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Class C.

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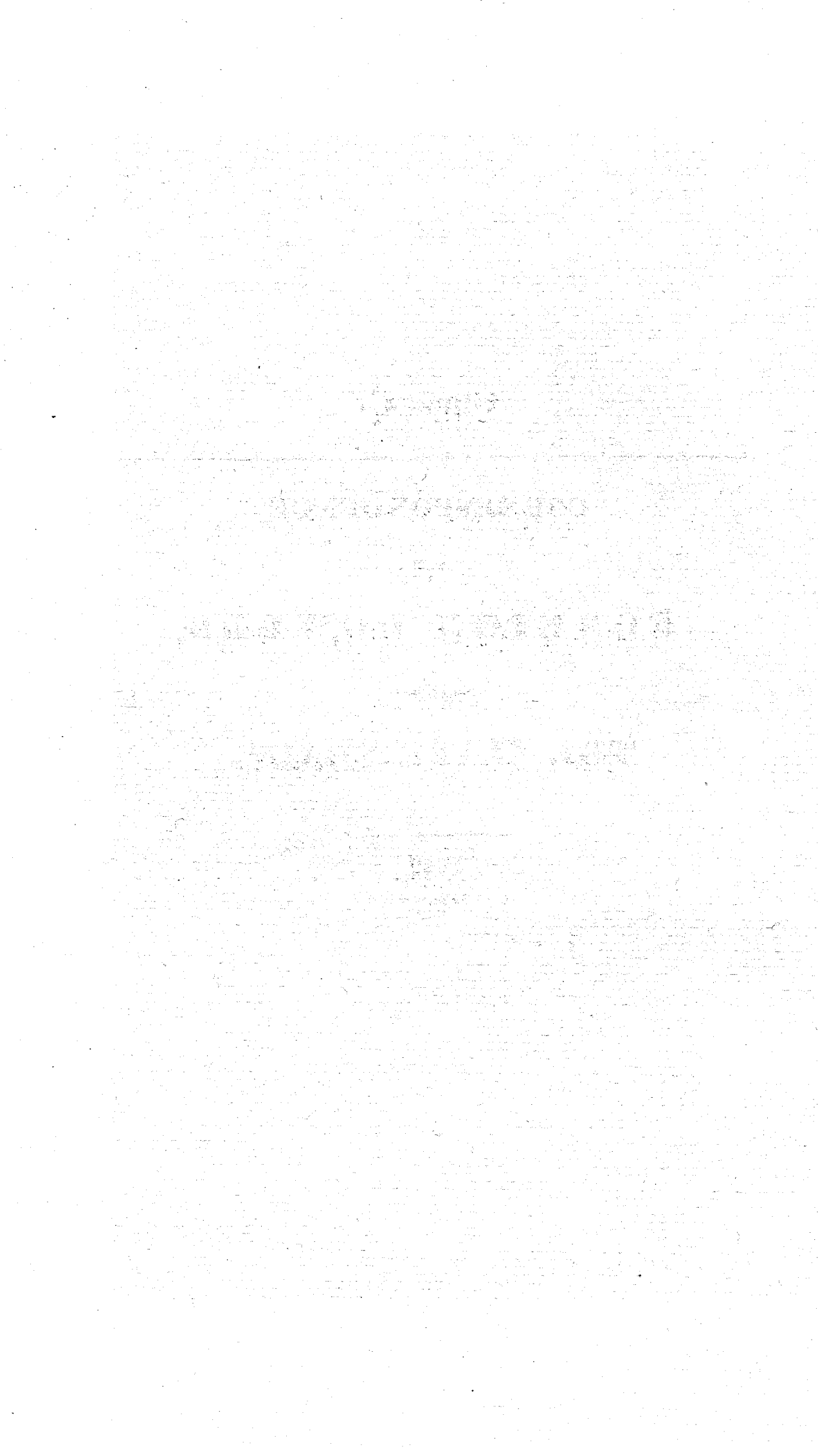
WITH

FOREIGN POWERS,

RELATIVE TO

THE SLAVE TRADE.

1842.



Class C.

CORRESPONDENCE

ON

THE SLAVE TRADE

WITH

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

PARTIES TO CONVENTIONS,

UNDER WHICH

**VESSELS ARE TO BE TRIED BY THE TRIBUNALS OF THE
NATION TO WHICH THEY BELONG.**

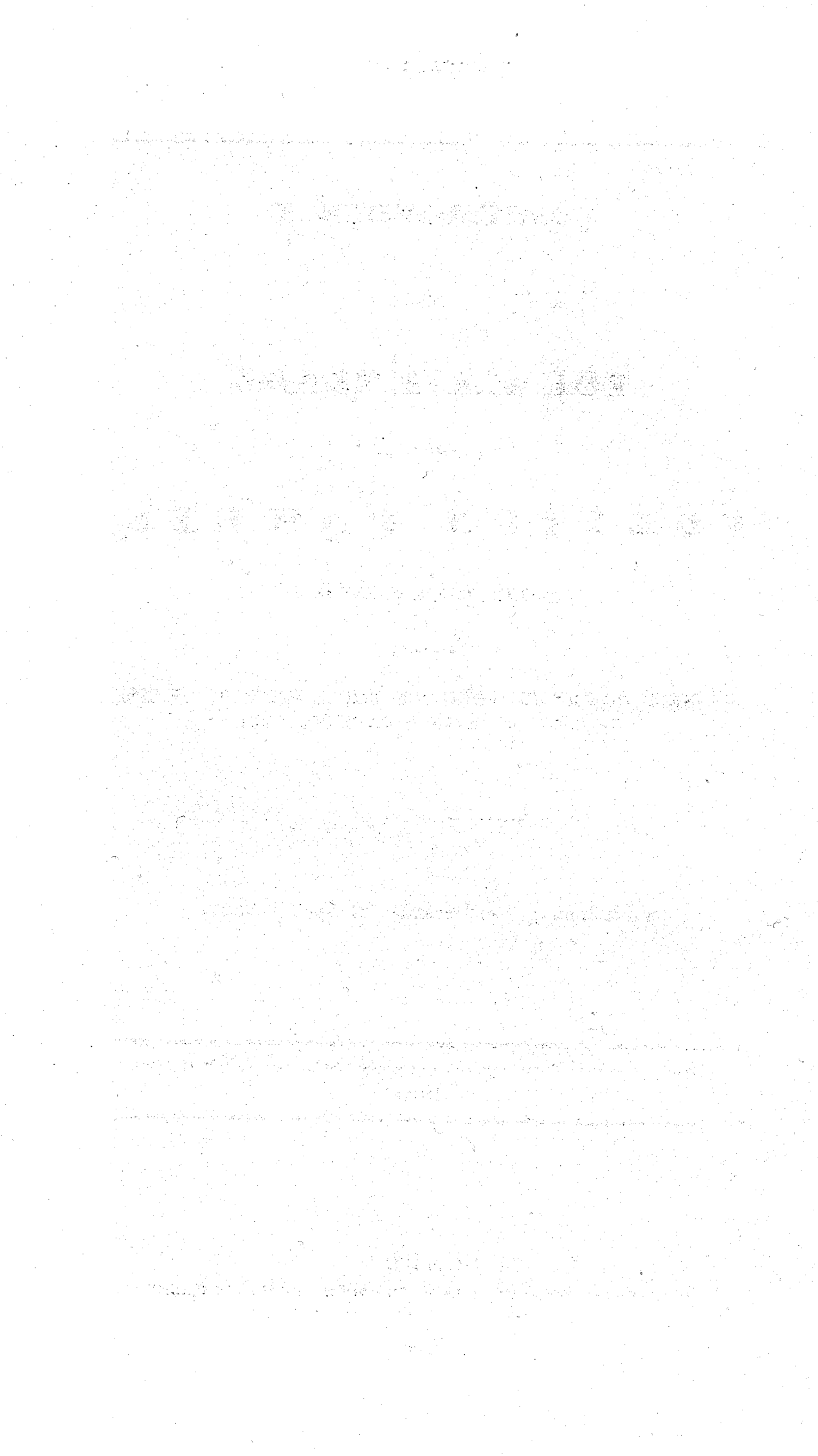
From January 1 to December 31, 1842, inclusive.

Presented to both Houses of Parliament by Command of Her Majesty,
1843.

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FOR HER MAJESTY'S STATIONERY OFFICE.

1843.



Class C.—1842.

LIST OF PAPERS.

FRANCE.

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
1. Count St. Aulaire to the Earl of Aberdeen	Jan. 18	Jan. 19	Warrant for the "Aré- thuse" to be altered from Gulf of Mexico to Brazil	1
2. Count St. Aulaire to the Earl of Aberdeen Two Enclosures	Feb. 5	Feb. 7	Returning warrants is- sued to two French vessels	1
3. The Earl of Aberdeen to Count St. Aulaire One Enclosure	Feb. 8		Sends warrant for the French corvette "Are- thuse"	1
4. Protocol of Conference	Feb. 19		Treaty. Exchange of ra- tifications, of Austria, Prussia, and Russia, against those of Great Britain	2
5. The Earl of Aberdeen to Lord Cowley One Enclosure	Feb. 19		Treaty. Ratifications ex- changed with Austria, Prussia, and Russia	2
6. The Earl of Aberdeen to Count St. Aulaire One Enclosure	Feb. 21		Sending copy of protocol of Conference of Fe- bruary 19	2
7. Lord Cowley to the Earl of Aberdeen	Feb. 25	Feb. 28	Receipt of a Despatch.	3
8. The Earl of Aberdeen to Lord Cowley One Enclosure	Feb. 28		French flag extensively used in the Slave Trade with Brazil	3
9. Count St. Aulaire to the Earl of Aberdeen	Feb. 28		Returns the warrant is- sued to French cor- vette "Alcmène"	3
10. The Earl of Aberdeen to Lord Cowley Nine Enclosures	Mar. 3		Returning eight war- rants issued by the French Government, and asking for fifteen others	3
11. Lord Cowley to the Earl of Aberdeen Two Enclosures	Mar. 14	Mar. 17	The French Government deny that French ves- sels are engaged in Slave Trade to Brazil	4
12. Lord Cowley to the Earl of Aberdeen Two Enclosures	Mar. 18	Mar. 21	Warrants issued by French Government to British vessels which ought to have been re- turned	5
13. The Earl of Aberdeen to Count St. Aulaire	Mar. 21		Mrs. Lightbourne's fa- ctory. M. Valentin's claims	7
14. Count St. Aulaire to the Earl of Aberdeen	Mar. 22	Mar. 22	Acknowledgment of the above	8
15. Count St. Aulaire to the Earl of Aberdeen Two Enclosures	Mar. 21	Mar. 24	Returns two warrants is- sued to the "Lutin" and "Bayonnaise"	8
16. Lord Cowley to the Earl of Aberdeen One Enclosure	Mar. 25	Mar. 28	Sends fifteen warrants for British ships	8
17. The Earl of Aberdeen to Count St. Aulaire	Mar. 29		Returning the original papers on M. Valen- tin's claim	9
18. The Earl of Aberdeen to Lord Cowley One Enclosure	Mar. 30		Slave Trade said to be carried on at the French settlements in the Casa- manca	9
19. Count St. Aulaire to the Earl of Aberdeen	Mar. 30	April 1	Asks for warrants for "Le Cassard" and "La Fine"	9
20. Lord Cowley to the Earl of Aberdeen	April 4	April 6	Receipt of a Despatch	9
21. The Earl of Aberdeen to Count St. Aulaire	April 7		Sending warrants for "Le Cassard" and "La Fine"	10
22. Count St. Aulaire to the Earl of Aberdeen	April 11	April 13	Returns the warrants is- sued to "Le Cassard" and "La Fine," and asks for one for the "Dupetit Thouars"	10

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
23. Lord Cowley to the Earl of Aberdeen One Enclosure	April 15	April 17	M. Guizot will furnish copies of French laws, &c., against Slave Trade	10
24. Count St. Aulaire to the Earl of Aberdeen Twenty-three Enclosures	April 19	April 19	"Marabout"	11
25. The Earl of Aberdeen to Count St. Aulaire	April 23		Sends warrant for the "Dupetit Thouars"	54
26. Count St. Aulaire to the Earl of Aberdeen	May 2	May 3	Returning warrants issued to the "Adonis," "Berceau," and "Arvide"	54
27. Count St. Aulaire to the Earl of Aberdeen	May 10	May 10	Returns warrant issued to the "Egérie," and asks for fifteen others	55
28. Protocol of Conference	May 11		Treaty	55
29. The Earl of Aberdeen to Lord Cowley One Enclosure	May 11		Treaty. Copy of Protocol of Conference of May 11	55
30. Lord Cowley to the Earl of Aberdeen	May 16	May 17	Receipt of the preceding	56
31. Lord Cowley to the Earl of Aberdeen Two Enclosures	May 20	May 23	Reply to statement respecting Slave Trade carried on by French subjects in the Casamança	56
32. The Earl of Aberdeen to Count St. Aulaire	May 24		Sends warrants for fifteen French ships	59
33. Count St. Aulaire to the Earl of Aberdeen One Enclosure	June 3	June 9	"Deux Sœurs" searched by H.M.S. "Madagascar." Complaints	59
34. The Earl of Aberdeen to Lord Cowley	June 9		"Marabout." To ascertain the mode of appealing against the damages	61
35. The Earl of Aberdeen to Lord Cowley Two Enclosures	June 13		Warrants issued under the Conventions with France	61
36. The Earl of Aberdeen to Lord Cowley One Enclosure	June 14		Warrants required for ten British ships	63
37. Lord Cowley to the Earl of Aberdeen	June 13	June 15	"Marabout." Acknowledgment of Despatch	63
38. The Earl of Aberdeen to Count St. Aulaire	June 16		"Deux Sœurs." Complaint against H.M.S. "Madagascar." Inquiry ordered	63
39. M. de Rohan Chabot to the Earl of Aberdeen	June 25	June 27	Asks for a warrant for the "Heroine"	64
40. The Earl of Aberdeen to M. de Rohan Chabot	July 1		Sends warrant for the "Heroine"	64
41. Lord Cowley to the Earl of Aberdeen	July 1	July 4	"Marabout." Legal opinion as to course to be pursued for appeal	64
42. The Earl of Aberdeen to Lord Cowley	July 8		"Marabout"	65
43. M. de Rohan Chabot to the Earl of Aberdeen	July 8	July 11	Asks for a warrant for the "Badine"	65
44. Lord Cowley to the Earl of Aberdeen One Enclosure	July 11	July 14	"Marabout." There can be no appeal from the decree of acquittal	65
45. Lord Cowley to the Earl of Aberdeen	July 11	July 14	Receipt of a Despatch	66
46. The Earl of Aberdeen to M. de Rohan Chabot	July 15		Sending warrant for the "Badine"	66
47. The Earl of Aberdeen to Lord Cowley	July 16		Warrant not wanted for the "Satellite." Station of the "Albatross" changed. Warrants for five vessels wanted	66
48. The Earl of Aberdeen to Lord Cowley Five Enclosures	July 20		Returning five warrants to be cancelled	67
49. Lord Cowley to the Earl of Aberdeen One Enclosure	July 19	July 21	Instructions to Maritime Prefect on alleged abuse of the right of search	67
50. M. de Rohan Chabot to the Earl of Aberdeen One Enclosure	July 20	July 22	Returns the warrant issued to the "Zébre"	68
51. Lord Cowley to the Earl of Aberdeen	July 22	July 24	Receipt of Despatches	68
52. M. de Rohan Chabot to the Earl of Aberdeen One Enclosure	July 26	July 28	"Les Deux Sœurs." Complaint against an officer of H. M. S. "Madagascar"	69

LIST OF PAPERS.

vii

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
53. M. de Rohan Chabot to the Earl of Aberdeen One Enclosure	July 26	July 29	"Marabout."	71
54. Lord Cowley to the Earl of Aberdeen	July 29	July 31	Sends eight warrants for British ships.	72
55. M. de Rohan Chabot to the Earl of Aberdeen One Enclosure	Aug. 1	Aug. 3	"Marabout." Decree liberating the crew	72
56. The Earl of Aberdeen to Lord Cowley Four Enclosures	Aug. 6		Returning four warrants, and asking for warrants for the "Hornet" and "Spy"	73
57. Lord Cowley to the Earl of Aberdeen	Aug. 12	Aug. 14	Receipt of a Despatch	74
58. Lord Cowley to the Earl of Aberdeen Two Enclosures	Aug. 12	Aug. 14	Sends six warrants for British ships.	74
59. M. de Rohan Chabot to the Earl of Aberdeen	Aug. 15	Aug. 17	Warrant for the "Alerte" returned. One required for the "Oreste"	75
60. The Earl of Aberdeen to M. de Rohan Chabot	Aug. 20		Sends warrant for the "Oreste"	75
61. Lord Cowley to the Earl of Aberdeen	Aug. 26	Aug. 28	Receipt of Despatches	75
62. Lord Cowley to the Earl of Aberdeen	Sept. 2	Sept. 5	Receipt of Despatch	76
63. Lord Cowley to the Earl of Aberdeen One Enclosure	Sept. 2	Sept. 5	Sends warrants for the "Hornet" and "Spy"	76
64. Viscount Canning to Lord Cowley	Sept. 8		"Marabout"	76
65. M. de Rohan Chabot to the Earl of Aberdeen One Enclosure	Sept. 10	Sept. 12	Returns warrant for the "Badine," and asks for warrants for the "Euryale" and "Comète"	77
66. Lord Cowley to Viscount Canning One Enclosure	Sept. 16	Sept. 19	"Marabout." The Cour Royale at Cayenne is shut in certain months	77
67. The Earl of Aberdeen to M. de Rohan Chabot	Sept. 21		Sends warrants for the "Euryale" and "Comète"	78
68. The Earl of Aberdeen to Lord Cowley Eight Enclosures	Oct. 1		Eight warrants returned. One required for the "Daphne"	78
69. Count St. Aulaire to the Earl of Aberdeen	Oct. 10	Oct. 11	Asks for a warrant for the "Nisus"	78
70. The Earl of Aberdeen to Count St. Aulaire	Oct. 15		Sends warrant for the "Nisus"	78
71. Lord Cowley to the Earl of Aberdeen	Oct. 17	Oct. 20	Receipt of a Despatch	79
72. Count St. Aulaire to the Earl of Aberdeen One Enclosure	Oct. 20	Oct. 21	Complaint against H.M.S. "Cygnet," in the case of the "Aigle"	79
73. The Earl of Aberdeen to Count St. Aulaire	Oct. 26		Complaint against H.M.S. "Cygnet," in the case of the "Aigle"	81
74. The Earl of Aberdeen to Count St. Aulaire One Enclosure	Oct. 26		"Marabout." Inquiry instituted.	81
75. Lord Cowley to the Earl of Aberdeen One Enclosure	Oct. 25	Oct. 27	Sending warrant for the "Daphne"	83
76. The Earl of Aberdeen to Lord Cowley	Nov. 2		Warrant required for H.M.S. "Orestes"	84
77. Count St. Aulaire to the Earl of Aberdeen	Nov. 3	Nov. 5	Warrants required for two French ships. Six ditto returned. "Doris's" station changed	84
78. The Earl of Aberdeen to Count St. Aulaire	Nov. 7		"Marabout"	84
79. Count St. Aulaire to the Earl of Aberdeen	Nov. 8	Nov. 8	France will not ratify the Treaty of 1841	85
80. The Earl of Aberdeen to Lord Cowley Eight Enclosures	Nov. 8		"Marabout"	85
81. Protocol of Conference	Nov. 9		Treaty. Closing of the protocol	114
82. The Earl of Aberdeen to Count St. Aulaire One Enclosure	Nov. 9		Treaty. Closing of the protocol	114
83. Lord Cowley to the Earl of Aberdeen	Nov. 7	Nov. 10	Receipt of a Despatch	115
84. The Earl of Aberdeen to Lord Cowley Three Enclosures	Nov. 11		Treaty. Intention of France not to ratify it	115
85. Lord Cowley to the Earl of Aberdeen	Nov. 11	Nov. 14	"Marabout"	116
86. The Earl of Aberdeen to Count St. Aulaire Two Enclosures	Nov. 16		Sending warrants for the "Papillon" and "Estafette"	116
87. Count St. Aulaire to the Earl of Aberdeen Thirty-one Enclosures	Nov. 15	Nov. 16	"Marabout." Further Papers	116

No.	Date.	Receipt.	SUBJECT.	Page
88. Count St. Aulaire to the Earl of Aberdeen Seven Enclosures	1842. Nov. 16	1842. Nov. 17	M. Valentin's claims, Goods destroyed in the Rio Pongos . . .	151
89. Lord Cowley to the Earl of Aberdeen . . .	Nov. 14	Nov. 17	Receipt of a Despatch . . .	161
90. Count St. Aulaire to the Earl of Aberdeen One Enclosure	Nov. 18	Nov. 18	Returns warrant issued to the "Nisus," and asks for four others . . .	161
91. Count St. Aulaire to the Earl of Aberdeen One Enclosure	Nov. 25	Nov. 25	Returns a warrant issued to the "Cygne," and asks for one for the "Zèbre" . . .	161
92. The Earl of Aberdeen to Lord Cowley . . .	Nov. 26		Warrant required for the "Wasp" . . .	161
93. Count St. Aulaire to the Earl of Aberdeen One Enclosure	Nov. 28	Nov. 29	Loss of English warrants issued to French ships.	162
94. The Earl of Aberdeen to Count St. Aulaire Four Enclosures	Dec. 1		Sends warrants for four French ships . . .	163
95. The Earl of Aberdeen to Count St. Aulaire One Enclosure	Dec. 2		Sends warrant for the "Zèbre" . . .	163
96. The Earl of Aberdeen to Lord Cowley Four Enclosures	Dec. 2		"Marabout" . . .	163
97. Count St. Aulaire to the Earl of Aberdeen . . .	Dec. 3	Dec. 5	Asks for a warrant for the "Indienne" . . .	166
98. Count St. Aulaire to the Earl of Aberdeen . . .	Dec. 5	Dec. 5	Asks for warrants for "La Cleopatre" and "L'Alcmène" . . .	166
99. Lord Cowley to the Earl of Aberdeen . . .	Dec. 2	Dec. 5	Receipt of a Despatch . . .	166
100. Lord Cowley to the Earl of Aberdeen . . .	Dec. 5	Dec. 7	Ditto "Marabout" . . .	166
101. The Earl of Aberdeen to Lord Cowley . . .	Dec. 10		Warrant required for H.M.S. "Pique" . . .	167
102. The Earl of Aberdeen to Count St. Aulaire . . .	Dec. 13		Sends warrants for three French ships . . .	167
103. The Earl of Aberdeen to Lord Cowley . . .	Dec. 15		Warrants required for H.M.S. "Arrow" and "Griffon" . . .	167
104. Lord Cowley to the Earl of Aberdeen . . .	Dec. 16	Dec. 19	Receipt of a Despatch . . .	167
105. Lord Cowley to the Earl of Aberdeen . . .	Dec. 19	Dec. 22	Ditto ditto . . .	168
106. The Earl of Aberdeen to Lord Cowley . . .	Dec. 23		The warrant for H.M.S. "Racer" is lost . . .	168
107. The Earl of Aberdeen to Lord Cowley Seven Enclosures	Dec. 24		Seven warrants issued to British ships to be re- turned . . .	168
108. Lord Cowley to the Earl of Aberdeen . . .	Dec. 23	Dec. 26	Sending warrant for the "Wasp" . . .	168
109. Count St. Aulaire to the Earl of Aberdeen . . .	Dec. 26	Dec. 27	Asks for a warrant for the "Doris" . . .	169
110. Lord Cowley to the Earl of Aberdeen . . .	Dec. 26	Dec. 28	Receipt of a Despatch . . .	169
111. The Earl of Aberdeen to Count St. Aulaire . . .	Dec. 29		"Marabout" . . .	169
112. The Earl of Aberdeen to Lord Cowley One Enclosure	Dec. 29		Warrant issued to the "Curaçoa" returned. Warrant issued to the "Racer" has been de- stroyed . . .	170
113. The Earl of Aberdeen to Lord Cowley . . .	Dec. 30		"Marabout" . . .	170
114. The Earl of Aberdeen to Lord Cowley . . .	Dec. 31		Warrant required for H.M. steamer "Me- gœra" . . .	171
115. The Earl of Aberdeen to Lord Cowley Two Enclosures	Dec. 31		"Marabout" . . .	17
116. The Earl of Aberdeen to Count St. Aulaire One Enclosure	Dec. 31		Sends warrant for "La Doris" . . .	171

FRANCE. (*Consular.*)—*Nantes.*

117. The Earl of Aberdeen to Mr. Newman Three Enclosures	Nov. 10		"Marabout." To obtain particulars as to cargo	172
118. Mr. Newman to the Earl of Aberdeen Five Enclosures	Nov. 30	Dec. 7	"Marabout." . . .	173
119. Mr. Newman to the Earl of Aberdeen Two Enclosures	Dec. 21	Dec. 26	Ditto . . .	179

AUSTRIA.

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
120. The Earl of Aberdeen to Sir Robert Gordon One Enclosure	Feb. 19		Treaty. Copy of Protocol of 19th February, on exchange of ratifications . . .	180
121. The Earl of Aberdeen to Baron Koller One Enclosure	Feb. 21		Ditto ditto . . .	180
122. The Earl of Aberdeen to Sir Robert Gordon One Enclosure	May 11		Treaty between the Five Powers. Copy of Protocol of Conference of May 11 . . .	180
123. Baron Neumann to the Earl of Aberdeen Fourteen Enclosures	July 1	July 1	Claims indemnification for losses of an Austrian merchant by the condemnation of the "Winwick" at Gibraltar . . .	181
124. The Earl of Aberdeen to Sir Robert Gordon One Enclosure	Sept. 16		Attempted importation of slaves into Tunis by Austrian vessel "Febo" . . .	215
125. The Earl of Aberdeen to Baron Neumann	Oct. 1		Reply to demand for compensation to Austrian owner of goods on board the "Winwick" . . .	215
126. Mr. Crampton to the Earl of Aberdeen One Enclosure	Sept. 27	Oct. 6	Attempted importation of slaves into Tunis by Austrian vessel "Febo" . . .	217
127. The Earl of Aberdeen to Sir Robert Gordon Three Enclosures	Nov. 11		Treaty between the Five Powers. Intention of France not to ratify it	218
128. The Earl of Aberdeen to Baron Neumann Two Enclosures	Nov. 12		Ditto. Copy of Count St. Aulaire's note of 8th November, and of Lord Aberdeen's answer . . .	218
129. Baron Neumann to the Earl of Aberdeen Three Enclosures	Nov. 19	Nov. 21	"Winwick." Urges reconsideration of M. Buschek's claim . . .	219

DENMARK.

130. Mr. Browne to the Earl of Aberdeen	Jan. 7	Jan. 15	Receipt of a Despatch . . .	224
131. The Earl of Aberdeen to Sir H. W. W. Wynn One Enclosure	Mar. 3		Returning 7 warrants for cruizers, and asking for 15 others . . .	224
132. Count de Reventlow to the Earl of Aberdeen	Mar. 26	Mar. 28	Asking for a warrant for the Danish brig "St. Croix" . . .	225
133. Mr. Browne to the Earl of Aberdeen One Enclosure	Mar. 29	April 4	Sends Danish warrants for 15 British ships . . .	225
134. The Earl of Aberdeen to Count de Reventlow	April 7		Sends warrant for Danish Brig "St. Croix" . . .	225
135. Mr. Browne to the Earl of Aberdeen	April 5	April 11	Receipt of Treaty between the Five Powers	226
136. The Earl of Aberdeen to Sir H. W. W. Wynn	May 25		Returning 4 warrants issued by Danish Government to British ships . . .	226
137. The Earl of Aberdeen to Sir H. W. W. Wynn One Enclosure	June 10		Warrants required for 10 British ships . . .	226
138. The Earl of Aberdeen to Sir H. W. W. Wynn One Enclosure	June 11		Slave Trade to Brazil under Danish flag. Satisfaction of measures of Danish Government . . .	227
139. Sir H. W. W. Wynn to the Earl of Aberdeen	June 13	June 18	Danish Minister at Rio disapproved . . .	227
140. Sir H. W. W. Wynn to the Earl of Aberdeen	June 27	July 4	Receipt of Despatches . . .	228
141. Sir H. W. W. Wynn to the Earl of Aberdeen	June 30	July 8	Sends warrants for 10 British ships . . .	228

LIST OF PAPERS.

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
142. The Earl of Aberdeen to Sir H. W. W. Wynn One Enclosure	July 16		Warrants wanted for 5 steamers. Station of the "Albatross" changed. Warrant issued to the "Satellite" returned . . .	229
143. The Earl of Aberdeen to Sir H. W. W. Wynn Four Enclosures	July 20		Returning 4 warrants to be cancelled . . .	229
144. The Earl of Aberdeen to Sir H. W. W. Wynn Four Enclosures	July 23		M. Gaspari. Reasons why he was dismissed	229
145. Sir H. W. W. Wynn to the Earl of Aberdeen Five Enclosures	Aug. 8	Aug. 12	Sends warrants for 5 British steamers	230
146. Sir H. W. W. Wynn to the Earl of Aberdeen One Enclosure	Sept. 12	Sept. 21	M. Gaspari. Danish agent at Tunis	230
147. The Earl of Aberdeen to Sir H. W. W. Wynn	Oct. 1		Warrant required for H.M.S. "Daphne" . . .	231
148. Sir H. W. W. Wynn to the Earl of Aberdeen One Enclosure	Oct. 26	Nov. 2	Sends Danish warrant for H.M.S. "Daphne"	231
149. The Earl of Aberdeen to Sir H. W. W. Wynn	Nov. 2		Warrant required for H.M.S. "Orestes" . . .	232
150. The Earl of Aberdeen to Sir H. W. W. Wynn	Nov. 5		12 warrants issued to British ships returned to be cancelled . . .	232
151. The Earl of Aberdeen to Sir H. W. W. Wynn	Nov. 26		Warrant required for H.M.S. "Wasp" . . .	232
152. Sir H. W. W. Wynn to the Earl of Aberdeen One Enclosure	Nov. 23	Nov. 30	Sending warrant for H.M.S. "Orestes" . . .	232
153. The Earl of Aberdeen to Sir H. W. W. Wynn	Dec. 10		Warrant required for H.M.S. "Pique" . . .	233
154. The Earl of Aberdeen to Sir H. W. W. Wynn One Enclosure	Dec. 15		5 warrants for British ships required . . .	233
155. The Earl of Aberdeen to Sir H. W. W. Wynn	Dec. 24		8 warrants issued to British ships to be returned . . .	234
156. The Earl of Aberdeen to Sir H. W. W. Wynn	Dec. 31		Warrant required for H.M. steamer "Megara" . . .	234

HANSE TOWNS.

157. Mr. Colquhoun to the Earl of Aberdeen Two Enclosures	Feb. 24	Feb. 24	Renews request for copies of proceedings in the case of the "Echo" . . .	235
158. The Earl of Aberdeen to Colonel Hodges	Mar. 3		Returning 9 warrants, and asking for 15 others . . .	237
159. The Earl of Aberdeen to Mr. Colquhoun . . .	Mar. 8		Answer to note of 23rd October, 1841. Mr. Harting's question . . .	237
160. Mr. Colquhoun to the Earl of Aberdeen . . .	Mar. 10	Mar. 14	Acknowledgment of the above. Explanation thereon . . .	238
161. The Earl of Aberdeen to Mr. Colquhoun . . .	Mar. 23		Hamburgh bark "Echo." Answer to application for copies of proceedings . . .	239
162. Colonel Hodges to the Earl of Aberdeen . . .	Mar. 22	Mar. 28	Sends 14 warrants for British ships of war . . .	239
163. Colonel Hodges to the Earl of Aberdeen . . .	Mar. 29	April 2	Receipt of Treaty between the Five Powers	239
164. Colonel Hodges to the Earl of Aberdeen . . .	April 19	April 22	"Julius and Edward" acquitted. Costs and damages awarded against the captor . . .	240
165. Colonel Hodges to the Earl of Aberdeen Two Enclosures	April 29	May 2	"Julius and Edward." Sends verdict of the High Court of Bremen	240
166. The Earl of Aberdeen to Colonel Hodges	May 25		Returning warrants issued to 10 British ships	244
167. Colonel Hodges to the Earl of Aberdeen	May 31	June 3	Acknowledgment of the preceding . . .	244
168. The Earl of Aberdeen to Colonel Hodges	June 3		"Julius and Edward" . . .	244
169. Mr. Colquhoun to the Earl of Aberdeen Two Enclosures	June 6	June 9	Ditto. Sends verdict of the High Court of Bremen, and citation of Lieut. Symonds . . .	245

LIST OF PAPERS.

xi

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
170. Colonel Hodges to the Earl of Aberdeen Two Enclosures	June 7	June 10	"Julius and Edward." Citation of Lieut. Symonds	247
171. The Earl of Aberdeen to Colonel Hodges One Enclosure	June 10		Warrants required for 10 British ships	247
172. Colonel Hodges to the Earl of Aberdeen	June 28	July 1	Sends warrants for 10 British ships	247
173. The Earl of Aberdeen to Colonel Hodges	July 16		Warrants for 5 steam- vessels required. Those issued to the "Satel- lite" to be returned. Station of "Alba- tross" changed	248
174. The Earl of Aberdeen to Colonel Hodges	July 20		Returning 5 warrants to be cancelled	248
175. Colonel Hodges to the Earl of Aberdeen One Enclosure	July 29	Aug. 1	"Julius and Edward"	248
176. Colonel Hodges to the Earl of Aberdeen	July 29	Aug. 1	Sends warrants for 5 British ships	249
177. Mr. Colquhoun to the Earl of Aberdeen One Enclosure	Sept. 1	Sept. 2	Requesting that the pa- pers in the case of the "Echo" may be lodged in the Registry of the Court of Admiralty	250
178. Viscount Canning to Mr. Colquhoun	Sept. 14		The papers in the case of the "Echo" have been sent to the Registrar of the Court of Admiralty	250
179. The Earl of Aberdeen to Colonel Hodges	Oct. 1		Warrants required for H.M.S. "Daphne"	250
180. Colonel Hodges to the Earl of Aberdeen Two Enclosures	Oct. 7	Oct. 10	"Julius and Edward"	251
181. Colonel Hodges to the Earl of Aberdeen	Oct. 18	Oct. 25	Sends warrants fo H.M.S. "Daphne"	255
182. The Earl of Aberdeen to Colonel Hodges	Nov. 2		Warrants required for H.M.S. "Orestes"	265
183. The Earl of Aberdeen to Colonel Hodges	Nov. 5		Warrants issued to 10 British ships returned. Hamburg warrant for H.M.S. "Vestal" re- quired	265
184. Colonel Hodges to the Earl of Aberdeen	Nov. 15	Nov. 18	Sends warrants for H.M.S. "Orestes"	265
185. The Earl of Aberdeen to Colonel Hodges	Nov. 26		Warrants required for H.M.S. "Wasp"	266
186. Colonel Hodges to the Earl of Aberdeen One Enclosure	Dec. 6	Dec. 9	"Julius and Edward"	266
187. Viscount Canning to Colonel Hodges	Dec. 9		Ditto. To institute ap- peal	266
188. The Earl of Aberdeen to Colonel Hodges	Dec. 10		Warrants required for H.M.S. "Pique"	267
189. The Earl of Aberdeen to Colonel Hodges	Dec. 15		Warrants required for 6 British ships	267
190. Colonel Hodges to Viscount Canning	Dec. 12	Dec. 16	"Julius and Edward"	267
191. Colonel Hodges to the Earl of Aberdeen	Dec. 12	Dec. 16	Sends warrants for H.M.S. "Wasp"	267
192. Colonel Hodges to the Earl of Aberdeen Three Enclosures	Dec. 16	Dec. 20	"Julius and Edward"	268
193. The Earl of Aberdeen to Colonel Hodges	Dec. 23		The warrant issued for H.M.S. "Racer" is lost	269
194. The Earl of Aberdeen to Colonel Hodges	Dec. 24		18 warrants for British ships to be returned	269
195. Colonel Hodges to the Earl of Aberdeen	Dec. 23	Dec. 28	"Julius and Edward"	269
196. The Earl of Aberdeen to Colonel Hodges	Dec. 31		Warrants required for H.M.S. "Megæra"	270
197. Colonel Hodges to the Earl of Aberdeen	Dec. 27	Dec. 31	Sends warrants for 7 British ships	271
198. Colonel Hodges to the Earl of Aberdeen	Dec. 27	Dec. 31	"Julius and Edward"	271

PRUSSIA.

199. The Earl of Aberdeen to Sir G. B. Hamilton One Enclosure	1842. Feb. 19		Treaty. Protocol of Fe- bruary 19, on exchange of ratifications	272
--	------------------	--	---	-----

LIST OF PAPERS.

No.	Date.	Receipt.	SUBJECT.	Page
	1842.	1842.		
200.	The Earl of Aberdeen to M. de Bunsen One Enclosure	Feb. 21	Treaty. Protocol of 19th February on exchange of ratifications . . .	272
201.	The Earl of Aberdeen to Sir G. Hamilton One Enclosure	May 11	Ditto. Copy of Protocol of Conference of May 11, 1842 . . .	272
202.	Chevalier Bunsen to the Earl of Aberdeen	Aug. 20	Aug. 22 Thanks for Parliamentary Papers . . .	273
203.	The Earl of Aberdeen to the Earl of Westmoreland Three Enclosures	Nov. 11	Treaty between the Five Powers. Intention of France not to ratify it	273
204.	The Earl of Aberdeen to Chevalier Bunsen Two Enclosures	Nov. 14	Ditto. Closing of the Protocol . . .	273
205.	The Earl of Westmoreland to the Earl of Aberdeen	Nov. 16	Nov. 21 Receipt of Despatch of November 11 . . .	274

RUSSIA.

206.	Lord Stuart de Rothesay to the Earl of Aberdeen	Jan. 15	Jan. 26 Treaty between the Five Powers. Audience of the Emperor relative to its ratification . . .	275
207.	Lord Stuart de Rothesay to the Earl of Aberdeen	Jan. 11	Ditto. The Emperor has ordered its ratification to take precedence of all other business . . .	275
208.	The Earl of Aberdeen to Lord Stuart One Enclosure	Feb. 19	Ditto. Protocol of 19th February, on exchange of Ratifications . . .	276
209.	The Earl of Aberdeen to Baron Brunnow	Feb. 21	Ditto. Ditto ditto . . .	276
210.	The Earl of Aberdeen to Lord Stuart One Enclosure	May 11	Treaty. Copy of Protocol of Conference of May 11 . . .	276
211.	Hon. J. D. Bloomfield to the Earl of Aberdeen	June 4	June 13 Receipt of Mr. Bandinell's memoir . . .	277
212.	Hon. J. D. Bloomfield to the Earl of Aberdeen One Enclosure	June 8	June 24 Copies of Ukase relating to Slave Trade . . .	277
213.	The Earl of Aberdeen to Lord Stuart Three Enclosures	Nov. 11	Treaty between the Five Powers. Intention of France not to ratify it	278
214.	The Earl of Aberdeen to Baron Brunnow Two Enclosures	Nov. 14	Ditto. Closing of the Protocol . . .	278
215.	Baron Brunnow to the Earl of Aberdeen One Enclosure	Dec. 10	Dec. 10 Patent to be issued to vessels of the Russian American Company . . .	279
216.	Lord Stuart to the Earl of Aberdeen	Nov. 26	Dec. 13 Protocol of Conference of November 9 . . .	280
217.	The Earl of Aberdeen to Baron Brunnow	Dec. 31	Form of Patent to be issued to ships of the Russian American Company . . .	280

SARDINIA.

218.	Count Pollon to the Earl of Aberdeen	Jan. 13	Jan. 14 "Furia" . . .	281
219.	Viscount Canning to Count Pollon	Feb. 4	Ditto . . .	281
220.	Count Pollon to the Earl of Aberdeen	Feb. 14	Feb. 15 Ditto . . .	281
221.	Viscount Canning to Count Pollon	Feb. 28	A warrant for H.M.S. "Rose" was issued by the Sardinian Government in May, 1840 . . .	283
222.	The Earl of Aberdeen to Mr. Abercromby	March 3	Returning 12 warrants to be cancelled, and asking for 15 others	284
223.	Mr. Abercromby to the Earl of Aberdeen	March 25	April 4 Receipt of Parliamentary Papers . . .	284
224.	Mr. Abercromby to the Earl of Aberdeen	March 25	April 4 Receipt of a Despatch . . .	284
225.	Count Pollon to the Earl of Aberdeen	April 5	April 6 Asks for warrants for the Sardinian ships of war "Euridice" and "Eridan" . . .	285
226.	The Earl of Aberdeen to Count Pollon	April 11	Sends warrants for the "Euridice" and "Eridan" . . .	285

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
227. Mr. Abercromby to the Earl of Aberdeen	April 4	April 12	Receipt of Treaty between the Five Powers	285
228. The Earl of Aberdeen to Count Pollon	April 22		"Furia"	285
229. Mr. Abercromby to the Earl of Aberdeen	April 6	April 26	Sending Sardinian warrants for 14 British ships	288
230. Count Pollon to the Earl of Aberdeen	May 10	May 11	Asks for a warrant for the Sardinian frigate "St. Michel"	288
231. The Earl of Aberdeen to Count Pollon	May 21		Sends warrant for the Sardinian frigate "St. Michel"	289
232. The Earl of Aberdeen to Mr. Abercromby	May 25		Returning 9 warrants to be cancelled	289
233. Mr. Abercromby to the Earl of Aberdeen	May 20	May 26	Receipt of Mr. Bandinell's memoir	289
234. The Earl of Aberdeen to Mr. Abercromby	June 10		Warrants required for 10 British ships	290
235. Mr. Abercromby to the Earl of Aberdeen	June 6	June 16	Receipt of a Despatch	290
236. Mr. Abercromby to the Earl of Aberdeen	June 17	June 25	Ditto	290
237. Mr. Abercromby to the Earl of Aberdeen	July 9	July 17	Sends 10 warrants for British ships	291
238. The Earl of Aberdeen to Mr. Abercromby Two Enclosures	July 18		Warrants for 5 steamers. Station of the "Albatross" changed. Warrant for the "Satellite" to be cancelled	291
239. The Earl of Aberdeen to Mr. Abercromby	July 20		Returning 4 warrants to be cancelled	291
240. Mr. Abercromby to the Earl of Aberdeen	Aug. 11	Aug. 17	Receipt of Treaty with the Uruguay	292
241. Mr. Abercromby to the Earl of Aberdeen	Aug. 12	Aug. 18	Sends 5 warrants for British steamers	292
242. Mr. Abercromby to the Earl of Aberdeen	Aug. 15	Aug. 21	Receipt of Treaty with Texas	292
243. Mr. Abercromby to the Earl of Aberdeen	Aug. 29	Sept. 4	Receipt of Treaty with Portugal	292
244. Mr. Abercromby to the Earl of Aberdeen	Aug. 29	Sept. 4	Receipt of Act for repealing 2 & 3 Vict., c. 73, as regards Portuguese vessels	293
245. Mr. Abercromby to the Earl of Aberdeen	Sept. 17	Sept. 23	Receipt of Treaty with Mexico	293
246. The Earl of Aberdeen to Mr. Abercromby	Oct. 1		Eight warrants returned. Warrant required for H.M.S. "Daphne"	293
247. Mr. Abercromby to the Earl of Aberdeen	Oct. 17	Oct. 24	Receipt of Parliamentary papers	294
248. Mr. Abercromby to the Earl of Aberdeen	Oct. 17	Oct. 24	Receipt of a Despatch—Warrants.	294
249. The Earl of Aberdeen to Mr. Abercromby	Nov. 2		Warrant required for H.M.S. "Orestes"	294
250. Mr. Abercromby to the Earl of Aberdeen	Oct. 25	Oct. 31	Sends warrant for H.M.S. "Daphne"	295
251. The Earl of Aberdeen to Mr. Abercromby	Nov. 26		Warrant required for H.M.S. "Wasp"	295
252. Mr. Abercromby to the Earl of Aberdeen	Nov. 24	Nov. 30	Sends warrant for H.M.S. "Orestes"	295
253. The Earl of Aberdeen to Mr. Abercromby	Dec. 10		Warrant required for H.M.S. "Pique"	295
254. The Earl of Aberdeen to Mr. Abercromby	Dec. 15		Warrants required for 6 British ships	296
255. Mr. Abercromby to the Earl of Aberdeen	Dec. 17	Dec. 23	Sends warrant for H.M.S. "Wasp"	296
256. The Earl of Aberdeen to Mr. Abercromby	Dec. 24		Returning 9 warrants to be cancelled	296
257. The Earl of Aberdeen to Mr. Abercromby	Dec. 31		Warrant issued in 1839 to H.M.S. "Fair Ronald" is lost	297
258. The Earl of Aberdeen to Mr. Abercromby	Dec. 31		Warrant required for H.M.S. "Megæra"	297

TUSCANY.

259. Lord Holland to the Earl of Aberdeen One Enclosure	Feb. 9	Feb. 19	Dismissal of M. Pluma, Tuscan Consul-General at Havana	298
--	--------	---------	--	-----

No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
260. The Earl of Aberdeen to Lord Holland . . . Two Enclosures	Feb. 22		Misconduct of M. Pluma. Case of the "Paz" . . .	298
261. The Earl of Aberdeen to Lord Holland . . .	March 3		Returning 8 warrants, and asking for 10 others . . .	301
262. Lord Holland to the Earl of Aberdeen . . .	March 23	April 4	M. Pluma . . .	301
263. Lord Holland to the Earl of Aberdeen . . .	March 26	April 18	Sends 14 warrants for British ships . . .	301
264. The Earl of Aberdeen to Lord Holland . . .	May 25		Returning 10 warrants to be cancelled . . .	302
265. The Earl of Aberdeen to Lord Holland . . .	June 10		Warrants required for 10 British ships . . .	302
266. Lord Holland to the Earl of Aberdeen . . .	June 23	July 2	Sends warrants for 10 British ships . . .	302
267. The Earl of Aberdeen to Lord Holland . . .	July 16		Warrants required for 5 steamers. The station of the "Albatross" changed. Warrant for the "Satellite" returned . . .	303
268. The Earl of Aberdeen to Lord Holland . . .	July 20		Returning 4 warrants to be cancelled . . .	303
269. Mr. Buchanan to the Earl of Aberdeen . . .	Aug. 2	Aug. 11	Sends warrants for 5 British ships . . .	303
270. Mr. Bell to the Earl of Aberdeen . . .	Sept. 6	Sept. 7	Receipt of Parliamentary papers . . .	304
271. The Earl of Aberdeen to Mr. Buchanan . . .	Oct. 1		Warrant required for H.M.S. "Daphne" . . .	304
272. Mr. Buchanan to the Earl of Aberdeen . . .	Oct. 15	Oct. 25	Sends warrant for H.M.S. "Daphne" . . .	304
273. The Earl of Aberdeen to Lord Holland . . .	Nov. 2		Warrant required for H.M.S. "Orestes" . . .	304
274. The Earl of Aberdeen to Mr. Buchanan . . .	Nov. 5		Returning 11 warrants to be cancelled . . .	305
275. The Earl of Aberdeen to Mr. Buchanan . . .	Nov. 26		Warrant required for H.M.S. "Wasp" . . .	305
276. Mr. Buchanan to the Earl of Aberdeen . . .	Nov. 17	Nov. 26	Sends warrant for the "Orestes" . . .	305
277. The Earl of Aberdeen to Mr. Buchanan . . .	Dec. 10		Warrant required for H.M.S. "Pique" . . .	305
278. The Earl of Aberdeen to Mr. Buchanan . . .	Dec. 15		Warrants required for 6 British ships . . .	306
279. Mr. Buchanan to the Earl of Aberdeen . . .	Dec. 12	Dec. 21	Sends warrant for H.M.S. "Wasp" . . .	306
280. The Earl of Aberdeen to Mr. Buchanan . . .	Dec. 23		Warrant issued to H.M.S. "Racer" is lost . . .	306
281. The Earl of Aberdeen to Mr. Buchanan . . .	March 24		Returning 6 warrants to be cancelled . . .	306
282. The Earl of Aberdeen to Mr. Buchanan . . .	March 31		Warrant required for H.M.S. "Megæra" . . .	307

TWO SICILIES.

283. Mr. Temple to the Earl of Aberdeen . . . One Enclosure	Jan. 8	Jan. 24	Sends warrant for H.M.S. "Madagascar" . . .	308
284. The Earl of Aberdeen to Mr. Temple . . .	March 3		Returning 10 warrants to be cancelled, and asking for 17 others . . .	308
285. Mr. Temple to the Earl of Aberdeen . . .	April 2	April 26	Sends 17 warrants for British ships . . .	308
286. The Earl of Aberdeen to Mr. Temple . . .	May 25		Returning 9 warrants to be cancelled . . .	309
287. The Earl of Aberdeen to Mr. Temple . . .	June 10		Warrants required for 10 British ships . . .	309
288. Mr. Temple to the Earl of Aberdeen . . .	June 18	July 3	Receipt of a Despatch . . .	309
289. The Earl of Aberdeen to Mr. Temple . . .	July 20		Returning 5 warrants to be cancelled . . .	309
290. Mr. Temple to the Earl of Aberdeen . . .	July 14	Aug. 7	Sends 10 warrants for British ships . . .	310

LIST OF PAPERS.

xv

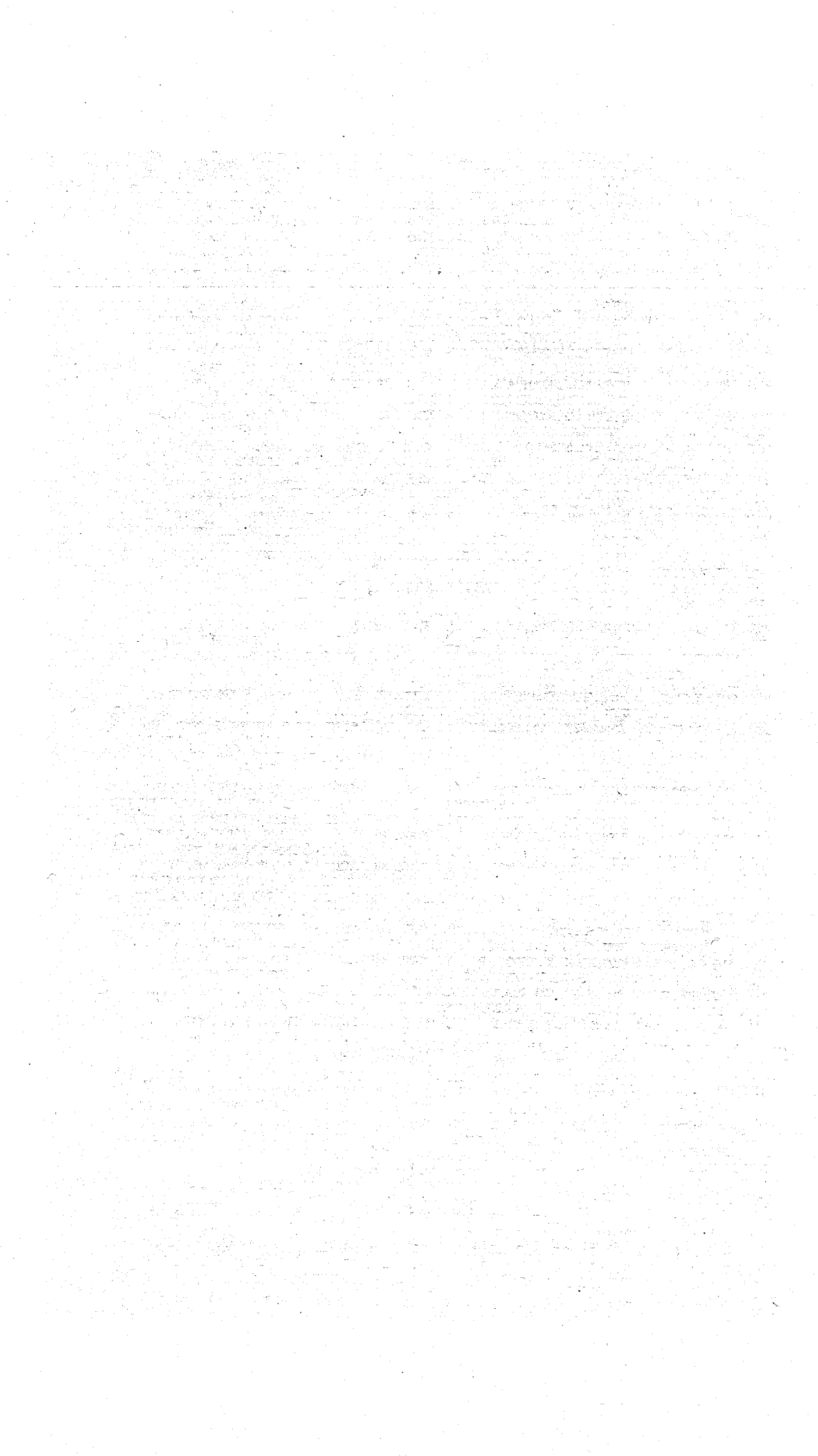
No.	Date. 1842.	Receipt. 1842.	SUBJECT.	Page
291. The Earl of Aberdeen to Mr. Temple . . .	Aug. 10		Station of the "Albatross" changed. Warrant for the "Satellite" returned. Warrants required for 5 ships . . .	310
292. The Earl of Aberdeen to Mr. Temple . . .	Oct. 1		Warrant required for H.M.S. "Daphne" . . .	310
293. The Earl of Aberdeen to Mr. Temple . . .	Nov. 2		Warrant required for H.M.S. "Orestes" . . .	311
294. The Earl of Aberdeen to Mr. Temple . . .	Nov. 5		Returning 9 warrants for British ships to be cancelled . . .	311
295. The Earl of Aberdeen to Mr. Temple . . .	Nov. 26		Warrant required for H.M.S. "Wasp" . . .	311
296. Mr. Temple to the Earl of Aberdeen . . .	Nov. 21	Dec. 5	Sends warrants for 6 British ships . . .	311
297. The Earl of Aberdeen to Mr. Temple . . .	Dec. 10		Warrant required for H.M.S. "Pique" . . .	312
298. The Earl of Aberdeen to Mr. Temple . . .	Dec. 15		Five Warrants for British ships required . . .	312
299. Mr. Temple to the Earl of Aberdeen . . .	Dec. 3	Dec. 19	Sends warrant for H.M.S. "Orestes" . . .	312
300. The Earl of Aberdeen to Mr. Temple . . .	Dec. 24		Returning 12 warrants to be cancelled . . .	313
301. The Earl of Aberdeen to Mr. Temple . . .	Dec. 31		Warrant required for H.M.S. "Megæra" . . .	313

MEXICO.

302. The Earl of Aberdeen to Mr. Murphy . . .	Feb. 22		On exchanging the ratifications of the Slave Trade Treaty with Mexico . . .	314
303. Mr. Pakenham to the Earl of Aberdeen . . .	Jan. 31	Mar. 12	Acknowledgment of Despatches . . .	314
304. Mr. Pakenham to the Earl of Aberdeen . . .	Feb. 17	April 22	Acknowledgment of Despatches. The President will ratify the Treaty . . .	315
305. Mr. Pakenham to the Earl of Aberdeen . . . One Enclosure	Feb. 17	April 22	Causes which have delayed the ratification of the Treaty . . .	315
306. The Earl of Aberdeen to Mr. Pakenham . . .	May 16		Ratification of Treaty. Delay approved . . .	316
307. Mr. Pakenham to the Earl of Aberdeen . . .	April 28	June 24	Additional article to Treaty, providing for the exchange of the ratifications . . .	317
308. Mr. Pakenham to Mr. Addington . . .	April 28	June 24	Has sent the Mexican ratification . . .	317
309. The Earl of Aberdeen to Mr. Murphy . . .	June 28		Invitation to exchange the ratifications . . .	317
310. The Earl of Aberdeen to Mr. Pakenham . . . Three Enclosures	July 1		Sending Treaty with Texas . . .	318
311. Mr. Pakenham to the Earl of Aberdeen . . .	May 29	July 10	Receipt of Treaty between the Five Powers . . .	318
312. Mr. Pakenham to the Earl of Aberdeen . . .	Aug. 29	Oct. 14	Receipt of Treaty with Texas . . .	318
313. Mr. Pakenham to the Earl of Aberdeen . . .	Sept. 10	Nov. 5	Receipt of Treaty with the Uruguay . . .	318
314. Mr. Pakenham to the Earl of Aberdeen . . .	Sept. 29	Nov. 19	Receipt of Treaty with Bolivia . . .	319

TEXAS.

315. General Hamilton to the Earl of Aberdeen . . .	Feb. 8	April 22	Ratification of Slave Trade Treaty with Texas . . .	320
---	--------	----------	---	-----



Class C.—1842.

CORRESPONDENCE

WITH

FOREIGN POWERS.

FRANCE.

No. 1.

Count St. Aulaire to the Earl of Aberdeen.

Hertford House, le 18 Janvier, 1842.

(Received Jan. 19.)

L'AMBASSADEUR de France a l'honneur d'offrir les complimens à Lord Aberdeen, et le prie de vouloir bien lui envoyer un nouveau mandat pour la corvette "*l'Aréthuse*," dont la destination vient d'être changée. Elle se rend dans la station du Brésil au lieu du Golfe de Mexique ou elle devait premièrement se rendre.

Son Excellence Lord Aberdeen,
&c. &c. &c.

No. 2.

Count St. Aulaire to the Earl of Aberdeen.

Hertford House, 5 Fevrier, 1842.

L'AMBASSADEUR de France présente ses complimens expressés à Lord Aberdeen, et a l'honneur de lui adresser ci joint deux* mandats délivrés par le Gouvernement Anglais en exécution des Conventions relatives à la répression de la Traite, et qui ont cessé d'être utiles par suite du changement de destination des bâtimens dont les commandans en étaient porteurs.

* Warrants issued to the French ships "*Josephine*" and "*Surprise*."

No. 3.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, February 8, 1842.

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and in compliance with the request contained in his Note of the 18th ultimo, has the honour to transmit to him herewith a warrant to authorize the French corvette "*l'Aréthuse*" to visit, on the Brazil station, British vessels suspected of Slave Trade.

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

No. 4.

Protocole de la Conférence tenue au Foreign Office, le 19 Février, 1842.

PRESENS :

Les Plénipotentiaires d'Autriche, de France, de la Grande Bretagne, de Prusse, et de Russie.

LES Plénipotentiaires des Cinq Cours se sont réunis aujourd'hui, à l'échéance du terme fixé pour l'échange des ratifications du Traité conclu à Londres le 20 Décembre, 1841, relatif à la Suppression de la Traite des Nègres d'Afrique.

A l'ouverture de la Conférence, le Plénipotentiaire de France a annoncé n'avoir pas encore reçu de sa Cour les ratifications du susdit Traité; et se référant aux explications qu'il a été chargé d'offrir à cet égard au Cabinet de Sa Majesté Britannique, a demandé que dans l'attente d'une issue mutuellement satisfaisante de ces explications, le Protocole restât ouvert à la France.

Le Plénipotentiaire de la Grande Bretagne, en accédant à cette demande, et en partageant cet espoir, a invité les Plénipotentiaires d'Autriche, de Prusse, et de Russie à procéder avec lui à l'échange des actes de ratification envoyés par les dites Cours contre ceux de l'Angleterre.

En se rendant à cette invitation, les Plénipotentiaires des Cours d'Autriche, de Prusse, et de Russie ont effectué avec le Plénipotentiaire de la Grande Bretagne l'échange des dites ratifications.

À la suite de cette échange le Plénipotentiaire d'Autriche a déclaré n'avoir pas encore reçu de sa Cour les instrumens de ratification destinés à être échangés contre ceux des Cours de France, de Prusse, et de Russie.

En conséquence il a demandé et obtenu le délai nécessaire pour mettre sa Cour en mesure d'envoyer à Londres les ratifications jusqu'ici restées en retard : et le Protocole est resté ouvert pour la France.

(Signé)

KOLLER.
ST. AULAIRE.
ABERDEEN.
BUNSEN.
BRUNNOW.

No. 5.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, February 19, 1842.

I HEREWITH transmit to your Excellency a Copy of a Protocol, signed this day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of ratifications of the Treaty, signed on the 20th December, 1841, by the Plenipotentiaries of those Powers, for the suppression of Slave Trade.

Your Excellency will perceive that at the Conference, of which this Protocol gives an account, the ratifications of Austria, Prussia, and Russia were exchanged against those of Great Britain; that the Austrian Plenipotentiary had not yet received the ratifications of Austria to be exchanged against those of France, Prussia and Russia; and that, at the request of the French Plenipotentiary, the Protocol was left open for France.

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

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

Enclosure in No. 5.

Protocol of Conference held at the Foreign Office, February 19, 1842.

(See No. 4.)

No. 6.

Copy of the Protocol of Conference of February 19, sent with Lord Aberdeen's Compliments to Count St. Aulaire.

No. 7.

*Lord Cowley to the Earl of Aberdeen.**Paris, February 25, 1842.**(Received February 28.)*

(Extract.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked Slave Trade, of the 19th instant, enclosing a copy of the Protocol, signed on the 19th instant, by the Plenipotentiaries of Austria, France, Great Britain, Russia, and Prussia, on the exchange of the ratifications of the Treaty for the suppression of the Slave Trade, signed on the 20th December, 1841, the Protocol being left open for France.

No. 8.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, February 28, 1842.*

MY LORD,

I HEREWITH transmit to your Excellency, for communication to the French Government, an Extract from a Despatch and from its Enclosure, recently received from Her Majesty's Envoy at Rio de Janeiro, containing statements that the French flag is now extensively used in carrying on Slave Trade from Brazil.

I am, &c.

(Signed) ABERDEEN.

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

Enclosure in No. 8.

*Mr. Hamilton to the Earl of Aberdeen.**(See Class B., No. 204, p. 288.)*

No. 9.

*Count St. Aulaire to the Earl of Aberdeen.**Londres, le 28 Février, 1842.*

MYLORD,

J'AI l'honneur de transmettre à votre Excellence le Mandat délivré par le Gouvernement Anglais au Commandant de la corvette Française "*l'Alcmène*," en station au Brésil, qui par suite du retour de ce bâtiment en France est devenu inutile.

Veillez recevoir, Mylord, la nouvelle assurance de ma haute considération.

(Signed) ST. AULAIRE.

A Son Excellence le Comte d'Aberdeen,
 &c. &c. &c.

No. 10.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, March 3, 1842.*

MY LORD,

I HEREWITH transmit to your Excellency eight warrants, which, in pursuance of the Conventions between Great Britain and France, of 30th November, 1831, and 22nd March, 1833, on Slave Trade, were issued by the French

Government for the ships of Her Majesty's navy named in the margin of this Despatch, and I have to request that your Excellency will be pleased to forward these warrants to the French Government, in order that they may be cancelled.

I have also to desire that your Excellency will request that orders may be given for the issue of similar warrants for the 15 vessels of the royal navy named in the accompanying list.

I am, &c.

(Signed) ABERDEEN.

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

Enclosure in No. 10.

Name of Vessel.	Description.	Name of Commander.	Station.
Bittern.	Sloop . . .	Commander B. C. F. P. Cary .	Cape of Good Hope.
Ferret	„	„ Josiah Oake . . .	Coast of Africa.
Heroine	Brig . . .	Lieutenant Thos. D. Stewart .	„
Bonetta	„	„ Edwd. E. Gray . .	„
Pantaloön	„	„ Chas. H. Lapidge . .	„
Rapid	„	„ Edwd. C. Earle. . .	„
Alfred	Ship . . .	Captain John B. Purvis . . .	Brazil.
Isis.	„	„ Sir John Marshall, C.B.	„
Ardent	Steam-vessel .	Commander John Russell (B) .	„
Viper	Brig . . .	Lieutenant James Carter . . .	„
Illustrious	Ship . . .	Captain John E. Erskine . . .	N. America & W. Indies
Spartan	„	„ Hon. Chas. G. J. B. Elliot	„
Volage	„	„ Sir Wm. Dickson, Bt..	„
Electra	Sloop . . .	Commander Arthur Darley . . .	„
Fair Rosamond	Schooner . .	Lieutenant Arch ^d . G. Bulman .	„

No. 11.

Lord Cowley to the Earl of Aberdeen.

Paris, March 14, 1842.

MY LORD,

(Received March 17.)

UPON the receipt of your Lordship's Despatch, "Slave Trade," of the 28th ultimo, enclosing a Despatch from Her Majesty's Minister at Rio Janeiro, I addressed a note to M. Guizot on the subject of the traffic in Slaves, represented as being carried on under the French flag at Bahia.

I have the honour to forward to your Lordship the reply of the Minister for Foreign Affairs, enclosing the copy of a Report recently received from the Admiral commanding the French squadron upon the Brazil station, by which it appears that the present merchant vessels do not engage in the trade, which is confined entirely to the Brazilian and Portuguese vessels. A copy of this Report is likewise enclosed.

I have, &c.

(Signed) COWLEY.

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

&c.

&c.

&c.

First Enclosure in No. 11.

M. Guizot to Lord Cowley.

MONSIEUR L'AMBASSADEUR,

Paris, le 12 Mars, 1842.

J'AI reçu, avec la note que votre Excellence m'a a fait l'honneur de m'adresser le 8 de ce mois, l'extrait d'une Dépêche, en date du 29 Novembre, 1841, par laquelle M. Hamilton envoyé de Sa Majesté Britannique à Rio Janeiro cite comme un fait notoire à Bahia, que la Traite des Noirs s'y continue sous le pavillon Français, et se réfère comme preuve à l'appui, à un état des divers bâtimens qui ont fait des voyages entre Bahia et la côte d'Afrique pendant le trimestre finissant le 30 Septembre dernier.

Je ne puis m'empêcher de faire d'abord remarquer à votre Excellence que l'état envoyé par M. Hamilton, loin d'appuyer l'assertion qu'il a cru pouvoir accueillir, semble au contraire la détruire, puisque sur les quatre bâtimens entrés à Bahia venant de la côte d'Afrique, le bâtiment sous pavillon Brésilien est le seul qui soit signalé comme ayant débarqué des esclaves, tandis que des trois bâtimens Français l'un est indiqué comme entré sur leste, l'autre comme ayant en un chargement d'objets divers (general cargo) et le troisième enfin comme chargé d'huile de palme, &c.

Mais je me trouve heureusement en mesure d'opposer aux rapports transmis par M. Hamilton l'extrait d'une Dépêche de M. l'Amiral commandant la Station Française au Brésil, en date du 25 Décembre dernier, qui donne au Gouvernement du Roi l'assurance que le pavillon Français employé au commerce de troque entre le Brésil et la côte d'Afrique est complètement étranger à l'odieux trafic des noirs, et que les bâtimens Brésiliens et Portugais sont les seuls qui continuent à s'y livrer.

Je prie votre Excellence de vouloir bien transmettre cet extrait au Gouvernement de Sa Majesté Britannique qui s'y trouvera d'ailleurs la preuve de la vigilance que les officiers de la Marine Royale Française pénétrés des intentions

du Gouvernement du Roi à cet égard, apportent à la police des bâtimens du commerce Français pour empêcher leur participation à la traite.

Agréez, &c.

(Signé)

GUIZOT.

A son Excellence Lord Cowley,
&c. &c. &c.

Second Enclosure in No. 11.

Extrait d'une Depêche de M. l'Amiral commandant la Station Française au Brésil.

MONSIEUR L'AMIRAL,

Rio Janeiro, 25 Decembre, 1841.

LE brig "*Le Zebre*" est arrivé le 22, après être resté huit jours à Fernambouc, et en deux fois, dix-huit jours à Bahia.

Pendant son séjour dans cette dernière ville, il a rencontré sept navires Français dont deux doivent prendre, en Février, des chargemens à fret pour la côte d'Afrique.

Rarement ces bâtimens reviennent à Bahia, n'ayant aucun retour pour ce port, mais ils prennent à la côte de l'huile de palme qu'ils apportent en France.

D'après notre Consul à Bahia, ces expéditions sont toujours faites avec toutes les dispositions et visites préalables qui peuvent les mettre à l'abri du soupçon de se livrer à la Traite des Noirs. Cependant comme il est possible qu'à la sortie même du port, ces navires reçoivent à bord des objets prohibés par les traités, je renvoie "*Le Zebre*" dans ces parages pour exercer une inspection scrupuleuse sur tous ceux de nos navires expédiés pour la côte.

Je me propose, autant que je le pourrai, de conserver un bâtiment sur la rade de Bahia, allant de tems à autre à Fernambouc, et faisant de courtes croisières sur le côte.

D'après les renseignemens obtenus par M. de Canbray, les bâtimens Brésiliens et Portugais *sont les seuls* qui se livrent à la traite.

Le prix du fret pour la côte, qui est aujourd'hui de 150 f. par tonneau, tandis que celui pour France n'est que de 45 à 50 f. tente nos capitaines et les engage à entreprendre ces voyages qui les exposent à des désagrémens.

J'ai, &c.

Monsieur le Ministre de la Marine,
&c. &c. &c.

(Signé)

MASSIEN.

No. 12.

Lord Cowley to the Earl of Aberdeen.

Paris, March 18, 1842.

(Received March 21.)

MY LORD,

IN compliance with the instructions contained in your Lordship's Despatch of the 3rd instant, I addressed a note to the Minister of Foreign Affairs, enclosing a list of fifteen ships of the Royal Navy, for which, in pursuance of the conventions between Great Britain and France of the 30th of November, 1831, and the 22nd of March, 1833, on Slave Trade, warrants were required; returning, at the sametime, eight warrants, which had been issued to vessels which were no longer employed upon that service.

I have since received from M. Guizot a note enclosing a list of vessels to which, as it is stated by his Excellency, warrants have been granted, which ought to have been returned, either because the destination of the ships to which they had been issued had been altered, or on account of their Commanders having been changed.

Copies of M. Guizot's note, and of the list of vessels which accompanies it, are enclosed in this Despatch.

I hope to send the warrants for the fifteen vessels, of which a list was enclosed in your Lordship's Despatch, above mentioned, in the course of a few days.

I have, &c.

(Signed)

COWLEY.

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

First Enclosure in No. 12.

M. Guizot to Lord Cowley.

MONSIEUR L'AMBASSADEUR,

Paris, le 4 Mars, 1842.

D'APRES la demande que votre Excellence m'a fait l'honneur de m'adresser le 8 de ce mois, j'ai engagé M. le Ministre de la Marine a me mettre en mesure de lui faire parvenir, conformément aux Conventions existant entre la France et la Grande Bretagne au sujet de la répression de la Traite, quinze mandats pour un égal nombre de bâtimens de la Marine Royale Britannique dont votre Excellence m'a transmis la liste. J'ai envoyé en même tems à M. le Ministre de la Marine les huit mandats qui étaient joints à la Note de votre Excellence, et qui sont devenus inutiles par suite du rappel des bâtimens qui en étoient porteurs; il doit se trouver encore un certain nombre de mandats dans le cas d'être renvoyés au Gouvernement du Roi, soit parceque les bâtimens auxquels ils ont été delivrés ont changé de destination, soit parcequ'ils ont changé de Commandant.

J'ai l'honneur d'en transmettre la liste à votre Excellence en la priant de vouloir bien la faire parvenir au Gouvernement de Sa Majesté Britannique.

(Signé) GUIZOT.

A son Excellence Lord Cowley,
&c. &c. &c.

Second Enclosure in No. 12.

ETAT DES BATIMENS ANGLAIS, munis de Mandats pour la Répression de la Traite, et qui ont changé de Destination ou de Commandant.

Noms des Bâtimens.	Noms des Commandans.	Stations.	Dates de l'Envoi des Mandats.	Nouvelles Stations et Nouveaux Commandans.
Samarang . . .	W. Braughton . . .	Brsil . . .	17 Juin, 1837 . . .	Portsmouth.
Sparrow-hawk . . .	John Shepherd . . .	„	27 Juin, 1838 . . .	N'existe plus.
Electra . . .	W. Preston . . .	„	„	Indes Occidentales—nouveau commandant, A. Darley.
Wizard . . .	T. F. Birch . . .	„	„	Amérique du Sud—n. c. J. B. Somerville.
Calliope . . .	Thomas Herbert . . .	„	6 Février, 1839 . . .	Chine—n. c. A. L. Kuper.
Oreste . . .	P. S. Hambley . . .	„	„	En non activité.
Grecian . . .	W. Smyth . . .	„	„	Cap de Bonne Espérance.
Arrow . . .	B. J. Sullivan . . .	„	„	Cap de Bonne Espérance—n. c. W. Robinson.
Sparrow . . .	Robert Lowrey . . .	„	„	Amérique du Sud—n. c. J. Tissen.
Clio . . .	S. G. Freemantle . . .	„	5 Février, 1840 . . .	Indes Orientales—n. c. E. N. Troubridge.
Cameleon . . .	G. M. Hunter . . .	„	„	„
Partridge . . .	W. Morris . . .	„	„	Amérique du Sud—n. c. J. T. Nott.
Fawn . . .	John Foote . . .	„	„	Cap de Bonne Espérance.
Skipjack . . .	S. H. Usher . . .	Indes Occidentales	16 Janvier, 1836 . . .	En non activité.
Pickle . . .	A. G. Bulman . . .	„	„	Indes Occidentales—n. c. F. B. Montresor.
Pincher . . .	George Byng . . .	„	„	N'existe plus.
Racer . . .	Hope . . .	„	5 Novembre, 1836 . . .	Indes Occidentales—n. c. T. Harvey.
Satellite . . .	T. Robb . . .	„	17 Juin, 1837 . . .	Portsmouth.
Scylla . . .	The Hon. Denman . . .	„	„	Plymouth—n. c. R. Sharpe.
Griffin . . .	John D. d'Urban . . .	„	„	En non activité.
Snake . . .	A. Milne . . .	„	„	Méditerranée—n. c. W. B. Devereux.
Sappho . . .	Charles Frazer . . .	„	„	Indes Occidentales—n. c. E. J. Parrey.
Comus . . .	The Hon. P. P. Cary . . .	„	„	Indes Occidentales—n. c. Evan Nepean.
Vestal . . .	F. W. Carter . . .	„	27 Juin, 1838 . . .	Indes Occidentales—n. c. John Parker.
Edinburgh . . .	W. W. Henderson . . .	„	6 Février, 1839 . . .	En non activité.
Seringapatam . . .	John Leith . . .	„	„	„
Pique . . .	Edward Boxer . . .	„	„	Amérique du Nord—n. c. H. Forbes.
Andromache . . .	Robert L. Baynes . . .	„	„	Cap de Bonne Espérance.
Rover . . .	T. W. C. Symonds . . .	„	„	Indes Occidentales.
Charybdis . . .	The Hon. Robt. Gore . . .	„	„	Indes Occidentales—n. c. N. De Courcy.
Winchester . . .	John Parker . . .	„	5 Février, 1840 . . .	Portsmouth—n. c. T. W. Carter.
Cleopatra . . .	T. Luchington . . .	„	„	Indes Occidentales—n. c. Chris. Wywill.

ETAT des BATIMENS ANGLAIS, munis de Mandats pour la Répression de la Traite—*continued.*

Noms des Bâtimens.	Noms des Commandans.	Stations.	Dates de l'Envoi des Mandats.	Nouvelles Stations et Nouveaux Commandans.
Charybdis . .	Samuel Mercer . .	Côtes Occidentales d'Afrique.	16 Janvier, 1836 .	Il n'existe qu'un bâtiment de ce nom.
Leveret . .	Ch. G. Bosanquet . .	"	"	Plymouth.
Fair Rosamond	W. B. Oliver . . .	"	6 Février, 1839 .	Amérique du Nord— <i>n. c. A. G. Bulman.</i>
Buzzard . .	Charles Fitzgerald . .	"	"	Côtes d'Afrique— <i>n. c. C. J. Le- ringe.</i>
Harlequin . .	T. T. Russell . . .	"	5 Février, 1840 .	Chine— <i>n. c. G. S. Hastings.</i>
Acorn . . .	John Adams . . .	"	"	Cap de Bonne Espérance.
Modeste . .	Harry Eyres . . .	"	"	Chine.
Lilly . . .	Drare	"	"	Cap de Bonne Espérance— <i>n. c. G. Chaker.</i>
Saracen . .	H. W. Hill	"	"	En non activité.
Waterwitch .	H. Mation	"	"	Cap de Bonne Espérance— <i>n. c. Matson.</i>
Nautilus . .	G. Beaufoy	"	"	Portsmouth.
Curlew . . .	George Rose	"	"	Amérique du Sud— <i>n. c. Ross.</i>
Brisk	Waley Armitage . .	"	"	Amérique du Sud— <i>n. c. Geo. Sprigg.</i>
Wanderer . .	The Hon. J. Denman	"	"	Cap de Bonne Espérance— <i>n. c. J. G. Fremantle.</i>
Fantôme . .	T. H. Butterfield	"	"	Amérique du Sud— <i>n. c. S. G. Haynes.</i>

No. 13.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, March 21, 1842.

THE Undersigned, &c., has the honour to acquaint the Count St. Aulaire, &c., that Her Majesty's Government have instituted inquiries into the facts alleged in the Note addressed to the Undersigned by his Excellency on the 24th November, 1841.

In that Note his Excellency adverted to proceedings on the part of Her Majesty's naval forces on the Coast of Africa, whereby a slave factory belonging to a native trader of the name of Lightbourne had been broken up, and in respect to which it was alleged that certain goods therein placed had been destroyed, and the Slave Trader in question had consequently become unable to discharge the engagements which she had contracted on account of those goods towards M. René Valentin, a subject of France; and his Excellency requested that the facts stated in his communication might be verified; and that the redress due to the claims of M. Valentin might thereupon be taken into consideration.

The Undersigned has now to state to the Count St. Aulaire, that Her Majesty's Government, having examined into the circumstances referred to, consider that the claim of M. Valentin to a compensation for any loss which he may have sustained in consequence of the measure alluded to, is one to which Her Majesty's Government are bound to accede; and accordingly the Undersigned has the honour to invite the Count St. Aulaire to desire M. René Valentin to send in the documentary evidence in support of his claim, in order that, after verification by Her Majesty's Government, it may at once be settled.

The Undersigned, however, considers it his duty at the same time to call the attention of the Government of France, through Count St. Aulaire, to the occupation of Mrs. Lightbourne in the criminal traffic in slaves, a fact admitted by Mrs. Lightbourne herself, and to leave it to them to judge how far the claims of a person in his dealings with an avowed slave-trader deserve the support of the French Government.

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

To his Excellency Count St. Aulaire,
&c. &c. &c.

No. 14.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, Mars 22, 1842.**(Received March 22.)*

LE Soussigné, &c., a l'honneur d'accuser réception à son Excellence le Comte d'Aberdeen de la lettre qu'il lui a adressé le 21 Mars, relativement aux réclamations de M. Valentin.

Avant de répondre à cette communication, le Soussigné prie son Excellence le Comte d'Aberdeen de vouloir bien lui renvoyer les pièces à l'appui qui ont été transmises au Foreign Office le 24 Novembre, 1841.

Le Soussigné, &c.,

(Signé) ST. AULAIRE.

A son Excellence le Comte d'Aberdeen.

&c. &c. &c.

No. 15.

*The Count St. Aulaire to the Earl of Aberdeen.**Hertford House, Mars 21, 1842.**(Received March 24.)*

L'AMBASSADEUR de France a l'honneur d'offrir ses compliments à son Excellence le Comte d'Aberdeen, et s'empresse de lui renvoyer deux mandats* qui par suite du retour en France des bâtiments auxquels ils étaient destinés sont devenus inutiles.

A son Excellence le Comte d'Aberdeen,

&c. &c. &c.

* Issued to the French ships of war "Bayonnaise" and "Lutin."

No. 16.

*Lord Cowley to the Earl of Aberdeen.**Paris, March 25, 1842.**(Received March 28.)*

MY LORD,

WITH reference to your Lordship's Despatch, marked "Slave Trade," of the 3rd instant, enclosing a list of ships for which warrants are required from the Marine Department of France, I have the honour to enclose the copy of a note from the Minister of Foreign Affairs, transmitting to me the accompanying 15 warrants, for the number of vessels specified in the aforesaid list.

I have, &c.

(Signed) COWLEY.

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

&c. &c. &c.

Enclosure in No. 16.

M. Guizot to Lord Cowley.

MONSIEUR L'AMBASSADEUR,

Paris, le 21 Mars, 1842.

JE m'empresse d'envoyer à votre Excellence, suivant la demande qu'elle m'a fait l'honneur de m'adresser le 8 de ce mois, quinze mandats destinés à autoriser les officiers qui y sont dénommés, à exercer le droit de visite en exécution des Conventions, relatives à la répression de la Traite des Noirs, qui existent entre la France et la Grande Bretagne.

Je saisis cette occasion, &c.

Son Excellence Lord Cowley,

&c. &c. &c.

(Signé) GUIZOT.

No. 17.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, March 29, 1842.*

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and, in compliance with the request contained in Count St. Aulaire's note of the 22d instant, has the honour to return to him herewith the papers which accompanied his note of the 24th November, 1841, upon the subject of M. René Valentin.

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

No. 18.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, March 30, 1842.*

MY LORD,

I HEREWITH transmit to your Excellency an extract from a letter dated Rio Nunez, April 7, 1841, addressed to Her Majesty's Commissioners at Sierra Leone, on the subject of Slave Trade carried on by French subjects at the French settlements in the Casamanca; and I have to instruct you to communicate to M. Guizot the information contained in that paper.

I am, &c.
 (Signed) ABERDEEN.

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

Enclosure in No. 18.

Letter enclosed in Sierra Leone Commissioners' Despatch to the Earl of Aberdeen,
December 31, 1841.

(See Class A, No. 4, p. 8.)

No. 19.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, 30 Mars, 1842.**(Received April 1.)*

L'AMBASSADEUR de France présente ses compliments empressés à son Excellence Lord Aberdeen, et le prie de vouloir bien le mettre à même d'envoyer à son Gouvernement des mandats de bâtiments qui autorisent les Commandants des deux vaisseaux ci-dessous indiqués à exercer le droit de visite à l'égard du pavillon Anglais en exécution des Conventions relatives à la répression de la Traite.

"*Le Cassard*," brick, commandé par M. Ducouëdie de Kergoualer, Capitaine de Corvette (*Station du Brésil*); et "*La Fine*," goëlette, commandée par M. Lahalle, Lieut. de Vaisseau, *Station des Côtes Occ. d'Afrique*.

No. 20.

*Lord Cowley to the Earl of Aberdeen.**Paris, April 4, 1842.**(Received April 6.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 30th ultimo.

I have, &c.
 (Signed) COWLEY.

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

CLASS C.

No. 21.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, April 7, 1842.*

THE Earl of Aberdeen presents his compliments to the Count St. Aulaire, and, in compliance with the request contained in Count St. Aulaire's note of the 30th ultimo, has the honour to transmit to his Excellency herewith warrants to enable the French ships of war "*Le Cassard*," and "*La Fine*," to act under the Conventions of the 30th November, 1841, and 22nd March, 1833, between Great Britain and France, on Slave Trade.

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

No. 22.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, 11 Avril, 1842.**(Received April 13.)*

L'AMBASSADEUR de France présente ses compliments à son Excellence le Comte d'Aberdeen, et a l'honneur de lui renvoyer les deux mandats qu'il lui a transmis le 7 de ce mois pour les bâtiments de guerre Français "*Le Cassard*" et "*La Fine*," qui par suite de leur retour en France sont devenus inutiles, mais il le prie de lui en adresser un nouveau pour "*Le Dupetit Thouars*," brick aviso, commandé par M. Jollivet, Capitaine de Corvette, qui se rend à la Station du Brésil.

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

No. 23.

*Lord Cowley to the Earl of Aberdeen.**Paris, April 15, 1842.**(Received April 17.)*

MY LORD,

ENCLOSED is the copy of a note which I have received from the Minister for Foreign Affairs, in reply to one which I addressed to him on the part of Her Majesty's Government, with a request to be furnished with copies of the French laws and ordonnances relative to the Slave Trade. M. Guizot states that he has applied to the Minister of Marine for a collection of these documents, which he will transmit to me as soon as it reaches him.

I have, &c.
 (Signed) COWLEY.

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

Enclosure in No. 23.

M. Guizot to Lord Cowley.

M. L'AMBASSADEUR,

Paris, Avril 12, 1842.

VOTRE Excellence, par la lettre qu'elle m'a fait l'honneur de m'adresser le 11 Janvier dernier, m'a exprimé le désir d'obtenir une collection des lois et ordonnances Françaises relatives à la Traite des Noirs.

J'ai prié M. le Ministre de la Marine de vouloir bien faire réunir ces documents; j'aurai l'honneur de vous les transmettre dès qu'ils me seront parvenus;

je recevrais avec plaisir en échange une collection des actes du Gouvernement Anglais relatives à la Répression de la Traite.

Agréez, &c.
(Signé) GUIZOT.

A son Excellence Lord Cowley,
&c. &c. &c.

No. 24.

Count St. Aulaire to the Earl of Aberdeen.

*Londres, Avril 19, 1842.
(Received April 19.)*

LE Soussigné, Ambassadeur de Sa Majesté le Roi des Français près Sa Majesté Britannique, a reçu l'ordre de son Gouvernement de faire à son Excellence le Comte d'Aberdeen la communication suivante.

Le navire Français "*Le Marabout*," Capitaine Dejoie, a été arrêté, le 27 Septembre dernier, sur les côtes du Brésil, par le croiseur Anglais "*La Rose*," Capitaine Christie, sous la prévention d'être armé pour la Traite des Noirs.

Conduit dans le port de Cayenne une instruction criminelle a eu lieu, et il a été déclaré, par un arrêt de la Chambre des Mises en Accusation de la Cour Royale, que les soupçons élevés contre ce bâtiment étaient mal fondés, et un jugement rendu par défaut, par le tribunal civil de la même Colonie, a condamné en conséquence les croiseurs Anglais à 253,283 fs. 84 centimes de dommages-intérêts.

Le Soussigné joint ici une copie de l'arrêt et du jugement, ainsi que des principales pièces de la procédure, et il demande, au nom de son Gouvernement, que conformément aux Conventions sur la Traite, il soit pourvu au paiement des dommages-intérêts alloués à l'armateur du "*Marabout*," si le Gouvernement de Sa Majesté Britannique ne juge pas à propos de prendre les mesures qu'autorise notre législation pour attaquer le jugement qui porte cette condamnation.

Le Soussigné a également l'honneur de transmettre à son Excellence le Comte d'Aberdeen la copie d'un Rapport de M. Pichard, Capitaine en second du "*Marabout*," et l'extrait d'un rapport du Capitaine Dejoie, desquels il résulte que le Commandant Christie a violé l'Article IV. des Instructions Générales jointes à la Convention du 22 Mars, 1833, en négligeant de conduire immédiatement à Cayenne les officiers, matelots, et passagers qu'il avait distraits du bord du "*Marabout*." Ces rapports contiennent aussi des plaintes au sujet des voies de fait qui auraient été commises, lors de la visite, à l'égard de l'un des officiers du "*Marabout*," au sujet des déprédations dont des matelots Anglais se seraient rendus coupables à bord, et de l'incapacité apportée à la conduite du bâtiment par l'officier qui en avait été chargé, et enfin au sujet des mauvais traitemens qui auraient été infligés aux officiers, matelots, et passagers du "*Marabout*," à bord du bateau à vapeur de Sa Majesté Britannique "*L'Ardent*," auquel avait été confiée la mission de les conduire de Rio Janeiro à Cayenne.

En communiquant ces documens au Gouvernement de Sa Majesté Britannique, le Soussigné a reçu pour instruction de demander,

1. Le retrait immédiat du mandat délivré en exécution des Conventions sur la Répression de la Traite par M. le Ministre de la Marine, le 5 Février, 1840, au Capitaine Christie, commandant la corvette de Sa Majesté Britannique "*La Rose*."

2. La punition, s'il y a lieu, des auteurs des mauvais traitemens dont se plaint le Capitaine Pichard.

3. La punition, si elle n'a eu lieu déjà, du matelot qui s'est rendu coupable d'une voie de fait, lors de la visite du "*Marabout*," ainsi que des matelots qui seraient ou auraient été reconnus coupables de déprédations commises soit au préjudice de la cargaison, soit au préjudice des passagers.

4. La délivrance d'ordres destinés à prévenir la violation de l'Article IV. des Instructions Générales jointes à la Convention du 22 Mars, 1833.

5. Un dédommagement pécuniaire pour les officiers, matelots, et passagers, dont la détention a été injustement prolongée par suite de la violation de l'Article ci dessus cité, et une indemnité équivalente à celle que le Capitaine Dejoie

justifiera avoir payée à l'équipage qu'il avait engagé à Cayenne, pour remplacer celui qui lui avait été enlevé.

Le Soussigné saisit, &c.

(Signé)

S^{TE}. AULAIRE.

A son Excellence le Comte d'Aberdeen, K. T.

&c.

&c.

&c.

List of Documents enclosed in No. 24.

INVENTAIRE des PIÈCES relatives à l'Acquittement du MARABOUT jointes à la Dépêche No. , adressée à M. le Comte de St. Aulaire.

1. Arrêt de non lieu rendu par la Cour Royale de Cayenne.
2. Jugement du Tribunal de Première Instance.
3. Procès-verbal des Officiers du Sloop "La Rose."
4. Procès-verbal du Commandant Christie.
5. Certificat relatives aux planches.
6. Police d'assurance.
7. Procès-verbaux du Déchargement du Brick "Le Marabout."
8. Avis du Capitaine de Port et du M^e. Charpentier, sur la destination des planches.
9. Procès-verbal de l'expertise du tassau et de la farine.
10. Procès-verbal de la visite des taffias.
11. Procès-verbal d'ouverture de quarante-cinq lettres.
12. Protestation du Capitaine Dejoie relative à l'ouverture des lettres.
13. Copie des principales lettres trouvées à bord.
14. Interrogation de M. Dejoie.
15. Interrogatoire de M. Lorandin.
16. Interrogatoire de Gautrel.
17. Déposition de Dame Lobo et S^r. Compton.
18. Rapport de M. le Juge d'Instruction.
19. Conclusions du Procureur du Roi.
20. Requisitions du Procureur-Général.
21. Lettre de M. Compton au Gouverneur.
22. Rapport de M. Pichard au Commissaire de la Marine à Nantes.
23. Rapport de mer du Capitaine Dejoie au Ministre de la Marine.

First Enclosure in No. 24.

Cour Royale.—Chambre des Mises en Accusation.—Arrêt de non lieu.

Le Ministère Public v. Dejoie, Lorandin, et Gautrel.—2 Décembre, 1841.
Expédition.

LOUIS PHILIPPE, Roi des Français, à tous presens et à venir, salut.

La Cour Royale de la Guyane Française, séant à Cayenne, Chambre des Mises en Accusation, en son audience publique de ce jour, a rendu l'arrêt suivant :—

La Cour Royale de la Guyane Française séant à Cayenne, Chambre des Mises en Accusation, composée de Messieurs Brun, Conseiller Président ; Poupon et Daney, conseillers assistée de M. Merentier, greffier en chef, réunie en la Chambre du Conseil, conformément à l'article 218 du Code d'Instruction Criminelle.

Monsieur Morel, chevalier de la Légion d'Honneur, Procureur-Général du Roi, est entré et a fait le rapport de la procédure instruite à la requête du Ministère Public contre—1. Le Capitaine Dejoie (Hippolyte Paul), âgé de trente-deux ans, né à Bouguemaire, département de la Loire Inférieure, commandant le brick Français, "Le Marabout," du Port de Nantes, armé par le Sieur Lepertière.

2. Les hommes de son équipage, au nombre de deux savoir : 1. Gautrel Pierre, âgé de vingt ans, né à Clisson, département de la Loire Inférieure.
2. Lorandin, âgé de dix-sept ans, né à Paris, département de la Seine, mousse à bord du "*Marabout*."

Prévenu de s'être, le premier en qualité de capitaine, les deux autres en qualité de matelots, livrés au trafic de la traite des noirs.

Le greffier a donné aux juges, en présence de Monsieur le Procureur-Général, lecture de toutes les pièces du procès lesquelles ont été ensuite laissées sur le bureau, avec les mémoires fournis par les prévenus.

Monsieur le Procureur-Général, après avoir déposé sur le bureau sa réquisition écrite et signée, s'est retiré ainsi que le greffier.

La dite réquisition tendant à ce qu'il plaise à Messieurs composant la Chambre des Mises en Accusation, déclarer qu'il n'y a lieu à suivre contre le Capitaine Dejoie, Lorandin, et Gautrel, hommes de son équipage, en conséquence les renvoyer de la prévention dont ils sont l'objet.

La Cour, après en avoir délibéré conformément à la loi :

Considérant que de l'instruction il ne résulte contre le Capitaine Dejoie, et les hommes de son équipage, Gautrel et Lorandin, aucuns indices de culpabilité ;

Considérant en effet que le brick "*Le Marabout*" soumis aussitôt son arrivé à Cayenne à la visite la plus sévère et la plus minutieuse, que les objets composant son armement et sa cargaison soumis également à l'examen, et à l'appréciation d'experts n'ont offert la plus légère trace qu'indiquât l'intention criminelle de se livrer au trafic de la traite, qu'on n'a trouvé à bord aucuns des objets énumérés en l'Article VI. de la Convention Supplémentaire, conclue à Paris entre la France et la Grande Brétagne, le 22 Mars, 1833, et dans les conditions voulues par ce dit article, pour créer la présomption de traite et motiver la capture du bâtiment ;

Considérant que la présence à bord de planches au nombre de soixante-douze est valablement justifiée par le certificat émané du Consul de France à Bahia, et constatant le but pour lequel elles étaient embarquées ; que le capteur Anglais auroit pu avec un peu plus d'attention se convaincre facilement que ces planches étaient, tant à cause de leur épaisseur, longueur, et leur état brut tout à fait impropres à former un pont volant ou pont dit à esclaves ;

Considérant que la quantité d'eau trouvée à bord ne dépassoit pas les besoins du navire, lorsqu'il est prouvé que se dérangeant sur la côte du Afrique pour delà opérer son retour en France, il portait onze passagers, quatorze hommes d'équipage, et qu'il est presque impossible de faire de l'eau à la côte d'Afrique ;

Considérant que les farines et autres vivres n'offraient pas également une quantité qui dépassât les besoins du brick ;

Considérant que les taffias ont été reconnus comme légaux et marchands, et qu'il n'est pas présumable à moins de prohiber ce genre de commerce avec l'Afrique, qu'ils n'aient été embarqués que pour cacher la destination des futailles ;

Considérant que la barre de fer et les trois organneaux signalés par le capteur Anglais n'est qu'une barre de justice, en usage sur tous les bâtimens de commerce, pour la discipline de l'équipage ;

Considérant que les lettres saisies n'inculpent en rien le Capitaine Dejoie, qu'il résulte de l'instruction et leur traduction qu'elles avoient été confiées à des passagers, et qu'elles lui étaient entièrement étrangères ;

Considérant en outre, qu'il est établi par le livre de gestion du dit capitaine, par sa correspondance pendant les années 1839, 1840, et 1841, avec sa maison de Nantes, et par la correspondance de cette maison avec lui, qu'il ne s'est jamais livré à la côte d'Afrique qu'à un commerce de change licite, et que les dernières lettres de la dite maison lui enjoignaient l'ordre d'opérer son retour avec une cargaison d'huile de palme, cotée alors en France à un prix très élevée,

Par ces motifs,

La Cour déclare qu'il n'y a lieu à suivre contre Dejoie et ses deux hommes d'équipage Gautrel et Lorandin.

Ordonne la restitution du brick "*Le Marabout*," ainsi que tous les objets composant son armement et sa cargaison, au Capitaine Dejoie.

En ce qui touche les dommages-intérêts réclamés ;

Vu l'article huit de la Convention Supplémentaire précitée ;

Renvoie Dejoie à se pourvoir devant qui de droit.

Fait et délibéré en la Chambre du Conseil au Palais de Justice à Cayenne, le Jeudi, deux Decembre, mil huit cent quarante-un.

(Signé) BRUN, POUPON, DANAY, et MERENTIER, *Greffier*.

Mandons et ordonnons à tous huissiers sur ce requis de mettre le présent arrêt à exécution, à nos Procureurs-Généraux et à nos Procureurs près les tribunaux d'y tenir la main, à tous commandans et officiers de la force publique de prêter la main lorsqu'ils en seront légalement requis.

En foi de quoi le présent arrêt a été signé par tous les membres composant la Chambre des Mises en Accusation, et par le greffier.

Pour copie conforme, expédition delivrée à Monsieur le Procureur-Général. Cayenne, le huit Decembre, mil huit cent quarante-un.

(L.S.) (Signé) MERENTIER, *Greffier*.

Vu pour légalisation.

Le Procureur-Général du Roi,

(L.S.) (Signé) S. MOREL.

Vu pour légalisation.

Le Gouverneur,

(L.S.) (Signé) CHARMASSON.

Second Enclosure in No. 24.

Du 28 Decembre, 1841. Paul Dejoie ès qualités v. John Compton ès qualités. Civil. Expédition.

LOUIS PHILIPPE, Roi des Français, à tous présens et à venir, salut.

Le Tribunal de Première Instance de la Guyane Française, séant à Cayenne, jugement en matière civile en son audience ordinaire et publique, de ce jour a rendu le jugement suivant :

Entre le Sieur Hippolite Paul Dejoie, capitaine au long cours, commandant le brick Français "*Le Marabout*," du port de Nantes, le dit capitaine actuellement à Cayenne, logé rue du Port, maison de Madame Viriot, et agissant tant en son nom personnel qu'au nom de son armateur de son équipage et des intéressés dans le navire "*Le Marabout*" et sa cargaison, et encore au nom des assureurs, pour le quel domicile est élu à Cayenne en l'étude, sise rue d'Orleans, de M. Candolle, avoué, demandeur ayant le dit M. Candolle pour avoué.

Et le Sieur John Compton, officier de la marine Anglaise, chargé d'amener le navire "*Le Marabout*" à Cayenne, sous la prévention de s'être livré au commerce illicite de la traite des noirs, mon dit Sieur John Compton demeurant en ce moment à Cayenne, rue Dauphiné, chez Madame Zelima Monforand, et puis ici tant en son nom personnel que comme représentant le Sieur P. Christie, commandant la corvette Anglaise "*La Rose*," celui-ci représentant le Gouvernement Britannique au nom du quel l'arrestation du "*Marabout*" a été faite à sa sortie de Bahia sur la côte du Brésil, défendeur et défaillant.

Point de fait,

Le vingt-six Septembre, mil huit cent quarante-un, "*Le Marabout*," de Nantes, appareilla de Bahia pour la côte d'Afrique, sous le commandement du Capitaine Dejoie, ayant à bord quatorze hommes d'équipage, onze passagers, et une cargaison qui se composait de divers marchandises.

Le vingt-sept du dit mois de Septembre, "*Le Marabout*" fut arrêté par la corvette de la Marine Royale Anglaise "*La Rose*," Capitaine P. Christie, et fut déclaré par celui-ci coupable de se livrer au commerce illicite de la traite des noirs.

Immédiatement la majeure partie del'équipage et des passagers du "*Marabout*"

furent transbordés à bord de la corvette Anglaise "La Rose;" le capitaine, deux hommes de son équipage, et une passagère restèrent à bord du dit brick, et le Sieur Compton, officier de la Marine Royale Anglaise, et un équipage Anglais furent détachés de la corvette et mis à bord du brick "*Le Marabout.*" Ce navire arriva à Cayenne le dix-neuf Octobre, mil huit cent quarante-un; il fut remis aux autorités et une instruction eût lieu.

Par arrêt de non lieu rendu pas la Chambre de Mises en Accusation de la Cour Royale de la Guyane Française, séant à Cayenne, le deux Decembre, mil huit cent quarante-un, non sujet à la formalité de l'enregistrement, la Cour déclara qu'il n'y avait lieu à suivre contre Dejoie et ses deux hommes d'équipage Gautrel et Lorandin, ordonna la restitution du brick "*Le Marabout,*" ainsi que tous les objets composant son armement et sa cargaison au dit Capitaine Dejoie, et renvoya celui-ci à se pourvoir devant qui de droit quant aux dommages-intérêts.

Le Capitaine Dejoie ès qualités voulant faire liquider les dommages-intérêts aux quels il avoit droit de prétendre, conformément à l'article huit de la Convention du vingt-deux Mars, mil huit cent trente-trois, il fit assigner par exploit de Bayssié fils, huissier à Cayenne, en date du quatorze Decembre, mil huit cent quarante-un, enregistré au dit lieu le quinze du dit, folio cent trente-neuf (verre case douze), par B. de Larouzière, qui a reçu cinquante centimes, le dit Sieur John Compton ès qualités à comparaître par devant et à l'audience du Tribunal de Première Instance de Cayenne, du vingt-quatre du dit mois de Decembre, aux fins de s'entendre condamner à payer comptant au S^r. Dejoie ès qualités la somme principale de deux cent soixante quatorze mille huit cent soixante-trois francs cinquante-six centimes à titre de dommages-intérêts, et montant de vingt-deux chefs énoncés au dit exploit. 2. Le montant des gages et des indemnités dûs à l'équipage, et des frais sur la justification qui en serait faite. 3. Et à tous les dépens et voir donner acte au demandeur des réserves qu'il ferait pour augmenter, diminuer, rectifier, ou changer tout ou partie des dites conclusions en tout état de cause, et notamment des réserves qu'il fait pour réclamer en tems utile le payement de la somme de quatre mille soixante-quinze francs dix centimes, pour erreur faite dans le calcul du fret des marchandises chargées par divers à bord du "*Marabout.*"

Cet acte portait en outre constitution de M. Candolle avoué pour le Capitaine Dejoie.

Le Sieur John Compton ès qualités n'ayant pas constitué d'avoué dans le délai voulu par la loi, et la cause ayant été appelée à l'audience de ce jour, M. Candolle a requis pour le Sieur Dejoie ès qualités défaut contre le Sieur John Compton ès qualités non comparant, ni personne pour lui, et pour le profit l'adjudication des conclusions de son exploit sus-daté.

La cause en cet état présentait à juger les questions suivantes.

Point de droit.

Devait-on donner défaut contre le Sieur John Compton ès qualités non comparant, ni personne pour lui? Et pour le profit devait-on adjuger au Sieur Dejoie ès qualités les conclusions de son exploit introductif d'instance.

Quoi à l'égard des dépens?

Après avoir entendu à l'audience publique du vingt-quatre de ce mois, Maître Candolle, avoué au demandeur en ses conclusions et observations, M. Maréchal, substitut provisoire du Procureur du Roi, en ses conclusions verbales motivées et conformes, avoir examiné les pièces au nombre de vingt-huit visées et paraphées par le President du Tribunal, et après avoir pris l'avis de M. Thoré, Juge Auditeur, pour le jugement être prononcé à l'audience de ce jour.

Attendu que la Chambre des Mises en Accusation ayant déclaré par son arrêt, en date du deux de ce mois, non sujet à l'enregistrement qu'il n'y avait lieu à suivre contre Dejoie et ses deux hommes d'équipage, a ordonné la restitution du brick "*Le Marabout,*" ainsi que tous les objets composant son armement, sa cargaison, au dit Capitaine Dejoie, et l'a renvoyé à se pourvoir devant qui de droit pour les dommages-intérêts réclamés;

Attendu que les motifs du dit arrêt justifient que le navire "*Le Marabout*" a été indûment arrêté et sans aucun motif de suspicion;

Attendu que sur les dix-neuf articles portés en l'état des dommages-intérêts réclamés par le demandeur contre le défendeur, et conformément aux dispositions de l'article huit du Traité entre la France et la Grande Bretagne, le vingt-deux Mars, mil huit cent trente-trois, dix-sept se trouvent justifiées, que les

articles sept et dix-neuf pour prime d'assurance et de créance à recouvrir formant ensemble la somme de vingt-une mille cinq cent soixante-dix neuf francs soixante douze centimes sont à deduire quant à présent du montant réclamé en sauf tous droits réservés quant à ce en cas de justification.

Attendu enfin que le défendeur, dûment assigné à la requête de Dejoie ès qualités, en parlant de sa personne, appert l'exploit d'assignation, à lui donnée par Bayssié huissier, le quatorze de ce mois, enregistré le quinze Décembre, mil huit cent quarante-un, fo. 139, (verre case 12,) par B. de Larouzière, qui a reçu cinquante centimes n'a pas comparu ni personne pour lui aux fins de défendre sur la demande qu'on lui faisait, ce qui fait penser, qu'il n'avait aucun moyen valable à opposer contre elle.

Par ces motifs,

Le Tribunal jugeant en premier ressort donne défaut contre John Compton, ès qualités, et pour le profit le condamne à payer comptant au demandeur en la sienne—1. La somme de deux cent cinquante-trois mille deux cent quatre vingt-trois francs, quatre vingt quatre centimes, pour le montant des articles un, deux, trois, quatre, cinq, six, huit, neuf, dix, onze, douze, treize, quatorze, quinze, seize, dix-sept, et dix-huit de l'état réclamé. 2. Le montant des gages et indemnités dûs à l'équipage et des frais portés pour mémoire au susdit état; donne acte au demandeur de ses réserves, et encore pour faire valoir tous les droits relativement aux deux articles sept et dix-neuf s'il peut en faire la justification plus tard, et condamne le dit défendeur ès qualités en tous les dépens liquidés à trente-deux francs soixante-cinq centimes, en ce non compris enregistrement, coût et mise à execution du present jugement qui sera signifié par Faiseau huissier, commis à cet effet.

Ainsi jugé et prononcé par le Tribunal de Première Instance de la Guyane Française, séant à Cayenne, jugeant en matière civile, en son audience ordinaire et publique du vingt-huit Décembre, mil huit cent quarante-un.

Où étaient présents,

Messieurs Revoil, Juge Royale; Thoré, Juge Auditeur; Maréchal, substitut provisoire du Procureur du Roi.

Monsieur Joseph Gustave Lhuerre, greffier provisoire, tenant la plume.

(Signé) REVOIL, et J. LHUERRE, *Greffier Provisoire.*

En marge se trouve la mention d'enregistrement ainsi conçue.

Enregistré à Cayenne, le huit Janvier, mil huit cent quarante-deux, folio cent soixante, case sept; reçu pour condamnation sur les dépens un franc, et pour dommages-intérêts, cinq cent seize francs, quatre vingt centimes, plus pour double minute six francs, attribution six francs.

(Signé) B. DE LAROUZIERE.

Mandons et ordonnons à tous huissiers sur ce requis de mettre le présent jugement à execution.

A nos Procureurs-Généraux, et à nos Procureurs près les Tribunaux de Première Instance d'y tenir la main.

A tous commandans et officiers de la force publique de prêter main forte lorsqu'ils en seront l'également requis.

En foi de quoi la minute du dit jugement a été signée par le Juge Royale et le Greffier Provisoire.

Collationné et délivré à M. Candolle avoué.

Cayenne, le dix Janvier, mil huit cent quarante-deux.

(Signé) LHUERRE, *Greffier Provisoire.*

En marge c'est écrit: Reçu dix francs trente-deux centimes pour droits du greffe.

Cayenne, le dix Janvier, 1842, fo. 161, c. 7.

Attribution, dix francs trente-deux centimes.

(Signé) DE LAROUZIERE.

Nous André Vildarie Révoil, Juge Royale au Tribunal de Première Instance de la Guyane Française, séant à Cayenne, certifions que la signature apposée en l'autre part est bien celle de M. Joseph Gustave Lhuerre, greffier provisoire au dit tribunal, et que foi doit y être ajoutée.

Fait au Palais de Justice à Cayenne, le dix Janvier, mil huit cent quarante-deux.

(Signé) REVOIL.

Vu le Procureur-Général du Roi.

(Signé) MOREL.

Vu pour légalisation.

Le Gouverneur de la Guyane Française.

(Signé) CHARMASSON.

Pour copie conforme.

Le Conseiller de l'Etat, Chef de la division Politique du
Département des Affaires Etrangères.

(Signé) (Signature illegible.)

Third Enclosure in No. 24.

Gouvernement de la Guyane Française.—Cabinet du Gouverneur.

WE, whose names are hereunto subscribed, belonging to Her Majesty's sloop "Rose," have been present at the search made on board the detained brig or vessel named the "Marabout," and we make the following statement, viz.—

That on clearing away a part of the cargo we found planks regularly laid on shifting rafters for a slave deck; likewise a shifting bulk-head, such as is used in slavers. On the after part of this slave deck, we found 13 barrels of farina, eight packages of jerked beef, and four bags of rice. In the fore peak we found one bolt with three shackles; and on clearing away a quantity of wood we discovered four large casks of water, containing about 100 gallons each, making in all 18 casks, being four more than the captain acknowledged to having on board. On deck we found a number of small empty casks, likewise three copper suckers, such as are used for pumping water from large casks.

The cargo is such as is generally used in bartering for slaves, such as tobacco, spirits, bale goods, knives, beads, &c. &c.

And we further declare that, from the whole of what we have seen as above stated, we are of opinion that the said brig is engaged in the illicit traffic for slaves, and we further declare that we are willing to make oath to the impartiality of our proceedings.

Given under our hands on board Her Britannic Majesty's sloop "Rose," at sea, this 28th day of September, 1841.

(Signé)

PATRICK CAMPBELL, 1st Lieutenant.

JOHN COMPTON, 2nd Lieutenant and Prize Officer.

ROBART, Mate.

W. HAVES, Carpenter.

Pour copie conforme,

Le Gouverneur.

(Signé)

CHARMASSON.

Vu par le Traducteur Interprète, juré au Bureau des Traductions légales,
31, Rue du Vaugirard, Paris, le 31 Janvier, 1842.

Ne varietur.

L. DE GERIN ROZE,

Traducteur Officiel du Département de la Marine.

Fourth Enclosure in No. 24.

Gouvernement de la Guyane Française.—Cabinet du Gouverneur.

I, PETER CHRISTIE, Esq., Commander of Her Britannic Majesty's ship "Rose," hereby declare that, on the 27th day of September, 1841, being in or about the latitude 12° 56' south, and longitude 38° 05' west, I detained the brig or vessel the "Marabout," sailing under French colours, commanded by Hipolyte Paul Dejoie, who declared her to be bound from Bahia to the coast of Africa, armed with 3 carronades, 18 pounders, 6 muskets and bayonets, 2 pistols, 8 swords, 1 blunderbuss, and 1 sword belonging to the captain, with a crew consisting of 14 men and 11 passengers, whose names are inserted in the seized document (No. 6); and I declare that I have detained the afore-

mentioned brig or vessel, and have sent her to the French settlement, Cayenne, to be brought before the Court of Jurisdiction there, for being equipped for the illegal traffic in slaves, there having been found on board the following, viz. :—

1st. Having on board a great number of planks, not only fit for speedily laying as a second or moveable deck, but actually laid and fitted with shifting beams fore and aft the hold, in violation of the third clause of the 6th Article of the Treaty between Her Majesty the Queen of England and His Majesty the King of the French. It would appear that the master of the vessel had taken advantage of the French Vice-Consul at Bahia, and prevailed upon him to sign a certificate, showing that 72 of these planks were on board with his knowledge. The Consul would, no doubt, suppose that they would be made use of for any repairs the vessel might stand in need of; but he could never imagine that they would be made use of for a slave-deck when he granted the certificate, as a similar document might just as well be shown for irons, boilers, or any other article essential for slave traffic. It is not customary for a vessel of her description to carry more than 10 or 20 planks; such an expensive article could not possibly be required as dunnage, as she had plenty of firewood to answer that purpose.

2nd. Having more divisions or bulkheads in the hold than customary for a trading vessel, one of these bulkheads being calculated to shift and form a female slave-room of any size required, contrary to the second clause of the 6th Article of the Treaty.

3rd. Having on board a greater number of water-casks, barricoes, &c., than necessary for the crew and passengers, contrary to the sixth clause of the 6th Article of the said Treaty; also a great quantity of casks, filled with a spirit of trifling value, which casks, when emptied of the spirits, are generally used by slave-vessels as water-casks; also considerable quantity of farina, jerked beef, &c., more than necessary for the crew and passengers, and such being generally intended for food for negroes.

4th. Having on board a bolt and shackles contrary to the fourth clause of the 6th Article of the Treaty; and further declare that several articles were thrown overboard from the vessel. One bundle of papers I succeeded in picking up with one of my boats, containing a number of letters, several of which are directed to some of the principal slave-dealers in Africa; all of which letters I send by the vessel.

I am not aware that anything further is necessary to prove that this vessel is equipped and engaged in the illicit traffic in slaves.

I do further declare that the said brig or vessel appeared to be seaworthy, and has a sufficient stock of water and provisions for the support of her crew on her passage to the French settlement of Cayenne.

Given under my hand, on board vessel "Rose," at sea, this 28th day of September, 1841.

(Signé) CHRISTIE, *Commander.*

Vu par le Traducteur Interprète, juré au Bureau des Traductions légales, 31 Rue de Vaugirard, Paris, le 31 Janvier, 1842. Ne varietur.

L. DE GERIN ROZE.

Traducteur Officiel du Ministère de la Marine.

LIST OF CREW.

Name.	Employment.	Age.
Dejoie, Hypolite Paul	Captain	32
Meunier, Pierre	1st Mate	35
Pichard, Jean Augustin	2nd Mate	40
Gautrel, Pierre	Cook	20
Guichard, René Laurent	Gunner	19
Paris, Pierre	Carpenter	21
Dano, Julien	Seaman	35
La Came, Francois Marie	„	25
Aguet, Jean Marie	„	39
Trimaud, Julien	„	30
Brosseau, Julien Alain	Boy	20
Beraud, Louis Jacques	„	19
David, Jean	Seaman	17
Lorandin, Henry Austida	„	42

LIST OF PASSENGERS.

Names.	Subject.
José Martinez Franca	Portugal.
Antonio da Silva	„
José Pinto Guimarans	„
Pantaleos Lopez Villas Braz	Brazile.
Guilherme M. do Nanseinho	„
Bern. Ferr. da Cunha	„
Clara Maria de Souza Lobo	„
Antonio Nevez	African liberto.
Bento Simões	„
Luiz Ladislao	„
Franc. José d'Oliva	„

Witnesses,

(Signed)

P. CAMPBELL, Lieutenant.

J. COMPTON, Second Lieutenant and Prize Officer.

JOHN G. WILLIAMS, Surgeon.

Pour copie conforme.

Le Gouverneur,

(Signé)

CHARMASSON.

Vu par le Traducteur Interprète, Juré au Bureau des Traductions Légales,
31 Rue de Vaugirard, Paris, le 31 Janvier, 1842. Ne varietur.

(Signed)

L. DE GERIN ROZE.

Fifth Enclosure in No. 24.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française,
séant à Cayenne.*

CERTIFICATS DE PLANCHES.

Consulat de France à Bahia. (No. 275.)

Nous, Consul de France, gérant de Consulat de Bahia.

Vu l'article 5, paragraphe 3, de la Convention Supplémentaire, conclue à Paris, entre la France et la Grande Bretagne, le 22 Mars, 1833, relativement à la repression du crime de la Traite des Noirs.

A la requête du Capitaine Dejoie, commandant le brick Français "*Le Marabout*," du port de Nantes, jaugeant 172 tonneaux $\frac{43}{100}$, en destination pour la côte Occidentale de l'Afrique, certifions et attestons à tous qu'il appartiendra qu'il a été embarqué à Bahia, à bord du susdit bâtiment, six douzaines, soit soixante et douze, planches en sapin de treize pieds de longueur sur neuf pouces de largeur et un d'épasseur, les presentes dimensions ainsi declarées par le capitaine sus designé, que ces planches sont à bord pour le service du navire, le capitaine ayant toutefois la liberté de les vendre selon qu'il le jugera convenable dans l'intérêt de l'armement; et que dans aucun cas les dites planches ne pouvaient conformément au paragraphe trois de l'article 5 de la Convention précitée, rendre le brick "*Le Marabout*" et son capitaine suspect de se livrer au crime de la traite des noirs.

En foi de quoi nous avons delivré le present certificat au Capitaine Dejoie, le requerant pour lui servir ce que de besoin.

Donnée à Bahia, en la Chancellerie du Consulat de France, sous notre seing et le sceau officiel de ce Consulat.

Bahia, le 17 Septembre, 1841.

(Signé)

CH. DE VALLAT.

Enregistré sous le No. 279 du Registre à bis du Consulat de France,
Bahia, le 17 Septembre, 1841.

Le Chancelier.

(Signé)

A. GEUSE.

Vu à la Chambre des Mises en Accusation à Cayenne, séance du 2
Décembre, 1841.

(Signé) J. J. BRUN.

Pour copie conforme délivrée à M. le Procureur-Général.

Cayenne, le 23 Janvier, 1842.

(L. S.) (Signé) J. MERENTIER.
Vu le Président de la Cour Royale.

(L. S.) (Signé) J. A. BARADAT.
Vu par le Procureur-Général du Roi.

(L. S.) (Signé) MOREL.
Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(L. S.) (Signé) CHARMASSON.

Sixth Enclosure in No. 24.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française,
séant à Cayenne.*

ASSURANCES MARITIMES. Police de Nantes.

POUR 65,000 à la prime de $3\frac{1}{4}$ fr. sur le navire "*Le Marabout*," Capitaine Dejoie, de ce jour naviguer au mois jusqu'au retour du navire dans un port de France.

Les soussignés assurent à M. Lepertière, domicilié à Nantes, agissant pour le compte de qui-il appartiendra chacun la somme ci-après par eux déclarée sur corps du navire Français "*Le Marabout*," Capitaine Dejoie, pour de ce jour 14 Avril, 1840, naviguer au mois dans toutes les mers, ports, rades, fleuves, rivières, et autres endroits navigables, jusqu'au retour du dit navire à Nantes ou à tout autre port de France, conformément à l'article 8 de l'imprimé ci-dessous. Cependant l'assuré se réserve la faculté de faire cesser l'effet de la présente avant l'entière décharge du navire, mais dans ce cas, l'assuré en préviendra les assureurs par avenant.

Franc de guerre par dérogation à l'article 4 de l'imprimé ci-dessous. La prime est fixée à $\frac{3}{4}$ pour cent par mois commencée, non moins de 4 pour cent. La présente assurance ne pourra avoir d'effet du delà de 15 mois de risques, le cas excepté où le navire serait à la mer ou dans un port de relache, parceque alors nos risques convraient jusqu'au premier port destinataire. L'objet assuré est estimé de gré à gré, vaille plus vaille moins, 65,000 francs.

Observation générale. Les assurances sur corps portent, aussi sur les agrés et apparaux, utensils, embarcations, vivres, et victuailles, avances aux équipages, armemens et mise hors et généralement sur toutes les appartenances et dépendances, et celles marchandises les comprennent toutes, de quelque nature qu'elles soient sujettes ou non au coulage. Il est de plus convenu que le capitaine ci-dessus désigné pourra être reçu ou non reçu, ou remplacé par tout autre.

Suivent les articles de la police d'assurances de Nantes.

Pour extrait conforme délivrée à M. le Procureur-Général.

Cayenne, le 23 Janvier, 1842.

Vu le President de la Cour Royale.

(Signé) J. A. BARADAT.

Vu le Procureur-Général de Roi.

(Signé)

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(Signé) CHARMASSON.

Seventh Enclosure in No. 24.

Extraits des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

PROCÈS VERBAUX DE DÉCHARGEMENT DU BRICK "*Le Marabout.*"

L'AN mil huit cent quarante-un, et le vingt-cinq Octobre, à six heures de la matinée.

Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction, près le Tribunal de Première Instance de Cayenne, accompagné de M. le Procureur du Roi, en présence de M. Glatigny, Commis Principal de Marine chargé des revues et armemens; M. Dejoie, capitaine du "*Marabout*," M. Compton, officier Anglais, et assisté de M. Roger Dufourg, commis greffier assermenté, avons procédé à la levée des scellés apposés sur le grand et petit panneaux le vingt de ce mois, ainsi qu'il est constaté par procès verbal de ce jour. Ces scellés ont été par nous reconnus intacts. Puis nous avons procédé à l'ouverture de la cale et au déchargement du dit brick. Les marchandises chargées en notre présence sur une allégé ont été expédiées à terre pour être remises dans les magasins de la Douane, et pendant cette opération, aucun objet n'a paru de nature à éveiller les soupçons de la justice. A onze heures la marée de ce jour ne permettant pas la continuation de cette opération, nous avons quitté le bord, après avoir apposé de nouveau les scellés sur le petit et grand panneaux.

Fait et dressé à bord du brick "*Le Marabout*," jour, mois et an que dessus; et avons signé après lecture, interprétation donnée au Sieur Compton.

(Signé) KLIPPEL, DUFOURG, TERNISSIEN, LE CAPITAINE DEJOIE,
COMPTON, GLATIGNY.

Et le vingt-six Octobre, mil huit cent quarante-un, à six heures de la matinée.

Nous, Juge d'Instruction dénommé, qualifié, accompagné, et assisté comme au procès verbal d'autre part; nous sommes rendus à bord du brick "*Le Marabout*," où étant et après avoir levé les scellés apposés la veille sur le grand et petit panneaux, lesquelles scellés ayant été reconnus intacts, avons procédé à la continuation du déchargement du dit brick "*Le Marabout*." Dans le cours de cette opération, il nous a été remis une lettre écrite en langue Portugaise, contenant deux factures. La lettre était sans cachet et sans adresse; elle a été jointe aux pièces de la procédure et visée par nous. Les marchandises déchargées ce jour ont été expédiées à terre pour être remises également dans les magasins de la Douane, et les scellés ont été réapposés.

Fait et dressé à bord du "*Marabout*," les jour, mois et an que dessus, à une heure de relevée, et avons signé après lecture, interprétation donnée au Sieur Compton.

(Signé) KLIPPEL, TERNISSIEN, DEJOIE,
GLATIGNY, COMPTON.

Et le vingt-sept Octobre, mil huit cent quarante-un, à six heures de la matinée.

Nous, Juge d'Instruction dénommé, qualifié, accompagné, et assisté comme au procès verbal ci-dessus, après avoir levé les scellés reconnus intacts, avons procédé à la continuation du déchargement du brick "*Le Marabout*." Cette opération a été continuée jusqu'à trois heures de l'après-midi, et rien n'a été trouvé qui put éveiller nos soupçons. Les marchandises déchargées ont été expédiées à terre pour être remises dans les magasins de la Douane, et avons immédiatement apposé les scellés.

Fait et clos à bord du "*Marabout*," les jour, mois et an que d'autre part, et avons signé après lecture, interprétation donnée au Sieur Compton.

(Signé) KLIPPEL, DUFOURG, GLATIGNY, DEJOIE,
TERNISSIEN, COMPTON.

Et le vingt-huit Octobre, mil huit cent quarante-un, à huit heures de la matinée.

Nous, Juge d'Instruction dénommé, qualifié, accompagné, et assisté comme au procès verbal qui précède, après avoir levé les scellés reconnus intacts, avons arrêté le déchargement des marchandises, l'état intérieur du navire permettant de faire toutes les perquisitions qui nous ont paru nécessaires. La partie inférieure du navire étant remplie de lest en sable, des fouilles ont été faites à

distances très rapprochées, et partout où l'officier Anglais a paru désirer que l'on en fit. Dans ces perquisitions le Sieur Compton a été constamment assisté de marins Anglais qui ont exécuté eux-mêmes sous ses ordres les recherches les plus minutieuses; car ces diverses opérations n'ont amené aucun nouvel indice du genre de commerce auquel "*Le Marabout*" est soupçonné d'avoir voulu se livrer. Toutefois il a été trouvé entre les barreaux formant le ceinture du navire un paquet de lettres écrites en Portugais; et ces lettres, au nombre du trente-deux, ont été visées par nous et jointes aux pièces. Notre attention a été portée ensuite sur la quantité de futailles destinées à contenir de l'eau. Ces futailles, au nombre de vingt, et de capacité différente, ont été jaugées en notre présence, et reconnues de la contenance de six mille deux cent quatre vingt-onze litres, cinq cent vingt-cinq millilitres. Je y a eu en outre à bord onze barils de galère dont nous avons évalué la contenance à quatre cent quarante-sept litres; ce qui nous a donnée un total de six mille sept cent trente-huit litres cinq cent vingt-cinq millilitres. Passant à la visite d'un compartiment que le Capitaine Dejoie nous a déclaré être la cambuse du bord, nous y avons remarqué entre autre provisions sept barils de farine, qui font partie de l'approvisionnement du navire. Cette opération terminée, nous avons apposée les scellés sur le grand et petit panneaux, et ensuite dans le poste de l'équipage sur une ouverture qui par suite du déchargement des marchandises pouvait établir une communication avec l'intérieure du navire.

Fait et dressé à bord du "*Marabout*," les jour, mois et an que dessus, à sept heures du soir, et avons signé après lecture, interprétation donnée au Sieur Compton.

(Signé) KLIPPEL, DUFOURG, DEJOIE, GLATIGNY,
COMPTON, TERNISSIEN.

Et le vingt-neuf Octobre, mil huit cent quarante-un, à une heure de relevée, Nous, Juge d'Instruction dénommé, qualifié, accompagné, et assisté comme au procès verbal qui précède après avoir levé les scellés reconnus intacts, avons requis le Capitaine du Port et le Maître Charpentier à la direction des constructions navales, après leur avoir fait préalablement prêter serment de procéder à la vérification du nombre des planches trouvés à bord du "*Marabout*," de faire un rapport sur la possibilité qu'il y auroit d'en faire de suite un double pont ou un pont à esclaves, d'y mentionner le nombre de compartimens établis dans l'entrepont du brick "*Le Marabout*," et d'y consigner les diverses observations qu'ils pourraient avoir à faire sur l'installation de la cuisine du bord et les dimensions des chaudières, ainsi que sur la quantité de bois à brûler trouvé à bord.

Le Sieur Compton nous a remis ensuite un rapport sur les chargements qui avaient eu lieu depuis l'arrestation du brick jusqu'au moment de sa remise, et il en a attesté la sincérité sous serment.

Nous avons apposé les scellés sur le panneau du carré, sur le grand et petit panneaux, et sur le panneau qui est dans le poste de l'équipage.

De tout quoi nous avons dressé le présent procès verbal à bord du "*Marabout*" les jour, mois et an que d'autre part, et avons signé après lecture, interprétation donnée au Sieur Compton.

(Signé) KLIPPEL, DUFOURG, GLATIGNY, DEJOIE,
COMPTON, TERNISSIEN.

Pour copie conforme délivrée à M. le Procureur-Général.
Cayenne, le vingt-trois Janvier, mil huit cent quarante-deux.

(Signé) J. MERENTIER.

M. le Président de la Cour Royale,
(Signé) J. A. BARADAT.

M. le Procureur-Général du Roi.
(Signé) MOREL.

Vu pour Législation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Eighth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

AVIS DU CAPITAINE DU PORT ET DU MAÎTRE CHARPENTIER, SUR LA DESTINATION DES PLANCHES.

AUJOURD'HUI, 29 Octobre, 1841, nous Capitaine du Port et Maître Charpentier attachés à la direction, ayant été requis par M. le Juge d'Instruction pour nous rendre à bord du navire "*Le Marabout*," à l'effet d'examiner, et de donner notre avis sur l'emploi d'une certaine quantité de planches qui existe à bord du dit navire, et aussi d'examiner l'utilité d'une cloison qui est appliquée sur l'un des barreaux du pont sur l'arrière de la chambre du Capitaine et enfin sur l'aménagement du susdit brick "*Le Marabout*," ayant préalablement prêté serment de faire notre expertise, et donner notre avis en ame et conscience, avons reconnu premièrement que toutes les planches en question étaient brutes et inégales tant en longueur qu'en largeur et en épaisseur; avons remarqué de plus en les appliquant sur les barreaux du faux pont à partir de la cloison de l'arrière que pas une d'elles ne s'appliquait en sa longueur sur les barreaux: l'une dépassait le dernier barreau sur lequel elle était appliquée d'environ soixante centimètres, une autre plus, une autre, moins. Nous avons encore remarqué que les barreaux volants du faux pont qui ont été placés pour faire suite aux barreaux qui sont de naissance du navire, étaient extraordinairement forts et aussi extraordinairement épontillés, ce qui annonce, de la manière la plus évidente, que ces barreaux étaient destinés à porter un poids plus fort qu'un chargement de nègres qui pourroit monter à une soixantaine d'hommes.

L'élévation du faux pont au pont supérieur est de cinq pieds six pouces; cette élévation de cinq pieds six pouces est justement calculée pour l'arrimage de deux boucauts l'un sur l'autre. Tout nous porte à croire que c'est dans ce seul but que les barreaux ont été placés. Quant aux planches, elles ne peuvent être utiles qu'à séparer une marchandise d'une autre dont le contact serait nuisible. Nous ferons une dernière réflexion sur ces quelques planches, qui sont au nombre de 73 bien exactement comptées: la longueur moyenne de chacune d'elles est de quatre mètres de longueur et vingt centimètres de largeur, ce qui donnerait une surface de cinquante-huit mètres quarante centimètres, sur laquelle surface il faudroit défalquer environ un quart puisqu'elle ne tombe pas exactement sur les barreaux; nos soixante treize planches couvriraient donc quarante mètres quatre vingt centimètres de la surface de l'entrepont, dont la longueur est de quinze mètres, la largeur de six mètres cinquante centimètres donnerait quatre vingt dix-sept mètres cinquante centimètres de surface. On voit donc qu'elles ne couvriraient pas la moitié de la surface du faux pont.

Quant à la cloison que nous a été signalée comme suspecte, nous affirmons qu'elle n'est autre que la cloison de la cambuse; aménagement indispensable à bord de tous les navires de guerre et de commerce; et de toutes les nations. Nous avons examiné aussi une petite plateforme qui est en arrière du logement de l'équipage formée avec vingt-cinq bouts de planches d'un mètre soixante centimètres, que nous affirmons être destinées à recevoir les cables et autres amarres du navire: nous pensons que ces bouts de planches sont à bord du brick depuis plusieurs années. Nous avons reconnu qu'il n'y avait pas à bord du susdit navire plus de bois à brûler qu'il ne lui en fallait pour sa traversée. La cuisine est en fer fondu et à petits compartimens; elle ne peut pas être agrandie, et ne peut préparer les alimens qu'à l'équipage plus quelques passagers, en tout vingt personnes au plus. Enfin nous affirmons que nous n'avons rien trouvé à bord du "*Marabout*" qui puisse faire soupçonner que ce bâtiment soit destiné à l'infâme trafic de la traite des noirs.

En foi de quoi nous avons dressé le présent procès verbal pour servir et valoir ce que de droit.

Cayenne, les jour, mois et an que dessus.

Le Capitaine du Port,
(Signé) QUESNEL.
Le Maître Charpentier,
(Signé) QUERY.

Vu à la Chambre des Mises en Accusation à Cayenne, séance du deux Décembre, mil huit cent quarante-un.

Le Conseiller Président,
(Signé) J. J. BRUN.

Pour copie conforme délivrée à M. le Procureur-Général.
Cayenne, le 23 Janvier, mil huit cent quarante-deux.

(Signé) MERENTIER.
Vu le Président de la Cour Royale.
(Signé) J. A. BARADAT.
Vu le Procureur-Général du Roi.
(Signé) MOREL.
Vu pour Légalisation.
Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Ninth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

PROCES VERBAL DE L'EXPERTISE DU TASSAU ET FARINE.

EN vertu de l'ordonnance de M. le Juge d'Instruction près le Tribunal de Première Instance de la Guyane Française, en date du dix-neuf courant, qui nous a requis à l'effet de constater la quantité et la qualité du tassau, ou bœuf séché, et de la farine, trouvés à bord du "*Marabout*,"—

Après avoir prêté en qualité d'experts serments entre les mains de M. le Juge d'Instruction le vingt, à huit heures du matin, nous soussignés Henry Matthey, négociant, et François René Leprieur, pharmacien de la Marine, nous nous sommes immédiatement transportés dans les magasins de la Douane où M. le Sous-Inspecteur a fait mettre à notre disposition les marchandises sus désignés, ensuite de quoi avons procédé à notre expertise.

Le tassau, ou viande séché, a l'apparence d'avoir été déjà préparé depuis longtemps, aussi est il en partie parvenu à l'état de rancidité. Il est en premier en quatre petites caisses formant comme provisions de bord un total de 160 kilos net, et comme cargaison quatre paquets, pesant 245 kilos, en tout 405 kilos.

La farine, d'origine Américaine, si on doit en juger d'après la confection des barils qui la contiennent, est de la farine de froment qui déjà ne présente plus au toucher de moelleux que l'on trouve ordinairement dans celle qui est nouvelle; elle est contenue dans douze barils, et pèse environs de 1044 kilos, dont moitié appartient à la cargaison, et l'autre moitié était provisions.

Cayenne, le 20 Novembre, 1841.

(Signé) LEPRIEUR et H. MATHEY.

Vu à la Chambre des Mises en Accusation à Cayenne, séance du deux Decembre, 1841.

Le Conseiller Président,
(Signé) J. J. BRUN.

Pour copie conforme délivrée à M. le Procureur-Général.
Cayenne, le 23 Janvier, 1842.

(Signé) MERENTIER.
Vu par le Président de la Cour Royale.
(Signé) BARADAT.
Vu par le Procureur-Général du Roi.
(Signé) MOREL.
Vu pour Légalisation.
Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Tenth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

PROCES VERBAL DE LA VISITE DES TAFFIAS.

CONFORMEMENT à l'ordonnance de M. le Juge d'Instruction, en date du 9 courant, qui nous a nommés experts pour vérifier la qualité de la *cachasse*, ou taffia Brésilien, ainsi que celles des manzotes de tabac provenant du "*Marabout*."

Nous soussignés Henry Mathey, négociant, et François René Leprieur, pharmacien de la Marine, après avoir le dix à huit heures du matin prêté entre les mains de M. le Juge d'Instruction serment en notre qualité d'experts, nous nous sommes, à neuf heures, transportés dans les magasins de la Douane, où le sous-inspecteur a fait mettre à notre disposition des dites marchandises provenant de la cargaison du "*Marabout*," à la visite des quelles nous avons immédiatement procédé.

La cachasse (ou taffia Brésilien) est contenu dans un grand nombre de fûts de dimensions diverses, et variant de 500 litres à 100 litres de contenance. Après les avoir examinées, nous avons fait extraire d'un certain nombre pris au hasard de chacune des espèces de fûts une quantité suffisante du liquide y contenu. Nous nous sommes assurés que cette cachasse (taffia Brésilien), qui n'est pas dans toutes les pièces également d'un bon goût donne néanmoins à l'aréomètre de Cartier 20° 5" à 21 degrés, ou 55 centesimaux; par conséquent à ce que dans le commerce on appelle la qualité marchande.

Nous avons ensuite procédé à la visite du tabac: ce dernier renfermé dans des *surons* en cuir vert, de forme cylindrique et du poids de trente kilos environ, qu'au Brésil on désigne sous le nom de *manzotes*, se trouve aussi en assez grande quantité dans les magasins de la Douane.

La préparation de ce tabac est toute particulière, et ne donne à cette marchandise en temps ordinaire qu'une conservation qui ne va qu'à trois mois environ; passé ce temps et au sec, ce tabac se détériore très rapidement: aussi avons nous trouvé gâtées et inaptes à aucun emploi ultérieur les *manzotes* de ce tabac dans la proportion de deux sur trois de celle que nous avons examinées.

Nous avons remarqué aussi que toutes celles qui paroissent humides étoient bien conservées, tandis que celles qui au contraire étoient sèches, ne contenaient plus, pour ainsi dire, que du tabac réduit en fumier. Nous avons en outre remarqué que le magasin dans lequel elles sont déposées aujourd'hui (les *manzotes*) étant très sec maintenant ne fera qu'augmenter la détérioration de cette marchandise qui pour sa conservation a besoin d'une atmosphère humide.

Fait à Cayenne, le 10 Décembre, 1841.

(Signé) LEPRIEUR et MATHEY, Experts.

Vu à la Chambre des Mises en Accusation à Cayenne, séance de 2 Décembre, 1841.

Le Conseiller Président,

(Signé) J. J. BRUN

Pour copie conforme délivrée à Monsieur le Procureur-Général.
Cayenne, le 23 Janvier, 1842.

(Signé) MERENTIER.

Vu le Président de la Cour Royale.

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi.

(Signé) MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Eleventh Enclosure in No. 24.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

PROCES VERBAL D'OUVERTURE DE QUARANTE-CINQ LETTRES.

L'AN mil huit cent quarante-un, et le vingt-neuf Octobre, à neuf heures de la matinée.

Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de Cayenne:—

En présence de Monsieur le Procureur du Roi, M. Compton, officier de la marine Anglaise, et assisté de Monsieur Roger Dufourg, commis greffier assermenté, avons procédé à l'ouverture de quarante-cinq lettres qui, d'après la déclaration du Sieur Compton, ont été trouvées à bord du "*Marabout*," capturé par la corvette Anglaise "*La Rose*;" desquelles lettres il a été fait mention sous le No. 23 en notre procès verbal dressé le vingt de ce mois à bord du dit brick "*Le Marabout*." Ces lettres, écrites en langue Portugaise, ont été ouvertes en présence des personnes ci-dessus mentionnées, puis numérotées et paraphées ne varietur; dans l'une d'elles nous en avons trouvé une autre, ce qui a porté leur nombre à quarante-six au lieu de quarante-cinq.

De tout quoi nous avons dressé le présent procès verbal en notre cabinet au Palais de Justice, les jour, mois et an que dessus, et avons signé après lecture avec notre commis greffier et les personnes ci-dessus désignées, interprétation donnée au Sieur Compton.

(Signé) KLIPPEL, TERNISSIEN, COMPTON, et DUFOURG.

Pour copie conforme délivrée à M. de Procureur Général.
Cayenne le vingt trois Janvier mil huit cent quarante-deux.

(L. S.) (Signé) MERENTIER.

Le Président de la Cour Royale.

(L. S.) (Signé) J. A. BARADAT.

Le Procureur-Général du Roi.

(L. S.) (Signé) MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(L. S.) (Signé) CHARMASSON.

Twelfth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale à Cayenne.

PROTESTATION DE CAPITAINE DEJOIE.—LES LETTRES TROUVÉES À SON BORD.

LE Soussigné, dès le 21 courant, étant à bord du "*Marabout*," avait déclaré à M. le Procureur du Roi et le Juge d'Instruction qu'il protestait contre la violation du secret de la correspondance et l'ouverture des lettres saisies entre les mains et dans les malles des passagers du dit navire: on n'a point voulu admettre son opposition, il a passé outre.

Aujourd'hui devant M. le Juge d'Instruction les dites lettres ouvertes lui ont été présentées pour y apposer sa signature ce qu'il a fait de confiance: toutefois il croit devoir renouveler toutes ses protestations pour ce fait déclarant de la manière la plus formelle, qu'il n'entend d'aucune manière ni a aucun titre se rendre responsable du contenu d'une correspondance qui ne le concerne aucunement, dont il n'a jamais eu ni pu avoir connaissance.

Pourquoi il dépose la présente protestation entre les mains de M. le Juge d'Instruction pour être jointe à la procédure et savoir ce que de raison.

Cayenne, le 23 Octobre, 1841.

(Signé) LE CAPITAINE DEJOIE.

Vu pour être joint aux pièces.

(Signé)

Vu à la Chambre des Mises en Accusations, à Cayenne; séance de
2 Décembre, 1841.

Le Conseiller Président.

(Signé) J. J. BRUN.

Pour copie conforme délivrée à M. la Procureur-General.
Cayenne, le 23 Janvier, 1842.

(Signé) MERENTIER.

Vu le Président de la Cour Royale.

(Signé) J. A. BARADAT.

Thirteenth Enclosure in No. 24.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française,
séant à Cayenne.*

TRADUCTION DES LETTRES PORTUGAISES.

NOUS Soussigné, interprète juré *ad hoc*, certifions que la traduction
suiivante est faite sur l'original des lettres Portugaises qui nous ont été remises
par M. de Juge l'Instruction pour les traduire en Français, et dont la teneur
suit.

No. 1.

à M. Joao Monteiro.

M. Joao Monteiro,

Je désire que vous et toute votre famille jouissiez d'une bonne sante.
J'ai reçus la votre. Ce que vous me dites à l'égard de la mort de M. Girardo
me fait éprouver un grand regret. J'ai remis à votre filleule la toile que vous
lui avez envoyée, elle ne voulait pas la recevoir. La mère de Girardo est morte
aussi en Juin dernier et votre compère Antonio. Complimens votre serviteur,

Bahia, 22 Août, 1841. (Signé) ANDRÉ DE FRANCA.

N.B. Dans cette lettre il y a deux lignes inintelligibles.

No. 2.

à M. Agostinho Siquiera.

M. Agostinho Siquiera,

J'estime que vous et votre famille vous vous portez bien. Ce que vous
avez demandé à Madame Maria Joanna elle devait vous l'envoyer, mais elle
n'a pas eu le temps de le chercher; ce qui sera pour une autre occasion. La
negresse Anne vous dit de lui envoyer 40 pagnes d'Indienne Blanc, si vous
avez vendu les rossades. Par le premier bâtiment je vous remettrai quelque
chose et ne m'envoyez rien que par un Capitaine connu.

Bahia, le 22 Août, 1841. (Signé) ANDRÉ DE FRANCA.

No. 5.

M. Francisco de Mello Aquet.

M. Francisco de Mello,

J'estime que vous et votre famille vous vous portez bien; car moi je
suis malade, et le peu que j'avais je le dépense avec le médecin. Envoyez moi
quelque chose sous l'adresse de M. Innocencio. Je vous ai écrit assez
souvent et jamais un mot de réponse. Rendez moi le service de payer Joao,
faites moi savoir le motif de ne pas m'écrire. Beaucoup de choses à tous les
amis. J'ai vendu ce que vous m'avez envoyé pour la somme de 6400 reis.
Ecrivez moi sur ce que je dois faire de cet argent. Envoyez moi trois pagnes
que moi-même je vous payerai.

Bahia, le 22 Août. (Signé) ANDRÉ DE FRANCA.

CLASS C.

No. 9.

à M. Joaquim de Almeida mon compère et amis-absent, au Capitaine Manuel Joaquim de Almeida, Port de Ajuda.

M. Joaquim de Almeida,

Bahia, 24 Septembre, 1841.

Mon compère et ami. J'ai reçu la votre du 22 dernier, qui m'a fait plaisir parceque vous m'apprenez que vous jouissez de bonne santé. Moi et ma femme qui ne nous portons pas bien, nous vous désirons que votre santé continue. Je vous remercie du baril d'huile de palme que vous m'avez envoyé pour les étrennes de votre filleule et nous tous vous en remercions. Le baril est encore à bord ; le Capitaine ne l'a pas encore descendu.

Vous ne m'avez pas envoyé les pagnes parce qu'ils sont cher. Je sais que vous prenez mes intérêts. J'attendrai bonne occasion ; vous me dites aussi que vous n'avez pu rien m'envoyer par le Picao n'ayant plus de place ; ce que vous ferez par la première occasion, je vous prie de me l'envoyer tel que je vous l'ai demandé, ce qui me sera bien utile pour mon échoppe, ce que j'attends de votre amitié n'ayant pas d'autre que vous je suis seul. Je communiquerai à M. Antonio ce que vous me dites au sujet de l'envoi. Je dirai à Miguel que vous n'avez pas pu encore vendre les couteaux et les rossades.

Je suis bien fâché que Thobiari ne vous ai pas délivré la caisse de confitures contenant 12 # et 20 # sucre dans une boîte de fer blanc que je lui ai remis et qu'il envoya par le brick Français qui est arrivé dans votre port. Tachez de vous en faire payer ou en nature ou en argent. Je pense que vous avez reçu l'autre caisse de confitures que je vous ai envoyée par M. Pacheco.

J'ai rempli vos commissions envers M. Innocencio de Aranjó, et envers toutes les autres personnes que vous m'avez nommées, ainsi qu'envers M. Belery, et ils vous en remercient. Ferme est mort et votre filleule Chico, ce que je vous ai déjà fait savoir. L'alliance est dans le même état.

Par Francisco d'Oliveira qui part sur le brick Français un petit callotin, deux caisses de confitures de 8 # chacune. Je vous en offre une et l'autre. Je vous prie de la remettre à Antonio Caetano Coelho. Comme vous me dites que vous n'avez pas de papier par le même Francisco d'Oliveira je vous en envoie dix cahiers. Le bâtiment où Thobias était fut pris. J'envoyai au dit Coelho deux caisses de confitures et un fromage, que Coelho les lui demande. Ce que tous cela est devenu, faites moi savoir, si vous allez revenir pour ma gouverne. Je vous ai toujours écrit mais j'ignore si vous avez reçu mes lettres ; le reste ce sont mes compliments.

Je suis votre compère, &c.,

(Signé)

BENEDITO FRZ. GALEZA.

No. 16.

M. Joz. Morandino Favreso, ou à Jo. Ajuda, ami Favreso.

Bahia, 1 Septembre, 1841.

J'ai reçu le callot que tu m'as envoyé par le brick goëlette "Picao," et que j'ai vendus comme suit : six à 500,000 reis, un pour 470,000, deux à 460,000 reis, et un invendu ; Quant à ce que tu peux y avoir encore, fais ce que ta volonté te dira. Tache de revenir, car avant ton retour je ne t'enverrai rien de plus.

Je suis, &c.

(Signé)

MARINHO.

No. 17.

à M. Manuel Luiz Pereira, aux soins de M. José Alexandrinho Faruga, Africa, pour duplicata.

M. Manuel Luiz Pereira,

Bahia, 29 Août, 1841.

Ma dernière date du seize courant en réponse aux vôtres du 21 Juin et de 11 Juillet. Je conserve encore invendu un ballot, et trois furent vendus pour 1,400,000 reis. Il m'a fallu assister au débarquement, ce qui est bien pénible. Celui qui reste invendu est très laid. Choisissez de préférence le plus beau, parcequ'on le vend plus facilement et avec moins de peine. Vous devez avoir reçu des lettres de chez vous. J'ai d'après votre ordre payé à

Maria Maxima 34,654 reis pour solde de l'huile. Le fils du calda m'a répondu qu'il n'achèterai pas la maison. Je continuerai à vous envoyer du tabac, mais il faut attendre la récolte; ce qu'il y a se vend très cher, avec les droits l'arrobe monte à 3000 reis. A bord de la patache je n'ai rien pu embarquer, mais je ferai tous mon possible pour vous envoyer des vivres sur un bâtiment Français qui va partir. [Le reste de la lettre ne contient rien de plus que des complimens.]

Je suis, &c.

(Signé) JOSE PEREIRA.

Coelho da Costa, 1 Septembre.—Le primata je vous l'ai envoyé par le brick du "Lopez," ainsi qu'une lettre de la Dame Anna, à que j'ai donné 100,000 reis.

No. 25.

à Madame Maria Caetana Datia, &c.

Madame Maria Caetana Datia,

Bahia, 25 Septembre, 1841.

J'estime que vous et tout ce qui vous appartient jouis d'une bonne santé. Je me porte assez bien mon ami; assez je vous ai attendu, vous ne m'avez rien envoyé et il est temps de me payer. Je suis genée, il faut que je vive de ce qui est à moi. Si vous le voulez, remettez au porteur de celle-ci qui me remettra tout ce que vous lui donnerez pour moi. Je ne dois pas perdre ce qui est à moi.

Je suis, &c.

(Signé) MARIANA DE JESUS.

No. 28.

à M. Thiburcio José Viano, Ajuda.

M. Thiburcio José Viano, que vous jouissez de votre santé j'aurai grand plaisir; faites moi savoir comment vont vos affaires. Je me porte bien, mais entourée de malheur; quand nous nous verrons je vous dirai mes infortunes. Avez vous reçu deux lettres que je vous ai envoyées? Dans une je vous demandais une pagne dont j'ai besoin et vous ne me l'avez pas envoyée. Pourquoi? Vous ne vous faites pas une idée de tout ce que votre absence me fait et des larmes qu'elle me fait roser. Il y a deux ans passé, depuis votre départ. Annoncez moi votre retour. Depuis que vous y êtes, vous avez tout oublié. Vous n'êtes qu'un ingrat. [Tous le reste de cette lettre est insignifiant.]
—14 Mars, 1841.

(Signé)

VENDIAIO DE STA. ANNA PARIATIO.

No. 29.

à M. Anaveto José Ferreira de Castro.

M. Anaveto José Ferreira de Castro,

Bahia, 7 Septembre, 1841.

Santé et prospérité. J'ai reçu votre lettre, et je m'en vais vous dire pourquoi je ne vous ai pas écrit. Je m'étais embarqué pour y aller mais, à la fin de cinq jours nous fûmes pris et conduits à Rio Janeiro pour décider de la validité de la prise. Depuis cinq mois je n'ai pu encore rien toucher de ce que j'avais embarqué jusqu'à présent. La même chose est arrivée à tout ce que nous appartenait. Je m'en suis retournée à Bahia pour voir si je peux faire quelque chose. Alors j'achèterai de nouveau pour vous les porter moi même ou vous les envoyer. Je ne paie pas maintenant car je ne le puis pas, mais je partirai sur un autre bâtiment étranger ou pour ——— ou pour Ajuda, et aussitôt que je serai arrivé je vous le ferai savoir. Ne m'envoyez rien que sur un bâtiment sur. Je ne pourrai tarder à partir; dans ces entrefaits vous ferez ce que vous voudrez et je tiendrai tout pour bien fait. Je vous prie de dire à Manuel Salto que tous les effets furent aussi pris; que si je puis faire quelque chose pour lui, j'en serai le porteur. Beaucoup de choses à nos amis.

Je suis, &c.

(Signé) ANTONIO DE SOUZA.

Le No. 61 est une note des objets pris par une autre bâtiment.

No. 32.

à M. Benedicto Philippe Barboza, Ajuda.

M. Benedicto Philippe Barboza,

Bahia, Septembre 21, 1841.

Je me porte bien et vous désire autant. Je vous attends tous les jours pour vous dire un secret que je ne puis pas confier au papier. Vous le saurez quand vous viendrez. Vous devez vous rappeler ce que j'ai souffert à votre égard—Vù que nous fûmes auprès de l'autel. Si vous vous en êtes repenti je ne le suis pas. Vous m'avez fait dire par mon frère Chico de vendre Feliciano et venir avec Philippina Feliciano qui est toujours malade ; qui voudra l'acheter ? Vous devez savoir combien est difficile le transport d'une femme. Vous dites que Chico devait me donner cinq cent mille reis pour sa liberté, mais elle m'a dit qu'elle n'as pas le sol et qu'elle avait fait une affaire avec vous à laquelle je ne m'attendais pas. Je vous avez demandé quatre petits sacs de poivre de la côte, et vous n'avez pas eu le courage de me les envoyer. Dans la guerre civile d'ici si ce n'était pas Chico Ribeiro je ne vivrais plus. Il m'a amenée chez lui et m'a soignée avec son argent. Anna Rita et Benito Gale ont agi de même avec moi. Madame Louisa s'est chargée de Monsieur Benedicto. Quand vous êtes parti c'était pour y retourner, et j'ignore la raison pourquoi depuis cinq à six ans vous ne revenez plus. Si je pensais que vous agissiez avec une pareille ingratitude je n'aurais pas tant de condescendance.

J'ai payé Jules et nous sommes quittes. N'oubliez pas de m'écrire au retour de mon frère, et vous me ferez savoir si vous venez ou non.

Venez, quoi que ce ne soit pas pour plus d'un jour, car je vais vous dire un secret. Beaucoup de chose pour mon compère Casimir, des souvenirs à beaucoup de personnes que vous connaissez.

Je vous rappellerai que quand un homme s'absente (c'est un comparaison que je vous fait), quand un homme l'absente, dit toujours à son voisin ; soign, mon chat, pour qu'il ne crève pas de faim, mais vous êtes parti sans dire à personne, Ayez soin d'elle.

Adieu, &c.

(Signé)

GERTRUDE FERREIRA DE SOUZA.

No. 35.

M. D. Juan José de Janzien, à Ajuda.

M. D. Juan José de Janzien,

Bahia, 2 Septembre, 1841.

Par divers bâtimens sortis d'ici je vous ai écrit, et j'ai le regret de me voir toujours privé de vos lettres. Je serai bien aise que cela ne vienne pas par faute de santé. Je vous écris la présente pour vous dire que le tabac de la présente récolte

J'aurais eu le plaisir d'aller vous voir si le pavillon Brésilien n'avait pas été tout à fait exclu de tout commerce sur la côte. J'aurais fait déjà quelques voyages mais l'événement du brick "*l'Aurore*," sur lequel j'avois embarqué de tabac pour ce pays là dernièrement, a eu la prise d'une sannaca. Ainsi j'aurai tout ordre et je ne peux pas faire le commerce avec un pareil pavillon. Ayez la bonté de montrer celle-ci au Docteur Francisco Felix de Souza. Priez le de la recevoir comme si c'était pour lui. Cette lettre est écrite en langue Espagnole.

(Signé)

ANTONIO CONSTANTE.

No. 37.

M. Manuel Joaquim d'Almeida.

M. Manuel Joaquim d'Almeida,

Bahia, 5 Septembre, 1841.

J'ai reçu vos deux lettres par le Capitaine Guerino. Je vous ai écrit plusieurs lettres, deux furent prises, je n'en ai pas envoyé une autre dans la crainte qu'elle soit encore prise. J'ai arrêté la dépense du mois que M. Estrero m'a donné pour ne pas augmenter la dette et je vis comme je peux. Si vous trouvez que j'ai mal agi, vous me pardonnerez. J'en avois fait part déjà ; vous dites qu'il y a sept mois que vous ne recevez pas de mes lettres, ces parcequ'elles ont été prises. Jusqu'à ce présent je n'ai rien reçu de M. Ceactiano. Je

vous remercie de ce que vous avez envoyé pour la [word illegible]. Je n'ai pas reçu des palmes, et le porteur dit qu'il vous paiera. Cet homme m'a fait trop de tort en ne les payant pas à moi, parcequ'avec vous on ne perd rien. Vous ne devez pas non plus perdre. Quand vous écrivez à M. Estrero vous lui direz qu'il donne toujours quelque chose à l'homme de Erato. Je vous prie de ne pas oublier. Rappelez moi toujours de Arcovia et de l'André Pinto.

Quand Terries m'a dit que vous ne veniez pas encore cette année, j'en ai été très fâché. Je vous désire cépendant beaucoup de santé et que vous vous dégassiez de ce pays là. Tolentina vous envoie une boîte de fer blanc avec des cigarres et vous dit beaucoup de choses ; ainsi que toutes les personnes de la maison. Quand vous m'enverrez quelque chose, envoyez par quelqu'un de capable. Le creole Jean Baptiste est mort.

Je suis, &c.

(Signé) MARIA DE STA. ANNA.

No. 38.

M. Joaquim Dasnènes, Ajuda.

M. Joaquim Dasnènes.

Bahia, 21 Septembre, 1841.

Je désire que vous jouissiez d'une bonne santé et de longues années. Comme je sais que par oubli vous n'avez pas fini de payer les roues de Graze de Manioc pour la somme de dix mille reis, vous m'avez donné à compte deux livres et demi de . . . aux prix de sept patacas la livre. S'il vous est possible de me payer le reste, vous me rendrez service de remettre à M. Francisco Joseph Oliveira, qui est le porteur de la présente, et vous me répondrez par le même, sur lequel j'ai trop de confiance. Ne vous étonnez pas de cette demande car j'en ai besoin. Beaucoup de choses à tous les amis, &c.

(Signé) ANTONIO DALLEJA STA. ANNA.

No. 40.

M. Ricardo Alves dos Santos, absent à M. Joaquim d'Almeida.

M. Ricardo Alves .

Mon cher Compère,

Bahia, 24 Septembre, 1841.

Le 20 Septembre, j'ai reçu la vôtre du 12 Août dernier. Je fus bien aise de savoir que vous et votre frère vous vous portez bien. Je suis bien fâché de toute votre souffrance et de tous vos evenemens qui arrivent quand ils ne sont pas attendus, et même de cette manière qu'on ne peut plus s'en retirer ; mais nous devons nous assujétir aux traits du sort.

Faites tous vos efforts pour m'envoyer le ballon qui se trouve à Onim ; j'ai envoyé déjà une force pour pouvoir l'avoir. La lettre que je vous ai écrite et en votre absence à M. Joaquim d'Almeida à fin que tous les deux fassent leur possible à mon intérêt en cherchant le dit ballon. Je ne peux rien envoyer par ce que je ne suis pas à mon aise, &c.

(Signé) ANTONIO MENDES DOS SANTOS NAVEGANTE.

No. 41.

M. José de St. Anna, à Aqué.

M. José de St. Anne,

Bahia, 7 Septembre, 1841.

J'estimerai que vous vous portez bien. Je vous ai envoyé par M. Joaquim Antonio pour remettre à Madame Frigueira douze mouchoirs rouges, six pour vous, et six pour m'acheter une pagne qui soit bonne.

Beaucoup de choses, &c.

(Signé) MARIA DE BONIFIO.

No. 42.

M. Manuel Rapozo Ferreira, junior, mon Frère en Afrique.

M. Manuel.—Mon cher Frère,

Bahia, 22 Septembre, 1841.

J'estime que tu te portes bien et que tu jouis de beaucoup de bonheur. Nous sommes chez notre bon papa, ainsi il est temps d'envoyer l'argent qui est à lui, à nous envoyer deux ballots, un pour chacun, et qu'ils ne dépassent pas de dix à douze ans car tu sais bien que nous sommes des filles ; attendu que tu n'est pas notre papa comme plusieurs enfans le sont, du moins rappelle toi que tu as son argent entre tes mains pour envoyer ce que je t'ai déjà dit. Prends patience mais il le faut.

Je suis, &c.

(Signé) MARIA JACQUINA.

No. 43.

M. Manuel Rapozo Ferreira, junior, mon Frère, Afrique.

Mon cher Frère,

Bahia, 24 Septembre, 1841.

J'estimerai beaucoup que tu te portes bien. Il n'y a rien de nouveau. Quant à moi je te dirai que nous sommes chez notre papa avec mes soeurs et mon frère. Je te prie de nous envoyer quatre ballots pour compte de l'argent que tu as à lui comme il t'a prescrit et nous en avons aussi besoin. Nous espérons que tu ne nous manqueras pas.

Adieu, &c.

(Signé) LUIZA RAPPZO FERREIRA.

No. 51.

Monsieur Joaquim Francisco de Souza, mon Frère, Ajuda.

M. Joa. Francisco de Souza,

Bahia, 21 Septembre, 1841.

J'estime que vous et votre famille vous vous portez bien ; moi et ma femme nous jouissons de beaucoup de santé. M. Francisco José d'Oliveira vous remettra une caisse avec des outils de menuisier, un soufflet et deux hones. J'en aurais été moi-même le porteur, mais je ne le puis pas maintenant. Le savon est invendu. Si vous voulez avoir quelques objets de ce pays-ci, envoyez moi des pagnes ou tous objets que l'on puisse vendre ici. M. Oliveira s'en chargera. Je ne puis rien vous envoyer à présent. Pourquoi ne m'avez vous pas envoyé de l'huile de palme depuis mon arrivée ? J'aurais du vous envoyer les outils, car je ne trouvais personne connu pour les lui confier.

Je suis, &c.

(Signé) AGOSTINHO JOSE DE FUENTA.

No. 52.

Madame Xavier Simiana dos Angos, &c., Aquet.

Madame Simiana Xavier dos Angos,

Bahia, 22 Septembre, 1841.

J'estimerai que vous et M. Francisco de Mello, vous vous portez bien. Anna Rosa de Sacramento vous dit beaucoup de choses. Dès le 1 Août dernier elle a été se loger chez elle, car les loyers de la maison qu'elle occupait furent portés à 7,000 reis en sus de ce qu'elle payait. J'ai reçu le petit panier et le cuir. Ne m'envoyez rien ; ne croyez pas que ce soit par orgueil que je vous dis ça, mais parce qu'il y a trop de difficultés pour les avoir. Ne laissez pas de m'écrire toutes les fois que vous aurez une personne sure. Toute ma famille est malade de la rougeole, &c.

(Signé) MANUEL DA SILVA GUISMARAEN.

No. 56.

Madame Frigueira de Crocez, à Arque.

Madame Frigueira de Crocez.

Ma Mère,

Bahia, 25 Septembre, 1841.

Je vous écris pour savoir de votre bonne santé, et tout ce qui vous appartient vous désire beaucoup de bonheur. Je vous envoie votre chemise brodée avec tout ce qui vous est nécessaire. Je ne peux plus coudre par une maladie des yeux, pour cela je vous envoie la chemise non faite. Ma Marianne vous envoie un petit baril de sucre et moi une caisse de confitures pour Damion. Manuel vous envoie douze rasoirs pour raser votre tête. Faustine Pérès vous dit beaucoup de choses et ne vous envoie rien, car vous savez il est orphelin de père et mère. Manuel vous dit que quand vous voudrez envoyer quelques choses, de lui envoyer sous l'adresse de Manuel Joaquim qui est plus entendu dans les affaires de la mer. Car quand nous en avons besoin c'est avec lui que nous nous entendons.

Ma Marianne ne vous envoie rien à présent parceque le commerce va mal dans cette ville ou il n'y a personne qui ne se plaint du commerce. Si vous voulez envoyer quelque chose, entendez vous avec M. Joaquim. Le mari de Madame Caetana est associé avec moi et Manuel Joaquim. Je ne sais pas pourquoi vous avez oublié celui que vous savez. Nous avons notre papa dans cette ville sous le secours de Monsieur Manuel Joaquim.

Je suis, &c.

(Signé)

FRANCESCA ANES DOS SANTOS.

No. 57.

M. Francisco Domesomai, en Afrique.

M. Francisco Domesomni,

Bahia, 23 Septembre, 1841.

J'ai reçu la votre du premier Janvier dernier, ce dont je vous remercie. Vous connaissez bien le porteur de celle ci, comme j'ai l'occasion je vous prie de ne pas prendre tant de peine avec moi; j'estime que vous êtes heureux et dans le cas que vous m'envoyez quelque chose que ce soit par une personne bien connue.

Je suis, &c.

(Signé)

PUENTO ABY DA COSTA.

No. 58.

M. Antonio Felix de Souza, Afrique.

M. Antonio,

Bahia, 25 Septembre, 1841.

Aujourd'hui j'ai fait tout mon possible pour vous écrire et profiter du paque-bot Anglais qui part demain pour le nord. Mais j'ai pris médecine ayant pris d'avance plusieurs remèdes, parceque je ne me porte pas bien. Il y a trois jours que Guerino est arrivé et jusqu'aujourd'hui je n'ai reçu aucune lettre ni de vous ni de personne. Comme vous ne recevez pas les miennes, je ne reçois pas non plus les vôtres. Je vous ai déjà dit que d'après votre ordre j'ai fait la remise de la goëlette à votre beau frère, qui vous dira ce qui s'est passé. J'espère me retirer bien de la sucrerie, et il y a quatre jours que la goëlette est parti mais retenus pour les expéditions. J'ai remis votre compte à votre beau frère et il l'observera. J'ai seulement le regret d'avoir consenti à payer les dettes avec des fonds envoyés de ce pays-là-aussi; même je ne devais pas consentir, ni créditer—ce qui est à votre crédit. Personne ne se hasardera pas à en parler devant moi. Rappelez vous que quand vous êtes parti d'ici vous avez emporté des denrées qui n'étoient pas payées et les créanciers ont voulu être payés à l'arrivé de votre envoi. Tel était l'arrangement, et je ne pouvais pas refuser. Si votre envoi était plus conséquent tous serait arrangé, mais étant si minime, je ne pouvais pas payer ce que vous devez. Dans mon état de commerçant à présent j'aurai tout fini de

terminer. D'après vos lettres j'espère que vous continuerez à m'expédier d'autres envois. Quand vous êtes parti d'ici vous avez connaissance de notre maison et de ce qui m'était dû. Il est vrai que j'ai reçu quelque chose, mais c'est pour maintenir mon crédit. Quant à vous, je suis convaincu que vous me connaissez bien. Je compte faire un voyage avec le tabac de la nouvelle récolte. Ce que j'ai déjà communiqué à votre papa, et alors on finira avec tant d'intrigues et de mensonges.

Je suis, &c.
(Signé) PUENTO.

No. 59.

M. Francisco José Moreca Dorio, à Bahia, Rue Poso.

M. Francisco José Moreca Dorio, *Bahia, 24 Septembre, 1841.*

Comme le porteur de la présente est une personne sûre, je ne veux pas laisser de vous écrire; j'estime votre santé et que vous avez fait un bon voyage. Tous les jours je prie Dieu pour vous, tout le monde se porte bien et vous dit beaucoup de choses. Suzanne est malade. Je n'y a rien de nouveau à vous dire.

No. 60.

Monsieur Joao Monteiro, à Aqué.

Monsieur Joao Monteiro, mon parrain,

Je désire que vous ayez bonne santé et tout ce qui vous appartient. Ce que vous avez envoyé afin que j'en touché le montant est difficile à se vendre. Personne n'en veut parcequ'elle est avariée; pour cela je n'ai pas voulu recevoir. Quand vous voudrez me bénéficier, envoyez moi quelque chose de meilleur.

Je suis, &c.
(Signé) MARIO DONIFERI.

No. 63.

Madame Maria Caetano, Ajuda.

Ma chère filleule Maria,

J'espère que tu jouis d'une bonne santé. J'ai reçu une pague des mains de M. Agostinho, et je lui suis bien obligée. Je ne vous envoie rien à présent parceque j'ai appris la nouvelle du bâtiment trop tard. Mais l'occasion se présentera. M. Caetano Antonio m'a oublié, mais moi je ne me rappelle pas du tout de lui. Je n'ai pas d'autre pague que celle que vous m'avez envoyée. M. Chico vous envoie de l'argent pour m'envoyer mes pagens bien fines et acheter un petit panier.

Je suis, &c.
(Signé) ROSA RAPAZO FERREIRA.

No. 64.

M. Manuel Ambrozio, à Aqué.

M. Manuel Ambrozio,

20 Septembre, 1841.

J'estime que vous et votre famille vous jouissez d'une bonne santé; je me porte bien. Je vous envoie un baril de quatre pots de sirops que vous m'avez demandés. Je ne vous envoie pas d'autre objet, c'est parceque je n'ai point d'argent, même ce petit morceau de sirop que je vous envoie m'a été difficile. Si le bâtiment arrive à bon port vous m'enverrez une pague, n'importe la qualité, pour me couvrir. La seule nouvelle que j'ai pu vous donner, c'est que Sa Majesté a monté sur le trône avec beaucoup de plaisir et au milieu des danses de la part des nègres et des blancs.

Des souvenirs, &c.
(Signé) CASIMERE LESBOA.

No. 65.

M. Joao Caetano ; Popo.

M. Joao Caetano,

Bahia, 25 Septembre, 1841.

J'estime votre santé et tout ce qui vous appartient. Je vous écris souvent et jamais une seule réponse. Répondez moi à présent par M. Francisco. Je vous ai envoyé par M. Francisco Antonio, contre-maître du Capitaine Innocencio, deux paquets de rassades jaunes, deux cabarets, un fanal de vitre, deux paires de souliers, quatre pantalons, quatre chemises à jabot, quatre gilets, une veste, deux taies d'oreiller, un traversin de damas et deux bagues et autres que j'oublie pour joindre à ce que vous avez déjà, et que le Capitaine Manuel Patricio vous a remis, et que vous m'avez annoncé avoir reçu. Envoyez moi au retour une pagne et nous continuerons notre commerce. Répondez moi par M. Francisco parceque je me trouve dans le besoin. Beaucoup de souvenirs.

Je suis, &c.

(Signé)

NAVAIZA MARIA DE SADRE JOSE.

No. 2.

Facture.

30 barils de tabac à bord contenant chacun une arrobe et demi, faisant une totalité,

45 à 1,200 reis	54,000
Droits 27	14,580
Achat de 30 barils à 3,000 reis	90,000
Droits de balance	135
	<hr/>
fi reis	104,715
50 barils contenant chacun un arrobe	
½ reis 1,200	90,000
Droits 27 0/0	24,300
„ de balance	225
50 barils vides à 3,000 ^e	24,625
	<hr/>
	150,000
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	174,525

No. 3.

Bahia, 15 Septembre, 1841.

30 barils tabac à 3,000	50,000
Expédition	14,715
4 Bls. cont. 133 pots tafia à 800.	109,600
4 Bls. vides	16,000
Embarquement	640
Expédition	22,194
	<hr/>
	253,149
10 pièces mouchoirs à 3,200	32,000
Expédition des susdits et des confitures	18,000
	<hr/>
	286,949
Fret du tabac	60,000
„ du tafia	50,000
	<hr/>
	110,000
	<hr/>
	253,149
	<hr/>
	363,149
Passeport	5,820
Manteau	9,840
Fret et passage	210,000
	<hr/>
	225,600
	<hr/>
	512,609

No. 15.

M. Francisco Dominique de Serguiera, Ajuda.

M. Francisco Dominique de Serguiera,

Les choses, mon maître, dans le pays des blancs se font bien différemment de ce qu'on fait en Afrique; je ne sais pas mieux m'exprimer. Les esclaves que vous avez envoyés je n'en ai pas vu un seul. Une négresse, m'a dit votre ami, n'a pas encore été vendue pour cause de son mal d'yeux: celle-ci ne me fut pas non plus remise. Quatre sont marrons. Faites bien attention, mon maître, avec qui vous traitez.

Des souvenirs, &c.

(Signé) SOPHIA.

Bahia, 13 Septembre, 1841.—N.B. Je connais à présent ma maîtresse, elle est dans la misère.

No. 23.

M. Louis Xavier de Jesus, Ajuda.

Mon cher Monsieur,

Bahia, 14 Septembre, 1841.

Le devoir le plus sacré me dirige à savoir de vos nouvelles et me fait remplir ce devoir, confiant dans votre bienveillance et amitié que vous avez toujours pratiqués envers moi. Je vais implorer de vous non seulement votre consentement mais aussi votre approbation avec une femme qui par ses bonnes qualités et les grands services qu'elle m'a rendus me force à agir ainsi de même. Le devoir naturel de l'homme et l'amour des enfans que j'ai eus avec elle, tout ensemble m'empresse à effectuer ce mariage. Ma manière de procéder a été toujours approuvée dans la société dans toutes les époques par tous les hommes de probité, ainsi il va être également approuvé par vous, par ce que l'honneur a été votre apanage dont vous avez donné toujours les plus décisives preuves. C'est fondé dans ces principes en pleine certitude, je m'adresse à vous en implorant l'assentiment et l'approbation, et je l'attends, dont je vous remerciai, que Dieu vous donne beaucoup de bonheur.

Je suis, &c.

(Signé) ANTONIO XAVIER DE JESUS.

P. S.—Comme je n'aurai pas de réponse de ma lettre, je me suis marié le 14 Août dernier. J'ai l'espoir de vous voir sous peu de temps parce qu'on parle de votre retour qui vous sera accordé pour six mois pour traiter vos affaires. J'ai appris cela par un des mes amis qui le savoit de M. Herculano Louisa Boao. Le seize du courant je vous ai envoyé par le brick "*Marhado*," un baril avec du tassau et une caisse de fer blanc avec du sucre, une autre avec du thé, et une autre avec des pains à cacheter, et une douzaines de bas bleus, six paquets d'ail, et au bout de six jours les Anglais ont tout pris.

Par M. Ricao un baril contenant 26 # de tassau, une boîte de fer blanc avec du sucre, une autre avec du thé, une troisième avec des pains à cacheter, une douzaine bas bleus, six paquets ail et vous ne m'avez pas fait aucune réponse. Vous me dites seulement que vous avez reçu ce que je vous ai envoyé par M. Guerino. J'ai reçu quatre négrillons et une négresse et non pas deux comme vous le disiez. Ce qui me fait emprunter de l'argent à 20 pour cent. J'étais hors de la ville, et je fus voir M. Antonio Arves qui m'a dit de prendre possession. Les nègres sont restés vingt deux jours dans le plus mauvais endroits de ce pays-ci. J'ai remis les négrillons a Monsieur Antonio Arves.

Le fret 150 0/0 et séjour sur la sucrerie .	750,000
Nourriture	11,500
Séjour dans une maison de la ville fret	
de la barque	60,000
Nourriture 22 jours à 160 par jour . .	67,600

 839,100

Votre serviteur,

(Signé) ANTONIO XAVIER DE JESUS.

No. 24.

M. Louis Xavier de Jesus.

M. Louis Xavier de Jesus,

Bahia, 30 Aôut, 1841.

J'ai reçu les bons esclaves que vous m'avez envoyés pour apprendre l'état de Maçon et qui me furent livrés par M. Antonio Xavier en votre nom et d'après votre seconde lettre. Un s'appelle Ignacio, l'autre Francisco, l'autre Domingo, lesquels j'ai reçu avec beaucoup de plaisir pour leur faire apprendre cet état. Vous le voulez (le papier est déchiré dans cet endroit) d'apercevoir les idées que l'on se fait aujourd'hui au Brésil, parceque celui qui voudra se risquer sur la traite des nègres court un grand danger, ainsi pour celui qui vend que pour celui qui achete. Parcequ'il peut avoir un rapport, ainsi on ne peut pas se fier parcequ'il y est sur de perdre la valeur des esclaves. On perdra le double en frais sans pouvoir en être le possesseur. Voilà, mon cher ami, le premier danger qui se présente. Comme vous m'avez fait livrer ces trois négrillons, je ne peux pas les présenter au public pour apprendre l'état de Maçon, parcequ'ils ne savent pas même dire, donnez moi un morceau pour manger. Si vous avez l'intention de leur faire apprendre un état, pourquoi ne leur avez vous pas montré à parler? Comme vous ne l'avez pas fait, je leur ferai apprendre que je cours le même danger que les esclaves qui sont chez moi; qu'il y a peine de prison, et on ne peut rien réclamer du trésor. Ainsi, mon ami, je les ai reçus pour vous rendre service et je les ai mis chez un des grands d'ici pour leur montrer à parler, et il faut qu'ils apprennent la doctrine Chrétienne, car alors nous pourrons dire ils sont à nous et tout alors ira bien. Troisième article, apprenez que la dépense avec les esclaves montes à 240 reis pour leur nourriture, sans compter les habillemens. Hé bien! mon ami, comme vous ne m'avez pas donne les ordres pour diriger que seulement de me les remettre et rien de plus, c'est pour cela que je vous écris à fin que vous sachiez ici ce qui se passe après que j'ai reçu les esclaves. Toutes les dépenses sont faites pour votre compte. Pesez bien ce que je vous dis pour me répondre sur ce qui est nécessaire pour les objets.

Je suis, &c.

(Signé) ANTONIO, &c.

P.S.—J'attends votre réponse le plutôt possible, alors nous pourrons faire quelque chose.

No. 25.

M. Louis Xavier de Jesus, à Ajuda.

M. Louis Xavier de Jesus,

Bahia, 4 Septembre, 1841.

J'ai reçu votre lettre du 19 Juin qui m'a donné les nouvelles de votre santé. J'ai reçu le négrillon que vous m'avez envoyé, mais non pas la négresse. M le Capitaine m'a certifié qu'il ne l'avois pas embarqué, qu'il avoit seulement reçu le négrillon, ce dont je vous remercie.

Vous me parlez du passeport et de son retard, et qu'il y a eu des personnes de cette ville qui vous écrivent que si j'attendais le passeport vous ne l'auriez jamais. A ce sujet je vous répondrai que je n'ai pas oublié votre affaire; au contraire j'ai employé tous les moyens pour l'obtenir, comme peut vous le certifier votre esclave Antonio. J'ai présenté requête au président, M. Paulo José de Aelno Melnici demanda une information du chef de police, qui après l'avoir donnée est arrivé un nouveau président M. Prichiro, qui n'a pas voulu accorder le passeport comme vous le verrez de la copie de son expédition que je vous envoie. Il me semble qu'il vous a refusé le passeport par ce qu'il y a dans la secrétairerie un certificat de conduite très mauvais contre vous. Ainsi soyez certain que je ne me suis pas oublié. Si cela ne dépendait que de moi, vous auriez été servi. Les pièces existent encore en mon pouvoir pour requérir de nouveau, mais si vous voulez que je les remette à cette personne qui vous à fait dire de ne pas attendre un passeport par mes diligences, dites le et je le ferai. Peut-être elle est plus digne que moi pour l'obtenir. Mais j'ai vu Joao Dâ Costa, junior, à qui j'ai conté tout ce qui s'est passé, et il m'a dit que vous pouviez aller vivre dans n'importe qu'elle province de l'empire sans passeport. Ainsi si vous voulez venir à la province de Sergesse de reste; et je vous donnerai une lettre de recommandation pour mon fils qui est le Secrétaire du Gouvernement, et où vous pouvez être en sûreté sans que personne vous

incommode. Dans cet intervalle je songerai à votre passeport. Répondez moi. Je suis, &c.

(Signé) JOSE HERCULANO PEREIRA D'ACUNHA.

P.S.—Sur toutes les embarcations qui sont partis d'ici je vous ai écrit et remis les lettres à votre esclave Antonio qui vient toujours me parler.

No. 27.

Monsieur Louis Xavier de Jesus, Ajuda.

Mon Maître,

Bahia, 21 Avril, 1841.

Souvent je vous ai écrit, mon maître. Dans ma dernière, je vous dirai, l'intention que j'avois de quitter le magasin parcequ'il ne me convenait plus de le conserver n'ayant laissé que 15 arobes de suif et 132½ de tassau et remettre le produit à M. Jean da Costa ainsi que 84,500 reis pour acheter le tafia qui devait être embarqué sur le même bâtiment de votre malheureux départ de cette capitale et que je n'avois pu acheter. La maison est resté triste, moi, me rappelant des bienfaits que vous, mon maître, m'avez fait en me donnant gratuitement ma liberté, ce que je n'oublierai jamais. J'ai pu garnir avec ce crédit le magasin, et dans les bénéfices je vous les ai envoyés ce que vous me dites avoir reçu. Mais aujourd'hui que le commerce de Rio Grande ne vaut rien de plus, et que les choses sont changées et moi n'ayant rien conservé de vous, mon maître, parceque je vous ai tout envoyé pour vous récompenser votre bienfait; il ne m'est pas possible de continuer avec le commerce et je dois faire tout autre chose, mais jamais je ne vous oublierai et je vous enverrai toujours le surplus de tout ce que je gagnerai avec l'aide de Dieu, vu que c'est lui qui m'a donné les moyens pour vous prouver ma reconnaissance. Il suis, &c.

(Signé) ANTOINE XAVIER DE JESUS.

P.S.—L'affaire dont s'est chargé le Docteur Herculano je vois qu'elle ne sera jamais terminée. Je travaille pour la voie d'une autre personne pour voir si je peux obtenir que vous veniez encore dans ce pays-ci. Nous sommes au 18 Août. En tête est la copie du primata que je vous ai adressé. A présent je réponds à celle que vous m'avez envoyée en date du 17 Juin dernier. J'ai reçu les quatre ballots, et je suivrai vos ordres. Celui que vous m'avez envoyé pour vendre et payer le fret de tout n'étant qu'un seul et non deux comme vous me le dites, il est si inférieur qu'il ne pourroit pas être vendu et je me suis vu dans le besoin d'emprunter de l'argent à 20% pour payer le fret. Je vous fait part de ceci afin que vous donniez des ordres afin que je ne sois pas obligé de vendre un des quatre ballots et pour ne pas supporter l'amertume d'être assigné, si vous ne pouvez pas payer la somme que j'ai demandé pour remplir vos ordres. Vous prenez en mal la déclaration que je vous ai faites de fermer le magasin mais vous ne faites pas attention que vous ne m'avez pas laissé de fonds et que vous avez déjà reçu tout. Comment pourrai-je sans fonds continuer? Je voudrai bien continuer si vous me donniez un coup de main, et si vous n'aviez pas retiré les fonds. Ainsi, mon maître, considerez que ce pays n'est plus le même que de votre tems; tout est misère; tout le monde pleure, et plusieurs ont fait banqueroute. Comment voulez vous que je me sacrifie au loyer du magasin qu'on a exhaussé? Pourquoi je connais mon maître, je sais le chagrin qui me force à prendre la résolution que j'ai prise. J'ai remis votre lettre à M. Herculano et un ballot, non pas deux, parce que je ne les ai par reçus. Il m'a dit qu'il vous écrirait. Que Dieu vous garde, etc. Il suis, etc.

(Signé) ANTONIO XAVIER DE JESUS.

Fourteenth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale séant à Cayenne.

INTERROGATOIRE DE DEJOIE.

L'AN mil huit cent quarante un et le douze du mois de Novembre, à huit heures de la matinée, par devant nous Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de la Guyane Française, séant à Cayenne, commis greffier assermenté en notre cabinet au Palais de Justice, en exécution du mandat de comparation par nous décerné le onze de ce mois, et notifié par exploit de Bland huissier en date du même jour.

Est comparu le ci-après nommé à l'interrogatoire duquel nous avons procédé ainsi qu'il suit.

Enquis de ses noms, prénoms, âge, profession, lieu de naissance, demeure, et classe de population,

A répondu : Dejoie (Hyppolite Paul), âgé de trente-deux ans, capitaine au long cours, né à Bouquenoy, Loire Inférieure, actuellement à Cayenne.

D. Quelles sont les circonstances qui ont précédé et accompagné la capture du brick "*Le Marabout* ?"

R. Le vingt-six Septembre je partis de Bahia à onze heures du matin pour la côte d'Afrique, et c'est le lendemain vingt-sept que j'ai été capturé par la corvette Anglaise "*La Rose*;" je n'avais pas encore perdu la terre de vue. A huit heures du matin, j'aperçus la corvette; elle marchait au sud, moi au nord; vers neuf heures elle fut par mon travers; elle assura son pavillon par au coup de canon, et après que j'eus hissé le mien elle fit signe qu'elle voulait communiquer. Je diminuai de voile pour l'attendre. Elle envoya à bord un canot avec deux officiers et six hommes. L'un des officiers descendit dans la cale avec six matelots et procéda à la visite de la cargaison. Cette visite dura environ un quart d'heure. L'officier qui descendit dans la cale rejoignit la corvette et un instant après je le vis revenir avec vingt hommes environ qui se mirent à tout chavirer dans la cale. Ils ont percé les pièces de cachasse et se sont soulés, ils ont défoncé les caisses de cigares, en un mot ils se conduisirent comme de véritables forbans. Mon second qui voulait s'opposer à leur rapine fut maltraité par un matelot Anglais. Cet état de choses dura depuis le vingt-sept jusqu'au trente Septembre. J'avais quatorze hommes d'équipage, onze ont été mis à bord de la corvette; on m'a laissé le cuisinier et le mousse. J'avais en outre onze passagers, on m'a laissé une pauvre femme malade, les autres ont été transbordés; en remplacement de mon équipage on mit à bord un officier et sept hommes. Dès ce moment nous fîmes route pour Cayenne, et la corvette navigua de concert avec nous jusqu'au deux d'Octobre. Ce jour là elle vira de bord et nous la perdîmes de vue. Le treize à huit heures du matin j'aperçus le Cap d'Orange, à trois heures et demie nous échouâmes par un tems magnifique et un mer très calme. Il faut qu'il y ait eu de la part de l'officier Anglais ineptie ou malveillance. Nous étions à un mille et demi de terre tout au plus. On sondait à de longs intervalles, nous courions sur la terre. Nous étions par un fond de deux brasses et demie. Je dis à l'officier qui commandait qu'il était temps de laisser venir au large; le commandement et le manœuvre ne furent pas exécutés assez promptement et nous touchâmes. L'officier me fit l'observation que son équipage étoit trop peu nombreux pour bien manœuvrer le brick et que son commandant lui avait refusé les hommes qu'il avoit demandés. Heureusement nous échouâmes sur la vase molle. Secondé par la brise nous finîmes par nous mettre à flot, et le dix-huit nous fîmes route pour Cayenne et nous y arrivâmes le dix-neuf.

D. Les motifs de la capture du brick sont les suivans : 1°, un grand nombre de planches à votre bord disposées en entrepont sur des poutres provisoires; 2°, plus de divisions et de cloisons que n'en ont habituellement les navires de commerce; 3°, un plus grand nombre de pièces et de barriques à eau qu'il n'en falloit pour l'équipage et les passagers; une grande quantité de barriques remplies d'esprit de très peu de valeur, les quelles barriques une fois vidées sont généralement employées par des négriers pour des pièces à eau; une grande quantité de farine et de bœuf séché au soleil, vivres généralement employées à la nourriture des nègres; 4°, une barre de fer avec ses organneaux; donnez nous des explications sur ces différents chefs?

R. J'avais des planches à bord pour servir de separation aux futailles qui composaient ma cargaison; mon navire est construit de manière à contenir quatre plans de pipes et si je ne les separais pas les pipes inférieures auraient considérablement à souffrir; en outre je comptais vendre mes planches à la côte quand j'aurais vendus ma cargaison; jusqu'à present j'ai toujours navigué avec un entrepont; j'ai été visité plusieurs fois par des croiseurs Anglais et jamais on m'a rien dit. Cette fois je m'étais muni par précaution d'un certificat du consul Français à Bahia mais on m'a répondu que le consul n'avoit pas le droit de délivrer de pareils certificats. Les planches que j'avais à bord forment bien à peu près un entrepont, mais il est impossible d'admettre qu'elle dussent servir à un pont à nègres. Les planches étoient brutes, de longueur différente, et pas un n'aboutissait exactement sur les barreaux du navire. En consé-

quence si l'on avait voulu en faire un pont à nègres il eut fallu les travailler. Un quart, au moins, des planches eut été perdu; il eut fallu les rapprocher très exactement et je n'aurais pas eu de quoi faire la moitié d'un entrepont. J'ajouterai que cet entrepont avait un mètre quatre-vingt centimètres de hauteur. C'était calculé pour mettre deux rangées de pipes, mais je ne sais pas que les négriers aient l'habitude de faire des entreponts de cette hauteur. Les barreaux sont placés de mètre en mètre, ils ont trente centimètres d'épaisseur et sont tous epoutillés; ce sont des précautions qu'on prend quand on veut leur faire supporter un fort poids et qui seraient inutiles je pense lorsqu'il s'agirait d'y coucher les nègres.

Quant aux divisions et aux cloisons il n'y a absolument que le poste de l'équipage sur l'avant, et la cambuse sur l'arrière, et je n'ai jamais vu de navire marchand qui n'eût une poste et une cambuse. Il m'est impossible d'admettre que le commandant Anglais n'ait pas sciemment menti en signalant ces divisions comme un des motifs qui ont donné lieu à la capture de mon brick.

J'avais à mon bord une vingtaine de futailles, destinées à contenir de l'eau, elles pouvaient contenir environ six mille litres; nous étions vingt-cinq à bord je me rendais à la côte d'Afrique et de là en France. Il est très difficile de faire de l'eau sur la côte d'Afrique et celle qu'on peut se procurer est mauvaise; j'avais donc pour mon voyage d'Afrique et de France environ six mille litres d'eau, ainsi que je vous l'ai déjà dit nous étions vingt-cinq hommes à bord et à raison de trois litres par tête j'avais pour quatre-vingt jours d'eau. Outre les hommes les animaux qui étaient à bord tels que poules, porcs, cabrits, consumaient beaucoup d'eau; je vous laisse donc à décider si la quantité d'eau que j'avais à bord devait me rendre suspect; quant aux barriques remplies de cachasse, parce qu'on peut vendre très avantageusement cette liqueur à la côte d'Afrique, et je crois qu'il est indispensable d'avoir les barriques pour la mettre. Quant à sa qualité pourvu qu'elle soit marchande je pense n'a rien à y voir. J'avais environ dix barils de farine de froment de provision et je ne sais pas qu'on nourrisse les nègres avec la farine de froment. Il y avait aussi environ trente kilos de bœuf séché au soleil, que je donnai aux passagers. Outre cela j'avois en cargaison six barils de farine, et deux cent quarante cinq kilos de bœuf séché au soleil.

Quant à la barre signalée par le commandant Anglais c'est une barre de justice, et il est à ma connaissance que tous les navires marchands ont de semblable barres.

D. Le commandant de la corvette Anglaise déclare qu'au moment de la capture plusieurs articles ont été jetés par dessus le bord de votre navire. Cela est-il exact ?

R. Il n'est pas à ma connaissance que les objets aient été jetés par dessus le bord de mon navire, ce que je sais c'est que je pouvais faire voir et montrer tout ce que j'avois à bord.

D. Vous nous avez dit qu'à vos précédents voyages vous aviez des planches à bord; celles qui sont signalées dans le rapport du commandant Anglaise sont-elles les mêmes que celles que vous aviez à bord lors de vos précédents voyages à la côte d'Afrique ?

R. Non Monsieur, j'ai quitté Nantes le trente Avril, 1840; j'avais un entrepont pour séparer les marchandises, je me suis rendu à Bahia; delà à la côte d'Afrique je suis revenu à Bahia et étant retourné à la côte d'Afrique, j'ai trouvé à me défaire de mes planches à un prix très avantageux ainsi que le constate mon livre de commerce. De retour à Bahia j'ai acheté de nouvelles planches, et ce sont celles-ci qui au dire du commandant Anglais auraient donné lieu à la capture de mon navire.

D. A quel prix avez-vous vendu vos planches à la côte d'Afrique ?

R. Je les ai vendues à environ quatre-vingt-dix centimes le mètre.

D. A quel prix avez-vous acheté vos planches à Bahia ?

R. A environ quarante cinq centimes le mètre.

D. Ces planches sont-elles portées au manifeste ?

R. Non, Monsieur.

D. Pour quel motif ne les avez-vous pas portées ?

R. Parceque c'était moins comme cargaison que comme faisant partie du navire qu'elles étaient à bord; c'est aussi pour cela que je me suis fait délivrer un certificat du Consul Français.

D. Le commandant Anglais signale dans son rapport une cloison qui peut se démonter à volonté ; donnez nous des explications à cet égard ?

R. C'est sans doute de la cambuse dont il a voulu parler. Jusqu'à présent elle n'a jamais été démontée, mais il se pourrait que la nature de mon chargement me forçât à la démonter ou à la réduire à des proportions plus étroites.

D. Quelle était la nature des chargement que vous preniez à la côte d'Afrique pour Bahia ?

R. Toutes les production du pays ; telle que huile de palme, ivoire, peaux de tigres, de singes, &c.

D. Ou comptiez vous aller en quittant la côte d'Afrique ?

R. J'allois à Nantes ainsi, que vous pouvez le voir par mes papiers.

D. Quel chargement comptiez vous prendre à la côte pour Nantes ?

R. Je comptais prendre un chargement complet d'huile de palme d'après les ordres précis de mon armateur, M. Lepertière. Vous pouvez vous en convaincre en lisant les lettres qu'il m'a adressés à Bahia.

Plus n'a été interrogé.

Lecture faite à l'inculpé du présent interrogatoire il a dit que ses réponses contiennent vérité, qu'il y persiste et a signé avec nous et le greffier.

Signé, à toutes les pages, Klippel et Dufourg, et à la dernière Klippel, Dufourg, et Dejoie.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt-trois Janvier, mil huit cent quarante deux.

Fifteenth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française séant à Cayenne.

INTERROGATOIRE DE LORANDIN.

Tribunal de Première Instance de Cayenne (Guyane Française.)

L'an mil huit cent quarante un, et le douze Novembre, à deux heures de relevée par devant nous Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de la Guyane Française séant à Cayenne, assisté de M. Roger Dufourg, commis greffier assermenté en notre cabinet au Palais de Justice en exécution du mandat de comparation par nous décerné l'onze de ce mois, et notifié par exploit de Bland huissier-en date du même jour, est comparu le ci-après nommé à l'interrogatoire du quel nous avons procédé ainsi qu'il suit.

Enquis de ses noms, prénoms, âge, profession, lieu de naissance, demeure, et classe de population.

A répondu Lorandin (Henry), âgé de dix-sept ans, mousse à bord du dit navire, "*Le Marabout*," né à Paris, Seine.

D. Depuis quelle époque êtes vous embarqué à bord du "*Marabout* ?"

R. Je me suis embarqué à bord du "*Marabout*" au mois d'Avril, 1840.

D. Quel voyage avez vous fait à bord du "*Marabout* ?"

R. De Nantes nous avons été à Bahia ; de la nous avons fait deux fois le voyage de la côte d'Afrique. Nous allions faire le troisième quand nous avons été capturés par la corvette Anglaise.

D. Quelle était la nature des chargements que vous preniez à Bahia pour vendre à la côte d'Afrique, et à la côte d'Afrique pour retourner à Bahia ?

R. A Bahia nous chargions essentiellement de tabac et l'eau-de-vie ; et à la côte nous prenions de l'huile de palme le plus souvent à fret. La dernière fois nous n'avions guères que des passagers quelques barils d'huile de palme et du sable pour leste. Nous avions également de l'ivoire qu'on avait donné au Capitaine en paiement de marchandise.

D. Avez vous toujours navigué avec un entrepont ?

R. Oui, monsieur, jusqu'au second voyage que nous avons fait sur la côte d'Afrique époque à laquelle le Capitaine a vendu l'entrepont. De retour au Brésil il a acheté d'autres planches, ce sont celles que nous avons à bord en ce moment ci.

D. Quand les Anglais sont venus à bord ont ils exercé des vexations à l'égard de l'équipage Française ?

R. Le second du navire qui voulait empêcher un matelot Anglais de voler des cigarres fut frappé par celui-ci. L'officier Anglais auquel on s'en plaignit répondit que si on n'insultait pas ses hommes ils ne frapperaient pas.

D. Savez vous si des objets ont été jetées par dessus le bord du navire au moment de sa capture?

R. J'ai vu les canotières d'une embarcation de la corvette sauver un paquet de lettres, mais j'ignore par qui elles ont été jetées à la mer, je suppose que c'est par des passagers, parceque je sais que le Capitaine leur avait defendu de se charger de lettres.

D. Que faisiez vous avant de vous embarquer sur le "*Marabout*."

R. Je naviguais à bord d'un lougre qui faisait les voyages d'Angleterre; ce voyage c'est mon premier voyage de long cours.

Plus n'a été interrogé.

Lecture faite à l'inculpé du présent interrogatoire, il a dit que ses réponses contiennent vérité, qu'il y persiste, et il a signé avec nous et le commis greffier.

Signé, Klippel et Dufourg à toutes les pages, et à la dernière page Klippel, et Dufourg, et Lorandin.

Pour copie conforme délivrée à M. le Procureur-Général.

Cayenne, le vingt-trois Janvier, mil huit cent quarante deux.

(Signé) MERENTIER.

Le Président de la Cour Royale,

(Signé) BARADAT.

Vu le Procureur Général du Roi.

(Signé) MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(Signé) CHARMASSON.

Sixteenth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

INTERROGATOIRE DE GAUTREL.

L'an mil huit cent quarante un, et le douze du mois de Novembre, par devant nous Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de la Guyane Française, séant à Cayenne, assisté de M. Roger Dufourg, commis greffier assermenté en notre cabinet au Palais de Justice, en exécution du mandat de comparation par nous décerné l'onze de ce mois, et notifié par exploit de Bland huissier en date du même jour, est comparu le ci-après nommé à l'interrogatoire du quel nous avons procédé ainsi qu'il suit.

Enquis de ses noms, prénoms, âge, profession, lieu de naissance, demeure, et classe de population.

A répondu Gautrel (Pierre), agé de vingt-ans cuisinier boulanger à bord du brick "*Le Marabout*," né à Clisson, Loire Inférieure.

D. Depuis quelle époque êtes vous embarqué à bord du "*Marabout*?"

R. Depuis le mois d'Avril, mille huit cent quarante.

D. Quelles sont les voyages que vous avez faits sur ce navire?

R. De Nantes nous avons été au Brésil, du Brésil nous avons été à la côte d'Afrique, avec un chargement de cachasse et du tabac, et différentes petites marchandises. De là nous sommes revenu au Brésil, allegé avec de l'huile de palme. Au Brésil nous avons pris un chargement dont les trois quarts étaient à fret pour la côte d'Afrique. De là nous sommes encore revenus allegé à Bahia, avec de l'huile de palme. Le vingt-six Septembre dernier, nous avons appareillé pour nous rendre à la côte d'Afrique; et le vingt-sept nous avons été capture, par la corvette Anglaise.

D. Aviez vous à votre précédent voyage un entrepont?

R. Depuis Nantes, jusqu'au second voyage que nous avons fait à la côte, nous avons toujours eu un entrepont. Lors de ce second voyage, le capitaine ne trouvant pas à faire un chargement complet, il a vendu les planches de l'entrepont. Arrivé à Bahia, il a acheté de nouvelles planches pour le rétablir.

D. Quand les Anglais sont venus à bord y-a-t-il eu de leur part vexation à l'égard de l'équipage Française?

R. Le second, ayant aperçu un matelot, qui défonçait une caisse de cigares le poussa et celui-ci riposta par un coup de poing qui fit jaillir le sang. Du reste il-y-a eu beaucoup de cigares de volés et plusieurs pièces du taffia ont été percées et pendant le temps qu'on a mis à venir ici l'équipage Anglaise était presque continuellement ivre.

D. Savez-vous quels sont les objets qui ont été jetés par dessus bord lors de la capture du navire ?

R. Non, monsieur ; je sais qu'un des gens de l'équipage m'a dit qu'on avait jeté des papiers à la mer, et qu'il présumait que c'étaient des lettres, il n'a pas pu me dire qui les avait jeté.

D. Aviez-vous déjà navigué avant de faire ce dernier voyage ?

R. Oui, monsieur, j'avais fait plusieurs voyages sur les côtes de France. Quand "*Le Marabout*" a pris la mer pour la première fois au commencement de 1839, je fus embarquée à bord comme cuisinier. Je fis un voyage au Brésil, à la côte d'Afrique, et delà en France. Nous fûmes de retour au mois de Février, et au mois d'Avril je m'embarquai de nouveau.

D. Aviez-vous un entrepont lors du première voyage que vous avez fait à bord du "*Marabout*" ?

R. Oui, monsieur ; le navire a toujours eu un entrepont.

D. Avez-vous été visité par des croiseurs ?

R. Oui, monsieur ; nous avons été visité à tous nos voyages par des navires Anglaises même plusieurs fois dans un jour, mais jamais on n'avoit rien dit, jamais on n'avoit fait des degâts à bord.

Plus n'a été interrogé.

Lecture faite à l'inculpé du present interrogatoire, il a dit que ses réponses contiennent vérité, qu'il y persiste, et il a signé avec nous et le commis-greffier.

Signé à toutes les pages Klippel et Dufourg, et la dernière page par Klippel, Gautrel, Dufourg.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt-trois Janvier, mil huit cent quarante-deux.

(L. S.)

(Signé) MERENTIER.

Vu le Président de la Cour Royale.

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi.

(Signé) MOREL.

(L. S.)

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(L. S.)

(Signé) CHARMASSON.

Seventeenth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

DEPOSITION de DAME LOBO et SIEUR COMPTON.

L'AN mil huit cent quarante-un, et le treize Novembre, par devant nous Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction, près le Tribunal de Première Instance de la Guyane Française, séant à Cayenne, en notre cabinet au Palais de Justice, assisté de Monsieur Roger Dufourg, commis-greffier, en conséquence de la citation donnée par Bland huissier près ce tribunal, à la requête de M. le Procureur du Roi, le onze de ce mois, en vertu de notre cédule du même jour, sont comparus les témoins ci-après auxquels nous avons donné connaissance des faits sur lesquels ils sont appelés à déposer.

Chacun d'eux appelé ensuite successivement hors la presence du prévenu, après avoir représenté la citation à lui donnée, prêté serment de dire toute la vérité, rien que la vérité, et enquis par nous de ses noms, prénoms, âge, état, profession, et demeures, s'il appartient à la population libre ou s'il est esclave, s'il est domestique parent ou allié des parties, et à quel degré ; nous a répondu et fait sa déposition ainsi qu'il suit, savoir.

CLASS C.

Le premier témoin Clara Maria da Souza Lobo, âgée de trente ans, propriétaire à Bahia, Brésil, actuellement à Cayenne, non parente ni alliée des prévenus.

Le vingt-six Septembre dernier, je m'embarquai à bord du "*Marabout*." Le lendemain j'étais malade du mal de mer, quand nous fûmes capturés par la corvette Anglaise. Avant de m'embarquer, j'avais été voir le Consul Français, auquel je demandai à quel genre de commerce se livrait "*Le Marabout*." Il me répondit qu'il ne se livrait pas à la traite des nègres, et que je pouvais m'embarquer en toute sécurité.

D. Aviez-vous vu "*Le Marabout*," à Bahia, avant l'époque à laquelle vous vous êtes embarquée?

R. J'avais entendu dire plusieurs fois que "*Le Marabout*" était arrivé à Bahia, mais jamais on m'a dit qu'il fit la traite des nègres, si un semblable bruit était arrivé jusqu'à moi vous pouvez bien penser que je ne me serais pas embarquée à bord de ce brick attendu que je sais que les Anglais exercent une surveillance très active sur les côtes du Brésil.

D. Savez-vous avec quelle cargaison "*Le Marabout*" arrivait à Bahia, et savez-vous d'où il venait?

R. J'ai entendu dire qu'il venait de la côte d'Afrique, et qu'il apportait de l'huile de palme et des pagnes.

D. Savez-vous si au moment du capture du brick on a jeté quelque chose à la mer.

R. Je n'ai rien vu jeté à la mer, et je n'ai pas entendu dire qu'on eut jeté quelque-chose.

D. Savez-vous s'il y a eu vexation de la part de l'équipage Anglais vis-à-vis les gens du bâtiment capturé?

R. Non, monsieur, je n'ai rien vu; cependant, je dois dire que j'ai vu souvent un grand nombre de matelots ivres, et qu'un grand nombre de caisses de cigares ont été defoncé.

D. Arrive-t-il souvent les nègriers à Bahia, et quand de semblables navires arrivent le sait-on dans la ville?

R. Il y a long tems qu'il n'en est pas arrivé, la surveillance exercée par les croiseurs Anglais ne le leur permet pas. Autrefois ils entraient sans mystère, et tout-le-monde connaissait leur arrivée.

Lecture faite au témoin de la déposition par l'organe du Sieur Da Sylva, Interprète de Langue Portugaise, il a dit qu'elle contenait vérité qu'il y persistait, et il a signé avec nous, et le commis-greffier, ainsi que l'interprète serment préalablement prêté par l'interprète.

Signé à toutes les pages Klippel et Dufourg, et à la dernière Klippel, Dufourg, Antonio Manoel da Souza e Silva, Clara Maria da Souza Lobo.

Le second témoin, âgé de trente ans, lieutenant de vaisseau de la marine Anglaise, ni parent, ni alliée des inculpés.

Nous apprimes que "*Le Marabout*" devait partir le vingt-six Septembre dernier pour la côte d'Afrique: le vingt-quatre ou le vingt-cinq, "*La Rose*" se mit à croiser sur la côte, avec l'intention de visiter "*Le Marabout*," quand il prendrait la mer. Le vingt-sept, nous le rencontrâmes, la visite faite, le commandant Christie jugea à propos de le faire conduire à Cayenne. Les motifs de cette capture sont exposés dans les papiers que je vous ai remis.

D. Quand vous avez fait la visite, l'entrepont était-il formé?

R. Oui, monsieur.

D. Eut-il pu servir à un pont à nègres tel qu'il était?

R. Non, monsieur; mais on aurait pu facilement en faire un pont à nègres.

D. Les extrémités de ces planches portaient-elles exactement sur les barreaux du navire?

R. Je pense que oui; car quand nous sommes arrivé à bord il y avait des marchandises disposées dans le faux pont, et si les extrémités des planches n'avaient pas porté exactement sur les barreaux, elle n'auraient pas pu supporter un semblable poids.

D. Pensez-vous que des planches brutes puissent servir à un pont à nègres?

R. Oui, certainement.

D. Quelles sont les cloisons et les divisions que vous avez remarquées à bord du brick quand vous l'avez visité?

- R. J'ai remarqué sur l'arrière du navire un compartiment provisoire qu'on peut déplacer et qui peut servir à loger des négresses.
- D. Qu'y avait-il dans ce compartiment quand vous l'avez visité?
- R. Des provisions, telles que de la farine, du bœuf séché, du riz.
- D. N'existe-t-il pas d'ordinaire un semblable compartiment à bord des bâtimens marchands?
- R. Il existe habituellement à bord des bâtimens marchands des compartiments où l'on met des provisions, mais je n'en ai jamais vu installé de cette façon qui eut une communication avec la cale.
- D. Combien de barriques à eau y avoit il à bord du brick?
- R. Il y avoit dix-neufs barriques à eau de différentes grandeur, et plusieurs petits barils, qui pouvaient contenir autant qu'une barrique ordinaire.
- D. Savez-vous s'il est facile de faire de l'eau sur la côte d'Afrique?
- R. Je n'y ai jamais été; mais je ne pense pas que ce soit facile.
- D. Pensez vous que dans ces vingt barriques il y eût eu une quantité d'eau superflue pour vingt-cinq personnes, et pour un voyage de Bahia à la côte d'Afrique, et de la côte d'Afrique à Nantes?
- R. Je ne connais pas la durée d'un voyage de la côte d'Afrique à Nantes.
- D. Qui vous a fait supposer que les barriques de cachasse une fois vidées serviraient de barriques à eau?
- R. Parceque les négriers emploient généralement des pièces une fois vidée pour pièces à eau.
- D. Savez-vous si cette cachasse se vend avantageusement sur la côte d'Afrique?
- R. Je ne le pense pas.
- D. Quelle quantité de farine avez vous trouvée à bord?
- R. Il y avait sept barils de farine et quatre sacs.
- D. Quelle espèce de farine était-ce?
- R. C'était de la farine que l'on fait au Brésil, avec un espèce de blé, et dont on nourit les nègres.
- D. Y avait il d'autre farine à bord du brick?
- R. Oui, monsieur; il y avait de la farine de froment.
- D. En quelle quantité?
- R. Je l'ignore.
- D. Savez-vous quelle était la quantité de bœuf séché au soleil?
- R. Non, monsieur; j'en ai compté à bord quatorze paquets, tant grands que petits, et puis il y en a d'autres dans les magasins de la Douane.
- D. Qu'est ce que la barre de fer que vous avez signalée dans votre rapport?
- R. C'est une barre semblable à celle que l'on emploie pour les nègres.
- D. Savez-vous s'il n'existe pas de semblable barre à bord de tous les bâtimens?
- R. Non, monsieur; il n'en existe pas de semblable; c'est contre le traité.
- D. Je vous ferai observer, que dans le traité il ne s'agit que des chaines, de colliers de fer, et de menottes?
- R. La traduction literale des termes du traité en Anglaise—*shackles, bolts, handcuffs*—est organneaux propres à être mis au col, comme aux pieds, barres de fer, et menottes; en conséquence, il est contre le traité d'avoir à bord une barre de fer et des organneaux.
- D. A-t-on l'habitude de mettre aux fers les nègres de traite?
- R. On met au fer ordinairement les plus forts et les plus mutins.
- D. Combien pouvait on mettre de personnes à la barre que vous avez trouvée à bord du "Marabout?"
- R. On pouvait en mettre six; trois aux moyen des organneaux dont la barre est munie, et trois autres au moyen de cordes qu'on installe sur la même barre.
- D. La barre était elle munie de semblable cordes, quand vous avez visité le navire?
- R. Non.
- D. Quels sont les objets qu'on a jetés par dessus le bord lors de la capture du navire?
- R. A ma connaissance on n'a jeté à la mer qu'un paquet de papiers qui a été sauvé par des matelots Anglais.

D. Ya-t-il eu des vexations lors de la capture de la part de l'équipage Anglais à l'égard de l'équipage du " *Marabout*."

R. Je sais qu'un matelot Anglais a poussé le second du brick lorsqu'il était dans la cale. On en a fait un rapport au commandant de la corvette, et le matelot a été puni.

D. Connaissez-vous le motif qui a donné lieu à cette voie de fait vis-à-vis le second du " *Marabout* ?"

R. Non, monsieur, je n'étois pas à bord du brick dans ce moment là.

D. Les matelots Anglais ont ils commis des dégâts à bord du " *Marabout* ?"

R. Non pas que je sache.

D. Plusieurs caisses de cigarres ont été défoncée; avez vous vu fumer vos matelots ?

R. Oui, monsieur; j'ai vu fumer des cigarres par mes matelots, mais je ne sais pas d'où ils leur venaient. J'ai vu aussi des caisses de cigarres défoncées, mais je pense que ces cigarres appartenaient aux passagers dont la plupart fumaient beaucoup.

D. Savez-vous si les pièces de cachasse ont été percées par des matelots Anglais ?

R. Le tonnelier de la corvette, sur les ordres du commandant, a percé la plupart des grandes pièces qui étaient à bord; il s'agissait de constater la nature de la liqueur qu'elles contenaient.

D. Vous êtes vous aperçu, que vos matelots étaient souvent ivres dans le trajet que vous avez fait à bord du brick ?

R. Une seule fois j'ai vu un de mes hommes ivre; il a été puni pour ce fait.

D. Où pensez vous qu'il se soit procuré les liqueurs fortes avec lesquelles il s'est enivré ?

R. Chaque homme a une ration de rhum par jour; et c'est un habitude parmi les matelots Anglais de boire en une seule fois la ration de plusieurs jours.

D. Ne pensez-vous pas que vos matelots aient pu s'introduire dans la cale, et boire la cachasse de la cargaison ?

R. Cela est impossible. On descendait dans la cale trois fois par jour pour prendre des provisions, et toujours en ma présence. La nuit, les panneaux étoient cloués.

D. Le brick que vous amenez à Cayenne s'est échoué; à quoi attribuez vous cet accident.

R. Je ne connais pas la côte.

D. Aviez-vous à bord suffisamment de monde pour exécuter les manœuvres ?

R. Oui, monsieur.

Lecture faite au témoin de sa deposition par l'organe de Sieur Labat, interprète de laugue Anglaise, serment préalablement prêté, il a dit qu'elle contenait vérité, qu'il y persistait n'a requis taxe, et a signé, avec nous l'interprète et le commis-greffier.

Signé à chaque page Klippel et Dufourg, et à la dernière page Klippel, Dufourg, Labat, John Compton.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt-trois Janvier, mil huit cent quarante-deux.

(L.S.)

(Signé)

MERENTIER.

Vu le Président de la Cour Royale.

(L.S.)

(Signé)

J. A. BARADAT.

Vu le Procureur-Général du Roi.

(L.S.)

(Signé)

MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(L.S.)

(Signé)

CHARMASSON.

Eighteenth Enclosure in No. 24.

Extraits des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

RAPPORT DE M. LE JUGE D'INSTRUCTION.

Le vingt-six Septembre dernier, le brig "*Le Marabout*," Capitaine Dejoie, partit de Bahia. Il se rendoit à la côte d'Afrique. Sa cargaison consistait principalement en taffia et en tabac. Dès le vingt-quatre ou le vingt-cinq Septembre, la corvette Anglaise, "*La Rose*," commandée par le Capitaine Christie, se mit à croiser sur les côtes du Brésil, avec l'intention de visiter "*Le Marabout*" quand il auroit pris la mer ; c'est le vingt-sept que les deux navires furent en présence, et que la visite eu lieu : le resultat n'en fut pas favorable au Capitaine Dejoie. Son équipage fut transbordée à l'exception du cuisinier et du mousse. Sur onze passagers qu'il avait on lui en laissa un, dix furent mis à bord de "*La Rose*." Les matelots du "*Marabout*" furent remplacés par sept hommes de la corvette Anglaise, et le Sieur John Compton, lieutenant de marine, fut chargé de conduire le brick à Cayenne. Il était soupçonné d'avoir été armé pour faire la traite des nègres. Au dire du Capitaine Christie, les motifs qui ont amené cette capture sont les suivans :—

1^{er}. La présence à bord d'un grand nombre de planches propres à former promptement un entrepont, ou pont volant.

2^d. Un plus grand nombre de compartimens qu'il n'est d'usage pour les bâtimens de commerce.

3^e. Une quantité superflue de barriques à eau, de farine, et de bœuf séché au soleil.

4^e. Une barre de fer, avec ses organes.

Le Capitaine Christie déclara en outre que plusieurs objets ont été jetés à la mer au moment de la visite, notamment un paquet contenant des lettres qu'il a réussi à sauver, et dont plusieurs sont adressées aux principaux marchands d'esclaves à la côte d'Afrique.

Arrivé à Cayenne, le brick "*Le Marabout*" a été visité par nous ; nous avons fait procéder à son complet déchargement ; et durant cette opération nous n'avons rien découvert qui put faire soupçonner que ce navire était destiné à faire un trafic illicite.

Aux termes d'un rapport qui a été fait par le capitaine du port, et le maître charpentier attaché à la direction, le nombre de planches qui se trouvent à bord est de soixante-treize : elles sont brutes et de longueur inégale, leur extrémité ne porte pas exactement sur les barreaux du navire. Travaillées elles auraient pu couvrir une surface de 40 mètres 80 centimètres. Un pont volant à bord du "*Marabout*" devrait couvrir une surface de quatre-vingt dix sept mètres cinquante centimètres.

De plus, les barreaux sont placés à un mètre 8 centimètres du pont. Cette distance calculée pour arrimer deux plans de futailles est trop considérable pour faire soupçonner qu'ils dussent servir à établir un pont à nègres. Les planches étaient brutes ainsi que nous l'avons dit déjà, partant impropres à établir de suite un faux pont.

Le Capitaine Dejoie étoit muni en outre d'un certificat du Consul Français à Bahia, qui justifiait amplement la présence de ces planches à bord du "*Marabout*."

Le nombre de compartimens à bord du brick se réduit à deux. Le poste de l'équipage sur l'avant et une cambuse à cloison mobile sur l'arrière. Le capitaine de port, dans son rapport, affirme qu'il est inexact de dire que ce nombre de compartimens excède celui qui est d'usage d'avoir à bord des bâtimens de commerce. Si la cloison de la cambuse est mobile, c'est qu'il peut arriver qu'à raison du chargement du navire on diminue ou on supprime entièrement ce compartiment.

Les barriques à eau trouvées à bord étaient au nombre de vingt, et pouvaient contenir de l'eau pour quatre-vingt jours au plus. Le navire était expédié pour Nantes, en passant par la côte d'Afrique. On sait que dans ces parages l'eau est de mauvaise qualité, et en outre qu'on s'en procure difficilement. Les autres futailles qui étaient à bord contenaient du taffia du Brésil. Cette liqueur a été connue de qualité marchande par les experts que nous avons nommés par ordonnance du neuf Novembre courant.

La barre de fer signalée dans le rapport du commandant Anglais n'est autre

qu'une barre de justice munie de trois organneaux. Nous ne pensons pas que la présence à bord d'une semblable barre soit contraire aux termes de la convention supplémentaire du 22 Mars, 1833, qui ne parle que de chaines, de colliers de fer, et de menottes.

Des lettres ont été jetées à la mer au moment de la visite du "*Marabout*." On a réussi à s'en emparer. D'autres lettres ont été trouvées à bord du brick lors du déchargement, que nous avons fait opérer, en tout cent soixante-huit. Elle sont écrites en Portugais. Toutes ont été traduites. Cinq ou six parlent de nègres qu'on attend, qu'on a reçus ; mais aucune d'elles ne fait mention du "*Marabout*," ou de son capitaine.

En fait de provisions qui ont attiré l'attention du capteur, et qui ne sont pas portées sur le manifeste, il y avaient cent soixante kilos. de bœuf séché au soleil, et environ cinq cent vingt-deux kilos. de farine de froment. Nous ne pensons pas que ces quantités dépassent les besoins probables de l'équipage, par plus que nous ne pensons que ce soit avec la farine de froment qu'on nourrisse les nègres de traite.

Il y a au dossier des lettres au Sieur Lepertière de Nantes, armateur du "*Marabout*:" il dit au Capitaine Dejoie de passer par la côte d'Afrique, d'y prendre un chargement complet d'huile de palme, et de l'amener à Nantes dans le plus bref délai possible. "*Le Marabout*" a été expédié de Bahia pour Nantes en passant par la côte d'Afrique. Tout nous porte à croire que le Sieur Dejoie exécutait les ordres qu'il avait reçus de son armateur, quand il a été capturé par la corvette Anglaise.

Par ces motifs nous ne pensons pas qu'il y ait lieu de donner suite à la procédure dirigée contre le Sieur Dejoie et les gens de son équipage.

Fait au Cabinet d'Instruction, le vingt-cinq Novembre, mil huit cent quarante-un.

(Signé) KLIPPEL.

Pour copie conforme délivrée à Monsieur le Procureur-Général.
Cayenne, le vingt-trois Janvier, mil huit cent quarante-deux.

(L.S.)

(Signé) MERENTIER.

Le Président de la Cour Royale.

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi.

(L.S.)

(Signé) MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(L.S.)

(Signé) CHARMASSON.

Nineteenth Enclosure in No. 24.

Extraits des Minutes de Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

CONCLUSIONS DU PROCUREUR DU ROI SUR LA PROCEDURE.

Le Procureur du Roi, près le Tribunal de Première Instance de la Guyane Française, séant à Cayenne.

Vu tous les procès verbaux, inventaires, rapports d'experts, et autres documents de la procédure instruite contre le brick Française "*Le Marabout*," capturé le 25 Septembre, 1841, par la corvette "*La Rose*," sur les côtes du Brésil, comme soupçonné d'être employé ou armée pour faire le trafic de la traite.

Ensemble le rapport de M. le Juge d'Instruction.

Attendu qu'à bord du dit bâtiment on n'a trouvé, malgré les recherches les plus minutieuses, ni écoutes, ni treillis, ni compartimens, hors d'usage sur les bâtimens de commerce, ni planches en réserves disposées à cet effet, ni chaines, ni menottes, ni colliers en fer, ni gamelles, ni chaudières, objets et ustensils nécessaires à bord d'un négrier.

Attendu que l'espèce d'entrepont qui existait à bord, n'a jamais pu servir de pont dit à esclaves, comme le capitaine Anglais aurait put s'en convaincre lui-même, par un examen un tant soit peu sérieux, car les planches qui le forment

sont brutes, de largeur, épaisseur et longueur différentes, et la plupart ne portent point exactement sur les barreaux epoutillés qui le soutiennent.

Que d'ailleurs le certificat du Consul Français à Bahia, délivré au capitaine du "*Marabout*," le 17 Septembre, 1841, sur la provenance, la nature, et l'emploi des dites planches, était de nature à éloigner tous soupçons de traite.

Attendu que la barre armée de trois organneaux seulement signalée par le rapport Anglais, n'est qu'une *barre de justice* qu'on trouve à bord de tous les bâtimens de commerce.

Attendu qu'il n'y avoit pas plus d'eau que n'en exigeaient les besoins du brick si l'on reflèchoit que ce brick alloit à la côte d'Afrique, où il est si difficile de s'en procurer, et d'où il devait partir sans rétar d pour France, ce qui résulte des lettres de M. Lepertière, armateur du "*Marabout*," écrites de Nantes à Bahia, au Capitaine Dejoie, et si d'ailleurs l'on a égard au grand nombre d'hommes et d'animaux de toute espèce qui se trouvaient à bord.

Attendu que les quelques barriques ou tonneaux, qui ont paru superflus, étaient destinées à être remplis d'huile de palme, ce qui résulte encore des lettres préisées.

Attendu que les provisions et vivres qui ne faisaient point partie du chargement commercial ne dépassaient point les besoins probables de l'équipage et des passagers.

Attendu qu'il résulte des papiers et registres saisis à bord, que le tabac, la farine, le taffia, et autres liqueurs, tous objets de valeur marchande, composaient depuis deux ans ou moins, le genre de commerce ou de trafic du brick.

Attendu enfin que la construction le genre d'armement, et d'approvisionnement, et toutes les autres dispositions intérieures et extérieures du "*Marabout*;" que rien, en un mot, n'est de nature à faire présumer que le dit bâtiment a été employé à la traite des noirs, ou qu'il a été armé pour faire ce trafic.

Par ces motifs :—

Estimons qu'il n'y a pas lieu à donner suite à la procédure instruite contre le Sieur Dejoie, capitaine du dit brick, ni contre les gens de son équipage.

Fait au parquet, Cayenne, le 19 Novembre, 1841.

(Signé)

TERNISSIEN, Procureur du Roi par interim.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt-trois Janvier, huit cent quarante-deux.

Twentieth Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

REQUISITION DE M. le PROCUREUR-GENERAL.—Chambre d'Accusation.

NOUS, Procureur-Général du Roi près la Cour Royale de la Guyane Française;

Vu les pièces de la procédure instruite contre, 1. Le Capitaine Dejoie (Hippolyte Paul), de condition libre, agé de trente-deux ans, né à Bouquemaire, département de la Loire Inférieure, commandant le brick Français "*Le Marabout*," du port de Nantes, armé par le Sieur Lepertière.

2. Les hommes de son équipage au nombre de deux, savoir, 1. Gautrel (Pierre), de condition libre, agé de vingt ans, né à Clisson, département de la Loire Inférieure. 2. Lorandin (Henri), de condition libre, agé de dix-sept ans, né à Paris, département de la Seine, mousse à bord du "*Marabout*."

Prévenus de s'être le 1^{er} en qualité de capitaine, les deux autres en qualité de matelots, livrés au trafic de la traite des noirs.

Considérant que malgré les investigations les plus rigoureuses, il n'a été trouvé à bord du bâtiment aucun indice sérieux qui puisse faire croire au crime de traite.

Considérant, en effet, que le navire n'était en aucune manière disposée à recevoir des esclaves, qu'il n'avait ni ecoutilles à treillis, ni compartimens qui ne soient pas en usage à bord de tous les bâtimens de commerce, que s'il s'est trouvé à bord soixante-douze planches propres à être placées sur les barreaux pour faire une espèce de faux pont volant, l'espèce de ces planches qui sont

à l'état brute la diversité de leur longueur et de leur épaisseur, leur mètre démontrent qu'elles étaient tout à fait impropres, et surtout insuffisantes pour l'établissement d'un faux pont propres à recevoir des esclaves, qu'il en est de même de l'élévation qu'auroit eu ce faux pont ($5\frac{1}{2}$ pieds) puisqu'une des premières précautions à prendre par les négriers est d'empêcher les esclaves de pouvoir se tenir debout dans le faux pont; qu'au contraire, cette élévation est celle nécessaire pour pouvoir arrimer deux pipes l'une sur l'autre, qu'enfin il est justifié par le Capitaine Dejoie que lors de son expédition de Nantes, au mois d'Avril, 1839, son brick était muni d'un faux pont dont il a disposé ainsi que cela résulte de son livre de gestion, qu'ayant éprouvé le besoin de rétablir une séparation pour les marchandises qu'il alloit charger à la côte d'Afrique, d'ordre de son armateur il a eu la précaution de se faire délivrer un certificat par le Consul de France à Bahia.

Considérant qu'il n'a été trouvé à bord du brick "*Le Marabout*" aucun des ferremens ordinairement employés par les navires qui se livrent à la traite des noirs, telles que colliers, menottes, barres de justice, qu'on ne peut assimiler à ces barres, celle qui a été saisie, puisque cette barre qui n'a que trois anneaux ou organneaux, est en tout pareille à celles que l'on a ordinairement à bord de tous les navires pour la police de l'équipage, et qu'elle ne pouvait au plus servir qu'à trois individus.

Considérant que la quantité d'eau trouvé à bord du "*Marabout*" n'était pas plus considérable que celle nécessaire pour effectuer le voyage à la côte d'Afrique, et le retour à Nantes, que ce retour était commandé par l'armateur ainsi que cela résulte de ses lettres adressées à Bahia au Capitaine Dejoie.

Considérant que le taffia trouvé à bord est loyal et marchand, ainsi que cela résulte du procès-verbal d'expertise, que l'on ne peut enduire de ce qu'il a été chargé du taffia à bord du "*Marabout*," et de ce qu'il serait possible de faire servir les futailles qui le contiennent à embarquer de l'eau, que c'était le but que s'était proposé le Capitaine Déjoie, puisque raisonner ainsi serait déclarer impossible tout commerce de liquides, tels que vins, eau de vie, et esprits avec la côte d'Afrique.

Considérant au surplus sur ce chef qu'il est établi par le livre de gestion du Capitaine Dejoie, sa correspondance pendant les années 1839, 1840, et 1841, avec la maison Lepertière, par la correspondance de cette maison avec lui qu'il n'a jamais fait à la côté d'Afrique qu'un commerce d'échange licite que les derniers ordres de cette maison avaient pour objet son retour en France avec une cargaison d'huile de palme denrée qui offrait un débouché avantageux.

Considérant qu'il n'existait pas à bord du "*Marabout*" de provisions en plus grandes quantités que celles nécessaires à l'équipage et aux passagers, qu'elles n'étoient pas non plus de l'espèce de celles que l'on fait pour nourrir les esclaves.

Considérant que s'il a été jeté des lettres par dessus le bord, ce fait ne peut être imputé au capitaine, ni aux deux hommes de son équipage, qu'en effet il reste démontré par l'examen de ces lettres traduits qu'elles étaient presque toutes confiées à des passagers; qu'au surplus de ces lettres, il ne résulte rien qui puisse être reproché à ce capitaine, qu'il n'est aucunement question de lui ni de son navire, que si sur le nombre il se recontre six ou sept lettres dans lesquelles on parle d'envoi d'esclaves à effectuer ou d'esclaves reçus, ni "*Le Marabout*," ni Déjoie, ne sont indiqués comme ayant effectué le transport ou devant l'effectuer.

Par ces motifs,—

Requérons qu'il plaise à Messieurs les Conseillers composant la Chambre des Mises en Accusations déclarer qu'il n'y a lieu à suivre contre le Capitaine Déjoie et les hommes de son équipage.

Au parquet, le 2 Octobre, 1841.

Le Procureur-Général du Roi.

(Signé)

MOREL.

Pour copie conforme délivrée à Monsieur le Procureur-Général.
Cayenne, le vingt-trois Janvier, mil huit cent quarante-deux.

Twenty-first Enclosure in No. 24.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

LETTRE DE MR. COMPTON, OFFICIER ANGLAIS, A M. LE GOUVERNEUR.

Colonie Française de Cayenne, le 14^e jour Décembre, 1841.

MONSIEUR,

QU'IL me soit permis de vous accuser réception de votre lettre du 14^e jour de Décembre, 1841, par laquelle vous regrettez de ne pouvoir faire droit à la demande que je vous ai adressée pour obtenir un passage pour la Martinique sur le bâtiment de guerre Français qui est prêt à partir, et ce par suite des représentations du capitaine du "Marabout," et d'une signification que j'ai reçue pour comparître au tribunal le 24^e jour de Décembre, 1841.

Qu'il me soit permis de vous dire que je n'ai fait jusqu'ici *aucune attention* aux pièces et papiers reçus de l'avoué du capitaine du "Marabout," et qu'il *n'est pas non plus dans mes intentions* de paraître au tribunal. Par conséquent j'ai à vous demander *de nouveau* qu'il vous plaise d'ordonner qu'un passage me soit accordé ainsi qu'à mes gens sur le dit navire allant à la Martinique pour me rendre delà à la Barbade (la cour n'ayant plus besoin de mes services) afin de reprendre ma place sous les ordres de l'officier supérieur de la Marine Britannique.

J'ai l'honneur d'être, Monsieur, votre obéissant et humble Serviteur,

(Signé) JOHN COMPTON,

Lieutenant du Navire de S. M. Britannique "la Rose."

Pour copie conforme.

Le Gouverneur.

(Signé)

CHARMASSON.

Traduction certifiée conforme.

(Signé)

MATHEY.

Pour copie conforme délivrée à M. le Procureur-Général.

Cayenne, le vingt-trois Janvier, mil huit cent quarante-deux.

(Signé)

MERENTIER.

Vu le Président de la Cour Royale.

(Signé)

BARADAT.

Vu le Procureur-Général du Roi.

(Signé)

MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(Signé)

CHARMASSON.

Twenty-second Enclosure in No. 24.

Copie d'une Lettre adressée au Commissaire Général de la Marine à Nantes, le 28 Février, 1842, par M. J. G. Pichard.

M. L'ORDONNATEUR,

JE partis de Bordeaux pour le Brésil, pour affaires commerciales, les ayant terminées voulant effectuer mon retour en France, et utiliser mon voyage, je m'embarquai en qualité de Lieutenant sur le brick Français "Le Marabout," Capitaine Dejoie, qui allait à la côte d'Afrique, et de-là dans son port d'armement. Je me rendis à bord le 20 Septembre, 1841, à 9 heures du matin, et à midi le capitaine fit voile. Le lendemain nous fûmes visités par le navire Anglais "La Rose," Capitaine J. Christie, qui se rendit lui même à bord du brick "Le Marabout" pour s'assurer du genre de sa cargaison. Il fit observer au Capitaine Dejoie que les planches qu'il avaient à bord étaient en contravention avec le traité entre les puissances signataires; le Capitaine Dejoie lui montra une autorisation du Consul de France à Bahia, qui l'autorisait à les avoir pour l'utilité du navire. Le Capitaine J. Christie, lui répondit que le Consul de France n'avait pas le droit de lui donner une semblable autorisation. Il retourna à son bord laissant une garde à bord du "Marabout," et le lendemain il démontra le Capitaine Dejoie de son commandement le fit remplacer par un officier et un équipage Anglais, et l'état major Français, ainsi que l'équipage et passagers (sauf le capitaine, le cuisinier, et le mousse) furent

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envoyés à bord du navire capteur. J'observai au Capitaine Christie que je trouvais étonnant qu'il enlevât tout l'équipage d'un navire, il me répondit qu'il en avait le droit, je fus obligé de me contenter de sa réponse. Je lui observai en outre que j'étais capitaine au long cours, et que le second était maître du cabotage, il sut faire une distinction, et ses officiers se sont conduits à notre égard, comme des officiers Français se seraient conduits à l'égard des Anglais.

Le Capitaine Christie fit route de concert avec "*Le Marabout*" (autant que je pus m'en apercevoir jusque par le travers du Cap St. Roch), où il fit signal à l'officier Anglais commandant "*Le Marabout*" de faire sa route, et "*La Rose*," se dirigea sur le Brésil en croisant (chose il me semble que le capitaine n'aurait pas du faire), nous arrivâmes à Bahia le 11 Octobre, où nous séjournâmes jusqu'au 16 courant, et de là nous nous rendîmes à Rio Janeiro (toujours en croisant), ce qu'il est très facile de voir par le journal du navire Anglais. Nous y arrivâmes le 26. Le navire "*La Rose*" étant un peu petit pour tant de monde, le Capitaine Christie, nous fit mettre en dépôt à bord de la frégate "*Cressente*," il nous recommanda au commandant qui a eu pour nous les égards que l'on doit à des prisonniers.

Nous fûmes transbordés de-là à bord du bateau à vapeur de guerre Anglais, "*l'Ardent*," Capitaine John Russell, à notre arrivée à bord on nous fit passer derrière pour nous compter. Je representai à l'officier commandant à bord que j'étais capitaine au long cours, et qu'en cette qualité je devais être distingué du reste de l'équipage, comme je l'avais été à bord des autres navires ; il me demanda si j'étais capitaine de navire de guerre ; je lui répondis que non, mais que mon grade au service équivalait à celui d'officier. Il fut sourd à mes observations, et donna ordre au capitaine d'armes de nous faire descendre dans le faux pont, où nous fûmes gardés par deux factionnaires, le sabre au poing, comme on aurait pu agir à l'égard de pirates. Le navire fit route pour Cayenne, nous relachâmes à Fernambouc pour y prendre du charbon, nous y séjournâmes 7 jours, et pendant tout ce tems nous avons été renfermés par une chaleur excessive, que nos gardes qui cependant prenaient l'air de tems en tems avaient peine à supporter. Nous sommes enfin arrivés à Cayenne, où nous avons été déclarés libres.

J'ose espérer, M. l'Ordonnateur, que vous voudrez prendre ce rapport en considération, et qu'il sera accordé (par qui de droit) des indemnités à des gens victimes bien innocentes sous tous les rapports de l'acte le plus arbitraire.

J'ai dépensé de concert avec le second, pour rendre notre captivité un peu plus douce, une somme de 450 francs.

(Signé) J. G. PICHARD.

Twenty-third Enclosure in No. 24.

Extrait d'un Rapport de Mer, adressé le 8 Mars, 1841, au Ministre de la Marine, par M. Dejoie, Capitaine du Navire "Le Marabout," de Nantes.

Ministère de la Marine et des Colonies.—Directions des Colonies.

MONSIEUR LE MINISTRE,

Je suis parti de la rivière de Nantes le 30 Avril, 1840, en destination du Bahia (Brésil), mon navire armé de 14 hommes d'équipage, et muni de vivres pour un an.

Je suis arrivé à Bahia le 9 Juin, après une traversée qui n'a rien eu d'extraordinaire.

Après avoir vendu dans ce port une partie de la cargaison composant mon armement, et débarqué les marchandises à fret, je pris un chargement de taffia, tabacs, et divers autres produits du Brésil, et fit voile le 7 Juillet pour la côte occidentale d'Afrique. Arrivé le 31 du même mois au Cap de Palme (comptoir Americain), après une traversée assez heureuse, j'y commençai mon commerce de troc, que je continuai ensuite sur les divers points de cette côte que visitent d'ordinaire les navires en pareil cours d'observation.

Après avoir échangé ma cargaison du Brésil contre de l'huile de palme, de l'ivoire, des pelleteries, des espèces, et de la poudre d'or, mon navire lesté d'eau de mer et de sable, je partis d'*Acra* fort Anglais le 26 Octobre, 1840, pour retourner à Bahia, où j'arrivai le 24 Décembre suivant. Là je chargeai mes

marchandises de la côte sur le navire Français "*l'Industrie*," de Rouen, Capitaine Bérongé, allant au Havre, je fis à mon navire quelques réparations dont il avait besoin, pris une seconde cargaison de taffia, tabac, etc., et quittai Bahia, pour retourner à la côte d'Afrique le 19 Février, 1841.

Ma seconde troque achevée, je partis d'Almina (comptoir Hollandais) le 1^{er} Juillet avec de l'huile de palme, et de l'ivoire, et arrivai à Bahia le 2 Août. Je vendis dans ce port une partie de mes marchandises de troque, et expédiai le reste au Havre, par le navire Français "*l'Egide*," Capitaine Morron.

Après m'être réparé je chargeai une troisième cargaison de taffia, tabac ; je pris des vivres en quantité suffisante pour retourner à la côte d'Afrique et de-là en France, et quittai la Baie des Saints le 26 Septembre, avec onze passagers, régulièrement embarqués par le Consul de France.

Le lendemain, 27 Septembre, je fus abordé par la corvette de guerre Anglaise "*La Rose*," Commandant P. Christie ; après quatre jours de la visite la plus minutieuse à mon bord, et dans laquelle ma cargaison eut beaucoup à souffrir du peu de soins qu'on apporta au dès-arrimage des futailles, de taffia, et des autres marchandises qui furent échavirées dans dessus dessous, et des soustractions nombreuses de tabac, cigares, et surtout de liquides que se permirent les matelots Anglais, le commandant, P. Christie, me déclara qu'il me soupçonnait de faire la traite des noirs donnant pour motif à cette singulière allégation que j'avais à mon bord plus de compartimens que n'en ont les navires de commerce, que j'avais trop d'eau et de vivres, que j'avais une barre de justice, et 72 planches. Je lui observai en vain que les compartimens de mon navire se réduisaient à trois, la chambre de l'arrière pour les officiers, celle de devant pour l'équipage, et la cambuse pour les vivres, triple installation qui se retrouve à bord de tous les navires, que ma provision de vivres et d'eau n'étoit même pas assez forte pour suffire à mon voyage de troque le long de la côte d'Afrique et à mon retour en France, que tout bâtiment de commerce avait une barre de justice pour maintenir la discipline parmi l'équipage, et que, finalement, mes 72 planches brutes de largeur, épaisseur, et longueur inégales, étaient par conséquent impropres à fermer un entrepont, et avaient été, au surplus embarqué avec l'autorisation spéciale du consul Français à Bahia, pièce authentique que je montrai au commandant Anglais à l'appui de ce que je lui disais. Un autre grief qu'on me rapprocha, ce fut d'avoir à bord des passagers ! Je ne saurai que penser de cette molestation. Mon second, que j'envoyais dans la cale pour surveiller les opérations de la visite, et le désordre qui en résultait pour ma cargaison fut frappé à la tête jusqu'au sang par l'un des hommes de la corvette. J'eus beau me plaindre aux officiers, et au commandeur lui-même, de la brutalité des hommes qu'il avait envoyés à mon bord, je ne reçus aucune réponse.

Enfin le commandant, P. Christie, me signifia qu'il m'arrêtait, et qu'il me dirigeait sur Cayenne pour y être jugé sur le crime de traite qu'il me reprochait. Onze hommes de mon équipage et dix de mes passagers furent enlevés de mon bord, et passèrent sur la corvette. On mit à bord du "*Marabout*" un équipage Anglais, sous le commandement d'un officier Anglais, on m'y retint prisonnier ainsi que le cuisinier, le mousse, et une passagère, et nous partîmes pour Cayenne. Le pavillon Français fût amené à bord de mon navire, et remplacé par le pavillon Britannique, sous lequel nous naviguâmes et entrâmes à Cayenne. Avant d'arriver à Cayenne, l'officier Anglais mit "*Le Marabout*" à la côte près l'endroit appelé la Montagne d'Argent, à l'embouchure de l'Approuaque. Cet événement eut lieu à trois heures après midi, par un tems clair un vent régulier, les bonnettes dessus. Le fond sur lequel nous touchâmes était de vase molle, ou nous restâmes six jours, lorsque le navire en souffrit. Au bout de ce tems les Anglais se trouvant comme d'habitude ivres de taffia qu'ils gaspillaient dans ma cargaison, et les voiles n'ayant pas été serrées, un grain survint au moment de la pleine mer, et le navire renstoué vint au large contre leur volonté.

Depuis lors et d'après les menaces que je fis à l'officier Anglais, sur que j'étais que justice me serait rendue à Cayenne, si j'avais le bonheur d'y arriver, nous atteignîmes enfin cette colonie le 19 Octobre, 1841.

Là mon navire fût remis entre les mains de la justice, et mon affaire déforcé à la Cour Royale. "*Le Marabout*" fût entièrement déchargé, visité avec la plus minutieuse attention, et après une enquête de 40 jours, et qui prouve la scrupuleuse sévérité des juges, la cour reconnut qu'il n'y avait pas lieu à poursuivre, et rendit un arrêt de non lieu. La capture du "*Marabout*" ayant donc

été déclaré illégale, et sans motifs de suspicions aux termes de traité sur le droit de visite, je ne pouvais manquer d'obtenir des dommages-intérêts pour cet acte qu'on ne sait comment qualifier. En effet l'arrêt de non lieu susdit me renvoya devant le tribunal civil pour fixer le chiffre de l'indemnité réclamé. Le 28 Décembre le tribunal rendit en effet son jugement, par lequel il condamnoit l'officier Anglais à me payer une somme de ——— pour dommages-intérêts.

Ma cargaison se trouvant dans un état déplorable tant par sa nature (le tabac fabriqué au Brésil pour la côte d'Afrique n'étant pas susceptible de se conserver long tems à bord), que par les nombreuses déprédations des Anglais, et réduit moi-même à l'impossibilité de poursuivre mon voyage faute d'équipage (le commandant Christie ayant déclaré, dans un des procès verbaux, qu'il remettrait mon équipage aux mains des premières autorités Françaises, qu'il rencontrerait, bien qu'il dut suivant le traité le conduire à Cayenne ainsi que le navire), je demandais au tribunal l'autorisation de vendre mes marchandises, et je me mis en charge pour Nantes.

J'avais à bord une bonne partie de mon chargement à fret pour cette destination, et j'étais parvenu à me former un équipage; lorsqu'un bateau à vapeur Anglais, venant à Rio Janeiro, entra à Cayenne le 27 Décembre, ayant à bord mon premier équipage et mes passagers, les malheureux, après avoir été promenés assez long tems à bord de "La Rose" qui ne rentra à Bahia, qu'une dizaine de jours après mon capture, et de-là les conduisit à Rio Janeiro, furent mis dans ce dernier port à bord d'un autre navire Anglais puis ensuite transférés à bord du bateau à vapeur qui les conduisit à Cayenne, où ils n'arrivèrent qu'après une détention de trois mois.

Me trouvant alors avec un double équipage que je conservai plusieurs jours, je me vis forcé de débarquer les hommes que j'avais pris à Cayenne, et je fus obligé de leur donner une indemnité. Quant à mes passagers le bateau à vapeur les ramena à Rio Janeiro, puisque je ne pouvais plus faire mon voyage à la côte, et que j'étais forcé de revenir à mon port d'armement. Le 19 Janvier, 1842, mon navire étant au 2/3 chargé, ayant 15 hommes d'équipage et un passager, je quittai Cayenne. Après une traversée de 40 jours assez heureuses, et ne présentant rien d'extraordinaire, j'arrivai à St. Nozaire le 26 Février dernier, et montai le même jour à Nantes. Celle est la rélation exacte des faits dont j'avais à vous rendre compte M. le Ministre.

(Signé)

DEJOIE.

No. 25.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, April 23, 1842.*

THE Earl of Aberdeen presents his compliments to the Count St. Aulaire, and, in compliance with the request contained in Count St. Aulaire's note of the 11th instant, has the honour to transmit to his Excellency herewith a Warrant to enable the French ship of war, "*Dupetit Thouars*," to act under the Conventions of the 30th November, 1831, and 22nd March, 1833, between Great Britain and France on Slave Trade.

Count St. Aulaire,
 &c. &c.

No. 26.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, 2 Mai, 1842.**(Received May 3.)*

LE Comte de St. Aulaire présente ses compliments empressés à son Excellence Lord Aberdeen, et a l'honneur de lui transmettre ci joint trois mandats* délivrés par le Gouvernement Anglais en exécution des Conventions relatives à la répression de la traite, et qui ont cessé d'être utiles par suite du retour des bâtimens dont les commandants en étaient porteurs.

Son Excellence le Comte de Aberdeen,
 &c. &c. &c.

* Warrants issued to the French ships of war "*Adonis*," "*Armide*," and "*Berceau*."

No. 27.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, 10 Mai, 1842.**(Received May 10.)*

L'Ambassadeur de France présente ses compliments à son Excellence le Comte d'Aberdeen, et a l'honneur de lui renvoyer un mandat délivré par le Gouvernement Anglais à la corvette de charge, "*Egérie*," station de Bourbon qui par suite du retour de ce bâtiment en France est devenu inutile. Il le prie de lui en envoyer de nouveaux pour les bâtiments ci dessous désignés.

Station des Côtes d'Afrique :—

"*La Cigale*," goëlette, Capitaine Méjanès, lieutenant de vaisseau.

"*La Galibi*," bâtiment à vapeur, Capitaine Sourbetz, idem.

Station des Antilles :—

"*La Levrette*," goëlette, Capitaine Ducrest de Villeneuve, lieutenant de vaisseau.

"*La Toulonnaise*," idem, idem, de Barmont, idem.

"*La Turquoise*," idem, idem, de Leyritz, idem.

"*L'Antilope*," idem, idem, Mancel, idem.

"*La Barcis*," idem, idem, Mesnard, idem.

"*La Biche*," idem, idem, Cleret Langavant, idem.

"*La Colombe*," idem, idem, Cournet, idem.

"*La Décidée*," idem, idem, Kerdrain, idem.

"*La Jouvencille*," idem, idem, Quesnel, idem.

Station du Brésil et de Cayenne :—

"*La Doris*," goëlette, Capitaine Duprat Taxis, lieutenant de vaisseau.

"*La Mignonne*," goëlette, Capitaine Fournin, lieutenant de vaisseau.

"*Le Coursier*," goëlette, Capitaine d'Alteyrac, lieutenant de vaisseau.

Station du Brésil :—

"*La Boullonnaise*," canonnière brick, Capitaine Tardy de Montravel, lieutenant de vaisseau.

Son Excellence le Comte de Aberdeen,

&c.

&c.

&c.

No. 28.

Protocole de la Conférence tenue à Londres, le 11 Mai, 1842.

Présens :—Les Plénipotentiaires d'Autriche, de France, de la Grande Bretagne, de Prusse, et de Russie.

En exécution du Protocole de la Conférence tenue au Foreign Office le 19 Février dernier, le Plénipotentiaire d'Autriche a déclaré avoir reçu de sa cour les Instrumens de Ratification du Traité du 20 Décembre, 1841, pour être échangés contre ceux des Cours de Prusse et de Russie.

En conséquence, les Plénipotentiaires des Cours d'Autriche, de Prusse, et de Russie ont procédé à l'échange des dites Ratifications, et ont constaté cet échange selon les formes usitées.

Ainsi qu'il a été convenu d'un commun accord entre les Plénipotentiaires des cinq puissances, le Protocole est resté ouvert à la France.

(Signé)

NEUMANN,
ST. AULAIRE,
ABERDEEN,
BUNSEN,
BRUNNOW.

No. 29.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, May 11, 1842.

WITH reference to my Despatch, "*Slave Trade*," of the 19th February last, I herewith transmit to your Excellency a copy of a Protocol signed this

day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of Ratifications of the Treaty signed on the 20th December, 1841, by the Plenipotentiaries of those Powers for the suppression of Slave Trade.

Your Excellency will perceive that at the conference of which this Protocol gives an account, the Ratifications of Austria were exchanged against those of Prussia and Russia; and that, as agreed upon between the Plenipotentiaries of the Five Powers, the Protocol was left open for France.

I am &c.

(Signed) ABERDEEN.

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

Enclosure in No. 29.

(See No. 28.)

No. 30.

Lord Cowley to the Earl of Aberdeen.

Paris, May 16, 1842.

(Received May 18.)

MY LORD,

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

I have, &c.

(Signed) COWLEY.

His Excellency the Earl of Aberdeen, K.T.
&c. &c. &c.

No. 31.

Lord Cowley to the Earl of Aberdeen.

Paris, May 20, 1842.

(Received May 23.)

MY LORD,

I HAVE the honour to enclose the answer of the Minister for Foreign Affairs to my Note of the 13th of April, calling his Excellency's attention to a letter addressed to Her Majesty's Commissioners at Sierra Leone on the subject of Slave Trade said to be carried on by French subjects at the French settlement of the Cazamança.

I have, &c.

(Signed) COWLEY.

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

First Enclosure in No. 31.

M. Guizot to Lord Cowley.

MONSIEUR L'AMBASSADEUR,

Paris, 7 Mai, 1842.

VOTRE Excellence m'a fait l'honneur de m'envoyer, sous la date du 13 de ce mois, l'extrait d'une lettre adressée au Gouvernement Britannique, et contenant des détails sur de prétendues opérations de traite qui seraient faites par des Français au Nord de Sierra Leone.

Le département des affaires étrangères avait déjà reçu, au mois de Juillet 1841, de M. Bulwer, alors Ministre d'Angleterre à Paris, une communication complètement identique; et Lord Palmerston ayant entretenu, à la même

époque l'Ambassadeur de Sa Majesté à Londres, de quelque autre grief du même genre, je chargeai M. le Baron de Bourqueney de lui remettre copie d'une lettre que M. le Ministre de la Marine m'avait adressée, en réponse à ces mêmes allégations qui se trouvent reproduites dans la pièce que votre Excellence m'a transmise.

En conséquence, j'ai l'honneur de vous adresser également copie de la lettre de M. l'Amiral Duperré : elle contient des explications propres à démentir les imputations dont il s'agit.

Agrez, M. l'Ambassadeur, &c.

(Signé)

GUIZOT.

Son Excellence Lord Cowley, G.C.B.
 &c. &c. &c.

Second Enclosure in No. 31.

Admiral Duperré to M. Guizot.

M. LE MINISTRE ET CHER COLLEGE,

Paris, 28 Juillet, 1841.

LA lettre qui vous a été remise par M. le Ministre d'Angleterre, et que vous m'avez fait l'honneur de me communiquer le 17 de ce mois, ne fait que reproduire au sujet des prétendues opérations de traite qui se feraient dans nos établissemens de la côte occidentale d'Afrique, les imputations précédemment articulées, et que la correspondance de mon département avec le votre a plusieurs fois démenties. J'aurois désiré qu'en me donnant connoissance de ces nouvelles dénonciations votre Excellence voulût bien m'informer si déjà les explications nécessaires ont été opposées aux observations antérieures du Gouvernement Anglais sur le même sujet.

Les réclamations dont il s'agit portent sur deux ordres de faits qu'il me paroît nécessaire de distinguer.

Si on énonce que de nombreux achats de captifs sont faits par des habitans du Sénégal dans l'intérieur du pays traversé par ce fleuve, que la libération et l'engagement temporaire de ces captifs, au moment de leur entrée à St. Louis, ne sont probablement qu'une fiction destinée à masquer leur maintien dans un état d'esclavage, illimité, attendu qu'on ne rencontre pas dans les établissemens Français un seul nègre qui ne soit esclave :—

Il suffit de consulter les documens statistiques publiés par mon département pour reconnoître la fausseté de ces allégations. On y voit en effet, qu'en 1837, date du dernier recensement effectué, la population du Sénégal se composoit de 140 Européens, 5,712 natifs libres, noirs pour la plupart, 1,693 engagés à tems, 10,096 captifs. J'ajouterai que le chiffre des captifs n'augmente d'année en année que foiblement et dans la seule proportion de l'excédant des naissances, sur les décès. Quant au nombre des engagés à tems, il diminue au contraire, par l'effet combiné des libérations successives, et des décès, dont ce total excède les introductions nouvelles devenues de plus en plus rares. Les garanties qui assurent les droits des engagés à tems, sont stipulées par des reglemens locaux, dont une copie a été transmise à votre département par une lettre de mon prédécesseur du date du 16 Octobre, 1840. Les rachats et les engagements des captifs pour le service militaire se font d'après les mêmes règles. Ainsi que l'annonçait la lettre que je viens de rappeler, l'administration du Sénégal a été chargée d'examiner, si ce régime d'engagemens temporaires ne pourrait pas (sauf en ce qui concerne le recrutement des compagnies noires) être supprimé sans inconvénient, à raison de l'abandon qui a été fait des projets de colonisation dans l'intérêt desquels il a été institué en 1823.

La réponse de la colonie est en faveur du maintien, au moins provisoire, de cette institution. Je n'ai pas encore adopté de décision à cet égard, mais dans le parti pour le quel mon département se déterminera, il aura d'autant moins à se préoccuper de la manière de voir du Gouvernement Anglais qu'un système analogue a existé dans les possessions Britanniques pendant plusieurs années après la suppression de la traite des noirs. Ce Gouvernement devra, d'ailleurs, comprendre que la meilleure manière de laisser celui de la France entièrement libre de supprimer au Sénégal, les arrangemens temporaires, c'est de faire qu'aucune intervention étrangère ne vienne compliquer pour nous cette question, par de justes motifs de susceptibilité.

2. On prétend que les négocians du Sénégal et notamment les agens de la compagnie de commerce, sous le même prétexte de rachats et d'engagemens temporaires, font un trafic considérable de captifs dans les rivières au sud de Gorée, et notamment dans celle de Cazamance et de Sierra Leone; que des bâtimens de guerre Français sont mis à leur disposition pour le transport de noirs de Gorée, où ils sont vendus aux enchères publiques et livrés aux acheteurs pour subir un examen de 14 à 21 ans.

Il a pu arriver de loin en loin que les Caboteurs de Gorée aient rapporté des rivières de la côte quelques noirs rachetés et libérés, qui, aux termes des réglemens en vigueur au Sénégal, étaient au moment de leur arrivée, inscrits sur les registres de l'état civil, mais soumis à un engagement d'une durée de 14 ans au maximum.

Ce qui est certain, c'est que ces importations d'engagés n'ont jamais pu se faire dans une grande proportion, puis qu'en 1837, date de l'établissement de la Compagnie Cazamance, le nombre total des engagés inscrits à Gorée n'étaient que de 101, et que depuis lors il ne paraît pas avoir augmenté. Dans tous les cas, les bâtimens de l'état n'ont jamais été affectés au transport des individus rachetés pour le compte des particuliers. Du reste, en 1840, ainsi que votre département en est informé, des ordres ont été donnés à l'administration du Sénégal pour que ces sortes d'opérations ne se fissent plus que sur le cours même du Sénégal et pour que dans les établissemens extérieurs, tels que Gorée, Cazamance et Rio Nunez, il ne s'effectuât désormais ni rachats de captifs in introduction d'engagés nouveaux, afin d'ôter tout prétexte aux accusations malveillantes. J'ai reçu l'assurance que ces prescriptions seraient suivies, et j'ai tout lieu de croire dès lors que les énonciations contenues dans la lettre qui vous a été communiquée, ne font que rappeler, en la dénaturant et en la généralisant, l'opération de recrutement à la quelle avait été affectée, en 1840 la goëlette du commerce "*La Sénégalie*." Je ne puis que me référer, en ce qui concerne cette dernière affaire, à la correspondance qui a eu lieu entre nos deux départemens, en exprimant de nouveau le vœu que vous puissiez obtenir du Gouvernement Britannique les réparations que nous attendons encore, pour la conduite très répréhensible que les officiers et les agens Anglais ont tenu dans cette circonstance.

Je terminerai la présente réponse en vous soumettant, Monsieur et cher Collègue, une dernière considération. Le Gouvernement Anglais permet depuis quelque tems à ses colonies d'Amérique d'enrôler à la côte occidentale d'Afrique, et spécialement à Sierra Leone, des travailleurs qui, une fois rendus à Démerara ou à la Trinidad, y sont soumis à un engagement de 14 années pour le compte des planteurs auxquels leurs services sont loués par les compagnies d'immigration. De quelle nature est cet engagement? Les noirs qu'on enrôle en Afrique sont-ils bien réellement libres? Leur liberté, fictive ou réelle, n'est elle pas dans tous les cas, le résultat plus ou moins immédiat d'un rachât de captivité, analogue à ce qui se passe dans nos établissemens au Sénégal? enfin les réglemens coercitifs par lesquels les noirs ainsi engagés seront maintenus à la culture ne seront-ils pas de nature à faire penser que le travail forcé se trouvera retabli dans ces colonies d'une manière déguisée, à l'égard de la population noire immigrante? Toutes ces questions sont encore à éclaircir. J'ai pris des mesures pour m'en procurer la solution, et en supposant, ce qui semble difficile à croire, que dans ce système d'émigration Africaine, tout se passe d'une manière rigoureusement conforme aux principes qu'invoque le Gouvernement Anglais, il n'en importe pas moins de prendre acte, dès à présent des distinctions que ce Gouvernement lui-même est obligé de faire, entre la traite des noirs et des opérations de recrutement effectuées à la côte d'Afrique sont la garantie des autorités publiques, avec libération préalable des individus enrôlés.

Agréez, M. le Ministre, &c.

(Signé)

AMIRAL DUPERRE.

Son Excellence M. Guizot,
&c. &c. &c.

No. 32.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, May 24, 1842.*

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and has the honour to transmit herewith to His Excellency 15 warrants issued in pursuance of the stipulations of the conventions of the 30th November, 1831, and the 22nd March, 1833, between Great Britain and France for the Suppression of Slave Trade, and addressed to the officers in command of the 15 ships of the royal navy of France, a list of which was annexed to Count St. Aulaire's note of the 10th instant.

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

No. 33.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, Londres, le 3 Juin, 1842.**(Received June 9.)*

LE Soussigné, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté le Roi des Français près Sa Majesté Britannique, a reçu de son Gouvernement l'ordre d'adresser à son Excellence le Comte d'Aberdeen la réclamation suivante.

Le 21 du mois de Janvier dernier le Sieur Seignac, commandant le navire "*Les Deux Soeurs*," de Bordeaux, a été rencontré par le vaisseau de Sa Majesté Britannique, "*Le Madagascar*," et la visite faite à son bord, en exécution des conventions relatives à la répression de la traite des noirs, a été accompagnée de procédés abusifs et vexatoires également contraires à l'esprit et à la lettre des dites conventions.

Il résulterait de la plainte ajointe adressée par le Sieur Seignac à M. le Gouverneur du Sénégal que son bâtiment a été envahi à main armée par des matelots du "*Madagascar*," conduits par un officier qui n'était muni d'aucun des documents dont les conventions prescrivent l'exhibition que le Capitaine a été obligé par une autre contravention à ces conventions, d'envoyer son second à bord du vaisseau de guerre Anglais, et qu'enfin des vols assez nombreux ont été commis dans le cours de la visite.

Le Soussigné aura l'honneur de compléter ultérieurement la présente communication, par la transmission de l'interrogatoire sous serment des principaux hommes de l'équipage des "*Deux Soeurs*," ainsi qu'il est spécifié dans l'Article 9 de la Convention du 22 Mars, 1833. Sans doute le Ministère de Sa Majesté Britannique ordonnera de son côté qu'il soit procédé à une enquête, et dans le cas où cette enquête confirmerait les faits allégués dans la présente note, le Soussigné a reçu pour instruction de réclamer "Que l'officier du '*Madagascar*,' qui a procédé à la visite des '*Deux Soeurs*,' sans mandat et à main armée soit l'objet d'un désaveu officiel et d'un blâme public. Que les auteurs des vols commis à bord soient punis, et que des dommages et intérêts laissés à l'appréciation du Gouvernement Britannique soient attribués à ceux au préjudice des quels les vols auront été commis."

Le Soussigné saisit cette occasion pour offrir à son Excellence le Comte d'Aberdeen la nouvelle assurance de la plus haute considération.

(Signé) ST. AULAIRE.

Son Excellence le Comte d'Aberdeen,
 &c. &c. &c.

Enclosure in No. 33.

Copie d'un Rapport fait à M. le Gouverneur du Sénégal par le Commandant du Navire les "Deux Sœurs" de Bordeaux, et transmis à M. le Ministre de la Marine par ce Gouverneur.

Gorée, le 28 Mars, 1842.

LE 21 du mois de Janvier dernier, par 7° 4' de latitude, et 14° 80' de longitude,
 CLASS C.

faible brise du nord à trois heures de l'après midi, nous aperçûmes à toute vue un grand trois mats plus rapproché que nous de la terre ; à quatre heures, la brise avait cessé tout à fait, et j'étais descendu pour diner dans la Chambre. Tout à coup, on vint m'avertir que cinq embarcations, sans pavillon, se dirigeaient sur nous. Je m'empressai de monter sur le pont. Au même instant, nous fûmes accostés par ces embarcations, dont les équipages nous aborderent de toutes parts, sabres et pistolets au poing. Celui qui paraissait le chef de la flotille me demanda brusquement ; de quel pays venez vous ? De Sierra Leone, lui dis-je. Montrez moi vos papiers, ajouta-t'il d'une voix de plus en plus impérieuse. Je fis hisser le pavillon Français, et je répondis que, comme il se présentait à bord, sans pavillon et sans uniforme, j'avais tout lieu de croire que j'étais attaqué par un pirate ; qu'en conséquence je me refusais absolument de satisfaire à sa demande. Il m'apprit alors qu'il était le premier lieutenant de la frégate Anglaise "La Madagascar" (assertion dont j'ai depuis reconnu la vérité). Un officier de la marine Anglaise, lui dis-je, se serait présenté à mon bord avec un uniforme, et m'aurait parlé avec plus de politesse que vous ne l'avez fait. Je persiste donc dans ma résolution de ne pas vous montrer mes papiers, jusqu'à ce que vous m'ayez prouvé que vous êtes réellement ce que vous prétendez être, et que vous m'ayez en outre montré vos pouvoirs délivrés par le Gouvernement Français de visiter un bâtiment naviguant sous son pavillon.

Ces paroles remplirent le Lieutenant de colère. Il s'emporta, fit beaucoup de menaces, et me déclara qu'il prenait le commandement du navire. Puis, un des officiers sous ses ordres accompagné de plusieurs matelots, descendit dans la cale, qu'il visita minutieusement. Le Lieutenant y descendit aussi, et de retour de ses investigations, il me demanda pourquoi j'avais dans mon chargement du tabac, des fusils, et de la guinée. Je lui répondis avec étonnement que ces trois articles étaient très importants, et même de première nécessité pour la traite des produits sur la côte. A plusieurs reprises encore, il demanda avec violence à prendre connaissance de mes papiers. Je lui répétais constamment que j'étais bien décidé à ne céder qu'au droit bien établi par des preuves, et que la force n'obtiendrait rien de moi.

Alors après avoir confié le commandement du navire à un de ses officiers, il retourna à bord de la frégate, pour savoir du Commodore quelle décision on devait prendre à notre égard.

Le Lieutenant revint à notre bord muni de papiers Anglais qui ne me permettaient pas de douter de sa qualité. Aussitôt je m'empressai de lui livrer les miens. Après en avoir pris lecture il voulut les emporter à bord de la frégate, pour les montrer à son commandant. Je ne pouvais obtemperer à une pareille exigence, et je le lui exprimai avec force. Il me menaçait de mettre à mon bord un officier et des matelots Anglais, et de me faire conduire et débarquer à Gallinas. Les menaces n'obtinrent rien de moi ; alors il me proposa de porter moi-même mes papiers à son commandant.

La brise avait fraîchi, depuis longtemps nous étions en panne ; l'heure avancée de la nuit (il était onze heures), me faisait craindre que le matin ne nous trouvât encore en pourparlers, et certes le temps m'était trop précieux pour le donner à des paroles ! Après réflexions, je me décidai à envoyer mon second à bord du "Madagascar," avec les papiers de mon navire. A son retour, il remit au Lieutenant l'ordre du Commodore de nous rendre la liberté.

* * * * *

Je me plainais à un jeune midshipman qui avait été envoyé à mon bord de plusieurs vols qui y avaient été commis ; savoir : dans la cale, avaient été enlevées, une grande quantité de tabac, et vingt boîtes de conserves alimentaires. Sur le pont, un pantalon, une partie du diner de la Chambre, et le sac du maître voilier, où se trouvaient plusieurs épissoires, des aiguilles, etc. Le midshipman me pria de lui désigner les auteurs de ces vols. Était-ce chose en mon pouvoir ? lorsque le pont de mon navire avait été inondé de matelots, qu'il nous avait été impossible de surveiller, en raison de leur multitude.

* * * * *

J'ai l'honneur d'être, etc.

(Signé) LOVELY SEIGNAC.

Pour copie.

Le Capitaine de Vaisseau Gouverneur du Sénégal.
(Signé) MONTAGNIES DE LA ROQUE.

Pour copie conforme.

Le Ministre Secrétaire d'Etat de la Marine et des Colonies.
(Signé) AMIRAL DUPERRE.

No. 34.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, June 9, 1842.*

MY LORD,

WITH reference to your Excellency's Despatches, respecting the French vessel "*Marabout*," detained by Her Majesty's cruiser "*Rose*," Commander Christie, on suspicion of Slave Trade, and taken to Cayenne, where she was tried and liberated, and costs and damages were awarded against the captor, I transmit herewith to your Excellency the correspondence extant at this office upon the subject.

I have to acquaint your Excellency that this correspondence has been submitted to Her Majesty's Advocate-General, and that he has reported his opinion that the parol and documentary evidence produced before the *Chambre des Mises en Accusation* of the *Cour Royale*, at Cayenne, is of such a nature as to render it improbable that a reversal can be obtained of the decree pronouncing that the capture of the vessel was made without sufficient cause.

Under these circumstances the Queen's Advocate does not advise an appeal from that decree. The Queen's Advocate proceeds to observe that it appears to him that the sum of 253,283 francs 84 centimes, awarded against the captors by the judgment of the civil tribunal of the colony is excessive.

I have therefore to instruct your Excellency to ascertain what will be the proper course to pursue in appealing against the award of damages, with a view of obtaining a revision of the judgment.

I have, &c.

(Signed) ABERDEEN.

The Right Hon. Lord Cowley,
&c. &c. &c.

P.S.—As the enclosed papers are in a great measure original documents, sent to you without being first copied, in order to save time, which may be essential in this matter, I have to desire that your Excellency will return to me these documents when done with.

No. 35.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, June 13, 1842.*

(Extract.)

HER Majesty's Government have had under their consideration the Note addressed to your Excellency by M. Guizot, a copy of which was enclosed in your Despatch of the 18th March last.

In that Note M. Guizot transmitted a list of certain ships of the British Navy to which warrants, under the Conventions of 1831 and 1833 had been furnished by the French Government; and observed, that the Warrants for those ships ought to be returned to the French Government, either because the ships furnished with them have changed their stations, or because their commanders have been changed.

I transmit to your Excellency 15 warrants furnished to the ships of Her Majesty's Navy, a list of which will be found in the margin of this Despatch; and I have to instruct you to return these warrants to the French Government, in order that they may be cancelled.

The warrants issued to Her Majesty's ships "*Pincher*," "*Scylla*," and "*Charybdis*" were transmitted to the Earl Granville in a Despatch of the 4th October, 1837, in order to be returned to the French Government.

The warrant issued to Her Majesty's ship "*Skipjack*" is supposed to have been lost when that vessel was wrecked in the year 1841.

The warrant issued to the "*Griffon*" was transmitted to your Excellency in my Despatch of the 3rd of March last; and your Excellency states, in your Despatch of the 18th March last, that you had returned it to the French Government.

The warrant issued to the "*Nautilus*" was sent to her at the Cape of Good

"*Satellite*" (2),
 "*Cleopatra*,"
 "*Sparrowhawk*,"
 "*Saracen*,"
 "*Leveret*,"
 "*Edinburgh*,"
 "*Seringapafam*,"
 "*Fair Rosamond*,"
 "*Orestes*,"
 "*Samarang*,"
 "*Comus*,"
 "*Buzzard*,"
 "*Wizard*" (2)

Hope; in the mean time the "Nautilus" returned to England, and the warrant has been recalled, but has not yet been received.

Application has been made to the late Captains of the "Racer," "Snake," and "Winchester" for the warrants issued to those vessels. Answers from those officers have not yet been received.

Of the remaining vessels named in M. Guizot's list, the "Calliope," "Sparrow," "Sappho," "Vestal," "Pique," "Andromache," "Modeste," and "Brisk" have been ordered home, and the warrants issued to them shall be returned upon their arrival.

The rest still continue on foreign stations.

You will acquaint the French Government with these particulars; and you will at the same time state that Her Majesty's Government have given directions that the warrants issued by the French Government to all British ships, the commanders of which have been changed, may be returned, in order to be forwarded to the French Government.

First Enclosure in No. 35.

Extract from a Letter from Sir J. Barrow to Lord Canning, dated May 21, 1842.

My Lords direct me to state that the following ships have been removed from the stations on which they were employed when they were supplied with warrants under the Conventions with France, Sardinia, the Hanse Towns, the Grand Duke of Tuscany, the Two Sicilies, and Denmark, to the stations noted against each, and they request the Earl of Aberdeen will cause the respective Governments to be informed thereof:—

Commander W. Smyth, Her Majesty's sloop "Grecian," from Brazil to the Cape of Good Hope.

Captain Jenkin Jones, Her Majesty's ship "Curaçoa," from Brazil to the Pacific.

Commander John Adams, Her Majesty's sloop "Acorn," from Africa to Cape of Good Hope.

Lieutenant H. J. Matson, Her Majesty's brig "Waterwitch," from Africa to the Cape of Good Hope.

Captain Sir J. Marshall, Her Majesty's ship "Isis," from Brazil to the Cape of Good Hope.

Second Enclosure in No. 35.

A List of Warrants issued to French Ships of War, authorizing them to act under the Conventions for the suppression of the Slave Trade, which ought to have been returned.

Date of Warrant.	Ship's Name.	Station for which issued.
August 29, 1832 . .	Badine	West India Station.
"	Madagascar	Madagascar Station.
September 28, 1833 . .	Atalante	West India Station.
December 2, 1835 . .	Oreste	"
"	Heroïne	Brazil Station.
"	Bisson	"
"	Bordelaise	African Station.
October 20, 1836 . .	Andromede	Brazil Station.
"	Ariane	"
"	Fine	African Station.
December 13, 1836 . .	Minerve	Brazil Station.
May 4, 1837	Herminie	West India Station.
"	Eclipse	"
"	Nièvre	Madagascar Station.
"	Aube	"
April 30, 1838	Inconstant	West India Station.
"	Bordelaise	Brazil Station.
December 27, 1838 . .	Bisson	West India Station.
"	Dordogne	Bourbon Station.

No. 36.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, June 14, 1842.

I HAVE to instruct your Excellency to request the French Government to issue warrants to enable the commanders of the ten ships of the Royal Navy, named in the accompanying list, to act under the Conventions of the 30th November, 1831, and the 22nd March, 1833, between Great Britain and France for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

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

Enclosure in No. 36.

LIST of Ships for which Warrants are required.

Name of Vessel.	Description.	Name of Commander.	Station.
Winchester .	Ship . . .	Captain Charles Eden . . .	Cape of Good Hope.
Cleopatra .	„	Captain Christopher Wyvill .	„
Albatross .	Sloop . . .	Commander Reginald Yorke .	„
Kite . . .	Steam-vessel .	Lieutenant W. M. J. G. Pasco .	Coast of Africa.
Growler . .	„	Commander C. H. M. Buckle .	East Coast of South America.
Spider . . .	Schooner . .	Lieutenant R. E. Pym . . .	„
Warspite .	Ship . . .	Captain Lord John Hay . . .	North America and West Indies.
Ringdove .	Sloop . . .	Commander Sir William Daniell	„
Scylla . . .	„	Commander Robert Sharpe .	„
Satellite .	„	Commander Robert H. Gambier	„

No. 37.

*Lord Cowley to the Earl of Aberdeen.**Paris, June 13, 1842.*

MY LORD,

(Received June 15.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 9th instant.

I have, &c.

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

(Signed)

COWLEY.

No. 38.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, June 16, 1842.*

THE Undersigned, &c., has the honour to acknowledge the receipt of the Note addressed to him by Count St. Aulaire, &c., on the 3rd instant, on the subject of certain violations of the spirit and of the letter of the Conventions between Great Britain and France for the suppression of Slave Trade, said to have occurred on the occasion of the search of the French vessel "*Deux Sœurs*" by Her Majesty's ship "*Madagascar*."

Her Majesty's Government have directed a strict inquiry to be made into the circumstances attending the transaction in question; and the Undersigned will have the honour to communicate to Count St. Aulaire the result of that inquiry as soon as it shall have been made known to him.

The Undersigned, &c.

(Signed)

ABERDEEN.

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

No. 39.

M. Chabot to the Earl of Aberdeen.

Londres, Juin 25, 1842.

MY LORD,

(Received June 27.)

J'AI l'honneur d'informer votre Excellence que la corvette "*l'Héroïne*," commandée par M. Favin Lévêque, capitaine de corvette, doit se diriger incessamment sur la station de l'île de Bourbon pour y exercer le droit de visite en exécution des Conventions relatives à la repression de la Traite. Je prie Votre Excellence de vouloir bien me mettre à même de transmettre à mon Gouvernement le mandat Anglais qu'il me charge de réclamer pour le commandant de ce bâtiment.

J'ai, &c.

(Signé)

P. DE ROHAN CHABOT.

A Son Excellence le Comte d'Aberdeen,
&c. &c. &c.

No. 40.

The Earl of Aberdeen to M. de Rohan Chabot.

Foreign Office, July 1, 1842.

THE Earl of Aberdeen presents his compliments to M. de Rohan Chabot, and in pursuance of the request contained in M. de Rohan Chabot's letter of the 25th ultimo has the honour to transmit to him herewith a warrant, to enable Monsieur Favin Lévêque, captain of the French corvette "*l'Héroïne*," to act under the Conventions of the 30th November, 1831, and the 22d March, 1833, between Great Britain and France, for the suppression of Slave Trade.

M. de Rohan Chabot,
&c. &c.

No. 41.

Lord Cowley to the Earl of Aberdeen.

Paris, July 1, 1842.

MY LORD,

(Received July 4.)

WITH reference to your Lordship's despatch, "Slave Trade," of the 9th ultimo, I have inquired from the proper legal authorities what course should be pursued in appealing against the amount of damages awarded in the case of the French vessel "*Marabout*" by the civil tribunal of Cayenne, I beg to inform your Lordship that the Cour Royale of that colony, according to the information I have received, is the court to which an appeal would in general lie from the civil tribunal.

As, however, in the case of the "*Marabout*" the judgment was by default, the party may bring the case again before the same court to be re-heard, and then appeal, if he thinks proper, from the second decision of the civil tribunal to the Cour Royale.

I have, &c.

(Signed) COWLEY.

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

P.S.—The papers relative to the case of the "*Marabout*," inclosed in your Lordship's Despatch, marked Slave Trade, of the 9th ultimo, will be returned by next Friday's messenger, unless I receive instructions to the contrary.

No. 42.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, July 8, 1842.

I HAVE received your Excellency's Despatch, "Slave Trade," of the 1st instant, in reply to my Despatch, Slave Trade, of the 9th ultimo, respecting the damages awarded in the case of the French vessel "*Marabout*."

In that Despatch your Excellency states that, as the judgment in this case was by default, the party may bring the case again before the same court to be re-heard. But it does not appear certain whether in mentioning the judgment you refer to the decree of liberation or to the award of damages.

If your Excellency alludes only to the award for damages, I request that you will take early means to ascertain to what court an appeal should be made against the decree of liberation in this case.

I am, &c.

(Signed) ABERDEEN.

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

No. 43.

*M. de Rohan Chabot to the Earl of Aberdeen.**Londres, 8 Juillet, 1842.*

MY LORD,

(Received July 11.)

J'AI l'honneur de vous informer, que "*La Badine*," brick-avis, commandée par M. Lefebvre d'Abancourt, capitaine de corvette, doit se diriger prochainement sur la station des Antilles, en exécution des conventions relatives à la répression de la traite. Je prie Votre Excellence de vouloir bien me mettre à même de transmettre à mon Gouvernement le mandat qui autorise le commandant de ce bâtiment à exercer le droit de visite à l'égard du pavillon Anglais.

J'ai l'honneur d'être, avec une haute consideration, My Lord, &c.,

(Signé)

PH. DE ROHAN CHABOT.

A Son Excellence le Comte Aberdeen,
&c. &c. &c.

No. 44.

*Lord Cowley to the Earl of Aberdeen.**Paris, July 11, 1842.*

MY LORD,

(Received July 14.)

IN reply to your Lordship's Despatch, marked "Slave Trade," of the 8th instant, respecting the damages awarded in the case of the French vessel, the "*Marabout*," and desiring to be informed whether, in mentioning the judgment, I refer to the decree of liberation or to the award of damages, I beg to state that the award of damages is alone referred to.

I have made fresh inquiries upon the subject, and I find that there can be no appeal against the decree of liberation.

The enclosed paper places this matter in a clear point of view.

I have, &c.

(Signed) COWLEY.

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

Enclosure in No. 44.

THERE is no appeal from the decree of the *Chambre des mises en Accusation* of acquittal; the chamber forms part of the Royal Court, from which there is no appeal except on points of law. The article 246 of the code of *Instruction Criminelle* declares that the accused party against whom the Court has declared there are no grounds for sending him to trial, cannot be brought before the Court again except on fresh proof. The public prosecutor himself cannot appeal from its decision as regards the facts. It was so held by a decree of the Court of Cassation in 1828, and by a decision of the same Court in 1831 it was held that the civil party is also unable to appeal.

Paris, July 11, 1840.

No. 45.

Lord Cowley to the Earl of Aberdeen.

Paris, July 11, 1842.

(Received July 14.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, dated the 5th instant, inclosing three copies of a Treaty between Her Majesty and the Oriental republic of the Uruguay for the Abolition of the Traffic in Slaves.

I have, &c.

(Signed)

COWLEY.

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

No. 46.

Earl of Aberdeen to M. de Rohan Chabot.

Foreign Office, July 15, 1842.

THE Earl of Aberdeen presents his compliments to M. de Rohan Chabot, and, in pursuance of the request contained in M. de Chabot's letter of the 8th instant, has the honour to transmit to him herewith a warrant to enable M. Lefebvre d'Abancourt, captain of the French brig "*La Badine*," to act under the Conventions of the 30th of November, 1831, and the 22nd of March, 1833, between Great Britain and France for the Suppression of the Slave Trade.

M. de Rohan Chabot,

&c. &c. &c.

No. 47.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, July 16, 1842.

WITH reference to my Despatch of the 14th ultimo, transmitting a list of 10 ships of the British navy for which warrants were required under the Conventions of the 30th of November, 1831, and 22nd of March, 1833, between Great Britain and France for the Suppression of Slave Trade, I have now to request that you will inform the French Minister that Her Majesty's ship "*Albatross*" is about to be employed on the North American and West India station, and not, as stated in my Despatch above-mentioned, on the Cape of Good Hope station; and further that a warrant will not be required for Her Majesty's ship "*Satellite*," as the destination of that vessel has been changed.

I have at the same time to instruct your Excellency to request the French Government to issue warrants to enable the commanders of Her Majesty's steam-vessels employed on the North American and West India stations, and named in the accompanying list to act under the Conventions above mentioned.

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

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 47.

List of Her Majesty's Steam Vessels for which Warrants are required.

"Sydenham,"	Lieutenant	William Pearson Crozier.
"Avon"	"	Henry Byng.
"Spitfire"	"	Hay E. S. Winthrop.
"Flamer"	"	William Robson.
"Gleaner"	"	John Hayes.

No. 48.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, July 20, 1842.

I HEREWITH transmit to your Excellency five warrants issued by the French Government to enable the commanders of Her Majesty's ships "Pique," "Vestal," "Rose," "Sparrow," and "Pluto," steam-vessels, to act under the Conventions of the 30th of November, 1831, and the 22nd of March, 1833, between Great Britain and France for the Suppression of Slave Trade; and I have to instruct your Excellency to return these warrants to the French Government in order that they may be cancelled.

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

I am, &c.
(Signed) ABERDEEN.

No. 49.

Lord Cowley to the Earl of Aberdeen.

Paris, July 19, 1842.

(Received July 21.)

MY LORD,

I HAVE the honour to enclose a printed copy of an instruction addressed by the Minister of Marine to the Maritime Prefects, pointing out, with reference to the right of search, certain formalities which, conformably to the ninth Article of the Convention of 1833, agreed upon between France and England for the Suppression of the Slave Trade, should be observed by merchant vessels of both countries who have cause to complain of vexatious proceedings while under examination, and enforcing the necessity of these formalities being strictly adhered to.

I have, &c.
(Signed) COWLEY.

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

Enclosure in No. 49.

Instructions to the Maritime Prefects relative to the Right of Search.

LES abus auxquels le droit de visite a donné lieu ont motivé la circulaire suivante, que M. le Ministre de la Marine et des colonies vient d'adresser à MM. les Préfets Maritimes :—

« Aux termes de l'Art. 9 de la Convention passée le 22 Mai, 1833, entre la
CLASS C.

France et l'Angleterre, pour la Répression de la Traite des Noirs, les capitaines des navires de commerce de l'une ou de l'autre nation qui croient avoir à se plaindre de vexations, d'abus commis dans une visite non suivie d'arrestation, doivent en faire la déclaration, sous serment, devant les autorités compétentes du premier port de leur pays où ils abordent, ou devant l'agent consulaire de leur nation, s'ils se rendent dans un port étranger. Cette déclaration, indiquant les dommages et intérêts auxquels les réclamans prétendent, doit être vérifiée au moyen de l'interrogatoire, sous serment, des principaux hommes de l'équipage ou des passagers qui ont été témoins de la visite ou de l'arrestation, et il doit être dressé du tout un seul procès-verbal dont deux expéditions sont remises au capitaine qui doit en faire parvenir une à son gouvernement à l'appui de sa demande. En cas d'empêchement de force majeure, la déclaration du capitane peut être suppléée par celle de l'armateur ou celle de tout autre intéressé.

“ L'accomplissement de ces formalités a été négligé jusqu'à présent par MM. les capitaines de navires qui ont eu des plaintes à former contre la conduite des croiseurs Anglais, et les administrations maritimes et coloniales n'ont pris soin ni de les leurs rappeler ni de s'y conformer elles-mêmes, ne requérant, au moment où ils remettent leur rapport de mer, ou lorsqu'on passe la revue de débarquement, les déclarations et interrogatoires exigés, ainsi qu'elles auraient dû le faire chaque fois qu'elles étaient chargées de transmettre à mon département des rapports où des plaintes semblables étaient articulées.

“ Vous voudrez bien donner des ordres pour qu'à l'avenir l'Article 9 de la Convention du 22 Mars, 1833, soit ponctuellement exécuté dans les ports de votre arrondissement maritime.

“ Il convient d'ailleurs, de rappeler MM. les capitaines de navires que, sans attendre leur arrivée dans un port Français ou étranger, ils doivent toujours profiter de la première occasion qui se présente pour faire parvenir leurs plaintes à l'un des bâtimens de la station Française chargée de la protection de notre commerce dans les parages où ils se trouvent.”

No. 50.

M. de Rohan Chabot to the Earl of Aberdeen.

Londres, le 20 Juillet, 1842.

(Received July 22.)

MY LORD,

Warrant issued to
the French brig
“ Zebre.”

J'AI l'honneur d'adresser ci-joint à votre Excellence un mandat delivré par le Gouvernement Anglais, au mois de Mars, 1841, en exécution des Conventions relatives à la repression de la traite. Cette pièce a cessé d'être utile, par suite du retour en France du bâtiment dont le commandant en était porteur.

J'ai l'honneur d'être, avec une haute considération, &c.

(Signé) PH. DE ROHAN CHABOT.

Son Excellence le Comte Aberdeen,

&c. &c. &c.

No. 51.

Lord Cowley to the Earl of Aberdeen.

Paris, July 22, 1842.

(Received July 24.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches, marked “ Slave Trade,” to that of the 16th of July inclusive.

I have, &c.

(Signed) COWLEY.

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

&c. &c. &c.

No. 52.

*M. de Rohan Chabot to the Earl of Aberdeen.**Londres, le 26 Juillet, 1842.**(Received July 28.)*

MY LORD,

M. LE Comte de St. Aulaire avait eu l'honneur d'informer votre Excellence que la communication qu'il avait été chargé de faire au Gouvernement de Sa Majesté Britannique sur l'affaire du navire Français "*Les Deux Sœurs*," serait complétée prochainement par la transmission de l'interrogatoire sous serment des hommes de l'équipage.

J'ai l'honneur d'adresser à Votre Excellence le résultat de l'enquête ordonnée par le Gouvernement du Roi, en conformité de l'Article 9 de la Convention du 22 Mars, 1833.

La pièce ci-jointe reproduit textuellement les plaintes consignées dans le rapport du Capitaine Seignac, et Votre Excellence y verra que la vérité des faits est attestée sous serment par le capitaine, le commandant en second du navire, et par quatre des principaux marins de l'équipage.

J'ai l'honneur d'être, avec une haute considération, &c.

(Signé)

PH. DE ROHAN CHABOT.

Son Excellence le Comte Aberdeen,
 &c. &c. &c.

Enclosure in No. 52.

Rapport du Capitaine du Navire "Les Deux Sœurs," adressé à M. le Commissaire de la Marine à Bordeaux :—

M. LE COMMISSAIRE,

Bordeaux, le 28 Juin, 1842.

LE 22 Janvier dernier, par 7° 4' de latitude, et 14° 50' de longitude, faible brise du nord, à trois heures de l'après midi, nous aperçûmes à toute vue un grand trois mâts plus rapproché que nous de la terre. A quatre heures la brise avait cessé tout-à-fait, et j'étais descendu pour diner dans la chambre. Tout à coup on vint m'avertir que cinq embarcations, sans pavillon, se dirigeaient sur nous. Je m'empressai de monter sur le pont. Au même instant, nous fûmes accostés par ces embarcations, dont les équipages nous abordèrent de toutes parts, sabres et pistolets aux poings. Celui qui paraissait le chef de la flotille me demanda brusquement :—" De quel pays venez-vous ?" " De Sierra Leone," leur dis-je. " Montrez-moi vos papiers," ajouta-t-il, d'une voix de plus en plus impérieuse.

Je fis hisser le pavillon Français, et je répondis que comme il se présentait à mon bord sans pavillon et sans uniforme, j'avais tout lieu de croire que j'étais attaqué par un pirate ; qu'en conséquence je me refusais absolument de satisfaire à sa demande, il m'apprit alors qu'il était Premier Lieutenant de la frégate Anglaise "*La Madagascar* ;" assertion dont j'ai reconnu la vérité.

" Un officier de la marine Anglaise, lui dis-je, se serait présenté à mon bord avec un uniforme, et m'aurait parlé avec plus de politesse que vous ne l'avez fait. Je persiste donc dans ma résolution de ne point vous montrer mes papiers, jusqu'à ce que vous m'avez prouvé que vous êtes réellement ce que vous prétendez être, et que vous m'avez montré en outre vos pouvoirs délivrés par le Gouvernement Français de visiter un bâtiment naviguant sous son pavillon."

Ces paroles remplirent le lieutenant de colère, il s'emporta, fit beaucoup de menaces, et me déclara qu'il prenait le commandement du navire ; puis un des officiers sous ses ordres, accompagné de plusieurs matelots, descendit dans la cale, qu'il visita minutieusement. Le lieutenant y descendit en suite, et de retour de ses investigations, il me demanda pourquoi j'avais dans mon chargement du tabac, de la Guinée, des fusils. Je lui répondis avec étonnement que ces articles étaient très importants et même de première nécessité pour la traite des produits sur la côte. A plusieurs reprises encore, il me demanda avec violence à prendre connaissance de mes papiers ; je lui répétais

constamment que j'étais décidé à ne céder qu'au droit bien établi par des preuves, et que la force n'obtiendrait rien de moi.

Alors, après avoir confié le commandement du navire à un de ses officiers, il retourna à bord de la frégate pour savoir du commodore quelle décision on devait prendre à notre égard.

Le lieutenant revint à notre bord, muni de papiers Anglais qui ne me permettaient plus de douter de sa qualité. Aussitôt je m'empressai de lui livrer les miens. Après en avoir pris lecture, il voulut les porter à son commandant. Je ne pouvais obtempérer à une pareille exigence et je le lui exprimai avec force. Il me menaça de mettre à mon bord un officier et des matelots Anglais, et de nous faire conduire et débarquer à Gallinas. Les menaces n'obtinrent rien de moi ; alors il me proposa de porter moi-même mes papiers à son commandant.

La brise avait fraîchi depuis longtems, nous étions en panne ; l'heure avancée de la nuit (il était onze heures), me faisait craindre que le matin ne nous trouvât en pour-parlers (et certes le temps m'était trop précieux pour le donner à des paroles) : après réflexion, je me décidai à envoyer mon second à bord de "La Madagascar," avec les papiers de mon navire, et à son retour, il remit au lieutenant l'ordre du commodore de nous rendre la liberté.

Voyant un de mes pilotes malade, et voulant sans doute me faire oublier leurs torts, les officiers Anglais m'envoyèrent le lendemain un chirurgien accompagné d'un jeune midshipman. Je me plaignis à ce dernier de plusieurs vols faits à mon bord par les matelots de "La Madagascar." Dans la cale avait été enlevée une grande quantité de tabac et vingt boîtes conserves alimentaires ; sur le pont un pantalon, une partie du diner de la chambre, et le sac du maître voilier où se trouvait plusieurs épissoires, des aiguilles, &c.

Le midshipman me pria de lui désigner les auteurs de ces vols ; était-ce chose en mon pouvoir, lorsque le pont de mon navire avait été inondé de matelots, qu'il nous avait été impossible de surveiller en raison de leur multitude ? Oh ! me dit le jeune homme avec légèreté, nos meilleurs matelots sont les plus voleurs. Vraiment ces paroles me parurent bien singulières de la part de cet officier.

J'ai recueilli sur la côte beaucoup de faits dans le genre de ceux que je viens d'avoir l'honneur de vous exposer, faits dont les Anglais sont encore les auteurs et les Français encore les victimes.

Que le Gouvernement ouvre les yeux ; ces petites vexations, souvent renouvelées, qui passent impunies, sont plus préjudiciables à la prospérité commerciale que ces violences éclatantes, mais rares, dont on tire raison par de l'or et du sang.

Veuillez agréer, Monsieur le Commissaire, les sentimens de haute considération avec lesquels j'ai l'honneur d'être,

Votre très humble serviteur,
(Signé) LOVELY SEIGNAC, Capitaine.

Affirment, sous serment, la vérité des faits contenus dans ce Rapport,
(Signé) E. KILIANI, Second Capitaine.
SAINTAGNAN, Maître d'équipage.
LEONARD, Matelot.
MONTEIL, Matelot.
ED. BERNARD, Pilotin.

Aujourd'hui, vingt-neuf Juin, mil huit cent quarante deux, en vertu des prescriptions contenues dans la Dépêche du 20 de ce mois, timbrée colonies, nous, Commissaire de l'Inscription Maritime, avons fait appeler les hommes de l'équipage du navire les "Deux Sœurs" de Bordeaux, armateurs MM. Candonnet, frères, venant du Sénégal, et après les avoir successivement interrogés sur les faits consignés dans le rapport, d'autre part, du Capitaine Seignac, transcrits dans le temps sur son journal de bord, ils ont déclaré, sous la foi du serment, qu'ils étaient sincères et véritables, et ont en conséquence signé :—

LE SR. KILIANI, Second Capitaine.
SAINTAGNAN (JEAN), Maître de Equipage.
BERNARD (JEAN BAPTISTE), Pilotin.

Ainsi que les matelots :—

LEONARD (BERNARD) et MONTEIL (Bd.),
seuls marins de ce bâtiment présents à
Bordeaux.

Bordeaux, les jour, mois et an que dessus.

(Signé) G. GIBONIN.

Pour copie conforme : Le Conseiller d'Etat Directeur,

(Signé) E. M. DESAYES.

Pour copie conforme.

(Signé) PH. DE ROHAN CHABOT.

No. 53.

M. de Rohan Chabot to the Earl of Aberdeen.

Londres, le 26 Juillet, 1842.

(Received July 29.)

MY LORD,

J'AI l'honneur d'adresser ci-joint à votre Excellence, comme complement aux pièces de l'affaire du navire Français le "*Marabout*" la copie d'une lettre adressée par le lieutenant du bâtiment de Sa Majesté Britannique "*La Rose*," au gouverneur de la Guyane Française.

Cette pièce contient la déclaration formelle faite par le Lieutenant Compton de rester entièrement étranger à la procédure relative au "*Marabout*," et elle constate que cet officier a volontairement faite défaut lors du jugement de cette affaire.

J'ai l'honneur d'être avec une haute considération, &c.

(Signé) PH. DE ROHAN CHABOT.

Son Excellence le Comte Aberdeen, K.T.,

&c. &c. &c.

Enclosure in No. 53.

Copie d'une lettre adressée le 14 Decembre, 1841, à M. le Gouverneur de la Guyane Française, par le Lieutenant du bâtiment de Sa Majesté Britannique "La Rose."

SIR,

French Settlement of Cayenne, December 14, 1841.

I BEG leave to acknowledge the receipt of your letter, dated the 14th day of December, 1841, regretting that you cannot comply with my request for a passage to Martinique in the French ship of war about to sail, from the representation of the captain of the "*Marabout*," and after having received notice to appear at court on the 24th day of December, 1841.

I beg leave to state that I have paid no *attention* to any papers received by me from the captain of the "*Marabout's*" attorney, nor is it my intention to appear at court; therefore, I *have again* to request you will be pleased to order myself and crew a passage in the said vessel to Martinique, and from thence to Barbadoes (the Court of Jurisdiction not requiring my services any longer), to enable me to place myself under the orders of the British naval senior officer.

I have, &c.

(Signed) JOHN COMPTON.

Pour copie conforme.

(Signé) CHARMASSON.

No. 54.

*Lord Cowley to the Earl of Aberdeen.**Paris, July 29, 1842.**(Received July 31.)*

MY LORD,

I HAVE the honour to inclose eight warrants for Her Majesty's vessels, named in the margin to be employed in the suppression of Slave Trade.

"Scylla,"
 "Ringdove,"
 "Warspite,"
 "Spider,"
 "Growler,"
 "Kite," steamer,
 "Cleopatra,"
 "Winchester."

Two other warrants were transmitted to me by M. Guizot for the "Albatross" and "Satellite," which I have returned, in order that the station of the "Albatross," which was stated in the warrant to be the Cape of Good Hope, may be altered to that of North America and the West Indies.

The warrant for the "Satellite" has been returned, it appearing by your Lordship's Despatch, marked Slave Trade, of the 16th instant, that that vessel is to be employed upon another service.

The warrants for the "Albatross," and for the five steamers mentioned in your Lordship's Despatch of the 16th instant, shall be forwarded as soon as they reach me.

It may be necessary I should observe that, although M. Guizot's letter transmitting the enclosed warrants is dated the 15th of July, it only reached me two days ago.

I have, &c.
 (Signed) COWLEY.

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

P . .

M. de Rohan Chabot to the Earl of Aberdeen.

MY LORD,

*Londres, le 1er Août, 1842.**(Received August 3.)*

UN arrêt a été rendu à Cayenne le 2 Janvier dernier déclarant n'y avoir lieu à suivre contre les hommes de l'équipage du bâtiment le "*Marabout*," arrivés à Cayenne postérieurement à l'arrêt du 2 Decembre précédant, par lequel le capitaine et deux autres hommes de l'équipage avoient déjà été renvoyés de la plainte.

Je viens de recevoir de Paris une expédition et cet arrêt, et je m'empresse de la transmettre ci-jointe à Votre Excellence, pour faire suite aux pièces que l'ambassade du Roi lui a déjà adressées sur cette affaire.

Je suis, avec une haute considération, &c.

(Signé) PH. DE ROHAN CHABOT.

Son Excellence le Comte Aberdeen,
 &c. &c. &c.

Enclosure in No. 55.

COUR ROYALE de la GUYANE FRANÇAISE.

*Arrêt de non-lieu (affaire du "Marabout.")**Du 27 Janvier, 1842.*

Louis Philippe Roi des Français à tous présents et avenir Salut.

La Cour Royale de la Guyane Française, séant à Cayenne, Chambre des Mises en Accusations, composés de Messieurs Baradat, président, Brun et Poupon, conseillers, assistés de Mr. Mérentier, Greffier en Chef, réunie en la Chambre du Conseil conformément à l'Article 218 du code d'Instruction Criminelle, a rendu l'arrêt suivant.

M. le Procureur-Général du Roi, représenté par Monsieur D'Abnour, con-

seiller auditeur délégué, est entré, et a fait le rapport de la procédure instruite à la requête du Ministère Public contre Dano, Meunier, Pichard, Lecame Guichard, Pierre Paris, Béron, Aguet, Broiseaux, David, Trimaud, matelots à bord du "Marabout," prévenus de s'être livrés à la traite des Noirs.

M. le Greffier a donné aux Juges en présence de Monsieur le Procureur-Général lecture de toutes les pièces du procès lesquelles ont été laissées sur le bureaux sans mémoire des prévenus qui n'en ont point fourni.

Monsieur le Procureur-Général, après avoir déposé sur le bureau sa réquisition écrite et signée, s'est retiré ainsi que le Greffier.

La dite réquisition tendante à ce qu'il plaise à Messieurs composant la Chambre des Mises en Accusations, renvoyer les susnommés matelots à bord du "Marabout," de l'accusation portée contre eux.

La cour, après en avoir délibéré conformément à l'Article 225 du Code d'Instruction Criminelle :

Attendu qu'il ne résulte pas de l'information, charges et indices, suffisans contre Dano, Meunier, Pichard, Lecame, Guichard, Paris (Pierre), Béron, Agret, Broiseaux, David, Trimaud, matelots à bord du "Marabout," de s'être livrés à la traite des Noirs :

Déclare qu'il n'y a lieu à suivre contr'eux.

Fait et délibéré en la Chambre du Conseil au Palais de Justice à Cayenne, le jeudi, vingt sept Janvier, 1842.

(Signé)

ATE. POUPON.

J. J. BRUN.

J. A. BARADAT ET MERENTIER, Gr.

Mandons et ordonnons à tous huissiers sur ce requis de mettre le présent arrêt à exécution à nos procureurs généraux et à nos procureurs près les tribunaux de première instance d'y tenir la main, à tous commandans et officiers de la force publique de prêter main forte lorsqu'ils en seront légalement requis.

En foi de quoi le dit arrêt a été signé par les membres de la Chambre des Mises en Accusation et par le Greffier.

La présente grosse délivrée à Monsieur le Procureur-Général.

Cayenne, le 9 Mai, 1842.

(L. S.)

(Signé)

J. LHUERRE, Gr.

Nous, Joseph Antoine Baradat, Président de la Cour Royale de la Guyane Française, séant à Cayenne, certifions que la signature apposée en l'autre part est bien celle de M. J. Lhuerre, Greffier en chef de la dite cour, et que foi doit y être ajoutée. Au Palais de Justice, à Cayenne, le 9 Mai, 1842.

(L. S.)

(Signé)

J. A. BARADAT.

Vu pour Légalisation.
Le Procureur-Général du Roi,

(L. S.)

(Signé)

J. MOREL.

Vu pour Légalisation.
Le Gouverneur de la Guyane Française,

(Signé)

CHARMASSON.

No. 56.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, August 6, 1842.

I HEREWITH transmit to your Excellency four warrants issued by the French Government to enable the commanders of Her Majesty's ships "Winchester," "Actæon," "Electra," and "Termagant," to act under the Conventions of the 30th of November, 1831, and the 22nd of March, 1833, between Great Britain and France, for the Suppression of Slave Trade; and I have

to request that your Excellency will return these warrants to the French Government, in order that they may be cancelled.

I have at the same time to instruct your Excellency to apply to the French Government for warrants to enable Lieutenant Robert B. Miller, of Her Majesty's schooner "Hornet," employed on the North American and West India station, and Lieutenant George Raymond of Her Majesty's brig "Spy," employed on the west coast of Africa, to act under the Conventions above mentioned.

I am, &c.

(Signed) ABERDEEN.

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

No. 57.

Lord Cowley to the Earl of Aberdeen.

Paris, August 12, 1842.

(Received August 14.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 6th instant.

I have, &c.

COWLEY.

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

No. 58.

Lord Cowley to the Earl of Aberdeen.

Paris, August 12 1842.

(Received August 14.)

MY LORD,

I HAVE the honour to enclose copies of two notes which I have received from M. Guizot, enclosing warrants for Her Majesty's ship "Albatross," and for the five steamers named in the margin, for the purpose of enabling them to act under the Slave Trade Conventions subsisting between the two countries.

"Sydenham,"
"Avon,"
"Spitfire,"
"Hamer,"
"Gleamer."

I have, &c.

COWLEY.

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

First Enclosure in No. 58.

M. Guizot to Lord Cowley.

MONSIEUR L'AMBASSADEUR,

Paris, le 9 Août, 1842.

JE m'empresse de transmettre à Votre Excellence, suivant le désir qu'elle m'en a témoigné, un nouveau mandat qui autorise le Commandant de "l'Albatross" à exercer le droit de visite conformément aux Conventions sur la traite.

Agreez, &c.

(Signé) GUIZOT.

Son Excellence Lord Cowley, G.C.B.,
&c. &c. &c.

Second Enclosure in No. 58.

M. Guizot to Lord Cowley.

MONSIEUR L'AMBASSADEUR,

Paris, le 11 Août, 1842.

D'APRES le désir exprimé dans la lettre que Votre Excellence m'a fait l'honneur de m'écrire le 21 Juillet dernier, je lui envoie ci-joint 5 mandats qui

en exécution des Conventions relatives à la traite des noirs autorisent les commandants des bâtiments Anglais dont les noms suivent à exercer le droit de visite à bord des navires de commerce Français dans les parages déterminés par les Conventions.

Station des Antilles.

"Sydenham" . . .	bat : à vapeur . . .	Mr. Wm. Pearson Crozier, Lieut.
"Avon"	id.	Mr. Hy. Byng id.
"Spitfire"	id.	Mr. Fra. E. T. Winthrop, id.
"Flamer"	id.	Mr. William Robinson, id.
"Gleaner"	id.	Mr. John Jeayes, id.

Agréé, &c.
(Signé)

GUIZOT.

Son Excellence Lord Cowley, G.C.B.,
&c. &c. &c.

No. 59.

M. de Rohan Chabot to the Earl of Aberdeen.

MY LORD,

Londres, 15 Août, 1842.

(Received August 17.)

J'AI l'honneur de renvoyer à votre Excellence le mandat* ci-joint délivré par le Gouvernement Anglais en exécution des conventions relatives à la répression de la traite, et qui a cessé d'être utile par suite du retour en France du bâtiment dont le commandant en était porteur; je prie votre Excellence de vouloir bien faire délivrer en exécution des mêmes conventions un mandat semblable au capitaine de corvette Jannin, commandant le bâtiment Français "l'Oreste," station des Antilles.

J'ai l'honneur d'être, avec une haute consideration, &c.,

(Signé)

PH. DE ROHAN CHABOT.

Son Excellence le Comte d'Aberdeen, K.T.,
&c. &c. &c.

* Warrant issued to the French ship of war "Alerte."

No. 60.

The Earl of Aberdeen to M. de Rohan Chabot.

Foreign Office, August 20, 1842.

THE Earl of Aberdeen presents his compliments to M. de Rohan Chabot, and has the honour to enclose to him a warrant to enable the commander of the French brig-of-war "Oreste" to act under the conventions between Great Britain and France, for the suppression of the Slave Trade, as requested in M. de Chabot's note of the 17th inst.

M. de Rohan Chabot,
&c. &c.

No. 61.

Lord Cowley to the Earl of Aberdeen.

Paris, August 26, 1842.

(Received August 28.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's despatches marked "Slave Trade" to the Circular of the 17th instant inclusive.

I have, &c.

(Signed)

COWLEY.

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

No. 62.

*Lord Cowley to the Earl of Aberdeen.**Paris, September 2, 1842.**(Received Sept. 5.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade Circular," of the 31st ultimo.

I have, &c.
(Signed) COWLEY.

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

No. 63.

*Lord Cowley to the Earl of Aberdeen.**Paris, September 2, 1842.**(Received Sept. 5.)*

MY LORD,

I HAVE the honour to inclose to your Lordship the copy of a Note I have received from M. Guizot, transmitting to me the accompanying warrants for the commanders of Her Majesty's ships "Hornet" and "Spy," which I applied for in conformity with your Lordship's instructions in Slave Trade Despatch of the 6th ultimo.

I have, &c.
(Signed) COWLEY.

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

Enclosure in No. 63.

M. Guizot to Lord Cowley.

M. L'AMBASSADEUR,

Paris le 30 Août, 1842.

J'AI l'honneur de transmettre à Votre Excellence conformément au desir qu'elle m'en a exprimé par la lettre du 16 de ce mois, deux mandats qui autorisent les commandants des bâtimens de Sa Majesté Britannique "le Hornet" et "le Spy," à exercer le droit de visite à bord des navires Français, en exécution des conventions relatives à la répression de la Traite.

(Signé) GUIZOT.

Son Excellence Lord Cowley, G.C.B.,
&c. &c. &c.

No. 64.

Viscount Canning to Lord Cowley.

MY LORD,

Foreign Office, September 8, 1842.

WITH reference to former correspondence relative to the French vessel "Marabout," I am directed by the Earl of Aberdeen to request that your Excellency will have the goodness to ascertain and to report to his Lordship whether the Cour Royale of Cayenne, before which the case of that vessel was adjudicated, is open for the transaction of business at all times of the year: and if not, what are the months in which appearance can be made before it.

I am, &c.
(Signed) CANNING.

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

No. 65.

M. de Rohan Chabot to the Earl of Aberdeen.

MY LORD,

Londres, le 10 Septembre, 1842.

(Received September 12.)

J'AI l'honneur d'adresser ci-joint à Votre Excellence un mandat* délivré par le Gouvernement Anglais en exécution des Conventions relatives à la répression de la traite, et qui a cessé d'être utile par suite du retour en France du bâtiment dont le commandant en était porteur.

Les deux bâtimens ci-après désignés étant au moment de partir de France pour veiller à la répression de la traite, je vous serai obligé, My Lord, de vouloir bien me mettre en mesure de faire parvenir aux officiers qui les commandent les mandats qui les autorisent à exercer le droit de visite à l'égard du pavillon Anglais: ces bâtimens sont:—

Le brick "*l'Euryale*," commandé par M. Allègre, capitaine de corvette, station des Antilles;

Et le brick-aviso "*La Comète*," commandé par M. Warnier de Wailly, capitaine de corvette, station du Golfe du Mexique.

J'ai l'honneur d'être, My Lord, avec une haute considération, &c.

(Signé)

PH. DE ROHAN CHABOT.

Son Excellence le Comte Aberdeen, K.T.,

&c. &c. &c.

* Warrant issued to the French ship of war "*Badine*."

No. 66.

Lord Cowley to Viscount Canning.

Paris, September 16, 1842.

(Received September 19.)

MY LORD,

HAVING referred your Lordship's Despatch, marked Slave Trade, of the 8th instant, to the law adviser of the Embassy, with directions to him to make the necessary inquiries relative to the periods when the Cour Royale of Cayenne is open for the transaction of business, I have the honour to enclose a copy of Mr. Okey's report upon that subject.

I have, &c.,

(Signed)

COWLEY.

The Viscount Canning,

&c. &c. &c.

Enclosure in No. 66.

Mr. Okey to Lord Cowley.

MY LORD,

Paris, September 15, 1842.

WITH reference to your Excellency's inquiry, whether the Cour Royale of Cayenne is open for the transaction of business at all times of the year, and if not, what are the months in which appearance can be made, I have the honour to acquaint your Excellency that the result of my inquiry at the law department of the Ministère des Colonies, and of reference to the ordonnance on the subject is, that during the months of September and October no appearance can be made in this Court, but that in the months of November, January, March, May, and July the Court is open for all "*matières civiles et correctionnelles*."

I have, &c.,

(Signed)

C. H. OKEY.

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

&c. &c. &c.

No. 67.

*The Earl of Aberdeen to M. de Rohan Chabot.**Foreign Office, September 21, 1842.*

THE Earl of Aberdeen presents his compliments to M. de Rohan Chabot, and has the honour to transmit to him two warrants, to enable the commanders of the French vessels "*Euryale*" and "*Comète*" to act under the Conventions between Great Britain and France for the Suppression of the Slave Trade, as requested in M. de Chabot's note of the 10th instant.

No. 68.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, October 1, 1842.

I HEREWITH transmit to your Excellency eight warrants, which, in pursuance of the Conventions between Great Britain and France of the 30th November, 1831, and 22nd March, 1833, on Slave Trade, were issued by the French Government for the ships of Her Majesty's navy named in the margin of this Despatch; and I have to request that your Excellency will be pleased to return these warrants to the French Government, in order that they may be cancelled.

I have also to desire that your Excellency will request that orders may be given for the issue of a warrant to enable the commanding officer of Her Majesty's ship "*Daphne*," Captain John James Onslow, on the Brazil station, to act under the above-mentioned Conventions.

I am, &c.

(Signed)

ABERDEEN.

His Excellency Lord Cowley, G.C.B.

&c. &c. &c.

No. 69.

*Count St. Aulaire to the Earl of Aberdeen.**Londres, le 10 Octobre, 1842.*

MY LORD,

(Received October 11.)

J'AI l'honneur d'informer Votre Excellence que le brick le "*Nisus*," commandé par M. le capitaine de corvette Baudin, est au moment de partir pour la station des Côtes Occidentales d'Afrique pour y veiller à la répression de la traite. Je prie Votre Excellence de vouloir bien me mettre à même de transmettre à mon Gouvernement le mandat qui autorise le commandant du "*Nisus*" à exercer le droit de visite à l'égard du pavillon Anglais.

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

Son Excellence le Comte Aberdeen,

&c. &c. &c.

(Signé)

ST. AULAIRE.

No. 70.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, October 15, 1842.*

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and has the honour to enclose to him a warrant to enable the commander of the French brig-of-war "*Nisus*" to act under the Conventions between Great Britain and France for the Suppression of the Slave Trade, as requested in Count St. Aulaire's note of the 10th instant.

His Excellency Count St. Aulaire,

&c. &c. &c.

No. 71.

Lord Cowley to the Earl of Aberdeen.

Paris, October 17, 1842.

(Received October 20.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 1st October instant.

I have, &c.

(Signed) COWLEY.

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

No. 72.

Count St. Aulaire to the Earl of Aberdeen.

Hertford House, le 20 Octobre, 1842.

(Received October 21.)

LE Soussigné, Ambassadeur de Sa Majesté le Roi des Français près la Cour de Londres, à reçu l'ordre d'appeler l'attention de Son Excellence le Comte d'Aberdeen, Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères, sur un procès-verbal qu'il a l'honneur de lui envoyer ci-joint en original dressé le 7 Juillet dernier à bord du bâtiment de commerce Français "*l'Aigle*," Capitaine Brue, et duement affirmé devant le Commissaire de la Marine à Marseille conformément à l'article 9 de la Convention du 22 Mars 1833. Il résulte de cette pièce que plusieurs abus ont été commis dans l'exercice du droit de visite à bord de ce navire par le croiseur Anglais le "*Cygné*," Capitaine Edmond Wilson. Ces abus consisteraient :

1. En ce que "*l'Aigle*" aurait été semoncé à coups de canon à boulet.
2. En ce qu'il aurait été détourné de sa route et forcé à une manœuvre qui aurait pu compromettre sa sûreté.
3. En ce que la visite aurait été faite par deux hommes sans uniforme, dont le grade n'aurait pu être reconnu, et dont l'un se serait même trouvé en état d'ivresse : et
4. En ce que ces visiteurs auraient refusé d'inscrire leur visite sur le livre de bord conformément à l'article 6 de la convention du 30 Novembre 1831.

Le Soussigné est chargé en transmettant cette pièce à Son Excellence le Comte d'Aberdeen, de demander que la conduite du Commandant du "*Cygné*," dans cette circonstance, soit soumise à une enquête, et il attache d'autant plus de prix à recevoir sur ce point une réponse prochaine du Gouvernement de Sa Majesté Britannique que les réclamations nombreuses auxquelles l'exercice du droit de visite par les croiseurs Anglais a malheureusement donné lieu depuis plusieurs mois dans la Marine marchande de France ont dû sérieusement fixer l'attention du Gouvernement Français.

Le Soussigné saisit cette occasion pour renouveler à Son Excellence le Comte d'Aberdeen les assurances de sa haute considération.

(Signé) ST. AULAIRE.

Son Excellence le Comte Aberdeen,
 &c. &c. &c.

Enclosure in No. 72.

CEJOURD'HUI, vingt-sept Septembre, mil huit cent quarante-deux, par-devant nous, J. d'Heureux, commissaire de l'instruction maritime, au quartier de Marseille, s'est présenté le Sr. Brue, capitaine du brick Français "*l'Aigle*," arrivé en ce port le 25 précédant, lequel nous a remis la déclaration ci dessus, conformément à l'art. 9 de la convention passée le 22 Mars, 1833, entre la France et l'Angleterre, laquelle déclaration il a affirmée sous serment, dans tout son contenu.

Ont également comparu les nommés :

Martin, J. B., 2^e capitaine.
 Ribaud, Pierre Just, maître d'équipage.
 Bruno, André, cuisinier.
 Bonnegard, Gabriel, matelot.
 Santi, D., matelot.
 Chapalain, Noel, matelot.
 Balestrino, J. B., matelot.
 Rosa, Jean, matelot.
 Suiffet, Paul, novice.
 Caradec, J., id.
 Sauvaire, Laurent, id.
 Moulard, Jules, mousse.
 Perez, J., matelot gagnant son passage.
 Baez, Diego, id.
 Fernandez, J., id.
 Gonzalves, Tanaro, id.
 D'Huviller, Ernest, passager.

Les nommés Eloriaga, Angel; Calvo, J.; le nègre Loriaya, passagers témoins de la visite, ayant été débarqués sur la côte d'Espagne.

Lesquels, après avoir écouté la lecture de la dite déclaration, qu'ils avaient signée, ayant été interrogés sous serment sur les faits qu'elle contient, en ont entièrement affirmé le contenu et ont déclaré n'avoir rien à y ajouter.

Après quoi, nous avons dressé, à la suite de ladite déclaration, et en exécution de l'art. 9 de l'ordonnance précitée, le présent procès-verbal que le capitaine, les hommes de l'équipage et les passagers ont signé avec nous en double expédition, dont une sera adressée à S. E. le Ministre de la Marine, et l'autre remise au capitaine.

Marseille, les jour, mois, et an que dessus.

(Signé)	BRUE, Capitaine.	SUIFFET.
	J. B. MARTIN.	CARADÉC.
	RIBAUD, PIERRE.	SAUVAIRE.
	ANDRE BRUNO.	MOULARD.
	SANTI.	JOSE PEREZ.
	BALESTRINO.	DIEGO BAEZ.
	ROSA, JEAN.	ERNEST D'HUVILLER.

Le Commissaire de l'Instruction Maritime,
 (Signé) D'HEUREUX.

Partis de Whydah à six heures du matin, les vents faibles à la partie du S.S.O., la mer très grosse du sud; et les courants portant dans l'est trois milles par heure (estimés par le chronomètre) à cinq heures du soir, nous étions parvenus au point de six degrés quatre minutes de latitude nord; et trente-sept minutes de longitude est, lorsque, ayant cru reconnaître que la voile aperçue sous le vent, depuis environ une heure, étoit un navire croiseur du gouvernement Britannique, nous avons à l'instant arboré nos couleurs; mais à cinq heures et demies le brick Anglais, n'étant pas satisfait de cette reconnaissance, nous à tiré un coup de canon, duquel des hommes du bord disent avoir vu tomber le boulet par notre travers à la distance d'une encablure. Nous avons ensuite cargué notre grande voile, pour éviter la récurrence; un moment après et nous en a tiré un second, qui est tombé à petite distance, et encore par notre travers, pour éviter des avanis nous avons laissé arriver. A notre manœuvre, le commandant Anglais, au lieu de continuer sa bordée, et faire toute sa diligence pour nous joindre, a cargué ses basses-voiles et brassé ses voiles sur le mât derrière; arrivés par son travers, à petite distance nous avons aussi brassé nos voiles, pour nous mettre à sa disposition. Un canot à poussé de son bord; deux hommes sans aucun uniforme et dans un costume que nous comparons assez volontiers à celui de garde magasin dans la marine Française, sont montés à bord, l'un d'eux m'a présenté l'autorisation du ministre Français, pour visiter les navires de notre nation. Quoique la démarche fut illégale, et l'action arbitraire, j'ai été obligé de céder à la force, et leur ai livré mon navire, et ma cargaison, j'ai protesté

au nom de mon gouvernement contre l'acte illegal et arbitraire, et à celui de mes armateurs et assureurs; contre les évènements que le retard peut m'occasionner vu la difficulté dans laquelle nous sommes de doubler le Cap Formoso, qui est très dangereux. Le capitaine du croiseur appelé le "Cygne," a répondu à mon protêt, et, après nous avoir fait garder le travers pendant deux heures et demies, les deux hommes, dont l'un était *pris de boisson*, nous ont laissé liberté de manœuvre, sans apostiller comme d'usage le journal du bord.

En qualité de capitaine du brig Français "*L'Aigle*," et sentant combien de pareilles vexations sont faites dans le but de décourager notre marine marchande, et entraver notre commerce, je dresse le présent procès-verbal le fera valoir qui du droit, et le signe avec mon équipage et passagers, le sept Juillet, mil huit cent quarante deux à huit heures du soir.

BRUE.

J. B. MARTIN.

ANGEL ELORIAGA.

ERNEST D'HUVILLER.

SANTI.

NICCOLO BIANCHINI.

RIBAUD, PIERRE.

ANDRE BRUNO.

SUIFFET.

BALESTRINO.

SAUVAIRE, LAURENT.

CARADEC.

JOSE CALVO.

DIEGO BAEZ.

JOSE PEREZ.

Les denommés ci-dessous ne sachant écrire font la croix :

GABRIEL BONNEGARD.

X

CHAPALAIN.

X

GONZALVES.

X

FERNANDEZ.

X

No. 73.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, October 26, 1842.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which his Excellency Count St. Aulaire addressed to him on the 20th instant, complaining of abuses alleged to have been committed by officers of Her Majesty's ship "Cygnet," on the occasion of visiting the French merchant vessel "*L'Aigle*," in pursuance of the conventions between Great Britain and France, for the Suppression of the Slave Trade.

The Undersigned has the honour to acquaint Count St. Aulaire that Her Majesty's Government have directed a strict inquiry to be instituted into the several circumstances detailed in his Excellency's note; and as soon as a statement of the result of that inquiry shall reach Her Majesty's Government, the Undersigned will again have the honour of addressing Count St. Aulaire on the subject.

The Undersigned, &c.

(Signed)

ABERDEEN.

His Excellency Count St. Aulaire,

&c. &c. &c.

No. 74.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, October 26, 1842.

THE Undersigned, &c., has received the communication addressed to him by his Excellency Count St. Aulaire, &c., on the 19th of April, 1842, enclosing copies of certain documents respecting the detention of the French vessel "*Marabout*" by Her Majesty's sloop "*Rose*," upon suspicion of Slave Trade, and the trial of the "*Marabout*" on that charge at Cayenne; and containing demands of the French Government thereupon.

The Undersigned has also received from the Count de Rohan Chabot two

notes enclosing papers upon the same subject; the first of these notes dated the 26th of July, and the second of the 1st of August last.

The several papers transmitted to the Undersigned in these communications have been referred to the proper department of Her Majesty's Government for a Report thereupon.

With respect to the first requisition in his Excellency's note—namely, that provision should be made for payment of the award given against the commander of the "Rose" for damages to the owner of the "*Marabout*"—the Undersigned has the honour to acquaint the Count St. Aulaire that the Report delivered in to Her Majesty's Government contains an opinion that this is a case in which it will be proper for them to take such measures as the laws of France admit, for inducing an alteration of the sentence passed in the courts at Cayenne in respect thereto.

Her Majesty's Government concur in this view; and the Undersigned has therefore to request that the Count St. Aulaire will communicate to his Government the intention of Her Majesty's Government to the effect here stated.

For this purpose it will be essential that Her Majesty's Government should be supplied with all the information attainable upon the subject; and as it is believed that the several papers which the French Government has had the goodness to transmit to the Undersigned do not contain transcripts of all the proceedings which passed, and all the papers which were presented upon the trial of the "*Marabout*" at Cayenne, the Undersigned, with reference to the 10th Article of the Convention of the 22nd March, 1833, has now to request, through the Count St. Aulaire, that the French Government will give orders for furnishing to Her Majesty's Government such papers, in addition to those already sent, as shall complete "copies of all the proceedings instituted, and judgments given in the case."

The Undersigned has at the same time to request that Count St. Aulaire will assure his Government that Her Majesty's Government have not lost sight of the other requisitions contained in his Excellency's note; and that directions have been given for instituting a severe examination into the conduct of the several officers and men in Her Majesty's service employed upon the occasion of the detention of the French vessel "*le Marabout*," and in the proceedings which subsequently took place with respect to the crew and passengers who were found on board of that vessel, with the view of rendering full justice on those points in which it may appear that justice may be due from Her Majesty's Government or subjects to the Government of France, or to the French subjects concerned.

In the meantime the Undersigned has to observe that the warrant granted to Captain Christie for acting in command of the "Rose," in execution of the Conventions with France on Slave Trade, was returned to the French Government through Her Majesty's Ambassador at Paris, in the month of July last.

But with reference to the allegations brought forward in Count St. Aulaire's note, on the part of the master and mate of the "*Marabout*," that Captain Christie was guilty of a violation of the 4th Article of the Instructions annexed to the Convention of the 22nd March, 1833, inasmuch as he had neglected to take or send immediately to Cayenne the officers, crew, and passengers on board the "*Marabout*," the Undersigned has to transmit to Count St. Aulaire, for the information of his Court, the accompanying copy of a declaration made by Captain Christie on the day on which he removed a portion of the crew and passengers from the "*Marabout*," stating, in conformity with the Regulations provided by the Convention for such an emergency, the reasons which made it imperative on him to adopt the measures on which the master and mate of the "*Marabout*" have founded a complaint.

The Undersigned, &c.,

ABERDEEN.

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

Enclosure in No. 74.

I, PETER CHRISTIE, Esq., commander of Her Britannic Majesty's sloop "Rose," hereby certify that, on the 27th day of September, 1841, being in or about latitude 12° 56' south, longitude 38° 0' west, I detained the vessel named the "Marabout," sailing under French colours, armed with 2 carronades, 18-pounders, 6 muskets and bayonets, 2 pistols, 8 swords, 1 blunderbuss, and 1 sword belonging to the captain; commanded by Hipolite Paul Dejoie, who declared her to be bound from Bahia to the Coast of Africa, with a crew consisting of 14 men and 11 passengers.

I do further declare that, finding it necessary to remove some of the crew, together with ten passengers, the former for the safety of the prize-crew, and the latter being subjects of Portugal and the Brazils, I did on the 29th of September, 1841, remove 11 of the crew and 10 passengers on board Her Britannic Majesty's sloop "Rose."

I beg to state that as no one on board the "Marabout" knows anything about the female passenger, except the master of the vessel, I have sent her with him. The rest of the passengers and crew shall be disposed of as may be decided by the French authorities at Bahia, or any port I may put into.

Given under my hand on board the "Rose," at sea, this 29th September, 1841.

(Signed) P. CHRISTIE, *Commander.*

(Witnesses.)

(Signed) P. CAMPBELL.
J. COMPTON.

No. 75.

Lord Cowley to the Earl of Aberdeen.

Paris, October 25, 1842.

(Received October 27.)

MY LORD,

I HAVE the honour to inclose to your Lordship the copy of a note I have received from M. Guizot, transmitting to me the accompanying warrant for the commanding officer of her Majesty's ship "Daphne," which I applied for in conformity with your Lordship's instructions contained in the Despatch marked Slave Trade of the 1st instant.

I have, &c.

(Signed) COWLEY.

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

Enclosure in No. 75.

M. Guizot to Lord Cowley.

MONSIEUR L'AMBASSADEUR,

Paris, ce 18 Octobre 1842.

J'AI l'honneur de transmettre ci joint à Votre Excellence conformément au desir qu'elle m'en a exprimé par sa lettre du 6 de ce mois, un mandat qui autorise le commandant du bâtiment de Sa Majesté Britannique le "Daphné," à exercer le droit de visite à bord des navires Français en exécution des Conventions relatives à la repression de la traite.

Agréé, &c.,
(Signé) GUIZOT.

Son Excellence Lord Cowley, G.C.B.,
&c. &c. &c.

No. 76.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, November 2, 1842.

I HAVE to instruct your Excellency to apply to the French Government for a warrant, to enable Commander the Honourable Swynfen T. Carnegie, of her Majesty's sloop "Orestes," about to be employed on the North American and West India station, to act under the conventions of the 30th November, 1831, and the 22nd March, 1833, between Great Britain and France for the suppression of Slave Trade.

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

I am, &c.
(Signed) ABERDEEN.

No. 77.

Count St. Aulaire to the Earl of Aberdeen.

MY LORD,

Londres, 3 Novembre, 1842.

(Received November 5.)

LES batimens ci-dessous indiqués viennent d'être désignés par le Gouvernement du Roi pour veiller à la répression de la Traite. Je prie votre Excellence de vouloir bien me mettre en mesure de faire parvenir aux Commandants de ces batiments les mandats qui les autorisent à exercer le droit de visite à l'égard du pavillon Anglais :

1. "Le Papillon," brick aviso de 12, commandé par M. Allègre (Felix Augustin) capitaine de corvette. *Station des Antilles.*

2. "L'Estafette," goelette de 6, commandée par M. Mancel, lieutenant de vaisseau. *Station des Antilles.*

J'ai aussi l'honneur de porter à votre connaissance, my Lord, le changement de station de la "Doris," qui passe de la station du Brésil à celle des Antilles.

Votre Excellence trouvera ci-joint plusieurs mandats* qui sont devenus inutiles par suite du retour en France des batiments dont les commandants en étaient porteurs.

Veillez recevoir, my Lord, l'assurance de ma haute consideration.

ST. AULAIRE.

Son Excellence le Comte Aberdeen,
&c. &c. &c.

* Warrants issued to the French vessels, "Bordelaise," "Acyone," "Cuirassier," "Ariane," "Andromède," and "Minerva."

No. 78.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, November 7, 1842.

THE Undersigned, &c., with reference to the note which on the 26th ultimo he addressed to his Excellency the Count St. Aulaire, &c., respecting the detention of the French vessel "Marabout" by her Majesty's ship "Rose," Commander Christie, has now the honour to acquaint his Excellency that he has received a communication from the Admiralty, stating that Vice-Admiral Sir Edward King, who was commander-in-chief of her Majesty's naval forces on the Brazil station at the time of the detention of the "Marabout," is now on his way to England, and that immediately upon the arrival of the admiral in this country, a severe investigation will be instituted into the conduct of the officers and men in her Majesty's service implicated in the charges preferred against them in Count St. Aulaire's communication of the 19th of April, 1842.

As those persons are already in England, the undersigned has every reason to expect that no long time will elapse before he will be enabled to communicate to the Count de St. Aulaire the result of the inquiry into their conduct.

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

The Undersigned, &c.
(Signed) ABERDEEN.

No. 79.

*Count St. Aulaire to the Earl of Aberdeen.**Londres, le 8 Novembre, 1842.**(Received November 8.)*

LE Protocole du 20 Fevrier, 1842, étant resté ouvert pour la France, le Soussigné, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté le Roi des Français près Sa Majesté Britannique, a l'honneur d'informer son Excellence le Comte Aberdeen, Principal Secrétaire d'Etat de Sa Majesté Britannique, pour les Affaires Etrangères, d'après les instructions qu'il vient de recevoir que le Gouvernement du Roi ayant pris en grande considération les faits graves et notoires qui depuis la signature de la Convention du 20 Décembre, 1841, sont survenus à ce sujet en France a jugé de son devoir de ne point ratifier la dite Convention.

Le Soussigné doit ajouter, également d'après les ordres de son Gouvernement, que cette ratification ne devant non plus avoir lieu plus tard, il n'existe désormais, en ce qui concerne la France, aucun motif pour que le Protocole demeure ouvert.

Le Soussigné saisit cette occasion de renouveler au Comte Aberdeen l'assurance de sa haute considération.

(Signé) ST. AULAIRE.

Son Excellence le Comte Aberdeen, K. T.,
 &c. &c. &c.

No. 80.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, November 8, 1842.*

MY LORD,

WITH reference to previous correspondence with your Excellency respecting the French vessel "*Marabout*," detained by Her Majesty's ship "*Rose*," Commander Christie, and carried to Cayenne for trial, upon a charge of being equipped for Slave Trade, I herewith transmit to your Excellency, for your information, copies of a correspondence which has recently passed upon this subject between the Count St. Aulaire and myself, and between the Under Secretary of State for this Department, and Her Majesty's Treasury, and the Admiralty.

I have to desire that your Excellency will not lose any opportunity which may offer of forwarding the views of Her Majesty's Government, by obtaining and transmitting to this office any information which you may be able to procure upon the subject of the trial of the "*Marabout*."

I am, &c.

(Signed)

ABERDEEN.

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

First Enclosure in No. 80.

Count St. Aulaire to the Earl of Aberdeen, April 19, 1842.

(See No. 24, page 11.)

Second Enclosure in No. 80.

The Earl of Aberdeen to Count St. Aulaire, October 26, 1842.

(See No. 74, page 81.)

Third Enclosure in No. 80.

Mr. Addington to the Secretary of the Admiralty.

SIR,

Foreign Office, October 26, 1842.

WITH reference to previous correspondence on the subject of the French vessel "*Marabout*," detained by Her Majesty's ship "*Rose*," on suspicion of

Count St. Aulaire,
 April 19, 1842.
 To Ct. St. Aulaire,
 Oct. 26, 1842.
 To Admiralty,
 Oct. 26, 1842.
 Treasury,
 Oct. 28, 1842.
 To Admiralty,
 Nov. 2, 1842.
 To Treasury,
 Nov. 2 1842.
 Admiralty,
 Nov. 1, 1842.
 To Ct. St. Aulaire
 Nov. 7, 1842.

being engaged in Slave Trade, and carried to Cayenne for adjudication, I am directed by the Earl of Aberdeen to transmit to you the accompanying copy of a Note and its Enclosures from the French Ambassador at this Court on the case of the vessel in question.

I am to request that in laying these papers before the Lords Commissioners of the Admiralty, you will draw the attention of their Lordships to the complaints made by the French Ambassador against the officers and men in Her Majesty's service who were engaged in the detention of the "*Marabout*," and in navigating her to Cayenne; and also to the ill-usage said to have been experienced by that part of the crew and passengers of the "*Marabout*" who were sent from Rio de Janeiro to Cayenne in Her Majesty's steam-vessel "*Ardent*;" and, furthermore, to the instructions which his Excellency requests may be issued for preventing a recurrence of acts similar to those complained of.

And I am to request that you will move their Lordships to direct that a severe investigation may be instituted without delay into each of the accusations against the British officers and men referred to in the enclosed documents, and that you will communicate to Lord Aberdeen the result thereof, together with their Lordships' observations thereupon, to enable his Lordship to return an answer to the French Ambassador.

I am at the same time to observe that Commander Christie alleges as his reason for not accompanying the "*Marabout*" to Cayenne, that his orders did not permit him so to do, but that no copy of such orders appears in the proceedings before the Court, or has been transmitted to this office; and I am also to observe that it does not appear from the papers in the Foreign Office whether the declaration made by Commander Christie on the 29th September, on his removal of part of the crew and passengers of the "*Marabout*," was or was not delivered into the Court at Cayenne, and that it will be desirable to ascertain whether this latter formality was duly observed.

The Secretary of the
Admiralty.

I am, &c.
(Signed) H. U. ADDINGTON.

Fourth Enclosure in No. 80.

Mr. Trevelyan to Viscount Canning.

MY LORD,

Treasury Chambers, October 28, 1842.

I AM commanded by the Lord Commissioners of Her Majesty's Treasury to transmit to your Lordship a Report from Mr. Rothery, dated the 17th instant, on the subject of the seizure of the French vessel "*Marabout*," which was brought under their Lordships' notice by your letters dated the 30th July and the 10th August last, and I am to request that in laying this Report before the Earl of Aberdeen you will state to his Lordship that my Lords have observed with much pain the exorbitant charge, in the shape of damages, which has been imposed upon the funds of this country, owing to a total absence of the most ordinary precautions to ensure a fair trial of the case before the French Tribunals.

Their Lordships desire me to suggest that the Lords Commissioners of the Admiralty should be requested to require from Captain Christie, the commander of the capturing vessel, and Lieutenant Compton, who was intrusted with the conveyance of the "*Marabout*" to Cayenne, an explanation of their conduct in this matter.

The former officer should be particularly called upon to explain what were the instructions under which he considered himself obliged to convey the most essential witnesses to a distance from the place where the trial was to take place; and the latter will have to show why, instead of a criminal indictment being laid against individuals, the proceedings in the French Court were not instituted in the usual manner against the ship and cargo, with a view to their confiscation; and why, when the second trial for the assessment of the damages came on, he left the colony, and suffered judgment to go by default, which was the immediate cause of such excessive damages being awarded.

Lieutenant Compton should also be called upon to state what steps were taken by him to obtain proper legal assistance.

Lord Aberdeen will observe that allegations of misconduct on the part of the crew which was put on board the captured vessel to convey her to Cayenne, are contained in the proceedings; and his Lordship will no doubt be of opinion that the correctness of these statements should be carefully investigated.

Their Lordships concur in opinion with the Earl of Aberdeen that proceedings should be immediately instituted in the French Courts, with a view either to obtain the condemnation of the vessel, a course which would appear from Mr. Rothery's Report to be still open to consideration, or, at any rate, to procure a reduction of the damages within reasonable limits; and they will be happy to co-operate with his Lordship in any measure which he may consider necessary for this purpose.

I am further desired to suggest that Mr. Rothery should be instructed to confer with the Queen's Advocate upon the subject; and that after obtaining from Captain Christie and Lieutenant Compton any explanation which may appear to them to be required, they should report to the Earl of Aberdeen the specific steps which they would recommend to be taken; in determining upon which careful attention should be paid to avoid every expense which is not essential to the object in view, and an estimate should likewise be prepared of the cost of the measures proposed to be adopted, so far as it can be ascertained beforehand.

In order to prevent a recurrence of similar difficulties, their Lordships likewise desire me to suggest that Instructions be prepared under Lord Aberdeen's directions, in communication with the Lords Commissioners of the Admiralty, pointing out in a manner which will admit of no misapprehension the steps necessary to be taken in order to bring cases of this description in a proper manner before the French Tribunals, and that these instructions should be furnished to all the commanders of Her Majesty's vessels employed in cruising against the Slave Trade, for their future guidance.

I am to request that Mr. Rothery's Report may be returned to the Treasury when no longer required by the Earl of Aberdeen.

I am, &c.

(Signed)

C. E. TREVELYAN.

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

Sub-Enclosure in Fourth Enclosure in No. 80.

To the Right Honourable the Lords Commissioners of Her Majesty's Treasury.

May it please your Lordships,

IN obedience to your Lordships' commands I have perused and considered the several documents herewith returned, consisting of a letter from Lord Canning addressed to your Lordships' secretary, dated the 30th of July last, transmitting, by direction of Lord Aberdeen, various original documents and copies of letters and papers, in a volume paged from 1 to 860, respecting the French brig "*Marabout*," detained by Her Majesty's Sloop "*Rose*," P. Christie, Esq., commander, upon suspicion of her being concerned in the Slave Trade. I have also perused and considered a further letter from Lord Canning to your Lordships' secretary, dated the 10th of August last, transmitting copies of two notes from the French Chargé d'Affaires at this Court, with further documents relative to the said captured vessel.

I do most humbly report to your Lordships that it appears from these documents that the French vessel the "*Marabout*," Hipolite Paul Dejoie, master, laden with a cargo consisting of spirits, tobacco, and other assorted goods, as per manifest, quitted Bahia on the 26th of September, 1841, bound for the Coast of Africa, manned with a crew of 14 men, including the master, and having on board eleven passengers, shipped at Bahia, and going to the Coast of Africa.

It appears that on the 25th September, 1841, Captain P. Christie, commander of Her Majesty's sloop "*Rose*," whilst cruising off Bahia, was informed by the master of a Portuguese bark that a French brig, the "*Marabout*," was about to sail on the following day from Bahia to the Coast of Africa, and that

it was suspected that she was about to be employed in the illicit Traffic in Slaves. Captain Christie therefore waited for her off that port, and a little before dark of the 26th observed her coming out of the harbour; but it being too dark to keep her in sight, Captain Christie shaped the course it was most likely she would pursue. Not seeing her, however, at daylight of the following morning, he concluded that the "Rose" had outsailed her, and he thereupon returned towards Bahia, and about 9 A.M. of the 27th, got sight of the brig; and shortly afterwards, being then in lat. $12^{\circ} 56'$ south, long. $38^{\circ} 35'$ west, came up with her, and immediately sent an officer on board, who upon his return reported that she had a great number of planks in her hold, and had in other respects a suspicious appearance. Accordingly Captain Christie himself went on board, accompanied by his first-lieutenant, and then discovered that she was fitted with shifting beams, and planks to lay over them, sufficient to form a second, or slave-deck, capable of containing 300 or 400 slaves, and that there was also a shifting bulkhead to separate the males from the females. Captain Christie, therefore, considering that a violation of the 2nd and 3rd clauses of the 6th Article of the Treaty between this country and France, dated the 22nd March, 1833, had been committed, immediately seized her, and in his official despatches to the British Minister at Rio, as also to his Admiral on the station, Captain Christie states as his reasons for seizing the "*Marabout*," that she had on board about 140 planks, regularly laid on shifting-beams, forming a complete second or slave-deck fore and aft, and a shifting bulkhead, calculated to separate the males from the females, more water-casks than sufficient for her crew and passengers, a greater quantity of farinha, jerked beef, &c. than could be used during the passage, and which were not mentioned in the manifest.

Upon its becoming known that Captain Christie had seized the vessel, a bundle of papers was thrown overboard, which was picked up with great difficulty, by one of the boats of the "Rose," and was found to contain from 30 to 40 letters, many of them directed to some of the principal slave-dealers on the coast of Africa.

On the 29th of September, the second day after the capture, the following report, in writing, was made by two of the Lieutenants of the "Rose," viz.: Lieutenant Campbell and Lieutenant Compton; and by Mr. Hobart the mate, and Mr. Haves the carpenter of that vessel.

"We whose names are hereunto subscribed belonging to Her Majesty's sloop 'Rose,' having been present at the search made on board the detained brig or vessel named the '*Marabout*,' make the following statement:—

"That on clearing away a part of the cargo, we found planks regularly laid on shifting rafters for a slave-deck, likewise a shifting bulkhead, such as is used in slavers. On the afterpart of this slave-deck we found 13 barrels of farinha, 8 packages of jerked-beef, and 4 bags of rice. On the fore-deck we found one bolt with three shackles, and on clearing away a quantity of wood, we discovered 4 large casks of water, containing about 100 gallons each, making in all 18 casks, being 4 more than the captain acknowledged having on board. On deck we found a number of small empty casks, likewise three copper suckers, such as are used for pumping water out of large casks. The cargo is such as is generally used in bartering for slaves, such as tobacco, spirits, bale goods, knives, beads, &c. And we further declare that from what we have seen, as above stated, we are of opinion that the said brig is engaged in the illicit Traffic for slaves.

"Given under our hands, on board the "*Marabout*," this 29th September, 1841.

"T. CAMPBELL, Lieutenant.

"J. COMPTON, Lieutenant, Prize-master.

"A. C. HOBART, Mate.

"JOHN HAVES, Carpenter.

Your Lordships will perceive that the number of planks on board this vessel, at the time of the seizure, is not mentioned in the report of these officers. This omission is, however supplied by the subsequent report of the carpenter of the "Rose" to Captain Christie, wherein he states that there were 125 planks on board: this report is as follows, viz.:—

SIR, " *Her Majesty's Sloop Rose, at Sea, Oct. 1, 1841.*

" We found in the first three tiers 79 planks and a bulkhead, fitted abaft, with 24 short planks, which could be shifted to any place in the hold for female slaves. Abaft the bulkhead a platform of loose planks was laid, reaching the cabin bulkhead, 22 planks in number: there were 8 beams fitted on the clamps, which rendered the deck as a complete slave-deck.

" J. HAVES, Carpenter."

The number of planks stated in this report of the carpenter is, as it appears to me, much greater than this vessel ought to have carried upon the voyage in which she was engaged, and justified Captain Christie in his suspicions that a breach of the Treaty with France had been committed, and was sufficient to authorise his sending this vessel to Cayenne for inquiry before the proper tribunal at that place. In order, however, to prevent any attempt at rescue, Captain Christie removed 11 of the crew, and 10 of the Passengers, to *Her Majesty's sloop "Rose,"* leaving on board the "*Marabout*" the master, the cook, and the cabin-boy, and one passenger, a female of the name of Maria Lobo, and placed Lieutenant Compton on board as prize-master, with 7 men from the "*Rose*," to navigate her to Cayenne, there to be proceeded against by the properly constituted authorities, in conformity with two Conventions entered into between this country and France, dated the 30th of November, 1831, and 22nd of March, 1833.

It certainly would have been more desirable, and more in conformity with the stipulations of these conventions, had Captain Christie accompanied the "*Marabout*" to Cayenne: had he done so, it is probable that a very different result would have been the consequence. It is, however, stated that the instructions which he had received from the British Admiral on the station, as to the extent of his cruising-ground, were so peremptory that he could not, without committing a breach of duty, have proceeded to Cayenne, that place being beyond the limits assigned to him; and accordingly, after accompanying the "*Marabout*" from the 27th September to the 30th of that month, the two vessels separated, the "*Rose*" proceeding to Bahia, where she arrived with 11 of the crew and 10 of the passengers on the 11th of October, and the "*Marabout*" to Cayenne, where she arrived on the 19th of October.

It is much to be lamented that any circumstances should render it necessary that one of *Her Majesty's* vessels, authorised to detain French vessels engaged in the illicit Traffic in Slaves, should not have been armed with adequate powers, having effected a capture, to take those steps which the seizure must have occasioned, and to procure such an investigation as might end in a just and correct decision. A similar observation applies that the witnesses to be examined on the part of the captors were not forwarded direct to Cayenne, for from that circumstance alone great injury has resulted.

Upon the arrival of the "*Rose*" at Bahia a protest was entered immediately by Monsieur C. de Vallat, the French Consul Elève at that place, against the legality of the detention of the "*Marabout*," as also against Captain Christie, for his having illegally detained French subjects on board the "*Rose*," and claim made for all losses that might result therefrom.

This protest was extended on the 12th and 13th of October. Monsieur Vallat also demanded of Mr. Edward Porter, the British Consul at Bahia, the immediate liberation of the French crew then on board the "*Rose*," and much correspondence passed between these two gentlemen and Captain Christie, as also with his Excellency the Senhor Vasconcellos, the Brazilian President of the province, relative to the Brazilian passengers, also detained on board the "*Rose*." The result of this correspondence was, that Captain Christie expressed his willingness to give up these persons, provided an assurance was given to him in writing by the French Consul that the crew and passengers should be forwarded forthwith to Cayenne: but as Monsieur Vallat, the acting French Consul, in his several letters, took no notice whatever of the assurances required by Captain Christie, he very properly, as I submit, concluded, from the silence of the French Consul Elève on that point, that he was not willing to take upon himself that responsibility, and Captain Christie then proceeded with the part of the crew and passengers in the "*Rose*" to Rio de Janeiro, where they arrived on the 28th of October.

Captain Christie thereupon addressed himself to his Excellency Mr. Hamilton, the British Minister at that place, detailing the circumstances of the capture of the "*Marabout*," and of his having sent her to Cayenne, and also transmitted him a list of the crew and passengers then detained on board the "*Rose*," and solicited his interference with regard to their being sent to Cayenne.

Mr. Hamilton, in his reply to Captain Christie, dated the 29th of October, states that according to the Treaty of the 22nd of March, 1833, it was indispensable that the entire crew and passengers should be removed to Cayenne. But as, from causes which seemed imperative to Captain Christie, they could not be conveyed thither either on board the prize or the "*Rose*," it was to be regretted that they had not been forwarded from Bahia in a vessel taken up expressly for that purpose by the British Consul, as it would have saved both time and expense.

When Captain Christie arrived at Rio de Janeiro it so happened that he was the chief naval British officer at that place, and of course the temporary commander-in-chief of Her Majesty's ships and vessels there, and Mr. Hamilton therefore recommended that a ship of war, such vessel being preferable to a merchant vessel, should convey the crew and passengers to Cayenne, but at that time there was no vessel of the kind on the station that could be spared for the purpose. Much correspondence passed between Mr. Hamilton and Captain Christie on this subject, and also with Baron Rouen, the French Minister at Rio de Janeiro, Admiral Massien, the chief French naval officer on that station, and also with his Excellency Senhor Aureliano, the Brazilian Minister for Foreign Affairs at Rio. About the latter end of November, however, Her Majesty's steam-vessel the "*Ardent*" arrived from England, when it was determined that, as soon as a few necessary repairs were completed, that vessel should convey the crew and passengers to Cayenne. And, accordingly, in the beginning of December, the "*Ardent*," Commander John Russell, left Rio, and arrived at Cayenne with that part of the crew and passengers which had been put on board the "*Rose*," on the 28th of that month, and he there learned that the French authorities had ordered the vessel to be liberated and given up to the owners; that a charge had been brought against the captors for indemnification, and that Lieutenant Compton, the prize-master, and the only representative of Captain Christie, had been served with process to appear before the Court, to ascertain the amount thereof, but that that officer had declined giving any appearance whatever, and had left Cayenne for Barbadoes four days before the arrival of the "*Ardent*." Commander Russell therefore placed that part of the crew and passengers which he had conveyed to Cayenne, on board the "*Marabout*," and requested that copies of the papers and proceedings which had taken place should be furnished for the information of Her Majesty's Government: these however he was unable to procure, and he therefore left Cayenne and returned to Rio de Janeiro with Her Majesty's steam-vessel the "*Ardent*," and made his report accordingly.

I now crave your Lordships' attention to the Supplementary Convention with France, dated the 22nd March, 1833, in virtue whereof this seizure was effected.

By the 6th Article of that Convention it is mutually agreed that any merchant vessel of either of the two nations, visited and detained in pursuance of the provisions therein mentioned, should, unless proof were given to the contrary, *be held and taken of right to have been engaged in the Slave Trade, or to have been fitted for the purposes of such Traffic*, if any of the particulars thereafter specified should be found in her outfit or equipment, or on board of her, viz. :—

"First.—Having her hatches fitted with open gratings instead of being close hatches, as usual in merchant-vessels.

"Second.—Having more divisions or bulk-heads in the hold or on deck than necessary for trading vessels.

"Third.—Having on board spare planks, either actually fitted in that shape, or fit for readily laying a second or moveable deck, or slave-deck.

"Fourth.—Having on board shackles, bolts, or handcuffs.

"Fifth.—Having on board a supply of water more than sufficient for the consumption of her crew, as a merchant-vessel.

"Sixth.—Having on board an unreasonable number of water casks, or other

vessels for holding water, unless the Master should produce a certificate from the custom-house of the place at which she cleared outwards, stating that a sufficient security had been given by the Owners of such vessel that such casks; or other vessels, should only be used for the reception of palm oil, or be employed in any other lawful trade."

I propose now to detail to your Lordships, in as clear a manner as the papers before me will permit, the several circumstances which took place at Cayenne, subsequent to the arrival of the "*Marabout*" at that French settlement; and I cannot but lament that the whole of the proceedings are involved in so much obscurity that it is impossible for me to state with precision what were the steps originally taken, or by whom, for the purpose of putting into the course of competent trial the real question whether this French vessel had or had not, according to the terms of the Supplementary Convention itself, been detected in committing a violation of its provisions, since there does not appear to have been any person examined upon oath on behalf of the captors, excepting Lieutenant Compton, and he only upon a few interrogatories put to him. The report, signed by the two lieutenants, the mate, and the carpenter, does not appear to have been supported, except by the evidence of Lieutenant Compton; and the subsequent report of the carpenter, to which I have before referred, does not appear in any manner to form part of the proceedings, notwithstanding it is therein specifically stated that there was a bulk-head fitted abaft, which might be shifted to any place in the hold for female slaves; a platform of loose plank reaching the cabin bulk-head; that there were 8 beams fitted on the clamps, which rendered the deck as a complete slave-deck, and enumerating that there were 125 planks on board, viz.:

79 planks in the first three tiers.

24 short planks fitted abaft, which might be shifted.

22 loose planks laid as a platform.

125 planks.

Had this report been supported by the testimony of witnesses on oath, there is no doubt but that a breach of the Convention of the 22nd of March, 1833, had been committed, and that the vessel was liable to forfeiture; for, by reference to that Convention, your Lordships will perceive that the vessel is liable to confiscation, and that a portion of the proceeds thereof shall belong to the officers and crew of the capturing ship, and yet the proceedings instituted at Cayenne do not appear to have been instituted against the vessel for forfeiture, on the ground of her having been equipped contrary to Treaty, but rather against the master, the cook, and the cabin-boy for having been engaged in the illicit traffic in slaves. As regards those *persons*, the Convention merely stipulates that the master of the vessel, the crew, or their accomplices shall "*be dealt with conformably to the respective laws of the two countries.*"

I should add, in short, that so far as I am able to judge, no proceedings were had against the vessel herself, but rather an inquiry as to whether there were sufficient grounds for instituting criminal proceedings against the master and crew; what steps, if any, Lieutenant Compton took relative to these matters, or whether all things were done under the direction of the French authorities alone, these papers do not enable me to ascertain. But I conceive myself entitled to say with confidence that no full, fair, and effective investigation has taken place; and it is also much to be regretted that this case should have been brought before the "*Cour Royale Chambre des Mises en Accusation,*" without that evidence on the part of the captors which it was clearly practicable to produce, and without which it was impossible that a just decision could be pronounced.

The first document which is produced before the "*Chambre des Mises en Accusation*" of the Cour Royale at Cayenne, where the proceedings were first instituted, is the report of the two lieutenants, the mate, and carpenter of the "*Rose,*" hereinbefore set forth; but it was not on oath, and must on that account have had but little weight before any tribunal.

The next document is the Declaration, also not upon oath, of Captain Christie, dated on board Her Majesty's sloop "*Rose,*" the 27th of September, 1841, wherein he declares that being in or about lat. 12° 56' S., and long. 38° 5' W., he detained the "*Marabout,*" armed with 2 carronades, 18-pounders, 6 muskets and bayonets, 2 pistols, 8 swords, 1 blunderbuss, and 1 sword be-

longing to the captain, sailing under French colours, commanded by Hipolite Paul Dejoie, who declared her to be bound from Bahia to the Coast of Africa, with a crew consisting of 14 men and 11 passengers; that he had detained and sent her to the French settlement of Cayenne, to be brought before the Court of Jurisdiction there, for being equipped for the illegal traffic in slaves, there having been found on board the following, viz., 1st. A great number of planks, not only fit for readily laying as a second or moveable deck, but actually laid, and fitted with shifting beams fore and aft the hold, in violation of 3rd clause of the 6th Article of the Treaty between England and France.

2ndly. That the "*Marabout*" had more divisions or bulk-heads in the hold than customary for a trading vessel; one of these bulk-heads being calculated to shift and form a female slave-room of any size, contrary to the 2nd clause of the 6th Article of the Treaty.

3rdly. That she had on board a greater number of water casks, barricoes, &c., than necessary for the crew and passengers, contrary to the 6th clause of the 6th Article of the said Treaty; also a great quantity of casks filled with a spirit of trifling value, which casks, when emptied of the spirits, are generally used by slave vessels as water casks; also a considerable quantity of farinha, jerked beef, &c., more than necessary for the crew and passengers, and such being generally intended as food for negroes.

4thly. That she had on board a bolt and shackles, contrary to the 4th clause of the 6th Article of the Treaty; and that several articles were thrown overboard from the vessel, one bundle of papers having been picked up by one of the "*Rose's*" boats, which contained a number of letters, several of which were directed to some of the principal slave dealers in Africa.

There does not appear to have been any other documentary evidence exhibited on behalf of the captors, and indeed no oral evidence but that of Lieutenant Compton, hereafter mentioned.

Amongst the ship's papers is a certificate of Monsieur Vallat, the acting French Consul at Bahia, dated at that place, the 17th of September, 1841, wherein he certifies that according to the 5th paragraph of the Supplementary Convention of the 22nd of March, 1833, relative to the Slave Trade, he had, at the request of Captain Dejoie, certified that there were shipped on board the vessel at Bahia, 6 dozen deal planks, 13 feet long, 9 inches broad, and 1 inch thick; that the captain had declared that these planks were put on board for the use of the vessel, and that the having these planks on board should, under no circumstances, be considered as a violation of the 3rd paragraph of the 5th Article of that Convention, or that the vessel should, in consequence thereof, be suspected of being engaged in the illicit traffic in slaves.

I beg to observe that it is not the 5th paragraph or Article of the Convention which could have been alluded to by the French Consul, but the 6th paragraph or Article, the different clauses of which I have before set forth. There is nothing, however, in any part of these two Conventions which gives the French Consul any authority to issue any certificate of the kind.

On the 21st of October, two days after the vessel had arrived at Cayenne, Dejoie, the master, had officially declared to the King's Attorney at that place, and to Monsieur Klyppel, the Lieutenant-Judge of Instruction, that he protested against the violating the secrets of correspondence, and the opening of letters from the hands and in the trunks of the passengers, of the said vessel; but his opposition thereto was not admitted, and a *procès-verbal* was drawn on the 23rd of October, at which time he renewed all his protestations, declaring formally that he could not be responsible for the contents of a correspondence which did not concern him, and of which he never had had the slightest knowledge.

Upon the 29th of October Monsieur Klyppel, in the presence of the King's Attorney, Lieutenant Compton, and the Clerk of the Registrar, proceeded to the opening and reading of the letters hereinbefore alluded to, and it evidently appears that much of this correspondence has reference to Slave-trading transactions. I do not, however, think that the mere circumstance of Captain Dejoie having these letters on board his vessel is sufficient proof as to the illegality of his intentions, yet the fact of their being thrown overboard would justify strong suspicions against the vessel.

The following letters appear to me to be important, and show the difficulty that Brazilian subjects had in carrying on the Slave Trade under the Brazilian flag, and of the necessity of other vessels being employed for that purpose. I

must observe, however, that these letters must not be taken literally as written ; for it is evident that there is a mystery in many of the expressions ; for instance —“ bale” does not mean a bale of goods, but may and most probably does apply to slaves, and many other expressions are equally mysterious.

In a letter, No. 17, from José Pereira Coelho to M. Manuel Luiz Pereira, dated Bahia, 29th of August, 1841, he says,—“ My last letter of the 16th, in answer to yours of the 21st of June and 11th of July. I have still a bale not sold ; three were disposed of for 1,400,000 reis. I was obliged to be present at the landing, which was very disagreeable. What I have not sold is very ugly : pray always choose the best, as it is much more easy to dispose of it. I suppose you have received letters from home from your desire. I have paid Maria Maxima 34,654 reis for the oil. I have not been able to send you anything by the Patacho, but I shall try to forward you some provisions by a French vessel that is going to sail.”

In letter No. 29, from Antonio de Souza to M. Anadelo José Ferreira de Castro, dated Bahia, 22nd of September, 1841, he says,—“ I had embarked, but after five days we were captured and taken to Rio Janeiro, to decide upon the validity of the seizure. Since five months I have not been able to touch what I had put on board until now. All that belongs to you had the same chance. I went back to Bahia to see what I could do ; then I shall buy more goods, and either bring them or send them to you. I cannot leave now, but I shall embark in a foreign vessel. Do not send me anything unless you can make sure of the vessel.”

In letter No. 35, from Antonio Constante to M. L. Juan José de Zangrien, at Ajuda, dated Bahia, 2nd of September, 1841, he says,—“ I should have gone to see you, if the Brazilian flag had not been entirely excluded from all intercourse on the coast. I should have made several voyages ; but the event of the brig “ *Aurore*,” upon which I had embarked some tobacco for that country, having been lately captured, I cannot do any commerce under such flag.”

In letter No. 15, from Sophia, dated Bahia, 13th of September, 1841, to M. Francisco Dominique de Serguesa, at Juda, she says,—“ In the country of the whites, master, things are done very differently to what they are in Africa. I cannot express myself better ; of all the slaves you have sent I have not seen one. Your friend told me that one of your negresses had not been yet sold, because her eyes are not well. She was never returned to me. Four are run-away blacks. Take care, master, of the people with which you treat. Kind regards from your slave.”

In the postscript of a letter, No. 23, dated 14th of September, 1841, from Antonio Xavier to M. Louis Xavier de Jesus, at Juda, he says,—“ I have received four negroes and one negress, not two, as you had said. The negroes remain 22 days in the worst part of this country. I have given the negroes to the care of M. Antonio Arves.”

In letter No. 24, from Antonio to M. Louis Xavier de Jesus, dated Bahia, 30th of August, 1841, he says,—“ I have received the good slaves you have sent me to learn the business of bricklayer ; they were delivered to me by M. Antonio Xavier in your name ; one is called Ignacio, the other Francisco, and the third Domingo. I have received them with great pleasure to teach them that business. You will [here the paper is torn]—from the ideas that people have now at Brazil, because it is a great danger to risk the Slave Trade, as much for the one that sells as the one that buys ; therefore you cannot depend, because information may be given, and you may lose the value of the slaves, the half in costs, without being able to be the possessor. This is the first danger which presents itself in your sending me these three negroes. I cannot present them to the public to learn the business of bricklayer, because they cannot even ask for what they want. If you wish them to learn a business, why did you not teach them first to speak ? I have received them merely to be of service to you, and I have placed them in the house of one of the great here, in order they may learn to speak. They must also learn the Christian doctrine, and then we shall be able to say that they belong to us, and all will go on well. You must know that the expense for the slaves comes to 240 reis for their food only ; then there is their clothing. As you have not sent any orders about them, I thought it was better to write you, and inform you of what was necessary for the slaves—all the expenses you

will have to pay. I hope you will think of all I have said, so as to answer me soon, and tell me what is to be done."

In letter No. 25, from Herculano Pereira Dacunha to M. Louis Xavier de Jesus, dated Bahia, 4th of September, 1841, he says,—“ I have received the negroes you have sent me, but not the negress. The captain assured me that he had not embarked her; that he had only received the negroes, for which I thank you.”

I beg further to observe that it appears, by an extract from the registry of the “ Cour Royale,” that Monsieur Gustave Klyppel, the Lieutenant-Judge of Instruction of the “ Tribunal de Première Instance,” on the 20th of October, accompanied by the King’s Attorney, in the presence of Monsieur Galigny, principal clerk of the Navy, whose duty it was to examine the fitting of ships, Monsieur Dejoie, the Master of the “ *Marabout*,” Lieutenant Compton, and Monsieur Roger Dufourg, Registrar, proceeded on board the vessel, and having removed the seals which had been placed there, and were proved to have been untouched, opened the hold, and commenced unloading the cargo: the goods were accordingly disembarked, in order to place them in the Custom-house warehouses; and they report that, during this operation, not any of the articles were of a suspicious nature.

On the 26th of October they again went on board, and on continuing the disembarkation, a letter written in Portuguese was presented to them, containing two bills. The letter had neither seal nor direction, and it was placed with the other papers in this proceeding. The goods were then carried on shore that day, in order that they might be taken to the Custom-house, and the seals were again affixed.

On the 27th the operation was again carried on; but as nothing was found that could create a suspicion, the goods were sent to the Custom-house.

On the 28th of October, the Judge of Instruction, after having taken off the seals, stopped the unloading of the goods, allowing the interior of the vessel to be searched as much as they thought necessary. The lower part of the vessel was filled with sand-ballast, and search was made at distances very near one another, and wherever the English officer wished. It is stated that in these searches Lieutenant Compton was constantly assisted by English sailors, who, by his order, made all the examination necessary; but the report alleges that no proof of the trade which the “ *Marabout*” was suspected of having carried on was found.

Between the transoms in the centre of the ship a parcel of 32 letters was found, which were examined and placed with the other papers. They then state that their attention was called to 20 casks of different sizes, besides 11 barrels, and they give the estimated quantity they contain, but they say nothing whatever upon the main point in question—whether these casks and barrels were or were not a greater quantity of casks than this vessel ought, in conformity with the stipulations of the Supplementary Convention, to have had on board.

It is also stated in another extract from the registry of the Royal Court sitting at Cayenne, that on the 29th of October, 1841, the captain of the port and the master carpenter, having been requested by the Judge of Instruction to go on board the “ *Marabout*,” to examine and give their opinion upon the use of the planks found on board, and also to find out the use of a bulk-head placed behind the captain’s cabin, and having previously taken their oaths to make their report, and give their opinion, they state as follows, viz., first, That the planks in question were all uneven in length, breadth, and thickness, that in laying them upon the “ *barreaux*” (wooden beams or bars) of the false deck, from the stern bulk-head, not one of them fitted in length on the “ *barreaux*” (wooden beams or bars), one of them went beyond the beam on which it was placed about 60 centimètres, and all the others more or less. They also remarked that the “ *barreaux volants*” (hanging beams or bars) of the false deck, which were placed as a continuation of the beams or bars which formed a part of the vessel, were extraordinarily strong, and also extraordinarily strengthened, which proves without doubt that the said beams or bars were destined to carry a much greater weight than a cargo of negroes, which might amount to 60 men.

They farther state that the distance between the false deck and the upper

deck is 5 feet 6 inches ; this distance is exactly calculated for the stowage of two casks, one upon the other ; and everything leads them to believe that for that sole object the beams or bars were so placed. They state that the planks can only be useful to separate goods where contact would be dangerous ; and after having counted them they say that there were 73. The mean length is 4 metres, and breadth 20 centimetres, which would give a surface of 58 metres, 40 centimetres, from which surface a quarter must be deducted, as they do not fit exactly on the beams or bars ; that these 73 planks would then cover 40 metres 80 centimetres of the surface of the between-decks, of which the length is 15 metres, the breadth 6 metres 50 centimetres, giving 97 metres 50 centimetres of surface, and they observe that it is therefore easy to see that they would not cover half the surface of the false deck.

As to the bulk-head which was pointed out as suspicious, they affirm that it is nothing but the bulk-head of the caboose, a thing indispensable on board of all men of war, and merchantmen of all nations.

That they examined a small platform, which was at the back of the seamen's berths, formed with 25 pieces of plank, of 1 metre 60 centimetres, which they affirm were destined to receive the cables and ropes of the vessel.

They think that these pieces of plank had been on board the brig many years ; and they found that there was not more firewood than was necessary for the voyage ; that the kitchen is made of cast iron, and cannot be enlarged, and can only prepare food for the crew and some passengers, in all not above 20 persons ; and they affirm that they had found nothing on board the "*Marabout*" which could give suspicion that the vessel was destined for the Slave Trade.

I beg to observe that, notwithstanding these parties' report, that the 73 planks are not sufficient to complete a second or slave-deck, and not to cover half the surface thereof, yet it is evident from the whole context of this certificate that the vessel herself was so fitted with beams or bars capable of forming a second or slave-deck ; that it supports very much the certificate given by the carpenter of the "*Rose*," set forth in the former part of my report ; and I do not hesitate to say that the fact of this vessel being so fitted up, and having such a number of planks on board, was sufficient to justify Captain Christie in seizing and sending her into port for legal inquiry, particularly as the 3rd paragraph of the 6th Article of the Supplementary Convention makes a vessel liable to confiscation "for having on board spare planks, either actually fitted in that shape, or fit for readily laying a second or moveable deck, or slave-deck."

The following witnesses were examined upon interrogatories before Monsieur Klyppel, the Lieutenant-Judge of Instruction of the Tribunal of First Instance, being those of the crew and passengers left on board the "*Marabout*," by Captain Christie, viz. :—

Hypolite Paul Dejoie, the Master of the "*Marabout*."

Henry Lorandin, the cabin-boy.

Pierre Gautrel, the cook and baker.

Madame Lobo, the female passenger left on board.

Lieutenant Compton, the Prize Master, put on board from the "*Rose*."

Dejoie deposed that on the 26th of September he left Bahia at 11 o'clock in the morning, for the Coast of Africa ; and on the next day, being still in sight of land, was captured by the English corvette "*Rose*;" that he saw the sloop at 8 in the morning going to the south, whereas his vessel was sailing towards the north ; that about 9 o'clock she came up with him, and, having hoisted her flag, fired a gun ; that after he had hoisted his, she made a signal that she wished to communicate, and he lessened sail, and came near her ; that a boat, with 2 officers and 6 men, came alongside, and having boarded, one of the officers with 6 sailors was engaged for about a quarter of an hour inspecting the cargo, and returned to the sloop ; that soon after the deponent saw him coming back, with 20 men, who upset everything in the ship's hold ; they made holes in the spirit casks, and got drunk, and broke the cases of cigars, and in fact behaved like true pirates ; the mate, who wanted to stop their plundering, was very ill-treated by an English sailor ; that of the 14 men who formed his crew, 11 were put on board the sloop, leaving on board only himself and the cook, and cabin-boy ; that he had also 11 passengers, 10 of whom they took on board the

sloop, and left but a poor woman, who was ill; that they thereupon put on board the "*Marabout*" an officer and 7 men, and the two vessels then sailed in company for Cayenne, until the 2nd of October, when the "*Rose*" parted company; that on the 13th, at 8 in the morning, they saw the Cape of Orange; at 3 the sea was calm; that there must have been on the part of the English officer want of skill or malevolence—for being about a mile from land, they were pumping at intervals, and were going towards land, when deponent said to the officer who was commanding that they ought to get out into the main sea, but it was not attended to, the officer saying that his crew were not strong enough effectively to manage the brig; his commander having refused to give him the men he required: happily, however, they ran a-ground, but were blown off again by the wind, and on the 19th arrived at Cayenne: that he had planks on board to separate the casks which composed his cargo; that his ship is constructed so as to contain four sorts of pipes, and if he did not separate them the inferior pipes would have been injured; besides he thought of selling his planks on the coast when he had sold his cargo; that he had always travelled with a between-deck; that he has several times been inspected by English cruizers, but was never before found fault with; that he had with him a certificate from the French Consul at Bahia, but it had been said that the Consul had not the power to give any such certificate; that the planks he had on board were rough, and of different lengths; that, consequently they must have been worked before they could have been used for a slave-deck, and that one quarter at least would have been wasted, and he should not have had enough to make even half a deck; that this between-deck was 1 metre 80 centimetres high, and was made to carry two tons of pipes, and he is not aware that slave traders have between-decks of this height. The bars were placed from metre to metre, and were very thick and strong, being 30 centimetres in thickness; that this precaution is taken, because a heavy weight was required to be supported, but that if it had been merely a slave-deck this strength would have been wholly unnecessary; that as to the divisions and partitions there is only the station for the crew in the fore part and the store-room aft: has never seen a mercantile ship that had not a berth and a store-room. It is impossible for him to admit that the English commander did not knowingly say an untruth in speaking of these divisions as a motive for the seizure of the brig; that he had on board about 20 casks capable of containing near 6,000 quarts of water, there being 25 persons on board; that he was going to the Coast of Africa, and from there to France, and that it is very difficult to get any water on the Coast of Africa, and even that is very bad; that allowing 3 quarts a-day for each person he had water for 80 days; that moreover he had on board animals, such as chickens, pigs, and kids, which consume a great deal of water; that as for the barrels filled with spirits, that liquor is sold very advantageously on the Coast of Africa, and he thinks it indispensable to have barrels to contain it; that as for the quality, so long as it is to be sold, nobody has any business to find fault: he had 10 barrels of wheat flour for provisions, also 30 kilos of dried beef for the passengers, besides which he had 6 barrels of flour, and 245 kilos of dried beef; that as for the bar named by the English commander, it is a bar used for the purposes of justice, and that, as he believes, all mercantile vessels have it on board; that nothing was thrown overboard from his vessel with his knowledge, and he states that he can show all he had on board; that he left Nantes on the 30th of April, 1840; had a between-deck to separate the goods; went to Bahia, from there to the Coast of Africa; came back to Bahia, and returned to the Coast of Africa; sold his planks for a very advantageous price, as stated in his book. On his return to Bahia he bought some more planks, the same that the English commander said were the cause of the capture of his vessel; sold his planks on the Coast of Africa for about 90 the metre, and bought them at Bahia for about 45 the metre. The planks are not in the manifest, because it was not as cargo, but as part of the ship that they were on board: it was for that reason also that he had a certificate from the French Consul. With regard to the partition, he supposes it is of the "*cambose*" which the English commander speaks of; it has never been undone, but it might be, should the nature of his cargo oblige him to take it off, or to diminish it; that he took from the Coast of Africa to Bahia all the productions of the country, as palm-oil, ivory, tiger-skins, mon-

key-skins, &c.; that he intended, on leaving the Coast of Africa, to go to Nantes, and thought of taking in exchange for Nantes, palm-oil, which the owner, M. Lepertière, had ordered him.

Henry Lorandin, cabin-boy, on board the "*Marabout*," deposed that he had been engaged on board that vessel since April, 1840, and went from Nantes to Bahia, and from there made two voyages to the Coast of Africa, and was going to make the third when seized by the English ship. At Bahia they principally took on board tobacco and spirits, and at the coast took palm-oil. Last time there were passengers and a few barrels of palm-oil, and some sand for ballast; they had also ivory that had been given to the captain, in payment for the goods. Always sailed with a between-deck until the second voyage they made to the Coast of Africa, when the captain sold the between-deck; then, when they returned to the Brazils, the captain bought some other planks which were on board the vessel. When the English came on board, the mate of the vessel, who wanted to prevent an English sailor stealing some cigars, was struck by the English, and upon complaint being made to the English officer, he answered that if his men were not insulted they would not strike. Upon the capture he saw the rowers saving a packet of letters, but he does not know who threw them into the sea, but he supposes it was the passengers, because he knew the captain had forbidden them to take any letters.

Pierre Gautrel, cook and baker on board the "*Marabout*," deposed that he had been on board that vessel since April 1840, and went from Nantes to Brazils, and from Brazils to the coast of Africa, with a cargo of spirits, tobacco, and different goods; from there he came back to Brazil with palm-oil. At Brazil they took a cargo, three parts of it from the coast of Africa; from there they came back again to Bahia with palm-oil. On the 26th of September, 1841, they sailed for the coast of Africa, and on the 27th they were captured by the English sloop; that the vessel was always fitted with a between-deck; and that on the second voyage the captain sold the planks of the between-deck, and when at Bahia he bought some new ones. That when the English came on board, the mate having seen a sailor taking some cigars, struck him, and the English sailor returned it, and brought blood. There were a great many cigars stolen, and several barrels containing spirits had been opened; and during the time they were coming here the English crew were nearly constantly drunk. One of the men told him that some papers had been thrown overboard; he supposed they were letters, but could not tell who had thrown them. Has been several times on the coast of France. When the "*Marabout*" went first to sea in 1839, he went on board as cook, to Brazil, to the coast of Africa, and from thence to France; was back in February, and in April he embarked again. The vessel has always had a between-deck. The vessel was visited in all her voyages by English vessels; sometimes many in the same day; but nothing was ever said, and no insult was offered before on board.

It may not be improper to observe, that by these examinations it appears that this vessel sailed from Nantes in the year 1840, and proceeds to Bahia, and from thence to the coast of Africa; but neither of the witnesses state when she delivered her cargo, or at what port in Africa she took on board her return-cargo. This return-cargo was not, however, brought to France, but taken to Bahia, and she sails again from Bahia to the coast of Africa, with an assorted cargo, which is delivered on the coast of Africa, but what part of the coast is not stated; and she takes on board another cargo for Bahia, which she delivers at that place, and is again proceeding from Bahia to the coast of Africa when captured. There is nothing, it is true, to prevent a French vessel carrying on legitimate commerce between the Brazils and the coast of Africa; but the continued employment of a French vessel in this course of trade must lay her open to great suspicion, particularly if it did not clearly appear what has been the course of trade she had been engaged in. Now it is material to observe that Lorandin, the cabin-boy, when speaking of the second voyage to Bahia, says "that the cargo they took from Africa was palm-oil;" but speaking of the last voyage from Africa, he says "there were passengers and a few barrels of palm-oil, and some sand for ballast; they had also ivory, which had been given to the captain for payment of goods." It will be perceived that Lorandin puts the passengers as the most prominent feature in his description of the last cargo this vessel brought from the coast, and it is fair to presume that such was the

case, describing as he does sand for ballast, and the few barrels of palm-oil, and the manner in which he speaks of the ivory shows it also to have been but a small quantity. Indeed, that she had a great number of passengers is further corroborated by the manner in which he speaks of the sand for ballast: for to have conveyed a great number of passengers of whatever description they might be on board this vessel, it would be absolutely necessary for the vessel to have had a quantity of sand, or something else as ballast; but if she had been laden with palm-oil, ivory, or other weighty commodities, it would not have been necessary.

It is worthy of remark, that Dejoie in his examination, although he had performed two voyages from Bahia to the coast of Africa and back, does not in any manner state at what part of the coast the goods he took there were delivered, nor where either of the return cargoes were put on board; and although he is interrogated as to what his former cargoes which he had brought from Africa consisted of, he appears by a general answer to put the two voyages together, for he merely deposes as follows: "He took from the coast of Africa to Bahia all the productions of the country, as palm-oil, ivory, tiger-skins, monkey-skins," &c.

The manner of the master's giving his evidence will be perceived throughout to be exceedingly vindictive, speaking of the conduct of the persons put on board from the "Rose;" for he says that upon the officers and men coming on board the "*Marabout*," "they upset everything in the ship's hold, they made holes in the spirit-casks and got drunk; they also broke the cases of cigars; in fact they behaved like true pirates. The mate, who wanted to stop their plundering, was very ill treated by an English sailor." As to the charge of drunkenness, all the witnesses depose to that being the case; and it is much to be lamented that this charge has not been more substantially contradicted; but with regard to the mate having been ill-treated by an English sailor as deposed to by the master, it is important to observe what Pierre Gautrel the cook and baker says on this subject, as it appears from his evidence that the English sailor was *first* struck by the mate of the "*Marabout*," and the English sailor merely returned the blow and brought blood.

It also appears by the evidence of Madame Lobo, hereafter stated, that she does not know, nor has she seen anything vexatious from the English crew towards the crew of the captured vessel.

Madame Lobo deposed that on the 26th of September, 1841, she went on board the "*Marabout*," and on the next day was ill from sea-sickness, when they were captured by the English sloop. Before she embarked she went to see the French Consul to ask him what was the kind of trade of the "*Marabout*," to which he answered, 'that they did not carry on the Slave Trade, and that I could go perfectly safe as to that.' Had heard several times that the "*Marabout*" had arrived at Bahia, but never was told they traded in slaves; if such report had come to her she would not have embarked on board the brig, knowing that the English practise a very active surveillance on the coast of Brazil. Heard upon the arrival of the "*Marabout*" at Bahia, that she came from Africa, and that she brought palm-oil and pieces of cloth. Saw nothing thrown overboard when she was captured, and did not hear of anything having been thrown overboard. Does not know that there was any ill conduct from the English crew towards the vessel captured; saw a great many English sailors drunk, and several cases of cigars were open. It is a long time since there have been any African traders at Bahia; the surveillance exercised by English cruizers does not allow them to go backwards and forwards.

Lieutenant Compton, the prize-master, deposes that he was a lieutenant of Her Majesty's sloop of war "*Rose*," and that information having been brought that the "*Marabout*" was about to sail for the coast of Africa on the 26th of September, 1841, that vessel was kept close in shore for the purpose of visiting her. That on the 27th of that month they fell in with and boarded her, and after the inspection Captain Christie ordered that she should be taken to Cayenne, and the reasons for seizing the vessel are shown in the papers before the Court.

On cross-examination this witness deposes, that at the time of the visit there were on board materials for a between-deck, which could easily have been adapted for the conveyance of slaves; that several of the planks of that deck were laid, the ends of which must have rested upon the iron supporters in the side of the vessel, inasmuch as there were some goods stowed upon them, and

the planks could easily have been made into a slave-deck. In the after-part of the vessel was a provision store which contained flour, dried beef, and rice, and which could easily have been made to receive female slaves; and although merchant-vessels generally have a place set apart for provisions, yet that he had never seen one like this before which had a communication with the hold; that there were 19 barrels of water of different sizes on board, there were 7 barrels and four sacks of flour of the kind generally given to negroes, besides a quantity of wheaten flour. That this deponent counted 14 packets of dried beef, but that there were others at the Custom House; that the bar of iron to which this deponent had previously referred was such as is used for the confinement of slaves—the strongest and most refractory being generally handcuffed or secured in some way—that six might be attached to this bar. That, as far as this deponent knows, but one packet of letters was thrown overboard, which was however saved by some of the crew of the “Rose.” That upon its being reported to Commander Christie that one of the English sailors had pushed the mate of the “*Marabout*” in the hold, he was, by the Commander’s orders, punished.

That this deponent is not aware of any damage committed by the British sailors; that this deponent has seen the crew of the “Rose” smoking cigars, and has seen some broken cigar-cases; that he does not know whence the sailors obtained them, but thought that they belonged to the passengers, who smoke a good deal. That the cooper of the “Rose” had orders from Commander Christie to pierce the casks of cachasse in order that he might see what they contained. That during the whole time of his being in command of the brig “*Marabout*,” but one sailor was found drunk, and that he was accordingly punished. That this deponent cannot say whence he got the liquor. That British seamen are allowed a certain quantity of rum daily, and frequently drink at one time the allowance of two or three days; that it is possible, but not probable, that the sailors went down into the brig’s hold and drank the spirits, for that they were in the habit of going down there but three times a-day, and then always in the presence of this deponent; and at night the hatches were invariably battened down. That the brig, when under the command of this deponent, ran aground in consequence of this deponent not being well acquainted with the coast, but that there were plenty of people on board to navigate her.

Upon the 19th of November the King’s attorney drew up a paper and deposited the same in the “*Cour Royale*,” containing his conclusions or summing up of the case, wherein he says, that after all researches there were neither hatchways nor compartments without use in trading-vessels, nor planks in reserve, nor chains, nor handcuffs, nor iron collars, nor wooden bowls, nor coppers, nor any other utensils on board an African trader; that the kind of between-deck which was on board could never have been used for slaves, as the captain of the sloop might have convinced himself on examining it, for the planks were rough and of different lengths, and the greater part of them did not reach the beams or supporters.

That the certificate of the French Consul delivered to the captain of the “*Marabout*” the 17th of September, upon the nature and the use of these planks, was sufficient to dispel all suspicions.

That the bar with the three instruments named in the English report is only for the purpose of justice, and such as is found on board all commercial ships.

That there was no more water than was necessary, as the brig was going to the coast of Africa, where it is very difficult to get any, and from thence to France.

That the barrels and casks which appear superfluous were destined to be filled with palm-oil.

That the provisions which were not a part of the cargo did not exceed the wants of the crew and passengers; that the tobacco, the flour, the taffia, and other liquors, were all articles of commerce; that neither the construction nor internal arrangement of the “*Marabout*” is of such a nature as to lead one to presume that the vessel was about to be employed in the Slave Trade, and for these reasons he declares it unnecessary to proceed at law against M. Dejoie the captain of the brig, or against the crew.

I beg further to observe, that on the 19th of November, 1841, an ordinance was issued by the Judge of Instruction from the tribunal “*De Première In-*

stance" of French Guyana, to ascertain the quantity and quality of the dried beef and flour then on board the "*Marabout*," and accordingly Henry Mathey, merchant, and François René Leprieux, apothecary of the navy, after having taken their oaths, went immediately to the custom-house warehouses, and proceeded to inspect the same; and they state that the dried meat had the appearance of having been prepared a long time, and was rancid; that there was for the use of those on board, four small casks, and they then describe the remainder as cargo, with the weight thereof. That the flour (which judging from the casks was American, it is stated to be wheaten, and does not feel like new flour) was contained in twelve barrels, specifying the weight, half of which is represented to be cargo, the other half for provisions for the vessel. There is nothing therefore in this document which affects the question.

Upon the 25th of November Monsieur Klyppel, the Judge of Instruction, made his report, which is also signed by four other officers, and is to the following effect: that upon the "*Marabout's*" arrival at Cayenne the brig was visited by them, and they discharged her cargo, and could not find any proof that the vessel was destined for the Slave Trade. From the report that has been made by the captain of the port the planks were in number 73, they were rough and of unequal length, their extremities did not quite reach the beams in the vessel, if worked they might have covered a surface of 40 metres, 80 centimetres; that a between-deck on board the "*Marabout*" would have covered a surface of 97 metres 50 centimetres; that the bars are placed at a distance of 1 metre, 80 centimetres from the deck, capable of containing two casks, and cannot give rise to the suspicion that it was to serve for the slaves. That Captain Dejoie had a certificate from the French Consul at Bahia, which justified his having these planks on board the "*Marabout*." That the number of compartments on board the brig was two, the sailors' berths and a partition that might be removed. The captain of the port affirms that it is not true that this number of compartments exceeds the number generally found on board a trade-ship. If the partition of the cabouse is moveable it is because it may be lessened or removed in loading the cargo. That there were 20 barrels of water, which could contain water for 80 days at the most; that the vessel was going to the coast of Africa, and thence to Nantes, and that it is well known how difficult it is to get any water on the coast, and even that is of a very bad description. The other casks which were on board contained taffia from Brazil, a spirit of a quality constantly sold on the coast. That the iron bar which has been spoken of in the report of the English commander, is used for the purpose of justice; that they did not think that the having such a bar on board was contrary to the Supplementary Convention of the 22nd of March, 1833, which only speaks of chains, iron collars, and handcuffs. That letters were thrown overboard when the brig was visited, but were, however, saved; other letters were found on board the "*Marabout*" when she was inspected, which had been submitted to them; that there were 68 letters written in Portuguese; all have been translated; five or six speak of negroes being expected, and others received, but in none of them is the "*Marabout*" or the captain's name mentioned; that there were 60 kilos of dried beef, and about 502 kilos of wheat flour; that they did not think that this was too great a quantity for those on board the vessel, and that it was not usual to feed negroes with wheaten flour; that there were some letters of M. Lepertière of Nantes, owner of the "*Marabout*," instructing Captain Dejoie to go to the coast of Africa, there to obtain a cargo of palm-oil, and to bring it to Nantes without delay; that everything induced them to believe that Captain Dejoie was executing the orders he had received from his owner when he was captured by the English sloop; and for these reasons they do not think necessary to take proceedings at law against Captain Dejoie and his crew.

On the 2nd of December, 1841, the "Chambre des Mises en Accusation" of the Cour Royale of French Guyana, composed of Mons. Brun, Judge President, Poupon and Daney, Counsellors, assisted by Mons. Merentier, Chief Registrar, gave judgment in this case, which is described as being against H. P. Dejoie, the master of the "*Marabout*" and two of his crew, viz., Pierre Gautrel and Lorandin, attainted of having, the first as captain, and the two others as sailors, been engaged in the illicit traffic in slaves, when, after reading the several papers, and amongst others the report of the Attorney General, the substance of which I have hereinbefore stated, and the Court having deli-

berated, declared that there was no just cause of prosecution against Captain Dejoie or his two men, and dismissed the indictment of which they were the object, and ordered the restitution of the brig "*Marabout*," and all her fittings and cargo, to Captain Dejoie; and after adverting to the 8th Article of the Supplementary Convention, which relates to indemnification to be paid for vessels improperly seized, refers the master to sue at law for his right.

From the manner in which this decree is worded, it is clear that the proceedings thus instituted are in the nature of a criminal proceeding against the master and two of his crew, as having been engaged in the illicit traffic in slaves, and not against the vessel as liable to forfeiture on the ground of her outfit and equipment, being contrary to the stipulations of the 6th Article of the Supplementary Convention of the 22nd of March, 1833.

This decree will be found at length among the documents. I have, however, for easy reference transmitted a copy enclosed.

This judgment having been pronounced, a summons issued on the 4th of December, 1841, from the Court of Tribunal of the First Instance, upon the application of Dejoie, the master, against Lieutenant Compton, charging him with the responsibility of all damages which might result from the absence of the crew and passengers, which then prevented the "*Marabout*" continuing her voyage, and from the great damages which had been occasioned by the arbitrary act that prevented the "*Marabout*" continuing her operations. Upon the 9th of December, Monsieur Henry Mathey, merchant and Frenchman, and Leprieux, apothecary in the navy, after having been sworn as inspectors, proceeded to the Custom-house Warehouses to report upon the taffia (Brazilian spirit) and, after describing the quality, they state that in commerce it is called of a trading quality.

That they then proceeded to inspect the tobacco enclosed in the packets of leather, called "manzotes," and they state that the preparation of this tobacco is of a very peculiar nature, and that ordinarily it would only be preserved for three months, and when dry this tobacco very rapidly decays: and that two out of three packages which they had examined had already been spoiled; that such portions as had appeared humid was well preserved, whilst that which was dry contained nothing but tobacco reduced to muck, and that the warehouse in which they were then deposited being very dry would augment the deterioration, as it required a humid atmosphere for its preservation.

On the 11th of December, Lieutenant Compton wrote to the Governor of Cayenne, requesting that a passage might be allowed to himself and crew in the French man-of-war about to sail for Martinique and from thence to Barbadoes, to enable him to place himself under the orders of the British naval officer, and he adds, "the Court not requiring my services any longer." In this letter Lieutenant Compton requests that a copy of the papers and documents might be forwarded to the British Government.

Upon the 14th of December, the Governor of Cayenne addressed a letter to Lieutenant Compton, stating that he was going to give orders for him to proceed to Barbadoes agreeably to his desire, but that he had been informed by the captain of the "*Marabout*," that he had summoned him in order to obtain some damages in consequence of the detention of the "*Marabout*," and the Governor therefore regretted that this incident would prevent his wish of obliging him. On the same day Lieutenant Compton wrote to the Governor, acquainting him that it was not his intention to appear, as he had paid no attention to the papers he had received from the attorney of the master of the "*Marabout*," and again requested an order for himself and crew to proceed to Barbadoes. The following is a copy of this letter from Lieutenant Compton to the Governor:—

"I beg leave to acknowledge the receipt of your letter, dated the 11th of December, 1841, regretting that you cannot comply with my request for a passage to Martinique, and from thence to Barbadoes, to enable me to place myself under the orders of the British naval officer there, from the representation of the captain of the "*Marabout*," and after having received notice to appear at the court on the 24th day of December, 1841.

"I beg leave to state that it is not my intention to appear at the said court, as I have paid no attention to the papers received by me from the captain of the "*Marabout's*" attorney; therefore I have again to request that you will

be pleased to order myself and crew a passage to Martinique, and from thence to Barbadoes (the Court of Jurisdiction not requiring my services any longer), to enable me to place myself under the orders of the British naval senior officer."

The following day, the 15th of December, the Governor of Cayenne addressed a letter to Lieutenant Compton, stating that from his declaration not to answer any summons that had been made or that could be made by the master of the "*Marabout*," he had given proper orders for his departure for Barbadoes in the French corvette the "*Larne*."

Lieut. Compton, upon receiving this letter, accordingly quitted Cayenne with his prize crew, leaving the proceedings to take their course without opposition; but it appears that previous to his departure, viz. on the 14th of December, Lieutenant Compton was summoned as representing Captain Christie, the commander of the "*Rose*," who, as it is stated, represents the British Government, to appear on the 24th of December, before the Civil Tribunal of First Instance, in consequence of its having been determined by sentence of the "*Chambre des Mises en Accusation*," dated the 2nd of December, 1841, that the "*Marabout*" had been unlawfully captured, and without grounds of suspicion. This document adverts to the 8th Article of the Supplementary Convention with France, dated the 22nd of March, 1833, (which states that when a merchant vessel of either nation has been unlawfully captured, and without grounds of suspicion, the captor is liable to suffer all the loss and damage occasioned thereby); and then proceeds to state, first, the amount of such loss and damage at 274,863f. 56c., the particulars of which are hereafter stated; secondly, the amount of the wages and indemnities due to the crew, and the expenses of the defence, which had not been exactly ascertained.

The French officer who served this document appears to have been the acting bailiff of the courts and tribunals of the colony, and in his certificate of service thereof states that as to the contents, Lieutenant Compton cannot be ignorant, as he had left a copy of this document with him.

The following account contains briefly the different items forming the said charge of 274,863f. 56c., viz. it appears that there are two invoices made out and signed by the master for the cargo taken on board this vessel. One is described as consisting of general merchandize, such as spirits, tobacco, and other goods, and amounts to the sum of 35,478f. 92c.

The other is the amount of the invoice of similar commodities, shipped by divers individuals, most of whom are the passengers on board the " <i>Marabout</i> "	63,584	8
Amount of both invoices	99,063	0
From this sum is deducted nett produce of the public sale of the cargo	19,751	60
1st Item of charge, being the difference between the amount of the invoices and the sale at Cayenne	79,311	40
Second charge is a profit of 60 per cent., calculated on the amount of the said two invoices, which is charged at	59,427	80
Third, for the conveyance of 11 passengers to the coast of Africa at 400f. each	4,400	0
Fourth, for the freight	5,400	0
Fifth, is for the profit on the supposed cargo that the master would have bought on the coast of Africa, and would have sold at Nantes at 100 per cent. profit, and the charge is as follows:— Had not the " <i>Marabout</i> " been stopped, there would have been bought on the coast of Africa, a cargo of 168,000 kilograms of oil, at the rate of 26f., the 50 kilograms re-		

sold at Nantes at the price of 52f., would have given a profit of	90,720f.	0c.
Sixth charge is for damages to the sails, masts, and yards of the " <i>Marabout</i> "	2,355	50
Seventh is, that in consequence of some assurances having been made on the value of the cargo at the rate of 7½ per cent., that per centage is charged on 99,063, the amount of the invoices, as also on the goods looked for, and to be bought, calculated at 42,000, the sum total being 141,063, although no such operation ever took place, and which is stated to have occasioned a loss to the outfitter of	10,579	72
Eighth, for the passage of the <i>Lady Santo Lobo</i> , in the brig " <i>Quos Ego</i> ," to Goree, and from thence to Ionda, on the coast of Africa	1,200	0
Ninth, for her board at Cayenne, until the day she embarked in the " <i>Quos Ego</i> "	640	0
Tenth, for commission	193	99
Eleventh, for caulking the deck of the " <i>Marabout</i> "	278	0
Twelfth, to the cooper for attention to the casks of taffia, rum, and other merchandise	350	0
Thirteenth, for the disembarkation and sale of the cargo at Cayenne, and re-expedition of the vessel to France	7,053	15
Fourteenth, for wages to Capt. Dejoie from the 27th of September to the 27th of December, at 200f. per month	600	0
Fifteenth, for his expenses on land from the 20th of October, 1841, until the 27th of December, 69 days at 10f.	690	0
Sixteenth, the sailors Gautrel and Lorandin for wages from the 27th of September until the 27th of December, at 80f. per month for both	240	0
Seventeenth, for expenses of stay on land from the 20th of October to the 27th of December, 69 days, at 6f. for both	414	0
Eighteenth, is a charge of 11,000f. in consequence, as it is stated, of the master having in his last voyage to the coast of Africa, and in the hope of a prompt return, left debts to that amount to be recovered, but that now he had no hopes of recovery, by the cessation of his affairs in those countries, which occasioned a loss of	11,000	0
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	274,863	56
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I beg further to report that the Tribunal of First Instance met on the 28th of December, 1841, for the purpose of giving its judgment in the cause between Dejoie, the master of the "*Marabout*," and Lieutenant Compton; when, after referring to the decree of the *Chambre des Mises en Accusation* of the 2nd of December, hereinbefore set forth, and that M. Dejoie wished to liquidate his losses, interests, &c., conformably to Article 8th of the Convention of the 22nd of March, 1833, and that he had, as aforesaid, summoned Lieutenant Compton to appear on the 24th instant, but that he did not appear, nor had he appointed an advocate, and therefore in default thereof, and no one appearing, his counsel prayed the Court to order the said amount to be paid, his absence being a ground for believing that Lieutenant Compton had no valid grounds to oppose; the Court thereupon pronounced Lieutenant Compton to be in default, and condemned him to pay the plaintiff the sum of 253,283f. 84c., being the amount demanded, with the deduction of the 7th and last items of charge,

The former being . . .	10,579f. 72c.
The last item amounting to . . .	11,000 0
	<hr/>
Not allowed	21,579 72
Allowed as above	253,283 84
	<hr/>
	274,863 56
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The Court also pronounced for the amount of the wages and indemnities of the crew, with expenses, and gives authority to the plaintiff again to have valued, should he be able to justify the same, the said two sums of 10,570f. 72c. and 11,000f. which they had rejected in the manner I have stated.

This decree is stated at length in the documents, but, for more easy reference, I send a copy enclosed.

Your Lordships will perceive, that, by this decree, besides the enormous sum of 253,283f. 84c. (upwards of 10,000l. sterling) awarded to the master of this French vessel, as indemnity, that there are two other items amounting together to 21,579f. 72c., exclusive of others, the amount whereof is not stated, but which Dejoie, the master, has also claimed.

I beg to observe, that even if it had been a case for the award of any damages, there is no evidence adduced to have warranted the Court in pronouncing for such exorbitant demands, for the tobacco is the only part of the cargo that appears to have been deteriorated; and, according to the affidavit before set forth, such damage arose from its being placed in a dry warehouse instead of a place which contained a humid atmosphere, but in this surely the captor is not to blame; the French authorities at Cayenne should have selected some cellar or other place which would not have occasioned the injury to this particular kind of tobacco, which the dry warehouse in which it was deposited seems to have occasioned.

The Court has awarded every item of charge to the full extent claimed by the master, excepting the two I have mentioned, and these are reserved, and may ultimately also be allowed, and this award is stated to have been made in conformity with the 8th Article of the Supplementary Convention. I shall therefore proceed to state that Article at length, and make my objections to the course pursued by the Court in making its award; and having before stated all the material documents and evidence contained in these voluminous papers, I shall conclude with such observations as arise on this important case.

The following is the 8th Article of the Supplementary Convention with France, dated the 22nd of March, 1833:—

“That when a merchant vessel of either of the two nations shall have been visited and detained illegally or without sufficient cause of suspicion, or when the visit and detention shall have been attended with any abuse or vexatious acts, the commander of the cruiser, or the officer who shall have boarded the said vessel, or the officer who shall have been appointed to bring her in, as the case may be, shall be liable to costs and damages to the master and to the owners of the vessel and cargo; those costs and damages may be awarded by the tribunal, before which the proceedings against the detained vessel, her master, crew, and cargo shall have been instituted; and the Government of the country to which the officer who gave occasion for such award shall belong shall pay the amount of the said costs and damages within the period of one year from the date of the award.”

The first objection which I feel it my duty to make, arises from the course pursued in the French tribunals; so far as appears from these papers, the master and two of his men, and not the ship, were brought under the cognizance of a preliminary Court, the “Chambre des Mises en Accusation of the Cour Royale,” and on a charge of having been engaged in the illicit traffic in slaves; the question as to costs and damages was tried under a different tribunal, the “Tribunal of First Instance;” this division of the two tribunals is not, as it appears to me, consistent with that part of the 8th Article, which I have quoted, and which stipulates that the costs and damages are to be awarded by the tribunal before which “the proceedings against the detained vessel, her master, crew, and cargo should have been instituted,” and upon principle

it is right and proper that the whole question of restitution and indemnity should be decided by one and the same Court, and parties ought not to have the power of doing what the master of this French vessel appears to have done, apply to another tribunal, and so far as appears merely to take out a summons against Lieut. Compton, in which all these enormous sums are demanded, and in consequence of that gentleman not appearing judgment is pronounced granting the whole amount claimed, without any proof whatever being produced to show the losses which have been occasioned, and this Court, for aught that appears, might have had nothing before it beyond the summons, a copy of which had been delivered to Lieut. Compton, and the certificate of the bailiff that he had served it.

I consider it to be of great importance that in all captures of this description, the whole question of violation of Treaty, together with all consequences resulting from the seizure, should be submitted to the cognizance of one competent tribunal, before which all the circumstances of the case, and the whole of the consequences to result therefrom should be laid. Had this course been adopted, assuming it to be practicable, I think it not improbable that such court might have pronounced Captain Christie to have been justified in sending this vessel into Cayenne for inquiry, and that the parties interested therein were not entitled to any compensation whatever, for, by reference to the 6th and 7th Articles of the Supplementary Convention, to which I request your Lordship's particular attention, it will be found that any vessel would be liable to confiscation if any of the particulars thereafter specified should be found in her outfit or equipment, or on board of her. These are, as I have partly observed before, "more divisions or bulk-heads in the hold or on deck than necessary for trading vessels.

"Having on board spare planks, either actually fitted in that shape, or fit for readily laying a second or moveable deck or slave-deck.

"Having on board shackles, bolts, or handcuffs.

"Having a supply of water more than sufficient for the crew, or having on board an unreasonable number of water casks, or other vessels for holding water, unless the master should produce a certificate from the custom-house of the place at which he cleared outwards, stating that a sufficient security had been given by the owners that the same were only to be used for palm oil, or employed in other lawful trade."

Then follows the 7th Article of the Convention, which states "that no compensation should in any case be granted either to the master or to the owner, or to any other person interested in equipment or lading of a merchant vessel, in which any of the particulars specified in the preceding Article should be found, even if the tribunals should not pronounce any condemnation in consequence of her detention."

Now there is no doubt whatever that this vessel had a quantity of spare planks on board, and although the number varies considerably, yet the smallest number mentioned is 73. The carpenter of the "Rose" states them as being 125. All the witnesses agree, however, in saying that there were wooden and iron bars fixed to the vessel to form a second deck, notwithstanding the French surveyors report that the planks were not sufficient for more than half a deck. It is material also upon this part of the case to refer to the evidence of the master, and the two men on their examinations on oath at Cayenne, to establish that there were on board this vessel many of the before-mentioned prohibited articles. The master says that he had planks on board, and gives as a reason that they were to separate his cargo, so as to contain four sorts of pipes; this is evidently alluding to the casks of palm oil, which he says he intended to take on board on the coast of Africa. And yet immediately afterwards, he says "he thought of selling these planks on the coast," which is quite in contradiction to what he had said before, as using them for the stowage of his goods. Then, by way, I apprehend, of justifying his having these planks on board, he says "that he had always travelled with a between deck;" which I presume was also intended to justify his having the beams and iron bars attached to the vessel, on which it is represented by the captors, a second or slave-deck might easily be formed; and afterwards the master deposes "that the planks he had on board were rough and of different lengths, and consequently they must have been worked if they had been used for a

deck for slaves, a quarter at least would have been wasted." But this shows that they might have been so used.

The master then admits in his examination that these planks were not in his manifest; and it is important to observe, also, that they are not in any of the invoices; yet, if he meant to have sold them on the coast of Africa, there is no reason why they should not have been inserted therein, and the object of not doing so was evidently for the purpose of concealment.

In consequence of these planks not being inserted either in his manifest or invoices; if his papers had been asked for and examined by any of Her Majesty's cruizers, nothing of the kind would appear, nor would it have been discovered that any such articles were on board, otherwise than by such an examination into the hold as that made by Capt. Christie.

Lorandin, the cabin boy, and Gautrel, the cook, on their examination, depose, that the vessel "always sailed with a between deck until the second voyage they made for the coast of Africa."

Whilst on the subject of these planks I cannot help again referring to the certificate of M. Vallat, the Acting French Consul at Bahia, previous to the vessel sailing from that port. All that he certifies is at the request of Captain Dejoie, and that is, that there were shipped on board his vessel six dozen of deal planks, 13 feet long, 9 inches broad, and 1 inch thick; that the captain had declared that these planks were put on board for the use of the vessel, and that having these planks on board should, under no circumstance, be considered as a violation of the Supplementary Convention.

The whole effect of this document, notwithstanding so much has been said about the weight attached to it, is really nothing but a certificate of what the master had requested him to state. I confess, however, that it appears to me *primâ facie* evidence that the master himself knew that these planks ought not to have been on board, and therefore he was anxious to obtain some document which he considered might protect him from the consequences of having them on board. But I beg to observe that any certificate, however high the authority, would not protect any vessel from seizure that had on board spare plank. And this document, therefore, can neither add to nor diminish the culpability of the parties, for the breach of the Convention exists in the fact whether or not there was a superabundance of planks on board this vessel, the delinquency is in the fact of having on board spare planks, either actually fitted or fit for readily laying a second or moveable deck or slave-deck. Besides, the French Consul certifying that these planks were for the ship's use, is directly contrary to that part of the master's evidence wherein he deposes that he thought of selling them on the coast.

In addition to the charge against this vessel of her having these planks on board, Capt. Christie, in the certificate containing his grounds for seizing and sending the "*Marabout*" to Cayenne, states that it is not customary for a vessel of her description to carry more than 10 or 20 planks, as such an expensive article could not possibly be required as dunnage, for she had plenty of firewood to answer that purpose; and Capt. Christie observes, secondly, that she had more divisions or bulk-heads in the hold than customary for a trading vessel, one of these bulk-heads being calculated to shift and form a female slave room. Indeed, it seems to be admitted by all parties, that this vessel had shifting beams fore and aft the hold, fit for readily laying a second deck. And it is not necessary that the master should have committed a breach of all the restrictions I have mentioned, for his being guilty of any one of them would have been sufficient to create a forfeiture of the vessel and cargo. The third charge made by Captain Christie is that she had on board a greater number of water-casks, barricoes, &c., than necessary for the crew and passengers; also a great quantity of casks filled with a spirit of trifling value, which, when emptied, are generally used by slave vessels for water-casks, besides a considerable quantity of farinha, jerked beef, &c.

The concluding charges made by Captain Christie are, fourthly, that she had on board a bolt and shackles, and that sundry articles had been thrown overboard; and that a bundle, containing letters addressed to some of the principal slave-dealers, was picked up by one of the boats of the "*Rose*."

With regard to the bolt containing shackles, it appears by the examination on oath of Lieutenant Compton, that the bar of iron was such as is used for

the confinement of slaves, the strongest and most refractory being generally handcuffed or secured in some way, and that six persons might be attached to this bar. Dejoie, the master, however, in his examination, speaks of it as a bar of justice, and that to his knowledge all mercantile vessels have it on board. If this excuse were to be admitted, it is evident that articles indispensable for slave trading might in all cases be protected.

I shall now proceed to state *seriatim* my objections to each of the articles which have been allowed.

The first item that is allowed is 79,311 f. 40 c., being the difference between 99,063f., the amount of the invoices of the goods composing the cargo, and 19,751 f. 60 c., the amount which it is stated to have produced by public sale. How so great a difference could have arisen, it is impossible from anything contained in the papers to account for; there is no account of sales amongst the papers. The tobacco, it is true, is represented as being much deteriorated in value, and some loss would evidently arise from the sale of that article, and which, probably on that account, it was necessary to sell, but nothing appears as to the necessity of selling the other parts of the cargo; added to which, the goods were assorted for the African market, and there is no reason assigned why the goods were not again shipped on board the "*Marabout*;" there are no accounts or papers which show the necessity of a sale of any part of the cargo, nor any document that proves whether the whole of the cargo was sold in one lot, or in how many lots, or who were the purchasers; probably it may turn out that the master himself was the purchaser; and it may be that the invoices, which I have stated amount to 99,063f., contain the selling price of each commodity on the coast of Africa, a very usual course resorted to amongst merchants in that trade, and it may be that these invoices include a very considerable profit, such as 40 or 50 per cent., otherwise I cannot account for the very great difference between the amount produced by the public sale of it and the amount charged in the invoices; and yet the second item which is allowed is an additional 60 per cent. on the amount of the said two invoices for supposed profit thereon, and for which the sum of 59,437 f. 80 c. is allowed.

The next item is 4400f. for the conveyance of 11 passengers to the coast of Africa at 400f. each. The master of this vessel, by the seizure, was certainly prevented proceeding with these passengers to the coast of Africa: whether they were to pay 400f. each for their passage does not, however, appear anywhere amongst these papers.

The fourth item is for freight, 5400f. The same observation arises upon this item, but unless costs and damages are fairly pronounced to be due to the master, neither of these items would become chargeable.

The fifth item allowed is of an extraordinary character, and such as, I apprehend, if costs and damages were even justly due to the master of this vessel, could not upon any principle of giving compensation that I have ever heard of be allowed, nor any part of it. It is founded upon a supposition that if the "*Marabout*" had not been stopped she might have arrived on the coast of Africa, and the master might have purchased a cargo of oil at 26 f. the 50 ks., and might have resold it at Nantes at the price of 52f., just making 100 per cent. on an imaginary amount, and which charge is allowed, amounting to 90,720f. If this trade in oil is so exceedingly lucrative, why did not the master, as he might have done, go from Cayenne to the coast of Africa, instead of proceeding direct from Cayenne to France with a cargo of goods?

The sixth item is for damages to the sails, masts, and yards, 2355 f. 50 c. There is no evidence to show how this amount is made up.

The seventh charge is 10,579 f. 72 c. for insurance on the cargo, as well that on board at the time of the capture, as the cargo expected to have been obtained on the coast of Africa, for France: and although these insurances have not been effected, the master considers he had right thereto, and he charges such insurance at 7½ per cent. This item, however, as I have observed before, stands over.

The eighth and ninth items relate to the passage of Mrs. Lobo and her board whilst staying at Cayenne; the former amounts to 1200f. and the latter to 640f.

The tenth item is for commission, 193 f. 99 c.

The eleventh is for caulking the deck of the "*Marabout*," 270f.

The twelfth for the cooper's attention to the casks.

The thirteenth is for the disembarkation and sale of the cargo at Cayenne

and re-expedition of the vessel to France, 7053f. 15c. There is no statement whatever amongst any of the papers to show in what manner this amount is made up or how it can be sustained, and without that it is impossible to say further on the subject.

The fourteenth charge is for Captain Dejoie's wages for three months, 600f.

The sum of 4400f. has been charged and allowed for the conveyance of the 11 passengers, exclusive of 5400 f. for freight, and as freight always includes wages this sum cannot be allowed.

The fifteenth item is for Captain Dejoie's expenses at 10f. per day, 690f. This charge might not be considered unreasonable if costs and damages had been given by the Chambre des Mises en Accusation of the Cour Royale.

The sixteenth item is for the wages of Gautrel, the cook, and Lorandin, the cabin boy, amounting to 240 f.

The seventeenth is for their expenses, 414f.

The observations I have made on the wages and expenses allowed to Captain Dejoie apply equally to these two charges.

The last item of 11,000f. is reserved, but it is rather a remarkable one, and ought to have been rejected at once, there being no ground whatever for making any such demand against the captors. The master of this vessel states, that on her last voyage to Africa he left debts to this amount to be recovered, but that he had then no hopes of the recovery by the cessation of his affairs in those countries, and which therefore occasions him a loss of 11,000f.

I beg leave further to report, that the documents transmitted in Lord Canning's letter of the 10th of August last, contain a letter from Monsieur Chabot, the French Chargé d'Affaires at this Court, dated the 26th of July last, transmitting a copy of the letter written by Lieutenant Compton at Cayenne on the 14th of December, hereinbefore mentioned, in which he stated that he paid no attention to any papers he had received from the attorney of the master, nor was it his intention to appear in Court. Also a further letter from Monsieur Chabot, inclosing a copy of the further judgment of the Chambre des Mises en Accusation of the Cour Royale, dated the 27th of January, 1842, in which it appears that the crew, which had been brought in the "Ardent" to Cayenne, had also been charged with having been engaged in the Slave Trade, and that the said Court had, on the 27th of January last, declared that there was no charge substantiated against them of being engaged in the Slave Trade, a copy of which decree, for easy reference, I beg to enclose. I beg leave further to report, that it appears from the papers transmitted to me, that this case has been three several times under the consideration of Sir John Dodson, Her Majesty's Advocate. In his opinion, given on the 31st of March last, he states, "That as the French vessel in question was delivered over to the proper authorities at the French settlement of Cayenne, in pursuance of the Convention, and the Court there has adjudged that the vessel should be liberated, and, under the 8th article of the Convention, referred the master and owner to the proper tribunal for the assessment of the damage sustained by him in consequence of the capture, I apprehend that such decision must, under the terms of the Convention, be considered as the decision of the proper tribunal, and therefore conclusive, whatever may have been the real merits of the case."

Sir John Dodson, in his report on the 23rd of April last, states as follows. It is impossible to form a correct opinion without seeing the whole of the evidence received by the Court, before which the case was adjudicated, and that he could not venture to say whether the evidence against the vessel was strong enough to justify Her Majesty's Government in remonstrating against her liberation; but that it would be proper, under the circumstances, to apply to the French Government for copies of all the proceedings before the French tribunals relative to this matter; and he then submitted, that if there should be a right of appeal from the decision of the Court of Cayenne to a superior tribunal, it would be necessary to resort to that tribunal (where it is to be presumed that justice would be done) before Her Majesty's Government could have just ground for remonstrance. With reference to this and the preceding report it should be stated, that the depositions of the witnesses examined at Cayenne had not been submitted to Her Majesty's Advocate when these reports were made.

On the 27th of April a further report was made by Sir John Dodson, upon further documents which had been received from the French Ambassador, and his opinion asked, whether it would be proper that Her Majesty's Government should, without appealing to the Supreme Court, consent to the payment of the amount awarded, when Sir John Dodson, having again taken this case into his consideration, expressed his opinion that the parole and documentary evidence produced before the *Chambre des Mises en Accusation* of the *Cour Royale* at Cayenne, was of such a nature as to render it improbable that a reversal could be obtained of the decree, pronouncing the capture of the vessel to have been made without sufficient cause, and that he could not, therefore, advise an appeal from such a decree. It, however, appeared to him that the sum of 252,283 f. 84c., awarded against the captors by the judgment of the civil tribunal of the colony was excessive, and he says, "whether this judgment, which passed by default, can by the law of France be appealed from, I am unable to say."

Inquiries were thereupon directed by Her Majesty's Secretary of State for Foreign Affairs to be made at Paris in regard to the right of appeal, and a correspondence took place between Lord Aberdeen and Lord Cowley, Her Majesty's Ambassador at that Court on this subject, and the result of the information obtained there was, that there is no appeal from the decree of the *Chambre des Mises en Accusation* of acquittal, as it forms part of the Royal Court, from which there is no appeal except on points of law. And the article 246 of the code of "Instruction Criminelle" declares that the accused party against whom the Court has declared there are no grounds for sending him to trial, cannot be brought before the Court again except on fresh proof, and the public prosecutor himself cannot appeal from its decision as regards the facts. That it was so held by a decree of the Court of Cassation in 1828, and by a decision of the same Court in 1831; it was likewise held that the civil party is also unable to appeal.

Your Lordships will therefore perceive that there is no prospect of obtaining a reversal of the judgment of the 2nd of December last, pronouncing that there was no cause to prosecute the master, cook, and cabin boy, as being engaged in the illicit traffic in slaves, ordering the restitution of the vessel and cargo, and referring Dejoie, the master, to sue at law for compensation for the damage occasioned by the seizure. It however appears to me that this is a case in which every inquiry should be made, and every exertion used by Her Majesty's Government, to obtain substantial justice, not merely to avoid the payment of this excessive award, but also for the purpose of maintaining the system which of late years has been pursued by this country with the view of diminishing the horrors of the Slave Trade.

Prior to sending you my report, I was anxious to obtain from Captain Christie and Lieutenant Compton an explanation of many of the circumstances which appear in these papers, particularly the reason why the evidence of the carpenter of the "Rose," as to the number of planks, &c., had not been before the Court; and for that purpose I made inquiry at the Admiralty, but I was unable to see either of those gentlemen, inasmuch as Captain Christie is residing at No. 18, York-place, Edinburgh, and Lieutenant Compton at Milkington House, Coldstream, also in North Britain.

It may be proper for me now to observe, that Lord Canning, in his letter transmitting the several papers and documents in this case, observes, that from the Queen's Advocate's report, it would appear that the parole and documentary evidence produced before the *Chambre des Mises en Accusation* of the Royal Court at Cayenne, was of such a nature as to render it improbable, that if an appeal could be lodged against the decree which pronounced that the capture of the vessel was made without sufficient cause, the consequence of such an appeal would be a reversal of the decree of liberation: and Lord Canning then proceeds to state, that if the legal opinion obtained upon this subject by Lord Cowley be correct, it would follow that there is no appeal from the decree of liberation pronounced by the *Chambre des Mises en Accusation*; but that as the judgment awarded in respect to damages went by default, the party might bring the case again before the same Court to be re-heard, in so far as regards the award of damages; and Lord Canning then observes, that Lord Aberdeen was of opinion that Her Majesty's Government should enter proceedings in the proper Court with the view of procuring a reversal or alteration of the judgment as regards the amount of damages awarded in this case. And that as the papers were very voluminous, and contained the only transcripts extant, Lord Canning

requests that they might be returned to the Foreign Office, after copies should have been taken of such of them as might be held to be necessary. Whatever directions are to be given upon this subject, I most humbly submit should be given by Lord Aberdeen, for I am not aware of any directions your Lordships, beyond that of sending the whole of these papers to your Lordships' solicitor; but that as there is no court of law or equity in this country, which can be resorted to accomplish the objects required, and that as everything which is to be done is to be done in foreign countries, I am of opinion that whatever directions are to be given, the same should proceed from Her Majesty's Secretary of State for Foreign Affairs, and not from your Lordships; and should your Lordships concur in this opinion, it will be advisable that a communication should be made to that effect.

As, however, your Lordships have referred these documents to me for my opinion thereon, I propose to state what appears to be the most advisable course to be pursued. And first I must observe, that notwithstanding these papers are exceedingly voluminous, I do not think that they contain all the proceedings in this case; and as, by the 10th article of the Supplementary Convention, it was stipulated between the two Governments, and they engaged, "reciprocally to communicate, each to the other, free of expense, and upon application being made, copies of *all* the proceedings instituted and judgments given relative to vessels visited or detained;" that it will be advisable to inquire whether there are not other papers and proceedings, copies of which have not been forwarded, and if so, to be furnished therewith.

I am well aware how dangerous it may be to draw comparisons between the jurisdiction and modes of proceeding in the tribunals of different countries; but for the sake of making my views upon this question clear, I will suppose that a bill of indictment against British sailors for having been engaged in the Slave Trade had been thrown out by the grand jury, or if found, that a verdict of "not guilty" had been brought in, it is obvious that, according to our system of jurisprudence, this would form no bar to the institution of another process in another Court against the ship, for the purpose of trying whether she had been guilty of the illegal traffic in slaves. Now if the Court, "Chambre des Mises en Accusation" of the Cour Royale, exercised a jurisdiction simply in *personam*, but not over the ship itself, a question, not clear from these proceedings, and respecting which I cannot speak with confidence, it might still be competent, at the instance of Her Majesty's Government, to re-agitate the question before another tribunal, as to whether this vessel really ought to have been condemned for a breach of the Supplementary Convention, and I take the liberty of advising an inquiry to be made of the first legal authority in France, as to whether the course I have suggested is practicable, and if so, that it should be adopted. If, however, it should unfortunately turn out that no means remain of directly trying the question of breach of treaty, then, as I apprehend, it would be still competent to bring the decree of the "Tribunal of First Instance" again under examination, and to defeat the claim set up, either in toto, as preferred under circumstances which justified the seizure and detention, or in part on the ground that the damages awarded are exorbitant and excessive.

It must not be forgotten also, that besides the bundle of letters thrown overboard, there was also, upon examining the cargo on the 28th of October, a parcel, containing 32 letters, found between the transoms in the middle of the vessel. These circumstances alone afford so strong presumption against the legality of the ship's adventure, and, if accompanied with other suspicious circumstances, would justify the seizer in sending her to some port for a more rigid investigation. The late Lord Stowell, when Sir William Scott, in giving judgment in the case of the "Rising Sun," as reported in the second volume of 'Robinson's Reports,' p. 106, says:—"Spoliation of papers is not alone in our Courts of Admiralty a cause of condemnation, but if other circumstances occur to raise suspicion, it is not too much to say of a spoliation of papers that the person guilty of that act shall not have the aid of the Court, or be permitted to give further proof, if further proof is necessary."

Under all the circumstances of this case, I beg further to observe, that it appears to me that the most effectual way to obtain redress will be to send some person well informed on these subjects, and in whom Her Majesty's Secretary of State for Foreign Affairs has full reliance, to Cayenne, with proper authority to take all steps necessary to obtain substantial justice; and should it not be prac-

licable to annul altogether either of the decrees I have mentioned, it is quite clear that as to that of the 28th of December having been pronounced in default (no party appearing to the suit), that Her Majesty's Government has the right, either of prosecuting an appeal, or, in the first instance, of bringing the subject again before the Court of "Première Instance" for a re-hearing upon the whole merits of the case; the latter course appears to me more advisable, particularly as it will not bar the right of appealing from the decision of that Court afterwards, should it be considered necessary.

It will also be advisable that an affidavit should be made by Captain Christie, verifying his statement. Also that the certificate of the two Lieutenants, Campbell and Compton, Mr. Hobart, the mate, and Haves, the carpenter, should also be verified by their oaths, and that Haves, the carpenter, should make affidavit to the effect of his certificate, or possibly it might be necessary that he should also be sent to Cayenne.

I beg further to observe, that Dejoie, the master, in his report addressed to the Minister of Marine at Paris, dated the 8th of March, 1842, states, that he had arrived at St. Nozairé on the 26th of February with a cargo which he brought from Cayenne, and that he went to Nantes on the same day. In the event of its not being possible to annul the decree of the 28th of December entirely, yet it may tend very much to reduce the damages, if the tonnage or burden of this vessel, the "*Marabout*," was correctly ascertained, for it is a very remarkable circumstance, that there is nothing in any of the papers nor in the oral evidence to show her burden; it may also be important if the nature and quantity, as well as quality, of the cargo which the master delivered at Nantes could be ascertained, for as he has charged and been allowed the enormous sum of 90,720f. for the profit of a supposed cargo, which he might have taken from the coast of Africa to Nantes, whilst at the same time he is occupied in carrying a cargo from Cayenne to Nantes, for the benefit of himself and his owners. Important information may be derived from the result of these inquiries, and which might tend to extinguish this extraordinary allowance of 90,720f.

It therefore might be very desirable that Lord Aberdeen should give directions to the British Consul at Nantes, desiring him to obtain the fullest information on these points, and furnish the best evidence he can procure on the subject.

It also appears to me that Mr. Porter, the British Consul at Bahia, should be written to, in like manner, and be directed to ascertain whether in either of the two last voyages of this vessel from the coast of Africa to Bahia, she had brought any slaves or not, and if not, what the two cargoes consisted of. It may also be important that Mr. Porter should be furnished with copies of the two invoices of the goods which were on board this vessel at the time of her seizure, that he may ascertain whether similar articles were selling at Bahia at that date, September, 1841, at similar prices which are affixed to each of the articles mentioned in these invoices, or whether, in point of fact, a mercantile profit has not been added thereto; if so, to procure and send the best possible evidence thereof, as the same may not only tend to reduce, but altogether annihilate, the charge of 60 per cent. profit on these invoices, which has been made and allowed, amounting to 59,437f. 80c.

Mr. Porter might at the same time be furnished with a copy of the certificate which shows the quality of the spirits and the kind of tobacco that was on board this vessel, the better to enable him to ascertain correctly the price of these goods at Bahia at that time; he should also be furnished with such extracts from the examination of Dejoie, the master, which in any manner gives information upon this point.

I further beg leave to observe, that it appears by the invoice of goods, amounting to 63,584f. 8c., and which comprises by far the greatest portion of the cargo laden on board this vessel, that 7 out of 10 of the passengers taken on board the "*Rose*" were shippers of the goods therein mentioned, and whose names are as follows, viz.—

Antonio Da Silva,
F^{co}. J^{se}. d'Oliveira,
Guilh. Martin de Nascimento,
José Martin Franca,
Bento Sinicio,
José Pinto Guamaras,
Ant^o. Neves.

It will therefore be advisable that Mr. Porter should make all the inquiry he could, as to whether these parties were not the owners as well as shippers, or who were the owners, as that might tend to deprive the master of the benefit of this award which gives him the full amount of both the invoices, and 60 per cent. thereon; and there is also an additional allowance of 100 per cent. on a supposed cargo of palm oil, which it is assumed he might have purchased on the coast of Africa, the amount whereof is awarded to the master of this vessel by the award as it now stands.

Mr. Porter might also be able to obtain from these parties information whether any of them paid Captain Dejoie anything, and what, either for freight upon their goods, or for their passage from Bahia to the coast of Africa, and if any of them did so, to procure evidence as to the amount thereof, and if not, Mr. Porter might probably ascertain the amount they would have had to pay the master upon their arrival on the coast, either for freight or for passage-money; for as he has charged 5400f. for the freight, and 4400f. for passage-money, being 400f. for the passage of each passenger, and these sums having been allowed to him in the award, it is possible that a considerable reduction might be obtained from these two items.

In concluding this report I must avail myself of the present opportunity of calling your Lordship's attention to the great importance of providing against a recurrence of a similar difficulty, and perhaps for that purpose it may be necessary for the commanders of Her Majesty's cruisers to be furnished with particular instructions as to the steps they should pursue in like emergencies, especially as relates to the proper mode of instituting proceedings before the French tribunals, and adequately instructing their case with competent evidence, that hereafter the legality of such captures may be adjudicated upon with a better chance of a just decision.

All which is most humbly submitted to your Lordships' wisdom.

(Signed)

WM. ROTHERY.

Stratford Place, October 17, 1842.

Fifth Enclosure in No. 80.

Mr. Addington to the Secretary to the Admiralty.

SIR,

Foreign Office, November 2, 1842.

WITH reference to my Letter of the 26th ultimo, respecting the French vessel "*Marabout*," I am directed by the Earl of Aberdeen to transmit to you, to be laid before the Lords Commissioners of the Admiralty, the accompanying copy of a Letter, and of its Enclosure, which I have received from Her Majesty's Treasury; and I am to request that you will draw the particular attention of their Lordships to the points adverted to in the communication from the Treasury upon the conduct of Captain Christie and Lieutenant Compton.

It appears to Lord Aberdeen to be very desirable that a full explanation should be obtained from those officers upon these points, as well as upon the other points adverted to in the papers already transmitted to their Lordships upon this subject, with the views of making to the French Government any reparation or compensation which may be due to them, and of satisfactorily clearing up any unfounded charges which may have been made against Her Majesty's officers and men employed in this service, as well as of aiding Her Majesty's Government in their further proceedings in the French Courts of law, which it will be desirable to institute with a view to procure the reversal or revision of the sentence pronounced in those courts in the case of the "*Marabout*."

I am, &c.

(Signed)

H. U. ADDINGTON.

To the Secretary to the Admiralty.

Sixth Enclosure in No. 80.

Mr. Addington to the Secretary of Her Majesty's Treasury.

SIR,

Foreign Office, November 2, 1842.

I HAVE laid before the Earl of Aberdeen your Letter of the 28th ultimo, and its Enclosure, respecting the seizure of the French vessel "*Marabout*," by Her Majesty's ship "*Rose*," upon a charge of slave trade, and the proceedings consequent thereon.

I am directed by Lord Aberdeen to transmit to you, to be laid before the Lords Commissioners of Her Majesty's Treasury, the accompanying copy of a Letter, which his Lordship addressed on the 26th ultimo to the Count St. Aulaire, French Ambassador at this Court, notifying to the French Government, through His Excellency, the intention of Her Majesty's Government to take measures for procuring a revision of the sentence passed in the Courts at Cayenne, in respect to the "*Marabout*," and requesting for this purpose to be furnished with such papers, in addition to those already sent, as shall complete copies of the proceedings already instituted and judgments given in the case.

To Ct. St. Aulaire,
Oct. 26, 1842.

I am to transmit to you likewise the accompanying copy of a letter which by Lord Aberdeen's directions I addressed, on the 26th ultimo, to the Admiralty, requesting that their Lordships would direct that a severe investigation might be instituted without delay into each of the accusations brought against the British officers and men referred to in Count St. Aulaire's communication upon this subject.

To the Admiralty,
Oct. 26, 1842.

A copy of your Letter of the 28th ultimo, and of its Enclosure, has been sent to the Admiralty, accompanied by a letter, of which copy is herewith enclosed; and the particular attention of that Board has been drawn to those points which have reference to the conduct of Captain Christie and Lieutenant Compton.

To the Admiralty,
Nov. 2, 1842.

Lord Aberdeen further directs me to express his concurrence in the course which the Lords of the Treasury propose to pursue for ascertaining, without delay, the specific steps to be taken by Her Majesty's Government for obtaining substantial justice in this case. And his Lordship will be glad to hear further from the Lords of Her Majesty's Treasury, whenever they may have anything to communicate on this subject.

I am to add that Lord Aberdeen will communicate with the Lords Commissioners of the Admiralty on the suggestion contained in the latter part of your letter, as to instructions to naval officers in Her Majesty's service employed in suppressing illegal Slave Trade.

I am, &c.

(Signed) H. U. ADDINGTON.

To the Secretary to Her Majesty's Treasury.

Seventh Enclosure in No. 80.

Sir John Barrow to Mr. Addington.

SIR,

Admiralty, November 1, 1842.

HAVING laid before my Lords Commissioners of the Admiralty your Letter of the 26th of last month, and its Enclosures, on the subject of the French vessel "*Marabout*," detained by Her Majesty's ship "*Rose*," on suspicion of being engaged in the Slave Trade, and carried to Cayenne for adjudication, I am commanded by their Lordships to acquaint you, for the information of the Earl of Aberdeen, that as Vice-Admiral Sir Edward King, the Commander-in-Chief of the Cape of Good Hope and Brazil stations at the time of the detention of the "*Marabout*," is on his way home, and Captain Christie and Lieutenant Compton are both in England, their Lordships intend, immediately on the arrival of the Admiral, to cause a severe investigation to be instituted into the accusations preferred against the officers and men in the

papers in question which accompanied your letter, the result of which will be communicated to his Lordship.

I am, &c.

(Signed) JOHN BARROW.

To H. U. Addington, Esq., Foreign Office,
&c. &c. &c.

Eighth Enclosure in No. 80.

The Earl of Aberdeen to Count St. Aulaire. November 7, 1842.

(See No. 78, page 84.)

No. 81.

Protocole de la Conférence tenue au Foreign Office, le 9 Novembre, 1842.

Présens :

Les Plénipotentiaires d'Autriche,
 „ de la Grande Bretagne,
 „ de Prusse, et
 „ de Russie.

LE Principal Secrétaire d'état de Sa Majesté Britannique pour les affaires étrangères a invité les Plénipotentiaires des Cours d'Autriche, de Prusse, et de Russie à se réunir en conférence aujourd'hui pour leur donner connaissance d'une communication qui lui a été adressée par M. l'Ambassadeur de France : Elle a pour objet d'annoncer que le Gouvernement de Sa Majesté le Roi des Français a jugé de son devoir de ne point ratifier le Traité conclu à Londres le 20 Décembre, 1841, relatif à la suppression de la traite des nègres d'Afrique.

Les Plénipotentiaires ont unanimement exprimé le regret que leur fait éprouver cette détermination du gouvernement Français. Mais en même tems ils ont jugé nécessaire de constater d'un commun accord que, nonobstant le changement survenu dans les intentions du gouvernement Français, les Cours d'Autriche, de la Grande Bretagne, de Prusse, et de Russie n'en sont pas moins fermement décidées à mettre à exécution les engagements qu'elles ont contractés par le susdit Traité, qui, pour leur part, restera dans toute sa force et valeur.

En manifestant cette détermination, au nom de leurs Cours, les Plénipotentiaires d'Autriche, de la Grande Bretagne, de Prusse, et de Russie ont cru devoir la consigner formellement par écrit.

Finalement, ils ont résolu de déclarer, que le Protocole, jusqu'ici resté ouvert pour la France, est clos.

(Signé) NEUMANN.
 ABERDEEN.
 BUNSEN.
 BRUNNOW.

No. 82.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, November 9, 1842.

THE Undersigned, &c., has the honour to acknowledge the receipt of the Note addressed to him on the 8th instant, by his Excellency Count St. Aulaire, &c., informing him of the course adopted by the French government respecting the Treaty of the 20th December, 1841, for the more effectual suppression of the Slave Trade.

The Undersigned having felt it his duty to summon without delay a conference of the Plenipotentiaries of Austria, Prussia, and Russia, joint parties with France to this Treaty, and to lay before them the note from his Excellency,

has now the honour to transmit to his Excellency a copy of the Protocol agreed upon at that conference.

The Undersigned, &c.
(Signed) ABERDEEN.

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

Enclosure in No. 82.

(See No. 81.)

No. 83.

Lord Cowley to the Earl of Aberdeen.

Paris, Nov. 7, 1842.

(Received Nov. 10.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 2nd instant.

I have, &c.,
COWLEY.

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

No. 84.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, November 11, 1842.

I HEREWITH transmit to your Excellency a copy of a note which I have received from Count St. Aulaire, informing me of the course adopted by the French Government respecting the Treaty of the 20th of December, 1841, for the more effectual suppression of the Slave Trade.

On the receipt of that communication, I summoned a conference of the plenipotentiaries of Austria, Prussia, and Russia, and laid before them the note from Count St. Aulaire.

I herewith transmit to your Excellency a copy of the Protocol agreed upon at that conference; together with a copy of a note which I addressed to Count St. Aulaire, transmitting to his Excellency a copy of that Protocol.

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

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

First Enclosure in No. 84.

Count St. Aulaire to the Earl of Aberdeen, November 8, 1842.

(See No. 79, p. 85.)

Second Enclosure in No. 84.

Protocol of Conference of November 9, 1842.

(See No. 81, p. 114.)

Third Enclosure in No. 84.

The Earl of Aberdeen to Count St Aulaire, November 9, 1842.

(See No. 82, p. 114.)

No. 85.

Lord Cowley to the Earl of Aberdeen.

Paris, November 11, 1842.

(Received November 14.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch marked Slave Trade of the 8th inst.

I have, &c.

(Signed)

COWLEY.

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

&c.

&c.

&c.

No. 86.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, November 16, 1842.

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and in pursuance of the request contained in his Excellency's note of the 3rd instant, has the honour to transmit herewith to him, warrants enabling the commanders of the French vessels of war "*Papillon*" and "*Estafette*," to act under the Conventions between Great Britain and France of the 30th of November, 1831, and 22nd of March, 1833, for the suppression of the Slave Trade.

His Excellency Count St. Aulaire,

&c.

&c.

&c.

No. 87.

Count St. Aulaire to the Earl of Aberdeen.

Londres, le 15 Novembre, 1842.

MY LORD,

(Received November 16.)

J'AI reçu la note que Votre Excellence m'a fait l'honneur de m'adresser le 7 de ce mois sur l'affaire du "*Marabout*," et je me suis empressé d'en transmettre copie à mon Gouvernement.

Votre Excellence m'avait exprimé le desir dans sa note précédente en date 26 Octobre dernier, de recevoir communications de toutes les pièces de la Procédure à laquelle cette affaire a donné lieu qui n'avaient pas encore été mises à sa disposition.

Mon Gouvernement m'ayant envoyé, par suite de cette demande le dossier complet de la question, j'ai l'honneur d'adresser ci joint à Votre Excellence copies des pièces qui n'ont pas été déjà comprises dans mon premier envoi en date du 19 Avril. Je dois d'ailleurs prévenir votre Excellence que des ordres ont été donnés par M. le Ministre de la Marine pour que d'autres copies de tous les actes intervenus soient tenues à Cayenne à la disposition de l'avocat ou du Mandataire qui pourrait être désigné par le Gouvernement Britannique pour poursuivre cette affaire.

Veuillez recevoir, my Lord, &c.

Son Excellence le Comte Aberdeen,

(Signé)

ST. AULAIRE.

&c.

&c.

&c.

First Enclosure in No. 87.

Etat des frais de procédure auxquels a donné lieu la poursuite criminelle dirigée contre le Capitaine Dejoie et son équipage, soupçonnés de traite de noirs.

A l'huissier Bland.

	Fr.	c.
Citation à deux experts, original	1	50
2 copies, à lfr. 12½c.	2	25
Citation à 4 autres témoins, original	1	50
4 copies à lfr. 12½c.	4	50
Citation à comparaître, à un prévenu, original	1	50
Une copie à lfr. 12½c.	1	12½
Citation à comparaître à un prévenu, original	1	50
Une copie à lfr. 12½c.	1	12½
Citation à comparaître à un prévenu, original	1	50
Une copie à lfr. 12½c.	1	12½
Citation a deux experts, original	1	50
2 copies à lfr. 12½c.	2	25
3 copies de rôle à 75c.	2	25

23 62½

A l'Enregistrement.

10 9 ^{bre} 1841.	Au débat citation à deux experts par Bland	Q 50
12	„ „ à un prevenu	0 50
„	„ „ à 4 temoins	0 50
„	„ „ à un prevenu	0 50
„	„ „ „	0 50
10 9 ^{bre} 1841.	Ordonnance du juge	0 75
19	„ „ Citation à deux experts par Bland	0 75
		<hr/> 4 50

Au Greffe de la Cour Royale.

Trois expéditions de l'arrêt de non lieu délivrés à Monsieur le Procureur Général, dix roles à 60c.	6 0
Copies des pièces du dossier le "Marabout," délivrées à M. le Procureur Général	300 0
Copie d'état de frais s'élevant à 25 articles à 7½c.	1 87½
	<hr/> 307 87½

A divers.

Certifié conforme au tarif et s'élevant à la somme de trois cent sept francs 87½c. en ce non compris les frais extra-judiciaires.

(Signé) BARADAT.

Pour copie conforme délivrée à Monsieur le Procureur-General.

Cayenne, le vingt quatre Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Le Procureur Général du Roi,

(Signé) J. MOREL.

Pour legislation.

Le Gouverneur,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Second Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française séant à Cayenne.

Permis de depart de Bahia.

O BRIQUE Francez "Marabout," que segue viagem para Nantes, com o Mestre Dejoie, esta corrento par esta adminestracão geral de correio, Bahia, 25 de Setembro de 1841.

(Signé) DA SYLVA.

Vu à la Chambre des Mises en Accusation séant à Cayenne, le deux Decembre mil huit cent quarante un.

Le Conseiller President,

(Signé) BRUN.

Pour copie conforme délivrée à Monsieur le Procureur Général.

Cayenne, le vingt trois Janvier mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le President de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur Général du Roi,

(Signé) J. MOREL.

Vu pour legalisation.

Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Third Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française séant à Cayenne.

Coffre de Médicamens.

L'AN mil huit cent quarante le treizième jour du mois d'Avril nous Soussignés Feliz Chargan, René Rouillard, Docteurs en Médecine et Pierre Ketre, Pharmacien, composant la Commission établie au port de Nantes, en exécution de l'Ordonnance du Roi en date du 4 Aout, 1819, avons constaté en présence du Sieur Dejoie, Capitaine du Navire le "*Marabout*," du port de — tonneaux ayant 13 hommes d'Equipage, appartenant à Monsieur Lepertière negociant, destiné pour Bahia et du Sieur Chirurgien du dit navire, que le coffre de medicamens destiné pour le dit navire, renferme les objets ci-après mentionnés lesquelles nous certifions être de bonne qualité, et parfaitement propres à l'usage auxquels ils doivent être employés :—

Alcool de canelle.	Cousandre.
Agarie de chêne.	Tinamaromba.
Bois de réglisse.	Sulfate de Quinine.
Chiendent.	Sue de réglisse.
Crème de tartre.	Théreegen.
Cantharides.	Seringue à lavement.
Chlorure de chaux.	Calophane.
Alcali volatil.	Emétique.
Baume du commandeur.	Elixir de Garu.
Calomel.	Ether sulphurique.
Camphre.	Eau de vie camphrée.
Cire jaune.	Do. de Riga.
Ditto d'oxide de sodium.	Eau de Rabil.
Diascordium.	Espèces emollientes.
Eau vulneraire.	Farine de lin.
Elixir de longue vie.	Do. de sureau.
Extrait de saturne.	De tilleul.
Emplâtre diachilium.	Graine de lin.
Do. vesicatoire.	Ipecacuanha.
Esprit de cochlearia.	Manne en sorte.
Eau de fleur d'orange.	Onguent jaune.
Fleur de camomille.	Suppuratif.
Do. de pectorale.	Pour la gale.
Do. de soufre.	Do. d'opium.
Gomme Arabe.	Pavot.
Laudanum liquide.	Quinquina.
Orge mondé.	Parilla.
Do. de la mère.	Althéa.
Mercuriel.	Sel d'Epsom.
Pilules de Beloste.	Sel de nitre.
Pierre infernale.	Sulfate de zinc.
Prises purgatives.	Sparadrof.
Rhubarb.	Linge à pansemens.

Ciseaux, fil, aiguilles, épingles, charpie, clysopompe, scarificateurs à pompe. Déclarons en outre que nous avons remis à Monsieur le Capitaine une instruction sur l'usage à faire des medicamens contenus dans le dit coffre.

Fait à Nantes, le 13 Avril, 1840.

(Signé)

NIGRAUD.
KETRE.
ROUILLARD.
LALOS.

Vu à la Chambre des Mises en Accusation à Cayenne, séance du deux
 Décembre, mil huit cent quarante et un.

(Signé) J. J. BRUN, Conseiller Président.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt trois Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le President de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Fourth Enclosure in No. 87.

*Extraits des Minutes du Greffe de la Cour Royale de la Guyane Française,
 séant à Cayenne.*

No. 496.

Permis de douane.

ESTA corrente pela alfandegare meya do Consulado, para sahir d'este
 porto sem impedimento do registro o brigue Francez "Marabout," meza do
 Consulado da Bahia.

25 de Setembro, de 1841.

O administrador,

(Signé) CUNHA.

Vu à la Chambre des Mises en Accusation séance du deux Décembre, 1841,
 à Cayenne.

Le Conseiller Président,

(Signé) BRUN.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt trois Janvier, mil huit cent quarante deux.

(Signé) J. A. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Fifth Enclosure in No. 87.

Visité à Nantes, le 28 Mars et 13 Avril, 1840.

3^e Arrondissement.

No. 43.

No. 266.

Registre des
bâtimens immatriculés
au Quartier de Nantes.
F^o 142, No. 429.

Armeement au mois, année 1840.
"Le *Marabout*" (brick), allant à Bahia.

Quartier de Nantes.
Port de Nantes.

No. 9.

Rôle de l'Equipage du brick "*le Marabout*," construit en l'an 1839 à Nantes, du port de 172⁴/₁₀₀ tonneaux, armé de canons, tirant d'eau, chargé, 4 mètres 20 centimètres, et non chargé, 2 mètres, 20 centimètres, un pont, — gaillard, appartenant à M. Lepertière, armé à Nantes par le dit, sous le commandement du Sieur Dejoie, pour aller à Bahia. Auquel équipage il a été accordé pour le voyage les sommes ci-après :—

	Apostilles et Mouvements.	Noms, Prénoms, Naissances, Domiciles, Quartiers d'Inscription et Signalement.		Inscriptions.		Grade et Paie au Service.	Qualité et fonctions à Bord du Bâtiment.	Sommes accordées pour le Voyage.	Avances (les énoncer s'il en a été accordé).
		Folio.	No.						
1.			<p>Noms, Prénoms, Naissances, Domiciles, Quartiers d'Inscription et Signalement.</p> <p>DEJOIE, HIPPOLITE PAUL.</p> <p>Fils de Nicolas Ambroise et de Françoise Perrine Buand, demeurant à Rezé, syndicat d' , quartier d' ; né le 22 Janvier, 1809, à Bougenais, département de la Loire Inférieure; taille d'un mètre mill^m; visage, front, yeux, nez, bouche, menton, cheveux, sourcils, marques particulières</p>	158	315	C. au L. C.	Capitaine.	200	400
2.	<p>A reçu à Bahia quatre vingt cinq francs, quatre vingt cinq centimes. Bahia, 18 Août, 1841. L'E. Consul de France. (Signé) C. DE VALLAT.</p>	<p>MEUNIER, PIERRE.</p> <p>Fils de Pierre Joseph et de Héleine Jadeau, demeurant à Marans, syndicat d' , quartier d' ; né le 29 Octobre, 1806, à Vourant, département de la Charente Inférieure; taille d'un mètre mill^m; visage, front, yeux, nez, bouche, menton, cheveux, sourcils, marques particulières</p>	48	10	M ^{re} au Cab.	2 ^e Capitaine.	120	240	
3.	<p>A reçu un 3^e mois d'avance avant le départ. Prémumé mort à la côte d'Afrique, le 9 Juin, 1841. L'E. Consul ^g le Consulat. (Signé) C. DE VALLAT.</p>	<p>GERGAUD, JEAN MARIE AUGUSTIN.</p> <p>Fils de Jean Marie et de M^{le} F^oche Javenot, demeurant à Nax, syndicat d' , quartier d' ; né le 27 Aout, 1813, à la Roche Bernard, département de Morbihan. Taille d'un mètre 620 mill^m; visage ovale, front bas, yeux gris, nez gros, bouche moy^e, menton rond, cheveux, sourcils noirs, marques particulières</p>	436	1883	M ^r de 3 Cl ^e	Lieutenant.	80	160	

4.	A reçu à Bahia quarante francs vingt cinq centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	Fils de Pierre et de Françoise Orté, demeurant à Clisson, syndicat d' , quartier d' ; né le 21 Juin, 1820, à Clisson, département de la Loire Inférieure ; taille d'un mètre 690 mill ^m ; visage , front , yeux , nez , bouche , menton , sourcils , marques particulières	R. Q. Cuisinier. 55 110 Avait reçu jusqu' au 9 Juin, 1841, des mains du capitaine la somme de cent soixante et dix-sept francs cinq centimes, la présente mention faite à la demande du capitaine et d' après l' attestation de l'équipage. Bahia, 18 Août, 1841. L'E. Consul de France. (Erreur ; cette note est relative à Gergaud).	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
5.	A reçu à Bahia quarante huit francs trente centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	Fils de Louis Mathurin et d'Adèle Victoire Leclerc, demeurant à , syndicat d' , quartier d' , né le 27 Mai, 1824, à St. Laurent, département du Finistère, taille d'un mètre mill ^m ; visage , front , yeux , nez , bouche , menton , cheveux , sourcils , marques particulières	R. Q. Tonnelier. 45 90 200 f.	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
6.	A reçu à Bahia, seize francs dix centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	Fils de Jean Marie et de Marie Poitier, demeurant à Vannes, syndicat d' , quartier de Nantes ; né le 24 8 ^{bre} , 1820, à Chantenay, département de la Loire Inférieure ; taille d'un mètre 56 mill ^m ; visage ovale, front haut, yeux roux, nez gros, bouche grande, menton rond, cheveux l' , sourcils chatains, marques particulières.	R. Q. Ouvrier Charpentier en voyage. 50 100	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
8.	A reçu à Bahia quarante huit francs trente centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	Fils de Julien et de Julienne Tossen, demeurant à Vannes, syndicat du dit quartier de Vannes ; né le 26 Avril, 1806, à Vannes, département de Morbihan, taille d'un mètre 610 mill ^m ; visage ovale, front haut, yeux gris, nez gros, bouche grande, menton rond, cheveux , sourcils noirs, marques particulières	R. Q. Matelot de 3 ^e Classe. 50 100	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
8.	A reçu un troisième mois d'avance avant le départ ; a reçu à Bahia cinquante francs quatre vingt quinze centimes. Bahia, le 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	Fils de Jean Marie de M ^{re} M ^{re} Legrand, demeurant à Lorient, syndicat du dit quartier de Lorient ; né le 6 Juillet, 1816, à Lorient, département de Morbihan ; taille d'un mètre 630 mill ^m ; visage ovale, front couvert, yeux gris, nez aquilin, bouche moy ^e , menton rond, cheveux et sourcils chatains, marques particulières	R. Q. Matelot Matelot. Voilier. 40 80	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..

(Signé) Le Consul g^r le Consulat.
C. de Vallat.

Bahia, 23 7^{bre}, 1841.

5030 459 Ouvrier Voilier.

A quitté le bord deux fois sans permission, et a été deux fois arrêté par un soldat de police ; est resté cinq jours absent du bord, après s'être absenté indument. Le Capitaine a payé pour son remplacement pendant ces cinq jours et son arrestation, vingt trois francs soixante deux centimes.
(Signé) Le Consul g^r le Consulat,
C. DE VALLAT.

Bahia, 23 7^{bre}, 1841.

"Le Marabout" (brick)—continued.

	Apostilles et Mouvements.	Noms, Prénoms, Naissances, Domiciles, Quartiers d'Inscription et Signalement.	Inscriptions.		Grade et Paie au Service.	Qualité et fonctions à Bord du Bâtiment.	Sommes accordées pour le Voyage.	Avances (les énoncer s'il en a été accordé).
			Folio.	No.				
9.	A reçu à Bahia quarante francs vingt cinq centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	AGUET, JEAN MARIE. Fils de Jean Baptiste et de Françoise Viand, demeurant à Guérande, syndicat d' , quartier du Crosie; né le 28 9 ^{bre} , 1802, à Guérande, département de la Loire Inférieure; taille d'un mètre 630 mill ^m ; visage ovale, front couvert, yeux roux, nez gros, bouche grande, menton rond, cheveux et sourcils chatains, marques particulières	124	248	Matelot de 3 ^e Classe.	Matelot.	50	100
10.	A reçu à Bahia quarante francs vingt cinq centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	DAVID, JEAN. Fils de Julien Marie et d'Isabelle Roug, demeurant aux Quatre Vents, syndicat d' , quartier du Crosie; né le 11 Février, 1799, à Bougres, département de la Loire Inférieure; taille d'un mètre 680 mill ^m ; visage plein, front haut, yeux bleus, nez moyen, bouche moy ^e , menton rond, cheveux et sourcils chatains, marques particulières.	1503	3016	Matelot de 3 ^e Classe.	Matelot Tonnelier.	55	110
11.	A reçu à Bahia trente deux francs vingt centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	TRIMAUD, JULIEN. Fils de Jean Marie, et de Perrine Guenezan, demeurant à Treccatan, syndicat d' , quartier du Crosie; né le 5 8 ^{bre} , 1811, à Guérande, département de la Loire Inférieure; taille d'un mètre 600 mill ^m ; visage , front , yeux , nez , bouche , menton , cheveux et sourcils chatains, marques particulières.	206	412	Novice.	Matelot.	50	100
12.	A reçu à Bahia vingt six francs quatre vingt cinq centimes. Bahia, 18 Août, 1841. L'E. Consul de France, (Signé) C. DE VALLAT.	BROSSEAU, JULIEN ALLANI. Fils de Jean et de Marie Robert, demeurant à Trizuart, syndicat de Méant, quartier de Crosie; né le 10 Août, 1821, à Nouton, département de la Loire Inférieure; taille d'un mètre 600 mill ^m ; visage ovale, front bas, yeux roux, nez petit, bouche moy ^e , menton rond, cheveux et sourcils châ, marques particulières.	414	828	Novice.	Novice.	85	70
						A Reporter		70

Le Consul g^e le Consulat,
(Signé)Bahia, 23 7^{bre}, 1841.
C. DE VALLAT.

Extrait de Revue.

Le capitaine a les instructions.

La solde court du jour de la sortie de Pierre-percée, et l'on se conformera pour sa cessation à l'usage du port du désarmement. Les marins s'engagent à suivre toutes les destinations légales du bâtiment sans prétendre à aucune augmentation de salaire.

Paraphé. M.

Nombre des Personnes.	A l'Armement.	Montant des Salaires.	Au Désarmement.	Nombre des Personnes.
3	Officiers	800	Présens	
..	Officiers Mariniers . . . . .	..	Congédiés	
2	Officiers non Mariniers	200	Désertés	
6	Matelots	590	Restés Malades	
2	Novices	130	Morts	
1	Mousses	30		
14		1750. 52.50	Total	

Fait à _____ le _____
au _____

Nous soussignés, armateur et capitaine, certifions le présent rôle véritable montant à la somme de dix-sept cent cinquante francs, accordée au quatorze personnes y dénommées pour faire le voyage de Bahia. Nous soumettant à n'embarquer sur le dit bâtiment que ceux dénommés au présent rôle ; à remettre dans les vingt quatre heures de l'arrivée dudit bâtiment dans son port, aux administrateurs chargés des classes, ou aux consuls de France, dans les pays étrangers, une déclaration du jour de sa première sortie et de celui de son arrivée avec le rôle dudit équipage, en leur donnant connaissance des changemens ; à ne payer qu'au désarmement les salaires de ceux qui pourraient être débarqués pendant le cours dudit voyage, à moins qu'il n'en soit décidé autrement par les dits administrateurs et consul, et à ne donner que des comptes de leur consentement et en leur présence ; ce dont il sera rapporté des certificats ; à fournir aux gens du dit équipage les rations des vivres dans les quantités et qualités réglées ; obligeant, en cas qu'elles n'aient point été fournis à leur en tenir compte en argent au désarmement ; à représenter le dit équipage au bureau des classes du port où le dit bâtiment fera son retour, ou à y justifier, soit par de certificats des susdits administrateurs et consuls, des désertions survenues où du débarquement des malades ; soit par des extraits en bonne forme, du décès des individus morts à terre, en y joignant les copies des inventaires des effets des gens de l'équipage et passagers morts ou désertés pendant le voyage, et des procès-verbaux pour ceux qui n'auraient rien laissé ; à payer, en présence des officiers des classes, les salaires dus au dit équipage, et les trois centimes pour franc, trois jours après le désarmement du dit bâtiment, et à observer en tout les lois et réglemens, sous les peines qui y sont portées.

Fait triple à Nantes, le 24 Avril, 1840.

Nous nous engageons en outre à remettre au désarmement, deux caronades, une espingole, composant notre artillerie. (Autorisation).

(Signé)

LE CAPITAINE DEJOIE.

Du 25 Avril, 1840.

Pour M. L. Lepertière,

(Signé)

C. J. DES FOSSES.

Vu par nous Commissaire de l'inspection maritime les quatorze personnes dénommées au rôle ci-devant, permis au Sieur Dejoie de s'en servir pour faire le voyage de Bahia, aux conditions portées par la soumission ci-dessus.

Fait double à Nantes, le 24 Avril, 1840.

(Signé)

NILRAN.

CLASS C.

Le Soussigné, trésorier des invalides de la marine en ce port, reconnais avoir reçu de M. Dejoie, capitaine du brick le "*Marabout*," la somme de cinquante deux francs, 50 centimes pour les trois centimes pour franc de celle de mille sept-cent cinquante francs payée audit équipage pour avances.

Fait à Nantes, le 25 Avril, 1840.

Pour le trésorier,

(Signé)

A. JALABERT.

<p>Arrivé à Bahia, Brésil, le 9 Juin. Je dix neuf Juin, 1840. Venant de Nantes. Chargé de diverses marchandises. Ayant quatorze hommes d'équipage et passagers. Le Consul de France, (Signé) MAX. RAYBAUD.</p>	<p>Expédié le 7 Juin, 1840, allant à la côte d'Afrique. Chargé de diverses marchandises. Ayant quatorze hommes d'équipage et passagers. Le Consul de France, (Signé) MAX. RAYBAUD.</p>
<p>Arrivé à Bahia, Brésil, le vingt quatre Nov. 1840. Venant de la côte d'Afrique. Chargé de diverses marchandises. Ayant quatorze hommes d'équipage et passagers. Le Consul de France, (Signé) MAX. RAYBAUD.</p>	<p>Expédié le 19 Février, 1841, allant à la côte d'Afrique. Chargé de diverses marchandises. Ayant quatorze hommes d'équipage et passagers. Le Consul de France. (Signé) MAX. RAYBAUD.</p>
<p>Arrivé à Bahia, Le trois Août, 1841. Venant de la côte d'Afrique. Chargé d'huile de palme. Ayant treize hommes d'équipage et sans passagers. Le Consul g^t le Consulat, (Signé) C. DE VALLAT.</p>	<p>Expédié le 25 Septembre, 1841, allant à la côte occidentale d'Afrique. Chargé de diverses marchandises. Ayant quatorze hommes d'équipage et onze passagers. L'E. Consul g^t le Consulat. (Signé) C. DE VALLAT.</p>

Vu à la Chambre des Mises en Accusation à Cayenne, séance du deux Décembre, mil huit cent quarante un.

(Signé)

BRUN.

Pour copie conforme, délivrée à M. Dejoie, capitaine.

Cayenne, le quatorze Decembre, mil huit cent quarante un.

(Signé)

J. MERENTIER.

Le President de la Cour Royale,

J. A. BARADAT.

Le Procureur Général du Roi,

J. MOREL.

Pour Légalisation : Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme : Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Sixth Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Assurances Maritimes à Nantes.

Assurances Maritimes. Police de Nantes.

POUR 65,000 à la prime de 3¼ pour cent sur le navire le "*Marabout*," Capitaine Dejoie, de ce jour naviguer au mois jusqu'au retour du navire, dans un port de France.

Les soussignés assurent à M. Lepertière, domicilié a Nantes, agissant pour le compte de qui il appartiendra, chacun la somme par eux ci après déclarée, sur corps du navire Français le "Marabout," Capitaine Dejoie, pour, de ce jour quatorze Avril, 1840, naviguer au mois dans toutes mers, ports, rades, fleuves, rivières, et autres endroits navigables, jusqu'au retour du dit navire à Nantes, ou à tout autre port de France conformément a l'article 8 de l'imprimé ci dessous. Cependant l'assuré se réserve la faculté de faire cesser l'effet de la présente avant l'entière décharge du navire, mais dans ce cas l'assuré en préviendra les assureurs par avenant.

Franc de guerre par dérogation à l'article 4 de l'imprimé ci dessous.

La prime est fixée a $\frac{3}{4}$ pour cent. par mois commencé ; non moins de 4 pour cent.

La présente assurance ne pourra avoir d'effet au delà de 15 mois de risques, le cas excepté où le navire serait à la mer, ou dans un port de relâche, parce qu'alors nos risques courraient jusqu'au premier port de destination. L'objet assuré est estimé de gré a gré, vaille plus, vaille moins, 65,000f.

Observation Générale.

Les assurances sur corps portent aussi sur les agrès et appareils, utensiles, embarcations, vivres, et victuailles, avances aux équipages, armemens et mises-hors, et généralement sur toutes les appartenances et dépendances ; et celles sur marchandises les comprennent toutes de quelque nature qu'elles soient, sujettes ou non au coulage. Il est de plus convenu que le capitaine ci-dessus désigné pourra être reçu ou non reçu ou remplacé par tout autre.

Suivent les articles de la police d'assurances de Nantes.

Pour extrait conforme délivré à Monsieur le Procureur-Général.

Cayenne le vingt trois Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Seventh Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Permis de sortir du port.

O PRESIDENTE da provincia ordena ao Senhor Commandante da fortaleza do mar que deisce sahir brigue Francez "Marabout" de que he mestre Dejoie, e segue viagem para nantes com escale, &c. d'Africa.

Palacio do Governo da Bahia, 25 de Setembro.

(Signé) JOAQUIM JOSE FINHEIRO DE VASED.

Vu à la Chambre des Mises en Accusation, a Cayenne, séance du deux Décembre, 1841.

Le Conseiller Président.

(Signé) BRUN.

Pour copie conforme delivré à Monsieur le Procureur-Général.

Cayenne, le vingt trois Janvier mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,
(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation,
Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.
Le Premier Secrétaire d'Ambassade,
PH. DE ROHAN CHABOT.

Eighth Enclosure in No. 87.

Extraits des Minutes du Greffe de la Cour Royale, séant à Cayenne.

Bahia, 25 Setembro, 1841.

Despacho Maritimo.

PARA Nantes, com escalla pela costa d'Africa, e brigue Francez "Ma-rabout," de 231 tonelladas, Mestre Dejoie, proprietario Lepertier residente em Nantes, entrou em 5 de Agosto pp. e pretende sahir le 29 de corrente, com 14 pessoas de equipagem.

An carragem 90 dias à	.	.	30	reis
Ci	.	.	346	500
Santa Casa 640 pom homem	.	.		560
			<hr/>	
			355	460

Carte Ambert.
Despalante.

No. 78.

Pagar trecentos è lui corenta è cinco mil quatro centos et secenta reis.
Constr^{as} Pacellas.

Vu à la Chambre des Mises en Accusation, à Cayenne, séance du deux Décembre, mil huit cent quarante un.

Le Conseiller Président,
(Signé) J. J. BRUN.

Pour copie conforme delivré a Monsieur le Procureur-Général.
Cayenne, le vingt trois Janvier mil huit cent quarante deux.
(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,
(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation,
Le Gouverneur de la Guyane Française.
(Signé) CHARMASSON.

Pour copie conforme.
Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Ninth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Prestation de serment des Sieurs Leprieur et Mathey, experts.

L'AN mil huit cent quarante un et le vingt Novembre, à huit heures de la matinée.

Pardevant nous Gustave Klippel, lieutenant de juge provisoire, juge d'instruction près le tribunal de première instance de la Guyane Française, séant à Cayenne, étant en notre cabinet au palais de justice.

Sont comparus les sieurs Leprieur, pharmacien de la marine, et Mathey, négociant, nommés experts par notre Ordonnance en date du dix neuf de ce mois, pour visiter et faire leur rapport sur la qualité et la quantité de farine et de bœuf salé, trouvés abord du navire le "*Marabout*," capturé par la corvette Anglaise la "*Rose*," lesquels après avoir déclaré accepter la mission qui leur est confiée, ont juré de la remplir en leur honneur et conscience.

Desquels comparaison et serment, nous avons donné acte aux comparans qui ont signé avec nous et le Greffier provisoire

(Signé) LEPRIEUR, MATHEY, et KLIPPEL.

Pour copie conforme délivré à Monsieur le Procureur-Général.

Cayenne le vingt trois Janvier mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le President de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation,

Le Gouverneur de la Guyane Française,

(Signé) CHAMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Tenth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française séant
à Cayenne.*

Inventaire des Papiers remis au Capitaine Dejoie.

Inventaire des Papiers du navire le "*Marabout*," remis au Capitaine Dejoie.

Acte de francisation.

Congé de la Douane.

Quittance du droit de congé.

Manifeste de la Douane.

Proces verbal de visite.

Certificat du coffre des medicamens.

Rôle d'équipage.

Instruction de la Marine à bord.

Manifeste à fret.

Connaissemens.

Journal de bord.

Patente de Santé.

Sac aux Lettres.

Manifeste visé par le Consul.

Nantes, 28 Avril, 1840.

(Signé) GOUPILEAU.

Par le courtier des Navires Français et étrangers, Nantes.
Les Capitaines sont invités à vérifier eux mêmes le présent inventaire, et à s'assurer s'il n'existe pas quelque acquits à faire décharger à Paimbœuf.

Vu a la Chambre des Mises en Accusation à Cayenne, séance du deux Décembre, 1841.

Le Conseiller Président,
(Signé) BRUN.

Pour copie conforme délivré à Monsieur le Procureur-Général,
Cayenne, le vingt trois Janvier mil huit cent quarante deux.
(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,
(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation.
Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.
Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Eleventh Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Citation au Sieur Leprieur au Sieur Mathey.

L'AN mil huit cent quarante un, et le dix neuf Novembre, en vertu de l'Ordonnance de Monsieur le Juge d'Instruction provisoire près le Tribunal Civil de Première Instance de Cayenne (Guyane Française), dûment scellée, signée, et datée du dix neuf Novembre courant mois, dont est avec ces présentes donné copie et sera enregistrée au même temps. Et à la requête de Monsieur le Procureur du Roi près le Tribunal Civil de Première Instance de Cayenne y demeurant et faisant à l'effet des présentes election de domicile, en son parquet, au Palais de Justice, rue de Choiseul.

J'ai, Jean Louis Bland, huissier audiencier, reçu au Tribunal Civil de Première Instance de Cayenne patenté de 3^e Classe, le 12 Janvier dernier No. 13, demeurant et domicilié à Cayenne, Rue de Berry, Soussigné, ai cité, et au besoin donné assignation 1^o au Sieur Leprieur, pharmacien en chef de l'hôpital militaire de Cayenne y demeurant, rue Provence, où il fait élection de domicile et parlant à sa personne; 2^o au Sieur Henry Mathey, négociant à Cayenne y demeurant et domicilié, grande rue du port, en son domicile et parlant à sa personne, à comparaître samedi vingt Novembre courant mois huit heures du matin par devant Monsieur le Juge d'Instruction en son Cabinet au Palais de Justice, rue de Choiseul.

Pour par eux prêter le serment voulu par la loi entre les mains de Monsieur le Juge d'Instruction, en leur qualité d'experts nommés par la dite ordonnance, et par suite procéder à la visite de la qualité et de la quantité de farine et de bœuf séché au soleil embarqué à bord du "*Marabout*," comme provision, et qui ne sont pas portées sur le manifeste, et immédiatement après à la rédaction de leur rapport au fins de la dite ordonnance; afin que les dits Sieurs Leprieur et Mathey experts n'ignorent, je leur ai, au domicile susdit, en parlant comme dessus, laissé copie tant de la dite Ordonnance, ensemble du present exploit, à chacun d'eux séparément et individuellement. Coût est de cinq francs soixante quinze centimes.

(Signé) BLAND.

Enregistré à Cayenne le 19 Novembre, 1841, fo. 128, R. c. 10 Dû cinquante centimes.

(Signé) DE LARONGIERE.

Pour copie conforme délivrée à Monsieur le Procureur-Général. Cayenne, le 23 Janvier, 1842.

(Signé) J. MERENTIER.

Vu le President de la Cour Royale,
(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation.
Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.
Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Twelfth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Certificat de Visite de la Douane.

Le "Marabout."

LE vérificateur de la Douane en ce port certifie avoir procédé à la vérification en chargement du navire Français le "Marabout," Capitaine Dejoie, arrêté par la station Anglaise du Brésil comme soupçonné de se livrer la traite des noirs, et avoir reconnu les marchandises ci-après designées.

Savoir:

Cent vingt futailles contenant du rhum et tafia.
Neuf panniens vin de Champagne.
Six paniers de l'huile.
Un baril ditto.
Mille cinq cent cinquante six manzottes de tabac.
Deux cent un barils de tabac.
Sept boucauts tabac en feuille.
Deux caisses cinq barils, trois boites et un barique sucre.
Soixante sept douzaines peignes.
Sept sacs de Café.
Quatre sacs et quatre barils de riz.
Six barils mélasse.
Sept caisses et deux cent cinquante boites de cigarres.
Quatre paquets Tassão pesant 250 kils.
Deux barils de beurre.
Deux caisses socques.
Un baril eau de vie anisée.
Un baril vinaigre.
Une caisse poivre et canelle.
Un baril anis vert.
Six barils de Morue.
Une caisse thé
Quatre barils biscuits de mer.
Quatre caisses de verrerie et faïence.
Un coffre outils.
Une caisse Nankin.
Une caisse Verroterie.

Six colis tissus de coton blanc et teint.
 Deux caisses quincailleries.
 Un baril couteaux flamands.
 Deux barils Jambons.
 Un baril vin.
 Six barils farine de froment.
 Une caisse de medicamens.
 Une caisse coraux.
 Quatre vingt six paquets fers feuillards.
 Deux boites de Café.
 Une caisse peaux ouvrées.
 Une caisse soufre en canon.

Provisions.

Une caisse chocolat.
 Trois barils, un boucaut six sacs biscuits de mer.
 Un baril de sel.
 Deux barils farine de manioc.
 Quatre petites caisses de tassão, et 2 paquets ditto.
 Six barils de farine de froment.
 Quatre barils legumes secs.
 Cinq barils viandes salées.
 Trois pipes de vin.
 Un petit baril de vinaigre.
 Quatre barils de sucre.
 Une caisse des medicamens.
 Une barrique huile de Palme.
 Une baril de Morue.
 Trois barils brai et goudron.
 Un sac Café.

En outre le manifeste mentionne neuf masses de perles en or et cinq mille trois cent soixante huit piastres qui n'ont pas été présentées à la vérification, attendu que le dépôt en a été antérieurement fait au trésor par qui de droit.

En foi de quoi le present a été delivré à la requête de Monsieur le Procureur du Roi, pour servir et valoir ce que de droit.

Cayenne, le 17 Novembre, 1841. (Signé) J. DUPOY.

Vu par le Sous Inspecteur des Douanes.
 (Signé) MANGO.

Pour copie conforme délivré a Monsieur le Procureur-Général. Cayenne, le vingt trois Janvier mil huit quarante deux.

(Signé) J. MERENTIER.

Vu le President de la Cour Royale,
 (Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
 (Signé) J. MOREL.

Vu pour Légalisation.
 Le Gouverneur de la Guyane Française,
 (Signé) CHARMASSON.

Pour copie conforme.
 Le Premier Secrétaire d'Ambassade,
 (Signé) PH. DE ROHAN CHABOT.

Thirteenth Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale à la Guyane Française, séant à Cayenne.

Ordonnance du Juge d'Instruction qui nomme MM. Leprieur et Mathey, experts.

ATTENDU qu'il a été embarqué à bord du "Marabout" une certaine quantité de farine et de bœuf séché au soleil, comme provision ;

Attendu que le Capitaine Dejoie et le Sieur Compton ne sont pas d'accord sur la quantité et la qualité des dites provisions ;

Nous, juge d'instruction provisoire, disons qu'elles seront visitées par des experts lesquels après avoir prêté serment entre nos mains, auront à nous faire un rapport sur la qualité et la quantité de celles de ces denrées qui ne sont pas portées sur le manifeste.

Nommons experts MM. Leprieur, pharmacien en chef de l'hôpital, et Mathey, négociant ; nous fixons pour la prestation de serment demain 20 Novembre, huit heures de matin en notre Cabinet.

Cayenne, 19 Novembre, 1841.

(Signé) KLIPPEL, par le Juge d'Instruction.

Soit exécuté à notre requête.

(Signé) A. TERNISIEN.

Enregistré à Cayenne le dix neuf Novembre, 1841, fo. 105, c. 2. Dà 75 centimes.

(Signé) DE LARONGIERE.

Pour copie conforme delivré à Monsieur le Procureur-Général.
Cayenne, le vingt trois Janvier, 1842.

(Signé) J. MERENTIER.

Vu le President de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Legislation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Fourteenth Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Traduction des papiers Anglais provenant du Navire le "Marabout," qui nous ont été remis par Monsieur le Juge d'Instruction.

No. 1. Je certifie par ces présentes que j'ai grade de commandant dans la Marine de Sa Majesté Britannique, que je suis commandant de la corvette de Sa Majesté Britannique la "Rose," et je déclare que le seul motif de ma visite abord du "Marabout" était de m'assurer si ce navire était destiné à faire la traite des Noirs, ou s'il était équipé pour ce trafic.

Faite abord de la corvette ci-dessus nommée, en mer le 27 Septembre, 1841.

(Signé) CHRISTIE, Commandant.

No. 3. Je, Pierre Christie, commandant la corvette de Sa Majesté Britannique la "Rose," déclare par ces présents, que le vingt Septembre, 1841, étant par environ 12° 56' de latitude sud et 38° 05' de longitude ouest, j'ai capturé le brick ou navire le "Marabout," naviguant sous les couleurs Françaises, commandé par Hippolite Paul Dejoie, qui a déclaré que le navire faisait route de Bahia à la côte d'Afrique, armé de deux caronades, 6 mousquets et bayonnettes, deux pistolets, 8 épées, 1 gros mousqueton, et une épée appartenant au capitaine, avec un équipage de quatorze hommes, et onze passagers, dont les noms sont insérés dans le document saisi.

No. 6. Et je déclare avoir capturé le susdit brick ou navire, et l'avoir envoyé aux autorités Françaises de Cayenne, pour être traduit devant la cour de justice, attendu que je l'ai reconnu équipé pour le commerce illegal de la traite, ayant trouvé à son bord les objets suivans, savoir :

1°. Ayant à son bord un grand nombre de planches, non seulement propres à former promptement un entrepont mobile ou pont, mais encore placées et arrangées sur des poutres provisoires sur l'arrière et l'avant du bâtiment, en violation de la 3^{me} clause du 6^{me} Article du Traité entre Sa Majesté la Reine d'Angleterre, et Sa Majesté le Roi des Français. Il paraîtrait que le capitaine de ce navire avait profité du Vice-Consul Français à Bahia, et serait parvenu à se faire donner un certificat constatant que 72 de ces planches étaient embarqués à la connaissance de cette autorité. Le Consul aurait sans aucune doute supposé que ces planches pouvant servir aux réparations dont le navire pourrait avoir besoin, mais en consentant à donner ce certificat, il n'a jamais pu s'imaginer qu'elles pouvaient servir à établir un entrepont pour des esclaves, comme aussi un document semblable pourrait tout aussi bien être montré pour des fers, des chaudières, &c., ou tout autre article essentiel à la traite des nègres.

Il n'est point habituel pour un navire de cette description de porter plus de dix ou vingt planches : un article aussi dispendieux ne pouvant en aucune manière être employé comme fandage, et du reste ce bâtiment ayant pour cet effet quantité de bois à brûler.

2^{do}. Ayant plus de divisions et de cloisons qui se démontent dans l'intérieur du bâtiment que n'en a habituellement un navire de commerce, une de ces cloisons étant calculée pour être déplacée, a fin de former une chambre pour des esclaves femelles, de quelque dimension qu'on en ait besoin, contrairement à la seconde clause du 6^{me} Article du Traité.

3°. Ayant à son bord un plus grand nombre de pièces et barriques à eau que ce qui est nécessaire à l'équipage et aux passagers, contrairement à la sixième clause du 6^{me} Article du dit Traité, aussi une grande quantité de barriques remplies d'esprit de très peu de valeur, lesquelles barriques une fois vidées de leur contenu, sont généralement employées par les navires nègriers pour pièces à eau ; aussi une quantité considérable de farines, de bœuf séché au soleil, et plus que nécessaires à l'équipage et aux passagers, lesquels vivres sont généralement employés à la nourriture des nègres.

4°. Ayant à son bord une barre de fer avec ses organneaux, contrairement à la 4^e clause du 6^e Article du Traité. Et je déclare en outre que plusieurs articles ou été jetés par dessus le bord du navire, ayant réussi moi-même en mon canot à ramasser un paquet de papiers contenant un nombre de lettres, plusieurs desquelles sont adressées aux principaux marchands d'esclaves en Afrique. Toutes ces lettres ont été remises à bord du bâtiment.

Il n'est pas à ma connaissance qu'il soit besoin d'autre chose pour prouver que ce navire est équipé et engagé pour le trafic illicite des esclaves.

Je déclare en outre que ce navire m'a paru en état de prendre la mer, et a une quantité suffisante d'eau et de provisions pour l'entretien de son equipage pendant sa traversée à Cayenne.

Donné par moi à bord de la corvette de Sa Majesté Britannique la "Rose," en mer, le 28 Septembre, 1841.

(Signé)

CHRISTIE, Commandant.

Liste de l'Equipage.

Dejoie, Hte. Paul, capitaine, âge de	32 ans.
Meunier, Pierre, second	35
Pichard, Jn. Augustin, lieutenant	40
Gantrel, Pierre, cuisinier	20

Guichard, René Laurent, cannonier	19
Paris, Pierre, charpentier	21
Dano, Julien, mâtelot	35
Lacame, Marie, mâtelot	25
Agret, Jean Marie, mâtelot	35
Fruisand, Julien, mâtelot	30
Brosseau, Julien Allani, mousse	20
Béraud, Louis Jacques, mousse	19
Lorandin, Henri Aristide, mousse	17
David, Jean, mâtelot	42

Liste des Passagers.

Jose Martins Fumans, sujet de Portugal.	
Antonio de Silva,	do.
José Pinto Guimaraens,	do.
Bartaleo Lopes Villa Brat,	Brésilien.
Guilherein de Vareinto,	do.
Bernard Ferreira da Gratia,	do.
Clara Maria da Santa Lobo,	do.
Antonio Naves,	Africain Libre.
Bento Simoes,	do.
Luis Ladislao,	do.
Tras Jose d'Olivia	do.

(Témoins.)

(Signé)

PATRICK CAMPBELL, Lieutenant.
 JOHN COMPTON, Deuxième Lieutenant
 et officier de prise.
 JOHN G. WILLIAMS, Chirurgien.

No. 6. Je, Pierre Christie, commandant la corvette de Sa Majesté Britannique la "Rose," certifie par ces présentes, que le 27 Septembre, 1841, me trouvant par environ 12° 56' de latitude sud, et 38° 05' de longitude ouest, j'ai capturé le navire le "Marabout," naviguant sous les couleurs Françaises, armé de deux caronades, 6 mousquets et bayonnettes, 2 pistolets, &c., commandé par H^{te}. Paul Dejoic, qui a déclaré que le navire faisait route de Bahia à la côte d'Afrique, avec un équipage composé de quatorze hommes et onze passagers.

Je déclare en outre, qu'ayant jugé nécessaire pour la sûreté de l'équipage Anglais de transborder une partie de l'équipage du navire, et aussi de transborder une partie soit dix passagers, attendu que ceux-ci étaient sujets du Portugal et du Brésil :

J'ai transbordé, le 28 Septembre, 1841, onze personnes de l'équipage et dix personnes passagers à bord de la corvette de Sa Majesté Britannique la "Rose."

Donné à bord de la "Rose," en mer, le 28 Septembre, 1841.

(Signé) CHRISTIE, Commandant.

(Witnesses.)

(Signé)

P. CAMPBELL, Lieutenant.
 COMPTON, Second Lieutenant.

Je désire mentionner que personne à bord du "Marabout," ne pouvant donner aucun renseignement sur le compte de la dame passagère excepté le capitaine, je l'ai renvoyée à son bord.

Le restant des passagers et de l'équipage aura telle destination que le décideront les autorités Françaises à Bahia, ou dans tout autre port que je puisse atteindre.

(Signé) CHRISTIE, Commandant.

No. 7. Nous soussignés, appartenant à la corvette de Sa Majesté Britannique la "Rose," avons été présents à la visite faite à bord du navire nommé le "Marabout," et avons rédigé la déclaration suivante :

En dégageant une partie de la cargaison, nous avons trouvé des planches régulièrement placées sur des barreaux provisoires pour former un pont d'esclaves, aussi un compartiment mobile semblable à ceux employés à bord des négriers. Sur l'arrière du pont d'esclaves, nous avons trouvé treize barrils de farine, huit

paquets de bœuf séché, et quatre sacs de riz; dans la chambre sur l'avant, nous avons trouvé une barre de fer avec trois organeaux; de plus et en débarquant une quantité de bois, nous avons découvert quatre grosses pièces à eau, contenant environ cent gallons chaque, faisant en tout dix-huit pièces à eau, le quel nombre dépasse de quatre celui des pièces que le capitaine a déclaré avoir à son bord. Sur le pont nous avons trouvé un bon nombre de barriques vides, comme aussi trois pompes en cuivre pour extraire l'eau des pièces.

Le cargaison se compose d'articles généralement employés à l'échange des esclaves, tels que tabacs; esprits, marchandises en ballots, couteaux, perles à collier, &c. &c.

Nous déclarons en outre que d'après ce que nous avons vu comme ci-dessus mentionné, notre opinion est que ce navire était engagé dans le commerce illicite de la traite des noirs, et nous sommes disposés à donner notre serment pour prouver l'impartialité de nos procédés.

Donné par nous à bord de la corvette de Sa Majesté Britannique, en mer, le 25 Septembre, 1841.

(Signé)

CAMPBELL, 1^{er} Lieutenant.

JOHN COMPTON, 2^{me} Lieutenant.

AUGUSTE HOBART, Second.

HAVES, Charpentier.

No. 15. Je, soussigné, Christie, commandant la corvette de Sa Majesté Britannique la "Rose," certifie par ces présentes, que le vingt sept de Septembre, 1841, étant environ par 12° 56' de latitude sud, et par 38° 05' de longitude ouest, j'ai capturé le brick ou navire appelé le "Marabout," naviguant sous les couleurs Françaises, commandé par Hippolite Paul Dejoie, qui a déclaré que le navire faisait route de Bahia à la côte d'Afrique, avec un équipage composé de quatorze hommes et onze passagers, ayant à son bord un équipement d'une nature suspecte. Les documens et papiers saisis à bord du dit brick, marqués au No. 1 à 15, sont les suivans.

No. 1. Manifeste de la Cargaison.

2. Régistre.

3. Passeport.

4. Acte de francisation des bâtimens de commerce Français.

5. La patente de santé.

6. Liste de l'équipage et des passagers.

7. Certificat du consulat de Bahia relatif aux planches.

8. Permis de la Douane.

9. Do. do.

10. Dépense du port.

11. Police d'assurance.

12. Liste de la Pharmacie.

13. Journal du Navire.

14. Copie du Traité de la Répression de la Traite.

15. Liste des papiers.

Donné par moi à bord de la dite corvette en mer, le 28 Septembre, 1841.

(Signé)

CHRISTIE, Commandant.

No. 20. Je, Pierre Christie, commandant de la corvette de Sa Majesté Britannique la "Rose," certifie par ces présents, que j'ai en mon pouvoir le Traité entre la France et la Grande Bretagne pour la répression des esclaves.

Donné par moi à bord de la corvette la "Rose," en mer, le 28 Septembre, 1841.

(Signé)

CHRISTIE, Commandant.

21. Celles-ci sont pour certifier que lors de la capture du brick Français le "Marabout," nous avons trouvé à bord de ce navire ce qui suit :

Une boîte déclaré contenir en or et en argent la valeur de six mille neuf cent huit gourdes.

En foi de quoi nous avons signé les présentes à bord du "Marabout," en mer, le 29 Septembre, 1841.

La dite boîte a été cacheté ce jour en notre présence.
(Signé)

JOHN COMPTON.
Le Cap^e DEJOIE.

Dollars 6,908.

22. Lors de la capture du brick le "*Marabout*," le nombre suivant de dollars et gourdes en argent furent trouvés dans deux sacs : savoir : six cent cinquante deux.

(Signé) JOHN COMPTON, Lt. R.N.

"*Marabout*," 27 Septembre, 1841.
En mer.

26. Inventaire des papiers et documens relatifs au brick détenu, le "*Marabout*," Capitaine Dejoie, remis par John Compton, lieutenant de vaisseau à bord de la corvette de Sa Majesté Britannique la "*Rose*," Capitaine Christie, aux autorités Françaises à Cayenne.

Savoir :

- 1°. Déclaration de l'état du navire au moment de la capture.
- 2°. Certificat de la nécessité de transborder l'équipage, et signé par le capitaine et les témoins.
- 3°. Dépôts des officiers sur l'état du navire détenu.
- 4°. Déclaration des papiers du navire le "*Marabout*," du No. 1 au No. 15.
- 5°. Boîte contenant les dits papiers.
- 6°. Certificat de la Convention entre la France et l'Angleterre.
- 7°. Deux reçus ayant rapport à l'argent trouvé à bord du "*Marabout*."
- 8°. 45 lettres ou autres papiers trouvés à bord du navire le "*Marabout*."
- 9°. Papiers jetés par dessus bord du navire le "*Marabout*," et sauvetés par les canots de la corvette de Sa Majesté Britannique la "*Rose*."
10. Lettres trouvés dans la cale du navire le "*Marabout*," par un des matelots de l'équipage de la corvette de Sa Majesté Britannique la "*Rose*."

Donné par moi, soussigné, le 20 Octobre, 1841, à Cayenne.

(Signé) JOHN COMPTON.

Je certifie par ces présents que les planches formant un faux pont sur des barreaux mobiles à bord du navire détenu, le "*Marabout*," ont été replacés dans le même état qu'elles avaient été trouvées par les officiers et les hommes de l'équipage de la corvette de Sa Majesté Britannique la "*Rose*," et je certifie en outre que l'intérieur de la cale et les différentes marchandises qu'elle contient ont été placées dans le même ordre qu'elles avait été trouvées.

Donné par moi soussigné, à bord du "*Marabout*," à Cayenne, le 21 Octobre, 1841.

(Signé) JOHN COMPTON, Lt.

Certifié conforme aux originaux.

Cayenne, le 13 Novembre, 1841.

(Signé) FRANÇOIS LABAT.

Vu et paraphé à la Chambre des Mises en Accusation, à Cayenne, le deux Décembre, mil huit cent quarante un.

La Cour, Pte.

(Signé) J. J. BRUN.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt 3 Janvier mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Fifteenth Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Signification de Cédule de Comparation à Lorandin.

L'AN mil huit cent quarante un, et le onze Novembre, en vertu du mandat de comparation décerné par Monsieur le Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal Civil de Première Instance de Cayenne, Guyane Française, dûment en forme, scellé et signé, en date du onze Novembre present mois, dont est avec les présentes donné copie :

Et encore à la requisition de M. le Procureur-Général du Roi, près le même Tribunal Civil de Première Instance de Cayenne y demeurant et faisant à l'effet des presentes élection de domicile en son parquet, au Palais de Justice, rue Choiseul:

J'ai, Jean Louis Bland, huissier audiencier, reçu au Tribunal Civil de Première Instance de Cayenne patenté de 3^e classe le 12 Janvier dernier, No. 13, demeurant et domicilié à Cayenne, rue de Berry, soussigné :

Donné assignation au nommé Lorandin, Mousse à bord du brick le "*Marabout*," mouillé en rade du port de Cayenne, y demeurant à bord du dit navire en son domicile, parlant à la personne du Sieur Dejoie, capitaine, qui a promis de remettre copie, auquel j'ai exhibé l'original du dit mandat, à comparaître et se trouver le Vendredi 12 Novembre, courant mois, à sept heures et demie de la matinée, par devant mon dit Sieur le Juge d'Instruction, près le dit Tribunal Civil de Première Instance, en son Cabinet sis au Palais de Justice, rue Choiseul, pour y être ouï en ses réponses, aux questions qui lui seront faites :

Lui declarant que faute par lui de satisfaire et obéir au dit mandat, il sera converti en mandat d'amener :

Et à ce que le susnommé n'ignore, je lui ai, au dit domicile et parlant que dit est, laissé copie tant du dit mandat de comparation que du présent exploit. Coût est de deux francs soixante deux centimes et demie.

(Signé) BLAND.

Enregistré à Cayenne le douze Novembre, 1841, fo. 120, R. c. 8. Dû cinquante centimes.

(Signé) DE LARONGIERE.

Pour copie conforme délivrée à M. le Procureur-Général.
Cayenne le 23 Janvier, 1842.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation,

Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade.
(Signé) PH. DE ROHAN CHABOT.

Sixteenth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Mandat de Comparation à Lorandin.

De par la Loi et le Roi —

Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le tribunal de première instance de la Guyane Française séant à Cayenne,

Mandons et ordonnons à tous huissiers ou agens de la force publique, sur ce requis, de citer à comparaître, par devant nous, en notre Cabinet, au Palais de Justice le douze Novembre courant, à sept heures et demie de la matinée le nommé Lorandin, mousse à bord du brick le "Marabout," pour être interrogé sur les faits à lui imputés, et de lui déclarer, que faute de comparaître, il sera contre lui décerné un mandat d'amener.

A l'effet de quoi nous avons signé le présent mandat muni de notre sceau.

Fait au Palais de Justice le onze Novembre, 1841.

(Signé) KLIPPEL, Par le Juge d'Instruction.
DUFOURG, Commis Greffier.

Soit exécuté à notre requête.

Le Procureur du Roi par interim.

(Signé) TERNISIEN.

Pour copie conforme délivrée à Monsieur le Procureur-Général.
Cayenne, le 23 Janvier, 1842.

(Signé) J. MERENTIER.

Vu le President de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Seventeenth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Mandat de Comparation de Gautrel. Signification.

L'AN mil-huit cent quarante un et le onze Novembre, en vertu de mandat de comparation décerné par M. le Lieutenant de Juge Provisoire Juge d'Instruction près le Tribunal Civil de Première Instance de Cayenne, Guyane Française, dûment en forme, scellé, signé, et daté du onze Novembre, 1841, dont est avec ces presentes donné copie. Et encore à la requisition de Monsieur le Procureur du Roi, près le même Tribunal Civil de Première Instance de Cayenne y demeurant et faisant à l'effet des presentes election de domicile en son parquet, au Palais de Justice, rue Choiseul.

J'ai, Jean Louis Bland, huissier audiencier, reçu au Tribunal Civil de Première Instance de Cayenne, patenté de 3 classe le 12 Janvier, No. 13, demeurant et domicilié à Cayenne, rue de Berry soussigné, donné assignation au Sieur Gautrel, cuisinier à bord du brick le "Marabout" mouillé en rade du port de Cayenne y demeurant à bord du dit navire, en parlant à la personne du Sieur Dejoie, capitaine du dit navire, qui a promis de remettre copie, auquel j'ai exhibé l'original du dit mandat, à comparaître et se trouver le

Vendredi douze Novembre, courant mois, à sept-heures et demie de la matinée par devant mon dit Sieur le Juge d'Instruction près le dit Tribunal Civil de Première Instance, en son cabinet sis au Palais de Justice, pour y être ouï en ses réponses aux questions qui lui seront faites.

Lui déclarant que, faute par lui de satisfaire et obéir au dit mandat, il sera converti en mandat d'amener.

Et à ce que le susnommé n'en ignore je lui ai, au dit domicile, et parlant comme dit est, laissé copie tant du dit mandat de comparation ensemble du présent exploit. Coût est de deux francs 62½ c.

(Signé) BLAND.

Enregistré à Cayenne, le 12 Novembre, 1841, fo. 120, R. c. 7. Dû cinquante centimes.

(Signé) DE LARONGIÈRE.

Pour copie conforme délivrée à Monsieur le Procureur-Général, Cayenne, le 23 Janvier, 1842.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Eighteenth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Cédule du Mandat de Comparation de Gautrel.

De par la loi et le Roi.

Nous Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de la Guyane Française séant à Cayenne,

Mandons et ordonnons à tous huissiers ou agens de la force publique sur ce requis de citer à comparaître par devant nous, en notre cabinet au Palais de Justice, le douze Novembre courant, à sept-heures et demie de la matinée le nommé Gautrel, cuisinier à bord du brick le "*Marabout* :

Pour être interrogé sur les faits à lui imputés, et de lui déclarer que, faute de comparaître, il sera contre lui décerné mandat d'amener à l'effet de quoi nous avons signé le présent mandat muni de notre sceau.

Fait au Palais de Justice le onze Novembre mil huit cent quarante un.

(Signé) KLIPPEL, Par le Juge d'Instruction.
DUFOURG.

Soit exécuté à notre requête.

Le Procureur du Roi par interim,

(Signé) TERNISIEN.

Pour copie conforme délivrée à Monsieur le Procureur-Général. Cayenne, le 23 Janvier, 1842.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation.
Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.
Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Nineteenth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française,
scant à Cayenne.*

Mandat de Comparation au Sieur Dejoie.

L'AN mil huit cent quarante un, et le onze Novembre, en vertu d'un mandat de comparation décerné par Monsieur le Juge d'Instruction, près le Tribunal de Première Instance de Cayenne, le onze Novembre, mil huit cent quarante un, dument en forme, scellé et signé :

Et encore à la réquisition de M. le Procureur du Roi près le dit Tribunal de Première Instance, y demeurant à Cayenne et faisant à l'effet des présentes élection de domicile en son parquet au Palais de Justice, rue Choiseul :

J'ai, Jean Louis Bland, huissier audiencier, reçu au Tribunal de Première Instance de Cayenne, patenté de 3^e classe, le douze Janvier dernier, No. 13, demeurant et domicilié à Cayenne, rue de Berry, soussigné, donné assignation au Sieur Dejoie, capitaine du navire le "*Marabout*," mouillé en rade de ce port de Cayenne, y demeurant à bord, en parlant à sa personne, auquel j'ai exhibé l'original du dit mandat :

A comparâitre et se trouver le vendredi douze Novembre, courant mois, à sept-heures et demie de la matinée, par devant Monsieur le Juge d'Instruction en son cabinet sis à Cayenne, au Palais de Justice, rue Choiseul, pour y être ouï en ses réponses aux questions qui lui seront faites :

Lui déclarant, faute par lui de satisfaire et obéir au dit mandat, il sera converti en mandat d'amener :

Et à ce que le susnommé n'en ignore, je lui ai, au dit domicile, et parlant comme dit est, laissé copie, tant du dit jugement que du présent exploit. Coût est de deux francs 62½.

(Signé) BLAND.

Enregistré à Cayenne le douze Novembre, 1841, fo. 120, 2^o c. 9. Dû cinquante centimes.

(Signé) DE LARONGIÈRE.

Pour copie conforme délivrée a M. le Procureur-Général.
Cayenne, le vingt-trois Janvier mil-huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,
(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation.
Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.
Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Twentieth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Mandat de Comparation. Cédule.

De par la Loi et le Roi.

Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance, de la Guyane Française, séant à Cayenne,

Mandons et ordonnons à tous huissiers ou agens de la force publique, sur ce requis, de citer à comparaitre par devant nous, en notre cabinet au Palais de Justice, le douze Novembre courant, à sept-heures et demie de la matinée, le Sieur Dejoie, capitaine du navire le "Marabout,"

Pour être interrogé sur les faits à lui imputés, et de lui déclarer que, faute de comparaitre, il sera contre lui décerné mandat d'amener.

A l'effet de quoi nous avons signé le présent mandat, muni de notre sceau.

Fait au Palais de Justice le onze Novembre mil-huit cent quarante un.

(Signé) KLIPPEL, Par le Juge d'Instruction.
DUFOURG, Commis Greffier.

Soit exécuté à notre requête. Le Procureur du Roi, P. I.

(Signé) TERNISIEN.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt trois Janvier, mil-huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Twenty-first Enclosure in No. 87.

*Extraits des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Citation à deux Témoins.

L'AN mil-huit cent quarante un et le onze Novembre.

En vertu d'une cédule délivrée par Monsieur le Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal Civil de Première Instance de Cayenne, Guyane Française, dûment signée, scellée, et datée du onze Novembre, mil-huit cent quarante un, dont est avec ces présents donnée copie :

Et encore à la requisition de M. le Procureur du Roi, près le même Tribunal de Première Instance de Cayenne, y demeurant, faisant à l'effet des présentes élection de domicile à Cayenne, en son parquet sis au Palais de Justice, rue Choiseul :

J'ai, Jean Louis Bland, huissier audiencier, reçu au Tribunal Civil de Première Instance de Cayenne, patenté de 3 classe, le douze Janvier dernier, No. 13, demeurant et domicilié à Cayenne, rue de Berry, soussigné :

Ai cité 1 Le Sieur John Compton, officier de la marine Britannique, en

cette ville de Cayenne, y demeurant, rue de Commerce, en son domicile et parlant à sa personne :

2. La Dame Maria Clara da Souza Lobo, passagère sur le brick le "*Mara-bout*," demeurant en cette ville de Cayenne, chez le Sieur Longarre où elle fait élection de domicile Chaussée Sartines en parlant à sa personne :

3. Le Sieur da Sylva, interprète de la langue Portugaise à Cayenne, y demeurant rue de Choiseul, en son domicile parlant à sa personne :

4. Enfin le Sieur Labat, commis négociant et interprète de la langue Anglaise demeurant à Cayenne, rue Traversière, en son domicile parlant à sa personne :

A comparâitre samedi treize Novembre courant mois à sept heures et demie de la matinée, au cabinet de Monsieur le Juge d'Instruction près le Tribunal Civil de Première Instance de Cayenne, au Palais de Justice, rue Choiseul :

Pour déposer et dire vérité sur les faits et circonstances dont il leur sera donné connaissance, leur déclarant que, faute de comparâitre, ils y seront contraints par amende et même par corps, conformément à la loi.

Et afin qu'ils n'ignorent je leur ai à domicile susdit en parlant que dit ai laissé à chacun d'eux séparément et individuellement copie tant de la susdite cédule ensemble du présent exploit, coût est de six francs.

(Signé) BLAND.

Article 71, Tarif original, 1 f. 50 c., 4 copies à 1 f. 12½ c., 4. 50. C. 00.

Enregistré à Cayenne, le 12 Novembre, 1841, fo. 120, R° c. 10. Dû cinquante centimes.

(Signé) DE LARONGIÈRE.

Pour copie conforme délivrée à Monsieur le Procureur-Général. Cayenne, le vingt-trois Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française.

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Twenty-second Enclosure in No. 87.

Extraits des Minutes du Greffe de la Cour Royale de la Guyane Française séant à Cayenne.

Cédule pour appeler Témoins.

De par la Loi et le Roi.

Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de la Guyane Française séant à Cayenne,

Mandons et ordonnons à tous huissiers ou agens de la force publique sur ce requis de citer

1. Le sieur John Compton, officier de la marine Britannique en cette ville :

2. La dame Maria Clara da Souza Lobo, passagère sur le brick le "*Mara-bout*," demeurant en cette ville chez le Sieur Longarre :

3. Le Sieur da Sylva, interprète de la langue Portugaise :

4. Le Sieur Labat, commis négociant et interprète de la langue Anglaise :

A comparâitre le samedi treize Novembre à sept heures et demie de la matinée par devant nous en notre cabinet au Palais de Justice pour déposer sur les faits

et circonstances dont il leur sera donné connaissance, leur déclarant que, faute de comparaître, ils y seront contraints par amende et même par corps conformément à la loi.

Fait au Palais de Justice, le onze Novembre, 1841.

(Signé) KLIPPEL, par le Juge d'Instruction.
DUFOURG, Commis Greffier.

Soit exécuté à notre requête.

Le Procureur du Roi par interim. Cayenne, le 23 Janvier, 1842.
(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,
(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Twenty-third Enclosure in No. 87.

Extraits des Minutes du Greffe de la Cour Royale de la Guyane Française séant à Cayenne.

Prestation de Serment à MM. Leprieur et Mathey.

L'AN mil huit cent quarante un et le dix Novembre à huit heures de la matinée,

Par devant nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction, près le Tribunal de Première Instance de la Guyane Française séant à Cayenne; étant en notre cabinet au Palais de Justice assistée de M. Roger Dufourg, commis greffier assermenté.

Sont comparus les Sieurs Leprieur, pharmacien de la marine, et Mathey, négociant, nommés par notre ordonnance en date de hier pour constater la qualité de la cachasse actuellement en dépôt dans les magasins de la Douane, et faisant partie de la cargaison du navire le "Marabout," Capitaine Dejoie, capturé sous la prévention de traite des esclaves par la corvette Anglaise la "Rose," lesquels, après avoir déclaré accepter la mission à eux confiée, ont juré de la remplir en leur âme et conscience :

Desquels comparaison et serment nous avons donné acte aux comparans, qui ont signé avec nous et le Commis Greffier après lecture.

(Signé) LEPRIEUR. MATHEY.
KLIPPEL. DUFOURG.

Pour copie conforme délivrée à Monsieur le Procureur-Général. Cayenne, le 23 Janvier, 1842.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,
(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,
(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Twenty-fourth Enclosure in No. 87.

*Extraits des Minutes du Greffe de la Cour Royale de la Guyane Française,
séant à Cayenne.*

Citation aux Sieurs Leprieur et Mathey.

L'AN mil huit cent quarante un et le neuf Novembre,

En vertu de l'ordonnance rendue par Monsieur le Juge d'Instruction Provisoire près le Tribunal Civil de Première Instance de Cayenne, dûment signée et datée du neuf Novembre, courant mois, dont est ces présentes donnée copie,

A la réquisition de Monsieur le Juge d'Instruction près le dit Tribunal demeurant à Cayenne, faisant à l'effet des présentes élection de domicile en son Cabinet au Palais de Justice, rue Choiseul,

J'ai, Jean Louis Bland, huissier audiencier, reçu au Tribunal Civil de Première Instance de Cayenne, patenté de 3^e classe, le 12 Janvier dernier, No. 10, demeurant et domicilié à Cayenne, rue de Berry, soussigné, signifié et donné citation au Sieur Leprieur, pharmacien de la Marine, à Cayenne, y demeurant rue de Provence, en son domicile parlant à sa personne ;

2^e Enfin, au Sieur H. Mathey, négociant à Cayenne, y demeurant, grande rue du port, en sa domicile parlant à sa personne ;

A comparâitre le Mercredi, dix Novembre, courant mois, huit heures du matin, au Cabinet de M. le Juge d'Instruction Provisoire, au Palais de Justice, rue Choiseul, aux fins de prêter le serment voulu conformément à la loi et aux fins de la dite ordonnance ci-dessus parlée,

Pour après le serment prêté en leurs qualités susrelatées dans la dite ordonnance, procéder à leur opération aux fins de la dite ordonnance et des droits en icelle.

Et afin que le dit Sieur Leprieur et Sieur Mathey sus dénommés n'ignorent, je leur ai à chaqu'un d'eux séparément laissé copie tant de la dite ordonnance, qui sera enregistrée en même tems que ces présents, si besoin est, ensemble de mon présent exploit cout et de cinq francs vingt cinq centimes.

(Signé) BLAND.

Cout Art. 71 Tarif.

Original	1 f. 50 cents	} 5 25
2 Copies	2 f. 25 „	
Ecritures deux rôles à 75 c.	1 f. 50 „	

Enregistré à Cayenne, le dix Novembre, 1841. Fo. 119, Ro. Cr. 8.

Dû cinquante centimes.

(Signé) DE LARONGIERE.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt trois Janvier mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Twenty-fifth Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Ordonnance de M. le Juge d'Instruction qui nomme experts MM.
Leprieur et Mathey.

ATTENDU qu' à bord du brick le " *Marabout* " nous avons trouvé une certaine quantité de cachasse ;

Attendu qu'il est important également de faire vérifier la qualité ;

Attendu qu'il est important également de faire vérifier la qualité et la préparation des manzotes de tabac trouvées à bord du dit brick ;

Nous, Juge d'Instruction Provisoire, disons que les dites vérifications seront faites par les Sieurs Leprieur, pharmacien de la marine, et Mathey, négociant, dans le plus bref délai possible, après prestation de serment qui aura lieu le dix du courant, en notre cabinet, huit heures du matin.

Fait en notre cabinet, le neuf Novembre, 1841.

(Signé) KLIPPEL.

Enregistré à Cayenne le dix Novembre, 1841, f. 92, c. 5.—Dû soixante quinze centimes.

(Signé) DE LARONGIERE.

Pour copie conforme délivrée à Monsieur le Procureur-Général.

Cayenne, le vingt trois Janvier mil huit cent quarante deux.

(Signé) MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Twenty-sixth Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Procès Verbal d' Ouverture de trente-deux Lettres.

L'AN mil huit cent quarante un et le trois Novembre à deux heurs de relevée.

Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de Cayenne, assisté de M. Roger Dufourg, commis greffier assermenté, et en présence de MM. Ternisien, Procureur du Roi par interim, Compton, officier de la marine Anglaise, et Labat, interprète de langue Anglaise ; nous avons procédé à l'ouverture :

1°. De onze lettres trouvées dans la cale du navire le " *Marabout* " lors de sa capture par la corvette Anglaise " *La Rose* ;"

2°. De trente deux autres lettres écrites en langue Portugaise et trouvées à bord du " *Marabout* " le vingt huit Octobre dernier, lors du déchargement de ce navire. Le nombre des onze premières s'est trouvée le même après leur ouverture : elles ont été numérotées et paraphées pour être ultérieurement traduites. Les trente deux autres ayant été successivement ouvertes, il s'en est trouvé d'autres qui y étaient jointes, et leur nombre s'est élevé, en conséquence, à quarante neuf. Elles ont été également numérotées et paraphées pour être traduites.

De tout quoi nous avons dressé le présent procès verbal, en notre cabinet au Palais de Justice, les jour, mois et an que dessus, et avons signé, après lecture,

avec notre greffier et les personnes ci dessus désignées, interprétation donnée au Sieur Compton.

(Signé) KLIPPEL. A. TERNISIEN.
JOHN COMPTON. DUFOURG.

Pour copie conforme delivrée à Monsieur le Procureur-Général.

Cayenne, le vingt trois Janvier mil huit cent quarante deux.

(Signé) MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Twenty-seventh Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Serment des Sieurs Quesnel et Query.

L'AN mil huit cent quarante un et le vingt neuf Octobre, à une heure de l'après midi,

Pardevant nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de la Première Instance de Cayenne, assisté de M. Roger Dufourg, commis greffier assermenté, sont comparu MM. Quesnel, capitaine de port, et Query, maître charpentier, commis par nous pour procéder à diverses opérations d'expertise à bord du navire le "Marab t," lesquels, après avoir déclaré accepter la mission à eux confiée, ont juré de la remplir en leur âme et conscience :

Desquels comparation et serment nous avons donné acte aux comparans qui ont signé avec nous et le commis greffier, après lecture.

(Signé) QUESNEL. QUERY.
KLIPPEL. DUFOURG.

Pour copié conforme delivrée à Mons. le Procureur-Général.

Cayenne, le vingt trois Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN CHABOT.

Twenty-eighth Enclosure in No. 87.

Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française, séant à Cayenne.

Transport à bord du brick le "*Marabout*."

L'AN mil huit cent quarante un et le vingt Octobre, à deux heures de relevée, Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de Première Instance de Cayenne, accompagné de M. Ternisien, procureur du roi par interim, et assisté de M. Roger Dufourg, commis greffier assermenté ;

Nous sommes transporté à bord du navire le "*Marabout*" de Nantes, capitaine, Dejoie, mouillé en rade de ce port, où étant et accompagné encore de MM. Felix Glatigny, commis principal de marine, chargé des revues et armemens, Mango, sous-inspecteur sédentaire de Douanes, Labat (François), traducteur de langue Anglaise, choisi par nous, lequel a prêté serment en nos mains de traduire fidèlement les expressions des personnes parlant la langue Anglaise et les pieces qui seront produites et écrites en cette langue, et ce en présence du Capitaine Dejoie et du Sieur Compton, officier Anglais, chargé de conduire le brick le "*Marabout*" à Cayenne, et avons procédé ainsi qu'il suit.

Le Sieur John Compton, lieutenant de la marine Anglaise, nous a remis les inventaires, procès-verbaux et papiers ci-après relatés.

- 1°. Certificat du commandant du sloop la "*Rose*," constatant le motif de sa visite à bord du "*Marabout*."
- 2°. (Errata.) Il n'y en a pas par omission.
- 3°. Certificat du commandant de la "*Rose*," constatant l'état du navire le "*Marabout*."
- 4°. Certificat du Consul Français relatif à soixante douze planches, embarquées à bord du "*Marabout*."
- 5°. Rôle de l'équipage.
- 6°. Certificat du commandant de la "*Rose*," constatant la nécessité de transborder une partie de l'équipage et des passagers.
- 7°. Dépôts des officiers relatives au navire saisi.
- 8°. Liste de l'équipage et des passagers.
- 9°. Permis de Douane à Bahia.
- 10°. Id. id. id.
- 11°. Frais de port à Bahia.
- 12°. Id. id. id.
- 13°. Quittance des droits de navigation.
- 14°. Quittance de police d'assurance.
- 15°. Journal du bord.
- 16°. Note des médicamens.
- 17°. Copie du Traité sur la Traite des Noirs.
- 18°. Inventaire des papiers du navire le "*Marabout*" de Nantes.
- 19°. Déclaration signé par le commandant de la "*Rose*" des papiers du "*Marabout*."
- 20°. Certificat signé par le commandant de la "*Rose*," de la convention entre la France et l'Angleterre.
- 21°. Reçu d'une boîte déclarée contenir six mille neuf cent huit piastres ; non reconnu.
- 22°. Reçu de 2 sacs contenant 652 gourds.
- 23°. Liasse contenant quarante cinq piécès ou lettres trouvées à bord.
- 24°. Liasse de lettres jetées par dessus bord et sauvetées par l'équipage Anglais.
- 25°. Liasse contenant onze lettres trouvées dans la cale par un matelot Anglais.
- 26°. Inventaire dressé par l'officier Anglais Compton.

Ensuite nous avons procédé à la visite du bâtiment et de sa cargaison ; de quatorze marins Français montant le brick lors de sa capture, il en est resté trois à bord ; le Capitaine Dejoie, Gautrel le cuisinier, et Lorandin, mousse : les autres ont été distraits du bord du navire arrêté, et embarqué à bord du capteur, ainsi que dix passagers. Il reste en outre à bord une passagère embarquée à Bahia, le vingt-un Septembre, 1841, et portée au rôle d'équipage sous les noms de Maria Clara de Souza Lobo. Sur l'observation que l'article 4 de l'annexe à la convention supplémentaire en date de vingt deux Mars, 1833, impose l'obli-

gation au bâtiment capteur de faire suivre sans délai au lieu où l'affaire doit s'instruire les hommes d'équipage, et passagers qu' on aura jugé à propos de transborder, le Sieur Compton nous a répondu que l'intention du commandant de la " Rose " était de les remettre aux Autorités Françaises à Bahia, ou de les déposer dans toute autre endroit où il y aurait des Autorités Françaises, et qu'il ignore complètement si les mesures ont été prises pour les faire conduire prochainement à Cayenne.

Le dit brick amené à Cayenne et commandé par le Sieur John Compton, lieutenant de la marine Anglaise et provenant de S. M. Britannique, la " Rose," est monté par sept hommes d'équipage, dont les noms suivent: Joseph Brompton, James Moriarty, Arthur Balson, James Knight, Charles Elwin, Abraham Mongfarn, John Jamaison.

Passant ensuite à la visite du navire, notre attention s'est portée sur une certaine quantité de planches de sap, signalées au rapport du commandant de la corvette Anglaise, comme une des causes de suspicion dans la nature du commerce que se disposait à faire le " *Marabout*." Nous avons visité ensuite la partie du bâtiment attenante au carré et séparée de l'entre-pont par une cloture en planches clouée à faux-frais sur les barreaux de l'entre-pont, laquelle partie a été également signalée dans le rapport du commandant Anglais comme ayant donné lieu de sa part aux soupçons qui ont motivé la capture de ce bâtiment. Nous nous sommes fait ensuite représenter une barre de justice mentionnée en l'inventaire du dit bâtiment, laquelle est garnie de trois organeaux. Quant aux barriques à eau et autres articles de sa cargaison, leur emménagement à bord ne nous a pas permis d'en établir avec exactitude le nombre ou les quantités, cette opération devant être faite avec toute la précision qu'elle exige lors du déchargement du navire. Nous nous sommes fait représenter encore une caisse et un coffre revêtus de leurs scellés et reconnus intacts par les Sieurs Dejoie et Compton, et devant contenir des valeurs monnayées, or et argent, dont nous n'avons pas pu vérifier l'importance, attendu l'heure avancée de la journée, remettant cette opération à demain; mais pour plus de garantie nous y avons apposé les scellés; un scellé a été également apposé sur la porte de la cambuse ouvrant sur l'entrepont, et trois autres scellés sur le grand et le petit panneau communiquant sur le pont du navire. Les clés au nombre de trois, servant à la fermeture des dits panneaux, ont été remises au commis greffier pour être représentées en tems utile.

De tout quoi nous avons dressé le present procès-verbal, que nous avons clos à sept heures du soir, et avons renvoyé la continuation de l'opération à demain midi.

Fait et dressé à bord du brick le " *Marabout*," en rade de Cayenne, les jour, moi et an que d'autre part, et avons signée après lecture, interpretation donnée au Sieur Compton, par le Sieur Labat, interprète.

(Signé)	KLIPPEL.	TERNISIEN.
	GLATIGNY.	DUFOURG.
	LABAT.	JOHN COMPTON.
	DEJOIE.	MANGO.

Et le vingt un Octobre, mil huit cent quarante un, à midi,

Nous, Juge d'Instruction, dénommé, qualifié, assisté et accompagné comme en notre procès-verbal d'autre part, à l'exception du Sieur Mango, sous-inspecteur sédentaire des Douanes,

Nous sommes rendu à bord du navire le " *Marabout*," où étant, M. le Procureur du Roi a requis le Trésorier de la colonie d'avoir à recevoir et à garder en dépôt les valeurs, or et argent, trouvées à bord du " *Marabout*." Il a requis en outre M. l'Ordonnateur de la colonie de faire procéder le plutôt possible au débarquement du navire capturé.

En conséquence, nous avons levé la séance, et nous nous sommes transporté comme dessus au trésor de la colonie pour y effectuer le versement des valeurs monnayées trouvées à bord du " *Marabout*."

Nous avons procédé à la levée des scellés apposés sur le coffre et sur la caisse, scellés que nous avons trouvés intacts.

Les valeurs vérifiées en notre présence par le Trésorier, ont été reconnues se composer ainsi qu'il suit :--

1°. Argent appartenant aux intérêts représentés par M. Dejoie, et contenu dans son coffre.

CLASS C.

Or, cent quinze doublons au taux de quatre vingt huit francs, l'une, dans la colonie, dix mille cent vingt francs . . .	10,120
Piastres de divers états, cinq mille huit cent, au taux de cinq francs 50 c. à Cayenne ci, trente un mille neuf cent . . .	31,900
2°. Argent appartenant à la dame passagère, Maria Clara da Souza Lobo, suivant déclaration renouvelée par MM. Compton et Dejoie, comme ayant été trouvé à bord dans une malle qui contenait les effets de la dite dame, six cent cinquante piastres, au taux de cinq francs cinquante centimes, trois mille cinq cent soixante quinze francs . . .	3,575
Total . . .	45,595

Quarante cinq mille cinq cent quatre vingt quinze francs ; laquelle somme a été versée à la caisse des dépôts et consignations, et dont M. le Trésorier de la colonie a donné reçu. Ayant trouvé ensuite dans le coffre du Sieur Dejoie un paquet contenant neuf masses de perles en or de douze brins, chacune, et quatre vingt une fraction de piastres coupées par quart et par demi, M. le Trésorier a consenti à les recevoir en dépôt sous scellés, pour les reproduire lorsqu'il en sera requis.

Fait et dressé le présent procès-verbal au local du trésor colonial, à sept heures du soir, et ont, les personnes désignées au présent procès-verbal, signé après lecture, interprétation faite au Sieur Compton par le Sieur Labat.

(Signé)	KLIPPEL.	GLATIGNY.
	TERNISIEN.	JOHN COMPTON.
	DUFOURG.	DEJOIE.
	LABAT.	

L'an mil huit cent quarante un et le vingt trois Octobre, à neuf heures de la matinée,

Nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction près le Tribunal de la Première Instance à Cayenne,

En présence de M. le Procureur du Roi, MM. Compton, officier Anglais, Labat, interprète, Dejoie, capitaine du "Marabout," assisté de M. Roger Dufourg, commis greffier assermenté, avons procédé à l'ouverture des soixante une lettres qui, d'après la déclaration du capteur, auraient été jetées par dessus bord du "Marabout" et sauvetées par l'équipage Anglais. Parmi ces soixante une lettres, il y en avait qui servaient d'enveloppe à deux ou trois autres, si bien, qu'ouverture faite, nous trouvâmes soixante dix neuf lettres écrites en langue Portugaise, qui furent remises au Sieur da Silva pour être traduites. Dans une de ces lettres, il y avait un scapulaire qui a été joint aux pièces. Chacune de ces lettres a été contresignée par nous, ne varietur, et paraphées par M. le Procureur du Roi, le Sieur Compton, le Sieur Dejoie, et notre greffier.

Au moment de signer le présent procès-verbal, le Capitaine Dejoie nous a remis la protestation suivant.

"Le soussigné, dès le vingt-un courant, étant à bord du 'Marabout,' avait déclaré à M. le Procureur du Roi et à M. le Juge d'Instruction qu'il protestait contre la violation du secret de la correspondance, et l'ouverture des lettres saisies entre les mains et dans les malles des passagers du dit navire ; on n'a point voulu admettre son opposition et il a été passé outre.

"Aujourd'hui devant M. le Juge d'Instruction les dites lettres ouvertes lui ont été présentées pour y apposer sa signature, ce qu'il a fait de confiance. Toutefois, il croit devoir renouveler toutes ses protestations pour ce fait, déclarant, de la manière la plus formelle, qu'il n'entend en aucune manière ni à aucun titre se rendre responsable du contenu d'une correspondance qui ne le concerne aucunement et dont il n'a jamais eu ni pu avoir connaissance. Pourquoi il dépose la présente protestation entre les mains de M. le Juge d'Instruction pour être jointe à la procédure et servir ce que de raison.

"Cayenne, le vingt-trois Octobre, 1841.

(Signé)

"LE CAPITAINE DEJOIE."

Fait et donné au Cabinet d'Instruction les jour, mois, et an ce que dessus. Et avons signé après lecture, avec notre greffier, ainsi que M. le Procureur du Roi, M. Dejoie, le Sieur Compton, le Sieur Labat, interprète, qui en a donné lecture en Anglais au Sieur Compton.

(Signé) KLIPPEL.
TERNISIEN.
COMPTON.
LABAT.
LE CAPITAINE DEJOIE.
DUFOURG, Commis Greffier.

Pour copie conforme délivrée à M. le Procureur-Général.

Cayenne, le vingt-trois Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Vu le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé)

PH. DE ROHAN CHABOT.

Twenty-ninth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Prestation de Serment au Sieur Silva, interprète.

L'AN mil-huit cent quarante un et le vingt deux Octobre à huit heures du matin.

Pardevant nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction, près le Tribunal de Première Instance de Cayenne étant en notre cabinet, assisté de M. Roger Dufourg, commis greffier assermenté,

Est comparu le Sieur da Silva, demeurant et domicilié en cette ville, réquis par nous pour servir d'interprète et de traducteur de langue Portugaise dans la procédure instruite contre le Sieur Dejoie, et consors, capitaine du navire le "Marabout," du port de Nantes, capturé par la corvette Anglaise, la "Rose," lequel, après avoir déclaré accepter la mission à lui confiée, a juré de la remplir en son âme et conscience.

Desquels comparaison et serment nous avons donné acte au comparant qui a signé avec nous et le commis greffier après lecture.

(Signé) ANTONIO MANOEL DE SOUZA SILVA.
KLIPPEL.
DUFOURG.

Pour copie conforme délivrée a M. le Procureur-Général.

Cayenne, le vingt trois Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Le Président de la Cour Royale.

(Signé) J. A. BARADAT.

Le Procureur-Général du Roi.

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT.

Thirtieth Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Prestation de Serment au Sieur Labat, interprète Anglais.

L'AN mil huit cent quarante un et le vingt Octobre, à une heure de relevée,

Pardevant nous, Gustave Klippel, Lieutenant de Juge Provisoire, Juge d'Instruction, près le Tribunal de Première Instance de la Guyane Française, séant à Cayenne, assisté de M. Roger Dufourg, commis greffier assermenté,

Est comparu le Sieur Labat (François), commis négociant à Cayenne, y demeurant et domicilié, requis par nous pour servir d'interprète et de traducteur de langue Anglaise dans la procédure instruite contre le Sieur Dejoie et consors, capitaine du navire le "Marabout," du port de Nantes, capturé par la corvette Anglaise la "Rose," lequel, après avoir déclaré accepter la mission à lui confiée, a juré de la remplir en son honneur et conscience.

Desquels comparaison et serment nous avons donné acte au comparant qui a signé avec nous et le commis greffier après lecture.

(Signé) LABAT. KLIPPEL. DUFOURG.

Pour copie conforme délivrée à M. le Procureur-Général.

Cayenne, le vingt trois Janvier mil-huit cent quarante deux.

(Signé) J. MERENTIER.

Le Président de la Cour Royale,

(Signé) J. A. BARADAT.

Le Procureur-Général du Roi,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,
(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,
(Signé) PH. DE ROHAN CHABOT

Thirty-first Enclosure in No. 87.

*Extrait des Minutes du Greffe de la Cour Royale de la Guyane Française
séant à Cayenne.*

Extrait du Rôle d'Equipage.

Consulado de França na Bahia.

EXTRACTO do Rolda equipagem do brique Francez, "Marabout," que segue viagem, fa a costa d'Afr ca :—

Nomes e Sombrenomes.	Emp ^o abordo.	Ydade.
Dejoie, Hippolite Paul	Capitão .	32 Annos.
Meunier, Pierre	2 ^o „ . .	35 „
Pichard, Jean Augustin	Piloto . .	40 „
Gautrel, Pierre	Cosinheiro	20 „
Guichard, René Laurent	Canoeiro .	17 „

Nomes e Sobrenomes.	Emp ^o abordo.	Ydade.
Paris, Pierre	Carpenteiro	21 Annos.
Dano, Julien	Marinheiro	35 „
Le Came, Marie	„	25 „
Aguet, Jean Marie	„	39 „
Trimaut, Julien	„	30 „
Brosseau, Julien Allani	Novoto . .	20 „
Beraud, Jacques François	„	19 „
Lorandin, Aristide Julien	„	17 „
David, Jean	Marinheiro	42 „

Passageiros.

José Martins França	Subdito	Portuguez.
Antonio da Sylva	„	„
José Pinto Guimarens	„	„
Pantaleão Lopes Villas Roas	„	Brasileiro.
Guilherme M ^{ez} . Donascimento	„	„
Bernardo Tei ^{ra} . da Cunha	„	„
Clara Maria da Souza Lobo	„	„
Antonio Neves	Africano liberto.	
Bento Simoës	„	„
Luis Ladislão	„	„
Franco José d'Oliveira	„	„

Certifico verdadeiro a extracto retro, au fe de que assigner, capitão.
(Signé) DEJOIE.

Visto por legalisação da firma do Sieur Dejoie, e por enreformidade do presente extracto com o rol da equipagem do disto brigue depositado n'este consulado.

Bahia, 24 de Setembro de 1841.

Le E. Consul gérant,

(Signé) C. DE VALLAT.

Vu à la Chambre des Mises en Accusation, à Cayenne, séance du deux Décembre mil huit cent quarante an.

Le Conseiller Président,

(Signé) J. J. BRUN.

Pour copie conforme délivrée à Monsieur le Procureur-Général : Cayenne, le vingt trois Janvier, mil huit cent quarante deux.

(Signé) J. MERENTIER.

Vu le Président de la Cour Royale,

(Signé) J. MOREL.

Vu pour Légalisation.

Le Gouverneur de la Guyane Française,

(Signé) CHARMASSON.

Pour copie conforme.

Le Premier Secrétaire d'Ambassade,

(Signé) PH. DE ROHAN-CHABOT.

No. 88.

Count St. Aulaire to the Earl of Aberdeen.

Londres, le 16 Novembre, 1842.

(Received November 17.)

MY LORD,

LE 23 Mars dernier, Votre Excellence m'a fait l'honneur de répondre à une note que je lui avais adressée le 24 Novembre, 1841, relativement à la réclamation formée auprès du Gouvernement Britannique, par le Sieur René

Valantin, subrécargue du navire la "*Fourmi*," qui demande à être indemnisé des pertes que lui à occasionnées la destruction de ses marchandises dans le Rio Pongo.

Votre Excellence a reconnu que cette réclamation est une de celles que le Gouvernement Britannique est dans l'obligation d'accueillir, mais elle à trouvé que les preuves fournies par la partie plaignante étaient insuffisantes, et elle à demandé un complément des pièces justificatives. Votre Excellence a aussi appelé l'attention du Gouvernement du Roi sur ce fait que Madame Lightbourne se livrait, de son propre aveu, à des opérations de traite des noirs, et elle a exprimé quelque étonnement de ce que les réclamations d'un négociant qui était en relations d'affaires avec une personne se livrant à ce trafic criminel, eussent obtenu l'appui du Gouvernement Français.

Je me suis empressé, my Lord, de porter à la connaissance de mon Gouvernement, la note que vous m'avez fait l'honneur de m'adresser, et je suis chargé aujourd'hui de répondre à votre Excellence sur les deux points qu'elle y avait signalés à son attention.

D'abord, quant à la production par le Sr. René Valantin, de nouvelles justifications à l'appui de sa demande, ce négociant a déclaré qu'il est dans l'impossibilité d'en fournir d'autres que celles que j'ai eu l'honneur de transmettre à Votre Excellence, dans ma note du 24 Novembre, 1841, savoir 1°. La pièce signée de Madame Lightbourne, comme reçu des marchandises déposées chez elle. 2°. Un certificat signé de tous les habitans notables de l'endroit constatant l'incendie causé par les chaloupes de guerre Anglaises de la frégate l'"*Iris*." 3°. Une lettre du fils Lightbourne qui annonçait l'évènement; mais MM. Pouchet et Co., négociants à Rouen, dont M. René Valantin était le subrécargue, ont adressé au Gouvernement du Roi, indépendamment des duplicatas de ces trois pièces, quelques autres documents, parmi lesquels se trouve le rapport de mer du capitaine, dûment vérifié, et affirmé par l'équipage.

J'ai l'honneur de vous envoyer ci-joint, my Lord, copies de ces divers documents. J'ai tout lieu d'espérer que Votre Excellence regardera cette communication, avec celles qui l'ont précédé, comme suffisantes pour établir son opinion sur la question. Votre Excellence jugera, je n'en doute pas, qu'il y aurait peu d'équité à exiger que le Sieur Valantin produise des justifications qui ne sont possibles que dans un pays où il existe des Douanes pour constater le débarquement, des notaires et des juges de paix pour faire des enquêtes et recevoir des dépositions, et ou, enfin, les dépositaires de marchandises tiennent des livres de commerce et de magasin. Si néanmoins le Gouvernement Anglais regardait comme indispensable, pour la marche de l'affaire, la communication de quelque nouvelle pièce qu'il fût possible d'obtenir dans le Rio Pongo, et que son Excellence voulut bien me désigner cette pièce, je m'empresserai, my Lord, d'en faire la demande à mon Gouvernement.

Quant aux observations, my Lord, qui terminent la note de Votre Excellence, le Gouvernement du Roi ne peut pas admettre que le Sieur René Valantin, dont la réputation parait d'ailleurs être fort honorablement établie à Gorée, ait pu encourir le soupçon de s'être livré à la traite des noirs, en portant sur la côte d'Afrique, les objets ordinaires de tout trafic légitime avec les indigènes. Les réclamations de ce négociant lui paraissent donc aussi dignes de son appui que de l'intérêt du Gouvernement Britannique.

Je joins également à cet envoi l'extrait, qui m'est transmis de Paris, d'un rapport de M. le Gouverneur du Sénégal par interim à M. le Ministre de la Marine, qui pourra intéresser votre Excellence.

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

(Signé)

ST. AULAIRE.

Son Excellence le Comte Aberdeen, K. T.,

&c.

&c.

&c.

First Enclosure in No. 88.

“*La Fourmi*.”—C^{ne}. Dutot.

Rapport de Mer.

Affirmation Rapport Dutot.

DES Minutes du Greffe du Tribunal de Commerce de terre et de mer, séant en la ville du Hâvre de Grâce, Département de la Seine Inférieure, a été extrait ce qui suit :—

Du cinq Octobre mil huit cent quarante et un au Greffe ; devant nous, Lucien Peltier, juge faisant pour empêchement de Monsieur le Président du Tribunal de Commerce du Hâvre ; assisté de maître Emile Simon, greffier :

De la réquisition du Capitaine Dutot, commandant la goëlette Française, nommé la “*Fourmi*,” à présent en ce port, aux fins de l'affirmation des rapports par lui faits en ce greffe, les vingt cinq et trente Septembre dernier, lesquels seront enregistrés en temps de droit :

Sont comparus les Sieurs Charles Langlois, âgé de vingt trois ans, second ; et Louis Alexandre Clot, âgé de trente trois ans, matelot à bord dudit navire, tous deux demeurant à Cherbourg, lesquels après avoir prêté serment de dire vérité, et après avoir entendu la lecture des rapports précités, nous ont unanimement dit qu'ils sont sincères et véritables en tout leur contenu ; qu'ils n'y veulent rien changer, ni diminuer, ni augmenter, et qu'ils y persistent ; ce qu'ils ont signé avec nous et le greffier, après lecture faite.

(Signé) C. LANGLOIS. CLOT. LUCIEN PELTIER.
E. SIMON, Greffier.

Enregistré au Hâvre, le sept Octobre, mil huit cent quarante et un, folio 153, case 8.

Reçu trois francs pour enregistrement, un franc treize centimes pour rédaction, et quarante trois centimes pour subvention. Laremise du Greffier est de treize centimes.

(Signé) DUBOIS.

Collationné par moi, Greffier, soussigné, et délivré au Capitaine Dutot, de sa réquisition.

Hâvre, le sept Octobre, mil huit cent quarante un.

(Signé) E. SIMON.

1 fr. 60 c.—Reçu un franc quarante centimes pour droits de Greffe, et vingt centimes pour subvention.

Hâvre, le sept Octobre, 1841. Remise du Greffier, 60 c.

(Signé) E. SIMON.

DES Minutes du Greffe du Tribunal de Commerce de terre et de mer, séant en la ville du Hâvre de Grâce, Département de la Seine Inférieure, a été extrait ce qui suit :—

Du trente Septembre mil huit cent quarante et un, au Greffe, devant nous, Philippe André Farell Reilly, Président, assisté de Maître E. Simon, commis greffier,

Est comparu en personne le Capitaine T. Dutot, commandant la goëlette Française, nommée la “*Fourmi*,” de Rouen, du port de soixante-sept tonneaux cinquante cinq centièmes, ayant sept personnes d'équipage, lui compris ; lequel a dit et déclaré qu'en vertu des réserves par lui faites dans le rapport qu'il a déposé au Greffe du Tribunal de Commerce du Hâvre, sous la date du vingt-cinq Septembre courant, et pour le bien des intérêts de qui il appartiendra, il vient faire un nouveau rapport contenant les évènements arrivés à la côte d'Afrique, pendant son séjour et avant son départ de Saint Louis de Sénégal, lequel rapport est comme suit :

Il quitta Gorée le vingt deux Janvier dernier, se rendant au bas de la côte d'Afrique, et navigua sans rien éprouver de remarquable, jusqu'au vingt six,

qu'il eut connaissance de la terre ; mais la brume était si forte qu'il ne put positivement la reconnaître que vers cinq heures. Il mouilla et resta au mouillage jusqu'au vingt huit à huit heures du matin, que la brume s'étant un peu dissipée il fit route, et vers sept-heures et demie il fut mouiller dans la rivière du Rio Pongo, dans la branche de Casseney-barre, pour passer la nuit. Le vingt-neuf, il fit armer le petit canot, et Monsieur Valantin, subrécargue, fut chercher un pilote. La nuit ayant surpris le navire en rivière, le flot lui fit dépasser le Marigot qui conduit à Kissinglie, lieu de sa destination. A dix-heures, une pirogue se rendit le long du bord. Birama, dit Abraham, le fils d'Janakong, chef d'une peuplade, se trouvait à bord de la pirogue ; il commença à menacer. Etant resté le long du bord, il paraissait être devenu paisible, mais à midi étant appareillé sous les voiles latines, la chaloupe à nager devant, arrivé devant le Marigot, qui conduit au village de Tacon, voulant faire entrer le navire dans le Marigot et ne pouvant y réussir, Birama fit embarquer son monde à bord, tous armés de sabres et de fusils. Ils se portèrent sur le comparant, le second et l'équipage, les frappèrent de coups de sabres, et enlevèrent le capitaine et le second qu'ils déposèrent à Tacon. Les hommes restés à bord se sont embarqués dans la chaloupe, et le soir, ils se sont rendus à bord d'une goëlette Americaine qui les a accueillis. Le navire resta donc abandonné, et à la disposition de Birama.

Le premier Février à deux heures du soir, le comparant rentra en possession du navire et de la cargaison. Aussitôt il s'aperçut qu'ils lui avaient enlevé les vivres, les provisions, le service de table, et des marchandises d'échantillons qui se trouvaient dans la chambre, et avaient également dévalisé les malles renfermant les effets de tout le monde du bord. Le trois, étant mouillé à Kissing, il commença ses opérations de troc qu'il continua jusqu'au vingt-six : il appareilla cedit jour pour Charleston, où il arriva à huit heures du soir. Il partit de ce port le neuf Mars, et navigua assez heureusement jusqu'au trente et un qu'il mouilla à Bangalen ; pendant ce temps ses deux embarcations allaient continuellement de village en village, faire de trocs et déposer des marchandises pour les vendre chez les principaux habitans voisins, consignans sur récépissé, sauf à les reprendre en cas de non vente, ou à en recevoir la valeur en produits du pays.

C'est ainsi qu'il en avait envoyé successivement chez Madame Lightbourne, habitant le village de Bangalen, et sur son reçu pour une valeur de deux mille cent quatre vingt quatorze piastres vingt et un centimes, au change de cinq francs trente sept centimes, donnent onze mille sept cent quatre vingt deux francs, quatre-vingt onze centimes ; et qu'il lui reste des créances sur divers autres habitans pour des marchandises qui n'ont point été remises. Le vingt-sept Avril, vers cinq heures du soir, étant mouillé à Santo Domingo, trois embarcations Anglaises se présentèrent, savoir : la grande chaloupe d'un brick-corvette Anglais mouillé en dehors et en face des passes, avec deux autres canots Anglais de la même corvette. La chaloupe et le grand canot étaient armés chacun d'un petit canon à coulisse sur l'avant, le petit canot était armé de fusils et de sabres ; il pouvait y avoir trente hommes dans les trois embarcations, lesquelles étaient sous le commandement de trois chefs. Après avoir visité les papiers, fait ouvrir les écoutilles, et être restés une heure à bord, ils demandèrent à coucher, ce qui leur fut accordé, et ils s'installèrent sur le pont. Le lendemain, vingt huit Avril, à six heures du matin, les trois embarcations Anglaises ont quitté le bord pour descendre à Charleston, et rejoindre les trois embarcations de la frégate Anglaise " Iris," qui était aussi mouillée en dehors, à peu de distance de la corvette. Vers neuf heures du matin, les six embarcations Anglaises remontant la rivière, passèrent le long du bord du comparant, et firent route pour aller plus haut. Elles furent bientôt perdues de vue. Le vingt-neuf, à dix heures du matin, il vit les six embarcations Anglaises descendre pour regagner leurs navires respectifs ; elles passèrent au large à grande distance. A onze heures du matin, une pirogue du pays montée d'un noir, vint à bord, et apprit au comparant que l'habitation de Madame Lightbourne avait été incendiée par les embarcations Anglaises, qui avaient amené cette dame avec ses deux fils à bord de la frégate " Iris." Vers trois heures après midi, deux nouvelles embarcations de la frégate Anglaise " Iris," montées chacune d'un officier et d'un aspirant, se présentèrent à bord (les matelots portaient sur leur chapeau le nom de leur navire). Dès qu'ils eurent pris connaissance des papiers du comparant, voyant les six premières embarcations assez près, ils furent les rejoindre et regagnèrent leurs navires. Le deux Mai, vers

quatre-heures du soir, une pirogue passa le long du bord ; cette pirogue venait de la frégate " Iris," et transportait Madame Lightbourne et ses deux fils qui retournaient à leur village, et qui en passant confirmèrent l'incendie de leur habitation par les Anglais. Depuis cette époque, il a fait rentrer le plus de valeur possible, et le huit Juin il appareilla de Rio Pongo ; le onze, il était dans la rivière de Rio Nuñez, et il y resta jusqu'au premier Juillet à faire des trocs. De là, il se rendit à Bissao, où il arriva le sept. Il en partit le dix, et le seize il était de retour sur la rade de Gorée, où il fut mis en quarantaine jusqu'au vingt et un qu'il fut admis à libre pratique. Observe en outre ledit comparant, que par l'incendie de son habitation par l'équipage des embarcations Anglaises, Madame Lightbourne a été ruinée ; qu'elle est devenue insolvable, et que d'ailleurs il lui a été affirmé que cette dame ne pouvait être responsable des actes de violence et de destruction commis par les Anglais ; et demandant acte du présent, et de le faire vérifier par des gens de son équipage, se réservant en outre la faculté de faire tous autres et plus amples rapports, que besoin sera, sous toutes réserves tenantes ; ce que le comparant a signé avec nous et le commis greffier, après lecture faite, dont acte.

(Signé) F. DUTOT. REILLY. S. SIMON, Com. Greff.

Enregistré au Hâvre, le sept Octobre, mil huit cent quarante et un, f. l. c. 3. c. 1^{ère}.

Reçu trois francs pour enregistrement, un franc treize centimes pour rédaction, et quarante trois centimes pour subvention. La remise du Greffier est de treize centimes.

(Signé) DUBOIS.

Collationné par moi Greffier soussigné, et delivré au Capitaine Dutot, de sa réquisition.

Hâvre, le quatre Octobre mil huit cent quarante et un.

(Signé) E. SIMON.

Nous, juge, faisant pour empêchement de Monsieur le Président du Tribunal de Commerce du Hâvre, certifions que la signature ci-dessus est bien celle de Maître E. Simon, Greffier dudit Tribunal, et que foi doit y être ajoutée.

Donné au Hâvre, le sept Octobre, mil huit cent quarante un.

(Signé) LUCIEN PELTIER.

6 30. Reçu six francs trente centimes pour droits de Greffe, quatre
 „ 63. vingt dix centimes pour subvention.
 „ 27. Hâvre, le sept Octobre, 1841. Remise du Greffier, deux francs
 soixante dix centimes.

7 20.

(Signé) DUBOIS.

Second Enclosure in No. 88.

MONSIEUR,

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

(Signé) STILE LIGHTBOURN.

Je certifie que la traduction est conforme à l'original qui m'a été représenté.
 St. Louis, le 20 Août, 1841. (Signé) D. VALANTIN.

Vu pour légalisation de la signature de M. Durand Valantin, négociant, par nous, Président du Tribunal de Première Instance, séant en l'île Saint Louis du Sénégal.

St. Louis, le 21 Août, 1841.

(Signé) E. CORTHIER.

Vu pour légalisation de la signature de M. Corthier, Président du Tribunal de Première Instance, séant en l'île Saint Louis.

St. Louis, le 21 Août, 1841.

Le Gouverneur du Sénégal et Dépendances,

(Signé) MONTAGNIES DE LA ROQUE.

CLASS C.

Traduit de l'Anglais.

Liste des Marchandises envoyées au Magasin de Madame Lightbourn,
à Tarrenjha.

Savoir:—

24 d ^{nes} . Mouchoirs rouges	à dol.2 60	dol.62 0
12 pièces Sucreton	3 0	36 0
12 „ „ bleu ciel	3 0	36 0
12 „ Calicot rouge	3 0	36 0
12 „ Sucreton à points blancs	3 50	42 0
18 „ Nicanis rouge	4 50	81 0
18 „ Indiennes C ^{ne} . Dick 857 $\frac{1}{4}$ y ^{da}	0 16	95 56
15 „ Jantas	3 50	52 50
16 „ Indiennes fines 259 m. 20	4 50	72 0
24 „ Siamoise	3 50	84 0
45 „ Romales et Tom. Coffee	2 0	90 0
24 „ Liménéas	4 50	108 0
50 „ Guinée blanche (coupes de 12 y ^{da} .)	2 0	100 0
4 paires pagnes blancs à bouts rouges	3 0	12 0
4 „ „ „	4 0	16 0
6 „ „ brochés	6 0	36 0
6 „ „ brochés avec couleur	8 0	48 0
4 „ „ Supérieurs	12 0	48 0
3 d ^{nes} . Chemises de couleur	12 0	36 0
12 caisses Limonade gazeuse	3 0	36 0
36 pièces Guinée bleue de l'Inde	4 0	144 0
24 „ „ de Rouen	4 50	108 0
25 fusils	4 25	106 25
4 d ^{nes} . Madras	4 0	16 0
12 „ Cadenas	2 0	24 0
10 „ Clochettes	2 0	20 0
6 „ Manchettes ou Coutelas	3 0	18 0
4 sacs Plomb à giboyer en S ^c . 80 ^{lb}	3 50	18 80
10 d ^{nes} . Tabatières en étain	1 20	12 0
6 „ Rasoirs communs	2 0	12 0
6 „ Ciseaux communs	1 0	6 0
25 pièces Mouchoirs bleus imprimés blancs et turckreya	2 50	62 50
4 barils ou 400 ^{lb} . poudre, comme suit:—		
4 petits barils de 25 ^{lb} . ens ^e . 100 ^{lb} .	} 20 le ct.	80 0
2 „ 50 „ 100		
8 „ 12 $\frac{1}{2}$ „ 100		
5 „ 20 „ 100		
25 fusils, long deanes	4 50	112 50
25 „ Birdinga	4 50	112 50
12 „ Français simples	5 0	60 0
8 paires souliers pour hommes	2 50	12 0
6 d ^{nes} . pots de pommade	3 0	18 0
6 „ huile antique	3 0	18 0
6 paniers Anisette	1 50	9 0
4 caisses Liqueur Maraschino	7 0	28 0
4 „ „ Assorties	6 0	24 0
6 paniers Bière	2 50	15 0
6 caisses Vin blanc	5 0	30 0

(L'original porte ₤ 2194 20) ₤ 2193 01

Village de Bandalang,

Rio Pongas, 20 Avril, 1841.

Pour ISABELLA LIGHTBOURN,
(Signé) STILE EDW. LIGHTBOURN.

Je certifie que la traduction est conforme à l'original qui m'a été représenté.
St. Louis, le 20 Août, 1841. (Signé) D. VALANTIN.

Third Enclosure in No. 88.

Farringo, 3 Mai, 1841.

MONSIEUR,

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

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

Je suis avec estime, votre,

(Signé) STILE LIGHTBOURN.

Je certifie que la traduction est conforme à l'original qui m'a été représenté.
St. Louis, le 20 Août, 1841. (Signé) D. VALANTIN.

Vu pour Légalisation de la signature de M. Durand Valantin, négociant, par nous, Président du Tribunal de Première Instance, séant en l'île Saint Louis du Sénégal.

St. Louis, le 21 Août, 1841.

(Signé) E. CORTHIER.

Vu pour Légalisation de la signature de M. E. Corthier, Président du Tribunal de Première Instance, séant en l'île Saint Louis.

Le Gouverneur du Sénégal et Dépendances,

(Signé) MONTAGNIES DE LA ROQUE.

St. Louis, le 21 Août, 1841.

Fourth Enclosure in No. 88.

RIO PONGO, quinze Mai mil huit cent quarante un. Ceci est pour certifier que moi Isabella Lightbourn, affirme et déclare que par suite de la perte entière de ma fortune, causée par la destruction totale de ma maison et magasins avec tout ce qui y était contenu, par cinq embarcations de guerre Anglaises, vers le 28 Avril dernier; lesdites embarcations appartenant aux corvettes "l'Iris," et un brick mouillé au large de cette rivière, je me trouve dans l'impossibilité de satisfaire à la réclamation qui m'est faite par Monsieur René Valantin, subrécargue de la goëlette Française la "Fourmi," de Rouen, expédiée par MM. P. A. Pouchet et fils, propriétaires de ladite goëlette et cargaison; je déclare que ladite réclamation est pour des marchandises qu'il m'avait consignées pour vendre pour son compte, dont la valeur totale s'élève à la somme de deux mille cent quatre vingt quatorze gourdes et vingt un sous, comme le constate le reçu donné en mon nom et daté du Avril, 1841.

Dans cette circonstance, non seulement des propriétés Françaises ont été détruites, mais aussi des Américaines et Anglaises ont souffert pour des sommes considérables.

(Signé) POUR ISABELLA LIGHTBOURN,
STILE LIGHTBOURN.

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

(Signé)

PETER HATFIELD, JOHN MILLS CURTIS, MATHIEU JONGA, RICHARD WILKINSON, JO. ORMOND, CHARLES G. CURTIS, WM. MILLER, GEO. W. CURTIS, LE ROI, MATHIAS CATHY, E. RICHMOND WARE, un Américain victime.

En effet, cet Américain en a été pour une somme de dol. 3000, f. 15000.

Je certifie que la traduction est conforme à l'original qui m'a été représenté.

St. Louis, le 20 Août, 1841.

(Signé) D. VALANTIN.

Vu pour Légalisation de la signature de Durand Valantin, négociant, par nous, Président du Tribunal de Première Instance, séant en l'île Saint Louis du Sénégal.

St. Louis, le 21 Août, 1841.

(Signé) E. CORTHIER.

Vu pour Légalisation de la signature de M. E. Corthier, Président du Tribunal de Première Instance, séant à l'île Saint Louis.

Le Gouverneur du Sénégal et Dependances,

(Signé)

MONTAGNIÈRES DE LA ROQUE.

St. Louis, le 21 Août, 1841.

Fifth Enclosure in No. 88.

Opération Bissao.

St. Louis, le 16 Juillet, 1841.

RIEN de neuf a vous annoncer. Je suis sans nouvelles de "Fourmi," et l'attends dans l'autre mois, époque ou j'attends mon gendre, et tous nos autres traitans du bas de la côte.

Celle-ci part par voie de Gorée pour Nantes; le hasard me l'a fait connaître. Je vous salue de mon cœur.

(Signé)

A. PESNEL.

Messieurs P. A. Pouchet et fils, Rouen.

St. Louis, le 3 Août, 1841.

J'AI la satisfaction de vous remettre sous ce pli une lettre de notre ami René Valantin, du 2 ct. Elle vous fait connaître le résultat de son opération sous sa gestion, qui a été, quoique très mauvaise, moins ruineuse pourtant que toutes celles faites par beaucoup de maisons Françaises et étrangères.

Quant aux lettres qu'il m'a adressées, lors de son échouement, vous en connaissez en partie les résultats; je vais vous les adresser par "Fourmi," qui arrivera, je pense, aussitôt que "Domndar" en Europe.

Aussitôt "Fourmi" à mon quai, je me suis empressé de donner tous mes soins à l'équipage qui en avait besoin, de soigner la réception des marchandises de retour; elles en ont besoin. Plus, la réception des produits, et à faire mettre de suite le navire en état de prendre la mer. Enfin tout marche, et "Fourmi" partira pour le Havre et Rouen, le 15 ct. au plus tard, Dieu aidant.

J'entre en magasin ce jour. Provenant de l'opération Bissaos:—

144 sacs café, Rio Nuñez et Rio Pongo, per net	7,960 K°
107 Doubloons	< K°
40 Dens Marphil, F.	3341.
2 sacs Gomme copale, net	67 K°
17 Barri ques huile de Palme, cont.	1498 galons.
69 pains et un lot morceaux cire jaune, per net	1731 K°
700 nattes.	
2 sacs graines de Psené, pois net.	
640 gros d'or, ou 80 onces d'or.	

Joint à ceci 12,000 francs de crédit, bonnes créances, et 11 à 12,000 francs de marchandises brûlées par la méchanceté des Anglais dans une habitation à terre, et qui devait être protégée par la présence de nos nationaux, dont les Anglais n'ignoraient point ni la présence ni la propriété des marchandises. J'ose espérer que nous aurons prompte justice de ces forbans. "Fourmi" portera tous ces documens.

Combien je suis désireux de vous adresser la note des marchandises de retour; mais je ne peux le faire ce jour; je compte vous l'envoyer par "Domndar."

Par "Fourmi" vous aurez le compte de vente, les frais, et alors vous serez fixé sur ce début d'opération manquée pour causes involontaires. C'est tout ce que je peux vous dire sur le compte de cette opération pour le moment.

Tous les produits seront marqués $\frac{F}{B}$ "Fourmi" Bissao.

Nous avons eu, un matelot blanc qui a déserté à Rio Pongo, lors de l'échouement de "Fourmi" (un Grec).

Le capitaine garde la chaloupe achetée à Gorée; elle lui est indispensable.

Langlois a une légère indisposition.

Je vous salue, Messieurs, bien sincèrement.

(Signé)

A. PESNEL.

Veillez, s'il vous plaît, présenter mes civilités respectueuses à Monsieur Jean Rondeaux.

Plus, 3 sacs café, pois net 322 K^o.

Très pressé,
(Signé) A. P.

Sixth Enclosure in No. 88.

Messrs. P. A. Pouchet et Fils, Négociants, Rouen.

MESSIEURS,

St. Louis (Sénégal), le 2 Août, 1841.

“L'ANTOINETTE,” Capitaine Rozet, partant pour Liverpool, me fournit l'occasion de vous annoncer notre arrivée à St. Louis. Le 24 Février dernier, je vous écrivais de Rio Pongos, mais la personne qui devait se charger de ma lettre pour la remettre à M. Pesnel, à St. Louis, partit sans la prendre. Je l'envoyai à Rio Nuñez, espérant qu'on y aurait une occasion pour Gorée, mais elle ne fut pas acheminée, et à mon arrivée là, je l'y trouvai.

Pendant ma quarantaine à Gorée, je l'ai envoyée à M. Pesnel qui a dû vous l'acheminer par le “*Domndar*” allant à Marseille. Vous y verrez la marche des affaires; les choses ont continué ainsi dans un état désespérant.

La maladie du capitaine second, tout l'équipage ainsi que de moi-même, nous a considérablement fait perdre du temps, et nous nous sommes trouvés forcés de séjourner à Rio Pongos jusqu'au 10 Juin. Il ne nous était plus possible d'aller à Sierra Leone, nous eussions été obligés de faire quarantaine régulière de 40 jours, ayant des malades et des dépenses exorbitantes, auxquelles nous eussions été forcés de faire, car les Anglais ne nous épargnent pas dans de pareils cas. Nos marchandises manufacturées ne sont plus admises dans cette colonie Anglaise; il aurait fallu vendre à des contrebandiers, qui viennent recevoir les marchandises en dehors du port, ce qui n'est ni très sur ni très commode. La saison étant trop avancée, nous n'avons pu visiter que Rio Pongos, Rio Nuñez, et l'établissement de Bissao; nous n'avons rien fait dans ce dernier port.

Dans ma lettre du 24 Février, je vous donne avis de la guerre qui existait entre les habitans de l'intérieur et ceux de Rio Nuñez. Cette guerre a entièrement paralysé toutes les affaires, cette année, sur cette côte; joint à cela une famine effroyable, causée par une irruption de sauterelles qui ont dévoré la dernière récolte de riz, tant sur les côtes que dans l'intérieur; enfin, un enchaînement de circonstances malheureuses se sont opposé à la réussite de notre opération.

Vers le commencement du mois de Mars, et au moment où nous nous apprêtions à faire route pour Sierra Leone et la côte, eut lieu la maladie du capitaine et du second presque en même temps. Nous avons déjà deux de nos matelots blancs malades; force nous fut donc d'espérer qu'ils fussent mieux, ce qui avec le peu d'affaires qui je faisais dans ces moments nous a tenus là si long temps. Malgré tout, j'ai ramassé à Rio Pongos 15,000 livres café, ou environ 8 tonneaux; ce que tous les traitans de Rio Pongos ensemble n'ont pu faire cette année. Cependant la récolte de ce produit n'a pas manqué, mais la guerre a retenu les marchands dans l'intérieur. Les autres produits de même; les mêmes causes les ont empêché d'être abondans. Outre ces 15,000 de café, nous avons encore 4000 livres de cire jaune, 300 livres ivoire, près de 1500 galons huile de palme, 107 doublons, et 80 onces d'or du pays, et un peu de gomme copale. Je pense que M. Pesnel vous fera connaître exactement les quantités. J'ai laissé dans le pays pour 12,000f. de créances, j'espère y retourner sous peu vers le mois d'Octobre pour effectuer les rentrées.

J'ai rapporté près de la moitié de notre cargaison. Je m'entendrai avec M. Pesnel pour retour avec un navire caboteur de la colonie, et profiter des mois d'Octobre, Novembre, et Décembre, pour écouler les marchandises qui restent et être de retour à St. Louis vers le courant de Décembre, s'il est possible, mon intention étant d'aller en France vers cette époque.

Dans le mois d'Avril dernier les Anglais ont brûlé une factorerie à Rio Pongos, appartenant à une femme du pays, Madame Lightbourn. Nous y avons des marchandises en dépôt; elles ont été brûlées ainsi que d'autres appartenant à des Américains et des Anglais. Le commandant du navire qui a fait ce coup a dit que les marchandises Françaises et Américaines seront payées, mais quant à

celles de leurs nationaux, elles seront perdues pour eux ; il ne paieront point. Ainsi avec les pièces dont je suis muni, nous ferons de manière à être appuyés par notre Gouvernement colonial pour la réclamation. Cette somme se monte à 11,000f. environ : plus tard vous connaîtrez les détails.

Permettez moi de vous observer que la non réussite de cette opération d'essai ne doit point vous donner une mauvaise opinion de ces sortes d'affaires et vous décourager. N'en attribuez la cause qu'aux circonstances malheureuses et notre arrivée trop tard en Afrique.

J'ai l'honneur de vous saluer sincèrement.

(Signé) R. VALANTIN.

P.S. Nous sommes en train de peser ; nous ne pourrons vous faire connaître les quantités que par première occasion.

Seventh Enclosure in No. 88.

Extrait d'une lettre adressée le 13 Juin, 1842, au Ministre de la Marine et des Colonies, par M. Pujot Desmontières, Commissaire de la Marine, Gouverneur par interim du Sénégal.

MONSIEUR LE MINISTRE,

Je me suis empressé, à la réception de la dépêche de Votre Excellence en date du 22 Avril dernier, No. 100, d'écrire à M. René Valantin, domicilié à Gorée, pour lui demander un nouveau memoire explicatif de ses griefs, accompagné de pièces authentiques à l'appui de la réclamation qu'il a formée contre le Gouvernement Britannique.

Ce commerçant étant en cours de voyage en ce moment-ci, ma lettre n'a pu lui être remise ; dès qu'il sera de retour à Gorée il sera mis en demeure de satisfaire aux désirs de Votre Excellence.

Je n'ai pas cru devoir attendre ce moment, pour répondre spécialement au dernier paragraphe de votre dépêche, Monsieur le Ministre, parceque je suis en position de donner à Votre Excellence tous les renseignements désirables sur son objet.

Il est certain que des opérations de traite se font encore sur divers points de la côte au Sud de nos établissements, mais je ne pense pas, et j'en ai même la certitude, que ni M. René Valantin ni aucun habitant du Sénégal ou de Gorée, n'y prennent part à rien qui ait trait à un trafic abandonné, depuis longtemps, par notre nation. Je puis en outre affirmer à Votre Excellence que les opérations de nos commerçants (je parle de ceux qui habitent le Gouvernement qui m'est confié) n'ont d'autre but que d'échanger des marchandises qu'ils portent à la côte, contre les produits qu'ils peuvent y obtenir. Ce sont ces produits, Monsieur le Ministre, journellement expédiés sur la France qui soldent les prix des marchandises.

Tout commerce au bas de la côte serait impossible, radicalement impossible, s'il fallait exclure les marchandises susceptibles de servir à la traite des noirs, car elles le sont toutes presque sans exception. Au surplus, les Anglais ne se font pas scrupule à cet égard, et les comptoirs de Sainte Marie en Gambie et Sierra Leone expédient des quantités de ces mêmes marchandises, bien autrement considérables que celles introduites par le commerce Français. Ces cargaisons Anglaises sont vendues aux mêmes personnes que celles qui achètent les nôtres, et il n'est pas venu à ma connaissance que le Cabinet de Londres leur ait défendu ce commerce légitime.

Quant à ceux des traitants résidant sur la côte, dont les établissements passent pour être des foyers de la traite des esclaves, aucun n'appartient à des Français, ils sont tous Portugais ou Espagnols, quelquefois même des Anglais qui ont eu à souffrir des rigueurs de la division navale Anglaise.

Veillez, &c.

No. 89.

Lord Cowley to the Earl of Aberdeen.

Paris, November 14, 1842.

(Received November 17.)

MY LORD,

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

I have, &c.

(Signed)

COWLEY.

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

No. 90.

The Count St. Aulaire to the Earl of Aberdeen.

Londres, Novembre 18, 1842.

(Received November 18.)

LE COMTE de St. Aulaire présente ses compliments à Son Excellence le Comte d'Aberdeen, et a l'honneur de lui renvoyer un mandat* devenu inutile par suite du retour en France du bâtiment auquel il était destiné.

Le Comte de St. Aulaire prie en même temps Son Excellence le Comte d'Aberdeen de vouloir bien lui en délivrer 4 nouveaux pour les bâtiments ci-après désignés.

"*La Mésange*," goelette, Capitaine de Martining.

"*L'Eperlay*," cutter, Capitaine Darrican.

"*Le Furet*," cutter, Capitaine Granet.

"*La Légère*," goelette, Capitaine Favre Lamavrelle.

Station des Côtes Occidentales d'Afrique.

* Warrant issued to the French ship of war "*Nisus*."

No. 91.

Count St. Aulaire to the Earl of Aberdeen.

Hertford House, November 25, 1842.

(Received November 25.)

LE COMTE de St. Aulaire présente ses compliments à Lord Aberdeen, et a l'honneur de lui renvoyer ci-joint un mandat* délivré par le Gouvernement Anglais et qui a cessé d'être utile par suite du retour en France du bâtiment dont le commandant en était porteur.

Le Comte de St. Aulaire prie en même temps Son Excellence Lord Aberdeen de vouloir bien le mettre en mesure de transmettre à son Gouvernement un mandat pour le brick "*le Zèbre*," commandé par M. de Mouléon, capitaine de corvette, qui est au moment de partir pour la station des *Cotes Occidentales d'Afrique*.

* Warrant issued to the French ship "*Cygne*."

No. 92.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, November 26, 1842.

IN accordance with a request which has been made to me from the Admiralty, I have to instruct your Excellency to request the French Govern-

ment to issue a warrant to enable Commander Drew, of Her Majesty's sloop "*Wasp*," about to be employed on the North America and West India stations, to act under the Conventions of the 30th November, 1831, and the 22nd March, 1833, between Great Britain and France for the suppression of Slave Trade.

I am, &c.
(Signed) ABERDEEN.

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

No. 93.

Count St. Aulaire to the Earl of Aberdeen.

Londres, le Novembre 28, 1842.
(Received November 29.)

L'AMBASSADEUR de France présente ses compliments à Son Excellence le Comte Aberdeen, et a l'honneur de porter à sa connaissance les faits suivants.

Plusieurs mandats, qui avaient été délivrés il y a fort longtemps par le Gouvernement Anglais à divers bâtiments Français, se trouvent avoir été égarés dans les préfectures maritimes ou se sont perdus soit par le naufrage de ces bâtiments, soit par suite du décès des officiers qui en étaient porteurs. Pour remédier à ce grave inconvénient, le Gouvernement du Roi pense qu'il serait convenable de faire annuler ces mandats sur les registres de l'Amirauté Anglaise, comme ils le seront en France au Ministère de la Marine, et c'est dans ce but que l'ambassadeur de France a l'honneur de transmettre ci-joint à son Excellence le Comte Aberdeen le noms de tous les bâtiments qui n'étaient munis.

A Son Excellence le Comte Aberdeen, K.T.,
&c. &c. &c.

Enclosure in No. 93.

Station des Antilles.

"*L'Atalante*" frégate, de 2^{me} rang, commandée par M. Villeneau, Capitaine de Vaisseau, date du mandat 28 Septembre, 1833.

"*L'Hermine*," frégate de 1^{er} rang, commandée par M. Bazoche, Capitaine de Vaisseau, date du mandat 4 Mai, 1837.

"*Le Bisson*," brick de 20 canons, commandé par M. Halley, Capitaine de Corvette, date du mandat 27 Décembre, 1838.

"*L'Inconstant*," brick de 16 canons, commandé par M. Harasse de la Viardière, Capitaine de Corvette, date du mandat 30 Avril, 1838.

"*L'Eclipse*," brick aviso de 10 canons, commandé par M. Jame, Lieutenant de Vaisseau, date du mandat 4 Mai, 1837.

"*Le Fabert*," brick aviso de 10 canons, commandé par M. Sardeilhan Mezir, Lieutenant de Vaisseau, date du mandat 1836.

Station du Brésil.

"*L'Heroine*," corvette de 30 canons, commandée par M. Cécille, Capitaine de Vaisseau, date du mandat 2 Décembre, 1835.

"*Le Bisson*," brick de 20 canons, commandé par M. Veignard, date du mandat 2 Décembre, 1835.

Station de l'Ile Bourbon.

"*L'Aube*," corvette de charge, commandée par M. Perrey, Capitaine de Frégate, date du mandat 4 Mai, 1837.

"*Le Madagascar*," gabare, commandé par M. Vailhen, Lieutenant de Vaisseau, date du mandat 29 Août, 1833.

"*Le Nièvre*," corvette de charge, commandée par M. Trishol Camas, date du mandat 4 Mai, 1837.

No. 94.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, December 1, 1842.

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and in pursuance of the request contained in His Excellency's note of the 18th ultimo, has the honour to transmit herewith to him warrants enabling the commanders of the French vessels of war, "*Le Mésange*," "*L'Eperlay*," "*Le Furet*," and "*La Légère*," to act under the Conventions between Great Britain and France of the 30th November, 1831, and 22nd March, 1833, for the suppression of the Slave Trade.

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

No. 95.

The Earl of Aberdeen to Count St. Aulaire.

Foreign Office, December 2, 1842.

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and in pursuance of the request contained in His Excellency's note of the 25th ultimo, has the honour to transmit herewith to him, a warrant enabling the commander of the French brig of war "*Zèbre*," to act under the Conventions between Great Britain and France of the 30th November, 1831, and 22nd March, 1833, for the suppression of the Slave Trade.

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

No. 96.

The Earl of Aberdeen to Lord Cowley.

Foreign Office, December 2, 1842.

MY LORD,

WITH reference to previous correspondence respecting the French vessel "*Marabout*," I transmit herewith to your Excellency the copy of a further communication I have received from Her Majesty's Advocate-General, suggesting that the opinion of two or three of the most eminent French advocates should be taken upon the several points enumerated in the enclosures to his letter.

I also send to your Excellency copies of the three decrees adverted to in that enclosure.

And I have to desire that your Excellency will have the case laid before those gentlemen, and endeavour to obtain their early opinion upon those points for the information of Her Majesty's Government.

I am, &c.

(Signed)

ABERDEEN.

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

First Enclosure in No. 96.

Her Majesty's Advocate-General to the Earl of Aberdeen.

MY LORD,

Doctors' Commons, November 29, 1842.

I AM honoured with your Lordship's commands signified in Mr. Addington's letter of the 19th instant, stating, that with reference to a communication which will have been made to me from Her Majesty's Treasury, as it appears from a letter of the 28th ultimo, from that department to the Foreign Office, expressing a desire to have my further opinion, together with that of Mr. Rothery, on the subject of the French vessel "*Marabout*," he was directed by your Lordship to transmit to me for my information and reference, the accompanying volume, containing a complete copy of all the papers on this case which have come before the Foreign Department, and to request that I would return the same to the Foreign Office when done with.

In obedience to your Lordship's commands, I have the honour to report, that having conferred with Mr. Rothery, we have thought it advisable, in the first instance, that the opinion of two or three of the most eminent French advocates should be taken upon the several points contained in the enclosed document.

I have, &c.

(Signed) J. DODSON.

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

Sub-Enclosure in First Enclosure in No. 96.

Report of the Queen's Advocate and Mr. Rothery.

WE have perused and considered the whole of the papers referred to us, relative to the French ship "*Marabout*," detained by Her Majesty's ship "*Rose*," Captain Christie, and carried to Cayenne; and as we understand that Captain Christie and Lieutenant Compton are now in London, and are preparing statements in explanation of certain facts which have been required from them, we cannot form a satisfactory opinion thereon until these explanations shall have been furnished; but as this case is altogether one of so much importance, we think that in the meantime it will be advisable that immediate steps should be taken to procure the opinions of two or three of the most eminent advocates at Paris upon the legal points raised in Mr. Rothery's Report, and for that purpose a case should be prepared and laid before those gentlemen, and that the two Conventions entered into with France, dated the 30th of November 1831, and the 22nd of March 1833, and also copies of the three Decrees dated the 2nd and 28th of December 1841, and the 27th of January 1842, should be embodied therein at length; and that their opinions should be required on the following points:—

1st. Whether by the laws of France it is or is not illegal for French subjects to commit a violation of those Conventions; and whether, if a French vessel had actually committed a violation of those Conventions, she would, or would not, by the laws of France, be liable to confiscation.

2ndly. Whether by the laws of France, when a violation of these Conventions has been committed, there are, or are not, two proceedings necessary to be instituted—one against the individuals who may be concerned in such violation, and the other against the vessel so employed.

3rdly. Counsel should also be requested to state the proper mode of proceeding necessary to be adopted according to the laws of France, in order to obtain confiscation of a vessel guilty of a breach of either of these Conventions, and in what particular courts such proceedings should be instituted.

4thly. Whether by the laws of France there is any difference in the mode of proceeding either against parties illegally concerned, or against the vessel seized, whether such seizure has been effected by a British ship of war duly authorised conformably to the said Conventions, or by a French ship of war so authorized.

5thly. Whether by the laws of France the Decree of the "*Chambre des Mises en Accusation*" of the Cour Royale, dated the 2nd of December, 1841, can be appealed against or not, and if it can be, what are the proper steps to

be taken for that purpose ; and in what Court, whether at Cayenne or in Paris ; and in like manner with regard to the Decree of the " Chamber des Mises en Accusation" of the Cour Royale dated the 27th of January, 1842.

6thly. Counsel should also be requested to consider, with reference to the 8th Article of the Supplementary Convention, dated the 22nd March, 1833, whereby it is stipulated, that upon a vessel being illegally detained, " costs and damages may be awarded by the tribunal before which the proceedings against the detained vessel, her master, crew, and cargo, shall have been instituted," and their opinion asked, whether in the event of a French vessel being illegally detained, and the owners conceiving themselves entitled to costs and damages, it is not necessary that the proceedings for the recovery should be before the same tribunal in which the proceedings had been instituted against the detained vessel, her master and crew.

7thly. Counsel are also requested to observe, that as in the case of the "*Marabout*," there does not appear to have been any proceedings against the vessel, and as the only proceedings which have been instituted appear to have been criminally against the master and crew for having been engaged in the Slave Trade in the "Chambre des Mises en Accusation" of the Cour Royale ; and as the costs and damages were not pronounced for by that Court, but by the Court of Première Instance, by the Decree of the 28th of December, 1841, such decree is not of itself null and void, and if not so *per se*, what is the proper course to be pursued to obtain that object.

8thly. Counsel should also be requested to consider the 7th Article of the Supplementary Convention, dated the 22nd of March, 1833, which stipulates that even if the tribunals should not pronounce condemnation of the vessel seized, no compensation should in any case be granted, either to the master, owner, or to any person interested in the equipment or lading of any vessel in which any of the particulars therein adverted to should be found therein, and their opinion asked what is the best course to be pursued, in order to obtain either a total reversal of the Decree of the "Tribunal de Première Instance," dated the 28th of December, 1841, and in what court should such proceedings be instituted, and whether at Cayenne or in Paris.

9thly. In the event of its not being possible to obtain by the laws of France a complete reversal of this Decree of the 28th of December, 1841, what is the most advisable course to pursue in order to obtain a mitigation of the amount of damages thereby awarded.

10thly. It having been stated that the captor of the "*Marabout*" or the British Government would, under certain circumstances, have a right to appear in the Court of Première Instance, and have the whole question again re-argued in that Court, counsel are requested to give their opinion whether affidavits regularly made and sworn to in England by the captors or others can now be produced in that court, as also whether documentary proofs can in like manner be produced and received in evidence, and if they should be in any and what manner authenticated, or whether it is absolutely necessary that the witnesses should be examined *vivâ voce* at Cayenne.

11thly. Whether in the event of an application being recommended to be made to the Court of Appeal, any such evidence can be produced or not in that Court.

(Signed)

JOHN DODSON.
W. ROTHERY.

November 29, 1842.

Second Enclosure in No. 96.

Decree of the Chambre des Mises en Accusation of the Cour Royale, dated December 2, 1841.

See Enclosure 1 in No. 24, page 12

Third Enclosure in No. 96.

Decree of the Tribunal of Première Instance, dated December 28, 1841.

See Enclosure 2 in No. 24, page 14.

Fourth Enclosure in No. 96.

Decree of the Cour Royale of Cayenne, dated January 27, 1842.

See Enclosure in No. 55, page 12

No. 97.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, Decembre 3, 1842.**(Received December 5.)*

LE Comte de St. Aulaire présente ses compliments à Son Excellence le Comte Aberdeen, et le prie de vouloir bien réclamer de l'Amirauté, en exécution des Conventions relatives à la repression de la traite, un mandat pour la gabarre "*L'Indienne*," commandée par *M. Cambon*, lieutenant de vaisseau, qui est au moment de partir pour la station des *Côtes Occidentales d'Afrique*.

No. 98.

*Count St. Aulaire to the Earl of Aberdeen.**Hertford House, Decembre 5, 1842.**(Received December 5.)*

LE Comte de St. Aulaire présente ses compliments à Son Excellence le Comte Aberdeen, et a l'honneur de réclamer, en exécution des Conventions relatives à la répression de la traite, deux mandats pour les commandants des bâtiments ci-après indiqués :—

1. La frégate "*La Cleopatre*," commandée par *M. Roy*, capitaine de vaisseau, station des *Côtes Occidentales d'Afrique*.

2. La corvette "*L'Alcmène*," commandé par *M. Fournier Duplan*, capitaine de corvette, station des *Côtes de Madagascar*.

Ces bâtiments étant en partance, le Comte de St. Aulaire serait très reconnaissant à Lord Aberdeen de vouloir bien le mettre à même de transmettre ces mandats à son Gouvernement sans retard.

No. 99.

*Lord Cowley to the Earl of Aberdeen.**Paris, December 2, 1842.**(Received December 5.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," dated the 26th of November ultimo.

I have, &c.

(Signed) COWLEY.

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

No. 100.

*Lord Cowley to the Earl of Aberdeen.**Paris, December 5, 1842.**(Received December 7.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 2nd instant.

I have, &c.

(Signed) COWLEY.

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

No. 101.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, December 10, 1842.*

MY LORD,

IN accordance with an application which has been made to me from the Admiralty, I have to instruct your Excellency to request the French Government to issue a warrant to enable Captain the Honourable Montagu Stopford, of Her Majesty's ship "Pique," about to be employed on the North American and West Indian station, to act under the Conventions between Great Britain and France, of the 30th November, 1831, and 22nd March, 1833, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

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

No. 102.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, December 13, 1842.*

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and in pursuance of the request contained in his Excellency's Notes of the 3rd and 5th instant, has the honour to transmit herewith to him three warrants enabling the commanders of the French ships of war "La Cléopâtre," "L'Alcmène," and "L'Indienne," to act under the Conventions between Great Britain and France of the 30th November, 1831, and 22nd March, 1833, for the suppression of the Slave Trade.

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

No. 103.

*The Earl of Aberdeen to Lord Cowley.**Foreign Office, December 15, 1843.*

MY LORD,

IN accordance with an application which has been made to me from the Admiralty, I have to instruct your Excellency to request the French Government to issue warrants to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Conventions between Great Britain and France of the 30th November, 1831, and 22nd March, 1833, for the suppression of Slave Trade.

"Arrow," Ketch, Lieutenant Wm. Robinson, Cape of Good Hope.
 "Griffin," Brig, Lieutenant Charles Jenkin, North America and West Indies.

I am, &c.

(Signed) ABERDEEN.

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

No. 104

*Lord Cowley to the Earl of Aberdeen.**Paris, December 16, 1842.*

MY LORD,

(Received December 19.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," and dated the 10th inst.

I have, &c.

(Signed) COWLEY.

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

No. 105.

Lord Cowley to the Earl of Aberdeen.

Paris, December 19, 1842.

(Received December 22.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," and dated the 15th inst.

I have, &c.

(Signed)

COWLEY.

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

No. 106.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 23, 1842.

A COMMUNICATION has been received at this Office from the Admiralty, stating that the warrant issued by the French Government in August, 1837, to enable Her Majesty's sloop "Racer," on the North American and West Indian station, to act under the Conventions of the 30th of November, 1831, and the 22nd of March, 1833, between Great Britain and France for the Suppression of Slave Trade, cannot be traced.

And I have to instruct your Excellency to acquaint the French Government with this circumstance, in order that the warrant in question may be cancelled.

I have, &c.

(Signed)

ABERDEEN.

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

No. 107.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 24, 1842.

I HEREWITH transmit to your Excellency seven warrants, issued by the French Government to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Conventions between Great Britain and France of the 30th of November, 1831, and the 22nd of March, 1833, for the Suppression of the Slave Trade; and I have to instruct your Excellency to return these warrants to the French Government, in order that they may be cancelled.

"Southampton,"
"Dolphin,"
"Curlew,"
"Warspite,"
"Arrow,"
"Lily,"
"Spitfire."

I am, &c.

(Signed)

ABERDEEN.

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

No. 108.

Lord Cowley to the Earl of Aberdeen.

Paris, December 23, 1842.

(Received December 26.)

MY LORD,

I HAVE the honour to enclose to your Lordship a warrant, which, in conformity with the instructions contained in your Lordship's Despatch, marked "Slave Trade," of the 26th ultimo, I applied for to the French Government, to enable Commander Andrew Drew, of Her Majesty's sloop "Wasp," to act under the Conventions of the 30th of November, 1831, and the 22nd of March, 1833, for the Suppression of the Slave Trade.

I have, &c.

(Signed)

COWLEY.

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

No. 109.

*Count St. Aulaire to the Earl of Aberdeen.**Londres, le 26 Dé bre, 1842.**(Received December 27.)*

MY LORD,

L'AMBASSADEUR DE FRANCE présente ses complimens à Son Excellence le Comte Aberdeen, et le prie de vouloir lui envoyer un mandat pour la goelette Française "*La Doris*," Commandant M. Duprat Taxis, Lieutenant de Vaisseau, station des Antilles, en exécution des Conventions relatives à la répression de la Traite des Noirs.

A Son Excellence le Comte Aberdeen,
 &c. &c. &c.

No. 110.

*Lord Cowley to the Earl of Aberdeen.**Paris, December 26, 1841.**(Received December 28.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 23rd inst.

I have, &c.
 (Signed)

COWLEY.

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

No. 111.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, December 29, 1842.*

THE Undersigned, &c., has had the honour to receive the note which was addressed to him on the 15th ultimo, by his Excellency Count St. Aulaire, transmitting copies of additional documents relating to the detention of the French vessel "*Le Marabout*" by Commander Christie, of her Majesty's sloop "*Rose*," and of the proceedings thereupon.

The Undersigned begs to express the acknowledgments of her Majesty's Government for these communications, as well as for the order given by the Minister of Marine at Paris to place copies of all the proceedings at the disposal of the person who may be appointed by her Majesty's Government to conduct the appeal against the sentence passed by the Court of Cayenne.

The Undersigned has now to inform Count St. Aulaire that the investigation mentioned in his note of the 7th instant is at this moment in progress, and as soon as the result shall be fully known, the Undersigned will have the honour of communicating again with Count St. Aulaire upon the subject. In the meantime his Excellency may rest assured, that if the charge of misconduct which he has brought to the knowledge of her Majesty's Government should be substantiated, strict justice will be done to the injured persons, and that her Majesty's Government will have no wish to screen the offenders or to palliate the offence.

There is, however, one point to which the Undersigned is anxious to reply without further delay. Count St. Aulaire states, that in neglecting to convey the officers, crew, and passengers, who had been removed from the "*Marabout*," at once to Cayenne, the commander of the "*Rose*" violated the 4th article of the general instructions annexed to the Convention of the 22nd of March, 1833. The Undersigned is compelled to admit that this charge is just: an unintentional discrepancy between the orders issued to the commanders of vessels upon the station of Rio de Janeiro, and the regulations annexed to the Convention, has unfortunately led to the infringement of the latter; and it becomes the duty of the Undersigned at once to request that Count St. Aulaire will, on the part of his Government, accept the expression

of the sincere regret which her Majesty's Government have felt upon finding such to be the case.

Nor can her Majesty's Government hesitate to declare that, conformably to the request contained in Count St. Aulaire's note, the necessary measures shall forthwith be taken to prevent the recurrence of any such violation by her Majesty's officers of the instructions annexed to the Convention of 1833.

It is as much for the honour and interest of Great Britain as of France, and most essential to the success of that cause for the furtherance of which the Conventions of 1831 and 1833 were concluded, that no just reason of complaint should arise against the officers of either party in the discharge of their delicate and arduous duties. Her Majesty's Government will gladly take every precaution to effect this object, and to secure, as far as in them lies, the friendly and harmonious co-operation of the two nations, in the sacred work to which they are mutually pledged.

The Undersigned, &c.

(Signed) ABERDEEN.

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

No. 112.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 29, 1842.

I HEREWITH transmit to your Excellency a warrant issued by the French Government to enable the commanding officer of his Majesty's ship "*Curaçoa*" to act under the Conventions of the 30th of November, 1831, and the 22nd of March, 1833, between Great Britain and France for the suppression of the Slave Trade; and I have to instruct your Excellency to return this warrant to the French Government in order that it may be cancelled.

I have at the same time to instruct you to inform the French Government that the warrant issued in the month of December 1836, to her Majesty's sloop "*Racer*," is supposed to have been inadvertently destroyed; and you will accordingly request that it may be struck off the list of warrants issued by the French Government to her Majesty's ships under the Conventions of 1831 and 1833.

I am, &c.

(Signed) ABERDEEN.

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

No. 113.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 30, 1842.

I BEG to draw your Excellency's attention to my despatch "*Slave Trade*" of the 2nd instant, requesting you to obtain the early opinion of two or three of the most eminent French advocates on certain points affecting the case of the French vessel "*Marabout*."

It is very desirable that her Majesty's Government should be possessed of the information desired, at as early a period as possible: and I have therefore to instruct your Excellency to endeavour to obtain the report of these advocates upon the points in question without further delay.

I am, &c.,

(Signed) ABERDEEN.

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

No. 114.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 31, 1842.

IN accordance with an application which has been made to me by the Admiralty, I have to instruct your Excellency to request the French Government to issue a warrant to enable Lieutenant George Oldmixon, commanding his Majesty's steam vessel "*Megæra*," about to be employed on the North American and West India station, to act under the Conventions of the 30th of November, 1831, and 22nd of March, 1833, between Great Britain and France for the suppression of Slave Trade.

I am, &c.
(Signed) ABERDEEN.

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

No. 115.

The Earl of Aberdeen to Lord Cowley.

MY LORD,

Foreign Office, December 31, 1842.

WITH reference to previous correspondence with your Excellency respecting the French vessel "*Marabout*," I herewith transmit to you for your information a copy of a note which I have received from the Count St. Aulaire, and a copy of the reply which I have addressed to his Excellency upon the subject of this vessel.

I am, &c.,
(Signed) ABERDEEN

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

First Enclosure in No. 115.
(See No. 87, p. 116.)

Second Enclosure in No. 115.
(See No. 111, p. 169.)

No. 116.

*The Earl of Aberdeen to Count St. Aulaire.**Foreign Office, December 31st, 1842.*

THE Earl of Aberdeen presents his compliments to Count St. Aulaire, and, in pursuance of the request contained in his Excellency's note of the 26th instant, has the honour to transmit herewith to him a warrant enabling the commander of the French schooner of war, "*La Doris*," to act under the Conventions of the 30th of November and 22nd of March, 1833, between Great Britain and France, for the suppression of Slave Trade.

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

FRANCE. (*Consular.*)—*Nantes.*

No. 117.

The Earl of Aberdeen to Her Majesty's Consul, Nantes.

SIR,

Foreign Office, November 10, 1842.

IN the month of September, 1841, Commander Christie, of Her Majesty's sloop "Rose," whilst cruising off Bahia, detained the French brig "*Marabout*," upon suspicion that the "*Marabout*" was concerned in Slave Trade.

The prize was sent to Cayenne for trial in the Courts there, under the Conventions of 1831 and 1833, with France. The Courts at Cayenne liberated the "*Marabout*," and awarded damages against Commander Christie, the captor, on account of his having detained her.

It is the intention of Her Majesty's Government to institute proceedings in the French Courts of law for obtaining a revision of the sentences passed in this case.

For this purpose it is desirable that Her Majesty's Government should be possessed of all the information which it may be feasible to obtain regarding the several points on which the decision of the case may appear to depend in a Court of law.

I herewith furnish you with an extract of a report delivered in upon this subject to Her Majesty's Treasury, together with extracts of evidence therein referred to, from which you will perceive that there are certain points upon which it is supposed that you may be able to procure the requisite information; and I have to desire that you will use your utmost diligence and attention in procuring, and sending to this office, whatever intelligence of an authentic nature you may be able to collect upon these matters, for the information of Her Majesty's Government, and to facilitate their further proceedings thereupon.

I am, &c.

(Signed)

ABERDEEN.

H. Newman, Esq., H. B. M.'s Consul, Nantes,
&c. &c. &c.

First Enclosure in No. 117.

Extract from a Report made by Mr. Rothery to the Lords of the Treasury.

I beg further to observe, that Dejoie, the master, in his report addressed to the Minister of Marine at Paris, dated the 8th of March, 1842, states that he had arrived at St. Nozairé on the 26th of February with a cargo which he brought from Cayenne, and that he went to Nantes on the same day. In the event of its not being possible to annul the decree of the 28th of December entirely, yet it may tend very much to reduce the damages, if the tonnage or burthen of this vessel, the "*Marabout*," was correctly ascertained, for it is a very remarkable circumstance, that there is nothing in any of the papers, nor in the oral evidence to show her burthen; it may also be important if the nature and quantity, as well as quality of the cargo which the master delivered at Nantes could be ascertained, for as he has charged and been allowed the enormous sum of 90,720 francs for the profit of a supposed cargo, which

Extract from Mr. Rothery's Report of Oct. 17, 1842, enclosed in Treasury Letter of Oct. 28, 1842.

Report of Dejoie to Minister of Marine. See last Enclosure in Ct. St. Aulaire's Note of April 19, 1842.

Decree of Dec. 28, 1841, of Court of Première Instance, Cayenne. See Enclosure 2 in Ct. St. Aulaire's Note of April 19, 1842.

he might have taken from the coast of Africa to Nantes, whilst at the same time he is occupied in carrying a cargo from Cayenne to Nantes, for the benefit of himself and his owners. Important information may be derived from the result of these enquiries, and which might tend to extinguish this extraordinary allowance of 90,720 francs.

It therefore might be very desirable that Lord Aberdeen should give directions to the British Consul at Nantes, desiring him to obtain the fullest information on these points, and furnish the best evidence he can procure on the subject.

Second Enclosure in No. 117.

(See Enclosure 23 in No. 24, p. 52.)

Third Enclosure in No. 117.

(See Enclosure 2 in No. 24, p. 14.)

No. 118.

Mr. Newman to the Earl of Aberdeen.

Nantes, November 30, 1842.

MY LORD,

(*Received December 7.*)

ON the 26th instant I had the honour to receive your Lordship's Despatch, dated the 10th, respecting the detention of the French brig "*Marabout*" by Her Majesty's sloop "*Rose*;" and enclosing copies of the Decree of the Court at Cayenne, awarding damages against the captor; of the Report of the master of the "*Marabout*" on his return to this port; and of an extract from the Report on the case made by Mr. Rothery to the Lords of the Treasury, and desiring that I would procure, and forward to your Lordship, such authentic intelligence as I might be able to collect on those matters alluded to by him, and which he thought could be procured at Nantes.

I have the honour to transmit, enclosed to your Lordship,—

1. A certified copy of the manifest of the cargo imported by the "*Marabout*" from Cayenne, with an account of the freight received for the same, 10,276f. 60c., the signature of the broker legalized by the mayor.

2. A certificate of the Commissary of Marine at this port of the burthen of the "*Marabout*," and of the numbers of her crews on the outward and on the homeward voyages.

3. A statement by myself of the tonnage of the cargo of the "*Marabout*," as usually calculated for stowage, 148 $\frac{3}{4}$ tons, the net weight of the same; and the value thereof 88,400f., calculated at the prices the articles were worth in this market from the 8th to the 15th of March last, at which time they arrived, or could have been received as usual, by lighters from Paimbœuf. The prices were furnished to me by the Secretary to the Committee of Brokers, and taken from his register of sales at that period. It can be certified if required.

4. A printed price-current of the 8th of March, signed and issued by the President and Secretary of the Committee of Brokers, in which the prices are nearly the same as in my statement.

5. A letter addressed to me by Messrs. H. Bourcard and Coquebert, stating the rates of freight they received for their ship "*Roi Hamédon*," of 142 tons: from the west coast of Africa last year 40f. per ton, and also for her present voyage from thence to Hâvre 50f. per ton; their signature legalized by the mayor.

First Enclosure in No. 118.

Compte du Frêt du Brick le "Marabout," Capitaine Dejoie, Venu de Cayenne.

Marques.	Consignataires.	Marchandises.	Poids ort.	Taxes.	Poids net.	Prix du Frêt.	Reduction en Francs.	Chapeau 5 per cent.
A P	L. Lepertière	40 boques. sucre.	21,738	15% 3,261	18,477	84 fcs. par tau.	Fr. 1,552	06
id.	Ditto	4 quarts café	310	12% 37	273	Ditto	29	72
E V	Ditto	28 do. girofle	1,576	273	1,303	15 c. par ko.	195	53
L L	Ditto	13 boques. sucre.	7,712	15% 1,157	6,555	8 c. par ko.	524	40
id.	Ditto	9 do. rocou	2,261			18 fcs. par bq.	162	
J D	Ditto	2913 lames bois de patawa	26,178			30 fcs. par 1000 ko.	785	34
id.	Ditto	1 balle coton	151	6% 9	142	20 c. par ko.	28	40
De Gay	Ditto	1 cse. confiture	15				5	
D	Ditto	1 quart tafia	60 litres				5	
	Ditto	1 cse. do.	16				61	08
D H	Ditto	17 billes bois de couleur	1,745	ko.		35 fcs. par tau.	5	
	Ditto	1 cse. échantillons (neigres)	20			147 par ko.	61	08
P L	F. Vallées Fils	6 quarts café	496	12% 59	437	18 par bq.	540	
C V	Ditto	20 boques. rocou	4,858			Ditto		
id.	Ditto	10 do. do.	2,505					
H B	Foucault	1 balle coton	145	6% 9	136	10 c. par 1/2 ko.	27	20
	Ditto	1 bq. morceaux vieux cuire	327	12% 19	308	8 c. par ko.	24	64
A B	Breban	2 eses. colle de poisson	122			25 fcs. pour tout frêt.	25	
C	Ducoudray Bourgault	1501 lames bois de patawa	14,448	355	86	42 fcs. par 1000 ko.	606	82
M V	A. Savary	2 balles coton	328	6% 20	308	20 c. par ko.	61	60
P M	Pradal	6 do. do.	937	6% 56	881	18 c. par ko.	158	58
D H	Dunan Mottier	2 boques. café	257	12% 31	226	14 c. par ko.	31	64
E V	L. Bureau et Fils	9 do. rocou	2,253			18 fcs. par bq.	162	
A B	A. Barrat	98 boucauts sucre	54,026	15% 8,104	45,922	84-50 par tau. de 1000 ko.	3,880	41
id.	Ditto	1 bil. café	78	12% 9	69	" " 800	7	34
id.	Ditto	2 do. tafia	94 litres			" " 900 litres.	8	83
J D	Jolin Dubois	20 boques. sucre	10,760 ko.	15% 1,614	9,146	84 fcs. par tonneau	768	26
D J.	Ditto	8 bils. café	649 ko.	12% 78	571	Ditto	59	96
P M	Pradal	1 cse. échantillons (mouchoirs)	3				6	0
Adresse	A. Barrat	1 paquet papiers					5	25
							f.9,787	24
								f.489 36

Copie délivrée d'après l'autorisation de M. Lepertière.
Nantes, 28 Novembre, 1842.Vu pour légalisation de la signature de M. Goupilleau, apposée ci contre.
En Mairie, Nantes le 30 Novembre, 1842.F. L. GOUPILLEAU,
Courtier Maritime.

(Signé)

M. J. REGUILLEAU.

(Signé)

Second Enclosure in No. 118.

Marine Royale.

Port de Nantes.

Nantes, le 26 Novembre, 1842.

LE Commissaire de l'Inscription Maritime certifie que le navire le "Marabout" (brick), appartenant à M. Lepertière et jaugeant cent soixante douze tonneaux quarante trois centièmes, a été expédié pour Cayenne, sous le commandement du Capitaine Dejoie le 24 Avril, 1840, ayant quatorze hommes d'équipage, et que ce bâtiment est rentré en rivière de Nantes le 24 Fevrier, 1842, ayant été expédié de Cayenne avec quinze hommes d'équipage.

(Signé)

MILRAU.

Third Enclosure in No. 118.

AN ESTIMATE of the Value of the Cargo at Nantes imported by the French brig "Marabout," Captain Dejoie, from Cayenne, March 1842.

	Rate of Tonnage.	Tonnage for Stowage.	Net Weight.	Value as Sold.	Value in Francs.
171 casks of sugar	Ton. ½ each	Tons. 85½	Kil. 80,100 Deduct duty	Fr. C. 61 00 24 75	Fr.
20 quarter casks of coffee	⅓ ,,	2¼	1,577 Duty	36 25	58,072
1 cask of coffee	⅓ ,,			140 33	
28 quarter casks of cloves	⅓ ,,	3½	1,303	107 in bond 125	3,375 3,258
48 casks of annotto	¼ ,,	12	10,096	65	13,124
10 bales of cotton, 3 cwt. each . . . . .	. . .	1½	1,467 Duty	115 2 75	3,293
17 logs or pieces of wood . . . . .	. . .	1½	1,745 Duty	112 25 7 55	
4414 small boards of patawa wood . . . . .	. . .	40½	40,626 Duty	6 45 8 55	225
Sundry articles . . . . .	. . .	1	. . .	7 45	6,053
Total tonnage for stowage . . . . .	. . .	148½	Total value . . .	. . .	1,000
					88,400

Fourth Enclosure in No. 118.

PRIX COURANT Légal et Authentique de Nantes, rédigé en Chambre Syndicale par les Agents de Change Courtiers de Commerce, publié par l'Imprimerie du Commerce.

Mardi, 8 Mars 1842.

Abbreviations du Prix Courant : N. nominal—PD. prix demandé—SC. sans cours—R. rare—M. manque—NP. nouvelle pêche—VP. vieille pêche.

Marchandises.	Acquitté.	Entrepôt.	Marchandises.	Acquitté.	Entrepôt.
Acier d'Amont, le ballot . . .	30 0 à 23 0	.. à ..	Ecaille de Tortue . . . 5 h-g	12 0 à 30 0	.. à ..
Alun de France . . . 30 k	22 0 23 0	.. R.	Essence de Térébent . . . 50 k	28 0 29 0	.. ..
Amidon de pays . . . 50 k	28 0 29 0	.. ..	Etain de l'Inde, brillant . . .	95 0 96 0	.. ..
Amis étoile . . . 5 h-g	1 0 2 0	.. M.	Fanons du Sud . . . 5 h-g	1 75 1 80	.. M.
vert . . . 50 k	45 0 60 0	.. R.	Fer de Berry en barres . . . 50 k	28 0 29 0	.. ..
Azur, 2, 3 et 4 F. . . 5 h-g	0 86 1 15	.. ..	— feuilards ordinaires . . .	31 0 32 0	.. ..
Baume Copahu . . . 5 h-g	2 25 2 30	.. ..	— seaux . . .	32 50 33 0	.. ..
Benjoin . . . 5 h-g	2 50 3 75	.. M.	de pays, en barres . . .	20 0 21 0	.. ..
Beurre en barils . . . 50 k	19 0 35 0	8 0 25 R.	en v., Martigné . . . 50 k	20 0 21 0	.. ..
Bois d'Acajou . . . 50 k	11 0 11 50	.. ..	Moison, plat et carré . . .	21 0 ..	.. ..
Campêche c. d'Espagne . . .	13 0 ..	.. ..	La Provotière . . .	21 0 ..	.. ..
Campêche effilé . . .	7 50 8 0	.. ..	Suède et Russie . . . 100 k	54 0 55 0	30 0 32 0
Haiti . . .	5 50 6 0	.. ..	Angleterre . . . 100 k	.. ..	.. ..
— des isles . . .	15 0 18 0	.. ..	laminé français . . . 100 k	38 0 44 0	.. ..
Cam-Wood . . .	18 0 25 0	.. ..	Fer-blanc français cais . . . 225 f	70 0 ..	.. ..
Ebene . . .	5 0 10 0	.. ..	caisses 150 feuilles . . . T.	40 0 ..	.. ..
Gayac . . .	15 0 ..	.. ..	Fromage Hollan, cr. r. . . 50 k	.. ..	.. M.
Jaune de Cuba . . .	7 0 9 0	.. M.	— pâte grasse . . .	62 0 ..	.. ..
— Côte-Ferme, Tampico . . .	18 0 19 0	.. M.	Gruyère nouveau . . .	64 0 ..	.. ..
S ^{te} -Marthe . . .	4 75 5 0	.. ..	Gingembre . . . 50 k	.. ..	.. M.
Sandal . . .	16 0 18 0	.. M.	Girofle Cayenne . . . 5 h-g	.. ..	1 25
Sapan . . .	25 0 ..	.. ..	Bourbon . . .	.. ..	1 25
Régisse (vert) . . .	8 75 9 0	.. ..	griffes . . .	.. ..	0 23
Brai sec de Bayonne . . . 50 k	19 0 ..	.. ..	Gomme du Sénégal . . . 5 h-g	0 85 0 90	0 80 0 85
gras, le baril . . .	0 90 0 95	.. M.	élastique ou caoutchouc . . .	1 25 1 50	.. ..
Cacao Bourbon . . . 5 h-g	0 82 0 83	1 20 M.	lacque . . .	0 75 1 0	.. M.
Caraque . . .	0 80 ..	0 52 PD. 35	copale tendre du Sén. . . 50 k	40 0 50 0	.. M.
Marsagan . . .	45 0 48 0	.. R.	dure de l'Inde . . . 5 h-g	1 0 1 40	.. ..
Martinique et Guadeloupe . . .	1 15 1 35	.. ..	Goudron Teste, la chalosse . . .	57 0 ..	.. ..
Cachou brun luisant . . .	1 30 1 40	.. ..	Bayonne, le baril . . .	20 0 22 0	.. ..
Café Bourbon . . . 5 h-g	1 0 1 3	0 48 0 51	— la chalosse . . .	.. 65 0	.. ..
Cayenne . . .	1 15 1 25	0 63 0 72	Grains et Farines :		
Haiti . . .	1 20 1 35	0 68 0 82	de Paimbœuf . . .	.. ..	.. ..
Havane . . .	1 10 1 15	.. ..	de Pornic . . .	.. ..	.. ..
San-Yago . . .	1 3 1 5	.. PD.	Machecoul . . .	17 50 18 0	.. ..
Guayra . . .	1 10 1 15	.. ..	Pont-Rousseau . . .	17 50 17 75	.. ..
Padang . . .	0 70 ..	.. M.	de la rivière d'Erdre . . .	17 0 17 50	.. ..
Sumatra brun . . .	1 55 1 70	.. M.	d'Anceis . . .	17 0 17 50	.. ..
Moka . . .	1 30 1 50	.. R.	d'Anjou . . .	10 0 ..	.. ..
Martinique et Guadeloupe . . .	1 10 1 20	0 58 M. 68	Seigle de l'Erdre . . .	9 0 ..	.. ..
Porto-Rico . . .	1 0 1 5	0 48 M. 51	— étranger . . .	9 0 10 0	.. ..
Rio . . .	1 40 1 50	.. M.	Orge . . .	7 0 7 50	.. ..
Cannelle Chine, c ^e . . . 5 h-g	65 0 ..	.. M.	Avoine g. de p. en p. d. . .	.. ..	.. ..
Cendre gr. Bordeaux . . . 50 k	40 0 ..	.. M.	— de Bretagne . . .	.. ..	.. ..
de pays . . .	39 0 42 0	.. ..	— petite . . .	9 0 ..	.. ..
Chanvre de France . . . 50 k	46 0 48 0	.. M.	Fèves . . .	8 0 ..	.. ..
de Riga . . .	2 0 ..	.. ..	Blé-Noirs . . .	15 0 ..	.. ..
Cire jaune d'Afrique . . . 5 h-g	2 10 ..	.. M.	Haricots blancs . . .	.. ..	.. ..
Amérique . . .	2 10 ..	.. M.	— rouges vieux . . .	.. ..	.. ..
Bretagne . . .	8 0 9 0	.. M.	Farine en son . . . 125 k	30 0 30 23	.. ..
de Madagascar . . .	65 0 80 0	.. M.	sac de fleur de froment . . .	.. ..	.. ..
Cochenille . . . 5 h-g	70 0 90 0	.. M.	122 k { 2 ^e qualité . . .	54 0 55 0	.. ..
Coton Tenessé, Alab. . . 50 k	115 0 ..	.. M.	cul. de { fleur, 1 ^{re} qualité . . .	50 50 51 0	.. ..
Caroline et Georgie . . .	110 0 ..	.. M.	159 k { — 2 ^e — . . .	.. ..	.. ..
Cayenne, long . . .	120 0 125 0	.. M.	— étuvée en baril de . . .	.. ..	.. ..
— court . . .	130 0 ..	.. M.	88 k. net . . .	37 0 39 0	11 0 14 0
Bourbon . . .	70 0 110 0	.. M.	Guinée bl. de l'Inde, la pi. . .	105 0 108 0	.. ..
Porto-Rico . . .	60 0 ..	.. PD.	Huile surfine, 50 k . . .	.. ..	.. M.
Louisiane et Mobile . . .	100 0 ..	.. M.	surfine vieille . . .	95 0 100 0	.. ..
Tinevelly . . .	53 0 ..	.. M.	fine et mi-fine . . .	84 0 85 0	.. ..
San-Yago . . .	70 0 90 0	.. M.	— grasse . . .	63 0 65 0	.. R.
Bengale . . .	15 0 35 0	.. ..	de Lin . . .	80 0 81 0	.. M.
Haiti . . .	40 0 60 0	.. ..	colza épurée 1 ^{re} qualité . . .	80 0 ..	.. ..
Cornes de bœuf, les 104 . . .	7 50 9 0	.. ..	— 2 ^{me} qualité . . .	47 0 50 0	.. M.
de buffle . . .	0 65 0 75	.. M.	de Morue, pêche franç . . .	45 0 49 0	.. ..
Couperose verte . . . 50 k	1 20 1 50	.. M.	de Baleine, pêche franç . . .	50 0 52 0	.. ..
Crins courts de Russ . . . 5 h-g	80 0 85 0	.. M.	de Palme . . .	.. 34 0	.. ..
queues de cheval . . .	75 0 80 0	.. M.	de Sardine . . .	15 0 15 50	.. R.
Cuir secs en p. B.-A. . . 50 k	65 0 75 0	.. M.	de Vitriol concentré . . .	80 0 ..	.. M.
Rio . . .	60 0 65 0	.. PD.	d'œillette, 1 ^{re} marque . . .	11 0 11 50	.. M.
Sénégal . . .	65 0 75 0	.. M.	Indigo Beng. beau . . . bl 5 h-g	10 0 10 50	.. M.
de Madagascar . . .	65 0 75 0	.. M.	— surfin violet et bleu . . .	9 50 9 75	.. M.
Vachettes . . .	43 0 46 0	.. M.	— fin violet pourpré . . .	9 0 9 25	.. M.
salés verts de B.-A. . .	1 37 1 40	.. ..	— beau violet . . .	8 0 8 50	.. M.
Cuivre en f. p ^r doub . . . 5 h-g	1 22 1 25	.. M.	— bon et moyen violet . . .	6 0 8 0	.. M.
Russie . . .	0 93 0 95	.. M.	— bon à fin rouge . . .	6 0 8 0	.. M.
Pérou . . .	1 15 ..	.. ..	— cuivré ordinaire à fin . . .	4 0 6 50	.. M.
vieux, rouge . . .	0 75 ..	.. ..	Madras et Kurpah . . .	4 50 8 0	.. M.
jaune . . .	25 0 40 0	.. ..	Manille . . .	4 50 9 0	.. ..
Curcuma . . . 50 k	3 0 6 50	.. ..	Guatemala corte à flor . . .	4 50 9 0	.. M.
Dents d'Eléphant . . . 5 h-g	50 0 66 25	.. ..	Caraque corte à flor . . .	35 0 ..	.. ..
Eau-de-vie Armag. . . Ph. 1	54 0 ..	.. ..	Litharge en poudre . . . 50 k	4 50 6 0	.. ..
pays . . .	92 75 159 0	.. ..	Macis Bourbon . . . 5 h-g	35 0 40 0	.. M.
Cognac . . .	66 85 67 0	.. ..	Miel de Bretagne . . . 50 k	5 80 ..	.. M.
Languedoc . . .	64 0 ..	.. ..	Mercure . . . 5 h-g	32 50 ..	.. M.
3/6 Montpellier . . .	.. ..	.. ..	Minium . . . 50 k	.. ..	.. ..

Prix Courant Légal et Authentique de Nantes, &c.—continued

Marchandises.	Acquitté.	Entrepôt.	Marchandises.	Acquitté.	Entrepôt.
Morue verte, q. ronde . . . 50 k	22 0 à 24 0	.. à ..	Sumac Pudis 50 k	11 50 à 12 0	.. à ..
tranchée à plat. . . . .	.. ..	.. ..	Sucre français (à la fin)	.. ..	.. ..
sèche	21 0	.. ..	Sucres étrangers. 50 k	.. ..	.. ..
façon de Holl., la tonne . . .	50 0	55 0	Batavia, bonne 4 ^e . . . . .	.. ..	30 0
Muscade ronde 5 h.-g	9 0	10 0	Porto-Ricco, bonne 4 ^e . . . . .	.. ..	30 0
longue	3 50	.. ..	Isle de Cuba, brut . . . . .	.. ..	.. ..
en coque	2 0	.. ..	— blond . . . . .	.. ..	.. ..
Nacre de perles, franche	1 20	1 25	— blanc . . . . .	.. ..	.. ..
Noir animal 1 ^{re} q. 50 k	10 0	12 0	Maurice, bonne 4 ^e . . . . .	.. ..	.. ..
de raffinerie pur l'hect.	9 0	11 50	Madagascar . . . . .	.. ..	30 0
Preux de veau, cor. 5 hect.	2 50	2 60	Sucre en p. de 3k. les 5 h.-g	0 87	0 88
— cirées	3 10	3 50	de 5 k., sans papier	0 85	0 86
Veches corrov. en huile	1 80	1 90	de 4 k., idem	0 83	0 84
beaudr. en cr. mâle et f.	1 45	1 55	lumps et mélis, idem	0 80	0 82
— lissés	1 55	1 65	Suif de Russie 50 k	66 0	68 0
Vache en croute	1 50	1 55	de pays	62 0	64 0
Bœuf et Vache, vertes	50 0	55 0	Thé Gun-Powder 5 h.-g	6 25	.. ..
Vache et Genisse	52 50	55 0	Hyson	4 75	6 0
Veau en poil	70 0	75 0	Hyson-Skin	4 0	.. ..
Piment 5 h.-g	1 10	1 15	Peko 1 ^{re} qualité	9 0	9 50
Potasse Amérique 50 k	50 0	51 0	Souchong	4 75	5 0
Toscane et Russie	48 0	53 0	Pouchong	5 0	7 50
Plomb espagnol 50 k	29 0	.. ..	Vanille 5 h.-g	120 0	150 0
— de chasse 50 k	35 0	.. ..	Verdet sec 50 k	130 0	135 0
— laminé et tuyaux étirés	35 0	.. ..	Vin blanc muscadet, nouv.	30 0	32 0
Poivre noir lourd 5 h.-g	.. ..	.. ..	— 1840	38 0	40 0
léger	0 65	0 70	— 37, 38, 39	40 0	42 0
Quinquina rouge 5 h.-g	10 0	13 0	— gros plant 1840	23 0	24 0
calissaya . . . . .	.. ..	.. ..	— nouveau	17 0	18 50
gris	1 50	3 50	Vinaigre, la raquette	30 0	32 0
Résine 50 k	9 0	9 25	Vitriol bleu	50 0	.. ..
Rum ou Tafia l'hect.	70 0	120 0	Zinc d'Europe 50 k	39 0	40 0
Riz Caroline 50 k	22 0	23 0			
— de l'Inde	15 0	20 0			
Rocou Cayenne 5 h.-g	0 65	0 70			
Salpêtre, n. de potas 50 k	.. ..	.. ..	
nit. de soude 50 k	.. ..	.. ..	
Salsepareille 5 h.-g	1 25	1 75			
Sagou 50 k	50 0	60 0			
Sardines le bl. Douarnenez	30 0	32 0			
Concarneau et Port-L.	28 0	30 0			
Savon Marseille bl.-p. 50 k	52 50	53 0			
bleu-vif . . . . .	.. ..	.. ..	
de Palme	43 0	48 0			
— d'exportation (prime pour les vendeurs)	.. ..	40 0			
Sel bl. de Bouin et Beauv. . . . .	.. ..	.. ..	
— gris de Bouin 100 k	.. ..	.. ..	
Noirmoutier . . . . .	.. ..	.. ..	
Mesquer léger	32 50	33 0			
Sirap de raffinerie 50 k	14 50	15 0			
Soufre en canon 50 k	19 0	.. ..		
fleur	23 0	24 0			
Suc de réglisse Bay. 50 k	80 0	82 0			

	Martin. et Guad.	Bourbon.
Sucre colonies françaises :		
terrée 3 ^{es} 50 k	.. ..	.. ..
— 4 ^{es} . . . . .	.. ..	.. ..
— petits sucres . . . . .	.. ..	.. ..
— terre . . . . .	.. ..	.. ..
— commun . . . . .	.. ..	.. ..
— têtes . . . . .	.. ..	.. ..
brut, 1 ^{res} . . . . .	.. ..	76 0
— 2 ^{es} . . . . .	.. ..	71 0
— 3 ^{es}	66 0	69 0
— 4 ^{es}	60 0	64 0
— ordinaire	57 0	59 0
— commun	50 0	55 0
— plaques ou emplâtres	44 0	47 0

Le Sucre Cayenne est d'env. 1 f. de moins par nuance.

E. HUCHE, Syndic.—A. F. HERVOUET, Secrétaire.

Fifth Enclosure in No. 118.

Monsieur le Consul de Sa Majesté Britannique à Nantes.

MONSIEUR,

Nantes, 29 Novembre, 1842.

Pour répondre aux questions que vous nous avez adressées hier, nous vous donnons le cours des divers frets payés à notre navire "Roi Hamedon" dans ses voyages au Sénégal et retour:—

En 1841 { de Nantes à Sénégal 50f. et au dessus de 20, 40f.
de Sénégal à Nantes 40f.

En 1842 de Sénégal à Nantes 50f.

Un navire affrété pour des arrachides nous est venu il y a quelques mois avec un grenier de cette marchandise un prix de 54f. par tonneau de 600 kilogrammes.

Nous avons l'honneur de vous saluer avec une parfaite considération.

(Signé)

HY. BOURCARD.
SA. COQUEBERT.

En Mairie, Nantes, le 30 Novembre, 1842.

Vu pour légalisation de la signature de MM. Hy. Bourcard et Sa. Coquebert apposée ci dessus.

(Signé)

LE MAIRE.
M. J. REGUILLAUME.

No. 119.

*Mr. Newman to the Earl of Aberdeen.**Nantes, December 21, 1842.**(Received December 26.)*

MY LORD,

IN addition to the information I had the honour to transmit to your Lordship, under date of the 30th ult., I have procured copies of the two last policies of assurance effected on the brig "*Marabout*," which I enclose, duly certified. I collated them myself from the originals.

Your Lordship will perceive the vessel was valued in 65,000f., which sum, I presume, covers the freight also; for in France it is illegal to make assurance on freight as is done in England, and therefore the amount expected to be gained by the ship is generally added to the real value, and so insured by the underwriters.

I have, &c.
 (Signed) HENRY NEWMAN,
H. B. M.'s Consul, Nantes.

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

AUSTRIA.

No. 120.

The Earl of Aberdeen to Sir Robert Gordon.

SIR,

Foreign Office, February 19, 1842.

I HEREWITH transmit to your Excellency a copy of a Protocol signed this day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of the ratifications of the Treaty signed on the 20th of December, 1841, by the Plenipotentiaries of those powers, for the suppression of Slave Trade.

Your Excellency will perceive that, at the conference of which the Protocol gives an account, the ratifications of Austria, Prussia, and Russia were exchanged against those of Great Britain; that the Austrian Plenipotentiary had not yet received the ratifications of Austria, to be exchanged against those of France, Prussia, and Russia; and that, at the request of the French Plenipotentiary, the Protocol was left open for France.

I am, &c.

(Signed) ABERDEEN.

His Excellency Sir Robert Gordon, G.C.B.,
 &c. &c. &c.

Enclosure in No. 120.

(See France, No. 4, page 2.)

No. 121.

The Earl of Aberdeen to Baron Koller.

Sending copy of Protocol of 19th February, on exchange of ratifications, with Lord Aberdeen's compliments.

(See France, No. 4.)

No. 122.

The Earl of Aberdeen to Sir Robert Gordon.

SIR,

Foreign Office, May 11, 1842.

WITH reference to my Despatch of the 19th of February last, I herewith transmit to your Excellency the copy of a Protocol, signed this day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of ratifications of the Treaty signed on the 20th of December, 1841, by the Plenipotentiaries of those Powers for the Suppression of Slave Trade.

Your Excellency will perceive that at the conference of which this Protocol

gives an account, the ratifications of Austria were exchanged against those of Prussia and of Russia; and that, as agreed upon between the Plenipotentiaries of the Five Powers, the Protocol was left open for France.

I am, &c.

(Signed) ABERDEEN.

His Excellency Sir Robert Gordon, G.C.B.,
 &c. &c. &c.

Enclosure in No. 122.

Protocol of Conference May 11, 1842.

(See France, No. 28, page 55.)

No. 123.

Baron Neumann to the Earl of Aberdeen.

Londres, le 1 Juillet, 1841.

(Received July 1.)

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Impériale et Royale Apostolique, a été chargé par son Gouvernement d'appuyer auprès de celui de Sa Majesté la Reine du Royaume uni de la Grande Bretagne et d'Irlande, une demande en dédomagement d'un négociant Autrichien pour des pertes que celui-ci a essayées par la mise en séquestre à Gibraltar du brig Anglais "*The Winwick*," chargé de ses marchandises.

Un nombre complet de pièces justificatives appartenant à cette réclamation ont été mises à cet effet en original à la disposition du Soussigné, mais il croit devoir se borner à n'en communiquer pour le moment que les copies légalisées de quelques unes d'entre elles et ne pas pouvoir mieux remplir les ordres de son Gouvernement et faire ressortir avec plus de force les argumens qui plaident en faveur de la question en instance, qu'en soumettant à Son Excellence Monsieur le Principal Secrétaire d'Etat de Sa Majesté Britannique ayant le département des Affaires Etrangères un exposé fidèle de ce qui a eu lieu et en recommandant à son jugement impartial et éclairé les conclusions qui en découlent en faveur du réclamant.

M. Jean Buschek, négociant Autrichien à Trieste, affréta dans ce port au mois de Juillet, 1837, moyennant la somme convenue de 300^l. le brig Anglais "*The Winwick*," Capitaine William Hodge, pour envoyer des marchandises à Bahia, où ce brig devait se rendre par la voie de Gibraltar.

Dans l'entrefait M. Natterer, un des employés les plus distingués du Cabinet d'Histoire Naturelle de Vienne, et résidant dans cette capitale, avait eu connaissance du voyage qu'allait entreprendre le susdit brig, et resolut de profiter de cette occasion, pour renvoyer dans leur patrie deux nègres et une mûlatresse que, dans l'année 1835, il avait ramenés du Brésil, et à la santé desquels le climate rigoureux de Vienne commençait à devenir pernicieux.

Il est ici à sa place de faire observer, que ces nègres arrivés avec M. Natterer par la voie de Londres en 1836, dans les états de Sa Majesté l'Empereur d'Autriche, avaient cessé, conformément aux lois Autrichiennes, d'être esclaves, par le fait même d'avoir touché le territoire Autrichien.

M. Natterer voulant, ainsi qu'il a été dit plus haut, profiter du départ du brig "*The Winwick*," pour renvoyer dans leur patrie ces nègres qui se trouvaient en son service, il les fit partir pour Trieste, et les recommanda à son ami M. de Neumann, directeur des postes dans cette ville, afin qu'il eut soin de tout ce qui concernerait leur embarcation. Les trois individus quittèrent Vienne, munis de passeports délivrés par la légation du Brésil et dument revêtus du visa des autorités Autrichiennes.

Après que la somme de 50^l. fut convenue avec le capitaine du brig pour le passage de ces trois individus, et que leurs passeports visés par le Consulat Britannique à Trieste pour Gibraltar, ainsi que les lettres d'affranchissement—que pour plus de sûreté, et dans le doute sur les lois Brésiliennes, M. Natterer a cru

devoir ajouter—avaient été consignées—(tous ces documens ainsi qu'une lettre de recommandation de M. Jean Buschek pour Bahia en faveur de ses trois domestiques, furent trouvés parmi les papiers du "*Winwick*" à Gibraltar)—le brig mit à la voile pour Gibraltar, où il arriva le 12 Octobre, 1837.

Ce fut le 21 du même mois, que sur la denonciation d'un matelot, et sous prétexte que le "*Winwick*" avait des esclaves à bord, ce bâtiment fut mis en séquestre par ordre du capitaine du port William Henry Shirreff.

Pendant les cinq mois qui s'écoulèrent jusqu'au moment (le 14 Mars, 1838), où, après de vains efforts de la part de l'agent du propriétaire du "*Winwick*" pour dégager ce bâtiment sur caution—les agens de la maison Buschek à Gibraltar réussirent à trouver le vaisseau toscan "*Maria Teresa*" faisant voile pour Bahia, pour le charger des marchandises retirées du "*Winwick*," ces dernières s'étaient tellement détériorées, qu'à leur arrivée à Bahia une vente publique devint d'autant plus nécessaire que, vu le *manque de tous les papiers saisis et retenus à Gibraltar*, rien n'attestait plus leur destination. Cette vente occasionna à M. Jean Buschek une perte, qui fut légalement constatée sur les lieux, et dont le montant, y compris les dommages éprouvés par la retenue des lettres de commerce, connoissement, &c., &c., s'élève jusqu'au 12 Juin, 1842, à la somme de 6488*l.* 9*s.* 9*d.*

De cet exposé et des annexes qui l'accompagnent il résulte :—

1. Que les nègres à bord du "*Winwick*," affranchis par le fait de leur séjour antérieur en Autriche, et munis en outre de *passesports de voyageurs* en règle, ainsi que de certificats constatant leur affranchissement, se trouvaient à bord de ce bâtiment marchand en qualité d'*hommes libres*, et que par conséquent le motif allégué pour la mise en séquestre perd toute valeur justifiable—car si la couleur seule devait fournir un prétexte à un pareil procédé, sans que nul compte soit tenu des preuves légitimes et des précautions prises pour constater l'état d'affranchissement, telles qu'elles ont été trouvées parmi les papiers du "*Winwick*" lors de la saisie à Gibraltar, où est le capitaine de vaisseau qui voulut jamais donner passage à un homme de couleur, bien qu'affranchi ?

2. Il résulte en outre de cet exposé et de ses annexes, que le réclamant, M. Jean Buschek, qui n'a fait que prêter la main par obligeance au renvoi des trois domestiques M. de Natterer, n'y était lui même nullement intéressé ; car même les 50*l.* pour frais de passage ne regardaient que le Capitaine W. Hodge, et rien ne saurait mieux prouver combien M. Buschek a dans cette circonstance *agi de bonâ fide*, que *l'arrangement préalable dont il était convenu* avec le capitaine, comme quoi "*le Winwick*" portant ses marchandises *mouillerait au port de Gibraltar*, point d'arrêt, qu'il eut certainement pris soin d'éviter, s'il y avait eu dans le renvoi des trois domestiques de M. Natterer la moindre irrégularité qui justifiait les soupçons élevés dans le dit port, et si le visa apposé *par le Consul Anglais* à Trieste aux passeports des trois individus en question n'avait pas dû le confirmer davantage que tout était en règle.

Il serait donc injuste que le sujet Autrichien, M. Jean Buschek, eut à souffrir des suites d'une mise en séquestre arbitrairement prononcée par un employé du Gouvernement Anglais ; et Son Excellence Monsieur le Comte Aberdeen ne se refusera pas d'admettre, que la Cour de l'Amirauté ayant cassé le jugement de l'autorité subordonnée de Gibraltar, ce fait même prouve la justice de la réclamation que M. Buschek fonde sur les dommages que lui a causés ce séquestre.

Prêt à fournir à Son Excellence tous les renseignemens positifs, que, concernant cette affaire, elle pourrait encore désirer d'obtenir, et qui sont de nature à établir d'une manière incontestable la légalité du renvoi des trois individus de couleur dans leur patrie, la bonne foi de M. Buschek, et par conséquent ses droits à un dédommagement, le Soussigné a l'honneur de transmettre ci-joint à Son Excellence vingt annexes légalisées avec leur spécification, et en recommandant de nouveau à son obligeante intervention l'objet de cette note, il saisit cette occasion pour lui renouveler l'expression de sa très haute considération.

(Signé) NEUMANN.

A Son Excellence M. le Comte Aberdeen,
&c. &c. &c.

List of Papers Enclosed in No. 123.

Spécification de 20 Annexes appartenant à la réclamation de Mr. Jean Buschek à Trieste.

- A 2 pièces.—LE charterparty. Le connoissement signé du capitaine.
- B 1 pièce.—Lettre de M. Natterer à M. Blanchet à Bahia; lettres d'affranchissement (cartas d'alforria); lettre de M. Natterer à la maison Buschek, Consul Autrichien, à Bahia, dd. 18 Août, 1837.
- C 1 pièce.—Reçu délivré par le Capitaine Hodge.
- D 5 pièces.—Trois déclarations de M. Natterer. Déclaration du Chevalier da Cunha, Ministre du Brésil à Vienne, sur les passeports délivrés aux trois nègres. Correspondance de M. M. P. Lauriero Filho, de Para, avec M. Natterer.
- E 1 pièce.—Rôle d'équipage du "*Winwick*," signé par le Consul Britannique à Trieste.
- H 1 pièce.—Protestation du notaire Sewell, à Gibraltar, au nom de Mr. Buschek, contre le procédé du capitaine du port de Gibraltar et autres concernant la mise en sequestre.
- K 1 pièce.—Connoissement du bâtiment toscan, chargé des marchandises retirées du "*Winwick*," dd. Gibraltar, le 14 Mars, 1838.
- L 1 pièce.—Déclaration de Mr. Th. Smith, constructeur de vaisseaux à Gibraltar, sur la détérioration du "*Winwick*."
- M 1 pièce.—Déclaration du Capitaine Splivalo, du bâtiment Toscan "*Maria Terésa*," sur la détérioration des marchandises à leur arrivée à Bahia. Déclaration semblable de Mr. Whately, à Bahia. Certificat de trois maisons de commerce à Bahia sur les prix courans aux mois Décembre, 1837, et Janvier, 1838. Déclaration du courtier James Dwyer, à Bahia, sur les prix obtenus à la vente publique des marchandises. Déclaration des experts Charles Graves et F. G. Dunham, sur le desèchement des huiles faisant partie de la cargaison. Protêt de M. Fr. C. Breisky, associé de M. Buschek à Bahia contre la cour de l'amirauté à Gibraltar et autres, quant à la saisie et la retenue de tous les papiers du "*Winwick*."
- N 2 pièces.—Compte en dommages et intérêts de M. Jean Buschek pour la somme de 6488*l.* 9*s.* 9*d.*
- O 2 pièces.—Décrés de S. M. L'Empereur d'Autriche concernant le commerce des esclaves, daté du 7 Août, 1826. Certificat délivré par le Gouvernement de la Basse Autriche à Mr. Natterer sur l'affranchissement des trois nègres.
- P 1 pièce.—Déclaration du Chevalier da Cunha, ministre du Brésil à Vienne, concernant l'affranchissement des trois nègres.
- dd.—Prestation de serment par M. Buschek devant le tribunal de commerce à Trieste.

First Enclosure in No. 123.

ANNEXE A.—2 Pièces.

Le Charterparty.
Le Connoissement signé du Capitaine.

Charterparty.

Trieste, July 20th, 1837.

It is this day mutually agreed between Mr. William Hodge, master of the good ship or vessel called the "*Winwick*," A. 1 at Lloyd's, and coppered, of

the measurement of 226 tons register, or thereabouts, now lying in this harbour, and John Buschek, Esq., of this city, merchant, as charterer. That the said ship being tight, staunch, and strong, and every way fitted for the voyage, shall load here all such goods as he, charterer, may ship by her, and proceed therewith to Gibraltar, where the master shall receive orders from the charterer's correspondents to discharge and load with the utmost speed, even in quarantine, all such packages which shall be discharged or sent on board by the charterer's correspondents, which the said merchant hereby binds himself to ship, not exceeding what she can reasonably stow and carry, over and above her tackle, apparel, provisions, and furniture; and being so loaded shall therewith proceed to Bahia, consigning the ship and cargo to the charterer's correspondents, paying them two-and-a-half per cent. commission on this freight, or so near thereunto as she may safely get and deliver the same on being paid freight by the lump for the whole vessel, excepting only the cabin, necessary room for the crew and ship-stores, the sum of three hundred pounds sterling in full of freight and primage, and in lieu of all port-charges, pilotages, lights, harbour and quarantine charges, and all other incidental charges and expenses whatever and belonging to the navigation of the vessel; the act of God, the king's enemies, fire, and all and every other dangers and accidents of the seas, rivers, and navigation of whatever nature and kind soever, during the said voyage, always excepted. The freight to be paid in cash, at the current rate of exchange, or in good and approved bills upon London, at the option of the master, after the right and true delivery of the cargo, for loading the ship at Trieste, within all the month of August next, and for discharging and loading the cargo at Gibraltar ten running days, to count from the day the master shall declare his vessel ready to discharge, and load the remainder of his cargo, after having obtained permission from the health-officer, and ten days on demurrage, over and above the said laying days, at five pounds sterling per day, payable day per day; the discharge at Bahia to be made as fast as the vessel shall deliver the cargo, after having obtained permission from the custom-house. The cargo is to be brought alongside the vessel at Trieste and Gibraltar, and to be taken from alongside at Gibraltar and Bahia, at charterer's expense. It is further agreed that the master is not to load any goods whatever on freight in the cabin, under the penalty of fifty pounds sterling and the loss of the freight; but the charterers allow the master to take some little adventure for his own account. Penalty for non-performance of this agreement three hundred pounds sterling.

P. P. JOHN BUSCHEK.
WILLIAM HODGE.
CHARLES BRUCH.

N. M. Lazaronick, Ship-broker.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

Londres, le 1 Julliet, 1842.

(Signé) NEUMANN.

Trieste, li 30 Agosto, 1837.

Ha caricato col nome di Dio, e a buon salvamento una volta tanto in questo porto franco Giovanni Buschek, suddito Austriaco per cts. erischio di suddito Inglese; sotto coperta del bark nominato "*Winwick*," Captain William Hodge, per condurre e consegnare in questo suo presente viaggio in Bahia alli Signori Buschek & Co. le appie nominate, e numerate mercanzie ascutte, intiere, e ben condizionate, segnate come di contro, e cosi promette detto cap al suo salvo arrivo consegnarle, e di nolo gli sara pagato appar contratto di noleggio e per fede del vero sara questa con altre simili firmata da detto cap e non sapena egli serivere per lui da terza persona ed una compita, le altre restino di niun valore.

B	43 Colli contarie	No. 13 a	55
D B	45 Detti detti	121 „	165
I F v D	200 Casse acciali	7888 „	8087
G B	1 detta lastre di vetro	3741	
„	50 Balle cartar de scrivere	1 „	50
W	93 Casse detta do.	40 „	132
„	24 Arnasi olio d'oliva	1 „	24
„	15 Barrili vino	25 „	39
„	100 Detti frumento.		
„	300 Detti farina.		
	200 Casse sapone ligate con corda.		
	100 Dette candelle di sevo.		
	211 Fasci berihj di castagner.		
	30 Filze venchi da 50 mazzetti.		
	157 Pipe di rovere in fasci.		
	Mille risme carta strazza.		

Weight and contents unknown, and not answerable for leakage and breakage.
(Signed) WILLIAM HODGE.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

Londres, le 1 Juillet, 1842.

(Signé) NEUMANN.

(Translation.)

Trieste, August 30, 1837.

Giovanni Buschek, an Austrian subject, has laden, in the name of God and in good condition, once only in this free port, for account and risk of an English subject, beneath the deck of the bark called "*Winwick*," Captain William Hodge, for the purpose of conducting and delivering them after this his present voyage, at Bahia, to Messrs. Buschek and Co., the goods specified and numbered underneath, dry, entire, and in a good state, marked as on the margin; and accordingly the said captain promises, on his safe arrival, to deliver them; and there shall be paid to him by way of freight what has been agreed upon in the charterparty of affreightment: And in faith of the truth the present, along with others of the like tenour, shall be signed by the said captain, and, in case he should not know how to write, by some third person in his stead; and when one copy has been fulfilled, the others shall become null and void.

B	43 packages of Venetian glass-ware	No. 13 to	55
D B	45 Ditto ditto	121 „	165
I F v D	200 Boxes of steel-ware	7888 „	8087
G B	1 Cask of glass-panes	3741	
„	50 Bales of writing-paper	1 „	50
W	93 Boxes ditto ditto	40 „	132
„	24 Buts of olive oil	1 „	24
„	15 Barrels of wine	25 „	39
„	100 Ditto of wheat.		
	300 Ditto of flour.		
	200 Boxes of soap, tied with cord.		
	100 Ditto tallow candles.		
	211 Bundles of hoops of chesnut.		
	30 Ditto of willow, containing fifty bundles each.		
	157 Oak pipe staves, in bundles.		
	1000 Reams of blotting-paper.		

Weight and contents unknown, and not answerable for leakage and breakage.

(Signed)

WILLIAM HODGE.

Second Enclosure in No. 123.

ANNEXE B.—1 Pièce.

Lettre de M. Natterer à M. Blanchet à Bahia. Lettres d'Affranchissement (Cartas d'Alforria). Lettre de M. Natterer à la Maison Buschek, Consul Autrichien à Bahia, dd. Août 18, 1837.

SIR,

Vienna, in Austria, August 18, 1837.

By Monsieur Milliquet, with whom I had the honour to be acquainted at Para, I have obtained your address, informing me that you are a naturalist, and make collections in natural history. As I have made a long stay in the Brazils, and as I have formed considerable collections, you will have but little to offer us in birds and mammiferous animals that will be wanting in our museum. We are therefore desirous of obtaining fishes and reptiles, in brandy, particularly fresh-water fishes; and I subjoin hereunto instructions as to the best manner of preserving them for shipment, which can be followed as regards reptiles also, by making various incisions along the belly, "au lieu d'anne," and piercing the thick parts of the body, such as the tail and thighs, in several places with a bodkin, so as to admit of the brandy. We also wish to have a sample of each kind of "Sacares" that may be found, whether stuffed; and also a large sample of land and fresh-water tortoises. Of birds we desire to have the "Ara-ronna" and the "Ara Hyacinthe," which is of a dark blue, and is found in the mountain of Sao José, three days' distance from Bahia on the Sant Amaro road; they come there in September, October, and November, to eat the fruit of a palm-tree. You may send half-a-dozen if they be not too dear. There is found there another bird, black and yellow, called Tijuca, and which Mr. Lesson has described under the name of "Tijuca a Nigra," which it would give us great pleasure to have, and other birds not described: also two skins of the black-ring sloth, which is common round about Bahia.

If you can send us a list of what you can furnish, with the prices, and of the fishes and reptiles, you can make a shipment by the first vessel proceeding to Trieste. At least write to us whether you can enter into correspondence and connection with our Museum.

At present I also take the liberty to recommend to you a Negro, Candido, who accompanied me in my voyages, and whom I have sent back to the Brazils, as the climate did not agree with him well. He knows how to strip the skin of animals, and to stuff them for shipment. I shall be much obliged to you to give him some employ, or perhaps you know some naturalist or bird-dealer, who might give him something to do. At least have the different "Sacares" stuffed by him, and I shall reimburse you whatever expense you may incur. In the hope that you will now favour me with a reply,

I have to remain, with the greatest esteem, Sir, your very humble,

(Signed) JEAN NATTERER,

Preserver at the Museum at Vienna.

To the care of Baron Rothschild, London.

I, the undersigned, declare that of my own free will I set free and at liberty, my slave José of the Mina nation, whom I purchased in "Caraba" in 1826, and who has always served me well to this day; and as this climate does not agree well with him, and he wishes to return to the Brazils, I have ordered him to be conveyed at my cost to Bahia; and for the truth thereof to appear, I have granted these presents by me signed.

Vienna in Austria, August 14, 1837.

(Signed) DR. JOAO NATTERER,
Naturalist to His Majesty the Emperor of Austria.

I, the undersigned, declare that of my own free will I set free and at liberty, my slave Candido, of the Mozambique nation, whom I purchased in "Ariaba" in 1824, and who has always served me well to this day; and this climate does not agree well with him, and he wishes to return to the Brazils. I have ordered him to be conveyed at my cost to the city of Bahia; and of the truth thereof to appear I have granted these presents by me signed.

Vienna in Austria, August 14, 1837.

(Signed) Dr. JOAO NATTERER,
Naturalist to His Majesty the Emperor of Austria.

Vienna, August 18, 1837.

I take the liberty to address you two blacks and one capaza whom I brought with me to Europe from Para. The two blacks were my slaves; one of them is named José, and is of the Mina nation; the second is called Candido, and is from Mozambique. As the climate does not agree with them they wish to be sent back.

Enclosed are their Cartas de Alforria ("Deed of Manumission"), which you will please to have legalized and deliver to them. The old one was my cook, and wishes to return with a "tropa" to Goyar or Cuzaba.

Candido served me in the stripping and stuffing of birds and mammalia; he might perhaps be placed with an amateur of natural history, and for this reason I wrote to M. Blanchet, who occupies himself with natural history. I request you kindly to forward this letter, and introduce the black to him, as he may perhaps give him something to live upon; and if the latter cannot make use of him, I request you to place him with some other naturalist; he is orderly and industrious. I request you to give this Candido ten milreis for my account, and five milreis to José. This is a voluntary present, for I owe them nothing; besides, the passage costs me a good deal. Now the third person is a Capaza named Lauriana, born at Rio Negro; she belongs to M. Manoel Gonsalvez Laureiro, the son, of Para, who is my godfather, and who transferred her to me for the service of my wife and child, for want of another.

At the last invasion of Para I fled with my family on board the "Race-horse," and took Lauriana with us, and as then I could no longer deliver her, as I soon set out on my voyage to Europe in an English vessel, I took her with me to Europe; and as M. Laureiro did not reply to several letters in which I offered to pay the price of this person, and as she did not like to be here, I request you to send her by the packet-ship in the cheapest way to Para, to M. Laureiro, or in his absence, to the French Consul, M. Denis Cronen. As I do not know the Brazilian laws in regard to such slaves as are taken out of the country, I would request you, in case they become free within a certain time, which they may pass with their master out of the Brazils, *not to send her* to Para, for that would only increase my expenses unnecessarily, since I should still have to pay the value of the mulatto woman to M. Laureiro, which I thought to save by sending her back to him, and should only have to pay him for the hire during the time that she was with me in Europe. If, therefore, his mulatto woman is free by the laws, let her go whither she likes, and give her five milreis; but if she can be given back, send her to Para, to M. Laureiro, and place the charges to my account, which I shall accordingly pay to M. Buschek at Trieste.

As these people have their own provision on board the vessel, for which I paid extra, I request you to cause the probable surplus to be delivered to them by the captain—the passage-money he receives in advance in Trieste being 35*l.* sterling. Should M. Blanchet be no longer at Bahia, I request you to open the letter, and to procure us the desired articles, perhaps through some other naturalist or dealer in your place. In particular I wished for some skins of the "Ararara," which harbour in the Serra de Sao José; the road passes through Sant Amaro.

With the request that you will excuse this trouble, and begging you to give me information respecting the passage, arrival, and further fate of these blacks,

I have the honour to be, with particular respect,

Your devoted servant,

(Signed) JOH. NATTERER,

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signé)

NEUMANN.

Londres, le 1 Juillet, 1842.

Third Enclosure in No. 123.

ANNEXE C., 1 pièce.

Reçu délivré par le Capitaine Hodge.

Received from John Buschek, Esq., the sum of fifty pounds sterling, being for passage-money for three black passengers in the "*Winwick*," from Trieste to Bahia; and I engage to furnish said passengers with the same fare as a seaman on board my vessel. Done in three copies to one sole effect.

£50 0 0. Equal to 500 fl.

(Signed)

WM. HODGE.

Trieste, 29th August, 1837.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Impériale et Royale Apostolique, près Sa Majesté Britannique, certifie que la présente copie est conforme à l'original.

(Signed)

NEUMANN.

Londres, le 1 Juillet, 1842.

Fourth Enclosure in No. 123.

ANNEXE D. 5 pièces.

Trois déclarations de M. Natterer. Déclaration du Chevalier Da Cunha, Ministre du Brésil à Vienne, sur les passeports délivrés aux trois nègres. Correspondance de Monsieur M. P. Laureiro Filho, de Para, avec M. Natterer.

Translated from the German.

I THE Undersigned, John Natterer, Custos of the Imperial Royal Cabinet of Natural History in Vienna, declare by these presents, solemnly and sincerely, that on the occasion when I sent the two male negroes, of the name of José and Candido, and the female mulatto, Lauriana, whom I had brought in my service from the Brazils, all provided with passports to Trieste, in order that they may proceed on board of the English vessel "*Winwick*," to Bahia, I addressed myself for the purpose for procuring a passage to these persons to my friend M. Joseph Neumann, Comptroller of the Post-Office at Trieste, who agreed with M. Johan Buschek, merchant, the freighter of a vessel sailing to Bahia, to pay for the passage and provisions the sum of five hundred florins, or fifty pounds sterling. I further declare, that I never stood in any connection with M. Buschek in Trieste before, nor have I the honour of his personal acquaintance, neither so as regards the Imperial Royal Consular Agent, Mr. Breisky, the head of the commercial firm of Buschek and Company, in Bahia, to whom I addressed the letter as following hereafter, as I visited in my scientific journey in Brazil only Rio Janeiro and the interior of the provinces of Saint Paulof Goyaz, Malto, Grosso, and Para, but was never in Bahia. I addressed myself, in regard of the three blacks with the following letter to the firm of Buschek and Company, in Bahia, in the quality of this house as the consular agent of Austria, the vessel sailing to Bahia. The said letter, which I caused to be forwarded with the inclosed letters of freedom (*cartas de alforria*), through my said friend, M. Neumann, to the said Bahia firm, and which must have been on board the vessel, is as follows:—

“ Vienna, the 18th of August, 1837.

“ I take the liberty to address you two blacks and one capeiza, whom I brought with me to Europe from Para. The two blacks were my slaves; one of them is named José, and is of the Mina nation; the second is called Candido, and is from Mozambique. As the climate does not agree with them they wish to be sent back.

“ Enclosed are their *cartas de alforria* (deed of manumission), which you will please to have legalized, and deliver to them. The old one was my cook, and wishes to return with a ‘Tropa’ to Goyaz, or Cuzaba.

“ Candido served me in the stripping and stuffing of birds and mammalia. He might perhaps be placed with an amateur of natural history; and for this reason I wrote to M. Blanchet, who occupies himself with natural history. I request you kindly to forward this letter, and introduce the black to him, as he may perhaps give him something to live upon; and if the latter cannot make use of him, I request you to place him with some other naturalist: he is orderly and industrious. I request you to give this Candido ten milreis for my account; and five milreis to José. This is a voluntary present, for I owe them nothing, besides the passage costs me a good deal.

“ Now the third person is a capeiza, named Lauriana, born at Rio Negro. She belongs to M. Manoel Gonsalvez Laureiro the Son, of Para, who is my godfather, and who transferred her to me for the service of my wife and child for want of another.

“ At the last invasion of Para I fled with my family on board the “Race-horse,” and took Lauriana with us, and as then I could no longer deliver her, as I soon set out on my voyage to Europe in an English vessel, I took her with me to Europe; and as M. Lauriero did not reply to several letters, in which I offered to pay the price of this person, and as she did not like to be here, I request you to send her by the packet-ship, in the cheapest way, to Para, to M. Laureiro, or, in his absence, to the French consul, M. Denis Cronen. As I do not know the Brazilian laws in regard to such slaves as are taken out of the country, I would request you, in case they become free within a certain time, which they may pass with their master out of the Brazils, not to send her to Para, for that would only increase my expenses unnecessarily, since I should still have to pay the value of the mulatto woman to M. Laureiro, which I thought to save by sending her back to him, and should only have to pay him for the hire during the time that she was with me in Europe. If, therefore, this mulatto woman is free by the laws, let her go whither she likes, and give her five milreis; but if she can be given back send her to Para, to Mr. Laureiro, and place the charges to my account, which I shall accordingly pay to Mr. Buschek of Trieste.

“ As these people have their own provision on board the vessel, for which I paid extra, I request you to cause the probable surplus to be delivered to them by the captain. The passage-money he receives in advance in Trieste being 35% sterling.”

I further declare, solemnly and sincerely, that I expressly declared to my two black male-servants, that I enclosed their letters of freedom (*cartas de alforria*) for them in my said letter to the said Austrian Consulate at Bahia, which I did with the well-meaning view, in order that these documents, so important to them, may not be lost, as they themselves could neither read nor write, and as they had besides in their own possession their regular passports, granted by the Brazilian Minister in Vienna, and duly legalized by the British Consul at Trieste. I do further declare, as is seen from the above letter, that I had been of opinion that I could not make any disposition in regard to the female mulatto, Lauriana, inasmuch as she was never my slave, and belonged to M. Manoel Gonsalvez Laureiro, at Para, and as I brought her to Europe without his knowledge, which my sudden flight in an English vessel from the insurgents at Para compelled me to do, as I could not leave her behind me, I had requested M. Laureiro, in three letters, which I addressed to him in the year 1835, on board of the British ship “Para Packet,” off Para, and also from London, in which city of London I arrived with my family and the said three black slaves, on board the said vessel in the month of December, 1835, and remained there along with them up to the end of June, 1836, on my return to Vienna, that he

should let me know the amount of her value, and the mode how and when it should be paid to him; to which he, however, only replied to me, after two years, by his letter dated Para the 22nd November, 1837, and received by me on the 13th February, 1838, and of which an original duplicate is herewith annexed, requesting me to pay the value of his slave, of 400,000 reis, on the order of his father, to the house Manoel de Sa. Anna da C., Castel Branco, at Lisbon. This letter, of which I have already given before two copies, legalized, shows that I did not request Mr. Laureiro to pay him for his female mulatto subsequent to the embargo laid on the ship "*Winwick*," but that I did so already in the year 1835, in Brazil; that I already paid the amount of 400,000 reis, I can prove by the receipt of the said Lisbon house, hereunto annexed. It was at that time unknown to me that the female mulatto, as well as the two male blacks, had already acquired their freedom legally by the mere fact of their stay in Europe, and in Austria in particular. On this account I requested the Austrian Consul, as agent in Bahia, to conform himself entirely to the existing laws in this regard, and to let her go without hinderance whither she likes, should the law consider her as free by the fact of her abode in a free country. This mulatoo woman would therefore, though I sent her to Brazil, never have been treated again as a slave, inasmuch as I left it entirely to the Austrian Consular Agent to act in regard to her according to the existing laws; and as it is shown on the other hand, from Mr. Laureiro's letter to me, dated Parateu, 22nd November, 1837, that he disposed of her to me, and, had she arrived directly in Bahia, the very order of payment directed to me by her former master, and which I actually did pay, would have made her free *eo ipso*, and absolved her from every servitude. I further declare that the said three persons had been provided with regular passports from the Imperial Brazilian legation at Vienna, and which were legalized by the British Consul at Trieste, and were received as passengers by the British captain, Mr. Hodge, of whom it would not but have been expected that himself, as a British master of a vessel, as well as the British Consul, must have been acquainted with the laws of their country.

All which said facts I do solemnly declare to be true, according to the exact truth thereof.

Vienna, 20th August, 1841.

(Signed) JOH. NATTERER,
Custos of the Imp. Royal Cabinet of Natural History.

JOH. PFEIFFE, as witness.

GUSTAV ANDREAS HELD, as witness.

By the Civil Court of the Imp. Royal Metropolitan City of Vienna, is herewith certified, that Mr. Johann Natterer has signed this instrument in our presence, and that of the two identifying witnesses thereto, with his own hand, and that a protocol is taken thereof on a stamp of 30 krutzer.

Witness our hand and seal affixed hereunto.

Done at Vienna on the 20th day of August, 1841.

In the absence of the President Vice-Burgomaster,

(Seal)	(L. S.)	PORTENSCHLAN, <i>Imp. R. Judge of Appeal.</i>
	(L. S.)	F. FREIDENTHAL, <i>Judge.</i>
	(L. S.)	ANT. H. ZELLENER, <i>Judge.</i>

The genuineness of the above signature of the Magistracy of the Imp. Royal Metropolitan City of Vienna is hereby certified by the Imp. Royal Privy Aulic Chancery of State.

Vienna, the 21st August, 1841.

(Seal)

Baron LEBZELTERN COLLOMBACH.

The Undersigned, Her Britannic Majesty's Ambassador Extraordinary at Vienna hereby certifies the above signature of Baron Lebzelter Collombach.

(Seal)

(L. S.)

BEAUVALE.

Vienna, August 21, 1842.

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près Sa M. Britannique, certifie que la présente copie est conforme à l'original.

Londres, le 1 Juillet, 1842.

(Signé)

NEUMANN.

As the affidavit given by me, John Natterer, trustee of His Imperial Majesty's Museum of Natural History at Vienna, on the 25th of November, 1837, appears liable to be interpreted as conveying the impression that I was knowingly returning the female Lauriana to slavery; I now declare upon oath, that the men having belonged to myself, I could legally give them letters of manumission; but that as I was not the owner of the woman, I believed that a letter of manumission given by me to her would not be available in law, and I therefore did not deliver it to her. But now, after examining more attentively into this matter, and inquiring into the laws existing in Europe as well as in Brazil with respect to slaves (which certainly ought to be known to the Court of Admiralty of Gibraltar), I find that a slave becomes free after setting foot upon free ground; and consequently such being the case with Lauriana, she is free by law, and because in all my letters to Mr. Laureiro, her former owner, I bound myself for the repayment of her value to him, having brought her to Europe without his knowledge, and because I feel sure that he never will, nor can question her freedom, I have drawn up the annexed document of manumission, which may be delivered to her, to prevent any further accident; and I again declare upon oath, that I sent her to Brazil, not against her will, but because she wished to return to her relations, the climate and manners of this country not agreeing with her.

Signed, sealed, and sworn and executed at Vienna, this 5th day of January, of the year of our Lord 1838.

JOHN NATTERER,
*Trustee of His Imperial Majesty's Museum of
Natural History.*

Signaturam hanc Dni Joannis Natterer, custodis Musei Imp. Reg. genuinam ac sigillum appositum ab eo usitatum esse, ego, infrascriptus S. C. R. Majest. Consiliarius Aulicus, hisce testor.

Datum Viennæ, die 6 Januarii.

Ex Cancellaria C. R. Aula et Status intima.

(L. S.)

J. L. B. DE BRENNER,
Cons. Aul. Act.

(Translation.)

"Signaturam hanc," etc.

That this signature of Mr. John Natterer, keeper of the Imperial and Royal Museum, is genuine, and that the seal affixed by him is that which he commonly uses, I the undersigned Aulic Councillor of His Sacred Imperial Majesty do herewith attest.

The Undersigned, her Britannic Majesty's Ambassador Extraordinary to the Imperial Court of Austria, certifies the above signature.

(L. S.)

F. LAMB.

Vienna, January 6, 1838.

I certify that the foregoing copy of document agrees word for word with its original exhibited to me, and after careful collation returned to the exhibitor.

In the absence of her Britannic Majesty's Consul-General,

(L. S.)

HENRY BYNNER,

Trieste, this 12th day of January, 1838.

Vice-Consul.

The Undersigned, her Britannic Majesty's Consul-General for the Lombardo-Venetian States, and for the Austrian territories on the Adriatic Sea, does hereby certify that the foregoing copy of a declaration and attestation agrees word for word with an attested copy of the original of the same exhibited to the undersigned, and with which it has been carefully compared.

(L. S.)

THOS. S. SORELL.

Trieste, this 29th day of September, 1840.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme a l'original.

(Signé)

NEUMANN.

Londres, le 1 Juillet, 1842.

JOHN NATTERER, trustee of His Imperial Majesty's Museum of Natural History at Vienna, maketh oath, and certifies to all whom it may concern, to know that I brought with me in the year 1835, from Brazil, the three blacks embarked on board the brig "*Winwick*," Captain Hodges, and that the two males, viz., the old one, José by name, a native of Mina in Africa, and the other, Candido, from the Mozambique coast, were my slaves during my stay in Brazil; and that the female, a mulatress, native of the Barra of Rio Negro, in the province of Para, belonging to my friend and godfather, Manoel Gon-salvez Laureiro, of Para, was left by him to serve my wife and child, but as the sudden invasion of Para, at that time my residence, by the insurgents, and the hurry of my embarking on board an English ship, prevented me from returning the same to my friend, I brought her with me to Europe, and she lived with the two others till August of this year in my house; but European customs and climate not agreeing with these people, and it being their wish to return to Brazil, I resolved to comply therewith, and to send them back. The brig "*Winwick*" being about to set out from Trieste to Bahia, I sent all three, furnished with passports from the Brazilian Minister, to Trieste, addressed to my friend, M. Neumann, who with M. Buschek, the owner of the ship's cargo, contracted and paid for their passage the sum of 50*l.* sterling to Mr. Hodges, the captain of the above said brig.

I certify that they were not embarked with violence at Trieste, the only circumstance which happened was that they first refused to embark, fearing to be sold as slaves again; but after hearing in the police-office that they are free, they willingly went on board; as a sufficient proof of it, it may serve that in a letter which I wrote to Messrs. Buschek and Co., in Bahia, with respect to these people, I inclosed the two certificates of liberty for the two males with the order to deliver the same to them upon their arrival. This letter, which is on board the same ship "*Winwick*," may be opened in presence of witnesses, and the certificates drawn out for inspection or for deliverance. For the mu-

latress I could not make a similar certificate, because she was not mine, and because every attempt to settle this affair with my friend Laureiro has turned out fruitless till the present, notwithstanding various offers I made of indemnifying him.

Finally, I declare, that I solemnly protest against any claims or pretensions of further expenses which their living on land at Gibraltar should cause, or of whatever kind they be to cause. I did not enter into any engagement with them, and even my sending them back to Brazil was merely a voluntary act of compassion, the benefit of which they now refuse by their own folly.

Signed, sealed, and executed at Vienna, this 25th day of November, of the year of our Lord, 1837.

JOHN NATTERER,
Trustee of His Imperial Majesty's Museum.

Signaturam hanc Dni Joannis Natterer, custodis Musei Imp. Reg. genuinam ac sigillum appositum ab eo usitatum esse, ego, infrascriptus S. C. R. Majest. Consiliarius Aulicus, hisce testor.

Datum Vienna, die 25 Novembris, 1837.

Ex Cancellaria C. R. Aula et Status intima.

(L. S.) IGNATIUS L. B. DE BRENNER.

For translation of this Latin certificate see the preceding translation, both the originals being alike, all but in the date.

The Undersigned, her Britannic Majesty's Ambassador Extraordinary, certifies the above signature.

(L. S.) F. LAMB.

Vienna, November 25, 1837.

I certify that the foregoing copy of a declaration agrees word for word with its original exhibited, and after careful collation returned to the exhibitor.

In the absence of her Britannic Majesty's Consul-General,

(L. S.) HENRY BYNNER,

Trieste, this 29th day of November, 1837.

Vice-Consul.

The Undersigned, her Britannic Majesty's Consul-General for the Lombardo Venetian States, and for the Austrian territories on the Adriatic Sea, does hereby certify that the foregoing copy of a declaration and attestations agrees word for word with an attested copy of the original of the same, exhibited to the Undersigned, and with which it has been carefully compared.

(L. S.) THOS. S. SORELL.

Trieste, this 29th day of September, 1840.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et Royale A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signé) NEUMANN.

Londres, le 1 Juillet, 1842.

Legação Imperial do Brazil em Vienna.

LE Soussigné, Ministre Résidant de Sa Majesté l'Empereur du Brésil près Sa Majesté Impériale et Royale Apostolique, certifie qu'à la demande de M. Natterer, il a été délivré par le Soussigné au mois d'Août, 1837, trois passeports aux hommes de couleur José et Candido, et à la femme mulatresse Lauriana se rendant de cette capitale à Trieste, pour s'y embarquer pour la ville de Bahia au Brésil.

En foi de quoi à la demande du dit M. Natterer le présent certificat a été délivré à Vienne, ce 21 Mai, 1841.

(Signé) LE CHEVALIER DA CUNHA.

Suivent les Authentications.

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Impériale et Royale Apostolique près Sa Majesté Britannique, certifie que la présente copie est conforme à l'original.

(Signé) NEUMANN.

Londres, le 1 Juillet, 1842.

ILLMO. SIG. JOAS NATTERER,

Pará, 22 de Novembre de 1837.

PREGADO amo. e compe., em virtude de sua estimada carta, dactado de dez de Setembro de anno preterito de mil oito centos e trinta e cinco, em q nella V. Sa. deixa a ma escolha, o lugar em q'eu queira V. Sa. me poubra a importa de ma escrava Laurianna, pr. isso espero me fassa o obesequis, de pr. em Lisboa em poder do Señor Manoel de Sta. Anna da Cunha, Castel Branco, ou à ordeni deste, a qta. de quatro centos mil reis, á dispozicao do Señor Manoel Gonzalvez Laureiro; V. Sa. nao estrantre este meu proce dimto. pr. só a circumstancia dos acontecimos. e q assim me fazem obrar, e eu ter de dar contas a meu Pai aqm. essa escrava pertence on brigda. a sociedade. de Craveiro assim espero me disculpe. Vomais dezejo a continuacão de sua sande. Como qm. si coniffessa ser,

De V. Sa. amo. mto. venerador,

(Signé) MANOEL GONZALVEZ LAUREIRO, filho.

RENBI dos Smes. Finnie, Medlicott & Ca., por ordun dos Smes. N. M. Rothschild & Filhos, de Londres, aquantia de sessinta eseis libra, treze shillings etres pence esterlinas, ao eambio de cimventa equatro uncio pence por mil reis, igual a duzentos noventa etres mil quinhentos e sessenta reis e deste theor assigno dois reubos, que só hum tem valor.

£66 13 3 a 54½

Rs.293,560.

Lisboa, 5 de Junho de 1838.

(Signé) MANOEL DE STA. ANNA DA CUNHA, Castel Branco.

ILLM. SIG. GIOVANNI NATTERER,

Para, le 22 Novembre, 1837.

PREGIATISSIMO amico e compadre, in conseguenza della sua stimatissima lettera in data 10 Settembre, del anno pretecito de 1835; nella quale Y. S. mi lascia la scelta del luogo in cui io voglia che Y. S., ponga l'importo della mia schiava Laurianna, aspetto per cio che mi faccia il piacere di fare avere in Lisbona, nelle mani del Signor Manoel de Sta. Anna da Cunha, Castel Branco, o all' ordine di questo la somma di quatro centi milla reis; alla dispozione del Signor Manoel Gonzalvez Laureiro, non si maraviglie Y. S. di questa mia condotta, per che solo la circostanza degli avvenimenti é che mi

fa agire così, ed io dovere rendere conto al mio padre a che la schiava appartiene in obbligo colla Società di Craveiro; pertanto espero mi scusara Del resto desidero la continuazione della sua salute come chi si confessa essere,

Di Y. S. molto amico, e venerato,
(Sottoscrillo) MANOEL GONZALVEZ LAUREIRO, figlio.

Ho ricevuto delli Signor Finnie, Medlicott & Co., per ordine delli Signor N. M. Rothschild e Figly, di Londra, la somma di sessanta e sei tine, tredice shillings, e tre pence sterline, al cambio di cinquanta e quattro, e mezzo pence per milla reis; uguali a duecento novanta e tre mila cinquecento a sessanta reis; e di questo tenore sottosciro due ricevute ad un solo effetto.

£66 13 3 a 54½
Rs.293,560.

Lisbona, ti 5 Guigno, 1838.
(Sottoscrillo) MANOEL DE STA. ANNA DA CUNHA, Castel Branco.

Theodore da Silva Maya, Consul da nação Portuguesa no porto de Trieste, &c.,

CERTIFICO que as duas traduccees que precedem feitas do idioma Portuguez, estaõ exactas com os originaes que mi forão apresentados, os quaes devolve com este, ao interessado. Em fé do que, e para que conste fiz passar o presente que assigno e setto com o real setto deste consulado.

Trieste, 27 de Julho de 1841.

() THEODORE DA SILVA MAYA, Consul.

THE Undersigned, Her Britannic Majesty's Consul-General for the Lombardo-Venetian States, and for the Austrian territories on the Adriatic Sea, does hereby certify that the signature, Theodore da Silva Maya, at the foot of the preceding page, is the handwriting of Monsieur Theodore da Silva Maya, Consul of Portugal in this city.

Trieste, this 27th day of July, 1841.

(Signed) THOS. S. SORELL.

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Impériale et Royale Apostolique près Sa Majesté Britannique, certifie que la présente copie est conforme à l'original.

Londres, le 1 Juillet, 1842.

(Signé) NEUMANN.

(Translation.)

MOST ILLUSTRIOUS MR. NATTERER,

Pará, November 22, 1837.

VALUED friend and companion; in consequence of your esteemed letter of the 10th of September of last year, 1835, in which you leave to my option the place where I would desire you to deposit the amount of my female slave Lauriana, I hope you will do me the favour to pay in Lisbon to Mr. Manoel de Sta. Anna da Cunha, Castel Branco, or to his order, the sum of four hundred thousand reis, at the disposal of Michael Gonzalvez Laureiro. Be not surprised at this my proceeding, as only the concurrence of particular circumstances makes me act thus, and as I have to give an account to my father, to whom this slave belongs, as trustee of the society of Craveiro. I hope, therefore, that you will pardon me. Desiring that you may keep your health,

I am, Sir, your most respectful friend,

(Signed) MANOEL GONZALVEZ LAUREIRO, sen.

CLASS C.

RECEIVED of Messrs. Finnie, Medicott, and Co., by order of Messrs. N. M. Rothschild and Sons, of London, the sum of sixty-six pounds, thirteen shillings, and threepence, at the course of exchange of fifty-four pence and a half, equal to two hundred and ninety-three thousand, five hundred and sixty reis; and I sign two receipts of the same tenour, one of which only is to be valid.

£66 13 3 at 54½d.

Rs.293,560.

(Signed) MANOEL DE STA. ANNA DA CUNHA, Castel Branco.
Lisbon, June 5, 1838.

(Here follows an Italian translation of the preceding letter and receipt.)

I, Theodore da Silva Maya, Consul of the Portuguese nation in the port of Trieste,—

CERTIFY that the two preceding translations from the Portuguese language agree exactly with the original presented to me, which I herewith return to the individual concerned. In faith whereof, and in order that it may be known, I have made out the present certificate, which I sign and seal with the royal seal of this Consulate.

Trieste, July 27, 1841.

(Signed) THEODORE DA SILVA MAYA, Consul.

Fifth Enclosure in No. 123.

ANNEXE E, 1 pièce.

Rôle d'équipage du "*Winwick*" signé par le Consul Britannique à Trieste.

MUSTER ROLL of the British barque, called "*Winwick*," belonging to the Port of Liverpool, of the burden of 226 Tons, commanded by Captain William Hodge, direct for Gibraltar and Bahia, with a cargo.

No.	Rank.	Name and Surname.	Age.	Country, and to what Power subject.	Observations.
1	Master.	William Hodge	45	British.	
2	Mate.	William Hodge, jun. . . .	26		
3	Seaman.	Philip Crouch	17		
4	„	George Smith	16		
5	„	Henry Sandoe	35		
6	„	Henry Mountain	22		
7	„	John Smith	28		
8	„	Edward Watkin	21		
9	„	Peech Gloom San	23			Danish.
10	„	Gregory Thomas	30	Spaniards.	From the Austrian Barque, "Tiebico."
11	„	Antonio Perez	38		
12	„	Bernard L. Hilde Orandt .	40	Lubeck.	From the Swedish Barque, "George."

Passengers, { José Mina,
Candido Mosambique, } with Passports.
Lauriana Cafussa,

Disembarked, John Richards.
Giovanni Sassone.

By the Royal British Consulate-General.

Trieste, August 31, 1837.

(L. S.)

HENRY BYNNER, Vice-Consul.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signed)

NEUMANN.

Londres, le 1 Juillet, 1842.

Sixth Enclosure in No. 123.

ANNEXE H.—1 pièce.

Protestation du Notaire Sewell, à Gibraltar, au nom de M. Buschek, contre le procédé du Capitaine du port de Gibraltar, et autres concernant la Mise en séquestre.

To all to whom this public instrument of Protest shall come : Be it known that on this day, the twenty-second of November, in the year of our Lord One thousand eight hundred and thirty-seven, before me, James Sewell, notary public, by royal authority duly admitted and sworn, domiciled in Gibraltar, came and appeared Mr. Samuel Sananes, of Gibraltar aforesaid, merchant, who then and there declared in the manner and to the effect following, that is to say : That he the appearer is the attorney lawfully constituted of the House of Trade, under the firm or style of John Buschek, of the Austrian imperial city of Trieste, merchant, who is the shipper at Trieste aforesaid, on board the English barque or vessel, called "*Winwick*," whereof William Hodge was master of divers goods, wares, and merchandize for the port of Bahia, in the Brazils, as follows, to wit :—Forty-three packages of beads, marked B ; forty-five packages of beads, marked D E ; two hundred boxes of steel, marked I F v D ; one case of of glasses, marked G B ; fifty bales of paper, marked G B ; ninety-three cases of paper, marked W ; twenty-four packages of olive oil, marked W ; fifteen barrels of wine, marked W ; one hundred barrels of wheat, marked W ; three hundred barrels of flour ; two hundred cases of soap ; one hundred cases of tallow candles ; two hundred and eleven bundles of hoops ; thirty bundles of willow, containing fifty bundles each ; one hundred and fifty-seven pipe oak staves ; and one thousand reams of paper. And the appearer further declared that the said barque or vessel was, on or about the twenty-first day of October last past, taken and seized in the port of Gibraltar by William Henry Shirreff, Esquire, Captain in the Royal Navy, Captain of the port of Gibraltar, and is now proceeded against on an alleged breach of the British laws for the abolition of the Slave Trade. And he also declared that, by the detention of the goods and merchandize hereinbefore enumerated, the same may become damaged, decayed, and greatly injured in value, and that great loss is likely to arise as well by fall of market as by deterioration in quality, by such delay and stoppage of the said vessel in the prosecution of her said voyage to the port of Bahia aforesaid : wherefore he the appearer, on behalf of his constituent the said John Buschek, doth hereby declare to protest against the said William Henry Shirreff, Esquire, the seizer of the said barque or vessel, called "*Winwick*," and whomsoever else it doth or may concern, for all losses, costs, damages, detriments, and expenses that have already arisen, or shall or may arise, be sustained or suffered by the said John Buschek, or his partners in trade, or others concerned, by reason of the seizure and detention of the said vessel as aforesaid. And I, the said notary, at the request of the said appearer, have protested, and by these presents do solemnly protest against the said William Henry Shirreff, and against all and every other person or persons whom it doth, shall, or may concern. And that all the damages, losses, detriments, costs, charges, and expenses occurred or to be occasioned by reason of the premises, should and ought to be borne by those who of right ought to bear and sustain the same ; of all which the said appearer hath requested me, the said notary, to draw this public act to serve and avail the said John Buschek, and all others concerned in time and place convenient. In testimony whereof the said appearer hath hereunto subscribed his name, and I have also set my notarial firm and seal, the day, month, and year first before written.

(Signed)

SAMUEL SANANES. (L. S.)

In testimonium veritatis,

(Signed)

J. SEWELL, Notary Public, Gibraltar.

These are to certify to all to whom it doth or may concern, that the foregoing is a true and faithful copy of the original instrument of Protest, extracted from my notarial register, by me examined and carefully compared therewith. In testimony whereof I have hereunto subscribed my name, and affixed my accustomed seal of office, this fourteenth day of December, One thousand eight hundred and thirty-seven.

In testimonium veritatis,
(L.S.) (Signed) J. SEWELL, *Notary Public, Gibraltar.*

Noi Horatio Sprague, f f di Console Austrian, p. il porto di Gibilterra, cerri-fichiamo ed attestram a chinnique appartrene o puo appartenire he ra firma di J. Sewell, sottoscritto alla copia ariten tria dell' atto di protesto che antecede e' di propria mano di James Sewell, notario publico, in questa piazza di Gibilterra, e che il sigillo annesso a desta copia é il sigillo do desto notario publico, e che si deve dare in gudizio e fuori prena fide e credito a suttu gli atti ed instrumenti, per scritto con firmati ed antenticati.

In testimonio di che' abbiamo firmata il presente col nostro proprio pugono e munito du sigillo consolare in Gibilterra, il 25 do Germao, 1838.

(L.S.) (Signed) HORATIO SPRAGUE, C. f. f.

(Translation.)

We, Horatio Sprague, Austrian Consul for the port of Gibraltar, certify and attest to all whom it does or may concern, that the signature of J. Sewell, who has subscribed the authentic copy of the preceding Protest, is of the own handwriting of James Sewell, notary public, in this fortress of Gibraltar, and that the seal appended to that copy is the seal of that notary public, and that either in or out of Court faith and credit ought to be given to all instruments and acts signed and authenticated by him.

In testimony of which we have signed the present with our own hand, and provided it with the consular seal at Gibraltar, the 25th of January, 1838.

(L.S.) (Signed) HORATIO SPRAGUE, *Consul.*

The Undersigned, Her Britannic Majesty's Consul-General for the Lombardo-Venetian States, and for the Austrian territories on the Adriatic sea, does hereby certify that the foregoing copy of a protest agrees, word for word, with an attested copy of the same, exhibited to the Undersigned, and with which it has been carefully compared.

(L.S.) (Signed) THO. S. SORELL.

Trieste, this 29th day of September, 1840.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signé) NEUMANN.
Londres, le 1 Juillet, 1842.

Seventh Enclosure in No. 123.

Annexe K.—1 Pièce.

Connoissement du bâtiment Toscan, chargé des marchandises retirées du "*Winwick*," ddo. Gibraltar, Mars 14, 1838.

Shipped in good order and condition by Samuel Sananes, of, in, and upon the good ship or vessel called the "*Maria Teresa*," whereof C. Stefano Splivalo is master for this present voyage, and now riding at anchor in the Bay of Gibraltar, and bound for Bahia.

The undermentioned goods being marked and numbered as in the margin, and are to be delivered in the like good order and condition at the aforesaid port of Bahia, the dangers and accidents of the seas and navigation of what kind soever excepted unto Messrs. Buschek and Co., or to

their assigns; paying freight for the said goods as per contract, and five per cent. thereon for primage, with average accustomed. In witness whereof the master or purser of the said ship or vessel hath subscribed to 4 bills of lading, all of this tenor and date; one of which being accomplished, the rest to stand void.

Dated in Gibraltar, March 14, 1838.

(Unknown) Visto dall' Azienda Assce.
pla Solizza No. 105934.

Trieste, li 3 April, 1838.

(Signed) CHAS. PRUCK.

B	13 to 55	Forty-three packages beads.
DF	No. 121/165	Forty-five " "
IFVD	No. 7888 to 8087	Five hundred boxes steel funti 2500 N. W. of Trieste.
GB	" 3741	One box glass containing thirty glasses.
"	" 1 to 50	Fifty bales writing paper with 20 reams each.
W	" 40 to 132	Ninety-three boxes ditto with 20 reams each.
"	" 1 to 24	Twenty-four casks olive oil with funti 16081 gross.
"	" 25 to 39	Fifteen barrels wine wg. " " 3876 "
		One hundred barrels wheat with Staja 150 measure of Trieste.
		Two hundred and ninety-eight barrels flour.
		Two hundred boxes soap tied with cord wg. funti 9056 gross.
		One hundred boxes tallow candles wg. funti 2932.
		Two hundred and eleven bundles chesnut wooden hoops.
		Thirty bundles willows with fifty small bundles in.
		One thousand reams crow paper.
		Forty-one bundles of pipe-staves.

N.B. Two barrels besides the above quantity of flour are in dispute, which, being found on board, will be delivered.

Diu essere STEF. SPLIVALO.

The undersigned, Her Britannic Majesty's Consul-General for the Lombardo-Venetian States, and for the Austrian territories on the Adriatic Sea, does hereby certify that the copy of bill of lading written on the other side hereof, agrees word for word with its original exhibited to the undersigned.

(Signed) THO. S. SORELL.

Trieste, this 12th day of October, 1840.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signed) NEUMANN.

Londres, le 1 Juillet, 1842.

Eighth Enclosure in No. 123.

ANNEXE L.—1 Pièce.

Déclaration de Mr. Thomas Smith, constructeur de vaisseaux à Gibraltar sur la détérioration du "*Winwick*."

Affidavit of Thomas Smith filed attesting the perishable state of the ship or vessel "*Winwick*."

Vice-Admiralty Court of Gibraltar.

Thomas Smith, of Gibraltar, ship-builder, maketh oath and saith, That he knows the British bark "*Winwick*," and that in or about the month

of January, 1838, he carefully examined the said vessel for the purpose of appraising her; that he did so appraise her under the authority of the Court; and that her value then, in his opinion (as then reported to this Court), was eight thousand five hundred dollars; that since that time the said bark hath been anchored within the new Mole, where this deponent hath very frequently seen her. And this deponent further saith, that he had now again examined the said bark, and is of opinion that she had deteriorated in value so as to be worth at least two thousand dollars less than when he last valued her in the year 1838. And this deponent further saith, that such deterioration in value is the natural effect of the lapse of time and exposure to the weather; and he is of opinion that a further exposure to the weather during the ensuing summer would very considerably decrease the value of the said bark "*Winwick*," and the more because the said bark is not now in so good a condition to resist the effects of the weather as she was when he first examined her.

(Signed) THOMAS SMITH.

Sworn before me this 6th day of January, 1839,
BARRON FIELD, *Judge*.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signed) NEUMANN.

Londres, le 1 Juillet, 1842.

Ninth Enclosure in No. 123.

ANNEXE M. 1 pièce.

Déclaration du Capitaine Splivalo, du bâtiment toscan "*Maria Teresa*," sur la détérioration des marchandises à leur arrivée à Bahia.

Déclaration semblable de M. Whately, à Bahia.

Certificat de trois maisons de commerce à Bahia sur les prix courans aux mois de Décembre, 1837, et Janvier, 1838.

Déclaration du Courtier James Dwyer, à Bahia, sur les prix obtenus à la vente publique des marchandises.

Déclaration des experts Charles Graves et F. G. Dunham sur le dessêchement des huiles faisant partie de la cargaison.

Protêt de M. Fr. C. Breisky, associé de M. Buschek, à Bahia, contre la Cour de l'Amirauté à Gibraltar et autres, quant à la saisie et la retenue de tous les papiers du "*Winwick*."

Io sottosinitto Capt. del brig. Toscano "*Maria Teresa*," proveniente da Gibilterra e presentemente ancorato in questo porto di Bahia, dichiaro ed attesto d'avere riconto a Gibilterra da bordo del bark Inglese "*Winwick*," Capt. Wm. Hodge, le seguenti merci che sono le stessè portate dal Med. da Trieste d'invio del Sig. Gio. Buschek cola, dirette ai, Sig. Buschek & Co. à Bahia, civè.

B.	43 Barili con contarie	No.	13 a	55
D. E.	45 ditto.		121 „	165
I F v D.	200 Cassetti acciaio		7888 „	8087
G. B.	1 Cassa con vetri		3741	
d m	50 Ballas carta da scrivere		1 „	50
W	93 Cassa		40 „	132
„	24 Fusti olio d'olive		1 „	24
„	15 Borili vino		25 „	39
„	100 „ formento			
IB	300 „ farina			
SSF				
SABAD	200 Cassetti sapone			
* B o C *				
TRIESTE				

VELAS
* B. C. *
TRIESTE 100 „ candele de sero
1000 Risme di carta strazza
157 Fasci con Doghe Phipe coi rispettiri ierchie venchi.

Formando tutto questo il mio carico portato da Gibilterra qui. Dichiaro innoltre che tutte le sud: merci erano mal condizionate ed averano sofferte a bordo del "*Winwick*" a motivo del lungo soggiorno in ditto bastimento, nonchè della quantità di sorcii eratti che vi si trovarano. In fede di chef, Bahia, li 3 Maggio, 1838.

STEF. SPLIVALO.

These are to certify that the foregoing signature of Stef. Splivalo, master of the Tuscan brig "*Maria Teresa*," is in his own and proper handwriting.

Given under my hand and seal of office, at the British Consulate at Bahia, this 25th day of May, 1838.

(L.S.) (Signed) JNO. WHATELY, *Vice Consnl.*

Da parte di quest' J. R. Consolato Austriaco in Bahia si attesta l'autenticità della qui sopra firma di J. Whately, Vice-Consul Inglese, in questa città.

Bahia, li 12 Luglio, 1838.

(L.S.) (Signed) F. C. BREISKY, *Console.*

We, the undersigned, certify to have surveyed, at the request of Messrs. Buschek and Company, of this city, the cargo landed from the Tuscan brig "*Maria Teresa*," Stef. Splivalo master, from Gibraltar, which we found to be in a worse condition than cargoes usually landed from same port, but not caused by sea damage.

Bahia, May 31, 1838.

(Signed) JNO. BRETON WHATELY AND CO.,
Agents for Lloyd's.

Da parte di quest' J. R. Consolato Austriaco in Bahia si attesta l'autenticità della qui sopra firma di J. Whately, Vice-Consule Inglese, in questa città.

Bahia, li 12 Luglio, 1838.

(L.S.) (Signed) F. C. BREISKY, *Consule int.*

We, the undersigned merchants resident in Bahia, certify that in the months of December, 1837, and January A.C., the market value of the undermentioned articles was as follows, viz. :—

Beads of different colours	Rs. 1 200 per bundle
Milan steel	15 000 per ql.
White paper	2 600 „ ream
Almasso ditto	3 200 „ ditto
Olive oil	4 800 „ Canada
White wine	25 000 „ barrel
Wheat	8 600 „ alg.
Flour	40 000 „ barrel
Italian soap	0 200 „ lb.
Tallow candles	9 500 „ case
Oak pipe staves	8 500 each
Brown paper	1 200 per ream.

At the current exchange of 30 pence per milreis.

Bahia, May 31, 1838.

(Signed) PEDRO PEYCKE AND CO.
WM. AUG. BIEBER AND CO.
J. F. VOGELER AND CO.

These are to certify that the foregoing signatures of Pedro Peycke and Co., Wm. Aug. Bieber and Co., and J. F. Vogeler and Co., are in the true and proper handwriting of the respective resident partners of the said mercantile establishments in this city.

Given under my hand and seal of office at the British Consulate of Bahia, this 8th day of June, in the year of our Lord 1838.

(L.S.) (Signed) JOHN WHATELY, *Vice-Consul*.

Da parte di quest' J. R. Consolato Austriaco in Bahia, si attesta l'autenticità della qui sopra firma di J. Whately, Vice-Console Inglese in questa città.

Bahia, li 12 Luglio, 1838.

(L.S.) F. C. BREISKY, *Console int.*

Sold by public auction on the 7th of May, 1838, by order of, and being present, the Austrian Consul, the cargo of the Tuscan brig "*Maria Teresa*," Stef. Splivalo master, arrived from Gibraltar, and consigned to Messrs. Buschek and Co., deposited in the Trapine do Sal one part, and the other in the Trapine Novo, divided into several lots, viz :—

To Manoel dos Santos	88 packages of beads of different colours, at 500 rs. per bundle.
„ Manoel Ar. Bahia	200 boxes steel, at 8 dols. per quintal.
„ Castro Vianna	1 case panes of glass, per 15 dols.
„ different persons in several lots	50 bales writing paper Almaco, with 93 cases of 20 reams, blue and white, at 2 dols. 200 rs. per ream.
„ Antonio Ber. Ramos	24 casks olive oil, at 3 dols. 800 rs. per Canada.
„ Manoel Fourinho	15 barrels white wine, at 6 dols. per barrel.
„ Meira	100 barrels wheat, at 1 dol.
„ Sebastião J. de Figueredo	300 „ flour, at 12 dols. 100 rs.
„ different persons in several lots	{ 200 „ cases soap, at 120 rs. per lb.
„ Antonio de Mello	{ 100 „ tallow candles, at 7 dls. pr box.
„ A. J. Barboza	157 „ oak pipe staves with hoops and willows, at 3 dols. each.
	1000 reams brown paper, at 640 rs. per ream.

Bahia, May 8, 1838.

JAMES DWYER, *Broker*.

These are to certify that the foregoing signature of James Dwyer, broker, is in his own and proper handwriting.

Given under my hand and seal of office this 28th day of May, 1838, at the British Consulate of Bahia.

(Seal.) JOHN WHATELY, *Vice-Consul*.

Da parte di quest' J. R. Consolato Austriaco in Bahia si attesta l'autenticità della qui sopra firma di J. Whately, Vice-Consul Inglese in questa città.

Bahia, li 12 Luglio, 1838.

(Seal.) F. C. BREISKY, *Console int.*

We, the undersigned, do hereby certify that we have gauged 24 casks of sweet oil, marked W, and landed from on board the Tuscan brig "*Maria Teresa*," S. Splivalo, master, from Gibraltar, and have found the contents to be as follows, viz :—

Marks.	No.	Cont'	Wants.	Liquids.	Marks.	No.	Cont'	Wants.	Liquids.
W	1	88	8	80	W	13	52	3	49
"	2	90	8	82	"	14	49	4	45
"	3	86	10	76	"	15	47	10	37
"	4	88	9	79	"	16	49	7	42
"	5	50	5	45	"	17	30	4½	25½
"	6	47	7	40	"	18	30	4½	25½
"	7	47	6½	40½	"	19	30	4	26
"	8	48	6½	41½	"	20	30	2	28
"	9	48	6	42	"	21	29	8	21
"	10	48	8	40	"	22	29	3	26
"	11	50	8	42	"	23	28	2½	25½
"	12	50	5	45	"	24	31	5½	25½
		740	87	653			434	58	376
							740	87	653
							1174	145	1029 Cans.

Bahia, June 9, 1838.

CHARLES GREAVES.
F. G. DUNHAM.

These are to certify that the foregoing signatures of Charles Greaves and F. G. Dunham, usually employed in gauging in this city, are in their true and proper handwriting.

Given under my hand and seal of office, at the British Consulate of Bahia, this 11th day of June, in the year of our Lord 1838.

(Seal.)

JNO. WHATELY, *Vice-Consul.*

Da parte di quest' J. R. Consolato Austriaco in Bahia si attesta l'autenticità della qui sopra firma de J. Whately, Vice Console Inglese in questa città.

Bahia, li 12 Luglio, 1838.

(Seal.)

F. C. BREISKY, *Console int.*

Be it known to all whom these presents may concern that on this 31st day of May, in the year of our Lord 1838, personally came and appeared before me John Whately, Her Britannic Majesty's Vice-Consul for the city and province of Bahia, Frederick Charles Breisky, partner in the mercantile establishment trading under the firm of Buschek and Company in this city, to protest, and by these presents he doth most solemnly protest, against the Royal Court of Admiralty at Gibraltar, or whomsoever it doth or may concern, in consequence of the want of invoices, letters, and parcels appertaining to the cargo of the British barque "*Winwick*," W. Hodge master, bound from Trieste to this port, she having been detained at Gibraltar by the said Royal Court of Admiralty, and part of the cargo re-shipped on board the Tuscan Barque "*Maria Teresa*," Stef. Splivalo master, which has arrived here without the aforesaid invoices, letters, and parcels, thereby subjecting the cargo to a fine of 1 per cent. extra duty on the custom-house valuation. Now, he, said Frederick Charles Breisky, for himself and on behalf of his partners in the said mercantile establishment of Buschek and Company, as well as all others interested in the said cargo, doth hold the aforesaid Royal Court of Admiralty at Gibraltar, or whomsoever it doth or may concern, responsible for all losses, costs, damages, and expenses which have arisen, or may hereafter arise, in consequence of these presents.

(Signed)

F. C. BREISKY.

In my presence.

(Signed)

JOHN WHATELY, *Vice Consul.*

These are to certify that the foregoing is a true and faithful copy extracted from my book of protests, folio 297, 298, and 299.

Given under my hand and seal of office at the British Consulate of Bahia, on this 13th day of July, 1838.

(Seal.)

JNO. WHATELY,

British Vice-Consul.

(Copia.)

Protocollo.

In questo giorno setti di Maggio, l'anno 1838, otto, in questa città di Bahia, noi sottoscritto F. C. Breisky Imp. Reggii Console Austriaco qui residente, ci siamo recati a richiesta della casa Buschek & Co., nei pubblici Magazini denominati Trapin Sal e Trapix Novo, per assistere e presiedere all'incanto publico annunciato per quest'oggi nei pubblici giornali delle merci qui giunte da Gibilterra col brig. Toscano "Maria Teresa," Cap. Sto. Splivalo Trovandosi presente dei compratori in questo momento ore undici e mezza anti meridionli, ordiniamo a James Dwyer publico sgrida-tore di passare alla vendita al maggior offerente, e ne resulta, che compen.

Manoel dos Santos	B 13—55 DE 121—165	Ottant otto colli contarie di diffirenti colori alla più alta offerta di cinque cento reis per Mazzo.
Manoel Ant° Bahia	IF & D 7888—8087	Due cento cassette acciaio alla più alta offerta di otto mila per cantoro di qui.
Castro Vianna	GB 3741	Ungle cassa lastre di vetro, per quindici mila reis l' intiera cassa.
Sebast° I. de Figueredo	GB 1—50	Cinquanta balle carta da scrivere alla più alta offerta di due mila due cento reis per Risma.
Mamelo & Irmao	W 40—89	Cinquanta casse carda da scrivere alla più alta offerta di due mila due cento reis per Risma.
Ant° I ^{gm} Xavier	W 90—132	Quaranta tre casse carta da scrivere alla più alta offerta di due mila due cento reis per Risma.
Ant° B ^{do} Ramos	W 1—24	Ventri quattro fusti olio d' oliva alla più alta offerta di tre mila otto cento reis per Canada.
Manoel T. Tourinho	W 25—39	Quindici barili vinho alla più alta offerta di otto mila reis per Baile.
Seque.		
Meira		Cento barili formento in pessimo stato alla più alta offerta di mille reis per Barile.
Sebast° I. de Figueredo	1B F SSF	Tre cento barili farina di formento alla maggiore offerta di dodici mila cento reis per Barile.
F ^{co} Rocha	SABAO * B & C * TRIESTE	Due cento Cassette sapone alla maggiore offerta di cento venti reis per una libra.
F ^{co} L. Coelho de Pinho	VELAS * B & C * TRIESTE	Cento casette candele di sevo alla maggiore offerta di sette mila reis per casetta.
Ant° de Mello		Cento cinquanta setti fusti in tanti fasci doghe di revere con berchi e venchi alla maggior offerta di tre mila reis per fusto.
A. J. Barboza		Mille risme carta strazza alla maggior offerta di sei cento quaranta reis per Risma.

Non essendo altrod' essebirsi, si chinde questo protocollo nel di quì sopra.

(L.S.)

(Sig.)

F. C. BREISKY,
Console Int.*Sino qui Copia.*

Per servire ove spetta e di diretto fù estrata dai nostri libri Consolari la Copia precedente dell' incanto publico fattosi in nostra presenza e colla nostra intervensione delle merci ex "Maria Teresa," Capt. Sto. Splivalo, provenienti da Gibilterra e dichiarasi cioltre, che alla consegna abbiani rinvento nei.

- 88 Colle Contarie, vente due mila nove cento trenta quattro Mazzi Contarie diverse.
- 200 Cassette Sapone, nove mila cento sessanta libre di quì Sapone.
- 50 Ball Carta mille Risme Carta da Scrivere.
- 93 Casse Do. mille otto cento Sessanta Risme Carta da scrivere. Seque.
- 1 Cassa Vetri trenta lastre di Vetro dei quali nove rotti.
- 200 Casse Acciajo netto due cento quaranta quattro Cantara e otto libre di quì Acciajo in verghi.
- 24 fusti Olio com mille venti nove Canadas.

Tanto nè più nè meno è stato consegnato ai rispettivi compratori, come pure tutti li altri colle in quel stato che si trovavano. In fede di che cilasciamo quest atto firmato di propri nostro pugno munito del sugello Consolare.

Bahia, il di 12 Giugno 1800, trenta otto.

(Seal)

F. C. BREISKY,
Consule Int.

These are to certify that the foregoing signature of F. C. Breisky, Austrian Consul for this city, is in his own and proper handwriting.

Given under my hand and seal of office of Bahia on this 13th day of July, 1838.

(Seal)

JNO. WHATELY,
Brit. Vice-Consul.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signé)

NEUMANN.

Londres, le 1 Juillet, 1842.

(Translation.)

I, the Undersigned, captain of the Tuscan brigantine "*Maria Teresa*," arrived from Gibraltar, and now at anchor in this port of Bahia, declare and attest having received at Gibraltar from the English barque "*Winwick*," Captain Wm. Hodge, the following goods, being the same that he brought from Trieste, they having been consigned by M. John Buschek at that place to the address of Messrs. Buschek and Co., at Bahia, namely:—

B.	43 Barrels of beads of different colours	No.	13—55
D. E.	45 " " "		121—163
I F. D.	200 Small boxes of Milan steel		7888—8087
G. B.	1 Box of glass wares		3741
	50 Bales writing-paper		1—50
W.	73 Boxes do.		40—132
"	24 Butts of olive-oil		1—24
"	15 Barrels of wine		25—39
"	100 " wheat		
	300 " flour		
	200 Boxes of soap		
	100 " tallow candles		
	1000 Reams of brown paper		
	157 Bundles of oak pipe staves with their respective hoops.		

All which compose my cargo carried from Gibraltar to this port. I declare furthermore that all the above goods were in bad condition, having suffered on board the brig, from being left so long in the said vessel, as well as from the multitude of rats and mice therein. In faith whereof, &c., &c.,

STEF. SPLIVALO.

Bahia, 3 May, 1838.

(Mr. Whately' certificate.)

The authenticity of the preceding signature of J. Whately, the English Vice-Consul in this city, is hereby attested on the part of this Imperial and Royal Consulate of Austria.

(L. S.) F. C. BREISKY, *Consul.*

(Second certificate of Whately.)

Austrian verification of his signature, verbatim as above, and signed by Breisky.

Bahia, 12 July, 1838.

Mr. Vice-Consul Whately's third certificate is verified by a third Italian attestation of the Austrian Consul Breisky, under date of the 12th July, 1838, in exactly the same terms as above.

Mr. Vice-Consul Whately's certificate is for the fourth time verified by the Austrian Consul Breisky, and in precisely the same wording as before.

The fifth Austrian verification of Mr. Whately's signature differs in nothing from the preceding.

(Translation.)

" *Protocollo.*"

Minute.

This 7th of May, 1838, in this city of Bahia, we the Undersigned F. C. Breisky, Imperial and Royal Austrian Consul, here residing, did at the request of the house of Buschek and Co., repair to the public warehouses, which go by the name of Trapin Sal and New Trapin, in order to attend and preside at the public sale advertised in the public Journals for this day, of the goods brought hither from Gibraltar by the Tuscan brig "*Maria Teresa*," Captain Stephen Splivalo, purchasers having assembled at this moment, to wit, at half-past eleven o'clock in the forenoon. We directed James Dwyer, the public auctioneer, to commence selling to the highest bidder, and it appears that the following were the buyers, viz. :

Manoel dos Santos bought B. 13—55, D. E. 121—165, 88 packages of beads of different colours at 500 reals per bundle.

&c. &c. &c. &c.

(Of the whole of this "*Protocollo*" there is an exact English translation in the sequel of the original, commencing "*Sold by Public Auction.*")

The Italian Protocol end thus :

There being nothing else to state, this Protocol is herewith concluded on the day specified before.

(L. S.)

(Signed)

F. C. BREISKY, *Consul.*

For the purpose of answering the needful and legal ends, we caused to be transcribed from our Consular books the preceding certificate of the public sale, which took place in our presence and with our intervention, of the goods found in the "*Maria Teresa*," Captain Stephen Splivalo, and coming from Gibraltar, and it is declared moreover, that on the delivery there were found in the

In 88 packages of beads of different colours, 22,934 bundles of them.

In 200 cases of soap, 9160 pounds of the same.

In 50 bales of writing paper, 1000 reams.

In 93 cases of do., 1860 reams of the same.

In 1 case of panes of glass, thirty panes, whereof nine were broke.

In 200 boxes of steel, exactly 244 "*Cantara*," and eight pounds of bars of steel.

In 24 casks of olive-oil, 1029 "*Canadas.*"

Thus much, and neither more or less, was delivered to the respective bidders, as also all the other packages in the condition that they were found. In witness whereof we make out the present minute, signed with our own hand and furnished with our Consular seal.

(L. S.)

F. C. BREISKY, *Consul.**Bahia, June 12, 1838.*

Tenth Enclosure in No. 124.

ANNEXE N, 2 pièces.

Compte en dommages et intérêts de M. Jean Buschek pour la somme de 6488*l.* 9*s.* 9*d.*

Lit^d A.

Net amount of the sales of the cargo per English bark, "*Winwick*," William Hodge, Master, bound from Trieste to Bahia, arrested at Gibraltar, October 21, 1837, and re-shipped there for Bahia, March 14, 1838, on board the Tuscan brig "*Maria Teresa*," St^o Splivalo, Master, and which the same would have fetched if the bark "*Winwick*" had arrived in good time, and delivered the goods in good condition.

		Rs.	
B 18-35 }	43	Packages containing 22,934 bundles of beads of different colours,	
DE 121-165 }	45	at 1,200 per bundle	27,520 800
IF & D 7888-9067 }	200	Boxes steel, net weight, 244 cwt. 8 lb.; 15,000 Rs. per cwt.	3,663 750
GB 3741 }	1	Case panes of glass	15 0
GB 1-50 }	50	Bales writing-paper, 20 reams each; reams 1,000; 2,600 per ream	2,600 0
W 40-122 }	93	Cases writing-paper almasso, 20 reams each; reams 1,860; 3,200 per ream	5,952 0
W 1-34 }	24	Casks olive oil gauged as per certificate; canadas 1,174; 4,800 per canada	5,635 200
W 25-39 }	15	Barrels white wine, 25,000 B ^v	375 0
W	100	,, wheat, 3 alqueires each; alg ^o 300; 8,600 per alg ^r	2,580 0
IB F SSF }	300	,, Flour; 40,000 per b ^o	12,000 0
SABAO * B & C * TRIESTE }	200	Cases soap; weight of Vienna 9,056 lbs. as per bill of lading, regulated at 83 per fo. ; 10,911 lbs. 9 rs. weight of Bahia. Tare 1,840 Net Tare 9,431 lbs. at 200 per lb.	1,886 200
VELAS * B & C * TRIESTE }	100	,, tallow candles; 8,500 per c.	850 0
	1000	Reams brown paper; 1,200 per ream	1,200 0
	157	Casks in oak pipe staves, hoops, and willows, 8,500 per cask	1,334 500
			Rs. 65,612 450

At the exchange of 30*d.* per 1000 Rs. £. 8201 11½

Value December 12, 1837, calculating a regular voyage of more than fifty days from October 21, 1837, when the "*Winwick*" was arrested at Gibraltar, to December 12, 1837, her supposed arrival at Bahia.

Lit^d B.

Account Sales of the cargo per English bark, "*Winwick*," William Hodge, Master, bound from Trieste to Bahia, arrested at Gibraltar, and there re-shipped for Bahia on board the Tuscan brig, "*Maria Teresa*," St^o Splivalo, Master, here arrived, and after proper advertisements sold by public auction, in presence, and under the superintendency of the Austrian Consul, viz.

		Rs.	
B 13-55 }	43	Packages containing 22,934 bundles of beads of different colours,	
DE 121-165 }	45	at 500 per bundle	11,467 0
IF & D 7888-9067 }	200	Boxes steel, net weight 244 cwt. 8 lb., at 8,000 per cwt.	1,954 0
GB 3744 }	1	Case panes of glass	15 0
GB 1-50 }	50	Bales writing-paper with 20 reams each; reams 1,000 do. 1,860	
W 40-122 }	93	Cases do. do. do. 2,860, at 2,200 per ream. } Reams	6,292 0
W 1-24 }	24	Casks olive oil gauged as per certificate; Canadas 1,029, at 3,800 per Canada	3,910 200
W 25-39 }	15	Barrels white wine, at 8000 per barrel	120 0
W	100	,, wheat eaten by maggots, at 1000 per barrel	100 0
IB T SSF }	300	,, flour, at 12,100 per barrel	3,630 0

SARAO B & C TRIESTE	200 Cases soap, net weight 9,160 lbs., at 120 per lb.	1,099	200
VELAS B & C TRIESTE	100 „ tallow candles, at 7,000 per f.	700	0
	1000 Reams brown paper, at 640 per ream	640	0
	41 Casks in oak paper staves, hoops, and willows		
	116 „ by the Sardinian bark, "Temistocle," 157 } casks } at 3000 per cask	471	0
		<u>Rs. 30,398</u>	<u>400</u>

Charges.

Freight from Trieste to Gibraltar and Bahia, as per charter party with Captain Hodge, Master of the "Winwick" £300 0 0
Freight for goods shipped at Gibraltar on board the "Winwick," for Bahia, and discharged after she has been arrested, viz.—

By Mr. Sananes, several goods	Tons. cwt.	
	29	3½ 20
10 cases paper	2	10
G. Passaband, several goods	22	18

At the freight of 2l. 10s. per cent. primage Tons 54 11½
120 1 4
Rest of the freight £179 18 8

To pay for the goods shipped at Trieste at the exchange of 30d. per 1000 Rs. Rs. 1,439 467

For what has been paid on freight from Gibraltar to Bahia, as per charter party, with St° Splivalo, Master of the Tuscan brig, "Maria Teresa"

Dollars.
1,100, and
110 for 10 per cent. primage.

1,210, at the exchange of 1690 Rs. per dollar, and for 116 casks in oak pipe staves, 7 $\frac{7}{10}$ tons at 10 per cent. per ton, and 10 per cent. primage, shipped per the Sardinian bark, "Temistocle."

84.70, at the exchange of 1670 Rs. per dollar.

1,294.70, together with 2,162 149

Difference	Rs. 722 682
Fee of the public auctioneer, Rs. 30,396 at 2½ per cent.	759 900
Penalty to the Custom-house for the want of invoices	235 358
Certificates, attestations of English consul, several disbursements, postages, &c.	218 320

Commission for the disbursements, 5 per cent.	Rs. 1936 260	96 813
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20,33 073

Net proceed Rs. 28,365 327

At the Exchange of 29d. per 1000 Rs. (Value June 12, 1838) £ 3,427 9 6

Final Account of the cargo per English bark "Winwick," Wm. Hodge, master, bound from Trieste to Bahia, arrested at Gibraltar the 21st of October, 1837, and reshipped there to Bahia the 14th of March, 1838, on board the Tuscan brig "Maria Teresa," St° Splivalo, master, viz.:—

Net proceed as per account, Lit ^d A, value December 12, 1837	£. s. d.	8,201 11 2
Interest from December 12, 1837, to June 12, 1838, six months, at the Brazilian rate of 1 per cent. per month		492 1 10
Value June 12, 1838	£8,693 13 0	
Net proceed as per account, Lit ^d B, value June 12, 1838		3,427 9 6
Difference due June 12, 1838	£5,266 3 6	
Interest, 4 years, from June 12, 1838, to June 12, 1842, at the rate of 5 per cent. per annum		1,053 4 8
Carried forward	£6,319 8 2	

		£.	s.	d.
	Brought forward		6319	8 2
Expenses at Gibraltar, as per account due February 12, 1839	Dlrs. 683 3 14			
Interest, 3 years and 4 months, from February 12, 1839, to June 12, 1842, at 5 per cent.	113 10 8			
	Dlrs. 797 2 6			
At the exchange of 51d. per dollar		169	1 7	
Loss up to June 12, 1842		£6,488	9 9	

Trieste, April 25, 1842.

P. P.—GIO. BUSCHEK.
GIO. FIGLIO.

Le Soussigné, Envoyé Extraordinaire et Ministre Plenipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

NEUMANN.

Londres, le 1 Juillet, 1842.

CUENTA de los gastos ocasionados y desembolsados por ni en los teneros precedentes con la baria Inglese "*Winwick*," Capt. W. Hodge, de destino de Trieste a Bahia los qualos generos fueron transbordados en esta badia a cordo del bergn. Toscano "*Maria Teresa*," Capt. Estefano Splivalo, para seguir su destino a Bahia a la consignarion de los Sieurs Buschek & Co., haviendo embolsa dome el Sieur Gio. Buschek, de Trieste, el amonte de I gastos los que son como signé, a saver :—

1837, Oct. 20.—Per entrigado al referido Capt. Hodge, a cuenta	Dol.			
I plete signo recibo	100	0	0	
" " Pagado al estibador plos generos cargados on esta conel do " <i>Winwick</i> "	4	6	0	
1838, Mar. 15.—Per Regalisamento de Consulos Austriano y Brasilero en copia de protestos remitidos fiure	3	0	0	
Mar. 19.— " Tormala de travajadores empleados para trasbordá los dr. generos de cordo a cordo in 14 dias siljio recibo	154	7	8	
" " Bariasas p. asistencia del do. trasbordo y p. embargo de um resto duelas de pipas, 116 masos expedidas un el brigin Sardo " <i>Temistocle</i> ," Capt. Bollo	17	6	0	
" " Clavos p. lagas de lebo quinto p. papel de estrase y bitum p. botas de azeite	1	10	4	
" " Gartos del Consulado Brasilero p. manifesto del " <i>Winwick</i> " cargo, &c., in Gibraltar pagado solamente larmihed	11	6	0	
Dec. 24.—Cuenta del letrado p. gastos judiciales su asistencia y escriterra segun recibo	207	7	8	
" " Portes de cartar conterrentes documentos	2	10	2	
" " Mi comision p. trasbordo y atendencia sobre el valor del cargo emportante segun par sura de Trieste, f. 37,145 14, a 126 per doll. as %	176	10	8	
" " Regalisamento del Consul Austriano en copia del deireso de corte remitido a Trieste y en la presente cuensa	3	0	0	
	Dlrs. 683	3	14	

Gibraltar, 12 Pebrero, 1839.

(Signed) SAMUEL SANANES.

Noi Horatio Sprague, agente Console Austriaco p il porto di Gibilterra, certifichiamo ed attestiamo a tutti e a chiunque appartenga o possa appartenere che la addicho apposta firma de Samuel Sananes appied del dicho conto de

sperè e stata fatta in nostra presenza da Samuel SANANES negoziante in questa piazza e di seu proprio pugno.

In testimonio de che abbiamo firmato il presente e murito del sigillo consolare in Gibilterra, le 22 Febbrajo, 1839.

(L. S.)

(Signed)

HORATIO SPRAGUE.

The undersigned, Her Britannic Majesty's Consul-General for the Lombardo-Venetian States and for the Austrian Territories on the Adriatic Sea, does hereby certify that the writing on the other side hereof and above is a faithful copy of an original account and attestation exhibited to the undersigned, and with which it has been carefully compared.

(Signed)

THOMAS S. SORELL.

Trieste, this 29th day of September, 1840.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signed)

NEUMANN.

(Translation from a very incorrect Spanish original.)

BILL of the expenses occasioned to and disbursed by me, on account of the goods proceeding from the English brig "*Winwick*," Captain W. Hodge, shipped at Trieste for Bahia, which goods were transhipped in this bay on board the Tuscan brig "*Maria Teresa*," Captain Stephen Splivalo, appointed to pursue the voyage to Bahia, and to deliver the cargo to Messrs. Buschek & Co., I having been reimbursed by Mr. George Buschek, of Trieste, the amount of the expenses, which are the following, viz.—

	Dol.
1837, Oct. 20.—Paid to said Captain Hodge, on account of freight against his receipt	100 0 0
" " To the stower of the goods laden on board the " <i>Winwick</i> "	4 6 0
1838, Mar. 15.—Paid fees to the Austrian and Brazilian Consuls for copies of protests made out by them	3 0 0
" Paid wages to workmen employed in transferring the goods from one vessel to the other during 14 days	154 7 4
" " For assistance in transshipping the goods, and for transferring a remnant of the pipe-staves, being 116 bundles, to the Sardinian brig " <i>Temistocle</i> ," Captain Bollo	17 6 0
" " Nails for boxes of tallow, brown-paper, and fossil-pitch for oil-casks	1 10 4
" " Expenses at the Brazilian Consulate for the manifest of the " <i>Winwick</i> " cargo, and half as much at Gibraltar	11 6 0
Dec. 24.—Paid lawyer's bill for judicial expenses, his attendance and document, according to his receipt	207 7 8
" Postage for letters enclosing documents	2 10 11
" My commission for seeing the cargo shifted and examination of it, calculated on its value, amounting, according to the invoice of Trieste, to f. 37,145 14, at 126 per dollar and a half	176 10 8
" " Fee to the Austrian Consul for copy of the decree of court sent to Trieste, together with the present account	3 0 0

Dollars . . 683 3 14

Gibraltar, Feb. 12, 1839.

SAMUEL SANANES.

We, Horatio Sprague, officiating as Austrian Consul for the port of Gibraltar, certify and attest, to all whom it either concerns, or may concern, that the above signature of Samuel Sananes, at the foot of the bill of expenses, was written in our presence by Samuel Sananes, merchant, in this fortress, with his own hand.

In testimony of which we have signed the present, and affixed the consular seal to it at Gibraltar, February 12, 1839.

(L. S.)

(Signed)

HORATIO SPRAGUE.

Eleventh Enclosure in No. 123.

ANNEXE O. 2 pièces.

Décès de Sa Majesté l'Empereur d'Autriche, concernant le Commerce des Esclaves, daté du 7 Août, 1826.

Certificat délivré par le Gouvernement de la Basse-Autriche à M. Natterer, sur l'affranchissement des trois nègres.

Decree of the Austrian Government relating to the Slave Trade, 7th August, 1826.

Circulaire du Gouvernement de l'Archiduché d'Autriche touchant le Commerce des Esclaves, et les mauvais traitemens qu'on leur aurait fait éprouver.

SA Majesté Impériale et Royale, par décret de la chancellerie de cour du 26 de ce mois, dans le but d'empêcher le Commerce des Esclaves, principalement de la part de sujets Autrichiens, ou sur vaisseaux Autrichiens, et de protéger les esclaves contre les mauvais traitemens, en conformité avec les lois Autrichiens en vigueur (et spécialement le paragraphe 16 de la loi civile, qui ordonne que tout homme, par droit de nature, sanctionné par la raison, soit considéré comme une personne, et *prohibe dans les états Autrichiens l'esclavage*, ou l'exercice d'une violence qui tendrait au même but; et le paragraphe 78 de la première partie du code pénal, qui déclare crime de violence publique tout empêchement à l'usage de la liberté individuelle), et par suite de la resolution du 25 Juin, 1826, a daigné décréter et ordonner ce qui suit :

I. *Tout esclave devient libre du moment où il touche le sol, ou même un vaisseau Autrichien, un esclave même à l'étranger, reçoit également la liberté à l'instant où il est remis, à quelque titre que ce soit, à un sujet Autrichien.*

II. Tout sujet Autrichien qui apporterait obstacle à l'usage de la liberté individuelle de l'esclave qui lui aurait été remis, ou l'aurait aliéné de nouveau soit sur le sol Autrichien ou à l'étranger, tout capitaine de vaisseau Autrichien qui se chargerait du transport d'un ou de plusieurs esclaves, ou mettrait obstacle par lui-même ou par d'autres à l'usage de la liberté individuelle acquise à celui qui serait venu sur son vaisseau, commettrait le crime de violence publique, et serait puni, aux termes des paragraphes 78 et 79 du livre 1er du code pénal, d'un an à cinq ans de prison dure. Si un capitaine de vaisseau Autrichien, ou tout autre sujet de Sa Majesté Impériale et Royale, exerçait un commerce continu des esclaves, ou qui y eût rapport, la peine pourrait être élevée à 10 ans, et même, suivant les circonstances aggravantes, à 20 ans.

III. Comme, aux termes du paragraphe 4 du livre 1er du code pénal, le crime existe par la méchanceté du malfaiteur indépendamment de la condition de celui sur lequel il est exercé, le sujet Autrichien qui porterait atteinte à la liberté corporelle d'un esclave d'une manière quelconque réputée délit ou crime par les lois Autrichiens, encourrait les peines que le livre 1er du code pénal pronome en pareil cas.

IV. Des sérices moindres exercés par un sujet Autrichien envers un esclave, seraient, conformément au paragraphe 173 du livre 2e du code pénal, punis d'une amende de 5 à 100 florins, ou de trois jours à un mois d'arrêts. En cas de récidive, ou si les sérices exigeaient plus de rigueur, on pourrait ajouter aux arrêts, le jeûne, ou une réclusion plus rigoureuse.

V. Les présentes dispositions sont aussi applicables aux prisonniers de guerre,

qui sont traités comme esclaves par la partie belligérante au pouvoir de laquelle ils sont tombés.

VI. Les étrangers qui se rendraient coupables du crime de violence publique, ou des autres délits ci-dessus spécifiés, envers un esclave, soit sur le territoire des états Autrichiens, soit sur un vaisseau Autrichien, seraient, conformément au principe général exprimé au paragraphe 31, livre 1er du code pénal, passibles des mêmes peines que les sujets Autrichiens. Les étrangers qui, après s'être rendus coupables de pareils crimes à l'étranger, viendraient à toucher le sol Autrichien, seraient, aux termes des paragraphes 33 et 34, du livre 1er du code pénal, arrêtés pour être remis au Gouvernement du pays où le crime ou délit a été commis.

Si l'on refusait de le recevoir, on procéderait contre ces étrangers, conformément aux dispositions du code pénal Autrichien, et l'on ajoutera toujours le bannissement après l'expiration de la peine. Dans les cas où les lois du pays où le crime ou délit a été commis, prononceraient une peine moindre que celle portée par les lois Autrichiennes, on suivra les dispositions de la moins rigoureuse.

Vienne, le 27 Août, 1826.

(Signé) AUGUSTIN REICHMANN,
Baron de Hochkirchen, Président du Gouvernement.
E. COMTE DE HOYOS,
Conseiller de Gouvernement et Directeur de Chancellerie.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

Londres, le 1 Juillet, 1842.

(Signé) NEUMANN.

By the Imperial Royal Government of Lower Austria :—

ON your memorial, dated the 24th of May and 26th of June of this year, it is hereby testified to you that, according to the existing laws in vigour in the Imperial Royal dominions, the three black persons, respectively of the names—José from the Mina country in Central Africa, Candido from the Mozambique in East Africa, and Lauriana of Villa vos Manaos), whom you brought from the Brazils to Vienna as your servants, and whom you sent back to this country by the English vessel "*Winwick*" to Bahia, had to be considered, from the moment of their entrance into the territory of the Imperial Royal Austrian empire, as free human beings, and no more as slaves, in any manner whatsoever, and consequently equally as such at their embarkation to Bahia.

Vienna, the 6th of August, 1841.

(L. S.)

(Signed) LAGO.

The genuineness of the above document from the Imperial Royal Government of Lower Austria, is hereby certified by the Aulic Privy Chancery of State.

Vienna, the 9th of August, 1841.

(L. S.)

(Signed)

BARON LEBZELTERN COLLOMBACH.

(Copy.)

The Undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary, hereby certifies the above signature of Baron Lebzelttern Collombach.

Vienna, August 9, 1841.

(L. S.)

(Signed)

BEAUVALE.

*M. Natterer,
&c. &c.*

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A. près S. M. Britannique, certifie que la présente copie est conforme à l'original.

Londres, le 1 Juillet, 1842.

(Signed) NEUMANN.

Twelfth Enclosure in No. 123.

ANNEXE P.—1 Pièce.

Déclaration du Chevalier Da Cunha, Ministre du Brésil à Vienne concernant l'affranchissement des trois Nègres.

The Undersigned, Minister of His Majesty the Emperor of Brazil at the Court of His Imperial, Royal, and Apostolic Majesty, certifies that by his existing laws in vigour in the empire of Brazil, every slave who lands in Europe, or in any other free country, becomes free by this very fact, and is considered as such on his return to the Brazils, except he had left the empire without permission or consent of his owner.

In faith whereof, and at the request of M. Natterer, Natural Historian of His Majesty the Emperor of Austria, the Undersigned has caused to be delivered to him the present Declaration, in original and duplicate, to serve where need be, and he has caused the seal of the Imperial Legation to be affixed thereto.

Done at Vienna, this 9th day of January, 1838.

(L. S.)

(Signed) THE CHEVALIER DA CUNHA.

The Privy Aulic and State Chancery certifies as genuine the signature on the other side of the Chevalier da Cunha, Minister Resident of His Majesty the Emperor of Brazil at the Court of Austria.

(L. S.) (Signed) FRANÇOIS BARON DE LEBZELTERN COLLOMBACH,
Aulic Councillor.

Vienna, the 10th of January, 1838.

Sir Frederick Lamb, Her Britannic Majesty's Ambassador at the Court of Vienna, certifies the above Signature.

(L. S.)

(Signed) F. LAMB.

Vienna, 10th January, 1838.

The Undersigned, Her Britannic Majesty's Consul-General for the Lombardo-Venetian States, and for the Austrian territories on the Adriatic sea, does hereby certify that the above certificate agrees, word for word, with its original, exhibited to the Undersigned, and with which it has been carefully compared.

(L. S.)

(Signed) THO. S. SORELL.

Trieste, this 29th day of September, 1840.

Le Soussigné, Envoyé Extraordinaire, et Ministre Plénipotentiaire de S. M. I. et R. A., près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signé) NEUMANN.

Londres, le 1 Juillet, 1842.

Thirteenth Enclosure in No. 123.

ANNEXE dd.

Prestation de serment par M. Buschek, devant le Tribunal de Commerce,
à Trieste.

In plenar Assembly of the Magistrates of the Imperial and Royal
Court of Commerce and Bills of Exchange and Maritime
Affairs.

Trieste, May 22, 1841.

Johann Buschek, merchant of this place, has prayed in his petition, dated the 8th of May of this year, No. 2926, to be admitted for the confirmation, on oath, of certain matters relating to his claim for compensation against the Government of Great Britain, on account of the loss sustained by him from the seizure of the English brig "*Winwick*," Captain W. Hodge, accused of Slave Trade, and which is considered requisite for the purpose of obtaining satisfaction of his claims.

For this end, this present day having been fixed, the said Johann Buschek appeared by virtue of the summons issued, and after having been admonished as to the importance of an oath, and the consequences of perjury, made oath according to the following form:—

I, Johann Buschek, swear to God Almighty, that it was altogether unknown to me that the three negroes, embarked as passengers on board the English brig "*Winwick*," on their return to Brazil, were slaves, or that they could be made slaves in Brazil; that I had absolutely no interest or profit whatever in the embarkation of these negroes, who, by the laws of Austria, were as free as every other Austrian subject; that the British Consul in Trieste authorized William Hodge, the British master of the vessel, as a British subject, by his signing the ship's roll, in which these negroes were registered as passengers provided with regular passports to Brazil for their journey; and that I, the swearer, as merely the freighter of goods, and a foreign subject, in a foreign country, cannot be made accountable, nor can I suffer any loss from any act caused exclusively by proceedings of British subjects. So help me God.

(L. S.) (Signed) JOHANN BUSCHEK.

Drawn up and concluded.

(L. S.) (Signed) BOSCHAU, Imp. Royal Actuary.

In conformity with the prayer of the 8th of May of this year, No. 2626, the present office copy of the enrolled oath, as taken by the petitioner, Johann Buschek, is delivered to him.

By the Imperial Royal Court of Mercantile Affairs and Bills of Exchange.

(L. S.) (Signed) DE POTZENHARDT.

Trieste, 26th May, 1841.

(Copy.)

The Undersigned, Her Britannic Majesty's Consul-General for the Lombardo-Venetian States, and for the Austrian territories on the Adriatic sea, does hereby certify that the signature "*De Potzenhardt*," at the foot of the preceding page, is the hand-writing of Monsieur Francis de Potzenhardt, acting Registrar of the Mercantile and Maritime Court of Justice of this city.

(L. S.) (Signed) THO. S. SORELL.

Trieste, this 27th day of July, 1841.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de S. M. I. et R. A., près S. M. Britannique, certifie que la présente copie est conforme à l'original.

(Signé) NEUMANN.

Londres, le 1 Juillet, 1842.

No. 124.

The Earl of Aberdeen to Sir Robert Gordon.

SIR,

Foreign Office, September 16, 1842.

I HEREWITH transmit to your Excellency a copy of a Despatch, and of its Enclosure, which I have received from Her Majesty's Consul General at Tunis, reporting the arrival at that place of four Georgian female slaves, in an Austrian vessel, named the "*Febo*," Nicolo Zaar, master.

It appears that these slaves were brought from Tripoli by sea, the introduction by land of persons in their condition having been forbidden; but the attempt to import them as slaves was frustrated by the Bey, who caused them to be furnished with a public act, signed by his Highness, by which they were declared to be free.

I have to instruct your Excellency to represent this matter to the Austrian Government, and to request that they will take measures to prevent a repetition of such proceedings on the part of the masters of Austrian merchant vessels.

I am, &c.

(Signed) ABERDEEN.

His Excellency Sir Robert Gordon, G.C.B.,
&c. &c. &c.

Enclosure in No. 125.

Sir Thomas Reade to the Earl of Aberdeen, August 1, 1841.

(See Class D., No. 79.)

No. 125.

The Earl of Aberdeen to Baron Neumann.

Foreign Office, October 1, 1842.

THE undersigned, &c., has the honour to acknowledge the note which Baron Neumann, &c., addressed to him on the 1st of July last, supporting, on the part of an Austrian merchant, owner of goods shipped on board the British vessel "*Winwick*," a claim for indemnification for losses alleged to have been sustained by him through the sequestration of that vessel when having on board the goods in question.

Her Majesty's Government having had under their consideration the circumstances as detailed in the above mentioned note, the undersigned has now the honour to acquaint Baron Neumann that the facts of this case appear briefly to be these:—

That in the month of July, 1837, M. John Buschek, an Austrian subject, on whose behalf the present application is made, freighted the British brig "*Winwick*," Hodge master, for a voyage from Trieste to Bahia, touching at Gibraltar; that M. Natterer, a person attached to the Museum of Natural History at Vienna being desirous of sending back to Brazil two negro men and a mulatto woman, whom he had brought in the year 1835 *via* London to Vienna, obtained passports for them from the Brazilian Minister at Vienna, and sent them to Trieste, consigned to the care of M. Neumann, director of the Post Office in that town, with instructions to him to provide them a passage on board the "*Winwick*;" that M. Neumann accordingly, through the intervention of M. John Buschek himself, contracted with the master of the "*Winwick*" to take the two negroes and mulatto to Brazil for the sum of 50*l.*, which sum was paid by M. Buschek, and the passport having been inspected at the British Consulate, the three individuals were embarked on board the "*Winwick*."

It appears that M. Natterer gave certificates of freedom for the two negroes, and sent such certificates enclosed in a letter to Messrs. Buschek and Co. in Bahia, with directions to deliver them to the negroes on their arrival in Bahia.

But it does not appear that any certificate of freedom was given for the

mulatto woman; but M. Natterer, in a letter addressed by him to Messrs. Buschek and Co. on the 13th of August, 1837, declares her to be "a Capeiza named Lauriana, born at Rio Negros; that she belongs to Manoel Gonsalves Laureiro the son, of Para, who is his godfather, and who transferred her to him for the service of his wife and child for want of another; that at the last invasion of Para he fled with his family on board the "Racehorse," and took Lauriana with him; that, as then he could no longer deliver her, as soon as he set out on his voyage to Europe in an English vessel, he took her with him to Europe, and as M. Laureiro had not replied to several letters in which he had offered to pay the price of this person, and as she did not wish to remain in Europe, he requests M. Buschek to send her by the packet-ship in the cheapest way to Para, to M. Laureiro, or in his absence to the French Consul, M. Denis Cronen; that not knowing the Brazilian law in regard to such slaves as are taken out of the country, that in case they may become free within a certain time which they may pass with their master out of the Brazils, M. Buschek should *not* send her to Para, for that would only increase his expenses unnecessarily, since he should still have to pay the value of the mulatto woman to M. Laureiro, which he thought to save by sending her back to him, and in that case only to have to pay him for the hire during the time she was with him in Europe. That, therefore, if the mulatto woman be free by the laws, he should let her go whither she liked, and should give her five milreis; but that if she could be given back he should send her to Para to M. Laureiro, and should place the charges to his account, which he accordingly would pay to M. Buschek in Trieste.

The "*Winwick*" then sailed for Gibraltar, where she arrived on the 12th of October, 1837, and on the 21st of the same month was there seized by the authorities and libelled in the Court of Vice-Admiralty. This, of course, rendered it necessary to trans-ship the goods belonging to M. Buschek, and to send them on to their port of destination by another vessel.

But it appears that a period of five months elapsed before a vessel was found by which the goods in question could be forwarded to their destination, and that upon the arrival of those goods at Bahia, their quality being deteriorated by the delay to which they were subject at Gibraltar, it was found necessary to sell them by public auction, and that their owner thereby suffered a loss.

The Court of Vice-Admiralty afterwards condemned the "*Winwick*" for a breach of the laws for the abolition of the Slave Trade.

From this sentence of condemnation the owners of the "*Winwick*" appealed to Her Majesty in Council, and the case having been referred in the usual way to the Judicial Committee, that Court on the 3rd of July, 1840, was pleased to reverse the sentence of the Court below, and to decree restitution of the vessel, but pronounced its opinion that there was probable cause for seizure and prosecution, and upon that ground exempted the seizer from costs and damages.

Since this sentence was pronounced, some further declarations of M. Natterer and others have been produced, with a view of showing that the mulatto woman would have been entitled to her freedom on her arrival at Brazil. Amongst these documents there is the written declaration of the Chevalier da Cunha, the Brazilian Minister at the Court of Vienna, as to the law of Brazil respecting the enfranchisement of negroes returning to that country.

In this declaration M. da Cunha certifies, that "by the existing laws in vigour in the empire of Brazil, every slave who lands in Europe, or in any other free country, becomes free by this very fact, and is considered as such on his return to the Brazils, unless he had left the empire without permission or consent of his owner."

But the undersigned would observe to Baron Neumann that this document, apparently favourable to the case of the claimants, altogether fails of effect, since it is admitted by M. Natterer himself, that he brought the mulatto woman from Para to Europe without the knowledge, and consequently without the permission or consent of her owner.

Upon a full consideration of the above statement of facts, which the undersigned believes to be quite fair and impartial; Her Majesty's Government are of opinion that M. Buschek, the owner of the goods on board the "*Winwick*," can have no just claim to be indemnified for losses which he may have sustained in consequence of the seizure of that brig and the transmission of his cargo by another vessel to its port of destination in Brazil.

For the undersigned would direct the attention of Baron Neumann to the circumstance, that although the Judicial Committee of the Privy Council, in delivering their judgment upon the case, carefully abstained from pronouncing any opinion whether the three persons shipped at Trieste, or any of them, were or were not slaves, or persons removed in order to be dealt with as slaves within the meaning of the statute; and although that tribunal reversed the sentence of the Vice-Admiralty Court solely upon the ground that it was not made out to their judicial satisfaction that the owners, master, or mate, were cognizant of, or privy to the fact of these three persons being slaves, or intended to be dealt with as such—that notwithstanding this acquittal of all guilty knowledge on the part of the owners and officers of the brig—the circumstances in the case were such as to induce that Committee to declare that there was probable cause of seizure and prosecution, and to reject the claim of the owner for costs and damages against the seizor.

Moreover, the undersigned would beg to observe, that if the British owners of the vessel, who were resident in this country, and in entire ignorance of the transaction, were held to be disentitled to costs and damages, or, in other words, to have no claim to compensation for their losses, with what justice can it be urged that greater favour should be shown to M. Buschek, who took a very active part in shipping the negroes and mulatto woman on board the "*Winwick*," and thereby, in the opinion of the Judicial Committee, affording just ground for the detention and prosecution of that vessel?

Indeed, on considering the expressions used by M. Natterer in his letter of the 13th of August, 1837, to Messrs. Buschek and Co. respecting this mulatto woman, it appears scarcely credible to Her Majesty's Government that she was not intended to be dealt with as a slave.

The undersigned in conclusion has to add, that he feels confident that the Government of His Imperial Majesty will admit that the decision of Her Majesty's Government in this case, which the undersigned has now the honour to communicate to Baron Neumann, is just.

M. Buschek has no claim to receive compensation from Her Majesty's Government for the losses sustained by him through the transshipment of his goods from the "*Winwick*" when that vessel was detained in sequestration at Gibraltar for an alleged breach of the laws for the abolition of Slave Trade.

The undersigned, &c.

(Signed)

ABERDEEN.

Baron Neumann,
&c. &c.

No. 126.

Mr. Crampton to the Earl of Aberdeen.

Vienna, September 24, 1842.

(Received October 6.)

MY LORD,

IN reference to your Lordship's Despatch marked Slave Trade, of the 16th instant, addressed to Sir Robert Gordon, enclosing copy of a Despatch from Her Majesty's Consul at Tunis reporting the arrival in that port of four female Georgian slaves in an Austrian vessel called "*Febo*," I have the honour to transmit to your Lordship a copy of the note in which, in obedience to the instruction contained in your Lordship's Despatch, I have represented this matter to the Austrian Government.

I have, &c.

(Signed)

J. G. CRAMPTON.

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

Enclosure in No. 126.

Mr. Crampton to the Baron d'Ottenfels.

Vienna, September 26, 1842.

THE Undersigned, Her Britannic Majesty's Chargé d'Affaires *ad interim*, has the honour, by order of his Government, to lay before his Excellency Baron

d'Ottensfels, Privy Counsellor of State and Conferences, the accompanying copies of a Despatch, and its Enclosure, which have been received from Her Majesty's Consul at Tunis, reporting the arrival in that port of four Georgian female slaves in an Austrian vessel named "*Febo*," Nicolo Zaar, master.

It appears that the slaves were brought from Tripoli by sea, the introduction by land of persons in that condition having been forbidden; but the attempt to import them as slaves was frustrated by the Bey, who caused them to be furnished with a public act signed by his Highness, by which they were declared to be free.

The Undersigned has been instructed to represent this matter to the Austrian Government, and to request, on the part of the Government of the Queen, that they will take such measures as will prevent a repetition of such proceedings on the part of the masters of vessels bearing the Austrian flag.

(Signed) J. G. CRAMPTON.

His Excellency Baron d'Ottensfels,
&c. &c. &c.

No. 127.

The Earl of Aberdeen to Sir Robert Gordon.

SIR,

Foreign Office, November 11, 1842.

I HEREWITH transmit to your Excellency a copy of a note which I have received from Count St. Aulaire, informing me of the course adopted by the French Government respecting the Treaty of the 20th of December, 1841, for the more effectual suppression of the Slave Trade.

On the receipt of that communication I summoned a conference of the plenipotentiaries of Austria, Prussia, and Russia, and laid before them the note from Count St. Aulaire.

I herewith transmit to your Excellency a copy of the protocol agreed upon at that conference; together with a copy of a note which I addressed to Count St. Aulaire, transmitting to his Excellency a copy of that protocol.

I am, &c.

(Signed) ABERDEEN.

His Excellency Sir Robert Gordon, G.C.B.,
&c. &c. &c.

Enclosures in No. 127.

1. *Count St. Aulaire to the Earl of Aberdeen, November 8, 1842.*
2. *Protocol of Conference of November 9, 1842.*
3. *The Earl of Aberdeen to Count St. Aulaire, November 9, 1842.*

(See France, Nos. 79, 81, and 828, pages 85 and 114.)

No. 128.

The Earl of Aberdeen to Baron Neumann.

Foreign Office, November 12, 1842.

THE Earl of Aberdeen presents his compliments to Baron Neumann, and in pursuance of his request, has the honour to transmit herewith to the Baron a copy of the note recently addressed to Lord Aberdeen by Count St. Aulaire on the subject of the Treaty of the 20th of December, 1841, together with the answer which Lord Aberdeen returned thereto.

Baron Neumann,
&c. &c.

Enclosures in No. 128.

1. *Count St. Aulaire to the Earl of Aberdeen, November 8, 1842.*
2. *The Earl of Aberdeen to Count St. Aulaire, November 9, 1842.*

(See France, Nos. 79 and 82, pages 85 and 114.)

No. 129.

Baron Neumann to the Earl of Aberdeen.

Londres, le 19 Novembre, 1842.

(Received November 21.)

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur d'Autriche, a eu l'honneur de recevoir la note que Son Excellence Monsieur le Comte d'Aberdeen, Principal Secrétaire d'Etat au Département des Affaires Etrangères de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, a bien voulu lui adresser en date du 1 Octobre dernier. Cette note, qui est une réponse à celle du 1 Juillet dernier, dans laquelle le Soussigné avait appuyé et démontré comme justes les réclamations du sujet Autrichien M. Buschek en faveur d'une indemnité pour les pertes éprouvées par les procédés contre le "*Winwick*," à Gibraltar, et la Saisie de tous les papiers et connaissements de M. Buschek—renferme différents arguments en vertu des quels le Gouvernement de Sa Majesté se refuse à reconnaître le titre qu'aurait M. Buschek à un dédommagement.

Comme d'un coté, ces arguments tendant à prouver que le bâtiment "*Winwick*" ait enfreint les lois contre la Traite des Nègres, peuvent aisément être réfutés par la citation des faits et des correspondances consignées dans le dossier volumineux de pièces originales relatives à cette affaire, qui se trouve déposé aux archives de cette ambassade, et que de l'autre, il ne s'agit dans le cas en instance non seulement du redressement d'intérêts gravement compromis d'un sujet Autrichien, mais aussi d'un principe d'une haute importance, le Soussigné croit de son devoir de répliquer à la note de Son Excellence et de la prier de vouloir bien prendre en considération les nouvelles preuves qu'il va avoir l'honneur de lui fournir sur le manque total de raisons suffisantes de soupçonner le "*Winwick*" engagé dans la traite illicite des Nègres et sur l'entière irréprochabilité de M. Buschek, affrêteur de ce bâtiment.

M. Buschek, négociant à Trieste, qui, au mois de Juillet, 1837, affrêta le "*Winwick*," pour envoyer des marchandises à Bahia, n'était en aucune connexion avec M. Natterer, il n'était point son agent, et la circonstance, que celui-ci avait ramené du Brésil des esclaves et qu'il voulait les renvoyer libres dans leur patrie, est restée inconnue à M. Buschek, jusqu'au moment où M. Neumann, Directeur des Postes à Trieste, auquel M. Natterer s'était adressé à cet effet, lui demanda comme une complaisance un passage pour les trois personnes de couleur sur le bâtiment qu'il (M. Buschek) avait affrété.

M. Buschek fit à cet égard devant le Tribunal de Commerce de Trieste une déclaration sous la foi du serment, dont voici la traduction :—

"That it was altogether unknown to me that the three negroes embarked as passengers on board the English brig "*Winwick*," on their return to Brazil, were slaves, or that they would be made slaves in Brazil; that I had absolutely no interest or profit whatever in the embarkation of these negroes, who by the laws of Austria were as free as every other Austrian subject; that the British Consul in Trieste authorised William Hodge, the British master of the vessel, as a British subject, by his signing the ship's roll in which these negroes were registered as passengers, provided with regular passports to Brazil for their journey, and that I, the swearer, as merely the freighter of goods, and as a foreign subject in a foreign country, cannot be made accountable, nor can I suffer any loss from any act caused exclusively by proceedings of British subjects. So help me God.

(Signed) JOHANN BUSCHEK.

En parlant de M. Natterer, Employé au Cabinet d'Histoire Naturelle à Vienne, et qui voulut profiter du départ d'un bâtiment de Trieste à Bahia, pour renvoyer dans leur patrie les trois personnes de couleur, aux quelles le climat de Vienne commençait à devenir pernicieux—la note de Son Excellence Monsieur le Comte d'Aberdeen renferme, par rapport à la loi brésilienne sur l'affranchissement des Nègres qui retournent dans ce pays, le passage suivant :

"But the Undersigned would observe to Baron Neumann that this document, apparently favourable to the case of the claimant, altogether fails of

effect, since it is admitted by M. Natterer himself, that he brought the mulatto woman from Para to Europe *without the knowledge, and consequently without the permission or consent of her owner.*"

Mais il ressort des pièces originales, qui se trouvent à la disposition du sous-signé, qu'AVANT de quitter la Rade de Para sur un Vaisseau Anglais, et ensuite de l'insurrection qui venait d'éclater dans cette Ville, M. Natterer avait écrit au propriétaire de la Mulâtresse, son ami et parrain de son enfant—*pour lui offrir le payement de Lauriana*; que vu l'insurrection à Para et le départ du Vaisseau, il lui était absolument impossible d'attendre la réponse de M. Laureiro, et qu'étant ainsi obligé de s'enfuir, il regarda comme un devoir dicté par l'humanité de ne pas exposer cette femme à la cruauté des insurgés, en la laissant à Para; ces faits sont prouvés par la lettre même de M. Laureiro, propriétaire de la mulâtresse, et par la déclaration de M. Natterer devant le Tribunal Civil de Vienne. Le premier de ces documents s'exprime dans les termes suivants :

"Illustrious M. Natterer,

Para, November 22, 1837.

"Agreeable to your esteemed letter, dated the 10th of September of the year 1835, in which you leave me the choice to state the place where I should wish that you should pay the price of my slave Lauriana, I beg you, therefore, to be good enough to pay at Lisbon, into the hands of M. Manoel de Sta. Anna, or to his order, the sum of 400 milreis.

etc. etc. etc.

"Your much loving and venerating friend,

MANOEL LAUREIRO.

Cette lettre parvint à M. Natterer le 13 Février, 1838, à Vienne, et il s'empressa de transmettre à M. da Cunha, Castel Branco, à Lisbonne, par l'entremise de la maison S. M. Rothschild le montant de 66l. 13s. 3d., *composant le prix de la Mulâtresse Lauriana*, ainsi que le prouve la pièce ci-jointe.

La lettre du propriétaire de la Mulâtresse et la déclaration de M. Natterer, devant le Tribunal Civil de Vienne, dont le Soussigné a l'honneur de transmettre ci-joint une traduction, mettent en évidence que la Mulâtresse Lauriana ne pouvait être placée, à son retour au Brésil, dans le catégorie des esclaves qui, par la § 2 de l'Art. I. de la loi de l'Empereur Don Pedro II. (citée dans Hertlet's Commercial Treaties, Vol. IV.), sont exceptés de l'affranchissement pour avoir "*escaped from the territory or vessel of a foreign country*;" car le mot d'*escaped* ne saurait être appliqué au départ de la Mulâtresse Lauriana de Para, ainsi que le démontre l'histoire des faits relatés dans la déclaration de M. Natterer.

Le payement ordonné par M. Laureiro à M. Natterer avoit mis le premier dans l'impossibilité de recevoir ou de réclamer comme esclave la Mulâtresse Lauriana à son retour à Para, et rien ne prouve davantage l'honnêteté et la bonne foi de M. Natterer que le passage suivant de sa lettre à M. Buschek frère, à Bahia: "*as I do not know the Brazilian laws in regard to such slaves as are taken out of the country, I would require you, in case they become free within a certain time which they may pass with their masters out of Brazil, not to send her to Para, since I should still have to pay the value of the mulatto woman to M. Laureiro,*" et le passage qui suit immédiatement après: "*if therefore this mulatto woman is free by the laws, let her go whither she likes, and give her 5 mil-reis.*"

Concernant l'embarcation des trois individus de couleur dont la présence sur le "*Winwick*" a suffi pour amener de la part des autorités Anglaises à Gibraltar la saisie de ce bâtiment, il est un fait qu'on ne saurait assez relever, savoir celui qu'elle a eu lieu à Trieste au sù et avec la sanction spéciale du Consul Britannique.

Cet employé du Gouvernement Britannique, Henry Bynner, à fait comme témoin une déposition qui se trouve entre les mains du Vice-Admiralty Court, à Gibraltar, comme quoi "*the 'Winwick' took in a cargo of lawful goods for Gibraltar and Bahia; that the passports of the three passengers, persons of colour, being perfectly in order, it appeared to him, the Vice-Consul, that there could be no obstacle to the disembarkation of the said three persons of colour and free passengers, at the port of their destination.*" He further said that the names of the said three passengers, as free persons of colour, were inscribed in the usual

way as all passengers are, both in the ship's roll of equipage and in the consular books, and that he had not the slightest suspicion, nor did he ever hear any one suggest any doubt *as to the propriety of shipping people of colour as passengers or otherwise*, nor that the three persons so embarked in the 'Winwick' had been put on board on *by force*, with the intent of carrying them as slaves, or that they might be legally considered as such, it being public and notorious, as it is *especially* known to him, in his *official capacity*, that by the Austrian laws it is not permitted to have and hold persons as slaves, but is prohibited under severe penalties."

Son Excellence dit dans sa note que, si la demande en dédommagement est refusée aux sujets Britanniques intéressés dans l'affaire du "Winwick," elle doit l'être à plus forte raison à un étranger.

Le Soussigné se permet de faire observer qu'il paraît d'après l'extrait ci-joint de l'arrêt du Privy Council, qu'il reste toujours permis aux propriétaires du "Winwick" de demander aux autorités judiciaires de Gibraltar un dédommagement pour les pertes éprouvées ; mais que même s'il n'en était pas ainsi, M. Buschek ayant confié sa propriété au pavillon Anglais et à un sujet Britannique, dans la personne du capitaine, lequel pour tout ce qui regardait l'embarcation avait reçu la sanction de son autorité compétente, savoir, le Consulat Anglais à Trieste, M. Buschek ne saurait être placé sur la même ligne que des sujets Britanniques, au préjudice desquels la législation Anglaise ferait valoir la clause : "*that there was probable cause for seizure*;" car ces derniers, jouissant de tous les avantages que leur nationalité leur assure dans les ports Anglais, doivent aussi se soumettre aux décisions de leurs tribunaux, tandis que tout Gouvernement est responsable des pertes que des autorités de lui dépendantes auroient fait essuyer de leur faute à un étranger qui n'en avait aucune.

Parmi les chefs d'arguments qui y furent avancés sans fondement contre le "Winwick," par rapport aux trois personnes de couleur qui se trouvaient à son bord, figurait celui, *que le capitaine ne leur permit pas de descendre à terre.*

Cette accusation donne la mesure de l'esprit dans lequel les autorités de Gibraltar ont procédé, si on la compare à la déclaration suivante du Directeur de Police de cette ville ; M. Fleury Morgan, interrogé dans cette affaire, s'est exprimé ainsi :—

"By the police regulations in force within the garrison and territory of Gibraltar, no foreigners are allowed to enter the garrison without a special license or pass granted by the proper authorities for that purpose, but any British subject, whether seaman or not, is always allowed to enter the garrison ; the three passengers of colour being foreigners, and not being provided with such pass or license, *would not, if they had landed, have been allowed to enter garrison.*"

Sans entrer davantage dans la conduite des autorités à Gibraltar, il reste à observer que M. Buschek n'a jamais paru comme défenseur dans cette cause pénale, que le capitaine du port à Gibraltar (the seizer), ne l'a point mis au nombre des accusés, que ne voyant en lui que l'affrèteur du "Winwick," son nom n'a pas figuré dans les débats judiciaires, et que, par conséquent, des clauses quelconques, qui pourraient avoir trait aux autres accusés, ne sauraient lui être appliquées, ni le priver du droit de réclamer des dédommagements ; qu'en outre M. Buschek, dans sa qualité d'affrèteur d'un bâtiment chargé d'une cargaison déclarée légitime par le Consul Anglais lui-même, et comme étant entièrement désintéressé et de *bonâ fidâ* dans l'embarcation des trois personnes de couleur a publiquement et solennellement protesté par son mandataire à Gibraltar, contre la procédure arbitraire des autorités de cette ville.

M. Buschek, pour avoir permis, *par complaisance* pour le Directeur des Postes, M. Neumann, qu'on embarquât à bord d'un bâtiment, dont il avait à disposer, trois personnes dans lesquelles il ne pouvait voir que des voyageurs, ne mérite nullement le reproche gratuit, "*to have taken a very active part in shipping the negroes and mulatto woman on board the "Winwick."*" Il a essuyé une perte considérable par la saisie de ce bâtiment ; cette saisie a eu lieu par la faute d'un employé du Gouvernement Anglais, et c'est donc à celui-ci que la partie plaignante doit adresser ses réclamations en faveur d'une indemnité.

Il ressort de l'ensemble des différents arguments développés dans cette note :—

1°. Que M. Buschek, simple affrèteur du "Winwick," n'avait aucun profit à tirer ni du transport des trois personnes de couleur, ni de leur arrivée au Brésil.

2°. Que la mulâtresse Lauriana, s'étant trouvée au service de M. Natterer, au Brésil, du consentement exprès de M. Laureiro, et que M. Natterer a été forcé par l'insurrection d'emmener en quittant Para, non sans avoir averti M. Laureiro, et lui avoir offert le paiement qu'il exigerait pour cette personne, l'idée d'une fuite de l'esclave ne saurait être appliquée à ce cas.

Que cette mulâtresse, en revenant d'un pays où l'esclavage est strictement prohibé, et se trouvant en outre munie d'un passeport Brésilien, devait être considérée à son retour au Brésil comme *libre de droit* ;

Qu'elle l'était aussi *de fait* par la lettre de M. Laureiro à M. Natterer, fixant le prix de cette personne et le mode du paiement ; effectué plus tard :

Que, par conséquent, même si elle fut retournée à Para, son ci-devant maître n'aurait pu la réclamer comme son esclave.

3°. Que M. Buschek, supposant que des esclaves libérés par leur arrivée en Autriche en vertu des lois Autrichiennes, et munis de passeports de voyageurs, ne sauraient plus redevenir esclaves en rentrant au Brésil, ne pouvait entretenir le moindre doute sur ce que toutes les formalités requises par les lois Anglaises par rapport aux trois personnes de couleur à bord du "*Winwick*," aient été observées ; car la seule autorité qui, à Trieste, avait à veiller sur l'exécution des lois et règlements municipaux et maritimes de l'Angleterre, c'est à dire le Consul, avait sanctionné l'embarquement.

4°. Que si M. Buschek ait songé qu'il y avait dans le renvoi des trois personnes de couleur la moindre violation des lois Anglaises, et qu'il pouvait en résulter pour lui des désagrémens quelconques ; il n'aurait certainement pas fait choix du *port de Gibraltar* comme point d'arrêt.

5°. Que la conséquence à tirer de la décision du comité judiciaire du Conseil privé relativement à la restriction de la demande en justice que pourraient faire les propriétaires du vaisseau contre le "*Seizor*" ou toute autre personne, ou autorité à Gibraltar, ne saurait être reconnue à l'égard de M. Buschek, affrêteur du vaisseau, lequel fut laissé entièrement hors de cause.

6°. Que finalement les soupçons gratuits que peuvent avoir fait naître chez les autorités de Gibraltar la conduite timorée du Capitaine du Vaisseau, ou la déposition mensongère, que fit un matelôt par vengeance, sauraient tout aussi peu servir d'arguments contre la réclamation de M. Buschek qu'ils justifient les procédés des susdites autorités.

En ayant l'honneur de recommander de nouveau cette affaire au jugement impartial de Son Excellence Monsieur le Comte d'Aberdeen, et en se flattant qu'avec l'esprit de justice qui la caractérise, elle ne saurait, après avoir pris connaissance de cet exposé, méconnaître la validité de la réclamation de M. Buschek, le Soussigné profite de cette occasion pour renouveler à son Excellence Monsieur le Comte d'Aberdeen l'assurance de sa très haute considération.

(Signé) NEUMANN.

Son Excellence le Comte Aberdeen,
&c. &c. &c.

First Enclosure in No. 129.

Mr. Kirchnery to Mr. Bach.

New Court, November 7, 1842.

Mr. KIRCHNER presents his compliments to Mr. Bach, and begs to inform him that the order given by Baron S. M. da Rothschild, Vienna, to pay 66*l.* 13*s.* 3*d.* to Chevalier M. S. A. da Cunha, was under the date of the 16th of May, 1838, and was stated to be for account of Dr. Natterer.

Second Enclosure in No. 129.

Declaration de M. Natterer devant le Tribunal Civil de Vienne.

I FURTHER declare solemnly and sincerely, that I expressly declared to my two black male servants that I enclosed their letters of freedom (*cartas de alforria*) for them in my said letter to the said Austrian Consulate at Bahia,

which I did *with the well meaning view*, in order that these documents, so important to them, may not be lost, as they themselves could neither read nor write, and as they had besides in their own possession their regular passports granted by the Brazilian Minister at Vienna, and duly *legalized by the British Consul at Trieste*. I do further declare, as is seen from the above letter, that I had been of opinion that I could *not* make any disposition in regard to the female mulatto Lauriana, inasmuch as she was never my slave, and belonged to M. Manoel Gonzales Laureiro at Para, and as I brought her to Europe without his knowledge, *which my sudden flight in an English vessel from the insurgents at Para compelled me to do*, as I would not leave her behind me, I had requested M. Laureiro, in three letters which I addressed to him in *the year 1835, on board of the British ship Para Packet off Para, and also from London*, in which city of London I arrived with my family and the said three black slaves on board the said vessel in the month of December, 1835, and remained there along with them up to the end of June, 1836, on my return to Vienna, that he should let me know the amount of her value, and the mode how and when it should be paid to him, to which he, however, *only replied to me after two years*, by his letter dated Para, the 22nd of November, 1837, and received by me on the 13th of February, 1838, and of which an original duplicate is herewith annexed, requesting me to pay the value of his slave, of 400,000 reis, on the order of his father, to the house Manoel de Sta. Anna da Cunha, Castel Branco, at Lisbon. This letter, of which I have already given before two copies legalized, shows that I did not request M. Laureiro to pay him subsequent to the embargo laid on the ship "*Winwick*," but that I did so already in the year 1835 in Brazil; that I already paid the amount of 400,000 reis I can prove by the receipt of the said Lisbon house hereunto annexed. It was at that time *unknown* to me that the female mulatto, as well as the two male blacks, had already acquired their freedom legally by the mere fact of their stay in Europe, and in Austria in particular; on this account I requested the Austrian Consular Agent in Bahia to conform himself entirely to the existing laws in this regard, and to let her go without hindrance whither she likes, should the law consider her as free by the fact of her abode in a free country. This mulatto woman would therefore, though I sent her to Brazil, never have been treated again as a slave, inasmuch as I left it entirely to the Austrian Consular Agent to act in regard to her according to the existing laws; and as it is shown on the other hand, from M. Laureiro's letter to me, dated Para, the 22nd of November, 1837, that he disposed of her to me; and had she arrived directly in Bahia, the very order of payment directed to me by her former master, and which I actually did pay, would have made her free *eo ipso*, and absolved her from every servitude.

Third Enclosure in No. 129.

Extrait de l' Arrêt du Privy Council.

"AND their Lordships having reported that there was probable cause of the seizure and prosecution of the said ship or vessel, that the said appellants, the owners thereof, be at full liberty to proceed as they may be advised against any person or persons whom it may concern, for further compensation for any loss they may have sustained, or expenses that may have been incurred, by reason of the sale of the said ship, or vessel, under the authority of the Court below, after service of the Inhibition under seal of this Court."

DENMARK.

No. 130.

*Mr. Browne to the Earl of Aberdeen.**Copenhagen, January 7, 1842.**(Received January 15.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch dated the 27th December of last year, in which I have been instructed to obtain copies of all the laws and administrative acts, both general and local, which have emanated from the government of this country, to regulate and suppress the traffic in slaves, both before and after the taking place of treaty engagements for this purpose. I shall immediately set about to procure copies of such laws,—correct translations of which I shall not fail to forward to your Lordship as speedily as they can be made.

I have, &c.

(Signed)

PETER BROWNE.

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

No. 131.

*The Earl of Aberdeen to Sir H. W. W. Wynn.**Foreign Office, March 3, 1842.*

SIR,

I HEREWITH transmit to you seven warrants which, in pursuance of the Treaty between Great Britain, France, and Denmark, of July 26, 1834, on Slave Trade, were issued by the Danish Government for the ships of Her Majesty's navy named in the margin of this Despatch, and I have to request that you will be pleased to forward these warrants to the Danish Government, in order that they may be cancelled.

"Lynx,"
 "Dee,"
 "Nautilus,"
 "Griffon,"
 "Ringdove,"
 "Crocodile,"
 "Columbia."

I have also to desire that you will request that orders may be given for the issue of similar warrants for the 15 vessels of the royal navy named in the accompanying list.

I am, &c.,

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

(Signed)

ABERDEEN.

Enclosure in No. 131.

List of Vessels for which Warrants are requested from the Danish Government.

	Station.
Bittern, sloop, Commander Hon. B. C. F. P. Cary . . .	Cape of Good Hope.
Ferret, " " Josiah Oake . . .	Coast of Africa.
Heroine, brig, Lieutenant Thomas D. Stewart . . .	"
Bonetta " " Edward E. Gray . . .	"
antaloon " " Charles H. Lapidge . . .	"
Rapid " " Edward C. Earle . . .	"
Alfred, ship, Captain John B. Purvis . . .	Brazil.
Isis " " Sir John Marshall, C.B. . . .	"
Ardent, steam-vessel, Commander John Russell (b) . . .	"
Viper, brig, Lieutenant James Carter . . .	"
Illustrious, ship, Captain John E. Erskine . . .	{ North America and West Indies.
Spartan " " Hon. C. G. J. B. Elliot . . .	"
Volage " " Sir William Dickson, Bart. . . .	"
Electra, sloop, Commander Arthur Darley . . .	"
Fair Rosamond, schooner, Lieutenant Archibald G. Bulman . . .	"

No. 132.

Count de Reventlow to the Earl of Aberdeen.

Londres, 26 Mars, 1842.

(Received March 28.)

C'EST par ordre de Son Gouvernement que le Comte de Reventlow a l'honneur de réclamer les bons offices de Son Excellence Lord Aberdeen, pour qu'il veuille bien demander à l'Amirauté des mandats speciaux de visite pour le brik de guerre nommé "*St. Croix*," commandé par le Capitaine Secher et destiné à se rendre très prochainement à la station des Iles Danoises aux Indes Occidentales.

Le Comte de Reventlow offre à Son Excellence Lord Aberdeen les assurances de sa plus haute considération.

Son Excellence Lord Aberdeen,
&c. &c.

No. 133.

Mr. Browne to the Earl of Aberdeen.

Copenhagen, March 29, 1841.

(Received April 4.)

MY LORD,

I HAVE the honour to enclose the 15 warrants which I was instructed to procure from the Danish Government in your Lordship's despatch of the 3rd instant.

I have, &c.,

(Signed) PETER BROWNE.

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

Enclosure in No. 133.

M. Krabbe Carisius to Mr. Browne.

MONSIEUR,

Copenhagen, ce 19 Mars, 1842.

J'AI l'honneur de vous faire parvenir sous ce pli les 15 mandats autorisant les vaisseaux de guerre de la marine Britannique, dont vous avez bien voulu m'envoyer la liste par votre office du 12 d. c, à visiter des navires sous pavillon Danois conformément au traité conclu le 26 Juillet, 1834, entre le Danemarck, la Grande-Bretagne et la France, relativement à la suppression de la traite des noirs. Je dois en même temps vous accuser exacte reception des 7 mandats que vous m'avez remis, après que les vaisseaux auxquels ils avaient été delivrés ont été rappelés de leurs stations respectives.

Agréez, Monsieur, l'assurance renouvelée de ma consideration très distinguée.

(Signé) KRABBE CARISIUS.

Monsieur P. Browne,
Chargé d'Affaires de S. M. B.
&c. &c.

No. 134.

The Earl of Aberdeen to Count de Reventlow.

Foreign Office, April 7, 1842.

THE Earl of Aberdeen presents his compliments to the Count de Reventlow, and in compliance with the request contained in Count de Reventlow's note of the 26th ultimo, has the honour to transmit to him herewith a warrant to enable the Danish brig of war, "*St. Croix*," to act under the treaty of 26th July, 1834, between Great Britain, France, and Denmark, for the suppression of Slave Trade.

Count de Reventlow,
&c. &c.

No. 135.

*Mr. Browne to the Earl of Aberdeen.**Copenhagen, April 5, 1842.**(Received April 11.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, dated the 23rd ultimo, enclosing a printed copy of a treaty signed by your Lordship on the 21st of December of last year, on the part of Her Majesty, with the plenipotentiaries of Austria, France, Prussia, and Russia, for the suppression of the Slave Trade.

I have, &c.,

(Signed) PETER BROWNE.

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

No. 136.

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

SIR,

Foreign Office, May 25, 1842.

I HEREWITH transmit to you four warrants issued by the Danish Government, to enable the commanders of Her Majesty's ships "Winchester," "Comus," "Cleopatra," and "Buzzard," to act under the treaty of the 26th of July, 1834, between Great Britain, France, and Denmark, for the suppression of Slave Trade: and I have to desire that you will return these warrants to the Danish Government in order that they may be cancelled.

I am, &c.,

(Signed) ABERDEEN.

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

No. 137.

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

SIR,

Foreign Office, June 10, 1842.

I HAVE to instruct you to request the Danish Government to issue warrants to enable the commanders of the ten ships of the Royal Navy, named in the accompanying list, to act under the Treaty of the 26th July, 1834, between Great Britain, France, and Denmark, for the suppression of Slave Trade.

I am, &c.,

(Signed) ABERDEEN.

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

Enclosure in No. 137.

(See Enclosure in the Earl of Aberdeen's Despatch to Lord Cowley, dated June 14, 1842. France, No. 36, page 63.)

No. 138.

*The Earl of Aberdeen to Sir H. W. W. Wynn.**Foreign Office, June 11, 1842.*

SIR,

I HEREWITH transmit to you the extract of a Despatch from Her Majesty's Envoy at Rio de Janeiro, relating to proceedings which took place there, in consequence of information that a Danish vessel had landed a cargo of slaves from Africa at Ilha Grande, on the coast of Brazil.

I have recently received communications on this subject from Count Reventlow, evincing the cordial part which the Danish Government are disposed to adopt in co-operation with Her Majesty's Government, in exertions to suppress the inhuman Trade in Slaves.

I have to desire that at an early opportunity you will express to the Danish Minister the great satisfaction with which Her Majesty's Government have received this fresh proof of the earnest desire of the Danish Government to put down entirely a course of trade in the condemnation of which they took so early and honourable a share.

I am, &c.,

(Signed) ABERDEEN.

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

Enclosure in No. 138.

*Mr. Hamilton to the Earl of Aberdeen.**Rio de Janeiro, February 22, 1842.*

(Extract.)

" BESIDES the above I am credibly informed that a Danish schooner, the '*Marianna Hedowiges*,' freighted, it would appear, by the individuals Monteiro and Santo, who towards the middle of last year despatched five vessels from Altona for the coast of Africa, landed between 300 and 400 negroes at Ilha Grande, and afterwards entered this harbour *in ballast from Ambriz*, in company with a Danish brig, named '*Camoens*,' with a pretended cargo of wine, but really in ballast also, from the same point. It does not, however, appear clear that the latter vessel brought negroes. Three other Danish vessels are, I learn, expected daily, forming part of the same speculation, and it is, I believe, intended that they shall all continue to navigate on this nefarious errand.

" As there was no British vessel of war in harbour having Danish papers, not one indeed in readiness to go to sea, I requested the co-operation of the French authorities as parties to the Slave Trade Convention with Denmark towards effecting the capture of some at least of the Danish slavers still expected, and was met in a most satisfactory manner both by Baron Rouen and the French Admiral,—the latter promising to send a cruizer immediately to watch the point on this coast indicated as their destination.

" Mr. Prytz, the Danish Chargé d'Affaires, to whom I also applied, in order to obtain legal proofs of the implication of these vessels in the Slave Trade, and to bring the parties engaged in the speculation to justice, has just communicated to me that the information I have received is entirely false and unfounded. On this subject I shall have the honour of again addressing your Lordship; but at present the multiplicity of business in which Her Majesty's Legation is involved renders it quite out of my power to give your Lordship any more detailed report of the occurrence, and of the steps taken in consequence, further than that I shall look upon the information I have received, from more than one source, of the direct complicity of at least one of those vessels in Slave Trade as correct, and conceive Mr. Prytz to have been deceived by the cunning and contrivances of the dealers in human flesh."

No. 139.

*Sir H. W. W. Wynn to the Earl of Aberdeen.**Copenhagen, June 13, 1842.*

MY LORD,

(Received June 18.)

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 25th of May, returning, for the purpose of being cancelled, four
CLASS C.

warrants issued by the Danish Government, in pursuance of the treaty of the 26th of July, 1834, for the suppression of the Slave Trade.

Mr. Dankwarth took the opportunity of my executing these instructions, to communicate to me the correspondence which had taken place between Her Majesty's Minister, and the Danish Chargé d'Affaires at Rio Janeiro, on the subject of the ships belonging to Santos and Co., which were suspected of being engaged in the Slave Trade. He expressed his regret at the angry tone it had assumed, more especially as it appears that Mr. Hamilton had been misinformed, and that there were no grounds for the accusation brought forward. He said that his Danish Majesty's wish is, that his authorities, civil as well as military, should go hand in hand with those of Her Majesty in every measure conducive to the suppression of the trade, and the discovery of those engaged in it; that on this ground he had disapproved of Mr. Prytz's conduct, in making any remarks on the right of search, as derogatory to the honour of the Danish flag, and in objecting, though it might have been informal, to Mr. Gordon's assisting at the examination of the ship in question.

I have, &c.,

(Signed) H. W. W. WYNN.

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

No. 140.

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

Copenhagen, June 27, 1842.

(Received July 4.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 11th of June, transmitting to me a copy of one from of Her Majesty's Minister at Rio de Janeiro, relating to the cargo of slaves supposed to have been landed at Ilha Granda, from a vessel under Danish colours.

In compliance with your Lordship's instructions, I took an early opportunity of communicating it to Mr. Dankwarth, who requested a copy of it for His Danish Majesty, who, I might be "convinced from our late conversation on the subject, would be highly gratified to find Her Majesty's Government did him the justice of believing that he was sincere in fulfilling every engagement he had entered into with Her Majesty and other Powers for the suppression of the Slave Trade."

I have likewise received your Lordship's Despatch of the 13th of June, and have communicated the list of vessels the stations of which have been changed.

I have, &c.

(Signed) H. W. W. WYNN.

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

No. 141.

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

Copenhagen, June 30, 1842.

(Received July 8.)

MY LORD,

I HAVE the honour to enclose ten warrants* authorising Her Majesty's ships therein named to examine vessels sailing under the Danish flag suspected of being concerned in the Slave Trade.

I have, &c.

(Signed) H. W. W. WYNN.

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

* Warrants for Her Majesty's ships Winchester, Cleopatra, Albatross, Kite, Growler, Spider, War-spite, Ringdove, Scylla, and Satellite.

No. 142.

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

SIR,

Foreign Office, July 16, 1842.

I HAVE to instruct you to apply to the Danish Government to issue warrants to enable the commanders of Her Majesty's steam-vessels named in the accompanying list, to act under the Treaty of the 26th of July, 1834, between Great Britain, France, and Denmark for the Suppression of Slave Trade.

You will at the same time state that Her Majesty's ship "Albatross," for which a warrant was enclosed in your Despatch, Slave Trade, of the 30th ult., will be employed in the North American and West India station, and not, as stated in my Despatch, Slave Trade, of the 10th ultimo, on the Cape of Good Hope station.

I return to you herewith the warrant issued to Her Majesty's ship "Satellite," and enclosed in your Despatch above mentioned, and which will not now be required, as the destination of that vessel has been changed, and I have to instruct you to forward this warrant to the Danish Government in order that it may be cancelled.

I am, &c.
(Signed) ABERDEEN.

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

Enclosure in No. 142.

List of Steam Vessels employed on the North America and West India Station for which Warrants are required from the Danish Government.

- "Sydenham," Lieut. William Pearson Crozier.
- "Avon," Lieut. Henry Byng.
- "Spitfire," Lieut. H. E. S. Winthrop.
- "Flamer," Lieut. William Robson.
- "Gleaner," Lieut. John Jeayes.

No. 143.

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

SIR,

Foreign Office, July 20, 1842.

I HEREWITH transmit to you four warrants issued by the Danish Government to enable the commanders of Her Majesty's ships "Vestal," "Sparrow," "Rose," and "Pluto," to act under the Treaty of the 26th of July, 1834, between Great Britain, France, and Denmark, for the Suppression of Slave Trade; and I have to instruct you to return these warrants to the Danish Government, in order that they may be cancelled.

I am, &c.
(Signed) ABERDEEN.

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

No. 144.

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

SIR,

Foreign Office, July 23, 1842.

By a Despatch from Sir T. Reade, Her Majesty's Agent and Consul-General at Tunis, it appears that M. Gaspari has been nominated Vice-Consul for Denmark at Goletta, and has received the small cross of the Danish order of Dannebrog.

I transmit to you also, for communication to the Danish Government, copies

of papers from which you will perceive that M. Gaspari, having been charged with being implicated in the transaction of exportation of slaves, and not having succeeded in clearing himself from that imputation, was on that ground discharged from the office of British Vice-Consul at Goletta.

You will observe to the Danish Minister, that the Swedish Government having received information of M. Gaspari's dismissal from the office of British Vice-Consul, and having applied to Her Majesty's Government for information on the subject, were furnished with copies of the papers herewith transmitted to you; and that that Government, satisfied that M. Gaspari was implicated in the transaction of exportation of slaves referred to in those papers, instructed the Swedish Consul at Tunis to discharge M. Gaspari from the office of Vice-Consul at the Goletta.

I am, &c.

(Signed) ABERDEEN.

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

Enclosures in No. 144.

1. *Mr. Stephen to Mr. Backhouse, February 19, 1841.*
2. *Viscount Palmerston to Sir Thomas Reade, March 18, 1841.*
3. *Sir Thomas Reade to Viscount Palmerston, June 4, 1841.*

(See Class D, 1841; presented to Parliament 1842. Pages 24, 88, and 93.)

No. 145.

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

Copenhagen, August 8, 1842.

(Received August 12.)

MY LORD,

I HAVE the honour to inclose five warrants,* enabling the commanders of the steamers therein mentioned to visit Danish vessels, in compliance with the Treaty of the 26th of July for the suppression of the Slave Trade.

I have, &c.

(Signed) H. W. W. WYNN.

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

* See Enclosure in No. 142.

No. 146.

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

Copenhagen, September 12, 1842.

(Received September 19.)

(Extract.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches to that of the 15th of August inclusive of this series.

The Despatch relative to the conduct of M. Gaspari at Tunis, though dated on the 23rd of July, did not reach me till the 6th of this month, which will account for my apparent neglect in having delayed acting on the instructions contained in it.

Enclosure in No. 146.

Sir H. W. W. Wynn to Mr. Dankwart.

September 8th, 1842.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has been instructed to communicate to Mr. Dankwart, the Director of the Foreign Department, the accompanying papers respecting the conduct of M. Gaspari, who has lately been nominated Vice-Consul for Denmark, at Goeletta, and has received the small cross of the Order of Dannebrog.

From these documents Mr. Dankwart will perceive that M. Gaspari having been charged with being implicated in the transaction of exportation of slaves, and not having succeeded in clearing himself from that imputation, was on that ground discharged from the office of British Vice-Consul.

Her Majesty's Government are convinced that His Danish Majesty, had he been acquainted with the circumstances of the case, would not have conferred a decoration on such a person, which naturally gives rise to the opinion at Tunis that His Majesty considered M. Gaspari to have been harshly treated, not only by the British Government, but also by that of Sweden, who, having applied for information upon the subject, were furnished with copies of the papers herewith transmitted, which establish so clearly his guilt that the Swedish Consul at Tunis was also instructed to discharge him.

The Undersigned, &c.

(Signed) H. W. W. WYNN.

M. Dankwart,
&c. &c. &c.

No. 147.

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

SIR,

Foreign Office, October 1, 1842.

I HAVE to instruct you to request the Danish Government to issue a warrant to enable the Commanding Officer of Her Majesty's ship "Daphne," Captain John James Onslow, on the Brazil Station, to act under the Treaty of the 26th of July, 1834, between Great Britain, France, and Denmark, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

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

No. 148.

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

Copenhagen, October 26, 1842.

(Received November 2.)

MY LORD,

I HAVE the honour to transmit a warrant enabling Captain Onslow, commanding Her Majesty's ship "Daphne," to visit Danish vessels in compliance with the existing Treaty between the two countries for the suppression of the Slave Trade.

I have, &c.

(Signed) H. W. W. WYNN.

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

No. 149.

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

SIR,

Foreign Office, November 2, 1842.

I HAVE to instruct you to apply to the Danish Government for a warrant to enable Commander the Hon. Swynfen T. Carnegie, of Her Majesty's sloop "Orestes," about to be employed on the North American and West India station, to act under the Treaty of the 26th of July, 1834, between Great Britain, France, and Denmark, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

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

No. 150.

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

SIR,

Foreign Office, November 5, 1842.

I HERewith transmit to you twelve warrants issued by the Danish Government, to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Treaty between Great Britain, France, and Denmark, on the 26th of July, 1834, for the suppression of the Slave Trade, and I have to desire that you will return these warrants to the Danish Government in order that they may be cancelled.

"Melville,"
"Actæon,"
"Modeste,"
"Sappho,"
"Racer,"
"Wanderer,"
"Harlequin,"
"Termagant,"
"Rolla,"
"Brisk,"
"Hydra,"
"Gleaner."

I am, &c.

(Signed) ABERDEEN.

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

No. 151.

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

SIR,

Foreign Office, November 26, 1842.

IN accordance with a request which has been made to me from the Admiralty, I have to instruct you to request the Danish Government to issue a warrant to enable Commander Andrew Drew, of Her Majesty's sloop "Wasp," about to be employed on the North American and West India station, to act under the Treaty between Great Britain, France, and Denmark, of the 26th of July, 1834, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

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

No. 152.

*Sir H. W. W. Wynn to the Earl of Aberdeen.**Copenhagen, November 23, 1842.*

MY LORD,

(Received November 30.)

IN compliance with the orders contained in your Lordship's Despatch dated the 2nd of November, I have applied to the Danish Government for

a warrant enabling the Hon. Swynfen Carnegie, of Her Majesty's sloop "Orestes," to act under the Treaty of the 26th of July, 1834, between Great Britain, France, and Denmark, for the suppression of the Slave Trade, and, having received it, I have now the honour of transmitting it to your Lordship.

I have, &c.

(Signed) H. W. W. WYNN.

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

No. 153.

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

SIR,

Foreign Office, December 10, 1842.

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Danish Government to issue a warrant to enable Captain the Hon. Montagu Stopford, of Her Majesty's ship "Pique," about to be employed on the North American and West Indian station, to act under the Treaty between Great Britain, France, and Denmark, of the 26th of July, 1834, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

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

No. 154.

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

SIR,

Foreign Office, December 15, 1842.

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Danish Government to issue warrants to enable the commanding officers of Her Majesty's ships named in the accompanying list, to act under the Treaty between Great Britain, France, and Denmark, of the 26th of July, 1834, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

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

Enclosure in No. 154.

List of Vessels for which warrants are required from the Danish Government.

"Spy," brig,	Lieut. Geo. Raymond,	Coast of Africa.
"Viper," brig,	Lieut. Jas. Carter,	Brazils.
"Griffon," brig,	Lieut. Chas. Jenkin,	North America and West Indies.
"Hornet," schooner,	Lieut. R. B. Miller,	ditto
"Pickle," schooner,	Lieut. F. B. Montrose,	ditto

No. 155.

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

SIR,

Foreign Office, December 24, 1842.

I HEREWITH transmit to you eight warrants issued by the Danish Government, to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Treaty between Great Britain, France, and Denmark, on the 26th July, 1834, for the suppression of the Slave Trade; and I have to desire that you will return these warrants to the Danish Government, in order that they may be cancelled.

I am, &c.
(Signed)

ABERDEEN.

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

No. 156.

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

SIR,

Foreign Office, December 31, 1842.

IN accordance with an application which has been made to me by the Admiralty, I have to instruct you to request the Danish Government to issue a warrant to enable Lieutenant George Oldmixon, commanding Her Majesty's steam-vessel "Megæra," about to be employed on the North American and West Indian station, to act under the Treaty between Great Britain, France, and Denmark, of the 26th of July, 1834, for the suppression of Slave Trade.

I am, &c.
(Signed)

ABERDEEN.

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

HANSE TOWNS.

No. 157.

Mr. Colquhoun to the Earl of Aberdeen.

St. James's Place, February 24, 1842.

(Received February 24.)

MY LORD,

I HAD the honour of addressing your Lordship's predecessor on the 24th May and 2nd June last, preferring a representation from the master of the "*Echo*" to the Senate of Hamburg, complaining of a stretch of authority on the part of the executive at Sierra Leone, ending in the imprisonment, trial, and acquittal of the captain, and of the seizure, and condemnation and sale of the vessel, on the alleged charge of aiding and abetting the Slave Trade, and soliciting copies of the proceedings in the Court of Vice Admiralty there; to which his Lordship was pleased to assent, under date the 1st of June, 1841.

As thirteen months have elapsed since the seizure, and eleven months since the condemnation of this vessel, and nine months from the date of Lord Palmerston's acquiescence in the request, the captain of the "*Echo*," as well as the owners of the vessel, and the Hamburg authorities, for the rights of both of the parties, and the reputation of the commerce of the city, have become very anxious that the appeal to the Privy Council should be heard with as little delay as possible. In support of this application, I beg leave to transmit to your Lordship a Memorial, dated the 16th February, 1842, from the owners of the "*Echo*" to the Senate, in German (with a translation), and of the Syndic Secretary of State's letter to me of the 18th instant, desiring me respectfully to repeat the application to the Secretary of State for Foreign Affairs for the documents agreed to be furnished.

It appears that the captain has suffered severely in health from confinement in prison at Sierra Leone; that, although acquitted of the charge of aiding and abetting the Slave Trade, the anomaly of the condemnation of his vessel, and the consequent loss to the owners, has prejudiced him in his profession, which he expects will be removed by the anticipated reversal of the sentence by the Privy Council.

I have, &c.

(Signed) J. COLQUHOUN.

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

&c.

&c.

&c.

First Enclosure in No. 157.

Mr. Sieveking to Mr. Colquhoun.

SIR,

Hamburg, February 18, 1842.

By the Senate's authority, I have the honour to enclose a Memorial, by which Mr. Ballauf, the owner of the Hamburg barque "*Echo*," condemned by the Vice Admiralty Court at Sierra Leone, apparently without sufficient reason, claims the interference of his Government with that of Great Britain, in order to obtain the documents required by the Privy Council, to which Mr. Ballauf has appealed.

You are aware of the uncommon hardship, of its discouraging influence on the lawful commerce with the coast of Africa, in which this town hitherto participated, and of the growing distrust in the motives of a great philanthropic experiment which it bequeathed to the commercial interest of the continent. In no case a speedy, fair trial, by a higher judicial authority, uncontrolled by prejudice or

CLASS C.

interest, would be more desirable than in the present. Though the proceedings in England are not founded on the Hanseatic Treaty of accession to the Conventions for the suppression of the Slave Trade, Mr. Ballauf's claim to the assistance of his Government in asking for explanations on the grounds upon which his property was seized cannot be denied. The Senate, therefore, authorizes you repeatedly to urge the promised communication of the papers for which you applied to the Foreign Office.

I have, &c.

(Signed) K. SIEVEKING.

J. Colquhoun, Esq.
&c. &c.

Second Enclosure in No. 157.

(Translation.)

The Memorial of Mr. Justus Frederick Ballauf, owner of the Hamburg barque "Echo," to the Venerable Senate of Hamburg, on the subject of the said Vessel.

VENERABLE SIRS,

Hamburg, February 16, 1842.

SINCE I had last the honour to address the Senate on the subject of the condemnation of my ship, the "*Echo*," at Sierra Leone, I have commenced an appeal against the sentence pronounced by the Vice Admiralty Court there, so that the matter will now be the subject of judicial decision by the Privy Council, which decides in such appeals in the last instance instead of the Admiralty Court. A new obstacle to the discussion of the case has, however, now arisen, inasmuch as the representatives of the British Government have postponed the hearing of it, because, as is stated, they are without any reports from Sierra Leone as to the proceedings which took place there relative to my said ship. But as more than a twelvemonth has already expired since the unjust detention of my ship at Sierra Leone (on 13th January last year), and as more than double the time required for receiving information from Sierra Leone in the matter has elapsed since the intelligence arrived here of the condemnation of the ship (on 5th March last year), and the British Government were called upon to furnish precise information on the subject, I cannot but be apprehensive that, if the decision upon my appeal should be postponed until the British Government shall have received satisfactory explanations of the proceedings of the Sierra Leone authorities in the matter, from those authorities, I shall be obliged to wait in vain for some years for a decision.

But your Magnificences cannot deny that, not only shall I be most seriously injured in my pecuniary interests by such a postponement of my affair, but also that it is of the highest importance for myself, for the captain of my ship, and even for the honour and security of the Hamburg flag, that the settlement of the matter should no longer be prevented by further delay, or perhaps even rendered utterly impossible. In fact, I cannot but be apprehensive that this may be too easily the result of such a delay, as, for example, the then Governor of Sierra Leone has since the transaction fallen a sacrifice to the unhealthy climate, and Captain Sohst himself cannot recover from the injuries which he experienced at Sierra Leone; and his exceedingly impaired health still continues to suffer from the inactivity to which he finds himself condemned so long as he remains unacquitted of the suspicion of having acted illegally, which hangs over him. Moreover, I am informed that if the Privy Council should not decide upon my case during the ensuing months, it will probably be deferred until next winter, as it is only during the first six months of the year that similar subjects are heard.

Under these circumstances, and considering that all I at present desire is that the prosecution of the appeal may not be stopped, I venture to hope that I shall not be asking in vain when I prefer a respectful request to the Venerable Senate—

That they will be pleased to instruct their Chargé d'Affaires to the British Government to urge upon that Government the immediate settlement of my affair.

I have the honour to be, with profound respect,

Venerable Sirs,

Your Magnificences' most obedient servant,

(Signed) J. F. BALLAUF.

No. 158.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, March 3, 1842.

I HEREWITH transmit to you nine warrants, which, in pursuance of the Convention between Great Britain, France, and the Hanse Towns, of June 9, 1837, on Slave Trade, were issued by the Hanseatic Government for the ships of Her Majesty's navy named in the margin of this Despatch; and I have to request that you will be pleased to forward these warrants to the Government of the Hanse Towns, in order that they may be cancelled.

I have also to desire that you will request that orders may be given for the issue of similar warrants for the fourteen vessels of the Royal Navy named in the accompanying list.

"Crocodile,"
 "Griffon,"
 "Lynx,"
 "Dee,"
 "Nautilus,"
 "Stag,"
 "Harlequin,"
 "Seringapafam,"
 "Ringdove."

I am, &c.

Colonel Hodges,
 &c. &c.

(Signed)

ABERDEEN.

For list of vessels requiring warrants see the Earl of Aberdeen's Despatch to Sir H. W. W. Wynn, March 3, 1842 (Denmark No. 131, page 224), the brig "Viper" being omitted in the present list.

No. 159.

The Earl of Aberdeen to Mr. Colquhoun.

SIR,

Foreign Office, March 8, 1842.

I RECEIVED your letter of the 23d October, 1841, enclosing two letters from Mr. Cæsar Hartung, on the subject of an altercation which it appears that that gentleman had with one of Her Majesty's naval officers; and requesting answers to the following questions arising out of the statement which Mr. Hartung has made in respect to that altercation:

1st. What are the instructions given to Her Majesty's cruisers, in addition to the stipulations of the Hanseatic accession Treaty.

2d. Whether Mr. Hartung is bound to send a boat on board with his papers, if required to do so by Her Majesty's cruisers.

3d. Whether prizes to Her Majesty's cruisers are to have the same right of search as the cruisers themselves.

4th. Whether Her Majesty's cruisers have the power to declare at pleasure any part of the African coast as prohibited places for trading, or, in other words, in a state of blockade.

5th. Whether, being a foreigner, he can, under the existing regulations, purchase vessels condemned as prize at Sierra Leone.

Upon the first of these questions, I have the honour to direct your attention to an Annex to the Convention concluded on the 9th of June, 1837, between Great Britain, France, and the Hanse towns, where you will find a copy of the instructions to be sent, in addition to the stipulations of the Treaty.

On the second question, I have to observe to you that it is expected that where no special rule is prescribed by the Treaty, the parties will follow the practice usually observed by merchantmen and men of war in their intercourse with each other. But I think it right to draw your attention to the circumstance, that in the case on which this question arose, it appears that the commander of the ship of war did not insist on a boat being sent to him by the master of the merchantman.

On the third question, I have to refer you to the Second and Fifth Articles of the Convention of 1833, between Great Britain and France, included in the Convention between Great Britain, France, and the Hanse Towns, where you will see that the right of search is to be exercised only by ships of war, and that these ships of war must be furnished with a special authority from each of the contracting parties to the Treaty.

On the fourth question, I have to observe to you that in the papers you have sent, I do not perceive any just foundation for the grave assumption that Her Majesty's cruizers have taken upon themselves the power to declare at pleasure any part of the African coast in a state of blockade.

On the fifth question, I have to refer you to the Twelfth Article of the Convention of 1833, between Great Britain and France, included in the Convention between Great Britain, France, and the Hanse Towns, which declares that a vessel detained and condemned under the Treaty shall be broken up in whole or in part before the sale, whenever its peculiar construction may give reason to fear that it may again be employed in illegal trade. But I have further to acquaint you, that Her Majesty's Government are not aware of any regulation which prevents foreigners from purchasing at Sierra Leone, vessels which, after having been condemned as prize, are put up legally to public sale.

I have, &c.,

(Signed) ABERDEEN.

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

No. 160.

Mr. Colquhoun to the Earl of Aberdeen.

St. James's Place, March 10, 1842.

(Received March 14.)

MY LORD,

I HAVE received the honour of your Lordship's letter, of the 8th instant, in which your Lordship observes, "that your Lordship does not perceive in the papers sent any just foundation for the grave assumption, that Her Majesty's cruizers have taken upon themselves the power to declare at pleasure any part of the African coast in a state of blockade."

In reply, I beg leave very respectfully to state that the paragraph in question is based upon an explanatory conversation with Mr. Hartung, founded on expressions used in his letter to me of 16th October last, and adopted by me in my letter to your Lordship, in order the better to convey Mr. Hartung's sentiments as communicated to me.

Mr. Hartung remarks in that letter, in reply to an observation made by Lieut. Seagram, that "in consequence of his having come from Gallinas, he would have sent Mr. Hartung's vessel for adjudication to Cuxhaven, had he not been short of hands;" that he (Mr. Hartung) rejoined, "that he would sell his goods anywhere, and to whom he pleased." Lieut. Seagram then further remarked, "that if he had found Mr. Hartung at Gallinas at anchor, he would have taken him at once to Hamburgh, and that it was a shame that the Hamburgh people assisted in the Slave Trade;" and moreover observed, on Mr. Hartung appealing to the Treaty with the Hanse Towns, "Never mind your Treaty, I go by my instructions from England."

Founded on this conversation, to the effect that Gallinas was a prohibited place, and not knowing what other places might be so prohibited, as Mr. Hartung expressed it, "placed under blockade," he puts the following question, "If, when a man-of-war officer tells me, you must not trade at such and such a place, and if I find you there at anchor, and trading, I will send you to Cuxhaven, must I obey him?" meaning that the officer exercised a discretionary power on such occasions.

I felt it my duty to afford this explanation to your Lordship, in order to remove a seeming impression that anything more was intended to be conveyed by my letter, than a statement of the facts narrated by Mr. Hartung, and which he is of course ready to substantiate.

I have, &c.,

(Signed)

J. COLQUHOUN.

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

&c. &c. &c.

No. 161.

*The Earl of Aberdeen to Mr. Colquhoun.**Foreign Office, March 23, 1842.*

SIR,

I HAVE received your letter of the 24th ultimo, renewing a request made by you in the month of June, 1841, to be furnished with copies of the proceedings in the Vice-Admiralty Court at Sierra Leone in the case of the Hamburgh barque "*Echo*."

You mention in your letter of the 24th ultimo, that Viscount Palmerston announced to you in his letter of the 1st June, 1841, his intention of complying with your request for these documents.

But upon reference to the correspondence which took place at that period, you will find that on the 24th May you applied to be furnished with information respecting the "*Echo*," and that on the 1st of June, Viscount Palmerston replied, that so soon as a statement of the facts should be received, such statement should be communicated to you. In the meantime, you yourself furnished a statement of facts, and Lord Palmerston replied to you on that statement, on the 19th July following.

But Viscount Palmerston's Note to you of the 1st June, could not have reference to your request to be furnished with copies of the proceedings in the Vice Admiralty Court, for that request was not made till the following day, namely in your Note of the 2d of June.

It appears that you then grounded that request on an Article in the Convention of 1833, with France, which was acceded to by the Hanse Towns. Viscount Palmerston's Note of the 19th July will have shown to you, however, that upon your own statement, the proceedings against the "*Echo*" could have no reference to the Treaty by which the Hanse Towns acceded to the Conventions with France on Slave Trade, but took place in consequence of an alleged infraction of British law in British territory.

Under these circumstances, the proper course to be pursued, is to appeal to the superior Court from the sentence of condemnation by the Vice Admiralty Court at Sierra Leone. The first step in which appeal will be, an inhibition to the Court below, monishing them to transmit the proceedings to the registry of the Court of Appeal.

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

I have, &c.,
(Signed)

ABERDEEN.

No. 162.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, March 22, 1842.**(Received March 28.)*

MY LORD,

IN obedience to the instructions contained in your Lordship's Despatch of the 3d instant, I transmitted the nine warrants therein contained, to the respective Governments of the Hanse Towns, in order to their being cancelled.

I have now the honour to transmit to your Lordship, 14 (not 15 as stated in your Despatch) similar warrants for the undermentioned ships* in the Royal navy.

I have, &c.,

(Signed)

G. LLOYD HODGES.

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

* Bittern, Ferret, Heroine, Bonetta, Pantaloon, Rapid, Alfred, Isis, Ardent, Illustrious, Spartan, Volage, Electra, Fair Rosamond.

No. 163.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, March 29, 1842.**(Received April 2.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch Circular of the 23d March, with its enclosure.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

No. 164.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, April 19, 1842.**(Received April 22.)*

MY LORD,

I HAVE received a communication from Her Majesty's Vice-Consul at Bremen, stating that the Bremen bark "*Julius and Edward*," R. Siedenburgh, Jun., Master, bound from Havana to Cabenda, on the West Coast of Africa, was brought into Bremen by Lieutenant James Thurburn, of Her Majesty's sloop "*Persian*," as prize master, in the month of May, 1841, having been detained and sent to Bremen for trial by the commander of the "*Persian*," on suspicion of her cargo being intended to aid and abet Slave Trade.

The case was tried by the competent authorities of Bremen on the 15th inst., and the result has been the acquittal of vessel and cargo, and the acting commander, Commander Symonds, of the sloop "*Persian*," has been sentenced to pay all costs, damages, &c.

I have only this morning received a copy of the decision of the Bremen Criminal Court, and as the proceedings are voluminous, and contain many technicalities, I have sent them to a competent person for translation, and I trust to be enabled by the next mail to transmit them in original and correct translation for your Lordship's information.

I have, &c.,

(Signed)

G. LLOYD HODGES.

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

No. 165.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, April 29, 1840.**(Received May 2.)*

MY LORD,

IN reference to my Despatch of the 19th April, I have now the honour to enclose, in original and translation, the verdict given by the High Court of Bremen in the case of the "*Julius and Edward*."

I have, &c.

(Signed)

G. LLOYD HODGES.

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

Enclosure in No. 165.

Translation of the Verdict given by the High Court of Bremen on the 15th April, 1842, in the case of the "Julius and Edward," Ratje Siedenburgh Captain, detained by acting Commander Thomas Edward Symonds, of Her Majesty's sloop, "Persian," on a charge of having been engaged in Slave Trade.

IN the trial of Ratje Siedenburgh, captain of the Bremen bark "*Julius and Edward*," as also of Gustav Hermann Siedenburgh, first mate, of Nicolai Wilhelm Hansen, second mate, and of Frederick Leo Quental, owner of the said vessel, respecting a transgression of the penal law against Slave Trade, enacted on the 20th of February, 1837; as well as respecting the application of the provisions of an Act published on the 18th July, 1838, concerning Slave Trade; and also, especially, respecting the claim preferred, partly by the aforesaid defendants, partly by the shipper of the cargo, Charles Tyng, of Havannah, against Thomas Edward Symonds, acting in the capacity of commander of the aforesaid sloop, "*Persian*," for the recovery of the expenses, damages, and costs of the proceedings in this Court.—The Criminal Court, having taken due cognizance of the proceedings, pronounces as follows:—

A. With respect to the penal law of the 20th February, 1837.

1. Whereas an accusation, purporting that the ship "*Julius and Edward*" was seized while engaged in the perpetration of Slave Trade, or representing her to

have been really guilty of such traffic, has not been adduced, and could not well have been adduced under the existing circumstances, the ship having been detained while outward-bound, and before she could have come into any contact whatever with the African coast.

2. Whereas the features of the case present no grounds for suspecting the "*Julius and Edward*" to have been equipped for Slave Trade, as everything found on board at the period of the detention, in the shape of water-casks, cooking utensils, and so forth, were proved to have been on board during her former and admittedly lawful voyages, and not in any way exceeding the quantities generally in use on board Bremen vessels.

The possibility of an equipment for such a purpose being opposed by the fact, proved during the proceedings, that the vessel, upon the discharge of her cargo at Cabenda, was destined for Curaçoa, or one of the neighbouring islands, to take up her full freight, in salt, for Havannah, implying the impossibility of her being intended to bring home slaves to Havannah at the same time.

3. Whereas, under these circumstances, the promoting and abetting such crimes in the capacity of money-lenders, or underwriters, as mentioned in Art. 2 of the penal law, aforesaid, is totally out of the question.

4. Whereas Captain Siedenburg, and, consequently, his co-defendants, can quite as little be charged with having carried on any other business connected with Slave Trade, and marked out as punishable by the aforesaid law, Art. 1, as this, in the case under consideration, could only have consisted in the captain's chartering his vessel for the purpose of conveying a cargo, destined for Slave Trade, from Havannah to Cabenda; and as—

a. Such a destination of the cargo for Slave Trade is perfectly unproved, and proof of this kind cannot be supplied by merely proving the possibility that one or another article of the cargo might have been employed in the purchase of slaves on the African coast, or in payment of former cargoes of slaves, or, finally, for the use of slaves on board any other vessel; and as, moreover, even if such things were to be supposed,—

b. Neither the captain's being privy to the alleged intention of the shipper, nor any culpability on his part can be made out with any degree of probability,—

That, therefore,

5. The defendants cannot be charged with any transgression of the aforesaid penal law.

B. With respect to the matters coming under the special provisions of the Treaties, viz. :

I. As to formalities.

1. Whereas the ordinances of the Convention of the 30th November, 1831, contained in Arts. II. and VI., concerning the requisite rank of cruisers, as well as the prescription founded thereupon in No. 1 of the Instructions, in pursuance of which, the captor, before he instituted any search whatever, ought to have produced his warrant, and to have furnished Captain Siedenburg with a certificate, making mention of the rank held by the commander of the cruiser in Her Majesty's navy, have been disregarded.

Whereas the warrant, by the regulations of that Convention, Art. V., and those of the Hanseatic Treaty of accession, Art. IV., whereon the authorization for the search and capture of a Bremen vessel solely depends, could only come into the possession of the aforesaid Symonds, if he was, at least, a lieutenant in the Royal Navy.

Whereas, therefore, the whole of his procedure, even though practical reasons for it had existed, appears to have been illegal, from the want of proper legitimation.

2. Whereas the captor, contrary to No. 4 of the Instructions, has dismissed the passengers in Africa, in lieu of sending them to Bremerhaven by some means or other.

Whereas, therefore, in as much as by the examination of the passengers, some circumstance of note might, possibly, have been elucidated favourable to the captain, the consequence of this illegality ought to light on the captor alone.

Finally,

3. Whereas the rank expressly required by the Convention of the 22nd of March, 1833, Article I. in the person who is to bring the detained vessel to the port therein mentioned, has been nowhere made apparent in the case under consideration; a

disregarding of legal regulations, which, even where it produced no prejudicial consequences, ought to be visited with censure.

And, moreover,

II. As to material points.

1. Whereas, with respect to the bounds of the right of search, granted to foreign cruizers, not the separate municipal laws enacted against Slave Trade, but simply and solely the Treaties, whereon the warrant for the search is founded, are to serve as a rule.

2. Whereas, according to these Treaties, a Bremen vessel could have been captured only for having been herself engaged in or equipped for Slave Trade, and not on account of a cargo, perhaps indirectly connected with that trade.

Whereas, consequently everything the captor says in the declaration (1) as to the alleged quality of the cargo, tending to make it a slave cargo, (the which, even if supposed to be proved, would fasten the guilt of being an aider and abettor of Slave Trade, not on Captain Siedenburg, but only on the shipper in Havannah,) is perfectly irrelevant, and merely proves that the captor either entertained ideas totally erroneous respecting the nature of the stipulated right of search, to which the warrant issued by the Bremen Government exclusively relates, or that he endeavoured arbitrarily to extend its bounds.

3. Whereas, considering what has been already detailed, sub Articles 1 and 2, the "*Julius and Edward*" has neither been engaged in nor equipped for Slave Trade; and whereas, therefore, even if objects, calculated according to the Convention of the 22nd March, 1833, Article VI., to justify the presumption of the vessel's having been equipped for Slave Trade be found aboard the "*Julius and Edward*," this presumption, nevertheless, would be annulled by the proof of the contrary, expressly reserved in that Article.

Whereas consequently, independently of the actual presence or absence of such objects, the full discharge both of the ship and cargo is to be pronounced at all events, and the statement concerning the objects found on board can be taken into consideration merely with respect to the regulations regarding the claim for costs and damages against the captor, as contained in Articles VII. and VIII. of the aforesaid Convention.

4. Whereas the examination of this point, according to the nature of the case and the admission of the British officer who brought the vessel to Bremerhaven, James Ptolemy Thurburn, (Protocol, page 69,) ought to be founded exclusively on the declaration of the captor.

5. Whereas this declaration with respect to Article VI. of the Convention of 1833, expressly indicates as exceeding the wants of the crew, the supply of water, (No. 5 of the Article,) and the vessels for holding water (No. 6) only; under which head it likewise classes the glass flasks encased in basket work (demi-johns) belonging to the cargo, and in its concluding paragraph, though not actually attesting the existence of copper boilers (No. 8), yet by the words "her coppers are evidently larger than requisite," seems indirectly to insinuate as much.

Whereas, on the contrary, the aforesaid Thurburn's afterwards trying before the Criminal Court, to make, what was said in the declaration of the captor for the purpose of qualifying the cargo as a slave cargo, (a notion altogether irrelevant in this case, as has been already shown,) viz., an immense number of tins used by the slaves on board ship, and known by the name of "slave tins," without any particularization of such tins as "mess tubs or kids," bears reference to No. 7 of the before-mentioned Article VI. is not to be attended to, because, for one reason, the Article does not say a word about tins, and, we may observe by the way, that what is called by the declaration "an immense number of tins," consists, according to the authenticated invoice (21) of a few chests only, which in value do not constitute the thousandth part of the cargo (composed of a large quantity of common articles of trade), and, therefore, cannot possibly stamp upon it the character of a slave cargo.

6. Whereas the "coppers" have not even been alleged, far less proved to be, boilers, according to the meaning of Article VI., No. 8.

Whereas, on the contrary, these copper utensils, which have been on board in all the previous and unsuspected voyages of the ship, are evidently nothing else than pots for cooking, which competent judges expressly testify to be so small and deficient in quality, that few Bremen vessels would deem so insignificant an apparatus sufficient.

7. Whereas nothing exact being stated relative to the supply of water, found on board at the time of seizure, no further stress can be laid on that point; and

8. Whereas, on the contrary, with respect to the water casks, the captor is labouring under a palpable mistake when he evaluates their contents at 4,000 gallons and more, so that, according to his own pre-admissions, an unreasonable number of water casks, as defined by No. 6 of Article VI., is totally out of the question; while the asseveration of competent judges in (96) that this quantity of water casks, which had been on board in all the ship's previous voyages, is not too large, appears worthy of credit.

And further,

9. Whereas the 200 demi-johns, (evidently belonging to the cargo, being a well known article of commerce, (according to 96,) and by their fragile nature but little qualified for holding a supply of water during a voyage,) the only object, however, held in view by Article VI., No. 6, can be enumerated as belonging to those "other vessels for holding water," of which mention is made in that Article, besides the water casks, and even if so enumerated, would not produce a number out of proportion to the wants of the ship's crew (*i. e.* an unreasonable quantity).

10. Whereas, for all of these reasons, it clearly appears that the state of things on board the "*Julius and Edward*" was not such, even practically considered, as to justify the captor (taking his legitimation for granted) in preventing the said ship, on the foundation of Article VI. of the Treaty of 1833, to pursue her voyage, and in sending her to Bremerhaven.

11. Whereas, finally, the requests preferred on behalf of the shipper, Charles Tyng, of Havannah, are inadmissible so far as their object is the delivery of the cargo to his agent at this place; since the engagements contracted between Tyng and the captain of the "*Julius and Edward*," which are not submitted for judgment in the course of these proceedings, as well as the obligations of the latter to the holders of bills of lading signed by him, are opposed to such a request, while on the other hand Tyng's request, inasmuch as they have in view the prevention of the condemnation and restoration of the cargo on board, is disposed of in the present verdict, and the opportunity of making good his claim against the captor for costs and damages, in these proceedings, remains open to him as before.

The Court passes sentence, that all and every one of the defendants be forthwith fully discharged from the accusations brought against them relative to the aforesaid penal law of the 20th of February, 1837, as well as relative to the aforesaid conventions, and from the claims dependant thereon; and that the ship "*Julius and Edward*," and her aforesaid cargo, be forthwith put at the disposal of Captain Siedenburg: further, that the request made on the behalf of Charles Tyng, of having the cargo put at the disposal of his agent at this place, be not admitted, and that he be referred for what relates to the cargo, to the foregoing decision; but that Thomas Edward Symonds, who, when acting commander of the sloop "*Persian*," did detain and send to Bremerhaven, the "*Julius and Edward*," be condemned to pay all costs arising from this capture, to the defendants, as well as to Charles Tyng, and likewise to pay all the costs arising from the proceedings in this court, under reservation of the liquidation; finally, that for the purpose of the aforesaid further liquidation, with the adjunction of the Superior Court, which reserves to themselves the further guidance of this business, are to issue, *ex-officio*, a subpoena to the aforesaid Symonds, ordering him to appear before this Court, or a Commission by them appointed, within a term to be fixed, either in person, or by an attorney, duly legitimated, and to take his part in the proceedings, or in case of his non-appearance, declaring him to forfeit all right of objection to the amount of the costs and damages, and leaving their regulation to the Court exclusively; and that the substitutes, agents, or attorneys, of all the other parties concerned, are likewise to receive notice, so that they may defend their own interests in these proceedings.

Lastly, in order to give notification of this verdict to the defendants, and to the attorneys of Charles Tyng, as also to carry into execution the said verdict, the liquidation excepted, and likewise for the publication, "*in extenso*," by a supplement to the "*Möchentlichen Nachrichten*," of this place, and to the Bremen "*Zeitung*," this Court sends it to the Criminal Court, which Court shall, after having added a registry to the present Act, and made up a minute specification of the costs, and when so made, that it be returned to the High Court.

The High Court shall communicate the publication of this verdict, as far as it is deemed necessary to the aforesaid Thomas Edward Symonds, in the same manner as, and together with the citatory letter, and to arrange that the verdict just mentioned be communicated to him, previous to the further liquidation, upon prejudice that

in case of his non-appearance, be it personally, or represented by an attorney, it shall be assumed that the communication has duly been made to him.

Given in the High Court, Bremen, April 15, 1842.

(Signed)

NOLTENIUS.
DUNTZE.
H. KLUGKIST.
GILDEMEISTER.
A. H. POST.
DROSTE.
TH. BERCK.
A. LÖNING.
D. H. WATJEN.

Published on the 19th April, 1842. The Court of Criminal Law.

(Signed)

G. IKEN.

No. 166.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, May 25, 1842.

I HEREWITH transmit to you 30 warrants issued by the Governments of Hamburg, Bremen, and Lubeck, to enable the commanders of the ships of Her Majesty's navy, named in the margin of this Despatch, to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hanse Towns, for the suppression of Slave Trade; and I have to desire that you will return these warrants to the proper authorities of Hamburg, Bremen, and Lubeck, respectively, in order that they may be cancelled.

"Winchester,"
"Cleopatra,"
"Satellite,"
"Orestes,"
"Comus,"
"Buzzard,"
"Wizard,"
"Viper,"
"Saracen,"
"Fair Rosamond."

I am, &c.

Colonel Hodges,
&c. &c.

(Signed)

ABERDEEN.

No. 167.

Colonel Hodges to the Earl of Aberdeen.

MY LORD,

Hamburg, May 31, 1842.

(Received June 3.)

IN obedience to the instructions contained in your Lordship's Despatch of the 25th May, I have transmitted the 30 warrants therein enclosed to the respective governments of the Hanse Towns.

I have, &c.

G. LLOYD HODGES.

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

&c.

&c.

&c.

No. 168.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, June 3, 1842.

I HAVE received your Despatch of the 29th April last, enclosing a copy and translation of the verdict given by the High Court of Bremen in the case of the Bremen barque, "*Julius and Edward*," captured by Her Majesty's ship "*Persian*," on suspicion of being connected with Slave Trade, and carried to Bremen for adjudication.

I have to desire that under the 10th Article of the Convention of 1833, between Great Britain and France, to which the Hanseatic Republic is an acceding party,

you will make the necessary application to the authorities at Bremen for a copy of all the proceedings had before the Court in the case of the "*Julius and Edward*," and that you will lay these proceedings before some lawyer of eminence, at Bremen, and request his opinion as to the probability of a reversal of the sentence upon appeal, both in respect of the principal cause, and also of the costs, and that you will acquaint me with the result of this inquiry for the information of Her Majesty's Government.

I am, &c.

(Signed) ABERDEEN.

Colonel Hodges,
&c. &c.

No. 169.

Mr. Colquhoun to the Earl of Aberdeen.

St. James's Place, June 6, 1842.

(Received June 9.)

MY LORD,

I HAVE received instructions from the Venerable Senate of Bremen to transmit to your Lordship, for the information of Her Britannic Majesty's Government, a copy, in German and in English, of the sentence passed by the Superior Court of that city in the case of the Bremen barque "*Julius and Edward*," captured by Lieutenant Symonds, of Her Majesty's ship "*Persian*," on suspicion of slave trading.

Your Lordship will perceive, on perusal of the sentence, not only that the parties accused have been entirely acquitted of the charges preferred against them, but also that the captor has been condemned in all the expenses and damages accruing from the detention of the vessel and from the trial.

The Venerable Senate has at the same time directed me to state to your Lordship, that the captor, having sent the vessel to Bremerhaven, and caused it to be delivered up to the proper authorities, omitted to make arrangements for his being represented by proxy at the trial, thereby, as an individual, neglecting his own interest; and further that, as the Convention of the 22nd March, 1833, although it attributes to the respective tribunals the right of awarding damages, and consequently of *condemning* the captor, has made no provision for bringing him before a judicial authority in a foreign country, the Bremen Tribunal would have been justified, under such circumstances, in awarding the costs and damages at once, without caring about the captor; but that the Court preferred giving the captor, and, through him, the British Government, the fullest scope to debate every single point in the different claims to be brought against him; and that, therefore, for this purpose, as well as for that of acquainting the captor *officially* with the tenor of the sentence of 15th April last, the Bremen Tribunal has issued against him a public citation (edictalladung), requiring him to appear before it, either personally or by proxy, on the days fixed.

The Venerable Senate has further directed me to transmit to your Lordship a copy, in German and in English, of this public citation, and to request that, in the event of Her Majesty's Government not deeming it expedient to comply with the stipulation contained in the latter part of the 8th Article of the Convention before quoted, by paying the amount of the costs and damages which may be awarded, without waiting for any further interference in the matter, either by the captor himself or by his proxy, your Lordship will be pleased to cause the enclosed citation, with the translation, to be conveyed as speedily as possible to Lieutenant Symonds, through the Admiralty.

I have, &c.

(Signed) J. COLQUHOUN,

Agent and Consul-General of the Hanse Towns.

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

&c. &c. &c.

First Enclosure in No. 169.

Sentence, with Translation, of the High Court of Bremen, in the Case of the
"Julius and Edward."

See Enclosure in Despatch from Colonel Hodges, dated 29th April, 1842.
 (No. 165.)

Second Enclosure in No. 169.

(Translation.)

Public Citation.

THE Superior Court of the Free Hanseatic city of Bremen having, in a decree bearing date the 15th of April, 1842, passed sentence in the criminal case instituted against Captain Ratje Siedenburg, master of the Bremen barque "*Julius and Edward*," Gustav Hermann Siedenburg, chief mate; Nicolai Wilhelm Hansen, second mate; and the owner of the said vessel, Friedrich Leo Quentell,—the mentioned ship having been detained off Cabenda, on the West Coast of Africa, and sent up to Bremerhaven, on suspicion of having been engaged in the Slave Trade, or equipped for that purpose, by Her Britannic Majesty's sloop the "*Persian*;" as also respecting the claims of the mentioned parties accused, and those of the shipper of the cargo, Charles Tyng, in Havana, on the acting commander of the sloop the "*Persian*" aforesaid, Thomas Edward Symonds, which sentence of the Superior Court aforesaid condemned the mentioned Symonds in all the expenses and damages occasioned to the parties accused, as also in those occasioned to the mentioned Charles Tyng, by the bringing up of the said vessel, and the expenses incurred by the Court in this affair, with reservation of the liquidation.

And inasmuch as in the said judgment a public citation of the above-mentioned Symonds is decreed, for the purposes more exactly specified below, the aforesaid Thomas Edward Symonds is herewith, in compliance with the decree of the Superior Court of this day, and by means of this present public citation, summoned to appear in person, or by a power of attorney duly authorized for that purpose, on

Tuesday, the 13th of December, at 10 o'clock in the forenoon, at the Council House of this city, in the Sessions Hall of the Superior Court, before a commission of the same appointed to that end, to hear the mentioned judgment pronounced on him, with the express warning that, in case of his non-appearance, the judgment aforesaid will be considered as having been made known to him in all due form.

At the same time, and by these presents, the aforementioned Thomas Edward Symonds is *eventualiter* cited to appear in person, or by a duly authorized power of attorney, on

Tuesday, 24th January, 1843, at 10 o'clock in the forenoon, as also on any subsequent days which may be fixed upon by the commission to produce any reclamation he may have to make with respect to the admissibility, or the amount of the several sums of money, which he will be called upon to make good in compliance with the aforesaid sentence of the Court, and generally to protect his interest as regards the mentioned reserved liquidation, with the condition that a non-appearance on the part of the mentioned Symonds will be considered in the light of his refusing to make any reclamation, and that he leaves the regulation of the affair solely in the hands of the Court.

Bremen, from the Chancery of the Superior Court, May 14, 1842.

(L.S.) (Sig.) C. V. LINGEN, *Secretarius*.

Pro vera copia.

(L.S.) (Sig.) BREULS, *Secretarius*.

No. 170.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, June 7, 1842.**(Received June 10.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of June 3; the instructions therein contained will be carried into effect without delay.

In reference to my Despatches of the 19th and 29th April, I have now the honour to transmit to your Lordship, in original and translation, the summons issued by the Supreme Court of Bremen to Commander Thomas Edward Symonds, to appear in person, or by attorney, before it, in the case of the "*Julius and Edward*," detained on suspicion of slave trading, sent to and adjudicated upon by the Bremen authorities, in which Commander Thomas Edward Symonds was condemned to pay all damages, costs, &c.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

Enclosure in No. 170.

See Enclosure 2 in No. 169.

No. 171.

The Earl of Aberdeen to Colonel Hodges.

SIR.

Foreign Office, June 10, 1842.

I HAVE to instruct you to request the proper authorities of Hamburgh, Bremen, and Lubeck to issue warrants to enable the commanders of the ten ships of the Royal Navy named in the accompanying list, to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hanse Towns, for the suppression of Slave Trade.

I am, &c.

Colonel Hodges,
 &c. &c.

(Signed)

ABERDEEN.

Enclosure in No. 171.

See Enclosure in the Earl of Aberdeen's Despatch to Lord Cowley, dated
 June 14, 1842.

(France, No. 36, p. 63.)

No. 172.

*Colonel Hodges to the Earl of Aberdeen**Hamburgh, June 28, 1842.**(Received July 1.)*

MY LORD,

IN reference to your Lordship's Despatch of the 10th instant. I have the honour to enclose ten warrants from each of the Hanse Towns, Hamburgh, Bremen, and Lubeck, for the ships of the royal navy, as per margin, for the suppression of Slave Trade.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

HANSE TOWNS.

No. 173.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, July 16, 1842.

I HAVE to instruct you to apply to the proper authorities of Hamburg, Bremen, and Lubeck, to issue warrants to the commanders of Her Majesty's steam-vessels named in the accompanying list, to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hans Towns, for the suppression of the Slave Trade.

You will, at the same time, state that Her Majesty's ship "Albatross," for which warrants were enclosed in your Despatch of the 28th ultimo, will be employed on the North American and West Indian station, and not, as stated in my Despatch to you of the 10th ultimo, on the Cape of Good Hope station.

I return to you herewith the warrants issued to Her Majesty's ship "Satellite," and enclosed in your Despatch abovementioned, and which will not now be required, as the destination of that vessel has been changed: and I have to instruct you to forward these warrants to the proper authorities, in order that they may be cancelled.

I am, &c.

(Signed) ABERDEEN.

*Colonel Hodges,
&c. &c.*

Enclosure in No. 173.

See Enclosure in Despatch to Sir H. W. W. Wynn, of July 16, 1842.
(Denmark, No. 142, page 229.)

No. 174.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, July 20, 1842.

I HEREWITH transmit to you fifteen warrants issued by the authorities of Hamburg, Bremen, and Lubeck respectively, to enable Her Majesty's ships "Sparrow," "Vestal," "Rose," "Forester," and "Pluto," to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hans Towns, for the suppression of Slave Trade; and I have to instruct you to return these warrants to the proper authorities, in order that they may be cancelled.

I am, &c.

(Signed) ABERDEEN.

*Colonel Hodges,
&c. &c.*

No. 175.

*Colonel Hodges to the Earl of Aberdeen.**Hamburg, July 29, 1842.*

MY LORD,

(Received August 1.)

IN reference to your Lordship's Despatch of the 3rd June, I have the honour to acquaint your Lordship that I have this day received from the Senate of Bremen four voluminous books, with the copy of the "Log" of the "Julius and Edward," all in manuscript, being the proceedings had before the Court in the

case of the "*Julius and Edward*," accompanied by a Despatch, of which the enclosed is a copy; and which documents I shall transmit by this evening's post to the Vice-Consul at Bremen, for the purpose of obtaining the opinion of a lawyer of eminence as to the probability of a reversal of the sentence upon appeal.

I beg leave to call your Lordship's attention to the second paragraph of this Despatch, and request to be informed if a translation of the copy of the official report made by a member of the Bremen Senate will be required by your Lordship.

It is right that I should acquaint your Lordship that this report contains 301 closely written pages.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

Enclosure in No. 175.

SIR,

Bremen, July 26, 1842.

IN Burgermaster Smidt's absence I have the honour to transmit an authentic copy of all the proceedings in the case of the "*Julius and Edward*," referred to in your Despatches of the 7th and 14th June, which you will be pleased to forward to the British Government. I beg to observe that the volume inscribed "Criminalgericht Acta in Unturfuchung fachun, etc.," contains the judicial records, or registers of the examinations and depositions (in German "Protocolle") which form the *Proceedings*, properly called, whereas the three volumes inscribed "Aulagen" are copies of the *annexed papers*, from No. 1 to 131.

At the special demand of the Superior Court, I am directed by the Senate to join to these four volumes a copy of the *Official Report* from one of its members, after the hearing of which the sentence of the 15th April, 1842, in the said case, has been pronounced. For, though this report forms no part of the *proceedings*, its confidential communication is, nevertheless, supposed to be acceptable, as it contains not only an abstract of the materials scattered in those voluminous papers, but comprises at the same time a complete exposition of the principles, on which the Court has founded its decision; these principles being of course only sketched in the sentence itself.

I have, &c.

(Signed)

GILDEMEISTER,

*Senator, Member of the Com.
for Foreign Affairs.*

Colonel Hodges,
&c. &c.

No. 176.

Colonel Hodges to the Earl of Aberdeen.

Hamburgh, July 29, 1842.

MY LORD,

(Received August 1.)

IN reference to your Lordship's Despatch of the 16th instant, I have now the honour to enclose fifteen warrants for the ships of the royal navy named in the margin of this Despatch.

"Avon,"
"Flamer,"
"Sydenham,"
"Spitfire,"
"Gleaner."

I have, &c.

G. LLOYD HODGES.

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

No. 177.

*Mr. Colquhoun to the Earl of Aberdeen.**St. James's Place, September 1, 1842.**(Received September 2.)*

MY LORD,

AN appeal having been lodged by the owner of the "*Echo*," condemned at Sierra Leone on a charge of slave trading, the proctor, in regular course, wrote to Sierra Leone for copies of the proceedings, which it appears had been forwarded by the acting judge, Mr. Hook, (Collector of the Customs there) to Sir John Barrow, Secretary to the Admiralty. These documents, it would seem should have been retained at Sierra Leone, and ought now, being in this country, to be lodged for reference with the Registrar of the Court of Admiralty. In consequence of this information I addressed a letter to Sir John Barrow requesting that they might be so transferred. Your Lordship will perceive by the enclosed copy of a letter from Sir John Barrow that they were sent by the Admiralty to the Foreign Office on the 31st December last. I have, therefore, respectfully to solicit that these papers may be forwarded to the Registrar of the Admiralty, in order that the proctor for the owners may have official access to them, to enable him to prosecute the appeal according to the forms of law,

I have, &c.

(Signed)

J. COLQUHOUN.

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

&c.

&c.

&c.

Enclosure in No. 177.

Sir John Barrow to Mr. Colquhoun.

SIR,

Admiralty, August 30, 1842.

HAVING laid before my Lords Commissioners of the Admiralty, your letter of the 26th instant, with its enclosures respecting the papers connected with the condemnation of the "*Echo*," in the Vice Admiralty Court of Sierra Leone; I am commanded by their Lordships to acquaint you, that all the papers relating to this vessel were sent to the Foreign Office in original on the 31st December last.

I am, &c.

(Signed)

JOHN BARROW.

James Colquhoun, Esq.,

&c.

&c.

&c.

No. 178.

Viscount Canning to Mr. Colquhoun.

SIR,

Foreign Office, September 14, 1842.

I HAVE the honour to acknowledge your letter of the 1st instant, and to acquaint you that the papers belonging to the care of the Hamburg barque "*Echo*," which were sent to this office by the Admiralty on the 31st of December last, have been forwarded to the Registrar of the High Court of Admiralty and Appeals.

I am, &c.

(Signed)

CANNING.

James Colquhoun, Esq.,

&c.

&c.

&c.

No. 179.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, October 1, 1842.

I HAVE to instruct you to request the proper authorities of Hamburg, Bremen and Lubeck, to issue a warrant authorizing the Commanding Officer of Her Majesty's ship "*Daphne*," Captain John James Onslow, on the Brazil station, to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hanse Towns, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

Colonel Hodges,

&c.

&c.

No. 180.

*Colonel Hodges to the Earl of Aberdeen.**Hamburg, October 7, 1842.**(Received October 10.)*

MY LORD,

IN reference to your Lordship's Despatch of the 3rd June, 1842, I have the honour to transmit the legal opinion of Dr. J. D. Meier, who I believe to be one of the most eminent professors of civil law in the city of Bremen, in the case of the "*Julius and Edward*," detained, tried, and adjudicated upon in the courts of that city as having been engaged in carrying on Slave Trade.

The proceedings in this case are contained in five large volumes, closely written in German, which documents I have placed in the archives of this Consulate to await your Lordship's instructions respecting them.

The original and translation of Dr. J. D. Meier's opinion are herewith enclosed.

I have further the honour to transmit a copy of Mr. Vice-Consul Pearkes's letter.

I have, &c.

(Signed) G. LLOYD HODGES.

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

 First Enclosure in No. 180.
B. Pearkes, Esq. to Colonel Hodges.

SIR,

Bremen, October 6, 1842.

IN conformity with the instructions received from you, under date the 29th July, I have the honour to hand you herewith, for the information of Her Majesty's Government, the legal opinion given by Mr. John Daniel Meier, Doctor of Laws, together with the translation, in regard to the verdict passed by the Superior Court of this city, in the case of the Bremen ship "*Julius and Edward*," detained by Her Majesty's ship "*Persian*," on her voyage from Havana to Cabenda, on the West Coast of Africa, on suspicion of being engaged in the Slave Trade.

I have also the honour to state, for the information of Her Majesty's Government, that the 13th December next is the term fixed for Lieutenant Symonds, or his representative, to appear before the Superior Court of this city to hear the verdict of the 15th April, 1842, published, under the prejudice that in case one or the other does not appear, the said verdict will be valid in point of law.

In the term fixed for the 24th January next, Lieutenant Symonds is likewise summoned to appear personally, or by a representative, to bring forward his objections against the different claims for costs, damages, &c., the non-appearance of the one or the other will be regarded that the settlement of such is left entirely to the Court.

I have also the honour to return to you herewith the five volumes containing the proceedings before the Court of this city in the case of the "*Julius and Edward*."

I have, &c.

(Signed) B. PEARKES.

Colonel Hodges,
&c. &c.

 Second Enclosure in No. 180.

OPINION.

The Consulate of Her Majesty, the Queen of Great Britain and Ireland, has requested me to give a written opinion upon the question, whether it be probable that the judgment passed on the 15th of April, 1842, by the Superior Court of this city, with respect to the Bremen ship "*Julius and Edward*," detained on suspicion of being employed in the Slave Trade, by Her Britannic Majesty's cruiser the

CLASS C.

“Persian,” and brought up to Bremerhaven, as also respecting the master, mates, and owner of the said vessel, may be set aside by an appeal either entirely or as far as regards the condemnation of the commander of the said cruiser in all the damages and expenses, caused by the said bringing up and examination; and has to this purpose laid before me copies of the proceedings, contained in five volumes, which, at the request of the British Government, were handed over to the same, and which papers or volumes consist of—

1. The proceedings of the case;

2. The legal documents

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3. Captain Siedenburg’s journal

85

;

4. The legal documents

86

131

; and

5. The Report made to the Superior Court upon the said legal documents.

I have perused these papers and submitted the same, as far as regards the above-mentioned question, to a careful examination, and herewith do myself the honour to communicate the result of this examination in the present opinion.

In order to have a clearer view of the case it would be perhaps better first to give a special sketch of the affair and the proceedings instituted in the same; but as the report laid before me (page 1—164) contains not only a detailed account of the whole case, but also an exact extract of the proceedings, I may avoid all unnecessary prolixity by referring to the same, and need but prefix the judgment which alone bears upon the matter in question.

JUDGMENT.

In the criminal case instituted against Ratje Siedenburg, master of the Bremen barque “*Julius and Edward*,” against Gustav Hermann Siedenburg, chief mate; Nicolai Wilhelm Hansen, second mate; and the owner of the mentioned vessel Friedrich Leo Quentell, the said ship having been detained on her voyage from Havana to Cabenda, on the west coast of Africa, by Her Britannic Majesty’s cruiser the “*Persian*,” for violation of the penal law, enacted February 20, 1837, against the Slave Trade, and the provisions made respecting the same, referred to in the publication of the 18th of July, 1838, and especially respecting the claims for indemnification of costs and damages, made in part by the accused parties above mentioned, in part by the shipper of the cargo, Charles Tyng in Havana, as also for the expenses incurred by the Court inquiring into the case, on the acting commander of the mentioned ship “*Persian*,” Thomas Edward Symonds; upon perusal of the proceedings and in consideration of the following points:—

A. With respect to the penal law of February 20, 1837,

(1.) That an accusation implying that the ship “*Julius and Edward*” was taken in the act of carrying on Slave Trade, or having effectually been engaged in such trade, is nowhere brought forward, and from existing circumstances, viz.: that the ship was detained on her passage to Africa, and previous to her touching the African coast no such accusation could be substantiated.

(2.) That from the nature of the case there are no reasons from which suspicions are to be deducted that the “*Julius and Edward*” was equipped for the Slave Trade, inasmuch as her entire inventory of water casks, cooking utensils, and the like, at the time of her capture, are proved to have been on board on her former and acknowledged lawful passages and by no means exceeded the measure usual on Bremen vessels:

Further, that to the possibility of an equipment for this purpose the following circumstance, which has also been proved, is decidedly opposed, viz., that the ship after delivering her cargo at Cabenda, was to proceed to Curaçoa, or some neighbouring island, there to take in a full cargo of salt for Havana, and therefore could not possibly be intended at the same time to take back slaves to Havana.

(3.) That an abetment of the crime in the light of an advancer of money or insurer of which Article II. of the mentioned penal law treats, is, under existing circumstances, also out of the question.

(4.) That neither Captain Siedenburg, nor consequently any of the parties inculpated, can be proved guilty of having been engaged in carrying on any other trade

in connexion with the Slave Trade, and which the mentioned law, Article I., designates as punishable, inasmuch as a trade of this nature in the present case could only consist in the captain's having let out his ship for the conveyance of a cargo from Havana to Cabenda in the furtherance of the Slave Trade; but

(a.) Such a destination of the cargo for the Slave Trade is unsubstantiated by any proof, and a proof founded on the mere possibility that the one or other of the articles, of which the entire cargo consisted, might have been available in the purchase of slaves on the African coast, or for the payment of earlier slave shipments, or for the use of slaves on any other ship, cannot be admitted as a substitute for the above-mentioned proof; besides even admitting such a supposition,

(b.) It cannot be maintained with any degree of probability that the captain was previously acquainted with, or connived at the intention of the charterer, or in fact, that any blame is to be attached to him:

That consequently

(5.) No violation whatever of the penal laws above alluded to can be imputed to the parties inculpated.

B. With respect to the points especially stipulated by the Treaties, and viz.:

I. As regards the form.

(1.) That the conditions as to the requisite rank of the commanders of cruisers contained in the Convention of the 30th of November, 1831, Articles II. and VI., which, in the present case, must serve as guide, as also the prescription No. 1 (based upon the same) of the instructions, according to which the captor, previous to any search, ought to have shown Captain Siedenburg his warrant, and, specifying his rank in the Royal Navy, have exhibited his certificate, were not observed.

That consequently the warrant prescribed in the aforesaid Convention, Article V. and in the Hanseatic Accessorial Treaty, No. 4, on which alone the right of searching and bringing up of a Bremen vessel is based, could devolve upon the aforementioned Symonds only in case of his being at least a lieutenant in the Royal Navy; that, consequently, his whole proceeding, even supposing that real grounds were existing, appears illegal, inasmuch as his legitimation is not apparent.

(2.) That the captor, in opposition to No. 4 of the instructions, dismissed the passengers in Africa instead of conveying them by some means or other to Bremen.

That therefore, inasmuch as by examination of said passengers, some important point in favour of the captain might have been cleared up, the consequences of his having acted in opposition to the law must fall alone upon the captor.

Finally,

(3.) That the rank specified in the Convention of the 22nd of March, 1833, Article I., which the officer must hold, who is commissioned to bring up the detained vessel to the port therein specified is nowhere proved in the present case, which, even where the consequences were not of importance, cannot be passed over in silence; as also further—

II. As regards the matter itself:

(1.) That with respect to the limitation of the right of search granted to foreign cruisers, not the especial municipal laws enacted against the Slave Trade, but solely and alone the Treaties, to which the authority to institute a search refers, must serve as a guide:

(2.) That according to these Treaties a Bremen ship could be brought up, only in case she herself were found employed in the Slave Trade, or from her being equipped for this purpose, but not in consequence of her cargo standing in any indirect connexion with the Slave Trade:

That, therefore, all the captor says in his declaration

1

 respecting the sup-

posed purpose of the cargo as slave cargo (which, even supposing the same to be proved, would inculpate not Captain Siedenburg, but only the shipper of the cargo in Havana, as aider and abetter of the Slave Trade) is perfectly without weight, and only proves that the captor entirely misunderstood the nature of the stipulated right of search, to which alone the authority granted by the Bremen Government refers, or that he sought arbitrarily to extend its limits.

(3.) That according to what has been stated above, sub. A. 1 and 2, the "*Julius and Edward*" has been proved neither to have been employed in the Slave Trade, nor to have been equipped for such a purpose, and that therefore even though

articles of merchandize, which, according to Article VI. of the Convention of the 22nd of March, 1833, might authorize a just supposition that the vessel was equipped for the same trade, were found on board the "*Julius and Edward*," such presumption would be on the other hand destroyed by the proof to the contrary expressly reserved in the said Article :

That consequently, even supposing such articles had been found on board, the liberation of the ship and cargo must at all events ensue, and that the result of the search can only be considered with respect to the prescriptions contained in the Articles VII. and VIII. of the last-mentioned Convention, with reference to the claims of indemnification to be made on the captor.

(4.) That in examination of this point, according to the nature of the case and the statement of the British officer who brought up the ship to Bremerhaven, James Ptolomy Thurburn (Prot. page 63), the declaration of the captor alone is to be abided by.

(5.) That this declaration with respect to the mentioned Article VI. of the Convention of 1833, designates expressly only the supply of water (No. 5 of the Article) and the water casks (No. 6), in which it includes the demi-johns, which formed part of the cargo, as more than requisite for the use of the crew, and though the concluding sentence of said declaration does not exactly maintain the existence of copper boilers (No. 8), the words, "her coppers are evidently larger than requisite," would seem indirectly to allude to it:

That, on the other hand, the subsequent endeavour of the mentioned Thurburn before the Criminal Court to apply what in the declaration of the captor was merely stated to characterise the cargo as a slave cargo, (which, as has been already stated, is perfectly immaterial,) and was specified in the words, "an immense number of tins used by the slaves on board ship and known by the term of slave tins," without any further description of such tins as being identical with "mess-tubs" or "kids," to No. 7 of the mentioned Article VI. cannot be taken into consideration, from the circumstance that in the Article in question there is no mention made of tins or tin utensils; with respect to which is to be observed that what is specified in the declaration as "an immense number of tins," consists

according to the invoice

21

 whose correctness was proved, only of a few chests,

which, as regards their worth, do not constitute the thousandth part of the cargo, and which, in conjunction with a considerable quantity of usual articles of commerce, could not possibly justly affix upon the whole cargo the appellation of a slave cargo :

(6.) That with respect to the "coppers," their quality as boilers in the sense of Article VI., No. 8, is not even mentioned much less proved :

That on the contrary, these copper utensils, which the vessel carried with her on her former unsuspected passages, are evidently nothing but cooking pots, with

respect to which competent judges expressly testify

96

 that they are very small and deficient and that but few Bremen vessels would make shift with so inconsiderable a cooking apparatus.

(7.) That with respect to the supply of water found on board at the time of bringing up of the vessel no particulars are specified, on which account no further importance can be attached to this point :

Whereas,

(8.) As regards the water casks the captor is in manifest error, when he taxes their contents at more than 4000 gallons, inasmuch as the admeasurement instituted by the Court gives but somewhat above 2000 gallons, so that, according to his own statement, "an unreasonable number of water casks" as required by No. 6 of Article VI. is out of the question; on the contrary, the assurance of the competent judges appointed by the Court, that the quantity of water casks, which were also on board on earlier voyages, is by no means too great, is deserving of all credit: that further,

(9.) The 200 empty demi-johns, evidently forming a part of the cargo according to

96

, a well known article of trade, and owing to their fragile nature but little adapted for holding a stock of water during a voyage, to which alone Article VI.,

No. 6, refers, cannot be looked upon as being comprised in the words, "other vessels for holding water" mentioned after "water casks," and which, even supposing that they be considered as such, would not furnish a quantity out of proportion to the use of the crew (unreasonable quantity.)

From all which,

(10). It is manifest that the articles found on board the "*Julius and Edward*," gave the captor (even presupposing his legitimation) in a material respect, no right to prevent the mentioned vessel from prosecuting her voyage and to send her up to Bremerhaven, founded upon Article VI. of the Treaty of 1833 :

That finally,

(11). As regards the propositions made in the name of the shipper, Charles Tyng in Havana, the same appear inadmissible as far as they refer to the delivering up of the cargo to his agents in this city, inasmuch as the conditions of contract between Tyng and the captain of the "*Julius and Edward*," as also the obligations of the latter towards the holders of the bills of lading, signed by him, (upon which the present judicial inquiry is not appointed to decide,) are opposed to such a request ; on the other hand, Tyng's propositions as far as he is interested in warding off a condemnation and effecting a re-delivery of the cargo are admitted, and the opportunity of making good his claims of indemnification against the captor is still left him as before.

The judgment of the Court is,—

That each and all of the persons inculpated are acquitted of the accusation and claims connected therewith made against them both with respect to the mentioned penal laws of February 20th, 1837, as also with reference to the Conventions above spoken of, and that the ship "*Julius and Edward*" and the mentioned cargo of the said vessel be forthwith placed at the disposition of Captain Siedenberg :

Further, that the proposition made in the name of Charles Tyng to the intent that the cargo be placed at the disposition of his agents in this city cannot be admitted, on the contrary, that he be referred in every respect to the foregoing decision of the Court :

And then that Thomas Edward Symonds, who, as acting commander of the sloop "*Persian*" detained the "*Julius and Edward*," and sent up the same to Bremerhaven, be condemned in all the costs and damages accruing to the parties inculpated as also in those accruing to Charles Tyng, and in those incurred by the Court with reservation of the liquidation :

Finally, that for the purpose of the said liquidation under adjunction of the proceedings of the Criminal Court, the Superior Court, upon whom the further management of this business devolves issue an official citation against said Symonds, summoning him to appear in person or by a duly authorized representative, and to proceed to the conclusion of this affair before this Court, or a Commission appointed for said purpose, on some day to be subsequently fixed on, subject to the consequence, that in case of his non-appearance, he forfeits all right of questioning the amount of costs and damages, and that he leaves the regulation of the same entirely in the hands of the Court :

To which proceeding the agents of the other parties interested are also to be cited in order that they may be enabled to protect their interests.

Moreover, and to the end of making known the present judgment to the parties inculpated, and to the substituted agents of Charles Tyng, as also to the execution of the same with the exception of the liquidation aforesaid, and to the end that the same may be published *in extenso* by means of a supplementary sheet to the "Weekly advertisements" published in this city and the Bremen "*Times*," (*Zeitung*.) the matter is referred to the Criminal Court, which, with the addition of a registration and an exact specification of the expenses incurred by the same in the examination of the affair, will again hand over the documents to the Superior Court.

The publication of the present judgment, however, on the mentioned Thomas Edward Symonds, inasmuch as the same is necessary, is to take place in the same way as the aforesaid citation and in conjunction with the same to the intent : that,—

The afore-mentioned judgment be publicly made known to him at some period to be specified hereafter, and previous to the further liquidation, subject to the con-

sequence, that the same in case of his non-appearance in his own person or by means of a representative, be considered as having been publicly made known to him in all due form.

Decided in the Superior Court, Bremen, April 15th, 1842.

(Signed)

NOLTENIUS.
H. KLUGKIST.
A. H. POST.
T. BERCK.
DUNTZE.
GILDEMEISTER.
DROSTE.
A. LÖNING.
D. H. WATJEN.

Published at Bremen, April 19th, 1842.
The Criminal Court.

(Signed)

G. IKEN.

In order to answer the question at point, I must necessarily divide the above judgment into two parts, and then as regards both, consider the advisability of an appeal both as respects the form and the matter itself.

I. As regards that part of the judgment which acquits all the parties inculpated of the accusations brought against and claims made on them, both with respect to the penal law of the 20th of February, 1837, as also with respect to the State Conventions, and which places the ship and cargo at the disposition of Captain Siedenbergh, it appears,—

a. That an appeal on the part of Lieutenant Thomas Edward Symonds against this part of the judgment would be altogether inadmissible.

For the legal proceedings instituted in the case before us by the Criminal Court, are in exact conformity with the usual and legal proceedings adopted here in all criminal and penal cases, in which the office of the Court examining *ex officio*, without admitting an accuser, is to find out the guilt or innocence of the party accused, and when the offence in question draws down on it no other punishment than an imprisonment of three months or a fine of 50 rix dollars, to decide upon the same itself; but in offences of a more weighty nature to refer the matter to the decision of the Superior Court. Against such decisions an appeal to the higher Court may still be made, but as no accuser is admitted and no informer can be regarded as a party interested, and inasmuch as the examining Court must at the same time represent an accuser though impartial, the appeal can of course be made but by the party accused, a fact which is substantiated beyond all doubt, as the Bremen law of proceeding expressly ordains that the rigidity of a penal judgment can only be confirmed or mitigated but never augmented in the second Court.

That in consideration of the abovesaid, and as far as the Bremen laws against the Slave Trade are concerned, the captor cannot appeal from the judgment which acquits the captured is evident, and I am fully convinced the matter cannot be adjudged otherwise even with respect to the State Conventions; for, although the State Conventions between Great Britain and France, of the 30th of November, 1833, to which the Hanse Towns agreed by the accessorial Treaty of the 9th of June, 1837, evidently presume that the manner of proceeding against prizes as usually practised in England and France, will be adopted and instituted against those ships brought up on suspicion of being concerned in the Slave Trade, this is by no means expressed in the Treaties which were published here as law, on the contrary, these Treaties contain the express provision that the vessels thus brought up and their crews shall be exclusively judged according to the existing Bremen laws, and the proceedings instituted according to the Bremen forms. (Comp. Convention, 30th November, 1831, Article VII.)

“ Qu'ils (the detained ships) seront jugés d'après les loix en vigueur dans leurs pays respectifs.”

Convention of 22nd of March, 1833, Article I.

“ In order that proceeding may be there, (the port to which the ship brought up belongs,) instituted respecting them, *agreeably to the laws of each country.*”

Convention of the 22nd of March, 1833, Article V.

“ The vessels detained as before-mentioned, their masters, crews, and

cargoes, shall be forthwith proceeded against before the proper tribunals in the respective countries, *according to the established forms*, and if in consequence of such proceedings, the said vessel shall be found to have been employed in the Slave Trade or to have been fitted out for the purpose thereof, the master, the crew, and the accomplices, as well as the ship and cargo, shall be dealt with *conformably to the respective laws of the two countries.*

Instruction to cruisers, § 3.

“in order that proceedings may be instituted in regard to them, *conformably to the respective laws of each country.*”

If, therefore, the Bremen laws know no peculiar manner of proceeding with respect to prizes, on the contrary if they consider the condemnation of a ship and cargo, brought up on suspicion of being concerned in the Slave Trade, only in the light of a punishment of confiscation enacted against the Slave Trade (Penal laws enacted against the Slave Trade, 20th of February, 1837, Article 2), and refer all penal cases without any difference; and therefore also, that which in consequence of the penal laws or the Treaties must be punished for examination and punishment to the Criminal and Superior Court respectively, then only such proceedings as are instituted by these Courts in penal cases can be applicable to the case before us, the penal judgment passed in the first Court can but be confirmed or mitigated, but not augmented as regards the punishment in the second; and thus, in other words, an appeal made by Lieutenant Symonds against *that* part of the decision in question, which acquits the detained vessel and her crew, is altogether inadmissible.

The author of the Report before me (page 168—213 and 214) appears to entertain an opinion on the case, in general different from that expressed above, implying that the matter, with respect to the local laws of this place, is subject to a different adjudication than the Treaties would enforce; inasmuch, for instance, as the case may happen that, according to the local laws, a full acquittal of the Captain may ensue, whilst at the same time, according to the Treaties, a confiscation of ship and cargo must be adjudged. But this difference of opinion which in certain cases would benefit, in others injure the captor, but which, as regards the position of matters in the case before us is of no moment, and consequently needs no further discussion, must, in my opinion, be looked upon as erroneous from the reasons above stated, and particularly from the passages of the Treaties alluded to, which so expressly refer the adjudication of the matter to the local laws. But even supposing it were not so, the form of the legal proceedings would still be always governed by the laws of the country where the same are instituted, as this is expressly provided for in those parts of the Treaties to which I have alluded, and besides no form of proceeding is prescribed in the State Conventions, and thus the question whether an appeal can be at all made, and against what part of the judgment of the Superior Court in question, must be adjudged according to the laws of this city.

But, according to the laws of this city, an appeal against a verdict of acquittal is, as has already been stated, inadmissible, wherefore to the question whether an appeal can be made against that part of the Superior Court which acquits the “*Julius and Edward*,” its owner and crew, of the accusations brought against them, I must give a firm and decisive negative, independent of the matter itself.

If this point is once acknowledged, there is, properly speaking,

(b.) No need of any further examination of the question, whether the judgment of the Superior Court is justified in a material point of view; but for the sake of completeness I will not withhold my view of the case, which is, that as regards the matter itself no favourable result is to be expected from an appeal.

That the “*Julius and Edward*” was really employed in the Slave Trade is perfectly out of the question, from the circumstance that, according to the reports and depositions of the captor and his people, according to the ship papers and the sworn depositions of the sailors, who were not implicated in the matter, not only no slaves were found on board, but also the vessel was detained by the “*Persian*” on her passage out, and consequently before she touched the African coast.

And just as clearly it is proved that the “*Julius and Edward*” was not equipped for the Slave Trade; for exclusive of the circumstance that the Lieutenants Symonds and Thurburn expressed themselves pretty decidedly of opinion that such was not the case, and directly accused the detained vessel only of abetting and aiding the Slave Trade, the construction of the “*Julius and Edward*,” a somewhat heavily built bark of 170 lasts, more particularly adapted for the conveyance of

goods, is by no means suitable for the exportation of slaves. Besides its peculiar equipment does not admit of such a conclusion, for, according to the unanimous depositions of several unsuspected witnesses, the "*Julius and Edward*" had the very same equipment on her last voyage which she had on several of her previous acknowledged legal voyages, and even supposing that some of the articles found on board might, with reference to the Treaties, have grounded a suspicion, these articles were either, as the water casks and cooking utensils, proved to have been on board on her previous voyages, or, as is the case with the tin goods and demi-johns, constituted a part of her cargo.

Finally, the unsuspected correspondence produced by the owner of this city, and all the other documents, are in direct opposition to the supposition that the "*Julius and Edward*" was equipped for the Slave Trade, according to which it is shown that the said vessel was chartered to go from Cabenda in ballast to Curaçoa, or Buenos Ayres, and there to take in a cargo of salt for Havana.

More doubtful appears the question whether the "*Julius and Edward*" can be accused of aiding and abetting the Slave Trade, but also this question seems in a manner solved by the consideration that neither Captain Siedenburg nor the mates, nor the owner of the vessel, has been proved guilty of such purpose. For such an offence would, and the Superior Court inclines to the same opinion, necessarily be attended with the condition that Captain Siedenburg, or his owners, must have been aware of the destination of the cargo for the trade of slaves, or at least ought to have been aware of it, as, *e. g.* supposing the "*Julius and Edward*" had taken such articles as are exclusively adapted for such trade, and proper for no other.

In the same way as the papers and the contents of the cargo do not lead to the satisfactory proof that the latter was or necessarily must have been destined for the purpose and subsequent transport of a cargo of slaves, inasmuch as in the nature of the case every thing adapted for the purchase of slaves must, at the same time, be an object of lawful trade with the inhabitants of Africa, there is still a great want of proof, showing the necessary knowledge and connivance of the Captain, and consequently the Superior Court could do no other than entirely acquit him, his mates and owner, of any and every accusation of aiding and abetting the Slave Trade.

Consequently even supposing that an appeal were at all admissible, there would, in my opinion, be but little probability of obtaining an alteration of the judgment in question by means of an appeal.

But the matter assumes an entirely different character.

II. As regards that part of the judgment which condemns Thomas Edward Symonds in all the costs and damages occasioned to the parties inculpated, and Charles Tyng, by bringing up the vessel, as also in the costs of the Court.

With respect to this part of the judgment, I am of opinion that

(*a.*) Not the least doubt can be entertained as to the admissibility of an appeal to the Upper Court of Appeals of the free cities of Germany, as also to the admissibility of a suit for nullification. I am, it is true, not acquainted with any case, and probably such a one never occurred in the Courts of this city, where, in a penal judgment, any one but the party accused was condemned, and where any one but the accused has appealed against a penal judgment. But this cannot alter the case, for, on the one hand, the condemnation of Lieutenant Symonds, though passed in a criminal judgment, is altogether a matter appertaining to a civil court, as which the parties interested can no more be denied the legal remedies usual in civil suits than in the usual *processu adhesionis*, and on the other Lieutenant Symonds would be entitled, considering the matter in a penal point of view, to lay claim to all the rights of a party accused, and consequently to avail himself of all legal remedies granted the same, and therefore the legal remedy of an appeal and suit for nullification.

But granting these legal remedies to be admissible, the question still remains.

(*b.*) Whether by means of the same there is any probability of effecting an alteration in the judgment in question? A question whose solution will depend on the manner in which it is viewed, whether in particular as regards the formal or material validity of the judgment, on which account I deem it more advisable in answering the same to separate the points of consideration.

1. With respect to the formal validity of the judgment, and consequently the

previous proceedings, I must for the sake of illustration premise that according to our laws in criminal cases no other person can be condemned than the party accused, and that therefore such party, if he will make good his claims of damages against his informer, or against a public civil officer, who has wrongfully led him into examination, and consequently injured him, must prosecute such claims by means of a fresh complaint before the Civil Court appointed for such cases.

It is true our laws of proceeding contain the provision, that the Court which had to decide on a penal or police case is also duly appointed to decide on private claims connected with such case, provided the same have been made by the parties interested before the close of the inquisition, in which case the said Court is empowered and, in case either of the parties concerned with it, obliged to refer such claims to the Civil Court. But this provision, according to the principles of the common German law on which it is based, refers only and solely to such claims as the person injured by the offence has against the person offending; as, for instance, the person robbed against the thief, and is the less calculated to be applied to other cases, as in such not only the connexion required by the laws, but also the real *ratio legis* is wanting, as the law, only to simplify the case, will suffer a civil case liquidated in the criminal proceedings, when all the parties concerned are agreed, to be decided by the Criminal Court.

For this reason, and without taking into consideration the State Conventions, if, for instance, the "*Julius and Edward*" had been detained by a Bremen military or civil officer, and handed over to the Criminal Court, there can be no doubt but that the parties interested would have been immediately referred with their claims of damages against said officer to the competent Civil Court. This would probably have also been the case in the matter in question, had not the Convention of the 22nd of March, 1833, contained the express provision that the costs and damages should be awarded by the same tribunal before which the proceedings against the detained vessel, her master, crew and cargo, had been instituted, and thus appointed the Superior Court, as Criminal Court, the only competent Court for awarding the amount of damages in question.

But though the competency of the Superior Court, according to the Convention alluded to, cannot be doubted, it is still not expressed in the above said Convention that in the penal judgment the claims respecting damages are at the same time to be adjudged without further hearing of the parties interested, or that the Superior Court is to decide on this point without regard to all established forms in civil cases. In my opinion the Superior Court in the present judgment ought to have reserved to the parties interested the right of making good their claims by a complaint, and then have proceeded as regarded this complaint in the usual way of civil cases. That such form of proceeding was not adopted may, I should think, be considered as a reason why the judgment should be declared void, and consequently an appeal and suit for nullification be instituted against it. But supposing this reason should be considered insufficient, inasmuch as the Eighth Article of the mentioned Convention leads to the inference that it was the intention of the powers contracting that the tribunal which awarded judgment on the ship should also award the costs and damages, still the Superior Court ought by no means to have proceeded as it has done, and, neglecting the absolute and most material fundamental principle of law proceedings, *audiatur et altera pars*, passed judgment on Lieutenant Symonds without having once heard him respecting the claims of his opponents.

Independent of the Treaties, such an error must necessarily and according to our laws be attended with a nullification of the whole proceeding and the judgment based on the same.

But, according to the Treaties, it may be said that the authority of the Court to determine and award the costs and damages appears to intimate that judgment is to take place without any further proceedings; but, in the first place, this is not probable, from the circumstance that it would lead to too great extremes, and, secondly, this view of the case would have cut off all further proceeding, and at the same time imposed upon the Superior Court the duty not only of condemning Lieutenant Symonds in the costs and damages in general, but also of defining the amount of such costs and damages in the judgment.

That the Superior Court has not done this, that, instead of awarding a definite amount of costs and damages, it has appointed a certain term, in which it is proposed to hear Lieutenant Symonds as to the claims of damages awarded against him, is the clearest proof that the provision of the Treaties is not to be taken in the

closer signification alluded to above, and that they, in opposition to the manifest provision of all our other laws, legalize no judgment without previous hearing of the party accused.

The author of the Report (page 296), it is true, expresses the opinion that there was no need of any hearing of the cruisers previous to passing judgment, as this immediately follows, according to Article VIII. of the Convention, as soon as the Court, together with an acquittal, declares that none of the particulars mentioned in Article VII. were existing.

Granting that this conclusion may be drawn with some certainty, although in accordance with the principles of proceeding in force in our Courts, the hearing of all parties concerned cannot be omitted, I must altogether deny that the Court was empowered to pass judgment in the case of the parties interested in the ship against Lieutenant Symonds, without previously hearing him upon the point whether any of the particulars mentioned in Article VIII. were found on board the ship or not. Entitled as it might be to pass such a verdict in prosecution of the examination against Captain Siedenburg and his party, and perfectly legal as might appear such a verdict for the inquisition, it must still remain without any influence on the civil case in question upon the claims for costs and damages of the parties interested in the ship and cargo, for, according to known principles of law, a legally valid judgment constitutes, it is true, an irrefutable norm for the parties concerned, but can have no influence whatever upon the rights of third parties,—it can neither benefit nor injure them.

I am, therefore, of opinion that that part of the judgment of the Superior Court which here comes into consideration, inasmuch as the same was passed without due and sufficient hearing of Lieutenant Symonds, is altogether invalid in point of law, and consequently might be set aside by means of an appeal or suit for nullification.

But such reversal of the former judgment would not consequently produce the result of releasing Lieutenant Symonds from every obligation of damages,—this it can never do; all it would effect would be the institution of a proceeding, as is now the case with respect to the amount of damages, in which Lieutenant Symonds would have an opportunity of prosecuting his justification in detaining the "*Julius and Edward*," and of contesting his obligation to refund the costs and damages in every possible and serviceable manner.

That Lieutenant Symonds would be able to prosecute this his defence by material and new means, which have been omitted in the proceedings hitherto, I cannot of course positively deny, although I am not inclined to believe it, and presuming that I am correct in my supposition, may express my opinion that an appeal, as regards the formal grounds alluded to, can be attended with real, that is to say with a final success, only in case the judgment is in a material point of view founded on error, or in case he entertain the hope that he can effect a setting aside of the judgment by an appeal also upon material grounds.

This leads me—

(2.) To the last part of my discussion, or rather to the discussion of the question whether Lieutenant Symonds, according to the documents produced, could be justly condemned in the costs of the Court occasioned by the prosecution, and in all the damages occasioned to the parties inculpated, and Charles Tyng, in consequence of the bringing up of the vessel.

I will first discuss the question concerning the expenses of the Court, as being the simplest.

It is a matter which admits of no dispute, and therefore needs but be simply mentioned, that if Lieutenant Symonds were not liable in the amount of damages to the parties interested in ship and cargo, he could not be condemned in the costs of the Court. This would not have been the case, and thus the condemnation in the costs of the Court is conditional on the condemnation in another point of view. But, in my opinion, provided Lieutenant Symonds be justly condemned in all other costs and damages, he could by no means be condemned in the costs of examination, which are anything but inconsiderable, inasmuch as neither the Treaties nor any local laws justify such a condemnation.

The Convention of the 22nd of March, 1833, Article VIII., makes the commander of the cruiser liable in nothing else than *in the costs and damages to the master and to the owners of the vessel and cargo*; of a liability in the costs of the Court there is no mention made in the different Treaties, and in fact they contain no provisions whatever respecting the costs of the Court. But still this would not exempt Lieutenant Symonds in the present case from being liable in the said costs,

provided our laws imposed on him such a liability. But in our penal proceedings we know but two forms of judgment with respect to the costs; the party inculpated is either condemned in the same or acquitted of them, in which latter case the costs of the examination are borne by the state. I know of no legal provision in accordance with which a third person might be condemned in the costs, and of no case in which, *e. g.*, an informer or public officer, in which category Lieutenant Symonds must be considered, who falsely or erroneously had made public notice of an offence, being condemned in the costs of examination.

These reasons induce me, consequently, to consider the judgment in question, even in a material point of view, as decidedly founded on error, inasmuch as it condemns Lieutenant Symonds in the costs of the Court, and I must certainly consider it as probable by means of an appeal to effect an alteration in the same as regards this point.

As regards the other damages and costs, the Article VIII. alluded to above, says:—

“When a merchant vessel shall have been visited and detained illegally, or without sufficient cause of suspicion, the commander of the cruiser shall be liable to costs and damages to the master and to the owners of vessel and cargo.”

Whilst, at the same time, Article VII. provides that in no case a compensation shall be awarded, if any of the particulars specified in Article VI., Nos. 1—9, be found on board in the equipment of or on board the vessel.

From this Lieutenant Symonds could be condemned in the costs and damages only in case he had detained the “*Julius and Edward*” illegally, *id est*, without right, *e. g.*, beyond the destined latitude and longitude, or without a special authority or power, or without sufficient cause of suspicion, but for which the existence of any one of the particulars specified in Article VI. would be sufficient.

The Superior Court looks upon the visiting and detaining in the first place as illegal, because, according to Article II. of the Convention of the 30th of November, 1831, the right of search can be exercised by such ships of war

“dout les commandeurs auront le grade de capitaine ou au moins celui de lieutenant de vaisseau.”

And consequently the authority made out on the “*Persian*,” under the command of Lieutenant Quin, could not be transferred to the present Lieutenant Symonds.

But I can by no means approve of this view of the case, although I must still consider the matter as dubious, and am of opinion that the intention of the Treaty is this: Only such vessels or ships of war may be employed as cruisers as are regularly commanded by a captain or lieutenant, and it is a matter of course that when the real commander happens to be absent, or when his place becomes vacant by death, and the next succeeding officer takes his place, the acting commander, without respect to rank, is equally empowered to exercise the right of search and detention in question.

I feel even inclined to cite, as voucher for this interpretation, the Treaty of the 20th of December, 1841, (which, it is true, is not binding for the Hanse Towns,) in which we find the following words:—

“A moins, que par décès, au autre cause, le commandement ne soit échu à un officier d’un rang inférieur,”

although the very same passage is made use of by the Superior Court as a proof of the contrary.

For it is not to be supposed that the opinion on this point has so suddenly changed, in other words, that this sentence, which is self-evident, should in the former Treaty have been omitted on purpose. On the contrary, it is much more probable, nay, it is evident, that it was formerly considered unnecessary or forgotten expressly to state what some dispute like the present may have subsequently served as an inducement to add.

But, be this as it may, it is so little in accordance with the spirit of our laws to lay any great weight on forms, which have no influence upon the material parts of a case, that I am convinced the Superior Court would not have condemned Lieutenant Symonds in the costs and damages, if the “*Julius and Edward*” had been convicted of having been equipped for the Slave Trade, and I flatter myself with the hope that the Superior Court of Appeals will be as little inclined, on this ground alone, to confirm the condemnation of Lieutenant Symonds.

Exclusive of this, Lieutenant Symonds is accused by the Superior Court of not

having shown his special orders to the captain of the "*Julius and Edward*" previous to the commencement of the search; of his having intrusted the bringing up of the vessel to an officer under the rank of lieutenant; of his having dismissed the passengers from board, instead of sending them to Bremerhaven; and, finally, of his not having exhibited the certificate specifying his rank in the navy, as prescribed in the Instructions to Cruisers. All these accusations appear, it is true, to be more or less grounded, but as the Superior Court itself, in the present case, considers them as unimportant, and as it is clear they can have no influence with respect to the legality of the detention and search, on the contrary, only in cases not appertaining to the present matter give the master and crew of the detained vessel particular rights and claims to damages, these errors with respect to the form may be passed over in silence.

The question now is whether Lieutenant Symonds had a sufficient cause of suspicion to detain the "*Julius and Edward*," and to bring her up to Bremerhaven, a question which, independent of the particulars specified in Article VI. of the Treaty, being found on board, I must most positively deny.

The Superior Court has not even started this question, and appears to entertain the opinion that the acquittal of a vessel, independent of the particulars in Article VI., implies of itself that the captor had no sufficient cause for bringing it up. I need not discuss the justice of this opinion here, as it is evident from the proceedings that, without respect to the particulars specified in Article VI., there was, in the present case, no sufficient cause of suspicion.

It must be taken for granted, a point which is evident in the words of the Treaties, and still more in the history of their origin, and which is, as regards the legal point of the case, satisfactorily proved in the Report (pp. 227—243) to which I need therefore but refer, that the object of all the Treaties is to prevent but the Slave Trade itself and the equipment for this purpose, but by no means the aiding or abetting the same. Only such ships as are employed in the Slave Trade or equipped for the same trade are to be detained by the cruisers; only such ships as are suspected of these purposes, not such as are suspected merely of aiding and abetting the Slave Trade, are to be searched, and in case of there being sufficient cause of suspicion, to be detained. But here there is altogether an entire want of such sufficient ground of suspicion. Not to mention that both Lieutenants Symonds and Thurburn clearly express their conviction that the "*Julius and Edward*" was neither intended for nor equipped for the Slave Trade, and that they detained the "*Julius and Edward*" probably in the erroneous belief that they were entitled to bring up a vessel on suspicion of aiding and abetting, it is evident from the proceedings, and satisfactorily proved, that there was no cause for suspicion that the "*Julius and Edward*" had really been employed in the Slave Trade, or was equipped for such purpose. The construction of the vessel, the whole equipment, her destination, her papers would never give rise to such a suspicion. If this be correct, and if there were no satisfactory causes for suspicion of the vessel's being employed in or equipped for the Slave Trade, the next and last question is, whether the particulars specified in Article VI. of the Convention of the 27th of March, 1833, or any one of them, were really on board, inasmuch as, such being the case, Lieutenant Symonds would be acquitted of every liability in the damages.

Of the particulars specified in Article VI., the articles enumerated in Nos. 1—4 and No. 9, are altogether out of the question, as these were indisputably not on board.

With respect to the too great supply of water specified in No. 5, Lieutenant Symonds observes:—

“That she carries a much greater quantity of water in casks than is requisite for her use as a merchant vessel.”

However he does not state how much water was really on board, but presently adds,—

“They being capable of containing upwards of four thousand gallons, being equal to eight months' consumption of one gallon per man per diem, which is contrary to the 6th section of Article VI.”

“She has also two hundred empty demi-johns, neither for which, nor the extra number of casks, does the master produce a certificate from the Custom House.”

So that from this it is quite evident he did not intend to accuse Captain Siedenburgh of having too great a supply of water, but merely to show that he had on board an

unreasonable number of water-casks, and other vessels for holding water, and consequently had violated section 6 of Article VI.

This is confirmed by the proceedings, which show that no considerable quantity of water can have been on board the "*Julius and Edward*;" for Lieutenant Thurburn deposed in the term of the 21st of May, 1841, he does not exactly know, but he does not believe that the water-casks were full; they had had certainly water enough on board, but as it was not good, they had filled two casks with water at Annabona, and six casks at Ascension; whilst Captain Siedenburg and his people

depose 111 that they had but two and a half casks of water on board, and that they should not even have had so much had they not been enabled to fill four casks on the passage with rain-water.

The supply of water must, therefore, remain without any further consideration, and the only question now is, whether the "*Julius and Edward*" had "an unreasonable number of water-casks or other vessels for holding water," or "une quantité superflue de barriques à eau ou autres tonneaux propres à contenir de l'eau," on board.

Twenty water-casks were found on board the "*Julius and Edward*," which, according to admeasurement instituted by the Court, contain almost 42 hogsheads or 2500 old wine gallons, or 2121 new gallons. This number of water-casks is declared by competent judges, whose depositions were taken on oath, to be very ample but by no means unreasonable, when the circumstance is taken into consideration that Captain Siedenburg had entered upon a voyage of which he was entirely ignorant, which lasted 90 days, and which might very easily have lasted much longer.

But from the declaration of the same competent judges, who consider the 20 water-casks as a quantity fully sufficient, it follows that if the demi-johns, which would hold about 17 hogsheads, are reckoned in addition, there was perhaps an unreasonable number, on which account the justification of the detention on the ground of too many water-casks being on board, mainly depends on the point whether the demi-johns may be implied in the words "autres tonneaux propres à contenir de l'eau," or "vessels for holding water." The Superior Court denies this from reasons which are not unpalatable (Report, 271—274). The case appears to me doubtful, and a favourable result from an appeal could be looked forward to with certainty, only in case better proof could be adduced than has hitherto been done, showing that the expressions made use of in the Treaties are applicable to demi-johns.

The case with the "mess-tubs" or "kids," mentioned in section 7, is exactly similar. There was found, namely, on board the "*Julius and Edward*," exclusive of the eating and drinking utensils requisite for the use of the crew, a case of tin goods, containing, in part, tins for eating and drinking out of. Provided these tins and cups can be called "gamelles" and "bidons," "mess-tubs" and "kids," this would seem to justify the detention of the vessel; but if not, then these articles mentioned in the declaration of Lieutenant Symonds under the name of "slave tins," do not apply to the particulars specified in Article VI.

The Superior Court (Report, 274—279) entertains the latter opinion, from the apparently just reason that the English and French expressions of the Treaty are only applicable to wooden vessels; but as this question can of course be better answered in England than here, I will confine myself to having stated the condition under which the existence of the so-called "slave-tins" would justify the bringing up and consequently the appeal.

Not very different is, finally, the question respecting the "copper-boilers," mentioned in section 8.

According to 72 there is on board the "*Julius and Edward*" a caboose, or cooking-house, with two iron boilers and several copper cooking vessels, of which the greatest does not contain a full cubic foot.

Although these cooking-vessels are declared by competent judges 96 as being by no means too large, nay, rather too small, the incorrectness of this statement is self-evident, inasmuch as Captain Siedenburg himself not only calls them rather large, but at the same time explains the reason why they are so, viz., his having in

former passages conveyed on the same vessel emigrants to North America. But if, as is clearly evidenced by Captain Siedenburgh's deposition, these cooking-vessels were sufficiently large for a cargo of emigrants, they would have been sufficient for a cargo of slaves, and consequently larger than was requisite for the crew of the "*Julius and Edward*."

But the question whether the cooking utensils are greater than is necessary for the use of the crew, is only to be considered in case these cooking utensils may be entitled "copper boilers," or "chaudières en cuivre," a question which the Superior Court denies, and in my opinion on satisfactory grounds (*vid. Report, 279—284*), although the matter must be left to the decision of those better versed in the language, I must however still observe, that exclusive of the iron boilers, the copper cooking vessels, which were probably for the more express use of the cabin, appear by no means larger than was requisite for the use of the "*Julius and Edward*."

In consideration of all these above mentioned points, my opinion in brief is,

I. That against that part of the judgment which acquits the "*Julius and Edward*," as also the parties interested in the ship and cargo—

- a. An appeal is altogether inadmissible, and
- b. Would not be attended with a favourable result, inasmuch as the decision of the Court is in entire conformity with the laws and proceedings.

II. But that against that part of the judgment which condemns Lieutenant Symonds in the costs of the Court and damages of the parties interested in ship and cargo, both an appeal and suit for nullification—

- a. Are admissible, and
- b. Would in all probability be attended with a favourable result.

1. Owing to errors in the proceedings, and particularly as no due hearing of Lieutenant Symonds preceded the same, although an alteration of the foregoing judgment in consequence of such an error in the form of the proceedings would be productive of no good, unless a subsequent alteration of the former judgment may be expected from other reasons existing in the case itself; but that

2. As regards the matter itself, an appeal respecting the point of costs would, in all probability, not be without a favourable result; in other respects that all depends upon the question whether one of the particulars specified in Article VI. of the Convention of 1833, was found on the "*Julius and Edward*," or whether the particulars which were really found are implied in the terms of the Treaty; "tonneaux propres à contenir de l'eau," or "vessels for holding water," "gamelles" or "mess-tubs," "bidons" or "kids," and perhaps also "chaudières de cuivre," or "copper-boilers," which I consider doubtful, and therefore it is only in case proof can be adduced that the demi-johns, or the eating-tubs and drinking-cups, or the cooking vessels are implied in the particulars specified in Article VI. of the Convention of the 22nd of March, 1833, that I can, with any grounds of probability, promise a favourable result from the endeavour to set aside, by means of an appeal, the judgment which condemns Lieutenant Symonds in the costs and damages.

J. D. MEIER, DR.

Bremen, September 13th, 1842.

I, the undersigned Newton Ivory Lucas, duly admitted and sworn Translator, resident in the Free Hanseatic City of Bremen, do herewith testify that this the foregoing "OPINION" is a true and faithful translation of the original German document, entitled "Gutachten," and signed by Dr. Meier, handed to me for translation into the English language, by Her Britannic Majesty's Vice-Consul,

BENJAMIN PEARKES, ESQ.

In testimony of which I have hereunto set my seal and signature.

NEWTON IVORY LUCAS.

Bremen, September 30th, 1842.

No. 181.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, October 18, 1842.**(Received October 25.)*

MY LORD,

IN reference to your Lordship's Despatch, "Slave Trade," of the 1st October, 1842, I have herewith the honour to enclose three warrants from the Hanseatic cities of Lubeck, Bremen, and Hamburgh, to enable the commander of Her Majesty's ship "Daphne" to act on the Brazil station for the suppression of Slave Trade.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

No. 182.

*The Earl of Aberdeen to Colonel Hodges.**Foreign Office, November 2, 1842.*

SIR,

I HAVE to instruct you to apply to the authorities of the Hanse Towns for warrants to enable Commander the Hon. Swynfen J. Carnegie, of Her Majesty's sloop "Orestes," about to be employed on the North American and West India station, to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hanse Towns, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

Colonel Hodges,
&c. &c.

No. 183.

*The Earl of Aberdeen to Colonel Hodges.**Foreign Office, November 5, 1842.*

SIR,

I HEREWITH transmit to you 30 warrants, issued by the Government of the Hanse Towns, to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch to act under the Convention between Great Britain, France, and the Hanse Towns, on the 9th of June, 1837, for the suppression of the Slave Trade; and I have to desire that you will return these warrants to the Government of the Hanse Towns, in order that they may be cancelled.

"Gleaner,"
"Racer,"
"Sappho,"
"Hydra,"
"Brisk,"
"Rolla,"
"Termagant,"
"Actæon,"
"Dolphin,"
"Modeste."

I also transmit to you a warrant issued by the authorities of Hamburgh, for the "Vestal," for which vessel the warrants issued by the authorities of Bremen and Lubeck were returned to you from this office, on the 20th July, 1842; and I have to request that you will return this warrant to the authorities of Hamburgh, in order that it may be cancelled.

I am, &c.

(Signed)

ABERDEEN.

Colonel Hodges,
&c. &c.

No. 184.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, November 15, 1842.**(Received November 18.)*

MY LORD,

IN reference to your Lordship's Despatch, "Slave Trade," of the 2nd November, 1842, I have herewith the honour to enclose a warrant from the Hanseatic cities of Lubeck, Bremen, and Hamburgh, to enable the commander of Her Majesty's sloop "Orestes" to act on the North American and West Indian station for the suppression of Slave Trade.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

No. 185.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, November 26, 1842.

IN accordance with a request which has been made to me from the Admiralty, I have to instruct you to request the Government of the Hanse Towns to issue warrants to enable Commander Andrew Drew, of Her Majesty's sloop "Wasp," about to be employed on the North American and West Indian station, to act under the Convention between Great Britain, France, and the Hanse Towns, of the 9th of June, 1837, for the suppression of Slave Trade.

Colonel Hodges,
&c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 186.

Colonel Hodges to the Earl of Aberdeen.

Hamburgh, December 6, 1842.
 (Received December 9.)

MY LORD,

IN reference to my Despatch of the 7th October, 1842, I have now the honour to enclose a copy of a letter which I have this day received from Her Majesty's Vice Consul at Bremen, relating thereto.

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

I have, &c.
 (Signed) G. LLOYD HODGES.

Enclosure in No. 186.

B. Pearkes, Esq., to Colonel Hodges.

SIR,

Bremen, December 4, 1842.

I TAKE the liberty of addressing these lines to you, to recal to your remembrance that, next Tuesday week, the 13th instant, is the term fixed for Lieutenant Symonds, or his legal representative, to appear before the Supreme Court of this city, to hear the verdict of the 15th April last, in the case of the "*Julius and Edward*," published under the prejudice that, in case no one appears, the said verdict is then to be considered valid in point of law.

Colonel Hodges,
&c. &c.

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

No. 187.

Viscount Canning to Colonel Hodges.

SIR,

Foreign Office, December 9, 1842.

YOUR Despatch, of the 6th instant, is just received; and I am directed by the Earl of Aberdeen to desire that you will lose no time in putting in an appearance, in the proper form, before the Superior Court at Bremen, on the part of Lieutenant Symonds, for making an appeal against the verdict passed by the Court in the case of the "*Julius and Edward*."

Colonel Hodges,
&c. &c.

I am, &c.
 (Signed) CANNING.

No. 188.

*The Earl of Aberdeen to Colonel Hodges.**Foreign Office, December 10, 1842.*

SIR,

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Government of the Hanse Towns to issue warrants to enable Captain the Hon. Montagu Stopford, of Her Majesty's ship "Pique," about to be employed on the North American and West Indian station, to act under the Convention between Great Britain, France, and the Hanse Towns, of the 9th June, 1837, for the suppression of Slave Trade.

I am, &c.

Colonel Hodges,
&c. &c.

(Signed) ABERDEEN.

No. 189.

*The Earl of Aberdeen to Colonel Hodges.**Foreign Office, December 15, 1842.*

SIR,

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Authorities of the Hanse Towns to issue warrants to enable the commanding officers of Her Majesty's ships named in the accompanying list, to act under the Convention between Great Britain, France, and the Hanse Towns, of the 9th June, 1837, for the suppression of Slave Trade.

I am, &c.

Colonel Hodges,
&c. &c.

(Signed) ABERDEEN.

Enclosure in No. 189.

List of Vessels for which Warrants are required from the Authorities of the Hanse Towns.

		Station.
Arrow, Ketch,	Lieut. Wm. Robinson,	Cape of Good Hope.
Spy, Brig,	Lieut. Geo. Raymond,	Coast of Africa.
Viper, Brig,	Lieut. Chas. Carter,	Brazils.
Griffon, Brig,	Lieut. Chas. Jenkin,	North America and the West Indies.
Hornet, Schooner,	Lieut. R. B. Miller,	Ditto ditto.
Pickle, Schooner,	Lieut. F. B. Montresor,	Ditto ditto.

No. 190.

*Colonel Hodges to Viscount Canning.**Hamburgh, December 12, 1842.**(Received December 16.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 9th instant, and to state that I have this day directed Mr. Vice-Consul Pearkes to lose no time in carrying the Earl of Aberdeen's instructions, as therein contained, into immediate execution.

I have, &c.

(Signed) G. LLOYD HODGES.

The Viscount Canning,
&c. &c.

No. 191.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, December 12, 1842.**(Received December 16.)*

MY LORD,

IN reference to your Lordship's Despatch of the 26th November, 1842, I have the honour to herewith enclose three warrants, from the Hanseatic cities of Lubeck, Bremen, and Hamburgh, to enable Commander Andrew Drew of Her CLASS C.

Majesty's sloop "Wasp" to act under the Convention between Great Britain, France, and the Hanse Towns, of the 9th June, 1837, for the suppression of Slave Trade.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

No. 192.

Colonel Hodges to the Earl of Aberdeen.

Hamburg, December 16, 1842.

(Received December 20.)

MY LORD,

I HAVE the honour to transmit to your Lordship the copy of a Letter, with its enclosure, which I have received from Mr. Vice-Consul Pearkes, together with my reply to it, which I trust your Lordship will approve.

I have, &c.

(Signed)

G. LLOYD HODGES.

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

First Enclosure in No. 192.

Mr. Pearkes to Colonel Hodges.

SIR,

Bremen, December 15, 1842.

I HAD the honour to acknowledge, with the mail of the 13th instant, the receipt of your esteemed favour of the preceding day.

Upon further consultation with Dr. John D. Meier, the legal adviser in the case of the "*Julius and Edward*," I understand a power of attorney authorizing him to act for Lieutenant Symonds is requisite; in the supposition, therefore, that such is not obtainable in this moment, Dr. Meier presumes that upon a written application being made to the Supreme Court to appoint him as the legal representative of Lieutenant Symonds, the same would be done.

I have, therefore, to request the favour of you to hand me such an application, or to inform me if I am authorized to make it; in the latter case, I have no doubt the enclosed form would be correct.

The notification of the intended appeal must be made to the Supreme Court on Monday morning next; I must therefore request you to honour me with your reply by return of mail, or at latest by the one which leaves your city for this place on Saturday. Six weeks are then allowed to put in the appeal (say from the 13th instant) against the verdict given by the Supreme Court of this city.

I have still to request you will be pleased to inform me, whether any particular instructions or remarks are to be expected from the Foreign Office, or if the further management of the case is left entirely to Dr. John D. Meier.

I have, &c.

(Signed)

B. PEARKES.

Colonel Hodges,
&c. &c.

Second Enclosure in No. 192.

Translation of Enclosure referred to in Mr. Vice Consul Pearkes' Letter of the 15th December, 1842.

To the Supreme Court of Justice of the Free Hans Town of Bremen.
The Government of Her Britannic Majesty intending to appeal on the part of Lieutenant Thomas Edward Symonds, against the verdict given by the Supreme Court of Justice on the 15th April last, in the case of the "*Julius and Edward*," and as it is not practicable, on account of the absence of Lieutenant Thomas Edward Symonds, to procure his power of attorney, the Undersigned, in his capacity as Her Britannic Majesty's Vice-Consul, and on behalf of his Government, requests the Worshipful Court to be permitted to appoint a lawyer, Dr. Johann Daniel Meier, to act for the said Lieutenant Thomas Edward Symonds.

Third Enclosure in No. 192.

Colonel Hodges to Benjamin Pearkes, Esq.

SIR,

Hamburgh, December 16, 1842.

I HAVE to acknowledge the receipt of your Letter, with its enclosure, of the 15th instant, and to inform you that I approve Dr. John D. Meier's being appointed to represent and defend Lieutenant Thomas E. Symonds in the verdict pronounced by the Supreme Court of Bremen in the case of the "*Julius and Edward*." I further authorize you to make use of the re-enclosed form, in order to procure the sanction of the Supreme Court of Bremen to allow Dr. John D. Meier so to act.

The documents called for in your private note shall be forwarded by the Bremen coach of to-morrow.

Should any further instructions relative to this case be sent me from the Secretary of State, I shall not fail to communicate them to you.

I have, &c.

Benjamin Pearkes, Esq.,
&c. &c.

G. LLOYD HODGES.

No. 193.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, December 23, 1842.

A COMMUNICATION has been received at this office from the Admiralty, stating that the warrants issued by the Authorities of the Hanse Towns in December, 1838, to enable Her Majesty's sloop "*Racer*," on the North American and West Indian station, to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hanse Towns for the suppression of Slave Trade, cannot be traced.

And I have to instruct you to acquaint the Authorities of the Hanse Towns with this circumstance, in order that the warrants in question may be cancelled.

I am, &c.

Colonel Hodges,
&c. &c.

(Signed)

ABERDEEN.

No. 194.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, December 24, 1842.

I HEREWITH transmit to you 18 warrants, issued by the Authorities of the Hanse Towns, to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch to act under the Convention of the 9th June, 1837, between Great Britain, France, and the Hanse Towns, for the suppression of the Slave Trade; and I have to desire that you will return these warrants to the Authorities of the Hanse Towns in order that they may be cancelled.

I am, &c.

Colonel Hodges,
&c. &c.

(Signed)

ABERDEEN.

No. 195.

*Colonel Hodges to the Earl of Aberdeen.**Hamburgh, December 23, 1842.**(Received December 28.)*

MY LORD,

I HAVE the honour to inform your Lordship that, by a communication dated the 21st instant, which I yesterday received from Bremen, I learned that the notification of the intended appeal on behalf of Lieutenant Thomas E. Symonds, in the case of the "*Julius and Edward*," was made in due form on Monday last,

the 19th instant, before the Supreme Court of that city; and that the prescribed time for making the appeal is six weeks from the 13th instant, or on or about the 24th January, 1843.

Dr. Meier, the legal adviser in this case, is most anxious to be informed by your Lordship how he is to understand the following passages which occur in the Treaty, and to which the Supreme Court has attached great importance, viz.,

1. "Engaged in the Slave Trade, and employed in the Slave Trade, or fitted out for the purposes thereof;" whether such words are to be understood as having reference solely to vessels with slaves on board, and fitted out for such a purpose; or if they have reference to vessels not intended to carry slaves themselves, but carrying goods in behalf of the Slave Trade?

2. Whether Mr. Thomas E. Symonds had actually the rank of a lieutenant at the time of the detention of the "*Julius and Edward?*" and if not, from what reason is the 2nd Article of the Treaty of the 30th November, 1831, not applicable to him; namely, if the said Article has not the meaning that only such vessels shall have the right of search which are regularly commanded by a lieutenant? or if Lieutenant Symonds had immediately acquired the rank of a lieutenant upon the death of his commanding officer, subject to the confirmation on the part of his Government?

3. A great deal will, in all probability, depend upon the meaning to be given to the following words used in the Treaty of the 22nd March, 1833:—

- (a) Water casks, or other vessels for holding water.
- (b) Mess tubs or kids.
- (c) Copper boilers.

viz., (a) If demi-johns are to be considered as casks, or vessels for holding water?

(b) If slave tins come under the denomination of mess tubs or kids, which latter are said to be made of wood and not of tin? And, lastly,

(c) If copper boilers mean also small and square copper ones? or if this Article of the Treaty extends also to large iron boilers?

Dr. Meier is very desirous to have the above required information, and any other which may be considered useful in the appeal, as soon as possible, and not later than the 15th January, as he must have the appeal ready to be delivered on the 24th of that month; which day is also the term fixed for the Court to proceed with the claims for liquidation made by the owners of the vessel and cargo. It is to be supposed that, in consequence of the appeal, this proceeding will be deferred, as is customary in such cases, until the verdict is given by the Court of Appeal. Should the Court, however, upon the application of the other parties, decide upon proceeding forthwith with the liquidation, may I request your Lordship to inform me whether Dr. Meier is then authorized to oppose such a measure.

I have, &c.

(Signed) G. LLOYD HODGES.

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

&c.

&c.

&c.

No. 196.

The Earl of Aberdeen to Colonel Hodges.

SIR,

Foreign Office, December 31, 1842.

IN accordance with an application which has been made to me by the Admiralty, I have to instruct you to request the Authorities of the Hanse Towns to issue warrants to enable Lieutenant George Oldmixon, commanding Her Majesty's steam-vessel "*Megara*," about to be employed on the North American and West Indian station, to act under the Convention between Great Britain, France, and the Hanse Towns of the 9th of June, 1837, for the suppression of Slave Trade.

I am, &c.

Colonel Hodges,

&c. &c.

(Signed)

ABERDEEN.

No. 197.

*Colonel Hodges to the Earl of Aberdeen.**Hamburg, December 27, 1842.**(Received December 31.)*

MY LORD,

IN reference to your Lordship's Despatches of the 10th and 15th instant, I have the honour to herewith enclose 21 warrants from the Hanse Towns, Lubeck, Bremen, and Hamburg, to enable the respective commanders of Her Majesty's ships, named in the margin of this Despatch, to act under the Convention between Great Britain, France, and the Hanse Towns for the suppression of Slave Trade.

"Pique,"
 "Arrow,"
 "Spy,"
 "Viper,"
 "Griffon,"
 "Hornet,"
 "Pickle."

I have, &c.

(Signed)

G. LLOYD HODGES.

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

No. 198.

*Colonel Hodges to the Earl of Aberdeen.**Hamburg, December 27, 1842.**(Received December 31.)*

MY LORD,

IN acknowledging the receipt of your Lordship's Despatch, with its enclosures, of the 23rd December, 1842, I have the honour to inform you that, in compliance with the instructions therein contained, I have authorized the British Vice-Consul at Bremen to proceed in the course recommended by Dr. Meier in his report on the case of the "*Julius and Edward*."

I have, &c.

(Signed)

G. LLOYD HODGES.

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

P R U S S I A.

No. 199.

The Earl of Aberdeen to Sir G. B. Hamilton.

SIR,

Foreign Office, February 19, 1842.

I HEREWITH transmit to you a copy of a Protocol signed this day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of the ratifications of the Treaty signed on the 20th December, 1841, by the Plenipotentiaries of those Powers, for the suppression of Slave Trade.

You will perceive that at the conference of which this Protocol gives an account, the ratifications of Austria, Prussia, and Russia, were exchanged against those of Great Britain; that the Austrian Plenipotentiary had not yet received the ratifications of Austria, to be exchanged against those of France, Prussia, and Russia; and that, at the request of the French Plenipotentiary, the Protocol was left open for France.

Sir G. B. Hamilton, G.C.H.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 199.

Protocol of Conference, dated 19th February, 1842.

(See France, No. 4, page 2.)

No. 200.

The Earl of Aberdeen to M. de Bunsen.

Foreign Office, February 21, 1842.

Sending Protocol Conference of 19th February, with Lord Aberdeen's compliments.

(See France, No. 4, page 2.)

No. 201.

The Earl of Aberdeen to Sir G. B. Hamilton.

SIR,

Foreign Office, May 11, 1842.

WITH reference to my Despatch of the 19th February last, I herewith transmit to you a copy of a Protocol signed this day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of ratifications of the Treaty signed on the 20th December, 1841, by the Plenipotentiaries of those Powers, for the suppression of Slave Trade.

You will perceive that at the conference of which this Protocol gives an account, the ratifications of Austria were exchanged against those of Prussia and of Russia; and that, as agreed upon between the Plenipotentiaries of the Five Powers, the Protocol was left open for France.

Sir G. B. Hamilton, G.C.H.
&c. &c.

I am, &c.
(Signed) ABERDEEN.

Enclosure in No. 201.

Protocol of Conference, dated 11th May, 1842.

(See France, No. 28, page 55.)

No. 202.

The Chevalier Bunsen to the Earl of Aberdeen.

4, Carlton House Terrace, August 20, 1842.

(Received August 22.)

THE Chevalier Bunsen has the honour to acknowledge the receipt of the Earl of Aberdeen's Note of the 17th instant, and does not fail to express to his Lordship his sincere thanks for the copy of a series of Papers relating to the Slave Trade, which accompanied his Lordship's note.

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

No. 203.

The Earl of Aberdeen to the Earl of Westmorland.

Foreign Office, November 11, 1842.

MY LORD,

I HEREWITH transmit to your Lordship a copy of a Note which I have received from Count St. Aulaire, informing me of the course adopted by the French Government, respecting the Treaty of the 20th December, 1841, for the more effectual suppression of the Slave Trade.

On the receipt of that communication, I summoned a conference of the Plenipotentiaries of Austria, Prussia, and Russia, and laid before them the note from Count St. Aulaire.

I herewith transmit to your Lordship a copy of the Protocol agreed upon at that conference; together with a copy of a Note which I addressed to Count St. Aulaire, transmitting to his Excellency a copy of that Protocol.

I am, &c.

(Signed) ABERDEEN.

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

Enclosures in No. 203.

1. *Count St. Aulaire to the Earl of Aberdeen, November 8, 1842.*
2. *Protocol of Conference, of November 9, 1842.*
3. *The Earl of Aberdeen to Count St. Aulaire, November 9, 1842.*

(See France, Nos. 79, 81 and 82, pp. 85, and 114.)

No. 204.

The Earl of Aberdeen to M. Bunsen.

Foreign Office, November 14, 1842

THE Earl of Aberdeen, &c., presents his compliments to Chevalier Bunsen, &c., and has the honour to transmit herewith to the Chevalier a copy of the note addressed on the 8th instant by the Count St. Aulaire to Lord Aberdeen, informing him of the course adopted by the French Government respecting the Treaty of the 20th December, 1841.

Lord Aberdeen also transmits herewith to the Chevalier a copy of the note addressed by him to Count St. Aulaire on the 9th instant, enclosing to his Excellency a copy of the Protocol of the Conference which had been held on that day at this office between the Plenipotentiaries of Austria, Great Britain, Prussia, and Russia, upon the subject of his Excellency's communication of the 8th instant.

The Chevalier Bunsen,
 &c. &c.

Enclosures in No. 204.

1. *Count St. Aulaire to the Earl of Aberdeen, November 8, 1842.*
2. *The Earl of Aberdeen to Count St. Aulaire, November 9, 1842.*

(See France, Nos. 79 and 82, pp. 85 and 114.)

No. 205.

The Earl of Westmorland to the Earl of Aberdeen.

Berlin, November 16, 1842.

(Received November 21.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Slave Trade," of the 11th instant, transmitting to me copies of your Lordship's correspondence with Count St. Aulaire respecting the Treaty of the 20th of December, 1841, and of the Protocol of the Conference of the 9th instant.

I have, &c.

(Signed)

WESTMORLAND.

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

RUSSIA.

No. 206.

Lord Stuart de Rothesay to the Earl of Aberdeen.

St. Petersburg, January 15, 1842.

(Extract.)

(Received January 26.)

I WAS admitted on Thursday to the Emperor's private apartment, when it remained for me merely to return my thanks for the orders which had been given for the immediate ratification of the Treaty for the suppression of the Slave Trade, and to say that the feelings of my Court and of the people of Great Britain will show that His Imperial Majesty's early compliance with his engagements is duly appreciated.

His Imperial Majesty said that he was prompted by every motive of duty, as well as inclination, to do everything in his power for this purpose; that he acted only in conformity with the last will of his brother, who had prescribed to him to leave no stone unturned to effect an object which he had long had in view, and that he could only regret that his slight influence in the countries which had been and are the theatre of this great mischief, had not permitted him to exert himself to the degree he could wish; but that his agents will do everything in their power, if his orders are duly obeyed, to point out the example of his allies as the best rule which can upon this occasion be followed.

M. de Koudriaffsky, who takes the ratifications to London, is the bearer of this Despatch.

I have, &c.

(Signed) STUART DE ROTHESAY.

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

No. 207.

Lord Stuart de Rothesay to the Earl of Aberdeen.

St. Petersburg, January 11, 1842.

(Extract.)

(Received January 29.)

I HAVE received your Lordship's Despatch of the 20th ultimo, inclosing a copy of the Treaty lately signed by the five Powers for the abolition of the Slave Trade, and I lost no time in carrying the instructions contained in that paper into effect.

The English ratifications will be sent off on Saturday by M. Koudriaffsky, one of the Secretaries to the Russian Embassy in London, and who has orders to hold himself in readiness to start whenever they are completed.

I have, &c.

(Signed) STUART DE ROTHESAY.

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

The Earl of Aberdeen to Lord Stuart de Rothesay.

MY LORD,

Foreign Office, February 19, 1842.

I HEREWITH transmit to your Excellency a copy of a Protocol, signed this day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of the ratifications of the Treaty signed on the 20th December, 1841, by the Plenipotentiaries of those Powers, for the suppression of Slave Trade.

Your Excellency will perceive that at the Conference, of which this Protocol gives an account, the ratifications of Austria, Prussia, and Russia, were exchanged against those of Great Britain; that the Austrian Plenipotentiary had not yet received the ratifications of Austria to be exchanged against those of France, Prussia, and Russia; and that, at the request of the French Plenipotentiary, the Protocol was left open for France.

I am, &c.

(Signed) ABERDEEN.

His Excellency Lord Stuart de Rothesay,
&c. &c. &c.

Enclosure in No. 208.

Protocol of Conference, dated February 19, 1842.

(See France, No. 4, page 2.)

No. 209.

*The Earl of Aberdeen to Baron Brunnow.**Foreign Office, February 21, 1842.*

Sending Copy of Protocol Conference of February 19, with Lord Aberdeen's Compliments.

(See France, No. 4, page 2.)

No. 210.

The Earl of Aberdeen to Lord Stuart de Rothesay.

MY LORD,

Foreign Office, May 11, 1842.

WITH reference to my Despatch of the 19th February last, I herewith transmit to your Excellency a Copy of a Protocol signed this day by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, on the exchange of ratifications of the Treaty signed on the 20th December, 1841, by the Plenipotentiaries of those Powers for the suppression of Slave Trade.

You Excellency will perceive, that at the Conference, of which this Protocol gives an account, the ratifications of Austria were exchanged against those of Prussia and of Russia; and that, as agreed upon between the Plenipotentiaries of the five Powers, the Protocol was left open for France.

I am, &c.,

(Signed) ABERDEEN.

His Excellency Lord Stuart de Rothesay, G.C.B.,
&c. &c. &c.

Enclosure in No. 210.

Protocol of Conference, dated May 11, 1842.

(See France, No. 28, page 55.)

No. 211.

*Mr. Bloomfield to the Earl of Aberdeen.**St. Petersburg, June 4, 1842.**(Received June 13.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 10th May, transmitting a copy of Mr. Bandinel's Memoir on the steps taken by the British Government for the suppression of the Slave Trade.

I have, &c.

(Signed)

J. A. D. BLOOMFIELD.

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

No. 212.

*Mr. Bloomfield to the Earl of Aberdeen.**St. Petersburg, June 8, 1842.**(Received June 24.)*

MY LORD,

I HAVE the honour to enclose duplicate copies of an Ukase, relative to the suppression of the Slave Trade, which was published in the *Journal de St. Pétersbourg* of this morning in the French language.

I have, &c.

(Signed)

J. A. D. BLOOMFIELD.

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

Enclosure in No. 212.

*Extract of "Journal de St. Pétersbourg," of May 27, (June 8) 1842.**St. Pétersbourg, 27 Mai.*

LE 26 Mars dernier, S. M. l'Empéreur a daigné adresser au sénat-dirigeant un oukase relatif à la répression de la Traite des Nègres, dont voici la traduction :

" A l'époque la plus mémorable de son glorieux règne, lorsque le Congrès des Monarques réunis à Vienne posa les bases nouvelles des relations politiques des puissances Européennes entr'elles, notre auguste prédécesseur et Frère bien-aimé, feu l'Empéreur Alexandre Premier, de glorieuse mémoire, reconnut et déclara solennellement, de concert avec ses alliés, que, comme la branche de commerce connue sous le nom de traite des nègres d'Afrique, avait été justement considérée par les hommes vertueux et instruits de tous les temps comme également contraire aux principes de la philanthropie et aux lois de la morale publique, et que les circonstances particulières qui avaient donné naissance à ce commerce et la difficulté de le supprimer sans mesures préparatoires, avaient pu jusqu'alors servir jusqu'à un certain point d'excuse à la continuation d'un trafic aussi odieux, tous les souverains de l'Europe signataires du Traité de Paris, du 18 (30) Mai, 1814, contractaient l'obligation de travailler, de concert et par tous les moyens en leur pouvoir à la suppression de ce commerce sur tous les points du globe; que toutefois, malgré leur ardent désir d'atteindre ce but si bienfaisant et si utile, afin de ménager les intérêts de leurs sujets respectifs et par condescendance pour des usages et même des préjugés enracinés par des siècles, ils ne fixaient point à l'avance le délai dans lequel chaque puissance trouverait possible et convenable de prohiber formellement la traite des nègres, laissant aux négociations directes entre les Cours la fixation ultérieure de ce délai.

" Depuis la promulgation de cette déclaration, la Traite des Nègres a été prohibée par presque tous les Gouvernements d'Europe et d'Amérique, et maintenant un traité spécial a été conclu entre nous et leurs Majestés l'Empéreur d'Autriche, le Roi des Français, la Reine de la Grande-Bretagne, et le Roi de Prusse, concernant les mesures les plus efficaces à prendre pour empêcher que la traite ne soit continuée en secret. Par ce Traité, il a été non seulement convenu de défendre aux sujets respectifs des puissances contractantes, ou de renouveler

la défense, d'exercer le trafic des nègres dans les possessions ou sous le pavillon de ces puissances, ou d'y coopérer par leurs capitaux ou par leurs navires, ou enfin d'y prendre une part quelconque, directe or indirecte ; mais encore il a été décidé que toute tentative de renouvellement ou de continuation de ce trafic serait assimilée au crime de piraterie, et que tous les navires qui y seraient employées perdraient tout droit à la protection que leur accorde le pavillon de l'une ou de l'autre des puissances contractantes. Ayant sanctionné toutes les dispositions de ce traité, nous ordonnons en conséquence que désormais tout individu légalement convaincu d'avoir fait la Traite des Nègres, ou d'avoir coopéré directement ou d'une manière quelconque à ce trafic, sera livré à la justice et soumis aux peines prescrites par nos lois contre la piraterie.

“ Le sénat-dirigeant aura soin de prendre toutes les mesures nécessaires pour l'exécution ponctuelle du présent.

“ (Signe) NICOLAS.

“ *St. Pétersbourg, le 26 Mars, 1842.*”

No. 213.

The Earl of Aberdeen to Lord Stuart de Rothesay.

MY LORD,

Foreign Office, November 11, 1842.

I HEREWITH transmit to your Excellency a copy of a Note which I have received from Count St. Aulaire, informing me of the course adopted by the French Government respecting the Treaty of the 20th December, 1841, for the more effectual suppression of the Slave Trade.

On the receipt of that communication, I summoned a conference of the Plenipotentiaries of Austria, Prussia, and Russia, and laid before them the Note from Count St. Aulaire.

I herewith transmit to your Excellency a Copy of the Protocol agreed upon at that conference ; together with the copy of a Note which I addressed to Count St. Aulaire, transmitting to his Excellency a Copy of that Protocol.

I am, &c.,

(Signed)

ABERDEEN.

His Excellency Lord Stuart de Rothesay, G.C.B.,
 &c. &c. &c.

Enclosures in No. 213.

1. *Count St. Aulaire to the Earl of Aberdeen, dated November 8, 1842.*
 2. *Protocol of Conference, dated November 9, 1842.*
 3. *The Earl of Aberdeen to Count St. Aulaire, dated November 9, 1842.*
- (See France, Nos. 79, 81, and 82, pages 85 and 114.)

No. 214.

The Earl of Aberdeen to Baron Brunnow.

Foreign Office, November 14, 1842.

THE Earl of Aberdeen, &c., &c., presents his compliments to Baron Brunnow, &c., &c., and has the honour to transmit herewith to the Baron a copy of the Note addressed on the 8th instant, by the Count St. Aulaire, to Lord Aberdeen, informing him of the course adopted by the French Government, respecting the Treaty of the 20th December, 1841.

Lord Aberdeen also transmits herewith to the Baron a copy of the Note addressed by him to Count St. Aulaire, on the 9th instant, enclosing to His Excellency a copy of the protocol of the Conference, which had been held on that day at this office, between the plenipotentiaries of Austria, Great Britain, Prussia, and Russia, upon the subject of his Excellency's communication of the 8th instant.

The Baron Brunnow,
 &c. &c.

Enclosures in No. 215.

1. *Count St. Aulaire to the Earl of Aberdeen, dated November 8, 1842.*
 2. *The Earl of Aberdeen to Count St. Aulaire, dated November 9, 1842.*
- (See France, Nos. 79 and 82, pages 85 and 114.)

No. 215.

Baron Brunnow to the Earl of Aberdeen.

MY LORD,

Londres, ce 10 Décembre 1842.

(Received December 10.)

EN exécution du § 8 de l'instruction annexée au Traité du 8/20 Décembre 1841, pour la suppression de la Traite des Nègres, la direction de la Compagnie Russe-Américaine, d'accord avec M.M. les Ministres de la Marine et des Finances, se propose de pourvoir les vaisseaux de la Compagnie d'une patente dont je me fais un devoir de joindre ci-près le projet en langues Russe et Française.

La forme de ce document devant, aux termes du Traité susmentionné, être arrêtée de commun accord, j'oserai vous prier, My Lord, de vouloir bien y donner votre assentiment, et de munir le Consulat Britannique à St. Pétersbourg des instructions nécessaire pour l'autoriser à apposer son visa aux patentes rédigés dans cette forme, qui seront délivrées par la direction de la Compagnie Russe-Américaine.

Il me reste encore à prier votre Excellence de vouloir bien me restituer les piécès ci-jointes en me faisant connaître l'adhésion du Ministère Britannique à la forme proposée.

J'ai l'honneur d'être, avec la plus haute considération, &c.,

(Signé)

BRUNNOW.

Son Excellence Lord Aberdeen, K. T.,

&c.

&c.

&c.

Enclosure in No. 215.

(Traduction.)

Projet.

PATENTE.

DANS l'instruction annexée au Traité du 8/20 Decembre 1841, relative à la suppression de la Traite des Nègres, il est dit entr' autres

“ § 8. Par l'Article IV. du Traité il est stipulé que dans aucun ces le droit mutuel de visite ne pourra s'exercer sur les bâtimens de guerre des hautes parties contractantes.”

“ Il est convenu que cette exemption s'appliquera également aux navires de la Compagnie Russe-Américaine, lesquels étant commandés par des Officiers de la Marine Impériale sont autorisés par le Gouvernement Impérial à arborer un pavillon qui les distingue de la marine marchande, et sont armés et équipés d'une manière semblable à celle des transports de guerre.”

“ Il est également convenu que les dits navires devront être munis d'une patente Russe, qui constatera leur origine et leur destination. La forme de cette patente sera arrêtée de commun accord.

En consequence de cette stipulation, la direction principale de la Compagnie Russe-Américaine, en expédiant le vaisseau de mer appartenant a cette compagnie,

Portant le nom de—

Construit telle année—

Du jaugeage de tant de tonneaux—

Se trouvant sous le Commandement de—

Vers les côtes Nord' Ouest de l'Amérique, dans les colonies s'y trouvant, avec le droit d'entrer dans tous les ports et havres, selon que l'exigeront les circonstances, a jugé conforme au paragraphe ci-dessus mentionné de l'instruction de munir le dit vaisseau indépendamment de la patente qui se délivre aux vaisseaux marchands, d'après les lois, pour le droit d'arborer le pavillon Russe à l'Etranger; de la présente patente qui aura force pendant tout le tems que durera sa navigation pour les

affaires de la compagnie et garantira le vaisseau de la visite des croiseurs des puissances qui sont parties contractantes du Traité.

Donnée à St. Petersbourg telle date, et munie de la signature et du sceau de la direction principale de la Compagnie Russe-Américaine, ainsi que du visa du Consulat de Sa Majesté Britannique.

(L. S.)

(Signature.)

No. 216.

Lord Stuart de Rothesay to the Earl of Aberdeen.

St. Petersburgh, November 26, 1842.

(Received December 13.)

MY LORD,

I HAVE to acknowledge your Lordship's Despatch of the 11th November, transmitting the Protocol of the Conference held at the Foreign Office on the 9th instant, and which closes the Conferences established in London upon that subject.

I lost no time in placing this paper before Count Nesselrode, which had not reached him through the ordinary channels.

I have, &c.,

(Signed) STUART DE ROTHESAY.

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

No. 217.

The Earl of Aberdeen to Baron Brunnow.

Foreign Office, December 31, 1842.

(Extract.)

THE Undersigned, &c., has the honour to acknowledge the receipt of the letter addressed to him, on the 10th December, 1842, by Baron Brunnow &c., enclosing a form of patent with which it is proposed to furnish vessels of the Russian American Company, in accordance with the 18th section of the instructions annexed to the Treaty of the 20th December, 1841, and requesting that the Undersigned would signify his assent to the form in question, and would issue the necessary instructions on the subject to Her Majesty's Consul at St. Petersburg.

The Undersigned has carefully perused the enclosed form of patent, which seems to be free from any objection.

The Undersigned will lose no time in issuing the necessary instructions on the subject of the patent to Her Majesty's Consul at St. Petersburg.

The Undersigned returns herewith to Baron Brunnow the papers enclosed by him in his Note of the 10th instant, and avails himself, &c.

S A R D I N I A.

No. 218.

*Count Pollon to the Earl of Aberdeen.*11, *Grosvenor-street*, ce 13 Janvier 1842.

(Received January 14.)

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Sardaigne, a eu l'honneur de recevoir la note que son Excellence Monsieur le Comte d'Aberdeen, Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique, lui a adressée le 31 Décembre 1841, par rapport à des réclamations faites auprès du Gouvernement Anglais contre le traitement éprouvé au Cap Coast par le schooner Sarde "*La Furia*," de la part du Capitaine Quin, commandant le brick de Sa Majesté Britannique "*Persian*."

Cette note de son Excellence le Principal Secrétaire d'Etat ne faisant mention que de celle adressée par le Soussigné à Lord Palmerston sur cette affaire, sous la date du 29 Septembre 1840, et passant entièrement sous silence celle que le Soussigné a subséquemment adressée au Gouvernement Anglais à ce sujet, sous la date du 2 Juillet 1841; ce dernier prie son Excellence Monsieur le Comte d'Aberdeen de vouloir bien lui faire connaître s'il doit regarder sa note du 31 Décembre comme servant de réponse aux deux offices précités du Soussigné, ou s'il doit s'attendre à recevoir de son Excellence de nouvelles communications en réponse à sa note du 2 Juillet 1841.

Le Soussigné saisit cette occasion pour renouveler à son Excellence Monsieur le Comte d'Aberdeen les assurances de sa plus haute considération.

(Signé) POLLON.

Son Excellence Monsieur le Comte d'Aberdeen,
 &c. &c. &c.

No. 219.

*Viscount Canning to Count Pollon.**Foreign Office, February 4, 1842.*

LORD CANNING presents his compliments to Count Pollon, and, with reference to Count Pollon's inquiry respecting the answer received by him on the subject of the "*Furia*," begs leave to inform him that that answer had reference to both Count Pollon's notes.

At the same time, as the Admiralty have instructions to forward to this office any further details on the subject which it may be in their power to collect, it is possible that Lord Aberdeen may have occasion to make some further communication in reply to Count Pollon's notes.

His Excellency Count Pollon,
 &c. &c. &c.

No. 220.

*Count Pollon to the Earl of Aberdeen.*11, *Grosvenor-street*, ce 14 Février, 1842.

(Received February 15.)

LE Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Sardaigne, a l'honneur d'accuser réception à son Excellence

Monsieur le Comte d'Aberdeen, Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique, de la note qu'il lui a adressée le 31 Décembre 1841, en réponse aux deux notes du Soussigné en date du 19 Septembre 1840 et 2 Juillet 1841, relativement à une réclamation en indemnités pour les dommages éprouvés par les propriétaires du schooner Sarde "*La Furia*" par suite de la détention illégale et du traitement violent et arbitraire que ce navire a subis de la part du Capitaine Quin, commandant le brick de Sa Majesté Britannique le "*Persian*."

Le Soussigné a cherché en vain dans la susdite note les motifs sur lesquels son Excellence le Principal Secrétaire d'Etat fonde le refus de faire droit aux réclamations qu'il lui a adressées en faveur des propriétaires du navire Sarde. La note de son Excellence ne réfute, n'infirme et ne conteste aucun des titres que le Soussigné a produits dans ses deux notes du 19 Septembre 1840 et 2 Juillet 1841, et qui sont appuyés par les pièces y annexées contenant les témoignages prêtés sous serment et dans les formes voulues, par le capitaine et l'équipage du navire Sarde témoignages qui lui paroissent porter une empreinte de modération et de sincérité, et ne point mériter l'imputation d'exagération dont ils ont été frappés.

La note de son Excellence débute par annoncer au Soussigné le décès du Capitaine Quin. Cette circonstance, que le Soussigné a de fortes raisons de regretter dans l'intérêt de la cause des réclamants, ne lui paroît fournir aucun fondement au Gouvernement Anglais pour repousser leurs demandes.

L'annonce de la mort du Capitaine Quin est suivie par une attestation du "master" et du "purser" du "*Persian*" en faveur de la modération et des formes conciliantes du Capitaine Quin. Le Soussigné n'est nullement disposé à contester l'exactitude de cette assertion. Mais il se permet de faire observer que ses réclamations n'attaquent aucunement le caractère de cet officier, mais qu'elles portent directement sur des faits spéciaux qu'il s'agit de prouver ou de réfuter, que les plaintes proférées par le capitaine de l'équipage du schooner "*Furia*" ne portent que sur les personnes chargées d'exécuter les ordres du Capitaine Quin, et que c'est sur une bande d'Africains à demi civilisés, chargés de cette tâche, qu'ils font peser leurs accusations de violence et soustractions. Le "master" et le "purser" du "*Persian*," n'étant point appelés par la nature de leurs emplois à assister à une visite comme celle qui a eu lieu à bord du schooner Sarde, ne peuvent malheureusement porter aucun témoignage sur les faits allégués par le capitaine de ce navire, et le Soussigné ne peut les considérer que comme entièrement hors de cause dans cette discussion. Le Soussigné ne peut s'empêcher néanmoins d'appeler l'attention de son Excellence Monsieur le Comte d'Aberdeen au fait important que ces deux officiers ne combattent et ne récusent sur aucun point les plaintes et les réclamations du capitaine Sarde, pour les mauvais traitements essayés par lui, et les vols commis à son préjudice. Ces deux officiers, dans le rapport qu'ils ont fait sur cette affaire, paroissent vouloir inférer de l'acceptation par le capitaine du schooner Sarde, d'une invitation à dîner chez le Capitaine Quin à bord du "*Persian*," un abandon de tout sujet de plainte de la part du capitaine Sarde. Le Soussigné ne sauroit admettre une telle conclusion qui tendroit à établir que des obligations pécuniaires peuvent être effacées, des droits annulés par un simple acte d'hospitalité. On pourroit tout au plus en arguer que par l'acceptation de cette invitation le capitaine Sarde a consenti à recevoir cette réparation morale pour les insultes offertes à son honneur et à sa dignité, comme un aveu de la part du Capitaine Quin que des réparations lui étaient dues, et le Soussigné se croit autorisé à en conclure qu'après avoir montré par cette invitation ses intentions équitables, le Capitaine Quin, s'il avoit vécu, auroit contribué à faire obtenir les réparations pécuniaires qui font l'objet de la présente réclamation.

Mais le Soussigné désire dégager cette discussion de toute circonstance incidente qui ne porte pas sur les simples faits déjà exposés, pour ne rappeler à l'attention de son Excellence que le contenu de ses deux notes, et y obtenir de sa part des réponses cathégoriques.

Le capitaine et l'équipage du schooner Sarde affirment sous serment:—

1°. Que l'Article VI. de la Convention du 30 Novembre 1831 a été plusieurs fois violé envers le navire Sarde pendant son court séjour au Cap Coast, particulièrement en ce qu'après avoir constaté la régularité de ses papiers, et la légalité de l'expédition, le Capitaine Quin a retenu le navire Sarde, et que ce navire a eu à subir de la part du Lieutenant Horrook de nouvelles perquisitions à son bord.

2°. Que non obstant l'absence de toute preuve criminatoire après la visite

effectuée par le commandant du brick "Persian," cet officier a non seulement enfreint les stipulations qui lui enjoignoient de remettre le schooner Sarde en liberté; mais qu'au mépris de l'Article IV. du Traité conclu à Turin le 4 Août 1834, qui prescrit que tous les navires sous pavillon Sarde arrêtés en vertu des Conventions du 30 Novembre 1831 et du 22 Mars 1833, seront conduits dans le port de Gènes, il avoit déjà fait des dispositions pour que le schooner Sarde fut conduit à Sierra Leone, et il avoit menacé le capitaine de ce navire de jeter inhumainement tout son équipage sur cette côte insalubre et inhospitalière, et avoit donné un commencement d'exécution à ces terribles menaces *en transportant à bord du "Persian" tous les effets appartenants au capitaine et à l'équipage du "Furia."*

3°. Que l'irrégularité et la violence avec lesquelles la visite a été opérée par les négres employés à cet office a causé au capitaine et aux armateurs du schooner "Furia" les pertes énumérées dans les dépositions antérieurement communiquées à son Excellence le Principal Secrétaire d'Etat par les pièces annexées à la note du Soussigné en date du 2 Juillet 1841, formant une valeur totale de 3814.75 dollars, savoir:—

	Dollars.
Par suite du pillage d'une caisse de coraux	2113.75
Soustraction de 4 onces et trois quarts de poudre d'or	76.00
Dommages causés à 416 ballots de tabac	1456.00
Quarante quatre damejeannes cassées	44.00
Pillage des provisions, vin, eau de vie	125.00

Appuyé sur les considérations ci-dessus consignées et d'après les ordres de son Gouvernement le Soussigné vient replacer sa réclamation en faveur des plaignants sous les yeux de son Excellence Monsieur le Comte d'Aberdeen comme lui paroissant digne d'un nouvel examen et d'une issue plus favorable que celle qu'elle a obtenu en première instance.

Le Soussigné se plaint à rendre témoignage à l'esprit d'équité qui caractérise son Excellence le Principal Secrétaire d'Etat, et il est persuadé que ce n'est pas trop attendre de lui que de compter d'avance sur un examen impartial de toutes les circonstances, sur un acte de justice qui rende au pavillon Sarde la confiance qui lui est indispensable pour suivre avec succès un commerce licite sur les côtes d'Afrique, confiance qui, on ne sauroit se le dissimuler, a été fortement ébranlée par les actes qui font l'objet de la présente réclamation.

Le Soussigné saisit cette occasion pour renouveler à son Excellence Monsieur le Comte d'Aberdeen les assurances de sa plus haute considération.

(Signé) POLLON.

Son Excellence Monsieur le Comte d'Aberdeen,
 &c. &c. &c.

No. 221.

Viscount Canning to Count Pollon.

Foreign Office, February 28, 1842.

VISCOUNT CANNING presents his compliments to Count Pollon, and, with reference to the inquiries which Count Pollon made of him this day, has the honour to acquaint the Count, that on reference to the records in this office, it appears that the "Rose" was in the list of the vessels for which warrants were requested from the Sardinian Government in the month of May, 1840, and that a warrant authorizing that vessel to act under the Convention between Great Britain, France, and Sardinia, was issued by the Sardinian Government in that month.

His Excellency Count Pollon,
 &c. &c. &c.

No. 222.

The Earl of Aberdeen to the Hon. R. Abercromby.

SIR,

Foreign Office, March 3, 1842.

"Melville,"
 "Stag,"
 "Seringapatam,"
 "Crocodile,"
 "Ringdove,"
 "Wolverine,"
 "Nautilus,"
 "Lynx,"
 "Griffon,"
 "Forester,"
 "Dee,"
 "Pluto."

I HEREWITH transmit to you 12 warrants, which, in pursuance of the Treaty between Great Britain, France, and Sardinia, of 8th August, 1834, on Slave Trade, were issued by the Sardinian Government for the ships of Her Majesty's Navy named in the margin of this Despatch, and I have to request that you will be pleased to forward these warrants to the Sardinian Government, in order that they may be cancelled.

I have also to desire that you will request that orders may be given for the issue of similar warrants for the 14 vessels of the Royal Navy, named in the accompanying list.

I am, &c.

(Signed) ABERDEEN.

The Hon. R. Abercromby,
 &c. &c. &c.

For list of vessels requiring warrants enclosed in this Despatch, see Enclosure in Lord Aberdeen's Despatch to Sir H. Wynn, of March 3, 1842, (Denmark, No. 131, p. 224), the brig "Viper" being omitted in the present list.

No. 223.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, March 25, 1842.*

MY LORD,

(Received April 4.)

I HAVE the honour to acknowledge the receipt, by the messenger Haviland, of your Lordship's Despatch, dated 30th of October, 1841, together with its Enclosures, Classes A. B. C. and D. of Papers relating to the Slave Trade, which were, by command of Her Majesty, presented to the two Houses of Parliament during the late Session.

I beg to offer to your Lordship my thanks for the communication of these Papers.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 224.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, March 25, 1842.*

MY LORD,

(Received April 4.)

THE messenger Haviland arrived here on the 24th instant, at five P.M., and delivered to me your Lordship's Despatch of the 3rd of March, 1842, together with its Enclosures.

In obedience to your Lordship's instructions, I have lost no time in returning to Count Solar de la Marguerite the 12 Sardinian warrants issued to the officers commanding certain of Her Majesty's ships on the Slave Trade stations, in order that they may be cancelled, and in requesting the Sardinian Minister for Foreign Affairs to take the necessary steps for granting fresh warrants for the 14 ships mentioned in the list enclosed in your Lordship's Despatch.

I hope to be able to procure these warrants in time to forward them to your Lordship on the return of the messenger from Naples.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 225.

Count Pollon to the Earl of Aberdeen.

11, Grosvenor Street, le 5 Avril, 1842.

(Received April 6.)

SA Majesté le Roi de Sardaigne ayant déterminé d'envoyer dans l'Amérique du Sud deux bâtimens de sa marine royale pour y protéger le commerce et les intérêts de ses sujets, le Soussigné, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Britannique, a reçu l'ordre de prier son Excellence Monsieur le Comte d'Aberdeen, Principal Secrétaire d'Etat pour les Affaires Etrangères de vouloir bien lui faire délivrer deux mandats qui autorisent, l'un le Chevalier de Villarey, Commandant la frégate "*l'Euridice*," et l'autre le Comte de Persano, Commandant le brick "*l'Eridan*," à exercer le droit de visite sur les bâtimens Anglais pour la repression de la Traite des Noirs suivant les dispositions du Traité du 8 Août, 1834.

Le Soussigné saisit cette occasion pour renouveler à son Excellence Monsieur le Comte d'Aberdeen les assurances de sa plus haute considération.

(Signed)

POLLON.

A son Excellence Monsieur le Comte d'Aberdeen, K.T.,

&c.

&c.

&c.

No. 226.

*The Earl of Aberdeen to Count Pollon.**Foreign Office, April 11, 1842.*

THE Earl of Aberdeen presents his compliments to Count Pollon, and, in compliance with the request contained in Count Pollon's note of the 5th instant, has the honour to transmit to him herewith warrants to enable the Sardinian ships of war "*L'Euridice*" and "*L'Eridan*" to act under the Convention of the 8th August, 1834, between Great Britain, France, and Sardinia, for the suppression of Slave Trade.

The Count Pollon,

&c. &c.

No. 227.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, April 4, 1842.**(Received April 12.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, dated Foreign Office, 23rd March, 1842, and marked "Circular," transmitting to me a printed copy of a Treaty which your Lordship signed on the 20th December, 1841, on the part of Her Majesty, with the Plenipotentiaries of Austria, France, Prussia, and Russia, for the suppression of the Slave Trade, and the ratifications of which, on the part of Austria, Prussia, and Russia, were exchanged against those of Her Majesty on the 19th February, 1842.

I beg to express to your Lordship my thanks for the communication of a document so highly important, and which is so eminently calculated to further the humane views of Her Majesty and her Government.

I have, &c.

(Signed)

R. ABERCROMBY.

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

&c.

&c.

&c.

No. 228.

*The Earl of Aberdeen to Count Pollon.**Foreign Office, April 22, 1842.*

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 14th of February last by Count Pollon, &c., in which

note Count Pollon renews the complaints formerly made against the conduct pursued by the officers and crew of Her Majesty's sloop "Persian" towards the Sardinian schooner "*Furia*," and claims indemnification, on behalf of the owners of the "*Furia*," for damage said to have been done to her cargo during the search by Her Majesty's sloop "Persian."

The Undersigned received that note with great regret, for the Undersigned had hoped that the note addressed to Count Pollon on the 31st December, 1841, based as it was on the reports of Mr. Burwood, the master, and of Mr. Wickham, the purser of the "Persian," would have satisfied Count Pollon that there was no just ground of complaint against Her Majesty's officers on the occasion alluded to.

The Undersigned is, however, in a great measure disposed to attribute this renewed remonstrance to the opinion expressed by Count Pollon, that the master and the purser were not competent to give any testimony as to the facts alleged, because their duties did not require them to be present on the occasion in question. But the Undersigned has the honour to state to Count Pollon that Mr. Wickham, the purser, was an eye-witness of the greater part of the transaction on board the "*Furia*;" that it was he who acted as interpreter between Commander Quin and the master of the "*Furia*;" and that the account of Mr. Burwood, the master, is also given from recollection of circumstances to which he was a witness.

The Undersigned, however, having received additional information respecting the transactions referred to from the surviving officers of Her Majesty's sloop "Persian," will now proceed to make such further observations as Count Pollon's representation of the case appears to call for.

Count Pollon, in his note of the 14th February last, complains that the Sixth Article of the Convention of the 30th November, 1831, was several times violated during the short stay of the "*Furia*" at Cape Coast; and, particularly, that Captain Quin detained the "*Furia*" after the regularity of her papers and the legality of the expedition had been proved, and that that vessel had to undergo further examinations by Lieutenant Horrock.

The Undersigned, in reply, begs to draw Count Pollon's attention to the following facts:—The "*Furia*" arrived at Cape Coast on the 20th of June: on the afternoon of that day the "Persian" hove in sight. The captain of the "*Furia*" was himself desirous that his vessel should then and there be examined; and before any communication had taken place with the "Persian," he determined to stay till the next day for that express purpose. The "*Furia*" was searched on the next day, the 21st: she was not given up till the following day, because Commander Quin considered the case to be accompanied by circumstances of suspicion; and, on going on board on the 22nd, he was still undecided whether or not to detain her. But, on further examination on that day, and on receiving from the master an explanation concerning 200 empty demijohns which he had on board, Commander Quin returned to the Commander of the "*Furia*" the papers of that vessel, and set him free. Her Majesty's sloop "Persian" weighed anchor, and left the place on that day immediately after the commander of the "*Furia*," who had dined with him, had taken leave and gone on board his own vessel. If, therefore, the commander of the "*Furia*" remained at Cape Coast till the morning of the 23rd, he must have remained there for his own convenience.

With regard to the 200 empty demijohns, the Undersigned must be permitted to remind Count Pollon that the master of the "*Furia*" was not, as required by the Sixth Article of the Convention of the 22nd of March, 1833, provided with a certificate from the Custom-house of the place from which he cleared outwards, stating, that a sufficient security had been given that they should only be used for the reception of palm-oil, or be employed in any other lawful trade.

This in itself was a most suspicious circumstance; and it cannot reasonably be stated in extenuation that the master of the "*Furia*" was not aware of this obligation: for it is not to be supposed that a person who, according to his own statement, quoted in conversation with Commander Quin the precise dates of the Slave Trade Treaties, and the numbers of the Articles to which he supposed his case to have reference, should have been ignorant of so essential a provision as that with which he omitted to comply.

Secondly,—Count Pollon complains that, in opposition to the Fourth Article of the Treaty of the 4th August, 1834, Commander Quin threatened to send the "*Furia*" to Sierra Leone, and to land her crew on the Coast of Africa.

In reply to this allegation, the Undersigned has to observe that it can be a matter of no moment what the intentions of Commander Quin might have been in

these respects, since those asserted intentions were not carried into effect. But the Undersigned has, at the same time, to remark, that the visitation of the "*Furia*" did not take place whilst the vessel was on the high seas, but while she was lying at Cape Coast Castle, which is a British settlement; and that all vessels, whether British or Foreign, found within British jurisdiction committing a breach of municipal law, are liable to be proceeded against before a British tribunal.

The Undersigned having thus replied to the complaints of Count Pollon, with respect to the alleged infractions of Treaty stipulations, has now to make some further remarks on the statement of the master of the "*Furia*," as to the tone and the language and conduct of the British officers and seamen on service in this case.

1st. The master of the "*Furia*" states, that when Commander Quin came on board, accompanied by his "Commissioner" (this "Commissioner" was Mr. Wickham, the purser), he, Mr. Wickham, asked the master of the "*Furia*" what compensation he should pay in case he were to take the "*Furia*." Mr. Wickham gives a most direct denial of this accusation, and adds, most justly, that "any one acquainted with the discipline of the naval service will, on looking at the question, see the improbability of my having done so."

2ndly. The master of the "*Furia*," after relating a conversation which he says he had with Commander Quin, states that Commander Quin said, "that he knew nothing of any Treaty; that he was under no responsibility; wherefore he would send him to Sierra Leone." In refutation of this, Mr. Wickham states, "It was physically impossible that such a conversation could have taken place, or that Commander Quin could have replied to it in the manner laid to his charge, for this simple reason: the only language spoken by the master of the "*Furia*" was French and Italian, neither of which was understood by Commander Quin; and when the latter language was spoken I interpreted to him: at all events that conversation did *not* take place in my hearing, and I was seldom from Commander Quin's side during these transactions."

With regard to the damage said to have been done to the cargo, Mr. Wickham states, "I was present when Commander Quin repeatedly expressed to the officers superintending the clearing of the hold, that it should be done in a quiet careful way; and every officer left in the ship at this day can fully testify that it was so done."

With respect to the alleged loss of gold-dust from the "*Furia*," the master of that vessel states: "Finally we weighed the gold-dust which I had handed over to Commander Quin, and which he had abandoned to the discretion of the officers, blacks, and sailors, whom he brought on board my vessel, and discovered therein a deficiency of four ounces and three-quarters." But Mr. Wickham reports that Commander Quin took possession of the gold-dust for its safe-keeping; that when given up by the master of the "*Furia*" it was contained in a tea-cup; that Commander Quin asked for a glass phial that it might be securely sealed up in the presence of witnesses, and placed in safe custody; that the commander of the "*Furia*" replied, "You have got my vessel, find bottles where you can;" that the gold-dust was then placed in a drawer in the cabin, which was locked, and the key left in charge of the officer commanding the party on board.

The alleged consumption of spirits and wine is also most strongly contradicted by Mr. Wickham.

Again, Mr. Burwood, the master of the "*Persian*," referring to these transactions, has thus expressed himself: "I beg to state that every care and attention was paid by the party of seamen and Kroomen during the examination of her cargo; and instead of any heedlessness being shown by them in the removal of the same, the captain and mate of the '*Furia*' were frequently reminded of the careless way in which the cargo was stowed, more especially the gold-dust in the cabin. Indeed, the whole of the charges are without foundation."

Lastly, Mr. Lovell, the master's assistant of the "*Persian*," states, "that the '*Furia*' was detained on suspicion of being concerned in Slave Trade; and, during the search, the greatest precaution was taken by the officers, seamen, and others employed on that duty." And he adds, "I am the better able to give this statement from having been the officer in charge of the working party on board the '*Furia*' during the whole period of her detention."

But the master of the "*Furia*," in addition to his grievances at Cape Coast, alleges that, during his stay on the Coast of Guinea, he had to undergo three different visits from the ships of Her Britannic Majesty, one of which was under

the orders of Commander Horrock, at Accra; and that on the 6th of July, when he was ill on shore, they, heedless of his situation, made him repair on board, which so much affected his health as to bring him to the brink of the grave.

In contradiction to this, Captain Tucker, the senior officer of Her Majesty's ships on the West Coast of Africa, in a letter to the Admiralty, states, "The part of his declaration relating to his having been boarded by another cruizer, and forced to come from the shore when ill with a dangerous malady, is incorrect. She was boarded by an officer of Her Majesty's ship 'Wolverine,' then under my command at Accra, in July, 1840; when the officer sent on board to report, said there was something suspicious about her, and that he thought it would be requisite for me to visit and examine her, which I did, and found a large water-tank, extending across the vessel from side to side, under the cabin, the hatch to which was partially covered; besides having water-casks and a cargo from Bahia, composed of those articles which are usually sent over for the purchase of slaves: and so far from giving any orders for the captain to be sent for, I expressed my surprise at his coming off when sick, as his presence was not required, and offered him medical assistance, which he accepted."

The Undersigned has, in conclusion, to state that, as the officers giving the information embodied in this note are, for the most part, speaking of facts within their own knowledge, and of which they were eye-witnesses, Her Majesty's Government sincerely trust that Count Pollon will give to their statements the credit they deserve; and that he will see that the master and owners of the "*Furia*" have not that just ground of complaint against Her Majesty's ships, and against British officers, which Count Pollon was, in the first instance, induced to believe.

The Undersigned, &c.

(Signed)

ABERDEEN.

The Count Pollon,
&c. &c.

No. 229.

Mr. Abercromby to the Earl of Aberdeen.

Turin, April 6, 1842.

(Received April 26.)

MY LORD,

"Bittern."
"Ferret."
"Heroine."
"Bonetta."
"Pantaloons."
"Rapid."
"Alfred."
"Isis."
"Ardent."
"Illustrious."
"Spartan."
"Volage."
"Electra."
"Fair Rosamond."

I HAVE the honour to transmit to your Lordship herewith 14 Sardinian warrants for Her Majesty's ships named in the margin, which, in obedience to your Lordship's instructions, I requested Count Solar de la Marguerite to obtain for me, in compliance with the provisions of the Treaties in existence between Great Britain and Sardinia, for the more effectual suppression of the Traffic in Slaves.

I have, &c.

(Signed)

R. ABERCROMBY.

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

No. 230.

Count Pollon to the Earl of Aberdeen.

11, Grosvenor Street, le 10 Mai, 1842.

(Received May 11.)

SA Majesté le Roi de Sardaigne ayant destiné la frégate de sa marine royale le "*Saint Michel*," pour transporter à Rio Janeiro Son altesse Royale le Prince Adalbert de Prusse, le Soussigné, son Envoyé Extraordinaire et Ministre Plénipotentiaire, a reçu l'ordre de prier son Excellence Monsieur le Comte d'Aberdeen, Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique, de vouloir bien lui faire délivrer un mandat qui autorise le Chevalier d'Arcollières, commandant la frégate le "*Saint Michel*," à exercer le droit de visite sur les bâtimens Anglais pour la répression de la Traite de Noirs suivant les dispositions du Traité du 18 Août, 1834.

Le Soussigné saisit cette occasion pour renouveler à Son Excellence Monsieur le Comte d'Aberdeen les assurances de sa plus haute considération.

(Signé)

POLLON.

A son Excellence Monsieur le Comte d'Aberdeen.
 &c. &c. &c.

No. 231.

*The Earl of Aberdeen to Count Pollon.**Foreign Office, May 21, 1842.*

THE Earl of Aberdeen presents his compliments to Count Pollon, and in compliance with the request contained in Count Pollon's note of the 10th instant, has the honour to transmit to him herewith a warrant to enable the Chevalier d'Arcollières, commander of the Sardinian frigate "*St. Michel*," to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia, for the suppression of Slave Trade.

The Count Pollon,
 &c. &c.

No. 232.

*The Earl of Aberdeen to Mr. Abercromby.**Foreign Office, May 25, 1842.*

SIR,

I HEREWITH transmit to you nine warrants issued by the Sardinian Government to enable the commanders of the ships of Her Majesty's navy named in the margin of this Despatch, to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia, for the suppression of Slave Trade; and I have to desire that you will return these warrants to the Sardinian Government, in order that they may be cancelled.

"Winchester."
 "Cleopatra."
 "Satellite."
 "Comus."
 "Wizard."
 "Buzzard."
 "Viper."
 "Saracen."
 "Leveret."

I am, &c.

(Signed) ABERDEEN.

The Hon. R. Abercromby.
 &c. &c. &c.

No. 233.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, May 20, 1842.**(Received May 26.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 12th May, 1842, transmitting to me a copy of the memoir drawn up by Mr. Bandinel, of the Foreign Office, containing an account of the steps taken by the British Government towards effecting the extinction of the Trade in Slaves from Africa.

In obedience to the instructions contained in your Lordship's above-mentioned Despatch, I have placed Mr. Bandinel's memoir among the archives of Her Majesty's Legation at this Court.

I have, &c.

(Signed)

R. ABERCROMBY.

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

No. 234.

The Earl of Aberdeen to the Hon. R. Abercromby.

SIR,

Foreign Office, June 10, 1842.

I HAVE to instruct you to request the Sardinian Government to issue warrants to enable the commanders of the 10 ships of the Royal Navy, named in the accompanying list, to act under the Treaty of the 8th of August, 1834, between Great Britain, France, and Sardinia for the suppression of Slave Trade.

I am, &c.

The Hon. R. Abercromby,
 &c. &c. &c.

(Signed) ABERDEEN.

(For list of vessels above referred to, see the Earl of Aberdeen's Despatch to Lord Cowley, of June 14, 1842. France, No. 36, p. 63.)

No. 235.

*Mr. Abercromby to the Earl of Aberdeen.**Genoa, June 6, 1842.*

MY LORD,

(Received June 16.)

I HAVE the honour to acknowledge the receipt, by Mr. Edward Thornton, of your Lordship's Despatch, dated 25th May, transmitting to me nine Sardinian warrants, to enable the commanders of the ships of Her Majesty's Navy, named in the margin of this Despatch, to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia for the suppression of the Slave Trade; and instructing me to return these warrants to the Sardinian Government in order that they may be cancelled; with which instructions I shall not fail immediately to comply.

"Winchester,"
 "Cleopatra,"
 "Satellite,"
 "Comus,"
 "Wizard,"
 "Buzzard,"
 "Viper,"
 "Saracen,"
 "Leveret."

I have, &c.

(Signed) R. ABERCROMBY,

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

No. 236.

*Mr. Abercromby to the Earl of Aberdeen.**Genoa, June 17, 1842.*

MY LORD,

(Received June 25.)

I HAVE the honour to acknowledge the receipt this day of your Lordship's Despatch, dated Foreign Office, 10th instant, together with its enclosure, instructing me to request the Sardinian Government to issue warrants to enable the commanders of the 10 ships of the Royal Navy, named in the margin of this Despatch, to act under the Treaty of the 8th of August, 1834, between Great Britain, France, and Sardinia for the suppression of the Slave Trade.

"Winchester,"
 "Cleopatra,"
 "Albatross,"
 "Kite,"
 "Growler,"
 "Spider,"
 "Warspite,"
 "Ringdove,"
 "Scylla,"
 "Satellite."

I beg to inform your Lordship that I have not failed to apply to Count Solar de Marguerite for the necessary warrants for the commanders of the above-mentioned ships of the Royal Navy; and I shall endeavour to procure them in time, so as to transmit them to your Lordship by the messenger Finnessey on his return from Naples.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 237.

Mr. Abercromby to the Earl of Aberdeen.

Genoa, July 9, 1842.

(Received July 17.)

MY LORD,

IN compliance with the instructions conveyed to me in your Lordship's Despatch, dated Foreign Office, 10th June, 1842, I have now the honour to forward herewith to your Lordship 10 warrants issued by the Government of His Sardinian Majesty to enable the commanding officers of the ships of Her Majesty's Royal Navy, mentioned in the margin of this Despatch, to act under the provisions of the Treaty for the suppression of the trade in slaves, signed between Great Britain, France, and Sardinia on the 8th August, 1834.

"Winchester,"
 "Warspite,"
 "Cleopatra,"
 "Albatross,"
 "Satellite,"
 "Ringdove,"
 "Seylla,"
 "Spider,"
 "Growler,"
 "Kite."

I have, &c.

(Signed)

R. ABERCROMBY.

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

No. 238.

The Earl of Aberdeen to Mr. Abercromby.

SIR,

Foreign Office, July 18, 1842.

I HAVE to instruct you to apply to the Sardinian Government to issue warrants to enable the commanders of Her Majesty's steam-vessels, named in the accompanying list, to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia for the suppression of Slave Trade.

You will state at the same time that Her Majesty's ship "Albatross," for which a warrant was enclosed in your Despatch of the 9th instant, will be employed on the North American and West India station, and not, as stated in my Despatch of the 10th ultimo, on the Cape of Good Hope station.

I return to you herewith the warrant issued to Her Majesty's ship "Satellite," and enclosed in your Despatch above mentioned, and which will not now be required, as the destination of that vessel has been changed; and I have to instruct you to forward this warrant to the Sardinian Government, in order that it may be cancelled.

I am, &c.

(Signed)

ABERDEEN.

The Hon. R. Abercromby,
 &c. &c. &c.

(For list of vessels above referred to, see the Earl of Aberdeen's Despatch to Sir H. W. W. Wynne, July 16, 1842, Denmark, No. 142, p. 229.)

No. 239.

The Earl of Aberdeen to Mr. Abercromby.

SIR,

Foreign Office, July 20, 1842.

I HEREWITH transmit to you four warrants issued by the Sardinian Government to enable the commanders of Her Majesty's ships "Sparrow," "Vestal," "Rose," and "Pluto" to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia for the suppression of the Slave Trade; and I have to instruct you to return these warrants to the Sardinian Government, in order that they may be cancelled.

I am, &c.

(Signed)

ABERDEEN.

The Hon. R. Abercromby,
 &c. &c. &c.

No. 240.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, August 11, 1842.**(Received August 17.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, dated Foreign Office, 5th July, 1842, together with its enclosures, two printed copies of a Treaty concluded at Monte Video, on the 30th July, 1839, between Her Majesty and the Oriental republic of the Uruguay, for the more effectual suppression of the traffic in slaves, for the communication of which I beg to express to your Lordship my thanks.

I have, &c.

(Signed)

R. ABERCROMBY.

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

&c.

&c.

&c.

No. 241.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, August 12, 1842.**(Received August 18.)*

MY LORD,

IN compliance with the instructions conveyed to me in your Lordship's Despatch dated Foreign Office, 18th July, 1842, I have now the honour to transmit herewith to your Lordship five warrants issued by the Government of His Sardinian Majesty, to enable the commanders of the steam-vessels of Her Majesty's Royal Navy, mentioned in the margin of this Despatch, to act under the provisions of the Treaty for the suppression of the trade in slaves, signed between Great Britain, France, and Sardinia on the 8th of August, 1834.

I have, &c.

(Signed)

R. ABERCROMBY.

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

&c.

&c.

&c.

No. 242.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, August 15, 1842.**(Received August 21.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch dated Foreign Office, 5th August, 1842, together with its enclosures, two printed copies of a Treaty between Her Majesty and the republic of Texas for the suppression of the African Slave Trade, signed at London on the 16th of November, 1840, for the communication of which I beg to express to your Lordship my thanks.

I have, &c.

(Signed)

R. ABERCROMBY.

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

&c.

&c.

&c.

No. 243.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, August 29, 1842.**(Received September 4.)*

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch dated Foreign Office, 15th August, 1842, together with its enclosures,

two printed copies of a Treaty between Her Majesty and the Queen of Portugal for the suppression of the traffic in slaves, signed at Lisbon on the 3rd of July, 1842.

I beg to express my thanks to your Lordship for the communication of this important document.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 244.

Mr. Abercromby to the Earl of Aberdeen.

Turin, August 29, 1842.

(Received September 4.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, dated Foreign Office, 16th August, 1842, together with its enclosures, two printed copies of an Act of Parliament, passed on the 12th instant, entitled, "An Act to repeal so much of an Act of the second and third years of Her present Majesty, for the suppression of the Slave Trade, as relates to Portuguese vessels," for the communication of which I beg to express to your Lordship my thanks.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 245.

Mr. Abercromby to the Earl of Aberdeen.

Turin, September 17, 1843.

(Received September 23.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Slave Trade Despatch of the 31st ultimo, marked Circular, enclosing two printed copies of a Treaty recently entered into between Her Majesty and the Republic of Mexico for the suppression of the trade in slaves, and I beg to express to your Lordship my thanks for the communication of this document.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 246.

The Earl of Aberdeen to Mr. Abercromby.

Foreign Office, October 1, 1842.

SIR,

I HEREWITH transmit to you eight warrants, which, in pursuance of the Treaty between Great Britain, France, and Sardinia, of the 8th August, 1834, on Slave Trade, were issued by the Sardinian Government for the ships of Her Majesty's navy named in the margin of this Despatch, and I have to request that you will be pleased to return these warrants to the Sardinian Government, in order that they may be cancelled.

I have also to desire that you will request that orders may be given for the issue of a warrant to enable the commanding officer of Her Majesty's ship "Daphne," Captain John James Onslow, on the Brazil station, to act under the above-named Treaty.

I have, &c.

(Signed) ABERDEEN.

The Hon. R. Abercromby,
&c. &c. &c.

No. 247.

Mr. Abercromby to the Earl of Aberdeen.

Turin, October 17, 1842.

(Received October 24.)

MY LORD,

I HAVE the honour to acknowledge the receipt yesterday of your Lordship's Despatch dated Foreign Office, 17th August, 1842, transmitting to me a copy of a series of papers relating to the Slave Trade, presented to the two Houses of Parliament during the recent session, by Her Majesty's command.

I beg to express my thanks to your Lordship for the communication of these important documents.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 248.

Mr. Abercromby to the Earl of Aberdeen.

Turin, October 17, 1842.

(Received October 24.)

MY LORD,

I HAVE the honour to acknowledge the receipt yesterday of your Lordship's Despatch, dated Foreign Office, 1st October, 1842, transmitting to me, for the purpose of being returned to the Sardinian Government, in order that they may be cancelled, eight Sardinian warrants, formerly issued to the commanders of the ships of Her Majesty's navy named in the margin, enabling them to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia, for the suppression of the Slave Trade; and instructing me, at the same time, to request the Sardinian Government to grant a warrant to Captain John James Onslow, the commanding officer of Her Majesty's ship "Daphne," on the Brazil station, to enable him to act under the above-named Treaty.

I beg to inform your Lordship that I have not failed to comply with these instructions.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 249.

The Earl of Aberdeen to Mr. Abercromby.

SIR,

Foreign Office, November 2, 1842.

I HAVE to instruct you to apply to the Sardinian Government for a warrant to enable Commander the Hon. Swynfen T. Carnegie, of Her Majesty's sloop "Orestes," about to be employed on the North American and West India station, to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

The Hon. R. Abercromby,
&c. &c. &c.

No. 250.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, 25 October, 1842.**(Received October 31.)*

MY LORD,

IN compliance with your Lordship's instructions, conveyed to me in your Despatch dated Foreign Office, 1st October, 1842, I have now the honour to forward to your Lordship herewith the Sardinian warrant, enabling Captain Onslow, commanding Her Majesty's ship "Daphne," on the Brazil station, to act under the Treaty entered into on the 8th of August, 1834, between Great Britain, France, and Sardinia, for the suppression of the trade in slaves.

I have, &c.

(Signed)

R. ABERCROMBY.

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

No. 251.

*The Earl of Aberdeen to Mr. Abercromby.**Foreign Office, November 26, 1842.*

SIR,

IN accordance with a request which has been made to me from the Admiralty, I have to instruct you to request the Sardinian Government to issue a warrant to enable Commander Andrew Drew, of Her Majesty's sloop "Wasp," about to be employed on the North American and West India stations, to act under the Treaty between Great Britain, France, and Sardinia, of the 8th August, 1834, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

The Hon. R. Abercromby,
&c. &c. &c.

No. 252.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, November 24, 1842.**(Received November 30.)*

MY LORD,

IN compliance with instructions received from your Lordship in your Despatch dated Foreign Office, 2nd November, 1842, I have the honour to transmit herewith a warrant obtained from the Sardinian Government, to enable Commander the Hon. Swynfen T. Carnegie, of Her Majesty's sloop "Orestes," about to be employed on the North American and West Indian station, to act under the Treaty of the 8th of August, 1834, between Great Britain, France, and Sardinia, for the suppression of the Slave Trade.

I have, &c.

(Signed)

R. ABERCROMBY.

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

No. 253.

*The Earl of Aberdeen to Mr. Abercromby.**Foreign Office, December 10, 1842.*

SIR,

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Sardinian Government to issue a warrant to enable Captain the Hon. Montague Stopford, of Her Majesty's ship "Pique," about to be employed on the North American and West Indian station, to act under the Treaty between Great Britain, France, and Sardinia, of the 8th August, 1834, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

The Hon. R. Abercromby,
&c. &c. &c.

No. 254.

The Earl of Aberdeen to Mr. Abercromby.

SIR,

Foreign Office, December 15, 1842.

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Sardinian Government to issue warrants to enable the commanding officers of Her Majesty's ships named in the accompanying list, to act under the Treaty between Great Britain, France, and Sardinia, of the 8th August, 1834, for the suppression of Slave Trade.

I am, &c.

(Signed) ABERDEEN.

The Hon. R. Abercromby,
&c. &c. &c.

Enclosure in No. 254.

List of Vessels for which Warrants are requested from the Sardinian Government:—

Arrow, Ketch,	Lieut. Wm. Robinson,	Cape of Good Hope.
Spy, Brig,	Lieut. Geo. Raymond,	Coast of Africa.
Viper, Brig,	Lieut. Chas. Carter,	Brazils.
Griffon, Brig,	Lieut. Chas. Jenkin,	North America and West Indies.
Hornet, Schooner,	Lieut. R. B. Miller,	Ditto ditto.
Pickle, Schooner,	Lieut. F. B. Montresor,	Ditto ditto.

No. 255.

*Mr. Abercromby to the Earl of Aberdeen.**Turin, December 17, 1842.**(Received December 23.)*

MY LORD,

IN compliance with instructions received from your Lordship in your Despatch dated Foreign Office, 26th November, 1842, I have the honour to transmit herewith to your Lordship a warrant, which I have obtained from the Sardinian Government, to enable Commander Andrew Drew, of Her Majesty's sloop "Wasp," about to be employed in the North America and West India station, to act under the Treaty of the 8th of August, 1834, between Great Britain, France, and Sardinia, for the suppression of the Slave Trade.

I have, &c.

(Signed) R. ABERCROMBY.

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

No. 256.

The Earl of Aberdeen to Mr. Abercromby.

SIR,

Foreign Office, December 24, 1842.

I HEREWITH transmit to you nine warrants, issued by the Sardinian Government, to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Treaty between Great Britain, France, and Sardinia, of the 8th of August, 1834, for the suppression of Slave Trade; and I have to desire that you will return these warrants to the Sardinian Government, in order that they may be cancelled.

I am, &c.

(Signed) ABERDEEN.

The Hon. R. Abercromby,
&c. &c. &c.

No. 257.

*The Earl of Aberdeen to Mr. Abercromby.**Foreign Office, December 23, 1842.*

SIR,

A COMMUNICATION has been received at this office from the Admiralty, stating that the warrant issued by the Sardinian Government in the year 1839, to enable Her Majesty's schooner "Fair Rosamond," on the coast of Africa, to act under the Treaty of the 8th August, 1834, between Great Britain, France, and Sardinia, for the suppression of Slave Trade, cannot be traced, and I have to instruct you to inform the Sardinian Government of the loss of the warrant in question, in order that it may be cancelled.

I am, &c.

(Signed)

ABERDEEN.

The Hon. R. Abercromby,
 &c. &c. &c.

No. 258.

*The Earl of Aberdeen to Mr. Abercromby.**Foreign Office, December 31, 1842.*

SIR,

IN accordance with an application which has been made to me by the Admiralty, I have to instruct you to request the Sardinian Government to issue a warrant to enable Lieutenant George Oldmixon, commanding Her Majesty's steam vessel "Megæra," about to be employed on the North American and West Indian station to act under the Treaty between Great Britain, France, and Sardinia, of the 8th August, 1834, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

The Hon. R. Abercromby,
 &c. &c.

T U S C A N Y.

No. 259.

Lord Holland to the Earl of Aberdeen.

Florence, February 9, 1842.

(Received February 19).

MY LORD,

WITH reference to Viscount Palmerston's Despatches of the 6th of August and 25th September, 1840, marked Slave Trade, instructing me to complain to this Government of the conduct pursued by M. Pluma, Tuscan Consul General at the Havana, I have now the honour to transmit to your Lordship a copy of a note that I have received from Don Neri Corsini, stating that the Grand Duke has been pleased to deprive M. Pluma of his place.

I have, &c.

(Signed)

HOLLAND.

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

Enclosure in No. 259.

M. Corsini to Lord Holland.

MILORD,

Florence, le 4 Février, 1842.

PENDANT que votre Excellence, vers la fin de l'année 1840, dénonçait au Gouvernement du Grand Duc par ordre du Ministère Britannique plusieurs irregularités que les autorités Anglaises avoient signalées dans la conduite du Consul Général de la Toscane à la Havane, une enquête spéciale et rigoureuse était déjà instituée sur la gestion de cet agent, soupçonné par d'autres rapports tant de favoriser la Traite des Noirs, que de ne point se conformer sous d'autres points de vue aux instructions en vigueur pour tous les Consulats Toscans à l'étranger.

Des faits qui ont paru très graves sont résultés de ses vérifications; et M. Pluma, appelé à se justifier, n'a pas été à même de donner des explications assez satisfaisantes.

Son Altesse Impériale et Royale ne pouvait dès lors conserver sa confiance à un fonctionnaire qui, dans plus d'une occasion, avait oublié les devoirs inhérents à sa charge. C'est pourquoi, sur la proposition que j'ai eu l'honneur de lui soumettre, Monseigneur le Grand Duc a prononcé la destitution définitive de Monsieur Pasqual Pluma de ses fonctions de Consul Général à la Havane. Les dispositions nécessaires sont adoptées pour que cet ordre soit porté à exécution sans le moindre délai.

Je m'empresse, Milord, de vous informer de la décision Souveraine ci-dessus énoncée, et je saisis, &c.

Pour le Ministre,

(Signé)

N. CORSINI.

Son Excellence Lord Holland,
&c. &c.

No. 260.

The Earl of Aberdeen to Lord Holland.

MY LORD,

Foreign Office, February 22nd, 1842.

WITH reference to previous correspondence on the subject of the conduct of M. Pluma, the Tuscan Consul at the Havana, in attesting the papers of slave-vessels, I herewith transmit to you copies of communications from Her Majesty's Commissioners at Sierra Leone, and from the Admiralty, respecting the case of

the schooner "*Paz*," condemned in the mixed British and Spanish Court of Justice at that place, on a charge of having been engaged in Slave Trade.

From these papers it appears that on the 17th November, 1839, on the 29th March, 1840, and on the 16th October, 1840, M. Pasqual Pluma certified to the authenticity of a paper which purported to be an extract from the register of Portuguese merchant vessels kept at the Intendency of Marine at Lisbon.

Now that document is dated on the 15th January, 1837, and yet it states that the "*Paz*" was sold in the month of May, 1837, and that by the certificate of the Custom House of Lisbon of the current month of June, it had been proved that the dues required by law had been paid.

The document certified by M. Pluma was the only sailing authority with which the "*Paz*" was furnished, and the "*Visas*" of M. Pluma were calculated to give it a value and authority which, without some similar act, it could not have possessed, and the vessel to which it was furnished was engaged in Slave Trade.

The document itself is very short, and it appears hardly credible that on three several occasions it should have come before M. Pluma, without his having troubled himself to ascertain the exact purport of it; and I have therefore to desire that you will communicate the facts to the Tuscan Minister, and that you will urge the Tuscan Government to take measures for preventing a repetition of a conduct so culpably negligent as that which M. Pluma is represented to have pursued in this case, and which is calculated to give facilities for the illegal traffic in slaves carried on from the Port at which M. Pluma acts as Consul.

I am, &c.

(Signed)

ABERDEEN.

The Lord Holland,
&c. &c.

First Enclosure in No. 260.

Sierra Leone Commissioners to the Earl of Aberdeen.

November 25, 1841.

(See Class A, No. 35, p. 22.)

Second Enclosure in No. 260.

Sir John Barrow to Viscount Canning.

MY LORD,

Admiralty, January 26, 1842.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Earl of Aberdeen, a copy of a letter of the 29th October, 1841, from Lieutenant Blount, of Her Majesty's steam vessel "*Pluto*," reporting his having detained the schooner "*Paz*" under Portuguese colours and fitted for the Slave Trade, and enclosing copies of the said schooner's papers, which are also now transmitted to you.

I am, &c.,

(Signed)

JOHN BARROW,

The Viscount Canning,
&c. &c.

First Sub-Enclosure in No. 260.

Lieutenant Blount to R. More O'Ferrall, Esq.

H. M. Steam Vessel "Pluto,"

SIR,

West Bay, Princes, October 29, 1841.

I HAVE the honour to acquaint you, for the information of the Lords Commissioners of the Admiralty, that on the 27th inst., in latitude 3° 32' N., longitude 6, 35' E., I detained after five hours' chase the American built two-topsail schooner "*Paz*," Manoel Cardosa, captain and owner, under Portuguese colours, from the Havana bound to the river Bras, from whence she sailed on the 9th ultimo with 39 souls on board; and I enclose authenticated copies of the papers furnished by the Portuguese authorities and the Tuscan Consul at the Havana, Senhor Don Pasqual Pluma, who styles himself charged with the Portuguese Consulship. I

CLASS C.

this morning landed the remainder of her crew and passengers at Port Antonio, consisting of 34, the Governor having most kindly acceded to my request.

I was informed by the captain that the two passengers were to be landed and left on the coast as agents from Martinez, in the place of Don Pablo (deceased) in whose possession I found a code of signals for all the rivers.

She was completely fitted and ready for the reception of 350 slaves, having 70 casks of water, 100 pair of irons, rice, beans on board, her slave deck fore and aft, only 2 feet 8 inches under the beams.

I have, &c.
(Signed) W. S. BLOUNT,
Lieutenant-Commander.

R. More O'Ferrall, Esq.,
&c. &c.

Second Sub-Enclosure in No. 260.

We, Pasqual Pluma, Consul-General of Tuscany in the Island of Cuba,

Certify by these presents that on this day personally appeared before us Captain Manoel Cardosa, of the Portuguese schooner "*Paz*," who declared that the annexed document is a true and faithful list of his crew, which consists of 34 persons, comprising the said captain, and of his equipment, which declaration we have received under oath, according to existing laws, and because of there being here no Consul of his nation to verify these acts.

In testimony whereof we give the present certificate under our hand and the seal of this Imperial and Royal Consulate General of Tuscany, in the Havana, this 3rd day of April, 1841.

(Signed) PASQUAL PLUMA.
(*Tuscan Seal.*)

Third Sub-Enclosure in No. 260.

In folio 71 of the book kept at this Intendancy of the Marine in Lisbon, and in which the Portuguese merchantmen are registered pursuant to the directions of the decree of the 17th December, 1836, there occurs an entry to the following effect:—

The Portuguese schooner "*Paz*," of 80 tons, as appears from the certificate of admeasurement, dated this day, José Maria Gonsalvez de Faria, master, of Lisbon, is American built, and was sold by Manoel Lopez Passos, of Lisbon, agent for Mr. S. Orgoot, of Boston, to the said owner José Maria Gonsalvez de Faria, in the month of May of the present year, 1837, having been previously denominated "*Dichosa*," and it is proved by the certificate of the Great Custom House of Lisbon, of this current month of June, that he has paid the dues required by law.

And nothing more was contained in the said register to which I refer. And that it may be on record I made out the present certificate,

Intendancy of Marine, Lisbon, 12th January, 1837.

João Baptista da Silva.

Seen,

Good for pursuing her voyage to Bras, with the new Captain José Lopez Conde, a native of Lisbon, and a crew composed in all of 21 persons, inclusive of the above-mentioned master.

Havana, March 29, 1840.

The Consul-General of Tuscany, and charged with the consulate of the Portuguese nation.

(Signed) PASQUAL PLUMA.
(*Tuscan Seal.*)

Seen,

Bound for St. Thomas with 19 persons, including the Captain João Baptista Silva.

Havana, November 17, 1839.

The Consulate-General of Tuscany and of Portugal,

(Signed) PASQUAL PLUMA.

(*Tuscan Seal.*)

Seen,

Follows her voyage for the River Bras, and her master is Manoel Cardosa.

Havana, October 16, 1840.

(Signed) PASQUAL PLUMA, *Consul.*

(*Tuscan Seal.*)

No. 261.

The Earl of Aberdeen to Lord Holland.

MY LORD,

Foreign Office, March 3, 1842.

I HEREWITH transmit to your Lordship eight warrants, which, in pursuance of the Convention between Great Britain, France, and Tuscany, of 24th November, 1837, on Slave Trade, were issued by the Tuscan Government for the ship of Her Majesty's navy named in the margin of this Despatch, and I have to request that your Lordship will be pleased to forward these warrants to the Tuscan Government, in order that they may be cancelled.

"Dee,"
"Harlequin,"
"Lynx (2),"
"Griffon,"
"Nautilus,"
"Forester,"
"Ringdove,"
"Crocodile."

I have also to desire that your Lordship will request that orders may be given for the issue of similar warrants for the 14 vessels of the royal navy named below.

I am, &c.
(Signed)

ABERDEEN.

The Lord Holland,
&c. &c.

For list of Her Majesty's ships requiring warrants from the Tuscan Government, see the Earl of Aberdeen's Despatch to Sir H. W. W. Wynn, of March 3, 1842 (Denmark, No. 131, page 224), the brig "Viper" being omitted in the present list.

No. 262.

Lord Holland to the Earl of Aberdeen.

Florence, March 23, 1842.

MY LORD,

(*Received April 4.*)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 22nd ultimo, together with its enclosures, instructing me to communicate to the Tuscan Government the facts contained in those documents, and to complain of the conduct pursued by M. Pluma, Tuscan Consul-General at the Havana.

Your Lordship will have learnt in the mean time by my Despatch of the 9th of February last, that the Tuscan Government has thought fit to remove M. Pluma from the Consulate at the Havana, and I have therefore considered that it would be unnecessary to make any further representations upon the subject, as the recall of this functionary will render impossible any repetition of the conduct complained of in your Lordship's Despatch.

I have, &c.
(Signed)

HOLLAND.

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

No. 263.

Lord Holland to the Earl of Aberdeen.

Florence, March 26, 1842.

MY LORD,

(*Received April 18.*)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 3rd instant, transmitting to me eight warrants which were issued by the

Tuscan Government for ships of Her Majesty's navy, employed in the suppression of the Slave Trade.

In obedience to your Lordship's instructions, I immediately forwarded these warrants to the Tuscan Government in order that they might be cancelled, and at the same time I requested that orders might be given for the issue of the 14, which I enclose herewith.

I have, &c.

(Signed)

HOLLAND.

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

No. 264.

The Earl of Aberdeen to Lord Holland.

MY LORD,

Foreign Office, May 25, 1842.

I HEREWITH transmit to your Lordship 10 warrants issued by the Tuscan Government to enable the commanders of the ships of Her Majesty's navy named in the margin of this Despatch, to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of Slave Trade; and I have to desire that you will return these warrants to the Tuscan Government in order that they may be cancelled.

I am, &c.

(Signed)

ABERDEEN.

The Lord Holland,
&c. &c.

No. 265.

The Earl of Aberdeen to Lord Holland.

MY LORD,

Foreign Office, June 10, 1842.

I HAVE to instruct your Lordship to request the Tuscan Government to issue warrants to enable the commanders of the 10 ships of the Royal Navy named in the accompanying list, to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

The Lord Holland,
&c. &c.

For list of Her Majesty's ships requiring warrants from the Tuscan Government, see Enclosure in the Earl of Aberdeen's Despatch to Lord Cowley of June 14, 1842 (France, No. 36, page 63).

No. 266.

Lord Holland to the Earl of Aberdeen.

Florence, June 23, 1842.

MY LORD,

(Received July 2.)

I HAVE the honour to transmit herewith 10 warrants which have been issued by the Tuscan Government, in consequence of a request which I addressed to them in pursuance of your Lordship's instructions, to enable the commanders of the vessels of the Royal Navy, enumerated in your Lordship's Despatch of the 10th instant, to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of the Slave Trade.

I have, &c.

(Signed)

HOLLAND.

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

No. 267.

The Earl of Aberdeen to Lord Holland.

MY LORD,

Foreign Office, July 16, 1842.

I HAVE to instruct you to apply to the Tuscan Government to issue warrants to enable the commanders of Her Majesty's steam vessels named in the accompanying list*, to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of Slave Trade.

You will at the same time state, that Her Majesty's ship "Albatross," for which a warrant was enclosed in your Despatch of the 23rd ultimo, will be employed on the North American and West Indian Station, and not, as stated in my Despatch of the 10th ultimo, on the Cape of Good Hope Station.

I return to you herewith the warrant issued for Her Majesty's ship "Satellite," and enclosed in your Despatch above-mentioned, and which will not now be required, as the destination of that vessel has been changed; and I have to instruct you to forward this warrant to the Tuscan Government in order that it may be cancelled.

I am, &c.

(Signed) ABERDEEN.

The Lord Holland,

&c. &c.

* See Enclosure in Despatch of July 16, 1842, to Sir H. Wynn, (Denmark, No. 142, p. 229.)

No. 268.

The Earl of Aberdeen to Lord Holland.

MY LORD,

Foreign Office, July 20, 1842.

I HEREWITH transmit to your Lordship four warrants issued by the Tuscan Government, to enable the commanders of Her Majesty's ships "Sparrow," "Vestal," "Rose," and "Pluto," to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of Slave Trade; and I have to instruct your Lordship to return these warrants to the Tuscan Government in order that they may be cancelled.

I am, &c.

(Signed) ABERDEEN.

The Lord Holland,

&c. &c.

No. 269.

*Mr. Buchanan to the Earl of Aberdeen.**Florence, August 2, 1842.**(Received August 11.)*

MY LORD,

YOUR Lordship's Despatches to Lord Holland, dated the 16th and 26th ultimo, have been received at Her Majesty's Legation; and I have now the honour of transmitting Tuscan warrants, to enable the commanders of Her Majesty's steam vessels, enumerated in your Lordship's first mentioned Despatch, to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of the Slave Trade.

The warrants which were enclosed in your Lordship's Despatches have been returned according to your instructions, to Count Fossombroni, to whom Lord Holland, before leaving Florence, also communicated the information conveyed in your Lordship's Despatch of the 16th ultimo, respecting a change in the station, on which Her Majesty's ship "Albatross" is to be employed.

I have, &c.

(Signed) A. BUCHANAN.

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

&c.

&c.

&c.

No. 270.

*Mr. Bell to the Earl of Aberdeen.*43, *Russell Square*, September 6, 1842.*(Received September 7.)*

MR. James C. C. Bell, Tuscan Consul General in London, presents his respectful compliments to the Earl of Aberdeen, and has the honour to acknowledge receipt of the copy of a series of papers relating to the Slave Trade, which have been presented by Her Majesty's command to the two Houses of Parliament during the recent session, and which was transmitted to Mr. Bell on the 17th of last month whilst he was abroad, and which he mentions to account for the delay in acknowledging the same.

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

No. 271.

The Earl of Aberdeen to Mr. Buchanan.

SIR,

Foreign Office, October 1, 1842.

I HAVE to instruct your Lordship to request the Tuscan Government to issue a warrant authorising the commanding officer of Her Majesty's ship "Daphne," Captain John James Onslow, on the Brazil Station, to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of the Slave Trade.

Andrew Buchanan, Esq.,
H. M.'s Chargé d'Affaires at Florence.

I am, &c.
 (Signed) ABERDEEN.

No. 272.

*Mr. Buchanan to the Earl of Aberdeen.**Florence*, October 15, 1842.*(Received October 25.)*

MY LORD,

I HAVE had the honour to receive your Lordship's Despatch of the 1st instant, and in compliance with the instructions therein conveyed to me, I have procured from the Tuscan Government the enclosed warrant, authorising Captain John James Onslow, the commanding officer of Her Majesty's ship "Daphne," to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of the Slave Trade.

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

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

No. 273.

The Earl of Aberdeen to Lord Holland.

MY LORD,

Foreign Office, November 2, 1842.

I HAVE to instruct your Lordship to apply to the Tuscan Government for a warrant to enable Commander the Hon. Swynfen T. Carnegie, of Her Majesty's sloop "Orestes," about to be employed on the North American and West India Station, to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of Slave Trade.

I am, &c.
 (Signed) ABERDEEN.

The Lord Holland,
 &c. &c.

No. 274.

*The Earl of Aberdeen to Mr. Buchanan.**Foreign Office, November 5, 1842.*

SIR,

I HEREWITH transmit to you 11 warrants issued by the Tuscan Government to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Convention between Great Britain, France, and Tuscany, of the 24th November, 1837, for the suppression of the Slave Trade; and I have to desire that you will return these warrants to the Tuscan Government in order that they may be cancelled.

"Modeste,"
 "Dolphin,"
 "Termagant (2),"
 "Actæon,"
 "Rolla,"
 "Brisk,"
 "Hydra,"
 "Sappho,"
 "Racer,"
 "Gleaner."

I am, &c.

(Signed)

ABERDEEN.

Andrew Buchanan, Esq.
 &c. &c.

No. 275.

*The Earl of Aberdeen to Mr. Buchanan.**Foreign Office, November 26, 1842.*

SIR,

IN accordance with a request which has been made to me from the Admiralty, I have to instruct you to request the Tuscan Government to issue a warrant to enable Commander Andrew Drew, of Her Majesty's sloop "Wasp," about to be employed on the North America and West India station, to act under the Convention between Great Britain, France, and Tuscany, of the 24th November, 1837, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

Andrew Buchanan, Esq.,
 &c. &c.

No. 276.

*Mr. Buchanan to the Earl of Aberdeen.**Florence, November 17, 1842.**(Received November 26.)*

MY LORD,

I HAVE had the honour to receive your Lordship's Despatches dated the 2nd and 5th instant.

I have now the honour to transmit to your Lordship the warrant which I was instructed, by the former of these despatches, to obtain from the Tuscan Government, to enable Commander the Honourable Swynfen T. Carnegie, of Her Majesty's sloop "Orestes," to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of the Slave Trade.

I have also, in obedience to your Lordship's instructions, returned to Count Fossombroni the warrants enclosed in your Lordship's Despatch of the 5th instant, in order that they may be cancelled.

I have, &c.

(Signed)

ANDREW BUCHANAN.

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

No. 277.

*The Earl of Aberdeen to Mr. Buchanan.**Foreign Office, December 10, 1842.*

SIR,

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Tuscan Government to issue a warrant to enable Captain the Honourable Montague Stopford, of Her Majesty's ship "Pique," about to be employed on the North America and West India station, to act under the Convention between Great Britain, France, and Tuscany, of the 24th November, 1837, for the suppression of Slave Trade.

I am, &c.

(Signed)

ABERDEEN.

Andrew Buchanan, Esq.,
 &c. &c.

No. 278.

The Earl of Aberdeen to Mr. Buchanan.

SIR,

Foreign Office, December 15, 1842.

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Tuscan Government to issue warrants to enable the commanding officers of Her Majesty's ships named in the accompanying list*, to act under the Convention between Great Britain, France, and Tuscany, of the 24th November, 1837, for the suppression of Slave Trade.

Andrew Buchanan, Esq.,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

* See list enclosed in Despatch of December 15, to Mr. Abercromby (Sardinia, No. 254, p. 296.

No. 279.

Mr. Buchanan to the Earl of Aberdeen.

MY LORD,

*Florence, December 12, 1842.**(Received December 20.)*

I HAVE the honour to enclose herewith a warrant which, in obedience to the instructions conveyed to me in your Lordship's Despatch of the 26th ultimo, I have procured from the Tuscan Government, authorizing Commander Drew, of Her Majesty's sloop "Wasp," to act under the Convention of the 24th November, 1837, between Great Britain, France, and Tuscany, for the suppression of the Slave Trade.

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

I have, &c.
(Signed) ANDREW BUCHANAN.

No. 280.

The Earl of Aberdeen to Mr. Buchanan.

SIR,

Foreign Office, December 23, 1842.

A COMMUNICATION has been received at this Office from the Admiralty, stating that the warrant issued by the Tuscan Government in December, 1838, to enable Her Majesty's sloop "Racer," on the North American and West India station, to act under the Convention between Great Britain, France, and Tuscany, of the 24th November, 1837, for the suppression of Slave Trade, cannot be traced.

And I have to instruct you to acquaint the Tuscan Government with this circumstance, in order that the warrant in question may be cancelled.

Andrew Buchanan, Esq.,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 281.

The Earl of Aberdeen to Mr. Buchanan.

SIR,

Foreign Office, December 24, 1842.

I HEREWITH transmit to you six warrants issued by the Tuscan Government to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Convention between Great Britain, France, and Tuscany, of the 24th November, 1837, for the suppression of Slave Trade, and I have to desire that you will return these warrants to the Tuscan Government in order that they may be cancelled.

Andrew Buchanan, Esq.,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 282.

*The Earl of Aberdeen to Mr. Buchanan.**Foreign Office, December 31, 1842.*

SIR,

IN accordance with an application which has been made to me by the Admiralty, I have to instruct you to request the Tuscan Government to issue a warrant to enable Lieutenant George Oldmixon, commanding Her Majesty's steam-vessel "Megæra," about to be employed on the North American and West India station, to act under the Convention between Great Britain, France, and Tuscany, of the 24th November, 1837, for the suppression of Slave Trade.

I am, &c.

Andrew Buchanan, Esq.,
&c. &c.

(Signed) ABERDEEN.

TWO SICILIES.

No. 283.

Mr. Temple to the Earl of Aberdeen.

*Naples, January 8, 1842.
(Received January 24.)*

MY LORD,

I HAVE the honour of enclosing to your Lordship the warrant required for Her Majesty's ship "Madagascar," Captain John Foote, which I received too late to forward by the messenger.

I have, &c.

(Signed)

W. TEMPLE.

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

No. 284.

The Earl of Aberdeen to Mr. Temple.

Foreign Office, March 3, 1842.

SIR,

"Calliope,"
"Fair Rosamond,"
"Nautilus,"
"Dee,"
"Griffon,"
"Lynx,"
"Skipjack,"
"Forester,"
"Ringdove,"
"Crocodile (2)."

I HEREWITH transmit to you ten warrants, which, in pursuance of the Convention between Great Britain, France, and the Two Sicilies, of the 14th February, 1838, on Slave Trade, were issued by the Sicilian Government for the ships of Her Majesty's navy named in the margin of this Despatch, and I have to request that you will be pleased to forward these warrants to the Sicilian Government, in order that they may be cancelled.

I have also to desire that you will request that orders may be given for the issue of similar warrants for the 17 vessels of the royal navy named in the accompanying list.

I am, &c.

(Signed)

ABERDEEN.

*The Hon. W. Temple,
&c. &c.*

For list of vessels for which warrants are required from the Neapolitan Government, see the Earl of Aberdeen's Despatch to Sir H. W. W. Wynn, March 3, 1842, (Denmark, No. 131, p. 224,) the two following being added to the present,—

"Lily" sloop, Commander George Baker, Cape of Good Hope station.
"Acorn" " " John Adams, " "

No. 285.

Mr. Temple to the Earl of Aberdeen.

*Naples, April 2, 1842.
(Received April 26.)*

MY LORD,

IN compliance with the instructions contained in your Lordship's Despatch of the 3rd ultimo, I have transmitted to the Neapolitan Government the 10 warrants which accompanied that Despatch, in order that they may be cancelled, and I have now the honour of forwarding to your Lordship the 17 warrants* required for Her Majesty's ships named in the list which was sent to me in the same Despatch.

I have, &c.

(Signed)

W. TEMPLE.

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

* Bittern, Lily, Acorn, Ferret, Heroine, Bonetta, Pantaloon, Rapid, Alfred, Isis, Ardent, Viper, Illustrious, Spartan, Volage, Electra, Fair Rosamond.

No. 286.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, May 25, 1842.

I HEREWITH transmit to you nine warrants,* issued by the Government of the Two Sicilies, to enable the commanders of the ships of Her Majesty's Navy named in the margin of this Despatch, to act under the Convention of the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of Slave Trade; and I have to desire that you will return these warrants to the Government of the Two Sicilies in order that they may be cancelled.

"Winchester (2),"
 "Cleopatra (2),"
 "Comus,"
 "Satellite,"
 "Saracen,"
 "Buzzard,"
 "Wizard."

I am, &c.

The Hon. W. Temple,
 &c. &c.

(Signed) ABERDEEN.

No. 287.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, June 10, 1842.

I HAVE to instruct you to request the Government of the Two Sicilies to issue warrants to enable the commanders of the 10 ships of the royal navy, named in the accompanying list, to act under the Convention of the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of Slave Trade.

I am, &c.

The Hon. W. Temple,
 &c. &c.

(Signed) ABERDEEN.

(For list of vessels above referred to, see the Earl of Aberdeen's Despatch to Lord Cowley, June 14, 1842; France, No 36, page 63.)

No. 288.

*Mr. Temple to the Earl of Aberdeen.**Naples, June 18, 1842.*

MY LORD,

(Received July 3.)

HAVING received the nine warrants issued by the Government of the Two Sicilies, transmitted to me in your Lordship's Despatch of the 25th May, I have returned them to this Government, in order that they may be cancelled according to your Lordship's instructions; and I have received a note, of the 17th instant, from Prince Scilla, the Minister of Foreign Affairs, acknowledging his having received them.

I have, &c.

(Signed) W. TEMPLE.

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

No. 289.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, July 20, 1842.

I HEREWITH transmit to you five warrants issued by the Sicilian Government, to enable the commanders of Her Majesty's ships "Vestal," "Rose," (2)

"Sparrow," and "Pluto," to act under the Convention of the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of Slave Trade; and I have to instruct you to return these warrants to the Sicilian Government, in order that they may be cancelled.

The Hon. W. Temple,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 290.

Mr. Temple to the Earl of Aberdeen.

Naples, July 14, 1842.
(Received August 7.)

MY LORD,

IN obedience to your Lordship's instructions, contained in your Despatch of the 10th ultimo, I have obtained from the Government of the Two Sicilies the warrants to enable the commanders of the 10 ships of the Royal Navy named in the list which accompanied that Despatch, to act under the Convention of the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of the Slave Trade, and I have the honour to enclose them herewith to your Lordship.

I have, &c.
(Signed) W. TEMPLE.

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

No. 291.

The Earl of Aberdeen to the Hon. W. Temple.

SIR

Foreign Office, August 10, 1842.

I HAVE received your Despatch, marked "Slave Trade," of the 14th ultimo. I have to instruct you to state to the Sicilian Government that Her Majesty's ship "Albatross," for which a warrant was enclosed in that Despatch, will be employed on the North American and West India station, and not, as stated in my Despatch of the 10th June last, on the Cape of Good Hope station.

I return to you herewith the warrant issued to the commander of Her Majesty's ship "Satellite," enclosed in your above-mentioned Despatch, and which is not now required in consequence of that vessel being employed on another service; and I have to instruct you to forward this warrant to the Sicilian Government, in order that it may be cancelled.

I have, at the same time, to desire that you will make application to the Sicilian Government for warrants to enable the commanders of Her Majesty's steam-vessels named in the accompanying list, and employed on the North American and West India station, to act under the convention of the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of the Slave Trade.

The Hon. W. Temple,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

(For list of steam-vessels for which warrants are required, see the Earl of Aberdeen's Despatch to Sir H. W. W. Wynn, July 16, 1842 (Denmark, No. 142, p. 229.)

No. 292.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, October 1, 1842.

I HAVE to instruct you to request the Government of the Two Sicilies to issue a warrant to enable the commanding officer of Her Majesty's ship "Daphne," Captain John James Onslow, on the Brazil station, to act under the Convention of

the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of Slave Trade.

The Hon. W. Temple,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 293.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, November 2, 1842.

I HAVE to instruct you to apply to the Neapolitan Government for a warrant to enable Commander the Hon. Swynfen T. Carnegie, of Her Majesty's sloop "Orestes," about to be employed on the North American and West India station, to act under the Convention of the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of Slave Trade.

The Hon. W. Temple,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 294.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, November 5, 1842.

I HEREWITH transmit to you nine warrants, issued by the Government of the Two Sicilies, to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch to act under the Convention between Great Britain, France, and the Two Sicilies, on the 14th February, 1838, for the suppression of the Slave Trade; and I have to desire that you will return these warrants to the Government of the Two Sicilies, in order that they may be cancelled.

"Actæon,"
"Sappho,"
"Racer,"
"Wanderer,"
"Termagant,"
"Rolla (2),"
"Brisk,"
"Hydra."

The Hon. W. Temple,
&c. &c.

I am, &c.
(Signed) ABERDEEN.

No. 295.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, November 26, 1842.

IN accordance with a request which has been made to me from the Admiralty, I have to instruct you to request the Neapolitan Government to issue a warrant to enable Commander Andrew Drew, of Her Majesty's sloop "Wasp," about to be employed on the North America and West India stations, to act under the Convention between Great Britain, France, and the Two Sicilies, of the 14th February, 1838, for the suppression of Slave Trade.

I am, &c.
(Signed) ABERDEEN.

The Hon. W. Temple,
&c. &c.

No. 296.

Mr. Temple to the Earl of Aberdeen.

Naples, November 21, 1842.

(Received December 5.)

MY LORD,

I HAVE the honour to acknowledge your Lordship's Despatches marked "Slave Trade" to that of the 1st October inclusive, with their respective En-

"Sydenham,"
 "Avon,"
 "Spitfire,"
 "Flamer,"
 "Gleaner,"
 "Daphne." closures, and to transmit to your Lordship, according to your instructions, the warrants required by Her Majesty's Government from the Government of Sicily, to enable the commanding officers of Her Majesty's ships named in the margin to act under the Convention between Great Britain, France, and the Two Sicilies, for the suppression of the Slave Trade.

I have, &c.
 (Signed) W. TEMPLE.

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

No. 297.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, December 10, 1842.

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Neapolitan Government to issue a warrant to enable Captain the Hon. Montagu Stopford, of Her Majesty's ship "Pique," about to be employed on the North American and West India station, to act under the Convention between Great Britain, France, and the Two Sicilies, of the 14th February, 1838, for the suppression of Slave Trade.

I am, &c.
 (Signed) ABERDEEN.

The Hon. W. Temple,
 &c. &c.

No. 298.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, December 15, 1842.

IN accordance with an application which has been made to me from the Admiralty, I have to instruct you to request the Government of the Two Sicilies to issue warrants to enable the commanding officers of Her Majesty's ships named in the accompanying list, to act under the Convention between Great Britain, France, and the Two Sicilies, of the 14th February, 1838, for the suppression of Slave Trade.

I am, &c.
 (Signed) ABERDEEN.

The Hon. W. Temple,
 &c. &c.

Enclosure in No. 298.

List of Vessels for which Warrants are required from the Sicilian Government:—

			Station.
Spy,	Brig,	Lieut. Geo. Raymond,	Coast of Africa.
Griffon,	Ditto,	Lieut. Chas. Jenkin,	North America and West Indies.
Hornet,	Schooner,	Lieut. H. B. Miller,	Ditto ditto
Pickle,	Ditto,	Lieut. T. B. Montresor,	Ditto ditto
Avon,	Steamer,	Lieut. H. Byng,	Ditto ditto

No. 299.

Mr. Temple to the Earl of Aberdeen.

Naples, December 3, 1842.

MY LORD,

(Received December 19.)

I HAVE the honour of forwarding to your Lordship the warrant which, in

obedience to your Lordship's commands contained in your Despatch of the 2nd November ultimo, I have obtained from the Neapolitan Government to enable Commander the Hon. Swynfen T. Carnegie, of Her Majesty's sloop "Orestes," about to be employed on the North American and West India station, to act under the Convention of the 14th February, 1838, between Great Britain, France, and the Two Sicilies, for the suppression of Slave Trade.

I have, &c.
(Signed) W. TEMPLE.

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

No. 300.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, December 24, 1842.

I HEREWITH transmit to you twelve warrants, issued by the Government of the Two Sicilies, to enable the commanding officers of Her Majesty's ships named in the margin of this Despatch, to act under the Convention between Great Britain, France, and the Two Sicilies, of the 14th February, 1838, for the suppression of Slave Trade; and I have to desire that you will return these warrants to the Government of the Two Sicilies in order that they may be cancelled.

I am, &c.
(Signed) ABERDEEN.

The Hon. W. Temple,
&c. &c.

No. 301.

The Earl of Aberdeen to Mr. Temple.

SIR,

Foreign Office, December 31, 1842.

IN accordance with an application which has been made to me by the Admiralty, I have to instruct you to request the Neapolitan Government to issue a warrant to enable Lieutenant George Oldmixon, commanding Her Majesty's steam vessel "Megæra," about to be employed on the North America and West India station, to act under the Convention between Great Britain, France, and the Two Sicilies, of the 14th of February, 1838, for the suppression of Slave Trade.

I am, &c.
(Signed) ABERDEEN.

The Hon. W. Temple,
&c. &c.

MEXICO.

No. 302.

The Earl of Aberdeen to Mr. Murphy.

SIR,

Foreign Office, February 22, 1842.

I BEG to refer you to the Treaty between Great Britain and Mexico for the Suppression of Slave Trade, which was signed on the 24th of February, 1841.

By the stipulations of that Treaty it was provided that the ratifications of it should be exchanged in London within the period of one year from the date of its signature.

As the period in question will expire on the 24th instant, I request that you will acquaint me whether the ratification of the Treaty on the part of Mexico has reached you.

If that ratification should not have reached you, I beg to suggest to you the expediency of drawing up and executing some document on the 24th instant extending the time for the exchange of the ratifications of both parties to the Treaty.

And I shall be glad to receive you for that purpose at this Office, at three o'clock on the 24th instant, if that hour shall suit your convenience.

I am, &c.

(Signed) ABERDEEN.

T. Murphy, Esq.,
&c. &c. &c.

No. 303.

Mr. Pakenham to the Earl of Aberdeen.

Mexico, January 31, 1842.

(Received March 12.)

MY LORD,

I HAD the honour, on the 25th of this month, to receive your Lordship's Despatches marked "Slave Trade," of the 30th of October and the 24th of November, 1841.

In obedience to the instructions contained in that of the 30th of October, I have addressed a note to the Minister for Foreign Affairs, expressing the cordial thanks of Her Majesty's Government for the ready compliance of the Government of Mexico, as signified by Señor Camacho's note of August last, with the wishes of Her Majesty's Government, in prohibiting their agents in slave-holding countries from being directly or indirectly interested in slave-property.

I have, &c.,

(Signed) R. PAKENHAM.

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

No. 304.

*Mr. Pakenham to the Earl of Aberdeen.**Mexico, February 17, 1842.**(Received April 22.)*

MY LORD,

I HAD the honour, on the 8th of this month, to receive your Lordship's Despatches, marked Slave Trade, of the 27th and 31st of December last.

In answer to that of the 31st of December, I have the satisfaction to acquaint your Lordship that the President has consented, in the exercise of the powers with which he is now invested, to ratify the Treaty for the prevention of the Slave Trade under the flag of the Republic, which I had the honour to conclude on the 24th of February, 1841.

The ratification will be prepared with all possible despatch, and forwarded to London to be exchanged against that of Her Majesty.

In obedience to the instructions contained in your Lordship's Despatch of the 27th of December, I have addressed an application to the Mexican Government, requesting that an official copy may be supplied to this mission of all the laws and acts, whether of a temporary or permanent character, which have at any time been issued by the Government, or by its municipal authorities, relative to the trade in slaves.

I have, &c.

(Signed) R. PAKENHAM.

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

&c.

&c.

&c.

No. 305.

*Mr. Pakenham to the Earl of Aberdeen.**Mexico, February 17, 1842.**(Received April 22.)*

(Extract.)

WITH reference to my Despatch of this date, in answer to your Lordship's Despatch of 31st December, I think it necessary to offer some explanation as to the causes which had, until the present moment, delayed the ratification of the Treaty, some time since concluded, for the prevention of the Slave Trade under the flag of Mexico.

The Treaty was signed on the 24th of February, 1841, just when intelligence was received here of the recognition of the independence of Texas by Her Majesty's Government.

In my Despatch of the 26th of February, I took occasion to mention the feeling of dissatisfaction manifested by the Congress at that act on the part of the British Government, and particularly the offence that was taken at the opinion expressed by Viscount Palmerston, in his Lordship's note to the Mexican Chargé d'Affaires of the 25th of November, 1840, respecting the probable issue of any attempt which might be made by this country to effect the re-conquest of Texas.

When, then, the Treaty for the prevention of the Slave Trade was submitted to the Congress, it was received with no friendly feeling; and I was assured by some of the members who had promised their assistance in carrying the Treaty through the Chambers, that if the question of its ratification were to be brought forward at that time, it would, in all probability, be rejected by a large majority. Such a result would not only have been a great disappointment to Her Majesty's Government, but would also have formed a serious obstacle to the ratification of any fresh Treaty upon the same subject, which might be submitted to the Chambers; and I accordingly felt the propriety of waiting for a more favourable opportunity to press for the ratification of the Treaty already presented.

In this state the matter remained, when the revolution broke out, which, as your Lordship is already aware, ended in the dissolution of the Congress and the assumption of the supreme power, legislative as well as executive, by General Santa Anna.

CLASS C.

As soon as order was restored, and that there was reason to believe, from the general submission of all classes to the change which had been brought about, that the authority of General Santa Anna was firmly established, I took occasion to direct the attention of the Government to our Treaty.

On the receipt of your Lordship's Despatch of the 31st of December, I addressed a letter to Señor de Bocanegra, a copy of which I enclose, expressing the desire of Her Majesty's Government that no further time should be lost in completing, by the ratification of the President, the engagement already contracted by the Mexican Government in a matter which is viewed with so much interest by the Government and people of England. A few days afterwards I had the pleasure of hearing from Señor de Bocanegra that the President had made up his mind to ratify the Treaty.

I have, &c.

(Signed) R. PAKENHAM.

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

Enclosure in No. 305.

Mr. Pakenham to Señor Bocanegra.

SIR,

Mexico, February 9, 1842.

WITH reference to the ratification of the Treaty some time since concluded for the prevention of the Slave Trade, under the flag of this Republic, I have now the honour to acquaint your Excellency that by the mail which arrived yesterday from England, I have received instructions to represent to the Government of Mexico the great anxiety of Her Majesty's Government that no further time should be lost in completing, by the ratification of his Excellency the President, the engagement already contracted by the Mexican Government upon this subject.

Your Excellency is already aware of the interest taken by the Government and people of England in everything connected with the suppression and prevention of the Trade in Slaves. I believe this feeling to be fully shared by the Mexican people, and therefore that the ratification of a Treaty so much in accordance with the sentiments of both nations would tend to strengthen and confirm the sentiments of friendship and good will which already happily subsist between the two countries.

I have, &c.

(Signed) R. PAKENHAM.

His Excellency Don José Maria de Bocanegra,
&c. &c. &c.

No. 306.

The Earl of Aberdeen to Mr. Pakenham.

(Extract.)

Foreign Office, May 16, 1842.

I HAVE received and laid before the Queen your Despatch of the 17th of February last, relative to the causes which had delayed the Mexican ratification of the Treaty for the suppression of the Slave Trade, signed by you and the Mexican Plenipotentiary on the 24th of February last.

I have the satisfaction to inform you that Her Majesty's Government entirely approve of the discretion you showed in not pressing for the ratification of the Treaty at a time when it would, in all probability, have been rejected by the Congress.

No. 307.

*Mr. Pakenham to the Earl of Aberdeen.**Mexico, April 28, 1842.
(Received June 24.)*

MY LORD,

WITH reference to my Despatches of the 17th of February last, relative to the ratification of the Treaty concluded last year with this Republic, for the prevention of the Slave Trade under the flag of Mexico, I have now the honour to lay before your Lordship an Additional Article, signed on the 13th of this month, accounting for the delay which had taken place in the exchange of the ratifications of the Treaty of last year, and stipulating that they shall be exchanged in London within six months from the date of the said Additional Article.

I trust that this arrangement will be found in due form, and that it will receive your Lordship's approbation.

The Mexican ratification of the Treaty and of the Additional Article, together with the necessary full power to the Mexican Chargé d'Affaires to exchange the same, will go forward by the present packet.

I have, &c.

(Signed) R. PAKENHAM.

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

No. 308.

*Mr. Pakenham to Mr. Addington.**Mexico, April 28, 1842.
(Received June 24.)*

SIR,

I TRUST that Lord Aberdeen will not disapprove of my forwarding, under cover to his Lordship, the accompanying packet, containing the Mexican ratification of the Treaty concluded last year, for the prevention of the Slave Trade under the flag of this Republic; my object being to save to the Mexican Government the heavy amount of postage chargeable on such a packet if forwarded with the general correspondence.

I have, &c.

Henry Unwin Addington, Esq.,
&c. &c. &c.

(Signed) R. PAKENHAM.

No. 309.

*The Earl of Aberdeen to Mr. Murphy.**Foreign Office, July 28, 1842.*

LORD ABERDEEN presents his compliments to Mr. Murphy, and will be happy to have the honour of receiving him at the Foreign Office to-morrow, the 29th instant, at three o'clock, for the purpose of exchanging the ratifications of the Treaty between Great Britain and Mexico, for the suppression of the Slave Trade.

As it is necessary that the ratifications should be collated previously to the exchange, Lord Aberdeen requests that Mr. Murphy will have the goodness to come, or to send his secretary to the Foreign Office at half-past one o'clock to-morrow for that purpose. Mr. Murphy's seal will also be requisite on the occasion.

T. Murphy, Esq.,
&c. &c.

No. 310.

The Earl of Aberdeen to Mr. Pakenham.

SIR,

Foreign Office, July 1, 1842.

I HEREWITH transmit to you, for your information, three copies of a Treaty between Her Majesty and the Republic of Texas, for the suppression of the African Slave Trade, signed at London on the 16th November, 1840.

The ratifications of this Treaty were exchanged at London on the 28th ultimo.

Richard Pakenham, Esq.,
 &c. &c. &c.

I am, &c.
 (Signed) ABERDEEN.

No. 311.

*Mr. Pakenham to the Earl of Aberdeen.**Mexico, May 29, 1842.**(Received July 10.)*

MY LORD,

I HAD the honour, on the 20th of this month, to receive your Lordship's Circular Despatch of the 23rd of March, enclosing a copy of the Treaty signed by your Lordship on the 20th of December, 1841, with the Plenipotentiaries of Austria, France, Prussia, and Russia, for the suppression of the Slave Trade.

I have, &c.

(Signed) R. PAKENHAM.

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

No. 312.

*Mr. Pakenham to the Earl of Aberdeen.**Mexico, August 29, 1842.**(Received October 14.)*

MY LORD,

I HAD the honour, on the 15th of this month, to receive your Lordship's Despatch, dated the 1st of July, enclosing copies of a Treaty between Her Majesty and the Republic of Texas, for the suppression of the African Slave Trade, signed at London on the 16th of November, 1840, and of which the ratifications were exchanged on the 18th of June last.

I have, &c.

(Signed) R. PAKENHAM.

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

No. 313.

*Mr. Pakenham to the Earl of Aberdeen.**Mexico, September 10, 1842.**(Received November 5.)*

MY LORD,

I HAVE had the honour to receive your Lordship's Despatch of the 5th of July, enclosing two copies of a Treaty concluded at Montevideo on the 13th of July, 1839, between Her Majesty and the Oriental Republic of Uruguay for the abolition of the traffic in slaves.

I have, &c.

(Signed) R. PAKENHAM.

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

No. 314.

*Mr. Pakenham to the Earl of Aberdeen.**Mexico, September 29, 1842.**(Received November 19.)*

MY LORD,

I HAD the honour, on the 16th of this month, to receive your Lordship's Despatch, enclosing copies of a Treaty concluded at Sucre on the 23rd of September, 1840, between Her Majesty and the Republic of Bolivia for the abolition of the traffic in slaves, the ratifications of which Treaty have been duly exchanged.

I have, &c.

(Signed)

R. PAKENHAM.

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

TEXAS.

No. 315.

General Hamilton to the Earl of Aberdeen.

Austin, Texas, February 8, 1842.

(Received April 22.)

MY LORD,

I HAVE the honour to inform you that the Slave Trade Treaty which I concluded with Lord Palmerston has been ratified by the Senate and President of Texas, and the necessary documents for the exchange of its ratifications in London will leave this to-day.

Although circumstances will deny to me the pleasure of making this exchange with your Lordship, yet the event will not be the less gratifying as consummating a measure of public policy which had my cordial concurrence.

I have, &c.

(Signed) HAMILTON.

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