July 22, 1841.

I HAVE received your Despatch of the 13th instant, transmitting a copy of a Note from Baron Verstolk, stating that the Netherlands Government had

prohibited their agents in slave-holding countries from holding slaves, and from being directly or indirectly interested in slave property; and I have to desire that you will express to Baron Verstolk the cordial thanks of Her Majesty's Government for this communication.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

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

No. 596.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, August 4, 1841.

HER Majesty has been pleased to appoint Mr. John Samo, now Her Majesty's Commissary Judge in the Mixed Court of Justice established at Surinam under the Treaty of the 4th of May, 1818, between Great Britain and the Netherlands, for the Abolition of the Slave Trade, to be Her Majesty's Commissary Judge in the Mixed Commission established at Rio de Janeiro under the Convention between Great Britain and Brazil for the abolition of the Slave Trade; and Her Majesty has been pleased to appoint Sir George Jackson, now Her Majesty's Judge at Rio de Janeiro, to succeed Mr. John Samo as Her Majesty's Judge at Surinam.

I have to desire that you will notify to the Netherlands Government the appointment of Sir George Jackson as Her Majesty's Judge in the Mixed Court of Justice at Surinam, and that you will request that directions may be given that he may be recognized in that capacity, when he shall have arrived at Surinam, and shall have taken the usual oaths of office.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

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

No. 597.

Sir E. C. Disbrowe to Viscount Palmerston.

The Hague, August 17, 1841.

MY LORD,

(Received August 19.)

It is with great pleasure that I have to inform your Lordship, that the exertions of Her Majesty's Government, for the purpose of inducing that of the Netherlands to renounce the habit of recruiting for black regiments on the coast of Africa, are likely to be crowned with success.

Mr. John J. Gurney, who was here the other day, asked an audience of the King, and spoke to his Majesty on the subject.

Mr. Gurney had, however, scarcely commenced, when His Majesty told him that he had considered the matter, and it was his intention to abandon the system, conceiving it would be both useless and dangerous to continue it.

I took an opportunity of speaking to the King on the same subject, when His Majesty was graciously pleased to confirm to me what he had above stated, adding, that whilst, on the one hand, it gave indirect encouragement to slave trading, on the other hand he found that the force raised was very small; that to increase it very extensively would be dangerous, and that after all, the recruits did not stand the climate of Java as well as the whites.

I did not fail to renew to His Majesty the thanks of the British Government for the proofs of cordial co-operation in different measures which he had lately shown, and of adding, that I was sure this new proof of His Majesty's humane disposition would be duly appreciated.

Measures for further recruiting the white regiments in Java have already been adopted.

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

I have, &c.,
(Signed) E. C. DISBROWE.

No. 598.

Viscount Palmerston to Sir E. C. Disbrowe.

SIR,

Foreign Office, August 26, 1841.

I HAVE received your Despatch of the 17th instant, stating that the King of the Netherlands had declared it to be his intention to abandon the practice of recruiting on the coast of Africa for the Java regiments; and I have to desire that you will express to the King, how highly Her Majesty's Government appreciate this generous determination on the part of His Majesty; and you will say that Her Majesty's Government are confident, that such a public manifestation of His Majesty's benevolent sentiments will be as useful to the cause of humanity, as it will be honourable to His Netherland Majesty.

I am, &c.,

(Signed) PALMERSTON.

Sir E. C. Disbrowe, G.C.H.,
 &c. &c. &c.

No. 599.

*Sir E. C. Disbrowe to Viscount Palmerston.**The Hague, August 17, 1841.*

MY LORD,

(Received August 19.)

I HAVE the honour to enclose the copy of a Note I have received from his Excellency Baron Verstolk de Soelen, on the subject of the nomination of Sir George Jackson as Commissary Judge at Surinam.

I have, &c.,

(Signed) E. C. DISBROWE.

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

Enclosure in No. 599.

Baron Verstolk to Sir E. C. Disbrowe.

MONSIEUR LE CHEVALIER,

La Haye, le 16 Aout, 1841.

EN vous accusant la réception de l'office que vous avez bien voulu m'adresser le 10 de ce mois, pour m'annoncer la nomination de Sir George Jackson, en qualité de Juge dans la Cour de Justice Mixte établie à Surinam, en vertu du Traité existant entre les deux Gouvernemens pour la répression de la Traite des Nègres, j'ai l'honneur de porter à votre connaissance, que je viens de faire part de cette nomination au Département de la Marine et des Colonies, en l'invitant en même tems à en prévenir les autorités à Surinam, pour que Sir George Jackson soit reconnu dans sa susdite qualité.

Je saisis, &c.

(Signé) VERSTOLK DE SOELEN.

Sir E. C. Disbrowe, G.C.B.,
 &c. &c. &c.

(Translation.)

SIR,

The Hague, August 16, 1841.

IN acknowledging receipt of the Letter you were pleased to address to me on the 10th instant, announcing the appointment of Sir George Jackson to the situation of Judge in the Mixed Court of Justice established at Surinam, under the

Treaty existing between the two Governments for the suppression of the Slave Trade, I have the honour to acquaint you that I have just communicated this appointment to the Department of Marine and the Colonies, with a request that it will forthwith make the same known to the authorities at Surinam, in order that Sir George Jackson be recognised in his aforesaid capacity.

I avail myself, &c.,

(Signed) VERSTOLK DE SOELEN.

Sir E. C. Disbrowe, G.C.B.,
 &c. &c. &c.

No. 600.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, September 9, 1841.

(Extract.)

(Received September 12.)

I HAVE the honour to inform your Lordship that I left in the King's hands a few days ago a Despatch from the Foreign Office, dated August 26, and I offered to His Majesty the thanks of the British Government for having, in compliance with the repeated requests of Her Majesty's Government, taken measures for the abolition of the recruiting on the coast of Africa.

The King stated that he accepted these thanks with pleasure, and returned me the Despatch yesterday.

No. 601.

The Earl of Aberdeen to Sir E. C. Disbrowe.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 113.)

No. 602.

The Earl of Aberdeen to Mr. Dedel.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 14.)

No. 603.

Mr. Dedel to the Earl of Aberdeen.

Wilton Crescent, le 21 Novembre, 1841.

(Received November 24.)

LE Ministre des Pays Bas a reçu la série des actes relatives à la Traite des Noirs que Monsieur le Comte d'Aberdeen a bien voulu lui envoyer ; et en offrant à son Excellence tous ses remerciements, il a l'honneur de lui renouveler l'assurance de sa haute considération.

(Translation.)

THE Netherlands Minister has received the series of papers relative to the Slave Trade which the Earl of Aberdeen had the goodness to send him ; and in offering to his Excellency his best thanks, he has the honour to renew, &c.

No. 604.

*Mr. Dedel to the Earl of Aberdeen.**Londres, le 22 Novembre, 1841.**(Received November 24.)*

LE Soussigné, &c. a, par ordre de son Gouvernement, l'honneur d'appeler l'attention sérieuse de son Excellence Monsieur le Comte d'Aberdeen, &c., sur le système de provocations, adopté par la presse publique dans les possessions Britanniques aux Indes Occidentales, dans le bût d'exciter au meurtre et à la révolte toute la population noire dans les établissemens Neerlandais de la terre ferme d'Amérique, ainsi que sur la protection ouverte, et l'on pourrait presque dire officielle, que les esclaves fugitifs de Suriname rencontrent à Demarari, lorsque par suite des appels journaliers de ce côté et sur la foi de l'impunité que leur est garantie, ils parviennent à s'échapper des mains de leurs maîtres et viennent chercher refuge dans cette colonie, chez leurs voisins les Anglais. La fermentation dangereuse que cet état de choses entretient parmi les esclaves de Suriname, et le péril toujours croissant où il met les propriétaires et les autorités dans cette colonie, n'est que la conséquence infaillible du développement des manœuvres de toute espèce, pratiquées par des sujets de sa Majesté Britannique, soi-disans amis de l'émancipation, pour susciter de tout leur pouvoir le trouble et le désordre dans l'intérieur du territoire d'une puissance amie et alliée.

Les circonstances détaillées dans les extraits ci-joint de deux journaux publiés dans la Guyane Anglaise, et les principes professés dans ces pièces, en rapport avec l'exposé qui vient d'être fait plus haut, ont paru à la Cour des Pays Bas être de nature à mériter toute la considération du Gouvernement de sa Majesté Britannique. Ce n'est pas la vive sympathie exprimée pour la cause et le sort des huit esclaves fugitifs de Suriname, dont l'heureuse arrivée à Demarari est si emphatiquement annoncée dans les susdites feuilles, ni les applaudissemens donnés à leur fuite, ni la joie générale que le succès de cette entreprise paraît avoir causé dans la colonie Anglaise, qui fourniront matière aux observations contenues dans cette note. Ces sortes de manifestations et de déclamations font partie, on le sait, de ce qu'on est convenu d'appeler le domaine légitime de la presse, et quelque préjudiciables qu'elles soient en effet au maintien des relations de bon voisinage entre les deux colonies, on ne peut mieux faire que de les passer sous silence. Mais quand ces mêmes presses Anglaises se font publiquement les hérauts et les fauteurs de l'insurrection chez leurs voisins; quand elles se permettent de proclamer tout haut, pour l'instruction des esclaves de Suriname, que toute tentative de la part de ceux-ci pour recouvrir leur liberté, dussent-ils l'acheter au prix de l'assassinat et de la spoliation de leurs maîtres, est assurée de l'impunité à Demarari, où aucune autorité n'oserait risquer de sévir contre des crimes, commis par les noirs de la colonie voisine dans le dessein de se soustraire à l'esclavage; et quand ces imprimés offensans et séditions, évidemment publiés pour être distribués à Suriname, sont répandus avec profusion sur tous les points de ce territoire, alors la question se présente sous un tout autre aspect, et le Gouvernement des Pays Bas se voit contraint, malgré lui, à élever la voix et à porter plainte. Un langage aussi incendiaire, des appels aussi coupables et aussi directs aux passions de la multitude, ont bien droit en effet de provoquer l'indignation non-seulement du Gouvernement mais de tout le peuple Neerlandais. Ils témoignent de l'esprit et des dispositions de la colonie de Demarari est généralement animé envers les habitans et les colons Hollandais de l'autré côté de la frontière. Ils fournissent, et d'une manière bien affligeante, la preuve incontestable que tous moyens sont bons aux propagandistes Anglais pour arriver à l'accomplissement de leurs desseins contre Suriname, en amenant par le soulèvement général des esclaves la ruine, ou pour mieux dire la subversion totale, de cette colonie, la plus belle et la plus intéressante, au voisinage près, de celles que les Pays Bas a conservées dans les Indes Occidentales.

En signalant ces faits à son Excellence le Principal Secrétaire d'Etat, il est une circonstance sur laquelle le Soussigné s'abstiendra d'appuyer, mais dont il ne peut s'empêcher de toucher quelque chose, parce qu'elle lui paraît aussi significative qu'elle est à tous égards regrettable.

Il résulte des rapports reçus au Département des Colonies à la Haye du Gouverneur-General de Suriname, que l'Administration Coloniale de Demarari, bien loin d'employer l'autorité de sa position et de son caractère pour arrêter le

cours des excès dont elle est journellement témoin, et qui sont ceux dont le Soussigné se plaint, n'a jamais même su prendre sur elle de manifester publiquement et franchement son improbation à leur égard. C'est indiquer assez clairement dans quelle direction il faut chercher les tendances et les opinions des agens du pouvoir dans cette colonie. Cependant le Gouvernement de sa Majesté Britannique doit être bien convaincu, qu'un ensemble de procédés aussi choquans, un système d'attaque et d'inimitié tel qu'on le voit se pratiquer par les autorités Anglaises à l'égard de Suriname, ne peuvent jamais servir la cause de l'émancipation, mais doit au contraire aboutir à des résultats entièrement opposés à celui qui est le but que les deux Puissances ont mutuellement en vue. Personne ne saurait révoquer en doute que le Cabinet de la Haye ne partage toute la sollicitude de celui de Londres pour l'abolition absolue de la Traite de Noirs, également réprouvée par la nature et par les conventions. Il en appelle avec confiance sur ce point à l'entière cessation de cet odieux trafic sous le pavillon des Pays Bas, ainsi qu'aux réglemens récemment introduits en Afrique, et par lesquels le recrutement qui se fait sur cette côte pour le service militaire des colonies Hollandaises aux Indes Orientales est strictement limité à la classe des hommes libres, ou bien à celle des esclaves dont l'affranchissement, en dehors de toute intervention ou influence de la part du Gouvernement des Pays Bas, est antérieure au moins de deux années à leur enrôlement volontaire dans les troupes Neerlandaises. Le Principal Secrétaire d'Etat est trop éclairé pour ne pas sentir que les ressources et les facultés des Pays Bas, sous le rapport des finances, ne lui permettent pas de procéder brusquement à une émancipation en bloc, sur une base aussi large et aussi vaste que celle dont, grâce aux capitaux de l'Angleterre, on a pu se servir pour fonder le principe de l'émancipation absolue dans les colonies Britanniques. La position où se trouve le Gouvernement du Roi lui prescrit en conséquence de ne pas se laisser aller à l'impulsion naturelle de ses sentimens à cet égard, et d'attendre, pour imiter le bel exemple d'humanité que la Grande Bretagne a donné au monde, que des circonstances plus heureuses, et l'acquisition des moyens plus amples que ceux dont il peut disposer aujourd'hui, aient écarté les obstacles sans nombre qui s'opposent pour le présent à l'exécution des desseins bienfesants qu'il poursuit sans relâche dans cette voie, et pour l'accomplissement desquels aucun sacrifice ne lui paraîtra jamais trop grand.

Dans cet état de choses, et en attendant l'époque fortunée où la Cabinet de la Haye pourra mettre la dernière main à l'ouvrage commencé, il serait fort à désirer que les apôtres de l'émancipation aux colonies Anglaises voulussent bien, dans l'intérêt de leur propre cause, s'abstenir dorénavant de troubler le Gouvernement des Pays Bas dans les efforts constants qu'il fait pour alléger de tout son pouvoir le poids de la servitude, qui pèse encore sur les colonies de la Guyane Hollandaise. N'est-il pas évident néanmoins que ces efforts devront finir par se relâcher ? ou plutôt qu'ils cesseront entièrement, si tout le fruit que l'autorité en recueille est de lui faire acquérir la conviction, que c'est à sa faiblesse seule et aux terreurs que sa situation lui inspire, que l'esprit de faction se plaît à attribuer les améliorations qu'elle cherche à introduire dans le régime intérieur des colonies. De cette manière chaque nouvel adoucissement apporté à la condition des esclaves se présente aux yeux du Gouvernement comme le prélude des scènes de carnage et de dévastation, que ses propres mains auront préparées. Il suffit qu'un pareil résultat soit éventuellement possible pour arrêter le développement des biens qu'on médite, et pour compromettre beaucoup ce qui en existe déjà.

Le Gouvernement des Pays Bas peut difficilement se persuader, que tel est le but que les amis de l'émancipation se proposent dans la conduite qu'ils tiennent à son égard, et dont on aime à croire qu'ils n'ont pas assez calculé les conséquences. Il lui paraît impossible que l'Angleterre puisse désirer que les colonies où l'esclavage n'est pas encore aboli soient condamnés, pour ce fait seul, à être mises à feu et à sang. Une pareille catastrophe néanmoins paraît inévitable à Suriname, à moins que les autorités coloniales de la Guyane Hollandaise ne trouvent dans la volonté déclarée du Gouvernement de sa Majesté Britannique de ne plus tolérer à Démarari des pratiques, aussi contraires au droit des gens et aussi incompatibles avec la tranquillité des états voisins, une garantie suffisante de sa sûreté et de son repos.

C'est dans la vue de s'assurer cette garantie que le Cabinet de la Haye, se reposant avec une entière confiance sur la loyauté du gouvernement de sa Majesté Britannique, a chargé le Soussigné d'adresser ces représentations à son Excellence le Principal Secrétaire d'Etat. Les lois et la constitution de la Grande

Bretagne ne laissent au Gouvernement, on le sait, aucun moyen de réprimer les excès de la presse, même lorsqu'ils peuvent blesser les puissances étrangères dans leurs intérêts et dans leur honneur.

Il serait donc plus qu'inutile de vouloir réclamer aujourd'hui contre un pareil ordre de choses, quelque soit le préjudice qu'il porte aux Pays Bas, et dans cette conviction le Soussigné, après avoir anticipé la réponse du Principal Secrétaire d'Etat, n'insistera pas davantage sur ce point. Mais si le Gouvernement de la Reine est impuissant pour arrêter le cours de publications hostiles et séditieuses dont sont remplis les journaux imprimés à Demerari, il dépend assurément de lui de manifester sa désapprobation de la coupable indifférence avec laquelle toutes les tentatives faites pour exciter des troubles dans les établissemens voisins sont regardées par l'Administration et par ses agens dans cette colonie Britannique. La connaissance que le Soussigné a des intentions qui animent le Cabinet Anglais ne lui permet par de douter, que toute connivance ou complicité de la part des fonctionnaires publics à Démerari avec les actes des propagandistes pour exciter à la révolte les esclaves de Suriname, ne soient directement opposée à la teneur de leurs instructions. Il peut donc se flatter que le Gouvernement ne souffrira pas que ses agens dans les colonies éludent ses ordres à cet égard, ou qu'ils fassent des moyens que l'autorité leur confie, un usage différent ce celui qui leur en est prescrit.

Déjà en 1834 le Département des Colonies à Londres déclarait officiellement dans une dépêche adressée au gouverneur des possessions Anglaises aux Indes occidentales, "*that the abolition of slavery on the 1st of August last did not impose the duty, or confer on Great Britain the right, of furthering the same result in foreign countries by promoting the desertion of their slaves, or by any other indirect methods.*"

En se permettant de reproduire ces paroles sous les yeux de son Excellence Monsieur le Comte d'Aberdeen, le Soussigné est bien persuadé que la garantie qu'elles renferment n'aura rien perdu de son effet auprès du Cabinet qui est chargé aujourd'hui de la direction des Affaires, et qu'il peut espérer en conséquence de ne trouver dans la réponse du Principal Secrétaire d'Etat à ses réclamations, qu'une nouvelle manifestation de la disposition où est le Gouvernement de sa Majesté Britannique de remplir scrupuleusement les obligations qu'il s'est imposées à cette époque.

Le Soussigné, &c.,
(Signed)

DEDEL.

A son Excellence Monsieur le Comte d'Aberdeen,
&c. &c. &c.

(Translation.)

London, November 22, 1841.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Netherlands, has the honour, by direction of His Government, to call the serious attention of the Earl of Aberdeen, Principal Secretary of State for Foreign Affairs, to the system of provocation adopted by the public press in the British possessions of the West Indies, with the object of exciting to massacre and revolt the whole black population of the Netherlands establishments of the continent of America, as well as to the open, and it might almost be said official, protection, which fugitive slaves from Surinam find at Demerara, when, in consequence of newspaper appeals from that quarter, and on the faith of the impunity guaranteed to them, they succeed in escaping from the hands of their masters and seek refuge in that colony, among their neighbours the English. The dangerous fermentation which this state of things keeps up among the slaves at Surinam, and the constantly increasing danger in which the proprietors and authorities in that colony are placed, is but the infallible consequence and development of manoeuvres of all kinds practised by subjects of Her Britannic Majesty, self-styled friends of emancipation,—to excite by all means in their power troubles and disorders in the interior of a country belonging to a friendly and allied power.

The circumstances detailed in the annexed extracts from two newspapers published in British Guiana, and the principles professed in those papers, respecting the exposé as above made, have appeared to the Government of the Netherlands of a nature to merit all the consideration of Her Britannic Majesty's Government. It is no the lively sympathy expressed for the case and the fate of the eight fugitive

CLASS B.

slaves from Surinam, whose fortunate arrival at Demerara is so emphatically announced in the above-mentioned pages, nor the applause bestowed upon their flight, nor the general joy which the success of that enterprise appears to have caused in the English colony, that will furnish matter for the observations contained in this Note. These kinds of manifestations and declamations are a part, as is well known, of what by custom is called the legitimate dominion of the press; and however prejudicial they may be in effect to the maintenance of the relations of good neighbourhood between the two colonies, we cannot do better than pass them over in silence. But when these same English presses make themselves publicly the heralds and promoters of insurrection among their neighbours; when they allow themselves to proclaim aloud, for the instruction of the slaves of Surinam, that all temptation on their part to recover their liberty—even should they purchase it at the price of the assassination and robbery of their masters—is assured of impunity at Demerara, where no authority would dare to enforce the law against crimes committed by blacks of the neighbouring colony with the object of escaping from slavery; and when these offensive and seditious prints, evidently published to be distributed at Surinam, are profusely scattered all over that territory, then the question presents itself under quite another aspect, and the Netherlands Government is constrained, in spite of itself, to raise its voice and complain. Language so inflammatory, appeals so culpable and direct to the passions of the multitude, may well, in fact, provoke the indignation not only of the Government, but of all Netherland subjects. They manifest the spirit and disposition which animate the colony of Demerara generally towards the Dutch inhabitants and colonists on the other side of the frontier. They furnish, and in a most afflicting manner, incontestable proof that all means are proper to English propagators to attain the accomplishment of their designs against Surinam, by bringing about, by means of a general rising of the slaves, the ruin, or more correctly speaking, the total subversion of that colony, the most beautiful and interesting in the neighbourhood, of all those which Holland has preserved in the West Indies.

In pointing out these facts to his Excellency the Principal Secretary of State, there is one circumstance upon which the Undersigned will abstain from dwelling, but which he cannot nevertheless refrain from touching upon, because it appears to him as significant as it is in all respects to be regretted.

It appears by the reports received at the Colonial Department at the Hague, from the Governor-General of Surinam, that the Colonial Administration of Demerara, far from employing the authority of its position and character to arrest the course of the excesses of which it is every day witness, and which are those the Undersigned now complains of, has never even undertaken to manifest publicly and frankly its disapprobation of such excesses. This is a pretty clear indication of the direction in which to look for the tendencies and opinions of the administrative agents in that colony. Nevertheless, Her Britannic Majesty's Government must be well convinced that an accumulation of proceedings so shocking, a system of attack and hostility such as is seen to be practised by the English authorities with respect to Surinam, can never serve the cause of emancipation, but ought, on the contrary, to tend to results entirely opposed to that which the two powers have mutually in view. Nobody could pretend to doubt that the Cabinet of the Hague does not fully participate in the solicitude of the Cabinet of London for the complete abolition of the trade in slaves, which is equally reprobated by nature and by treaties. Upon this point it appeals with confidence to the entire cessation of that odious traffic under the flag of the Low Countries, as well as to the regulations recently introduced into Africa, by which the recruiting on that coast for the military service of the Dutch colonies in the East Indies is strictly limited to the class of free men, or rather to that of such slaves, whose liberation, independently of any intervention or influence on the part of the Government of the Low Countries, is anterior (at least two years) to their voluntary enlistment among the troops of the Netherlands. The Principal Secretary of State is too enlightened not to feel that the resources and powers of the Low Countries, as regards their finances, do not permit them to proceed hastily to a general emancipation, upon a basis so broad and vast as that which, thanks to the wealth of England, she has been enabled to establish the principle of complete emancipation in the British colonies. The position in which the King's Government is placed consequently prescribes that it be not carried away by the natural impulse of its feelings in this respect, and that, in order to imitate the noble example of humanity which Great Britain has set to the whole world, it should

await more favourable circumstances, when the acquisition of means more ample than it has at its disposal in the present day, shall have overcome the innumerable obstacles which are at present opposed to the execution of the beneficent designs it is unceasingly prosecuting with this object, and for the accomplishment of which no sacrifice would appear to it to be too great.

In this state of affairs, and pending the fortunate period when the Cabinet of the Hague can complete the work already begun, it would be most desirable if the apostles of emancipation in the English Colonies would, for the interests of their own cause, abstain, in the mean time, from interrupting the Government of the Low Countries in its constant efforts to lighten, by all the means in its power, the weight of servitude which still presses upon the colonies of Dutch Guiana. Is it not evident, nevertheless, that these efforts must in the end relax, if the only fruit the authorities derive from it is the conviction that to its weakness alone, and the fears its situation inspires, the spirit of faction is pleased to attribute the ameliorations it is desirous of introducing into the internal regime of its colonies? In this manner, every new improvement applied to the condition of the slaves will present itself to the eyes of the Government as the prelude to scenes of carnage and devastation, which their own hands will have prepared. It suffices that such a result be eventually possible, in order to arrest the development of benefits now meditating upon, and to compromise greatly those which already exist.

The Government of the Low Countries can with difficulty persuade itself that such is the end the friends of emancipation propose to themselves in the conduct they hold respecting it, and of which it is desirable to believe they have not sufficiently calculated the consequences. It appears to it impossible that England should desire that those colonies where slavery is not yet entirely abolished should be condemned, for that fact alone, to be destroyed by fire and bloodshed. Such a catastrophe, nevertheless, appears inevitable at Surinam, unless the colonial authorities of Dutch Guiana should find in the declared will of the Government of Her Britannic Majesty, that it no longer tolerates at Demerara practices so contrary to the rights of nations, and so incompatible with the tranquillity of the neighbouring states, a sufficient guarantee for its safety and repose.

It is with the view of securing this guarantee that the Cabinet of the Hague, in full reliance upon the good faith of the Government of Her Britannic Majesty, has directed the Undersigned to address these representations to his Excellency the Principal Secretary of State. The laws and constitution of Great Britain leave it not, as is known, in the power of the Government to restrain the excesses of the press, even though they may wound the honour and interests of foreign powers. It would therefore be less than useless to complain at present of such an order of things, whatever prejudice may result from it to the Low Countries; and under this conviction, the Undersigned, after having received the reply of the Principal Secretary of State, will not insist further upon this point. But if the Government of the Queen is impotent to arrest the course of hostile and seditious publications of which the newspapers published in Demerara are replete, it assuredly belongs to it to manifest its disapprobation of the culpable indifference with which all the temptations set on foot to excite trouble in the neighbouring establishments are regarded by the Administration and its agents in that British colony. The knowledge the Undersigned has of the intentions which animate the British Cabinet does not permit him to doubt that any connivance or complicity on the part of the public functionaries at Demerara with the acts of the propagandists in order to excite the slaves of Surinam to revolt is directly opposed to the tenor of their instructions. He therefore entertains a hope that the Government will not permit its agents in the colonies to elude its orders on the subject, or to make a different use of the means which authority gives them than what is prescribed to them.

Already in 1834, the Colonial Department at London declared officially in a Despatch addressed to the Governor of the English possessions in the East Indies, "that the abolition of slavery on the 1st of August last did not impose the duty or confer on Great Britain the right of furthering the same result in foreign countries, by promoting the desertion of their slaves, or by any other indirect methods."

While taking the liberty of placing these words again under the notice of his Excellency the Earl of Aberdeen, the Undersigned is quite persuaded, that the guarantee which they convey will have lost none of its effect with the Cabinet at present charged with the direction of affairs, and that he may in consequence hope to find nothing in the reply of the Principal Secretary of State to his demands,

but a new manifestation of the disposition of Her Britannic Majesty's Government to fulfil scrupulously the obligations it imposed on itself at that period.

The Undersigned has the honour to renew, &c.

(Signed) DEDEL.

His Excellency the Earl of Aberdeen, K. T.,
 &c. &c. &c.

First Enclosure in No. 604.

Extract from the "Guiana Times."

No. 219.

Georgetown, Friday, July 16, 1841.

NOVEL SPECIES OF IMMIGRATION.

At a late hour on Monday night, eight persons, apparently in the last state of exhaustion from fasting and fatigue, landed at one of our wharves from a boat of a remarkable construction, and surrendered quietly to the police. They turned out to be of Surinam, in which colony they had been working as slaves, when, inspired by the genius of liberty, they contrived to make their escape. They had hidden themselves during the day and rowed all night for 14 days and nights together, and the scantiness of their provision for the voyage was proportionate to the haste with which they have undertaken it. Their boat the Custom folks here of course seized. We believe it is intended to let the people themselves go where they please.

We have heard one or two gentlemen (evidently prejudiced in favour of our Dutch neighbours) say that the abstraction of the boat, being a theft, constitutes a good claim for a surrender of the runaways to the Surinam authorities. Others say, with a sort of fellow-feeling for slave-dealers, that it would be a pity not to give the poor people back their slaves. With such sentiments we confess we have little sympathy.

By the English law now in force in the English colonies, to hold a man in slavery is to commit a crime. It cannot then be a crime for a man to resist the imposition of a yoke of slavery, or to attempt to escape from its restraint.

One nation will not surrender to another the person of a man charged with an offence not recognised as such in the laws of all nations. The United States the other day refused to deliver up Lyon Mackenzie, even although the ingenuity of the British authorities contrived to charge him with the robbery of the public mails. "*Had those eight runaway slaves killed their master when he attempted to detain them, we will not say that their act would have been praiseworthy, but we contend that the Government must have reflected a little before it could have surrendered them as felons guilty of murder.*"

It is agreed that the mere act of escaping from slavery is not such an offence as justifies a surrender under international law, but slaves cannot escape without instruments of flight. The appropriation of the horse or boat or victuals for the journey is therefore, in the first place, purged of its immorality by the goodness of the cause in which it takes place, and next justified by the consideration of the toil which the master has all along stolen from the slave. The old notion of our former negro slaves, that what they had surreptitiously taken from their owner, they did not steal but take, had its foundation pretty deeply laid in the practical philosophy of human life. Our eight immigrants would very probably be fain to let Mr. Colin Campbell, whose Highland name is chalked on the boat, have his property back again whenever he chooses to send for it. To wink at the escape of these persons, and yet make a fuss about their theft of a vehicle, would be preposterous. We trust then, that unless some heinous offence, denounced in the universal code of Christendom, be formally imputed to the eight, all the vapouring likely to be put forth by the Surinam Government will be disregarded, and the poor people will be admitted to take rank without challenge among the free inhabitants of this colony.

Dr. Johnson, at an entertainment at Oxford, drank to "the next slave insurrection in the West Indies." One need not in this age be quite so bloodyminded as the obdurate old moralist. But we would toast, "The speedy depopulation of all slave countries by emigration to British Guiana." Liberty is a glorious prize worth perilling life and limb for. If all slaves come to know their own strength, this would become one of the finest countries on the face of the globe. We trust

hat they *may* soon know it, and that the multitudes of the human race will spurn at the chains held on them by the few; and feeble and flickering as the flame of freedom is, and liable to be extinguished by every passing breath of wind, we do not despair of seeing it yet strengthened and expanded, until it consume the system of slavery wherever prevalent.

We dare believe when this number of "the Guiana Times" reaches Paramaribo, the paper will be burned at the common market-place and the editor gibbeted in effigy. That is all very well, gentlemen of the cart-whip; but the chances are that more of your people will flee from misery to happiness than you are now reckoning on, and we sincerely wish them a safe deliverance and a pleasant passage hither.

Second Enclosure in No. 604.

No. 3996. *Extract from the "Guiana Chronicle" of July 16, 1841.*

EIGHT fugitive slaves from Dutch Guiana made their appearance in this colony on Wednesday evening two days out of food: "they touched our shores, and their shackles fell;" so free, and freedom-giving, is the soil on which the British Standard is unfurled. Five of them belonged to a Mr. Julian's plantation, Mya Vermaak, two to Mr. Colin Campbell, Nooit Gedatch, Manager Durépe, one to plantation Hamburg belonging to the heirs of Linek, all of the lower Laramacka.

About a fortnight since the two of Nooit Gedatch seized the estate's boat about 14 feet long, and taking in the others, made off; they voyaged by night, hauling up the boat into the bush and concealing themselves by day.

Excessive labour, without intermission even on the Lord's day, drove them they say to seek an asylum in a land of liberty. Oh liberty! what will men not do to dwell with thee! These poor fellows would have suffered death had they been taken. They knew it, and yet they braved all, yea committed themselves to the raging seas to reach "Freedom's Home or Glory's Grave!"

No. 605.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, November 25, 1841.

(Received November 28.)

MY LORD,

I HAVE the honour to enclose the copy of a correspondence which has passed between his Excellency Baron Kuyssen de Kattendyke and myself, on the subject of the ship "*Europa*" which has lately sailed for the coast of Guinea with 60 soldiers on board.

I have, &c.,

(Signed) E. C. DISBROWE.

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

&c. &c. &c.

First Enclosure in No. 605.

Sir E. C. Disbrowe to Baron de Kattendyke.

MONSIEUR LE BARON,

The Hague, November 12, 1841.

HIS Majesty having been graciously pleased to state to me that the practice of recruiting in Africa for the Netherlands regiments in Java was to be put an end to, it naturally follows that the information contained in the accompanying extract of a Letter from Her Britannic Majesty's Vice-Consul at Rotterdam must be erroneous; and it is therefore submitted to you, under the hope that your Excellency will enable me to contradict it.

I avail myself, &c.,

(Signed) E. C. DISBROWE.

His Excellency the Baron Kuyssen de Kattendyke,

&c. &c. &c.

Second Enclosure in No. 605.

Extract of Letter from Sir J. H. Turing, Her Britannic Majesty's Vice-Consul at Rotterdam, to Sir E. C. Disbrowe, dated Rotterdam, November 10, 1841.

I BEG leave to inform you that the Dutch ship "*Europa*," Captain Charlan, of the burthen of about 1,100 tons, belonging to this port, is now about to proceed to the Dutch settlements on the coast of Africa, for the purpose, it is presumed, of taking from thence to Java, natives to serve as recruits for the Dutch colonial service.

Third Enclosure in No. 605.

Baron de Kattendyke to Sir E. C. Disbrowe.

MONSIEUR LE CHEVALIER,

La Haye, le 25 Novembre, 1841.

EN réponse à l'office que vous me fîtes l'honneur de m'adresser le 12 de ce mois, j'ai celui de porter à votre connaissance que le navire "*Europa*," Capitaine Charlan, mentionné dans la Note qui accompagnait le dit office, a pour destination d'aller chercher sur la côte de Guinée tout le dépôt de recrutement qui s'y trouvait séparément établi, attendu que les autorités locales suffiront, dorénavant à ce qu'il paraît, aux enrôlements, depuis que l'ordre a été donné de les restreindre.

Je puis ajouter que cette restriction consiste à ne plus admettre désormais pour recrûs que des individus nés libres, ou d'anciens esclaves émancipés depuis au moins deux ans, sans l'intervention de les autorités Néerlandaises.

Je saisis, &c.,

(Signé)

KUYSSSEN DE KATTENDYKE.

Sir E. C. Disbrowe, G.C.H.,

&c. &c. &c.

(Translation.)

SIR,

The Hague, November 25, 1841.

IN reply to the official letter you did me the honour to address to me on the 12th instant, I have now the honour to acquaint you that the ship "*Europa*," Captain Charlan, mentioned in the Note which accompanied the said official Letter, is destined to fetch from the coast of Africa all the recruiting dépôt which was there separately established, supposing that the local authorities will suffice in future, as it would appear, to carry on the enlistments, since the order has been given to restrict them.

I may add that this restriction consists in not admitting henceforth, as recruits any other than persons born free, or former slaves liberated at least two years without the intervention of the Netherlands authorities.

I avail myself, &c.,

(Signed)

KUYSSSEN DE KATTENDYKE.

Sir E. C. Disbrowe, G.C.H.,

&c. &c. &c.

Fourth Enclosure in No. 605.

Sir E. C. Disbrowe to Baron de Kattendyke.

MONSIEUR LE BARON,

The Hague, November 26, 1841.

I HAVE the honour to acknowledge the receipt of your Excellency's Letter of the 25th of November, informing me that the "*Europa*" is under orders for the coast of Guinea, to take away from thence the recruiting dépôt, as the local authorities will in future be competent to fulfil that duty, since orders have been given to confine those enlistments within certain limits.

Your Excellency is then pleased to inform me that, in future, recruits will only be raised from persons born free, or from slaves who have been liberated above two years.

This is certainly a most important improvement on the existing practice ; whether it will do away completely with all the encouragement which previous proceedings have given to the Slave Trade, it is not possible to say. I fervently hope it may ; but it is, at all events, to be deeply regretted that slaves of every description are not excluded.

At the same time that I offer this remark, I am bound to observe that the restrictions which your Excellency now communicates fall very far short of the verbal engagements of his Netherlands Majesty, to discontinue altogether recruiting on that coast ; an assurance which His Majesty was graciously pleased to give to me and to Mr. Gurney, on two different occasions.

In the month of August, of this year, I had the honour to submit to His Majesty the thanks of the British Government for the generous resolution which he had announced.

I left the Despatch (of which I have the honour to enclose a copy) for several days in the hands of the King. I have reason to believe it was submitted to the consideration of the Department of the Colonies. At all events, it was returned to me by his Excellency Baron Verstolk de Soelen, without any remark impugning the accuracy of the report I had made to my Government, or any reserve relative to the complete abandonment of the system of recruiting.

I shall hasten to transmit to my Government your Excellency's Note of the 25th November, as I am by no means capable of judging what opinion the British Cabinet may form of this change in His Netherlands Majesty's views.

I avail myself, &c.,

(Signed) E. C. DISBROWE.

His Excellency Baron Kuyssen de Kattendyke,
&c. &c. &c.

No. 606.

Sir E. C. Disbrowe to the Earl of Aberdeen.

The Hague, December 21, 1841.

(Received December 24.)

MY LORD,

IN consequence of the arrival of fresh intelligence from Java, showing the intractability of the recruits from the coast of Guinea, the question of recruiting on that coast was again laid before the King of the Netherlands, by the Colonial Minister, as well as my Note of the 26th of November.

The result of these deliberations has been, as your Lordship will perceive by the enclosed note, that the recruiting on the coast of Guinea has been definitively and entirely abolished.

I have, &c.,

(Signed) E. C. DISBROWE.

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

Enclosure in No. 606.

M. de Kattendyke to Sir E. C. Disbrowe.

MONSIEUR LE CHEVALIER,

La Haye, le 18 Décembre, 1841.

POUR faire suite aux communications que j'ai eu l'honneur de vous adresser touchant le même objet, je m'empresse de porter à votre connaissance, que sur les rapports du Gouvernement Général des Indes Orientales, et sur celui fait en conséquence par le Département de Marine et des Colonies, Sa Majesté vient de décider par un arrêté en date d'hier que le recrutement sur la côte de Guinée sera entièrement aboli.

Il m'est agréable, M. le Chevalier, de pouvoir vous donner cette nouvelle, et j'ai l'honneur, &c., &c.

(Signé)

KUYSSSEN DE KATTENDYKE.

Sir E. C. Disbrowe, G.C.H.,
&c. &c. &c.

(Translation.)

SIR,

The Hague, December 18, 1841.

IN reference to the communications I have had the honour to address to you on the same subject, I hasten to acquaint you that, in consequence of reports from the Governor-General of the East Indies, and the one made thereupon by the Department of Marine and the Colonies, His Majesty has just decided, by a decree dated yesterday, that the recruiting on the coast of Guinea shall be entirely abolished.

It is satisfactory to me, Sir, to be able to give you this information.

I have, &c.,

(Signed)

KUYSSSEN DE KATTENDYKE.

Sir E. C. Disbrowe, G.C.H.,
 &c. &c. &c.

No. 607.

*The Earl of Aberdeen to Sir E. C. Disbrowe.**Foreign Office, December 27, 1841.**Circular for all Laws upon Slave Trade.*

(See No. 118.)

No. 608.

*The Earl of Aberdeen to M. Dedel.**Foreign Office, December 31, 1841.*

THE Undersigned, &c., has the honour to acknowledge the receipt of the Note which was addressed to him, on the 22nd ultimo, by M. Dedel, &c., complaining of the language used by the press and the public in British Guiana, in inciting the negroes of the Dutch colony of Surinam to revolt, and of the conduct pursued in British Guiana towards fugitive slaves arriving there from Surinam.

M. Dedel is aware that the British colonial authorities have no control over the public press; at the same time Her Majesty's Government has no hesitation in expressing to M. Dedel its regret that publications tending, in the opinion of the Netherlands Government, to encourage insubordination in a colony belonging to His Majesty, should have emanated from the press in British Guiana.

M. Dedel is also aware that, by the law of England, all slaves arriving in any one of Her Majesty's colonies become free; and Her Majesty's Government would consider it imperative on the authorities of the colony to afford to such individuals the protection of that law.

The Undersigned requests M. Dedel will assure the Government of His Netherlands Majesty that Her Majesty's Government will readily inquire into and punish all encouragement given by its colonial authorities to disturbances in a Dutch colony, and will signify its strong disapproval of the conduct of those authorities in any case in which it shall appear that they, having power to interfere and to prevent such proceedings, should have neglected to do so; but the Undersigned begs at the same time to draw the attention of M. Dedel to the circumstance that, in the present case, there does not appear to have been any such neglect; and Her Majesty's Secretary of State for the Colonies, to whom the subject has been referred for consideration, has intimated his opinion that if, under these circumstances, the British Government were to express to the colonial authorities the disapprobation suggested in M. Dedel's Note, it would convey a censure upon those authorities which is not called for.

The Undersigned is desirous to testify his respect for the wishes of the Government of the Netherlands by any act which the British Government can properly take to remedy the evils complained of in M. Dedel's Note; but, in the state of things here referred to, there appears nothing to warrant Her Majesty's Government to adopt the measure suggested by M. Dedel.

The Undersigned avails himself, &c.,

M. Dedel,
 &c. &c.

(Signed)

ABERDEEN.

No. 609.

The Earl of Aberdeen to Sir E. C. Disbrowe.

SIR,

Foreign Office, December 31, 1841.

I HAVE received your Despatches of the 26th ultimo and of the 21st instant, on the subject of the plan of recruiting on the coast of Africa for the Dutch army.

Her Majesty's Government have sincere gratification in perceiving from the Note addressed to you by M. de Kattendyke on the 18th instant, that the King of the Netherlands has consented to give up this practice.

You will present to the Netherlands Minister a Note expressive of the satisfaction of Her Majesty's Government at the formal Decree promulgated on the 17th instant to the effect above noted, evincing a determination on the part of the King of the Netherlands to abandon entirely a system which, with whatever caution and care it might be conducted, was still liable to deviate into a practice of Slave Trade, and to be productive of the evils necessarily consequent upon that crime.

I am, &c.,

(Signed) ABERDEEN.

Sir E. C. Disbrowe, G.C.H.,
 &c. &c. &c.

No. 610.

The Earl of Aberdeen to Sir E. C. Disbrowe.

(Extract.)

Foreign Office, December 31, 1841.

HER Majesty's Government feels confident that the Government of His Netherland Majesty desires to carry into effect in every respect the stipulations of the Treaty concluded between Great Britain and the Netherlands on the 4th May, 1818, for the suppression of the Slave Trade.

And the Note of the 3rd May last, addressed to you by M. Verstolk, gives full confirmation to the conviction here stated, in respect to the negroes emancipated under sentence of the Mixed British and Netherland Commission established at Surinam. But it is represented that a man named Peter, formerly belonging to the condemned slave-vessel "*Snow*," and emancipated so far back as seventeen years ago, but now serving as a boatman under the Governor of Surinam, is not yet in a state of complete freedom; and that the case of other negroes formerly belonging to that vessel are in this point similar to the case of Peter. Her Majesty's Government trusts that the Dutch Government will, in this communication, see sufficient grounds for desiring an inquiry to be made into this subject, and for taking care that the benevolent orders which M. Verstolk states to have been already issued in respect to the individuals taken on board of the "*Snow*," and emancipated by sentence of the Mixed Commission, shall be carried into full and immediate effect.

I am, &c.,

(Signed) ABERDEEN.

Sir E. C. Disbrowe, G.C.H.,
 &c. &c. &c.

S W E D E N.

No. 611.

*Viscount Palmerston to Sir Thomas Cartwright.**Foreign Office, April 15, 1841.**Circular sending Treaty with the Argentine Confederation.*

(See No. 32.)

No. 612.

*Viscount Palmerston to Sir Thomas Cartwright.**Foreign Office, April 22, 1841.**Circular sending Convention with Hayti.*

(See No. 36.)

No. 613.

*Viscount Palmerston to Sir Thomas Cartwright.**Foreign Office, May 11, 1841.**Circular relative to proposed Instruction to Swedish Functionaries.*

(See No. 47.)

No. 614.

*Viscount Palmerston to Sir Thomas Cartwright.**Foreign Office, May 18, 1841.*

SIR,

I HEREWITH transmit to you, for communication to the Swedish Government, a copy of a Despatch, and of its Enclosures, from Mr. Ouseley, Her Majesty's Chargé d'Affaires at Rio de Janeiro, containing his correspondence with the Swedish Acting Consul at that place, on the subject of Swedish vessels proceeding to Africa with cargoes evidently intended to be employed for purposes of Slave Trade.

I am, &c.,

Sir T. Cartwright,
&c. &c. &c.

(Signed) PALMERSTON.

Enclosure in No. 614.

*Mr. Ouseley to Viscount Palmerston.**Rio de Janeiro, March 13, 1841.*

(See No. 428.)

No. 615.

*Sir Thomas Cartwright to Viscount Palmerston.**Stockholm, June 16, 1841.*

MY LORD,

(Received June 30.)

I HAVE had the honour to receive your Lordship's Despatch of the 11th ultimo, together with its Enclosures, and in obedience to your Lordship's instruc-

tions have addressed a Note to the Swedish Minister of Foreign Affairs, requesting the Swedish Government to declare its disapprobation of Swedish agents in slave-holding countries hiring or maintaining slaves, or being interested in slave property.

I enclose a copy of the Note, to which I have not received a reply.

I have, &c.,

(Signed) THOMAS CARTWRIGHT.

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

Enclosure in No. 615.

Mr. Cartwright to M. d'Ihre.

Stockholm, June 2, 1841.

THE Undersigned, &c., has the honour to acquaint M. d'Ihre, Councillor of State, &c. &c., that it appears from information which has reached the British 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.

It cannot be doubted that by such practices the functionaries in question give indirect sanction to slavery, and ostensibly countenance measures which tend to create a demand for slaves; and consequently it is most urgent that an effort should be made to put a stop to those practices. The British Government has already addressed a Circular to all British functionaries in slave-holding countries expressive of its sentiments on this subject, and especially declaring its opinion, that it is unfitting for any officer holding an appointment under the British Crown, either directly or indirectly, to hold or be interested in slave property; and as it conceives that much good might be effected if the Swedish Government would take a similar course, the Undersigned has been instructed to request of His Swedish Majesty to cause instructions to the same purport to be issued to all Swedish Agents in the above-mentioned countries.

The Undersigned is persuaded that the Swedish Government will fully appreciate the importance of the step now urged.

It is impossible that a declaration signifying a positive disapprobation of the public functionaries holding slaves, or slave property, should not operate as a great discouragement to the Slave Trade; and as the sentiments of the King of Sweden respecting this odious traffic are well known, the Undersigned confidently hopes that the wishes of his Government upon this subject will be found to be in accordance with those of His Swedish Majesty.

The Undersigned, &c. &c.,

(Signed) THOMAS CARTWRIGHT.

M. d'Ihre,
&c. &c. &c.

No. 616.

Sir Thomas Cartwright to Viscount Palmerston.

Stockholm, June 29, 1841.

MY LORD,

(Received July 15.)

I HAVE had the honour to receive your Lordship's Despatch of the 18th ultimo, and have communicated to M. d'Ihre the correspondence enclosed in it relating to the Swedish vessel "*Fritz*."

When I saw M. d'Ihre upon this subject, he told me that, from the explanations which had been given to him by the owners of the "*Fritz*," he was convinced that there was no ground whatever for the suspicions which had been entertained at Rio Janeiro, respecting the object of the intended voyage of that vessel to the coast of Africa.

M. d'Ihre said that, the "*Frix*" having discharged a cargo at Rio Janeiro, the master was on the look-out for a freight back to Sweden, when he was offered a profitable cargo for the coast of Africa; that as from the coast of Africa (his destination was to have been Angola) he could go to the Cape Verd Islands and take in a cargo of salt for Stockholm, the offer suited his arrangements, but not wishing to expose himself to any risks, before he agreed to take the freight he applied to the Swedish Consul to know whether any of the articles of which it was to consist were prohibited by Treaty; and the Swedish Consul applied in his turn for information to Mr. Ouseley, and that upon Mr. Ouseley's representing that, by taking the cargo in question, he might expose his vessel to seizure, the master instantly gave up the freight for the coast of Africa, and took on board another of much less profit for Stockholm.

M. d'Ihre observed, that the fact of the master having applied to the Swedish Consul, and through him to Her Majesty's Chargé d'Affaires to ascertain whether the cargo was permitted by Treaty before he agreed to take it, showed of itself that there had been no intention whatever on his part to go to the coast of Africa to favour the Slave Trade; and I should be rather disposed to agree with M. d'Ihre, that the suspicions entertained respecting this vessel were not well founded, not only from the foregoing circumstance, but because also the vessel belongs to Messrs. Bonstett, merchants of the greatest respectability in Stockholm, who certainly would be loath to have their reputation compromised by any such transactions.

M. d'Ihre maintained also that the master of the "*Frix*" was wrongly deprived of the benefit of taking the cargo in question to the coast of Africa, as it consisted entirely of articles admitted by the seventh Article of the Treaty between Sweden and Great Britain, of 1824; and he assured me that the very cargo which that master had been deterred from carrying to Africa was afterwards taken by an American vessel to the same destination, without any remonstrance having been made, or any impediment having been thrown in its way.

M. d'Ihre said that he should address a Despatch to Baron Rehausen on this subject, which the latter would have orders to communicate to your Lordship, as he considered that it was the duty of the Swedish Government to put itself forward to clear Messrs. Bonstett from all suspicions, and show that the master of the "*Frix*" had only acted as he had been entitled to do by the Treaty with Great Britain.

I have, &c.

(Signed) THOMAS CARTWRIGHT.

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

No. 617.

The Baron de Rehausen to Viscount Palmerston.

44, St. James's Place, June 29, 1841.

(Received June 29.)

LE Baron de Rehausen ayant reçu l'ordre de donner communication à Monsieur le Vicomte Palmerston d'une dépêche qu'il vient de recevoir relativement à l'affaire du Capitaine d'un vaisseau Suédois, soupçonné par le Chargé d'affaires de S. M. Britannique à Rio de Janeiro d'avoir voulu participer à la Traite des Noirs, et ne voulant point abuser du tems précieux de son Excellence en demandant une entrevue personnelle, a l'honneur de transmettre ci-joint le document en question, avec une annexe, en priant son Excellence de vouloir bien lui faire rendre ces pièces après lecture faite.

Le Baron de Rehausen ose se flatter que les explications renfermées dans cette dépêche justifieront aussi bien l'armateur du bâtiment en question, qu'en général le pavillon marchand Suédois, de l'imputation odieuse d'avoir voulu prendre part à la Traite des Noirs.

L'horreur que cet abominable commerce a toujours inspiré au Gouvernement de Sa Majesté le Roi de Suède et de Norvège expliquera suffisamment son empressement à repousser un soupçon qui lui paraît aussi grave que mal fondé.

Le Baron de Rehausen prie, &c.

A Son Excellence M. le Vicomte Palmerston,
&c. &c. &c.

(Translation.)

44, *St. James's Place*, June 29, 1841.

BARON Rehausen having been directed to communicate to Viscount Palmerston the contents of a Despatch he has just received relative to the affair of the captain of a Swedish vessel, suspected by Her Britannic Majesty's chargé d'affaires at Rio de Janeiro of having intended to engage in the Slave Trade, and not wishing to encroach upon his Lordship's valuable time by seeking a personal interview, has the honour to transmit herewith the document in question, together with an annex, requesting his Lordship will be pleased to return these papers after perusing them.

Baron Rehausen flatters himself that the explanations contained in this Despatch will exonerate as well the owner of the vessel in question, as the Swedish flag in general, from the odious imputation of wishing to take part in the Slave Trade. The horror with which this abominable traffic has always inspired the Government of His Majesty the King of Sweden and Norway will sufficiently explain his earnestness to repel a suspicion which appears to him as serious as unfounded.

Baron Rehausen begs his Lordship to accept the assurances, &c.

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

First Enclosure in No. 617.

Monsieur d'Ihre to the Baron de Rehausen.

M. LE BARON,

Stockholm, ce 15 Juin, 1841.

MA dernière est du 25 du passé. La dernière du Comte de Bjornstjerna est du 5 courant.

Sir Thomas Cartwright vient de me communiquer une Dépêche de Lord Palmerston, en date du 18 Mai dernier, avec 3 annexes, dont vous trouverez ci-joint des copies, contenant la correspondance du chargé d'affaires de S. M. Britannique à Rio de Janeiro, avec le Consul *ad interim* du Roi dans cette ville, concernant un vaisseau Suédois, faisant voile pour l'Afrique avec une cargaison évidemment destinée à être employée dans le but de faire la Traite des Noirs.

En prenant connaissance de ces documens, vous verrez, Mons. le Baron, qu'il s'agit d'un bâtiment Suédois le "*Fritz*," qui avait été frêté à Rio pour transporter sur la côte d'Afrique une cargaison des marchandises consistant en cerceaux de fer, farine de froment, feijas, riz, farine de manioc, rhum, genièvre, et effets manufacturiers, qui avaient tous été portés sur le manifeste à la douane. Aucune des 9 conditions prévus par l'Art. 7 du Traité conclu avec S. M. Britannique en 1824 n'étaient applicables à ce bâtiment, qui ne pouvait donner lieu à aucune supposition d'être destiné à la traite, et ne pouvait, par conséquent, être légalement détenu.

L'armateur du brick le "*Fritz*," M. Bohnstedt, chef d'une maison de commerce très respectable à Stockholm, a communiqué deux lettres du Capitaine Zimmerman, qui commandait le brick en question. De ces lettres, dont je ci-joins une copie légalisée, ainsi qu'une traduction Anglaise, il appert :

Que le Capitaine Zimmerman avait conclu à Rio un frêt pour transporter de cette ville à Benguela et Angola (colonies Portugaises sur la côte d'Afrique), une cargaison de marchandises licites, contre une somme de 4,000 pillar dollars, en outre de 300 pillar dollars, que devaient payer 10 passagers qui seraient tenus à fournir eux-mêmes leurs provisions. Que de la côte d'Afrique il comptait faire route pour les Iles du Cap Verd, où il se proposait de charger du sel. Que le Chargé d'Affaires de S. M. Britannique à Rio de Janeiro, auquel s'étaient adressé le Vice-Consul de Suède, et le Capitaine Zimmerman, pour lui demander s'il croyait que quelque objection pourrait s'élever contre le voyage projeté, leur avait déclaré que le bâtiment serait inévitablement capturé par les croiseurs Anglais, et que, dans le cas qu'il ne fut point totalement condamné, il serait certainement détenu et visité dans quelque port sur la côte. Que, par suite de cette déclaration, le Capitaine Zimmerman crut devoir se dédire de ce frêt, quelque avantageux qu'il lui parut. Que ce frêt fut conclu immédiatement après par un bâtiment des États Unis. Que d'après la lettre du Capitaine Zimmerman, des bâtimens Français et Américains vont constamment, sans visite, vers l'Afrique et en reviennent de même, protégés par les vaisseaux de guerre Français et Américains stationnés sur la côte du Brésil.

Il paraît ainsi, que le Capitaine Zimmerman en a agi avec une franchise et une loyauté parfaite, et l'application à ce seul fait des mots cités ci-dessus de la Dépêche

de Lord Palmerston, et mentionnant que des vaisseaux Suédois se livraient à des entreprises évidemment destinées à favoriser la Traite, ne semble point justifiée.

Il est possible qu'une partie de la cargaison que le Capitaine Zimmerman devait transporter aux colonies Portugaises, Benguela et Angola, aurait pu, par la suite, être employés à des entreprises ayant rapport à l'infâme trafic, qui s'exerce encore dans ces parages, malgré le zèle honorable déployé en toute occasion par le Gouvernement de S. M. Britannique, pour le réprimer; mais le Traité conclu en 1824 entre la Suède et la Grande Bretagne ne défend point le transport pour la côte d'Afrique de marchandises en général, pourvu qu'elles ne soient point de la nature de celle spécifiées dans l'Art. 7 de ce Traité. Dès que toute communication avec cette côte n'est point défendu, il paraît que l'extension donnée par Monsieur le chargé d'affaires de S. M. Britannique à Rio à cet article du Traité est portée à un degré qui n'admet point son texte, puisque presque toute marchandise peut être employée à des entreprises qui ont rapport à la Traite des Noirs, et que, de cette manière, tout bâtiment portant une cargaison quelconque pourrait être détenue dans les mers où naviguent les négriers, sous le soupçon de se livrer à ce trafic.

Je vous engage, M. le Baron, à donner communication à Lord Palmerston de la présente Dépêche, pour disculper un capitaine Suédois d'un odieux soupçon qui paraît d'autant moins devoir l'atteindre, que la franchise de ses déclarations et la réputation honorable de la maison de commerce à laquelle appartient le bâtiment, nous donnent l'assurance morale la plus positive, qu'aucune entreprise condamnable n'était envisagée. Le Gouvernement Britannique, qui connaît l'horreur qu'inspirent à celui du Roi, notre Auguste Souverain, ces infâmes spéculations, et l'empressement avec lequel il s'est toujours uni aux efforts des grandes puissances maritimes qui ont pris à tâche d'une manière si généreuse de les abolir, ne pourra s'étonner si nous repoussons une imputation qui porte une atteinte entâchante à l'honneur de notre pavillon marchand; atteinte qui lui serait d'autant plus sensible qu'il est reconnu que même à l'époque où des lois philanthropiques ne régissaient point encore cette matière, jamais un bâtiment Suédois ne s'est prêté à un commerce qui nous a toujours paru déshonorer l'humanité. Si jamais un fait réel de cette nature nous était connu, le Gouvernement Britannique nous verrait déployer la même ardeur à le réprimer, et à le punir d'après toute la sévérité des lois, que nous en employons maintenant à laver un de nos compatriotes d'un soupçon que nous croyons injuste.

J'ai l'honneur, etc.,

(Signé) A. D'IHRE.

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

(Translation.)

MONSIEUR LE BARON,

Stockholm, June 15, 1841.

My last is dated the 25th ult. That of the Count de Bjornstjerna is dated the 5th inst.

Sir Thomas Cartwright has just forwarded to me a Despatch from Lord Palmerston, dated the 18th May last, with three annexes, of which I herewith send copies, containing the correspondence of Her Britannic Majesty's chargé d'affaires at Rio de Janeiro with the Consul *ad interim* of His Majesty in that city, concerning a Swedish vessel about to sail for Africa with a cargo evidently destined to be employed for Slave Trading.

On perusing these documents you will perceive, M. le Baron, that they refer to a Swedish vessel, the "*Fritz*," which had been freighted at Rio to carry to the coast of Africa a cargo of merchandise, consisting of iron hoops, wheaten flour, feijas, rice, manioc, rum, juniper, and manufactured articles, which had all been entered on the Custom House manifest. None of the nine conditions in the 7th Article of the Treaty concluded with Her Britannic Majesty in 1824 were applicable to this vessel, which could give reason to suppose she was destined for the trade, and consequently she could not be legally detained.

The owner of the brig "*Fritz*," M. Bohnstedt, principal of a very respectable commercial house at Stockholm, has communicated to us the two letters of Captain Zimmerman, who commanded the said brig. From these letters, of which I enclose certified copies, as well as an English translation, it appears:

That the Captain Zimmerman had concluded a freight at Rio, to carry from that town to Benguela and Angola (Portuguese colonies on the coast of Africa) a cargo

of licit merchandise, for a sum of 4,000 pillar dollars, besides 300 pillar dollars, which were to be paid by ten passengers, who were to furnish their own provisions. That from the coast of Africa he intended to make the Cape Verd Islands, where he proposed to take in a cargo of salt. That Her Britannic Majesty's Chargé d'Affaires at Rio, to whom the Swedish Vice-Consul and Captain Zimmerman wrote, to ask if any objection could be raised against the proposed voyage, had declared to them that the vessel would inevitably be captured by the English cruizers, and, though it might not be wholly condemned, it would certainly be detained and visited in some port on the coast. That in consequence of this declaration, Captain Zimmerman thought he ought to withdraw from the freight, however advantageous it seemed. That this freight was concluded immediately afterwards by a vessel belonging to the United States. That after the letter of Captain Zimmerman, French and American vessels constantly go, without being searched, to and from Africa, protected by French and American ships of war stationed on the coast of Brazil.

It appears, also, that Captain Zimmerman has acted with frankness and perfect honesty, and the application to this solitary instance of the above-mentioned words from the Despatch of Lord Palmerston, stating that Swedish vessels are engaged in enterprises evidently destined to promote the traffic, does not seem at all justified.

It is possible that a part of the cargo that Captain Zimmerman was about to carry to the Portuguese colonies, Benguela and Angola, could, in consequence, be employed in enterprises connected with the detestable traffic, which is still carried on in these latitudes, in spite of the praiseworthy zeal used on all occasions by the Government of Her Britannic Majesty to repress it; but the Treaty concluded in 1824 between Sweden and Great Britain does not interdict the transportation of general merchandise to the coast of Africa, provided they be not of the nature of those specified in the 7th Article of that Treaty. Since every communication with that coast is not interdicted, it appears that the extension given by Her Majesty's Chargé d'Affaires at Rio to this article of the Treaty is carried to a degree which its wording does not at all admit of, since almost every merchandise can be employed in enterprises connected with the Slave Trade, and that, consequently, every vessel carrying any cargo whatever could be detained in the seas where slave-vessels sail, under suspicion of being engaged in that trade.

I request, M. le Baron, that you will communicate this Despatch to Lord Palmerston, in order to exculpate a Swedish captain from an odious suspicion which appears so much the less ought to be attached to him, as the frankness of his declarations and the honourable reputation of the merchants' house to which the vessel belongs, give us the most positive assurance that any condemnable enterprise would not be countenanced. The British Government, who are aware of the horror with which these infamous speculations are viewed by that of the King, our august Sovereign, and the eagerness with which it has always united to the efforts of the great maritime powers, who so generously have undertaken to abolish them, cannot be astonished, if we refute an imputation which bears an accusation tainting the honour of our commercial flag; an accusation which would be so much more felt by it, as it is acknowledged that even at the time that philanthropic laws did not at all regulate this matter, never a Swedish vessel was engaged in a commerce which has always appeared to us to dishonour humanity. If ever a real fact of this nature has been made known to us, the British Government will see us use the same ardour to repress it, and to punish it according to the utmost rigour of the laws, as we now employ to vindicate one of our fellow-countrymen from a suspicion which we believe to be unjust.

I have, &c.,

M. le Baron Rehausen,
&c. &c. &c.

(Signed) A. D'IHRE.

Second Enclosure in No. 617.

Extracts in translation of two letters from C. W. Zimmerman, Master of the Swedish brig "Fritz," to M. C. F. Bonstedt, jun., at Stockholm, chief owner of said vessel.

Rio de Janeiro, March 1, 1841.

SEVERAL vessels have been chartered for the coast of Africa, among others the American brig "*Sophia*," of New York, which sailed some days ago, and the

barque "*Louise*," of Hamburg, which with the said destination left here on the 21st ultimo, but was taken off this port by the English cutter "*Grecian*," and carried, whither is not known, nor, with accuracy, on what account taken; it is conjectured there will have been found some articles on board, which, by the Treaty between England and Hamburg for the abolition of the Slave Trade, are prohibited.

I particularize these circumstances, because I have concluded a similar charter for the "*Fritz*," by which I have, beside 80 tons of ballast which I am permitted to have on board, engaged to leave the whole room of the vessel at the disposal of the charterers to load only legal merchandise, to be transported to Benguela and Angola in Africa against 4,000 pillar dollars, and to take 10 passengers in the cabin for 300 pillar dollars, provisions at their own charge. This was generally considered a very advantageous charter, and no one even mentioned a risk as attached to the same. I made inquiries on this point with several competent persons, and also perused the Treaty existing between Sweden and England; no one advised me to refuse the charter, and the Treaty contains no article that can prevent my accomplishing it. At all events, M. Valentine and myself will call to-morrow on Mr. Ouseley, the English resident here, to inquire of him whether there can be any difficulty or risk opposing, when carrying only legitimate articles of freight. Provided he does not dissuade me, nor produce any conventional act of a later date between our respective Governments, which could throw an obstacle in the way, I will undertake the voyage to the aforesaid place of Africa, and from thence proceed to the Cape Verd Islands for salt, expecting that, in the interim, commercial circumstances may have improved here.

(Signed) C. W. ZIMMERMAN.

Rio Janeiro, March 14, 1841.

THE charter, mentioned in my last of 1st instant, to the coast of Africa, I have been obliged to cancel, on account of the English residents assuring me that, if I accomplished it, I would infallibly be arrested by the English cruizers, and even though not totally condemned, yet at least detained and searched in some out-port or on the coast, as was the case with the Hamburg bark "*Louise*," in which, after several days' unloading and searching in the ground cargo, they discovered a large copper kettle impacked in a bale of cotton ware, and on account whereof she was declared a prize, and with all her passengers sent off to Cuxhaven, to be there condemned. Upon my getting knowledge hereof, I deemed it possible, in despite of all my endeavours to prevent it, some contraband article could be practised on board, whereby I might incur the risk of seeing the brig condemned; and I therefore accepted the offer of the charterer to cancel the charter party, without any indemnification on either side. It was not without sentiments of deep regret that I found myself compelled to give up the aforesaid freight, and see it instantly given over to an American. First, because at present there are but highly miserable, or almost no freight to be had here; secondly, on account of the mortification to see how despotically the poor northern nations are treated by the English, because we have no ships of war to protect us in these quarters as the American and French have, who therefore go and return to and from Africa unsearched and unmolested.

Since my arrival here, two American vessels have left under the same charter-party as the Hamburg ship "*Louise*," and one French is now loading.

(Signed) C. W. ZIMMERMAN.

M. C. F. Bonstedt, jun.,
&c. &c. &c.

No. 618.

Viscount Palmerston to Baron Rehausen.

Foreign Office, July 22, 1841.

THE Undersigned, &c., has the honour to acknowledge the Note which the Baron de Rehausen, &c., addressed to him on the 29th ultimo, transmitting, for the perusal of the Undersigned, a communication which the Baron had received from his Court, respecting the Swedish vessel the "*Fritz*."

The Undersigned has read with attention the papers sent to him upon this subject by the Baron de Rehausen, and he herewith returns them. These papers contain

an explanation of the conduct of M. Zimmerman, master of the "*Fritz*," in having at one time proposed to carry on board that vessel, to the coast of Africa, goods, on account of which the vessel might have been detained, and perhaps condemned, on the ground that such goods were destined to be used eventually for Slave Trade purposes.

The Undersigned concurs in opinion with M. d'Ihre that the conduct of M. Zimmerman, on the occasion referred to, is entirely free from blame, and showed a desire to observe the laws of Sweden, and not to do anything inconsistent with the Treaties which the Crown of Sweden has contracted with other Powers, for the suppression of Slave Trade.

The Baron Rehausen,
&c. &c. &c.

(Signed)

PALMERSTON.

No. 619.

Viscount Palmerston to Sir Thomas Cartwright.

SIR,

Foreign Office, July 22, 1841.

I HAVE received your Despatch of the 29th ultimo, respecting the freight offered to M. Zimmerman, for the Swedish vessel the "*Fritz*," at Rio de Janeiro; and I herewith transmit to you, for your information, a copy of a Note which I have this day addressed to the Baron de Rehausen, upon this subject.

I am, &c.,

Sir Thomas Cartwright,
&c. &c. &c.

(Signed)

PALMERSTON.

Enclosure in No. 619.

Viscount Palmerston to Baron Rehausen.

Foreign Office, July 22, 1841.

(See No. 618.)

No. 620.

Sir Thomas Cartwright to Viscount Palmerston.

Stockholm, July 27, 1841.

MY LORD,

(Received August 11.)

I HAVE the honour to transmit to your Lordship a copy of a Note which I have received, in reply to that I addressed to the Swedish Minister for Foreign Affairs, on the 2nd ultimo, in conformity with the instructions in your Lordship's Despatch of the 11th May last.

The Swedish Government accedes to the suggestion of Her Majesty's Government, and will give instructions to the Swedish agents in slave-holding countries, similar to those contained in your Lordship's Circular of the 8th of May last.

I have, &c.,

(Signed)

THOMAS CARTWRIGHT.

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

Enclosure in No. 620.

Monsieur d'Ihre to Sir Thomas Cartwright.

MONSIEUR,

Stockholme, le 23 Juillet, 1841.

J'AI eu l'honneur de recevoir l'office qu'en date du 2 Juin dernier vous avez bien voulu m'adresser, et par lequel vous m'informez que le Gouvernement Britanique avait appris que des personnes employées par des Gouvernemens Européens

CLASS B.

en qualité de Ministres, de Consuls, ou d'Agens dans des pays où l'esclavage existe encore, avaient l'habitude de louer ou de posséder des esclaves, et de s'engager dans des entreprises dans lesquelles la propriété des esclaves est concernée. Par suite des ordres qui vous avaient été donnés, vous avez fixé là-dessus l'attention du Gouvernement du Roi, en demandant que des instructions fussent adressées à tous les agens de Sa Majesté dans les pays concernés, à l'effet de mettre fin à un pareil état de choses.

Je crois en conséquence devoir avoir l'honneur de vous informer, Monsieur, que je n'ai pas manqué de mettre cet office sous les yeux du Roi, et que Sa Majesté se fait un plaisir d'aller au-devant des vœux exprimés par le Gouvernement de Sa Majesté Britannique, en faisant parvenir à ses Agens et Consuls des instructions analogues à celles données par ce Gouvernement.

Je saisis cette occasion, &c.,

Sir Thomas Cartwright,
&c. &c. &c.

(Signé) A. D'IHRE.

(Translation.)

Stockholm, July 23, 1841.

SIR,

I HAVE had the honour to receive the official Note which you addressed to me on the 2nd of June last, and in which you informed me that the British Government had learnt that persons employed by European Governments, in the situation of Ministers, Consuls, or Agents, in the countries where slavery still exists, were in the custom of hiring or possessing slaves, and of being engaged in enterprises in which the property of slaves is concerned.

In conformity with the orders transmitted to you, you have called the attention of the Government of the King to this subject, requesting that instructions may be issued to all the agents of His Majesty, in the said countries, in order to put an end to such a situation of affairs.

Consequently I think it my duty to have the honour to inform you, Sir, that I have not failed to lay the official Note before the King, and that His Majesty has pleasure in seconding the views of Her Britannic Majesty's Government, in transmitting to his Agents and Consuls instructions similar to those given by that Government.

I avail, &c.,

Sir Thomas Cartwright,
&c. &c. &c.

(Signed) A. D'IHRE.

No. 621.

Viscount Palmerston to Sir Thomas Cartwright.

SIR,

Foreign Office, August 23, 1841.

I HAVE received your Despatch of the 27th ultimo, enclosing a copy of a Note from M. d'Ihre, stating that instructions, analogous to those given by the British Government, prohibiting their agent, in slave-holding countries, from being directly or indirectly interested in slave property, would be given by the Swedish Government to their Agents and Consuls; and I have to desire that you will express to M. d'Ihre the cordial thanks of Her Majesty's Government for this communication.

I am, &c.,

Sir Thomas Cartwright,
&c. &c. &c.

(Signed) PALMERSTON.

No. 622.

Sir Thomas Cartwright to the Earl of Aberdeen.

Stockholm, October 6, 1841.

MY LORD,

(Received October 22.)

I HAVE the honour to acknowledge the receipt of Viscount Palmerston's Despatch of August 23rd, and to acquaint your Lordship that, in obedience to the

directions contained in it, I have communicated to M. d'Ihre the cordial thanks of Her Majesty's Government, for the instructions which he intimated, in his Note to me of the 23rd July, would be given by the Swedish Government to their Agents and Consuls in slave-holding countries.

I have &c.,

(Signed) THOMAS CARTWRIGHT.

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

No. 623.

Earl of Aberdeen to Sir Thomas Cartwright.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 113.)

No. 624.

Earl of Aberdeen to Baron Rehausen.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 114.)

No. 625.

Earl of Aberdeen to Sir Thomas Cartwright.

Foreign Office, December 27, 1841.

Circular asking for all Laws on Slave Trade.

(See No. 118.)

No. 630.

*Viscount Palmerston to Mr. Mandeville.**Foreign Office, May 8, 1841.**Circular against holding Slave Property.*

(See No. 196.)

No. 631.

*Viscount Palmerston to Mr. Mandeville.**Foreign Office, May 11, 1841.**Circular as to proposed Instructions to Buenos Ayrean Functionaries in Slave-holding Countries.*

(See No. 47.)

No. 632.

*Mr. Mandeville to Viscount Palmerston.**Buenos Ayres, July 19, 1841.*

MY LORD,

(Received October 7.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 15th April last, transmitting to me, for my information, 12 copies of a Treaty concluded at Buenos Ayres, on the 24th of May, 1839, between Her Majesty and the Argentine Confederation.

I have, &c.

(Signed)

J. H. MANDEVILLE.

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

No. 633.

*Mr. Mandeville to Viscount Palmerston.**Buenos Ayres, July 19, 1841.*

MY LORD,

(Received October 7.)

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch of the 22d April last, transmitting to me, for my information, two copies of a Convention concluded at Port au Prince, on the 23d 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 November, 1831, and the 22d of March, 1833.

I have, &c.,

(Signed)

J. H. MANDEVILLE.

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

No. 634.

*Mr. Mandeville to Viscount Palmerston.**Buenos Ayres, August 5, 1841.*

MY LORD,

(Received October 28.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 8th of May last, transmitting me a copy of a Memorial from the General Anti-Slavery Convention.

I have no reason to believe that any British functionary in this republic, or in that of the Uruguay, either directly or indirectly, hold or are interested in slave property.

I have, &c.

(Signed) J. H. MANDEVILLE.

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

No. 635.

Mr. Mandeville to Viscount Palmerston.

Buenos Ayres, August 5, 1841.

MY LORD,

(Received October 28.)

I HAVE had the honour to receive your Lordship's Despatch of the 11th of May last, acquainting me that Her Majesty's Government had been led to suppose 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 of engaging in undertakings in which slave property is concerned; and your Lordship had in consequence addressed to all British functionaries in slave-holding countries a Circular Letter, of which a copy was transmitted to me in this Despatch.

Her Majesty's Government thinking it also important that the opinion of the Buenos Ayrean Government should be expressed in such a manner as to afford an additional discouragement to the Slave Trade, is of opinion that much good would be effected if the Buenos Ayrean Government would address to its agents in slave-holding countries instructions similar to those contained in the above-mentioned Despatch from your Lordship to British functionaries therein residing, and your Lordship directed me to address a Note to the Buenos Ayrean Government inviting them to do so.

I have, in obedience to your Lordship's directions, addressed a Note this day to the Government of Buenos Ayres on this subject, a copy of which I have the honour to transmit to your Lordship.

I have, &c.

(Signed) J. H. MANDEVILLE.

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

Enclosure in No. 635.

Mr. Mandeville to M. de Arana.

SIR,

Buenos Ayres, August 5, 1841.

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.

This has called for severe animadversion, on the part of Her Majesty's Government, on those functionaries, who are capable of entering into such unseemly transactions, and Her Majesty's Government has in consequence addressed to all British functionaries in slave-holding countries a Circular Despatch, deprecating in the strongest manner such and similar proceedings; and as Her Majesty's Government think it very important that the opinion of the Buenos Ayrean Government should be expressed upon this subject in such a manner as to afford an additional discouragement to the Slave Trade, I have received Lord Palmerston's instructions to invite, in the name of Her Majesty's Government, the liberal and enlightened Government of the Republic of the Argentine Confederation to address to its agents in slave-holding countries instructions forbidding in the strongest manner any transaction whatever with slaves by which the smallest

encouragement can be given to the nefarious traffic in slaves, as it would be unfitting that any officer holding an appointment under a Government, which, like that of Buenos Ayres, has abolished the traffic of slaves in its territory, should, either directly or indirectly, hold or be interested in slave property.

I have, &c.

(Signed) J. H. MANDEVILLE.

His Excellency Don Felipe de Arana,
&c. &c. &c.

No. 636.

Earl of Aberdeen to Mr. Mandeville.

Foreign Office, October 30, 1841.

Circular sending Papers presented to Parliament.

(See No. 113.)

No. 637.

Earl of Aberdeen to M. Moreno.

Foreign Office, November 12, 1841.

Circular sending Papers presented to Parliament.

(See No. 114.)

No. 638.

Mr. Mandeville to Viscount Palmerston.

Buenos Ayres, September 16, 1841.

(Received December 6.)

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of the Answer, which has been sent to me by this Government in reply to my Note, which, by your Lordship's directions, I addressed to the Vice-Governor Don Felipe Arana, on the 5th August last, inviting this Government to give to their agents in slave-holding countries the strictest orders, prohibiting them, in the most rigorous manner, from having any transactions with slaves, by which the slightest encouragement could be given to this nefarious traffic.

I have the satisfaction to be enabled to acquaint your Lordship, that his Excellency, in accordance with the philanthropic desires of Her Majesty, and with the principles established in the Treaty concluded between Great Britain and the Argentine Confederation in 1839, has ordered copies of my Note, and of the Answer of this Government, to be sent to the Ministers and Agents of the Confederation residing in countries where unfortunately slavery still exists, and prohibits them, in the severest manner, from having any transaction with slaves.

I have, &c.

(Signed) J. H. MANDEVILLE.

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

Enclosure in No. 638.

(Translation.)

The Under Secretary of State for Foreign Affairs of the Government of Buenos Ayres, charged with those of the Argentine Confederation, to his Excellency the Minister Plenipotentiary of Her Britannic Majesty.

Buenos Ayres, September 13, 1841.

THE Undersigned, by order of his Excellency the Vice-Governor and Captain-General Dr. Don Felipe Arana, has the honour to acknowledge the

receipt of the Note of 5th August last, in which your Excellency acquaints him, that you have received instructions from Her Majesty to invite this Government to address to their agents in slave-holding countries the strictest orders, prohibiting, in the most rigorous manner, any transaction in slaves, by which the slightest encouragement could be given to this nefarious traffic.

His Excellency has directed the Undersigned to inform your Excellency, in reply, that in conformity with the philanthropic desires of Her Britannic Majesty, and in accordance with the principles established in the Treaty concluded with your Excellency for the abolition of the Slave Trade, he has ordered copies of your Excellency's Note, and of the Answer of this Government, to be sent to Ministers and Agents of the Confederation residing in countries where unfortunately slaves still are kept, prohibiting to them expressly, and in the severest manner, every transaction in slaves.

God preserve, &c.

(Signed)

MANUEL DE YRIGOYEN.

No. 639.

The Earl of Aberdeen to Mr. Mandeville.

Foreign Office, December 27, 1841.

Circular asking for all Laws relative to the Slave Trade.

(See No. 118.)

No. 640.

The Earl of Aberdeen to Mr. Mandeville.

SIR,

Foreign Office, December 31, 1841.

I HAVE received your Despatch of the 16th September last, transmitting a copy of a Note from the Under Secretary of State for Foreign Affairs, of the Argentine Confederation, stating that the Argentine Government were about to issue an instruction to their ministers and agents in slave-holding countries, prohibiting to them expressly and in the severest manner every transaction in slaves; and I have to instruct you to express to the Government of the Argentine Confederation the cordial thanks of Her Majesty's Government for this communication.

I am, &c.,

J. H. Mandeville, Esq.,
&c. &c. &c.

(Signed) ABERDEEN.

ARGENTINE CONFEDERATION. *(Consular.)*

No. 641.

Viscount Palmerston to Mr. Griffiths.

Foreign Office, April 15, 1841.

Circular sending Treaty with the Argentine Confederation.

(See No. 32.)

No. 642.

Viscount Palmerston to Mr. Griffiths.

Foreign Office, April 22, 1841.

Circular sending Convention with Hayti.

(See No. 36.)

No. 643.

Viscount Palmerston to Mr. Griffiths.

Foreign Office, May 8, 1841.

Circular against his holding Slave Property.

(See No. 196.)

No. 644.

Mr. Griffiths to Viscount Palmerston.

British Consulate, Buenos Ayres, July 12, 1841.

MY LORD,

(Received October 7.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 15th of April of this year, with the enclosure of the copy 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.

I have, &c.,

(Signed) CHARLES GRIFFITHS, *Vice-Consul.*

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

No. 645.

Mr. Griffiths to Viscount Palmerston.

British Consulate, Buenos Ayres, July 12, 1841.

MY LORD,

(Received October 7.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 22nd of April of this year, with the enclosure of the copy of a Convention

concluded at Port au Prince on the 23rd December, 1839, by which the Republic of Hayti has acceded to the Convention for the suppression of the Slave Trade.

I have, &c.,

(Signed) CHARLES GRIFFITHS, *Vice-Consul.*

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

No. 646.

Mr. Griffiths to Viscount Palmerston.

British Consulate, Buenos Ayres, August 5, 1841.

MY LORD,

(*Received October 28.*)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of May 8th of this year, with the copy of a Memorial from the General Anti-Slavery Convention.

I have never purchased or employed in any service any slave, since my appointment in this country, and have carefully avoided any direct or indirect interest in all concerning slave-property.

The total abolition of the cruel and odious traffic in slaves is a measure which ought to be most fervently desired by every humane and philosophic man, and I trust will be ultimately effected in every part of the civilized world.

I have, &c.,

(Signed) CHARLES GRIFFITHS, *Vice-Consul.*

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